

SENATE COMMITTEE ON RULES

July 1, 2005
8:15 A.M.

Hearing Room B
Tapes 143 – 146

Corrected 10/28/05

MEMBERS PRESENT: Sen. Chair Brown Brown, Chair
Sen. Ted Ferrioli, Vice-Chair
Sen. Jason Atkinson
Sen. Charlie Ringo
Sen. Frank Shields

STAFF PRESENT: Tiffany Harris, Committee Administrator
James Goulding, Committee Assistant

MEASURE/ISSUES HEARD:

SB 1089 – Public Hearing and Work Session
HCR 6 – Public Hearing and Work Session
SB 1085 – Public Hearing and Work Session
HB 2408A – Work Session
HB 3083A – Work Session
HB 2599B – Work Session
HB 2429A – Work Session
HB 3151A – Work Session
HB 3168 – Public Hearing and Work Session
HB 3260A – Public Hearing and Work Session
HB 3319A – Public Hearing and Work Session
HB 2078 – Work Session
HB 3379 – Work Session

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 143, A		
003	Chair Brown	Calls the meeting to order at 8:19 a.m. Opens a public hearing on SB 1089.
<u>SB 1089 – PUBLIC HEARING</u>		
006	Chair Brown	Makes opening remarks.
009	Tiffany Harris	Committee Administrator. Provides an overview of SB 1089.
025	Sen. Margaret Carter	Senate District 22. Presents a written statement (EXHIBIT A), written testimony (EXHIBIT B), and an information chart (EXHIBIT C).
070	Rep. Peter Buckley	House District 5. Presents written testimony (EXHIBIT D), letter from Arizona Treasurer (EXHIBIT E), and a letter from Darlene Hooley (EXHIBIT F).
111	Sen. Avel Gordly	Senate District 23. Testifies in favor of SB 1089. Applauds the efforts of her colleagues in bringing this measure forward. Reads from SB 1089.
161	Rep. Brian Boquist	House District 23. Testifies in favor of SB 1089. Relays his experiences as a military officer in the Sudan conflict. Describes

		the atrocities he witnessed and why he strongly supports SB 1089.
200	Rep. Boquist	Talks about the oil interests in Sudan and the massive corruption and unrest in Sudan. Expresses his concerns over the take over of Unical Oil.
230	Rep. Boquist	Discusses the genocide taking place over the extraction of oil. Discusses state involvement in a national issue. Presents pictures taken.
249	Sen. Carter	Provides additional support for SB 1089. Talks about the financial implications of the measure and making moral decisions.
267	Rep. Boquist	Adds that American businesses are currently banned from doing business in Sudan. Notes that the ban may lift and that this measure will prevent it.
290	Chair Brown	Closes the public hearing on SB 1089.
291	Chair Brown	Comments on today's agenda.
308	Chair Brown	Opens a public hearing on HCR 6.
<u>HCR 6 – PUBLIC HEARING</u>		
310	Tiffany Harris	Committee Administrator. Provides an overview of HCR 6.
320	Dixon Andrews	Lieutenant, Clackamas County Sheriff Department. Present on behalf of Sheriff Craig Roberts. Testifies in support of HCR 6.
345	B.J. Smith	Clackamas County. Expresses support for HCR 6.
350	Chair Brown	Closes the public hearing on HCR 6 and opens a public hearing on SB 1085.
<u>SB 1085 – PUBLIC HEARING</u>		
365	Tiffany Harris	Committee Administrator. Provides an overview of SB 1085.
372	Dr. Rick Bayer	Doctor, Internal Medicine. Fellow, American College of Physicians. Testifies regarding SB 1085. Mentions the -1 amendments (EXHIBIT G). Offers his concerns of the language in the measure. Mentions Page 7, line 15 through 23, of the printed measure.
<u>TAPE 144, A</u>		
005	Bayer	Discusses his concern over the penalties in the measure.
040	Bayer	Comments on the sections he would need removed to completely support the measure.
050	Madeline Martinez	Patient advocate. Executive Director, Oregon Normal. Presents written testimony regarding SB 1085 (EXHIBIT H).
060	Chair Brown	Details changes that will draw opposition from law enforcement groups. Advocates the need to address the concerns of witness' concerns and the concerns of law enforcement.
075	Leland Berger	Lawyer. Discusses concerns regarding SB 1085. Details portions of the measure he has problems with.
110	Berger	Notes the origins of the measure and the need for criminal justice reforms.
143	Berger	Discusses Legislative Advisory Committee. Encourages committee to not allow bill to move forward.
154	Sen. Ferrioli	Observes several concerns. Talks about statutes against substance abuse and authorizations for medical marijuana. Offers that a clear distinction needs to be drawn between medical marijuana use and substance abuse.
190	Bayer	Comments that the additional punishment has not been needed. Talks about the ways to resolve marijuana growing problems. Outlines the compromises that can be worked out.
232	Sen. Ferrioli	Counters Dr. Bayer's example. Relays the simplest problems that

		could come up in turning medical marijuana into a criminal offense. Talks about the criminal enterprises related to the street value of marijuana.
255	Bayer	Believes that those who are egregiously violating should lose the ability to grow but should not lose access to medicine. Provides an example.
263	Sen. Ferrioli	Agrees that criminals should not be denied palliated medication. Feels that there are medical conditions that are getting prescriptions for marijuana when other medicines are available.
282	Bayer	Wonders if Sen. Ferrioli agrees that those who should not be allowed to grow their medicine should still have access to pain medication.
284	Vice-Chair Ferrioli	Replies yes.
285	Bayer	Believes there could be a compromise. Explains in detail.
295	Sen. Ferrioli	Refers to section 6, lines 15-23. Verifies they all have to do with production.
301	Bayer	Explains section 6 decreases access to medicine not only production of marijuana.
310	Vice-Chair Ferrioli	Points out the term “grow site” is included in that section.
315	Sen. Ringo	Concurs that Sen. Ferrioli is getting to the heart of the concerns over this issue. Agrees that those who have violated marijuana laws should have a harder time partaking of that treatment.
333	Berger	Discusses the crime of “delivery”. Expresses that those who have their card revoked would likely turn to illegal methods of obtaining it. Considers that the incidents of abuse of medical marijuana cards have been very low.
374	Berger	Discusses law enforcement aspects and the advisory committee.
389	Vice-Chair Ferrioli	Appreciates witness’ testimony. Asks Craig Durbin to come forward.
393	Berger	Concludes that the marijuana laws have taken patients out of the underground drug market.
400	Vice-Chair Ferrioli	Remarks on underground drug market.
407	Berger	Opines the provision that Dr. Bayer is concerned with would force people back into the underground market.
TAPE 143, B		
003	Craig Durbin	Lieutenant, Oregon State Police. Remarks on the Legislative Advisory Committee. Comments on the compromise attempts with this measure. Points out law enforcement’s need to have clear distinctions between medical and illegal marijuana use. Supports SB 1085 as written.
035	Durbin	Discusses the language and how it makes some important distinctions. Comments on the -1 amendments.
065	Durbin	Concurs with some of Sen. Ferrioli’s early observations.
070	Vice-Chair Ferrioli	Feels the parties need to get together and discuss the issue. Believes a better understanding of the issue is needed. Recesses the public hearing on SB 1085. Re-opens the public hearing on SB 1089.

SB 1089 – PUBLIC HEARING

087	Kate Richardson	State Treasurer’s Office. Notes the state treasurer will meet with Sen. Carter later to work out a compromise. Offers that the treasurer opposes measures that require disinvestment of interests. Feels that such a request should come through the Investment Council. Comments on financial impacts from the implementation of this bill.
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140	Linda Haglund	State Treasurer's Office. Describes the need to have all parties discuss this measure.
149	Sen. Shields	Asks if they have compared this measure to similar laws in other states.
154	Haglund	Relays their research on the Illinois and Louisiana measures.
167	Sen. Shields	Wonders how much of an impact this would really have.
175	Richardson	Replies that they are not sure which companies the analysis was based on in the report.
183	Haglund	Offers additional details.
194	Richardson	Adds that 1.5 percent of the PERS fund is a large number.
196	Sen. Shields	Wonders if the Investment Council would be willing to look at the fact that you don't want to invest in a company that is involved in genocide.
210	Haglund	Discusses current standards in place in statute with regards to investment and management of funds. Discusses proxy voting process of the Investment Council.
237	Richardson	Notes this issue has not yet been presented to the Oregon Investment Council. Mentions they are now aware of SB 1089.
243	Sen. Ringo	Considers the fiscal impact.
247	Richardson	Replies that it has not been requested.
252	Vice-Chair Ferrioli	Discusses the difficulty involved in disinvestment. Wonders if the approach would be changed if the disinvestment would be made on a proactive basis. Explains that a proactive basis would mean no new investment.
265	Haglund	Replies yes. Explains in detail.
270	Vice-Chair Ferrioli	Asks witnesses to be ready to discuss those issues at 2:00 p.m.
274	Sen. Shields	Comments on the term "full information" and Rep. Boquist's earlier testimony. Urges witnesses to understand what is happening in the Sudan.
287	Richardson	Agrees. Discusses the term "full information".
294	Vice-Chair Ferrioli	Remarks on the international sugar industry. States the difficulty in avoiding investment in any company tied to a specific political issue. Suggests witnesses think about ways they can involve themselves proactively in the issue.
312	Jon Christiansen	Chief of Staff, Sen. Margaret Carter's office. Testifies regarding SB 1089. Mentions fiscal impact.
335	Vice-Chair Ferrioli	States there is a floor session at 10:00 a.m.
340	Sen. Ringo	States that Kevin Neely from the Department of Justice is present.
	Vice-Chair Ferrioli	Recesses the meeting at 9:42 a.m. States the meeting will reconvene at the call of the chair. The committee stands at ease.
348	Chair Brown	Reconvenes the meeting at 10:05 a.m. Opens a work session on HB 2408A.

HB 2408A – WORK SESSION

365	John Schultz	Administrator, Worker's Compensation Division, Department of Consumer and Business Services. Recommends support of the –A6 amendments (EXHIBIT I) to HB 2408A. Explains the –A6 amendments incorporate the –A2 and the –A3 amendments to HB 2408A. Provides an overview of the –A6 amendments.
412	Chair Brown	Believes the other issue was the sunset with SB 757 (2005). Understands that SB 757 and HB 2408A with the –A6 amendments will sunset at the same time.
420	Schultz	Replies that is also his understanding.
425	Chair Brown	MOTION: Moves to ADOPT HB 2408-A6 amendments

427		dated 6/29/05. VOTE: 5-0-0
	Chair Brown	Hearing no objection, declares the motion CARRIED.
430	Chair Brown	MOTION: Moves HB 2408A to the floor with a DO PASS AS AMENDED recommendation.
432		VOTE: 5-0-0
	Chair Brown	Hearing no objection, declares the motion CARRIED.
440	Chair Brown	SEN. BROWN will lead discussion on the floor. Recesses the meeting at 10:08 a.m. until 1:00 p.m. for the purpose of attending floor session.
TAPE 144, B		
004	Chair Brown	Calls the meeting back to order at 1:08 p.m. Opens a public hearing on SB 1085.
<u>SB 1085 – PUBLIC HEARING</u>		
010	Sen. Bill Morrisette	Senate District 6. Testifies in favor of SB 1085 with the -1 amendments. Talks about an agreement of changes to be made on the House side.
040	Sen. Morrisette	Concludes testimony.
045	Sen. Jeff Kruse	Senate District 1. Concurs with Sen. Morrisette's summary of the agreed upon language. Offers testimony on further issues needing to be addressed.
075	Sen. Ferrioli	Questions the reason to amend the measure now as opposed to in the House.
083	Sen. Kruse	Clarifies counsel's request.
085	Sen. Ferrioli	States he is looking for assurance from the representative from law enforcement that this is an acceptable mechanism.
089	Craig Durbin	Lieutenant, Oregon State Police. Agrees with the -1 amendments.
093	Sen. Morrisette	Thanks the parties involved in crafting the legislation.
100	Chair Brown	Notes for the record that Stormy Ray and Jerry Wade signed up in support of SB 1085.
105	Chair Brown	Closes the public hearing on SB 1085 and opens a work session on SB 1085.
<u>SB 1085 – WORK SESSION</u>		
106	Chair Brown	MOTION: Moves to ADOPT SB 1085-1 amendments dated 6/27/05.
108		VOTE: 3-0-2 EXCUSED: 2 – Atkinson, Ferrioli
	Chair Brown	Hearing no objection, declares the motion CARRIED.
110	Chair Brown	MOTION: Moves SB 1085 to the floor with a DO PASS AS AMENDED recommendation.
112		VOTE: 3-0-2 EXCUSED: 2 – Atkinson, Ferrioli (Note: See Tape 144, B, Counter 156, and Page 7 of these minutes.)
	Chair Brown	Hearing no objection, declares the motion CARRIED. SEN. KRUSE AND SEN. MORRISSETTE will lead discussion on the floor.
113	Chair Brown	Closes the work session on SB 1085 and opens a work session on HB 3083A.
<u>HB 3083A -WORK SESSION</u>		

114	Tiffany Harris	Committee Administrator. Provides an overview of HB 3083A. Believes there are amendments to address the concerns previously voiced.
120	Rep. Brad Avakian	House District 34. Explains the Oregon Fire District Directors Association has withdrawn their opposition to HB 3083A. States there are no amendments. Discusses HB 3083A.
130	Chair Brown	Clarifies there are no amendments.
132	Rep. Avakian	Replies there are no amendments. Wonders what Chair Brown is looking at.
133	Chair Brown	Replies she has a hand written note that says HB 3083A has consensus amendments.
135	Rep. Avakian	Reiterates there are no amendments.
136	Chair Brown	Replies okay.
140	Chair Brown	MOTION: Moves HB 3083A to the floor with a DO PASS recommendation.
142		VOTE: 5-0-0
	Chair Brown	Hearing no objection, declares the motion CARRIED. SEN. SHIELDS will lead discussion on the floor.
152	Chair Brown	Closes the work session on HB 3083A.
153	Chair Brown	Asks Sen. Atkinson and Sen. Ferrioli if they would like an opportunity to vote on SB 1085.
154	Sen. Ferrioli	States it is not necessary for him to record a vote on SB 1085.
155	Chair Brown	Conveys to Sen. Atkinson that his vote would not change the outcome.
156	Chair Brown	MOTION: Requests unanimous consent that the rules be SUSPENDED to allow SEN. ATKINSON to BE RECORDED as voting NAY on the motions to move SB 1085 to the floor with a DO PASS AS AMENDED recommendation.
157		VOTE: 5-0-0
	Chair Brown	Hearing no objection, declares the motion CARRIED.
158		VOTE: 3-1-1
		AYE: 3 - Ringo, Shields, Brown
		NAY: 1 – Atkinson
		EXCUSED: 1 – Ferrioli
		(Note: See Tape 144, B, Counter 108, and Page 6 of these minutes.)
	Chair Brown	Hearing no objection, declares the motion CARRIED. SEN. KRUSE AND SEN. MORRISETTE will lead discussion on the floor.
160	Chair Brown	Opens a work session on HB 2599B.
		<u>HB 2599B – WORK SESSION</u>
162	Sen. Ringo	Suggests that Kevin Neely explain the –B13 amendments.
165	Kevin Neely	Department of Justice. Submits and discusses the –B13 amendments (EXHIBIT J) .
180	Chair Brown	Wonders if this will save us thousands of dollars.
183	Neely	Explains they do not produce large quantities of the Attorney General’s opinions compendiums. States it will save time for the Department of Justice.
188	Sen. Ringo	Notes differences in the –B14 amendments (EXHIBIT K) .
198	Tiffany Harris	Committee Administrator. Asks if only the email address will be considered private information.
200	Sen. Ringo	Explains in addition to the other list.

201	Harris	Replies correct. Verifies that the only new addition is the email address.
202	Sen. Ringo	Replies email address and phone number.
203	Chair Brown	States that is a good suggestion. Asks Sen. Ringo what he would like to do.
204	Sen. Ringo	MOTION: Moves to ADOPT HB 2599-B13 amendments dated 6/30/05.
206		VOTE: 5-0-0
	Chair Brown	Hearing no objection, declares the motion CARRIED.
207	Sen. Ringo	MOTION: Moves to ADOPT HB 2599-B14 amendments dated 6/30/05.
219		VOTE: 5-0-0
	Chair Brown	Hearing no objection, declares the motion CARRIED.
212	Sen. Ringo	MOTION: Moves HB 2599B to the floor with a DO PASS AS AMENDED recommendation.
215		VOTE: 5-0-0
	Chair Brown	Hearing no objection, declares the motion CARRIED.
		SEN. RINGO will lead discussion on the floor.
220	Sen. Ferrioli	Makes comments.
221	Chair Brown	Makes comments.
224	Chair Brown	Closes the work session on HB 2599B and opens a work session on HB 2429A.
<u>HB 2429A – WORK SESSION</u>		
225	Chair Brown	States that her recollection is that the amendments are conflict amendments.
226	Tiffany Harris	Committee Administrator. Believes that is true. States she would like to look at the amendments. Submits the –A4 amendments (EXHIBIT L) .
230	Chair Brown	Confirms the –A4 amendments are conflict amendments.
232	Chair Brown	MOTION: Moves to ADOPT HB 2429-A4 amendments dated 6/29/05.
233	Chair Brown	Makes comments regarding the –A4 amendments.
235		VOTE: 5-0-0
	Chair Brown	Hearing no objection, declares the motion CARRIED.
236	Sen. Ringo	Verifies those were the –A4 amendments that were just moved.
237	Chair Brown	Replies correct.
238	Chair Brown	MOTION: Moves HB 2429A to the floor with a DO PASS AS AMENDED recommendation.
240		VOTE: 5-0-0
	Chair Brown	Hearing no objection, declares the motion CARRIED.
		SEN. RINGO will lead discussion on the floor.
245	Chair Brown	Closes the work session on HB 2429A and opens a work session on HB 3151A.
<u>HB 3151A – WORK SESSION</u>		
	Tiffany Harris	Committee Administrator. Submits the –A3 amendments to HB 3151A (EXHIBIT M) .
243	Sen. Ferrioli	Wonders if the –A3 amendments are being considered.
244	Chair Brown	Replies no.
248	Sen. Ferrioli	Advocates the adoption of -A3 amendments.
258	Chair Brown	Wonders what the point of passing the bill would be.
261	Sen. Ferrioli	Believes that question was asked by the district administrators and the parents who testified in opposition.

262	Chair Brown	Verifies that the –A3 amendments would gut the need for the bill.
263	Sen. Ferrioli	Replies yes. Continues advocating for the adoption of the –A3 amendments.
271	Chair Brown	Notes her concerns over the summer school lunch program. States she will move forward on the measure.
276	Sen. Ferrioli	Expresses his objections to the measure.
283	Chair Brown	Responds to Sen. Ferrioli’s comments.
290	Sen. Shields	Considers Rep. Farr’s work to reach resolutions regarding this issue.
292	Sen. Ferrioli	MOTION: Moves to ADOPT HB 3151-A3 amendments dated 5/27/05.
304		VOTE: 2-3-0
		AYE: 2 - Atkinson, Ferrioli
		NAY: 3 - Ringo, Shields, Brown
	Chair Brown	The motion FAILS.
306	Sen. Shields	MOTION: Moves HB 3151A to the floor with a DO PASS recommendation.
308	Sen. Ferrioli	Wonders if other students outside the four mentioned districts will be affected by this bill.
314	Chair Brown	States the passage of this bill has no affect on the summer lunch program. Explains her concerns regarding the lack of a summer lunch program.
328	Sen. Ferrioli	Reiterates question of whether this bill has a global effect on all students in the state of Oregon.
330	Chair Brown	Believes it only applies to four school districts.
335	Pat Burk	Chief Policy Officer, Department of Education. Explains their analysis of the bill shows that it only applies to four districts. Explains they are ready to offer technical assistance to those districts.
340	Sen. Ferrioli	Wonders if that assistance includes helping the school districts avoid the loss of programs and personnel.
343	Burk	Replies yes.
345	Sen. Shields	Provides his observations from work on the Hunger Relief Task Force.
365	Sen. Ferrioli	Expresses concerns.
390	Chair Brown	Reiterates concern about the lack of a summer lunch program.
395		VOTE: 4-1-0
		AYE: 4 - Atkinson, Ringo, Shields, Brown
		NAY: 1 - Ferrioli
	Chair Brown	The motion CARRIES.
		SEN. SHIELDS will lead discussion on the floor.
403	Chair Brown	Closes the work session on HB 3151A and opens a public hearing on HB 3168.

HB 3168 – PUBLIC HEARING

407	Tiffany Harris	Committee Administrator. Provides an overview of HB 3168. Submits the -1 amendments to HB 3168 (EXHIBIT N).
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TAPE 145,A

003	Nancy Latini	Associate Superintendent, Department of Education. Submits and discusses written testimony in support of HB 3168 (EXHIBIT O).
030	Chair Brown	Wonders if there is anyone present from the Juvenile Rights Project. Closes the public hearing on HB 3168 and opens a

HB 3260A – PUBLIC HEARING

035	Tiffany Harris	Committee Administrator. Provides an overview of HB 3260A. Submits the –A11 amendments to HB 3260 which are amendments to resolve conflicts (EXHIBIT P).
045	Genoa Ingram	Oregon Physical Therapy Association. Testifies in support of HB 3260A. Submits written testimony (EXHIBIT Q).
058	Sen. Ferrioli	Asks if the –A11 amendments are the issue before the committee.
060	Ingram	States the –A11 amendments appear to be conflict amendments. States they are okay with that.
061	Chair Brown	States that is her understanding as well.
062	Chair Brown	Closes the public hearing on HB 3260A and opens a work session on HB 3260A.

HB 3260A – WORK SESSION

063	Chair Brown	MOTION: Moves to ADOPT HB 3260-A11 amendments dated 7/1/05.
064		VOTE: 4-0-1
	Chair Brown	EXCUSED: 1 - Atkinson
	Chair Brown	Hearing no objection, declares the motion CARRIED.
065	Chair Brown	MOTION: Moves HB 3260A to the floor with a DO PASS AS AMENDED recommendation.
067		VOTE: 4-0-1
	Chair Brown	EXCUSED: 1 - Atkinson
		Hearing no objection, declares the motion CARRIED.
		SEN. RINGO will lead discussion on the floor.
070	Chair Brown	Closes the work session on HB 3260A and opens a public hearing on HB 3319A.

HB 3319A – PUBLIC HEARING

071	Chair Brown	Wonders if Paul Cosgrove is still in the room.
074	Lisa Trussell	Association of Oregon Industries. Requests support for HB 3319A with the –A3 amendments. Explains the –A3 amendments (EXHIBIT R).
087	Sen. Ringo	Wants to understand what this is attempting to do.
090	Trussell	Discusses paycheck violations with regards to final paychecks. States they worked with the Bureau of Labor and Industries (BOLI) in the House. Discusses language that would be eliminated by the –A3 amendments.
111	Sen. Ringo	Wonders if anyone from BOLI is going to testify.
112	Chair Brown	Asserts they have no objection or they would be present.
114	Chair Brown	Closes the public hearing on HB 3319A and opens a work session on HB 2078.

HB 2078 – WORK SESSION

117	Tiffany Harris	Committee Administrator. Provides an overview of HB 2078. Submits the -1 amendments (EXHIBIT S) and the -2 amendments (EXHIBIT T) to HB 2078.
125	Scott Barrie	Oregon Home Builders Association. Discusses the amendments to HB 2078. States support for the -3 amendments.
154	Chair Brown	Asks if the -3 amendments are consensus amendments.
155	Barrie	Replies yes.
156	Chair Brown	Makes comments.
160	Cory Streisinger	Director, Department of Consumer and Business Services.

173	Chair Brown	Testifies in regards to issues addressed in the measure.
174	Streisinger	Verifies this is a proactive approach.
179	Chair Brown	Replies yes. Discusses staffing.
		States they will check on the status of the -3 amendments.
		Verifies which amendments witness would like the committee to pass.
180	Streisinger	States the -3 amendments will replace the -1 amendments and the -2 amendments.
183	Chair Brown	Appreciates work of witnesses. Closes the work session on HB 2078 and opens a work session on HCR 6.

HCR 6 – WORK SESSION

202 **Chair Brown**

MOTION: Moves HCR 6 be sent to the floor with a BE ADOPTED recommendation.

206

VOTE: 4-0-1

EXCUSED: 1 - Ringo

Chair Brown

Hearing no objection, declares the motion CARRIED.

SEN. BROWN will lead discussion on the floor.

207 Chair Brown

Closes the work session on HCR 6. Recesses the meeting at 1:52 p.m. until 2:30 p.m.

208 Chair Brown

Calls the meeting back to order at 2:33 p.m. Notes the committee is meeting as a subcommittee. Opens a public hearing on HB 3319A.

HB 3319A – PUBLIC HEARING

210 Paul Cosgrove

Addus Healthcare. Provides additional description of the measure.

223 Tiffany Harris

Clarifies the time period for final payment of wages due.

232 Cosgrove

Provides clarification.

235 Chair Brown

Closes the public hearing on HB 3319A and re-opens the work session on HB 2078.

HB 2078 – WORK SESSION

243 Chair Brown

Notes the presence of the -3 amendments (**EXHIBIT U**).

245 John Powell

(Note: The committee is now meeting as a full committee.) Contractors Bonding and Insurance Company. Offers clarifications for the record. Notes the understanding of all parties.

267 Chair Brown

Verifies that the witness will support the -3 amendments.

268 Powell

Replies yes.

270 **Chair Brown**

MOTION: Moves to ADOPT HB 2078-3 amendments dated 7/1/05.

276

VOTE: 4-0-1

EXCUSED: 1 - Ringo

Chair Brown

Hearing no objection, declares the motion CARRIED.

277 **Chair Brown**

MOTION: Moves HB 2078 to the floor with a DO PASS AS AMENDED recommendation.

279

VOTE: 4-0-1

EXCUSED: 1 - Ringo

Chair Brown

Hearing no objection, declares the motion CARRIED.

SEN. ATKINSON will lead discussion on the floor.

280 Chair Brown

Closes the work session on HB 2078 and opens a work session on HB 3168.

HB 3168 – WORK SESSION

284 Chair Brown

Understands there is agreement on the -1 amendments

287	Tiffany Harris	(EXHIBIT N). Committee Administrator. Provides additional information on the -1 amendments.
304	Chair Brown	MOTION: Moves to ADOPT HB 3168-1 amendments dated 6/24/05.
307		VOTE: 4-0-1
	Chair Brown	EXCUSED: 1 - Ringo
		Hearing no objection, declares the motion CARRIED.
310	Chair Brown	MOTION: Moves HB 3168 to the floor with a DO PASS AS AMENDED recommendation.
311		VOTE: 4-0-1
	Chair Brown	EXCUSED: 1 - Ringo
		Hearing no objection, declares the motion CARRIED.
		SEN. SHIELDS will lead discussion on the floor.
315	Chair Brown	Closes the work session on HB 3168 and opens a work session on HB 3319A.
<u>HB 3319A – WORK SESSION</u>		
321	Chair Brown	Remarks the –A3 amendments are under consideration (EXHIBIT R).
325	Chair Brown	MOTION: Moves to ADOPT HB 3319-A3 amendments dated 0/0/05.
326		VOTE: 4-0-1
	Chair Brown	EXCUSED: 1 - Ringo
		Hearing no objection, declares the motion CARRIED.
328	Chair Brown	MOTION: Moves HB 3319A to the floor with a DO PASS AS AMENDED recommendation.
330		VOTE: 4-0-1
	Chair Brown	EXCUSED: 1 - Ringo
		Hearing no objection, declares the motion CARRIED.
		SEN. FERRIOLI will lead discussion on the floor.
332	Chair Brown	Closes the work session on HB 3319A and opens a work session on HB 3379.
<u>HB 3379 – WORK SESSION</u>		
	Tiffany Harris	Committee Administrator. Submits the -2 amendments (EXHIBIT V), the -3 amendments (EXHIBIT W), the -4 amendments (EXHIBIT X), and the -5 amendments (EXHIBIT Y) to HB 3379.
334	Brian DeLashmutt	Federation of Parole and Probation Officers (FOPPO). Comments on the -3 amendments.
370	John Powell	Oregon State Sheriff's Association. Explains they were part of the workgroup mentioned by Mr. DeLashmutt. Explains they could not come to complete resolution. Notes the presence of the -5 amendments. Advocates the adoption of the -5 amendments. Talks about the -4 amendments.
420	Sen. Ringo	Wonders if the -5 amendments provide arresting authority. Notes the witness is shaking his head no.
423	Powell	Responds.
TAPE 146, A		
005	Sen. Ringo	Verifies that the items that the witness was seeking are not in the -5 amendments.
008	DeLashmutt	Believes that the items are in the -5 amendments.
010	Powell	Confirms this.
012	Sen. Ringo	Verifies that is different than giving the parole and probation

014	DeLashmutt	officer additional authority beyond what they have now.
016	Chair Brown	Explains one additional distinction in the -5 amendments.
018	DeLashmutt	Verifies that Mr. DeLashmutt can live with the -5 amendments.
021	Paul Snyder	States he will live with the -5 amendments.
		Association of Oregon Counties. Supports the -5 amendments.
023	Chair Brown	Submits written testimony (EXHIBIT Z) .
		Notes there are many organizations in the room supporting the -5 amendments.
025	Sen. Shields	Considers “warrant-less” search authority.
027	DeLashmutt	Explains that warrant-less searches are currently a function of a parole and probation officer.
029	Sen. Shields	Wonders if they would lose that ability if they became peace officers.
030	DeLashmutt	Provides clarification.
037	Snyder	Makes comments.
039	Sen. Shields	Makes comments.
042	Sen. Atkinson	MOTION: Moves to ADOPT HB 3379-5 amendments dated 7/1/05.
043		VOTE: 5-0-0
	Chair Brown	Hearing no objection, declares the motion CARRIED.
045	Sen. Atkinson	MOTION: Moves HB 3379 to the floor with a DO PASS AS AMENDED recommendation.
046		VOTE: 5-0-0
	Chair Brown	Hearing no objection, declares the motion CARRIED.
		SEN. RINGO will lead discussion on the floor.
	The following material is submitted for the record without public testimony:	
	Max Williams	Director, Department of Corrections. Submits written testimony regarding HB 3379 (EXHIBIT AA) .
052	Chair Brown	Closes the work session on HB 3379 and opens a work session on SB 1089.
	<u>SB 1089 – WORK SESSION</u>	
058	Chair Brown	Makes comments.
061	Chair Brown	MOTION: Moves SB 1089 to the floor with a DO PASS recommendation.
062	Sen. Ringo	Believes it is important to hear from the Treasurer’s office in detail and opines that can be done in the House.
064	Chair Brown	Wonders if the committee heard from the Treasurer’s office this morning.
065	Sen. Ringo	States there was not much detail.
066		VOTE: 4-0-1
		EXCUSED: 1 – Ferrioli
	Chair Brown	Hearing no objection, declares the motion CARRIED.
		SEN. CARTER AND SEN. GORDLY will lead discussion on the floor.
067	Sen. Ringo	Makes comments regarding fiscal.
070	Chair Brown	Closes the work session on SB 1089 and adjourns the committee at 2:52 p.m.

EXHIBIT SUMMARY

A. SB 1089, written statement, Sen. Margaret Carter, 1 p

- B. SB 1089, written testimony, Sen. Margaret Carter, 3 pp**
- C. SB 1089, information chart, Sen. Margaret Carter, 7 pp**
- D. SB 1089, written testimony, Rep. Peter Buckley, 2 pp**
- E. SB 1089, letter from Arizona Treasurer, Rep. Peter Buckley, 5 pp**
- F. SB 1089, letter from Darlene Hooley, Rep. Peter Buckley, 2 pp**
- G. SB 1085, -1 amendments, staff, 1 p**
- H. SB 1085, written testimony, Madeline Martinez, 1 p**
- I. HB 2408A, -A6 amendments, staff, 23 pp**
- J. HB 2599B, -B13 amendments, Kevin Neely, 1 p**
- K. HB 2599B, -B14 amendments, staff, 2 pp**
- L. HB 2429A, -A4 amendments, staff, 5 pp**
- M. HB 3151A, -A3 amendments, staff, 1 p**
- N. HB 3168, -1 amendments, staff, 3 pp**
- O. HB 3168, written testimony, Nancy Latini, 4 pp**
- P. HB 3260A, -A11 amendments, staff, 1 p**
- Q. HB 3260A, written testimony, Genoa Ingram, 1 p**
- R. HB 3319A, -A3 amendments, staff, 1 p**
- S. HB 2078, -1 amendments, staff, 4 pp**
- T. HB 2078, -2 amendments, staff, 4 pp**
- U. HB 2078, -3 amendments, staff, 4 pp**
- V. HB 3379, -2 amendments, staff, 4 pp**
- W. HB 3379, -3 amendments, staff, 4 pp**
- X. HB 3379, -4 amendments, staff, 6 pp**
- Y. HB 3379, -5 amendments, staff, 6 pp**
- Z. HB 3379, written testimony, Paul Snyder, 1 p**
- AA. HB 3379, written testimony, Max Williams, 2 pp**