

SENATE COMMITTEE ON JUDICIARY

June 08, 2005
1:30 P.M.

Hearing Room 343
Tapes 160

MEMBERS PRESENT: Sen. Ginny Burdick, Chair
Sen. Charles Starr, Vice-Chair
Sen. Floyd Prozanski
Sen. Charlie Ringo
Sen. Vicki Walker
Sen. Doug Whitsett

MEMBER EXCUSED: Sen. Roger Beyer

STAFF PRESENT: Heidi Moawad, Counsel
Sam Sears, Counsel
Dale Penn, Committee Assistant

MEASURES/ISSUES HEARD:
HB 3159A – Public Hearing
HB 2297 – Public Hearing
HB 2361 – Public Hearing

These minutes are in compliance with Senate and House Rules. Only text enclosed in quotation marks reports a speaker's exact words. For complete contents, please refer to the tapes.

TAPE/#	Speaker	Comments
TAPE 160, A		
002	Chair Burdick	Calls the meeting to order at 1:45 p.m. and opens a public hearing on HB 3159A.
HB 3159A – PUBLIC HEARING		
006	Sam Sears	Counsel. Describes HB 3159 relating to exempting certain licensed construction contractors from product liability civil actions brought for damages related to asbestos if the contractor used or installed products containing asbestos pursuant to plans, specifications or directions prepared by or on the behalf of the owner of the project.
009	Rep. Bob Ackerman	House District 13. Submits testimony from Robert Burgess, CEO of Cascade Acoustics Inc. and a court document and testifies in support of HB 3159A (EXHIBITS A & B).
051	Jessica Adamson	Associated General Contractors. Testifies in support of HB 3159A.
057	David Douthwaite	Associated General Contractors. Submits testimony and testifies in support of HB 3159A (EXHIBIT C).
102	Adamson	Addresses the testimony from Rep. Ackerman (Exhibits A & B).
133	Peter Preston	Oregon Title Lawyers Association. Testifies in opposition to HB 3159A as the bill is currently written.
163	Preston	Talks about an administrative regulation in 1945 passed by the Oregon State Board of Health where hazardous products were

193	Sen. Whitsett	listed. Stresses that no contractors used air monitoring before 1972 to test for these hazardous materials.
198	Preston	Inquires what methodology was available in the 1945s through the 1970s.
208	Chair Burdick	States that the same technology used today was readily available during that time.
214	Preston	Asks if there is any hope for narrowing the bill down to resolve his opposition.
221	Chair Burdick	Argues that he does not believe there are compromises available for the current incarnation of the bill.
		Closes the public hearing on HB 3159A and moves HB 2282 to Monday, June 13, 2005. Opens a public hearing on HB 2297.

HB 2297 – PUBLIC HEARING

231	Heidi Moawad	Counsel. Describes HB 2297 relating to expanding the circumstances under which public indecency is a felony.
245	Chair Burdick	Calls the meeting to order as a subcommittee at 2:01 p.m.
249	Brad Berry	Oregon District Attorneys Association. Testifies in support of HB 2297.
270	Chair Burdick	Inquires if this is a problem elsewhere.
272	Berry	States that such prior-conviction problems are located elsewhere as well.
284	Chair Burdick	Closes the public hearing on HB 2297 and opens a public hearing on HB 2361.

HB 2361 – PUBLIC HEARING

289	Heidi Moawad	Counsel. Describes HB 2361 relating to requiring a revocation of driving privileges of persons convicted of misdemeanor driving under the influence of intoxicants for a third or subsequent time.
313	Bruce Pratt	Crime Victims United. Testifies in support of HB 2361.
359	Brad Berry	Oregon District Attorneys Association. Testifies in support of HB 2361.
378	Chair Burdick	Inquires about the bill applying to current cases being adjudicated.
384	Berry	Addresses the situations involving multiple offenses at the time of the bill passing.
395	Sen. Prozanski	Talks about the effects of this bill on current cases.
427	Chair Burdick	Closes the public hearing on HB 2361 and recesses the meeting at 2:12 p.m.
437	Chair Burdick	Calls the meeting to order at 3:25 p.m. and moves HB 2359, SB 1041, HB 2314, HB 2499, HB 2518A, HB 3352A, HB 2268A, and HB 2282A to Monday, June 13, 2005.

EXHIBIT SUMMARY

- A. **HB 3159A, written testimony, Rep. Ackerman, 3 pp**
- B. **HB 3159A, Court Document, Rep. Ackerman, 30 pp**
- C. **HB 3159A, written testimony, David Douthwaite, 1 p**

HOUSE & SENATE JUDICIARY COMMITTEES

**June 08, 2005
6:00 P.M.**

**Hearing Room F
Tapes 60 - 63**

HOUSE MEMBERS PRESENT:

**Rep. Wayne Krieger, Chair
Rep. Greg Macpherson, Vice-Chair
Rep. Jeff Barker
Rep. Linda Flores
Rep. Bill Garrard
Rep. Kim Thatcher
Rep. Kelley Wirth**

SENATE MEMBERS PRESENT:

**Sen. Ginny Burdick, Chair
Sen. Charles Starr, Vice-Chair
Sen. Roger Beyer
Sen. Floyd Prozanski
Sen. Charlie Ringo
Sen. Vicki Walker
Sen. Doug Whitsett**

MEMBERS EXCUSED:

**Rep. Bob Ackerman
Rep. Andy Olson, Vice-Chair**

STAFF PRESENT:

**Heidi Moawad, Counsel
Joe O'Leary, Counsel
Bill Taylor, Counsel
Elizabeth Howe, Committee Assistant**

MEASURES/ISSUES HEARD:

**HB 2485 – Public Hearing
SB 907 – Public Hearing**

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TAPE/#	Speaker	Comments
TAPE 60, A		

Please see the House Judiciary Committee minutes for the complete tape log for this date.