

SENATE COMMITTEE ON RULES

July 11, 2005
1:00 P.M.

Hearing Room B
Tapes 156 – 159

Corrected 11/14/05

MEMBERS PRESENT: Sen. Kate 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:

Executive Appointments – Public Hearings
State Commission on Children and Families
Rich Brown
Employment Appeals Board
Sarah Owens
State Commission on Children and Families
Rebecca Hernandez
State Housing Council
Jeana Woolley
State Marine Board
Richard Allen
HB 3494 – Work Session
HB 2062A – Work Session
HB 2566A – Work Session
HB 2539A – Work Session
HB 3469A – Public Hearing
HB 2339A – Public Hearing and Work Session
HB 2525A – Work Session
HB 3090A – Work Session
SB 1041 – Public Hearing
HB 2828A – Work Session
HB 2693A – Public Hearing
HB 2056A – Public Hearing
Executive Appointment – Public Hearing
State Commission on Children and Families
Jean Phelps

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 156, A		

003 Chair Brown Calls the committee to order at 1:04 p.m. Opens a public hearing on executive appointments.

EXECUTIVE APPOINTMENTS – PUBLIC HEARING

STATE COMMISSION ON CHILDREN AND FAMILIES – APPOINTMENT AND REAPPOINTMENT OF RICH BROWN (See Exhibit N of July 7 Committee Minutes)

015 Rich Brown Multnomah Commission on Children and Families. Introduces himself.

017 Chair Brown Asks about his background and qualification.

018 Rich Brown Begins discussing his background and qualifications.

032 Chair Brown Thanks him for his testimony.

EMPLOYEMENT APPEALS BOARD – APPOINTMENT OF SARAH OWENS (See Exhibit O of July 7 Committee Minutes)

040 Sarah Owens Provides an overview of her background work on the appeals board. States her qualifications for being appointed to the board.

STATE COMMISSION ON CHILDREN AND FAMILIES – APPOINTMENT OF REBECCA HERNANDEZ (See Exhibit N of July 7 Committee Minutes)

067 Rebecca Hernandez Testifies via phone. Elaborates on her background in education.

STATE HOUSING COUNCIL – APPOINTMENT OF JEANA WOOLLEY (See Exhibit P of July 7 Committee Minutes)

103 Jeana Woolley Testifies via phone. Comments on her background and experience in real estate development.

142 Chair Brown Inquires about her thoughts on the primary role of the council.

144 Woolley Relays her thoughts on the role and outlook of the council.

STATE MARINE BOARD – APPOINTMENT RICHARD ALLEN (See Exhibit Q of July 7 Committee Minutes)

190 Richard Allen Testifies via phone. Notes he will be in the capitol soon.

194 Chair Brown States that they will have him testify when he arrives. Closes the public hearing on executive appointments. Opens a work session on HB 3494.

HB 3494 – WORK SESSION

224 Chair Brown Asks about the –A6 amendments (**EXHIBIT A**) before the committee.

234 Sen. Ringo Explains they are now drafting the –A10 amendments.

239 Chair Brown Requests that the interested parties meet and come to a consensus before the committee adjourns.

240 Sen. Ben Westlund Senate District 27. Comments that the –A9 amendments were previously circulated and that an agreement has been reached.

Offers that they pass the measure out with the –A9 amendments.

250 Chair Brown Reiterates the need for the interested parties to reach a consensus.

259 Sen. Ringo Comments that the –A10 amendments should be available soon.

263 Doug Riggs Central Oregon Cities Association. Comments on the various amendments. Notes the –A10 and –A11 amendments are being worked on by legislative counsel.

277 Tiffany Harris States that those with amendments should provide them to committee staff as soon as possible.

280 Chair Brown Closes the work session on HB 3494. Opens a work session on HB 2062A.

HB 2062A – WORK SESSION

287 Harris Explains the provisions of HB 2062A. Comments that the –A2 amendment (**EXHIBIT B**) is purely to resolve conflicts.

292 Chair Brown **MOTION: Moves to ADOPT HB 2062A-A2 amendments dated 7/6/05.**

293 **VOTE: 4-0-1**

	Chair Brown	EXCUSED: 1 – Ferrioli
295	Chair Brown	Hearing no objection, declares the motion CARRIED.
		MOTION: Moves HB 2062A to the floor with a DO PASS AS AMENDED recommendation.
297		VOTE: 4-0-1
	Chair Brown	EXCUSED: 1 – Ferrioli
		Hearing no objection, declares the motion CARRIED.
		SEN. ATKINSON will lead discussion on the floor.
300	Chair Brown	Closes the work session on HB 2062A. Opens a work session on HB 2566A.
<u>HB 2566A – WORK SESSION</u>		
303	Chair Brown	Summarizes the provisions of the measure.
312	Chair Brown	MOTION: Moves HB 2566A to the floor with a DO PASS recommendation.
315	Sen. Ringo	Comments he is fine with the measure.
317		VOTE: 4-0-1
	Chair Brown	EXCUSED: 1 - Ferrioli
		Hearing no objection, declares the motion CARRIED.
		SEN. RINGO will lead discussion on the floor.
320	Chair Brown	Closes the work session on HB 2566A. Opens a work session on HB 2539A.
<u>HB 2539A – WORK SESSION</u>		
337	Chair Brown	MOTION: Moves HB 2539A to the floor WITHOUT RECOMMENDATION as to passage and BE REFERRED to the committee on Budget.
344		VOTE: 4-0-1
	Chair Brown	EXCUSED: 1 - Ferrioli
		Hearing no objection, declares the motion CARRIED.
347	Chair Brown	Closes the work session on HB 2539A. Opens a public hearing on executive appointments.
<u>EXECUTIVE APPOINTMENT – PUBLIC HEARING</u>		
<u>STATE MARINE BOARD – APPOINTMENT OF RICHARD ALLEN</u>		
350	Richard Allen	Talks about his background and qualifications.
370	Sen. Ringo	Adds his own recommendation for Mr. Allen.
376	Chair Brown	Asks about navigability and exemptions for non-motorized boating. Considers possible alternatives.
391	Allen	Comments on the differences between motorized boats and non-motorized vehicles. Concurs it is a complicated issue.
423	Sen. Ben Westlund	Senate District 27. Speaks in favor of Mr. Allen’s appointment.
TAPE 157, A		
003	Sen. Westlund	Continues to applaud Mr. Allen’s achievements.
006	Chair Brown	Closes the public hearing on executive appointments. Opens a public hearing on HB 3469A.
<u>HB 3469A – PUBLIC HEARING</u>		
017	Tiffany Harris	Committee Administrator. Provides a brief overview of the measure.
020	Sen. Ginny Burdick	Senate District 18. Explains the origin of the proposal. Talks about the need to address this problem.
035	Heidi Moawad	Judiciary Committee Staff. Comments on the definitions in statute.
065	Moawad	Discusses the proposed –A2 amendments (EXHIBIT C).
070	Sen. Burdick	Points out that the case that prompted this measure was brought forth by responsible parents. Offers her concerns for parents not

085	David Fidanque	being as involved. Executive Director, ACLU of Oregon. Provides a concern not addressed by the –A2 amendments. Observes that section 1 and 2 are both class C felonies.
100	Chair Brown	Asks for clarification on why it is a problem.
101	Fidanque	Offers the difference in the level of intent between the two crimes. Understands the need for section 1, but that the penalty should be reduced to a Class A misdemeanor.
115	Sen. Ringo	Wonders about the penalty for a Class A misdemeanor.
117	Fidanque	Replies it is up to one year in jail, plus fines. Discusses sentencing guidelines involved.
134	Chair Brown	Closes the public hearing on HB 3469A. Opens a public hearing on HB 2339A.

HB 2339A – PUBLIC HEARING

139	Harris	Discusses the provisions of the measure.
141	Rep. Jerry Krummel	House District 26. Testifies in favor of HB 2339A. Discusses the youth “cyber awareness” program.
160	Chair Brown	Closes the public hearing on HB 2339A. Opens a work session on HB 2339A.

HB 2339A – WORK SESSION

162	Chair Brown	MOTION: Moves HB 2339A to the floor with a DO PASS recommendation.
163		VOTE: 4-0-1
		EXCUSED: 1 – Ferrioli
	Chair Brown	Hearing no objection, declares the motion CARRIED.
		SEN. B. STARR will lead discussion on the floor.
165	Chair Brown	Closes the work session on HB 2339A. Opens a work session on HB 2525A.

HB 2525A – WORK SESSION

167	Bob Joondeph	Oregon Advocacy Center. Presents written testimony in favor of HB 2525A (EXHIBIT D). Discusses the –A6 amendments (EXHIBIT E).
189	Chair Brown	Comments that there are technical problems with the amendments, and that they will not be moving the bill today. Closes the work session on HB 2525A. Opens a work session on HB 3090A.

HB 3090A – WORK SESSION

190	Sen. Ringo	Talks about the measure and various amendments. Comments on the various amendments circulating and the attempts to reach a compromise on official ballot drop box locations.
217	Rep. Jerry Krummel	House District 26. Advises that there may be some county clerks wishing to testify on this measure. Offers to speak when they are finished.
227	Sen. Shields	Asks if Sen. Ringo knows the position of Common Cause Oregon on this measure.
230	Sen. Ringo	Replies he doesn’t know.
233	Jan Coleman	Yamhill County Clerk. Acknowledges discomfort with the -A11 amendments (EXHIBIT F).
241	Sen. Ringo	Observes that they would have preferred the version that eliminated unofficial drop boxes.
244	Chair Brown	Discusses recent college campus voting problems.
251	Coleman	Replies in regard to the attempts to assist the university.
268	Andi Miller	Executive Director, Common Cause Oregon. Observes she has – A12 amendments (EXHIBIT G), which appear identical to the

288	Rep. Krummel	previous –A11 amendments. Comments that her concerns have been addressed in the amendments.
293	James Morales	Defers to Mr. Morales who has just arrived.
		Benton County Clerk. States he has missed out on the discussion so far.
297	Chair Brown	Summarizes the discussion so far.
303	Morales	Talks about the prior situation with having official ballot boxes on the campus of Oregon State University. Offers the rationale for moving the ballot box to the school library.
322	Rep. Krummel	Points out their belief that this had been addressed on the house side. Comments on the various amendments before the committee, prefers the measure as it was passed from the other chamber.
345	Sen. Ringo	Acknowledges the work done on the house side without opposition. Comments on the frustration of having all the opposition appear on the senate side. Points out that he favors the –A11 amendments.
360	Chair Brown	Closes the work session on HB 3090A. Opens a public hearing on SB 1041.

SB 1041 – PUBLIC HEARING

363	Harris	Explains the provisions of the measure. Observes that -6 (EXHIBIT H) and -7 (EXHIBIT I) amendments are before the committee. Comments on a letter received from Professor Merle Weiner that is now before the committee (EXHIBIT J).
373	Sen. Avel Gordly	Senate District 23. Testifies in favor of SB 1041.
391	Sean Cruz	Legislative Aid, Senator Avel Gordly. Hands out pamphlets and parental abduction booklet (EXHIBIT K). Testifies in favor of the measure with the proposed -7 amendments.

TAPE 156, B

015	Cruz	Continues to discuss compromise exemptions within the measure. Relays his own experiences with the parental abduction of his children.
049	Chair Brown	Asks if he has seen the letter from Professor Merle Weiner.
050	Cruz	Replies he has. Questions Professor Weiner's input. States she has been advocating reduction in the measure's impact.
058	Chair Brown	Talks about the provision to enforce counseling. Observes that counseling only works when those involved want it to work. Asks about the intent of the provision.
067	Cruz	Clarifies the intent of that provision. Talks about the importance of providing some expert counseling to the affected parties.
085	Chair Brown	Raises the issue of counseling when domestic violence has been involved.
091	Cruz	States there is a provision to exempt domestic violence cases from the counseling requirement.
095	Chair Brown	Comments on the relating language in the measure.
097	Cruz	Replies he does not know how that relates to the counseling provision.
099	Chair Brown	Asks if the intent was to exclude families involved in domestic violence.
103	Cruz	Offers they are trying to narrow it down to the abduction issue.
107	Sen. Gordly	Summarizes some of the findings of interim task force on parental abductions. Relays the need for better education of judges in regard to ramifications of parental abductions.
130	Chair Brown	Asks about having a family member sheltering an abducted child

141	Cruz	being held liable under this measure.
146	Chair Brown	Feels that it falls under ‘affirmative defense’.
152	Cruz	Clarifies the intent.
		Offers that the intent is not necessarily to incarcerate the parent, but to make sure the children are returned. Notes that children are often neglected by a parent when abducted.
171	Chair Brown	Closes the public hearing on SB 1041. Opens a work session on HB 2828A.

HB 2828A – WORK SESSION

178	Sen. Floyd Prozanski	Senate District 4. Testifies in favor of the measure with the –A7 amendments (EXHIBIT L). Explains the provisions of the measure. Comments that the amendments clarify the “intent” of a murder.
235	Chair Brown	Asks about the change in the level of sentencing.
240	Sen. Prozanski	Clarifies the sentencing guidelines involved.
245	Sen. Ringo	Reiterates Sen. Prozanski is recommending the –A7 amendments.
247	Sen. Prozanski	Feels the –A7 amendments make appropriate changes.
257	Sen. Ringo	Offers his feelings about enforcement against a repeat offender.
264	Sen. Prozanski	Concurs that repeat offenders need to be taken off the street with harsher penalties.
273	Sen. Shields	Thanks Sen. Prozanski for his work on the –A7 amendments.
280	Brad Berry	Past President, Oregon District Attorney’s Association. Talks about current statutes already in place. States that these individuals repeatedly drive under the influence. Offers his concerns that the punishment would not be strong enough.
327	Berry	Comments on the severe problems with repeat offenders.
338	Chair Brown	Notes concerns raised over the large burden of proof requirement.
352	Berry	Replies that it would be easier to relate it to a felony murder.
360	Sen. Ringo	Wonders what the penalty is under the –A7 amendments.
369	Berry	Observes it would be a category 11 crime. Specifies the sentencing guidelines.
381	Chair Brown	Considers what the sentencing is under current law.
384	Berry	States it would be a category 10 crime.
387	Steve Doell	Crime Victims United. Feels Measure 11 does not provide a huge elevation of penalties in this scenario. Comments on the current definitions of “murder” even without intent.
410	Doell	Emphasizes the danger involved with people who repeatedly drive intoxicated.

TAPE 157, B

003	Doell	Relates that he was able to generate support from senate members for the current version of the measure.
007	Sen. Prozanski	States that legislative members requested he draft the –A7 amendments to provide an alternative.
015	Sen. Shields	Grapples with the difficulties presented by this measure. Offers his experience working with alcoholics and their delusions that they are okay to handle an automobile. Considers that a drunk driver killing someone is not the same as shooting someone intentionally.
040	Doell	Comments on other killings that occur when someone is intoxicated. Notes they are charged with intentional conduct even though they were intoxicated at the time.
046	Sen. Ferrioli	Clarifies the intent of the measure. Observes that they are discussing people that have already committed a crime.
060	Sen. Prozanski	States the specific prior criminal record required.

067	Sen. Ferrioli	Feels this is a addressing a serial crime that shows a lack of concern for others.
074	Doell	Discusses the prior convictions and treatment required for each offense before this measure comes into play.
084	Chair Brown	Closes the work session on HB 2828A. Opens a work session on HB 3494.

HB 3494 – WORK SESSION

088	Sen. Ringo	Summarizes the time spent trying to reach a compromise. Feels the -10 amendments provide the best option for moving this measure forward.
100	Sen. Ferrioli	Observes acknowledgement from the proponents of the measure that these amendments are acceptable.
110	Sen. Ringo	MOTION: Moves to ADOPT HB 3494-10 amendments dated 7/11/05.
115		VOTE: 5-0-0
	Chair Brown	Hearing no objection, declares the motion CARRIED.
120	Sen. Ringo	MOTION: Moves HB 3494 to the floor with a DO PASS AS AMENDED recommendation.
123		VOTE: 5-0-0
	Chair Brown	Hearing no objection, declares the motion CARRIED.
		SEN. RINGO AND SEN. WESTLUND will lead discussion on the floor.
125	Chair Brown	Closes the work session on HB 3494. Opens a work session on HB 3090A.

HB 3090A – WORK SESSION

126	Sen. Ringo	Summarizes the prior discussion.
128	Sen. Ringo	MOTION: Moves to ADOPT HB 3090A-A11 amendments dated 7/6/05.
130	Chair Brown	Makes additional comments and acknowledges a conference committee may be needed to reach a full compromise.
133		VOTE: 3-2-0
		AYE: 3 - Ringo, Shields, Brown
		NAY: 2 - Atkinson, Ferrioli
	Chair Brown	The motion CARRIES.
135	Sen. Ringo	MOTION: Moves HB 3090A to the floor with a DO PASS AS AMENDED recommendation.
137		VOTE: 4-1-0
		AYE: 4 - Atkinson, Ringo, Shields, Brown
		NAY: 1 - Ferrioli
	Chair Brown	The motion CARRIES.
		RINGO will lead discussion on the floor.
140	Chair Brown	Closes the work session on HB 3090A. Opens a public hearing on HB 2693A.

HB 2693A – PUBLIC HEARING

145	Tiffany Harris	Committee Administrator. Explains the provisions of the measure.
175	Erin Hildebrandt	Presents her written testimony in opposition to HB 2693A (EXHIBIT M).
203	Chair Brown	Wonders what prompted her move to Oregon.
205	Hildebrandt	States that she moved from Maryland because of her need for medical marijuana.
214	Sen. Ferrioli	Comments on the drug testing mentioned in her testimony. Wonders her concern for her husband's drug test.

220	Hildebrandt	Discusses the means of using medical marijuana and not exposing other members of the family to it. Offers her concerns for her husband's proximity to her could lead him to test positive for trace amounts of marijuana.
232	Jerry Wade	Stormy Ray Cardholder's Foundation. Presents Stormy Ray's written testimony as she was unable to attend the meeting (EXHIBIT N). Advocates treating medical marijuana like any other prescription drug.
270	Wade	Feels that "drug free workplaces" discriminate against people with disabilities.
300	Richard Bayer	Doctor, Internal Medicine, Lake Oswego. Presents his written testimony (EXHIBIT O). Testifies in strong opposition to the measure, relating that it causes workplace discrimination for medical marijuana users.
340	Bayer	Details the provisions of the Oregon Medical Marijuana Act and how this measure goes against the will of the voters. States he did not get to testify in the house.
368	Chair Brown	Wonders why he didn't testify in the house.
370	Bayer	Recalls that he signed up to testify on numerous occasions, but was never called to testify.
376	Sen. Ringo	Wonders where the -A3 amendments (EXHIBIT P) originated.
378	Harris	States she does not know who provided them.
380	Sen. Ringo	Asks if his testimony is centered on a specific set of amendments.
383	Bayer	Replies the he is speaking to the measure as it is before the committee.
390	Sen. Ringo	Considers the ability of employers to prevent the impairment of their employees.
393	Bayer	Provides explanation of the specific details of the measure that he objects to. States that no one supports impairment in the workplace. Observes three portions of the measure he has trouble with.
TAPE 158, A		
005	Bayer	Concludes his testimony.
010	Chair Brown	Asks Ms. Trussell if Rep. March was okay with this version of the measure.
030	Lisa Trussell	Associated Oregon Industries (AOI). Replies that she does not know. Testifies in support of HB 2693A. Details the workplace concerns addressed by this measure. Provides a letter to the committee (EXHIBIT Q).
070	Trussell	Considers that there is no standardized test for judging impairment of a worker. States that without this measure they will have to litigate incidents by each individual case.
093	Tom Gallagher	Representing Cascade Steel Mills and Schnitzer Steel Industries. Notes that he represents people operating heavy machinery in a high risk environment. States that many workers are at risk and they need a method of regulating the use of medication.
130	Joe Miller	Safety and Loss Control Manager, Oregon Columbia Chapter of Associated General Contractors (AGC). Testifies in support of HB 2693A. Relates the safety hazards encountered in his line of work and how someone impaired could harm themselves or others.
150	Sen. Shields	Observes they are now operating as a subcommittee.
152	Sen. Ringo	States that this measure addresses all employment situations.
160	Trussell	Replies that it doesn't just pertain to hazardous situations in the

		workplace. Points out the need to follow the federal drug free workplace.
168	Sen. Ringo	Provides a different example of a telemarketer. States that even if the marijuana use never occurs in the workplace a worker can be discriminated against.
180	Gallagher	Elaborates on the greater difficulties surrounding this issue in defining "impairment".
198	Sen. Ringo	Considers why they wouldn't focus the measure on hazardous occupations.
207	Gallagher	Wonders where they would draw the line between hazardous and not. Talks about any occupation involving driving.
216	Trussell	States that this does not prohibit people talking to the human resources department when they are taking medications. Notes some companies don't have a drug policy at all.
230	Sen. Shields	Feels there should be a way to narrow the scope.
245	David Fidanque	America Civil Liberties Union (ACLU) of Oregon. Presents written testimony in opposition to the measure (EXHIBIT R). Talks about reasonable accommodation.
290	Fidanque	Comments on the other tests available for defining "impairment". Relates the discrimination against marijuana users.
320	Fidanque	Urges the committee to leave this bill on the table and allow the courts time to deal with this issue.
333	Alicia Williamson	Patient Advocate. Relates her concerns against the measure. Talks about prescription drug users being accommodated, when medical marijuana user are often fired.
353	Sen. Shields	Observes this is a "one-size fits all" kind of a measure. Wonders about another approach.
359	Williamson	Offers her perspective medication use in the workplace and detecting it.
375	Douglas Heuer	Former employee, Cascade Steel Rolling Mills. Presents written testimony in opposition to HB 2693A (EXHIBIT S).
410	Sen. Shields	Considers how many employees at steel rolling mills are involved in potential dangerous work activities.
412	Sen. Ringo	Wonders what the impact of the measure if it was reduced to only subsection 2C.

TAPE 159, A

005	Fidanque	Replies that he does not have problems with the principal of that subsection, but fears too many employers do not understand the testing methods.
011	Sen. Ringo	Relates they should be offered other testing tools.
014	Fidanque	Reiterates the intent of drafting the original act.
020	Sen. Ringo	Considers the current medical marijuana law. Wonders if it requires an employer to provide reasonable accommodation.
024	Fidanque	Offers his understanding of current disability laws.

The following material is submitted for the record without public testimony:

Kathleen Nishimoto	Human Resources Director, Duckwall-Pooley Fruit Company. Submits a letter in support of HB 2693A (EXHIBIT T).
Rick Howell	Columbia Forest Products. Submits written testimony (EXHIBIT U).
Scott Cliff	Attorney, Ambugery and Rubin, P.C. (EXHIBIT V)
Jeffrey Chicoine	Newcomb, Sabin, Schwartz & Landsverk, LLP. Submits testimony and a summary of the Washburn decision (EXHIBIT

	Max Williams	W). Oregon Department of Corrections. Submits written testimony (EXHIBIT X).
032	Sen. Shields	Closes the public hearing on HB 2693A. Opens a public hearing on HB 2056A.
<u>HB 2056A – PUBLIC HEARING</u>		
040	Sen. Shields	Observes that there is a –A3 amendment (EXHIBIT Y).
050	Bill Perry	Oregon Restaurant Association. Presents written testimony in favor of HB 2056A (EXHIBIT Z).
090	Perry	Discusses the ordinances enacted to go after specific organizations when agreements had already been worked out to solve the problem.
120	Bill Linden	Oregon Restaurant Association and 7-Eleven, Inc. Testifies in favor of HB 2056A. Relates the current conflicts between city ordinances and licensees.
150	Linden	Offers an example of holding a store accountable for the actions of individual outside of the store.
170	Sen. Ringo	Considers if the regulation is focused on one incident or repeat conduct.
177	Linden	Replies that it addresses the problem of street drinking. Feels that a store owner cannot control what a person does with purchased alcohol after they leave the store.
193	Sen. Ringo	Wonders if he is concerned with a store like 7-Eleven being shut down.
195	Linden	Responds that they could restrict the hours of operation through a city ordinance.
214	Marge Kafoury	City of Portland. Opposes section 5 of the measure. Talks about the difficulty of enforcing ordinances. Points out that they provided the –A3 amendments. Provides a written packet of testimony (EXHIBIT AA).
234	Jimmy Brown	Director, Office of Neighborhood Involvement, City of Portland. Relates the need for an ordinance to keep the livability of a neighborhood. Notes they are not trying to force establishments out of business.
275	J. Brown	Expresses the need to have this ordinance to keep a semblance of order in city neighborhoods. Clarifies that three definable incidents have to occur before action can be taken.
310	Kafoury	Notes the contents of the packet previously handed out.
340	Ben Walters	Deputy City Attorney, City of Portland. Testifies in favor of the –A3 amendments to the measure.
380	Walters	Continues to discuss the history of the ordinance currently in place.
392	Sen. Shields	Observes that the proponents state that section 5 codifies court ruling.
401	Walters	States that if this was the case the proponents should go back to the court for additional clarifications.
420	Sen. Shields	Relays his own experiences of living near a noisy establishment.
TAPE 158, B		
012	Paul Romain	Oregon Beer and Wine Distributors Association. Testifies in favor of the measure as amended by the house. Talks about the problems faced by their industry.
045	Romain	States that they have no control over what people do outside of their establishment.

The following material is submitted for the record without public testimony:

	Rep. Gary Hansen	House District 44. Submits written testimony in opposition to HB 2056 (EXHIBIT BB).
053	Sen. Ringo	Closes the public hearing on HB 2056A. Opens a public hearing for executive appointments.

EXECUTIVE APPOINTMENT – PUBLIC HEARING

STATE COMMISSION ON CHILDREN AND FAMILIES – APPOINTMENT OF JEAN PHELPS

(See Exhibit N of July 7 Committee Minutes)

077	Jean Phelps	Testifies via phone. Expresses reasons for why she is qualified for the position.
091	Sen. Ringo	Thanks her for her willingness to serve in this position.
097	Phelps	Discusses her hopes to improve the efficiency and impact of those services.
099	Sen. Ringo	Closes the public hearing on executive appointments. Adjourns the committee at 4:13 p.m.

EXHIBIT SUMMARY

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- A. HB 3494, -6 amendments, staff, 4 pp
- B. HB 2062, -A2 amendments, staff, 3 pp
- C. HB 3469, -A2 amendments, staff, 1 p
- D. HB 2525A, Written testimony, Bob Joondeph, 1 p
- E. HB 2525A, -A6 amendments, staff, 2 pp
- F. HB 3090A, -A11 amendments, staff, 2 pp
- G. HB 3090A, -A12 amendments, staff, 2 pp
- H. SB 1041, -6 amendments, staff, 3 pp
- I. SB 1041, -7 amendments, staff, 3 pp
- J. SB 1041, Written testimony, Merle Weiner, 3 pp
- K. SB 1041, Parental abduction informational material, Sean Cruz, 7 pp and 4 pamphlets
- L. HB 2828A, -A7 amendments, staff, 2 pp
- M. HB 2693A, Written testimony, Erin Hildebrandt, 3 pp
- N. HB 2693A, Written testimony, Jerry Wade, 1 p
- O. HB 2693A, Written testimony, Richard Bayer, 8 pp
- P. HB 2693A, -A3 amendments, staff, 1 p
- Q. HB 2693A, Written testimony, Lisa Trussell, 1 p
- R. HB 2693A, Written testimony, David Fidanque, 1 p
- S. HB 2693A, Written testimony, Douglas Heuer, 1 p
- T. HB 2693A, Written testimony, Kathleen Nishimoto, 1 p
- U. HB 2693A, Written testimony, Rick Howell, 2 pp
- V. HB 2693A, Written testimony, Scott Cliff, 2 pp
- W. HB 2693A, Written testimony, Jerry Chicoine, 12 pp
- X. HB 2693A, Written testimony, Max Williams, 1 p
- Y. HB 2056A, -A3 amendment, staff, 1 p
- Z. HB 2056A, Written testimony, Bill Perry, 3 pp
- AA. HB 2056A, Written testimony packet, Marge Kafoury, 13 pp
- BB. HB 2056A, Written testimony, Rep. Gary Hansen, 3 pp