

HOUSE COMMITTEE ON JUDICIARY

February 5, 2003 Hearing Room 357

1:00 p.m. Tapes 23 - 24

MEMBERS PRESENT: Rep. Max Williams, Chair
 Rep. Robert Ackerman, Vice-Chair
 Rep. Gordon Anderson, Vice-Chair
 Rep. Jeff Barker
 Rep. Bob Jenson
 Rep. Jerry Krummel
 Rep. Greg Macpherson
 Rep. Floyd Prozanski

MEMBER EXCUSED: Rep. Lane Shetterly

STAFF PRESENT: Bill Joseph, Counsel
 Ann Martin, Committee Assistant

MEASURE/ISSUES HEARD: Measure Introduction—LC 1291, 1374, 1588, 1588-1
 Informational Meeting-Jeff Tryens, Oregon Progress Board
 HB 2098 Public Hearing and Work Session
 HB 2103 Public Hearing
 HB 2426 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 23, A | | |
| 005 | Chair Williams | Calls the meeting to order at 1:07 p.m. |
| 012 | Bill Joseph | Committee Counsel. Introduces Legislative Counsel drafts, LC 1291, 1374, 1588, 1588-1 (EXHIBITS A-D). |
| 046 | Chair Williams | MOTION: Moves LC's: 1291, 1374, 1588, 1588-1 BE INTRODUCED as committee bills. VOTE: 8-0-1 EXCUSED: 1 - Shetterly |
| 048 | Chair Williams | Hearing no objection, declares the motion CARRIED. |
| <u>INFORMATIONAL MEETING—Orientation of Oregon Progress Board & Benchmarks</u> | | |
| 060 | Jeff Tryens | Executive Director, Oregon Progress Board. Presents developments of the Oregon Progress Board (EXHIBIT E). |
| 110 | Tryens | Explains that the Progress Board sets targets for where they want to be in the future. |
| 163 | Tryens | Discusses crime rates in Oregon. |
| 216 | Tryens | Notes that Oregon has a high arrest rate compared to other states. |
| 279 | Chair Williams | Comments that he served on the Progress Board and talks about comparison of data. |
| 354 | Tryens | States that Oregon is substantially under the U.S. average for serious |

455 Chair Williams crimes involving youth.
Discusses final Rand Report soon to be published that studied the impact of Measure 11.

TAPE 24, A

004 Tryens Continues his presentation on the Oregon Progress Board.
115 Rep. Ackerman Asks about Oregon's Child Support Guidelines.
210 Tryens Discusses improvements in Oregon's statistics on controlling crime and controlling drugs.
309 Chair Williams Opens a public hearing on HB 2098.

HB 2098 PUBLIC HEARING

311 Bill Joseph Committee Counsel. Introduces HB 2098 which prohibits the use of Oregon address in charitable solicitation unless nonprofit beneficiary of solicitation maintains Oregon office or solicitation discloses actual headquarters address of nonprofit beneficiary and that Oregon address is mail drop.
332 Ross Laybourn Assistant Attorney General. Submits testimony and testifies in support of HB 2098 (**EXHIBIT F**).

TAPE 23, B

003 Laybourn Continues his testimony in support of HB 2098.
067 Chair Williams Asks for clarification of the process.
096 Rep. Macpherson Wonders if public safety related causes have the most activity in this situation.
107 Laybourn Answers that most of this solicitation is telephone solicitation. Adds that the most popular involve law enforcement, firefighting organizations, veterans' organizations and those relating to childrens' causes.
120 Chair Williams Closes the public hearing on HB 2098 and opens a work session on HB 2098.

HB 2098 WORK SESSION

135 Rep. Jenson Comments that he thinks this will be a difficult law to enforce, but says that he supports the bill.
145 Chair Williams Discusses the bill.
160 Rep. Jenson **MOTION: Moves HB 2098 to the floor with a DO PASS recommendation.**
VOTE: 8-0-1
EXCUSED: 1 - Shetterly
162 Chair Williams **Hearing no objection, declares the motion CARRIED.**
PROZANSKI will lead discussion on the floor.
168 Chair Williams Closes the work session on HB 2098 and opens a public hearing on HB 2103.

HB 2103 PUBLIC HEARING

171 Bill Joseph Committee Counsel. Introduces HB 2103 which prohibits person from selling, leasing or renting payment processing system that provides receipt with more information about customer than last four digits of customer's credit or debit card number.
194 Cheryl Pellegrini Assistant Attorney General, Department of Justice. Submits testimony and testifies in support of HB 2103 (**EXHIBIT G**).
324 Rep. Prozanski Asks if the only identifier to a customer using a credit card on a receipt

332 Pellegrini is the last four digits of the credit card number.
Answers, that is correct.

335 Rep. Prozanski Asks for clarification of what would be on the receipt.

347 Pellegrini Explains. Says that this bill is mostly targeted towards the piece of paper that is returned to the customer.

358 Chair Williams Comments on information on receipts. Says that he is worried about having the customer's name on the receipt.

392 Pelligrini States that they crafted the most protective bill for consumers, but they understand that they may need to look at amendments for the bill.

419 Julie Brandis Associated Oregon Industries, Oregon Retail Council. Testifies in opposition to HB 2103.

TAPE 24, B

003 Brandis Continues testimony in opposition to HB 2103.

058 Chair Williams Recesses the committee at 2:20 p.m. for a fire drill.

059 Chair Williams Reconvenes at 2:46 p.m.

062 Brandis Continues testimony. Says that they will compile a list of what retailers need on the receipts.

085 Gary Oxley Oxley and Associates. Testifies in opposition to HB 2103. Adds that his clients support the concept, but are concerned about the name issue on the receipt.

118 Chair Williams Says that they need to work on the bill with possible amendments.

131 Rep. Anderson Asks if there are any provisions for the destruction of the receipts.

133 Brandis Answers that she doesn't know if there is a standard legal requirement, but she believes that most companies shred the receipts.

149 Steve Dixon Oregon State Public Interest Research Group (OSPIRG). Submits testimony and testifies in support of HB 2103 which would eliminate all but the last four digits of a consumer's credit or debit card number on receipts (**EXHIBIT H**).

248 Chair Williams Closes the public hearing on HB 2103 and opens a public hearing on HB 2426.

HB 2426 PUBLIC HEARING

266 Jim Gardner Pharmaceutical Research and Manufacturers of America (PhRMA). Submits testimony and testifies in support of HB 2426 which makes technical or advisory committees and task forces for Office for Oregon Health Policy and Research subject to public meeting laws (**EXHIBIT I**).

335 Tom Gallagher Oregon Newspaper Publishers. Testifies in opposition to HB 2426.

379 Rep. Macpherson States that he is reluctant to proceed on this bill because of the lack of testimony.

450 Chair Williams Informs the committee that there was an interesting dialogue last session regarding this issue. Wonders why there is no one from the Department of Justice or the Oregon Medical Assistance Program (OMAP). Closes the public hearing on HB 2426 and adjourns the meeting at 3:08 p.m.

EXHIBIT SUMMARY

- A – LC 1291, submitted by staff, dated 1/27/03, 4 pgs.**
- B – LC 1374, submitted by staff, dated 1/13/03, 4 pgs.**
- C – LC 1588, submitted by staff, dated 1/10/03, 2 pgs.**
- D – LC 1588-1, submitted by staff, dated 1/10/03, 10 pgs.**
- E – Power Point Presentation, submitted by Jeff Tryens, Oregon Progress Board, 8 pgs.**
- F – HB 2098, written testimony, submitted by Ross L. Laybourn, dated 2/5/03, 1 pg.**
- G – HB 2103, written testimony, submitted by Cheryl A. Pellegrini, dated 2/5/03, 11 pgs.**
- H – HB 2103, written testimony, submitted by Steve Dixon, OSPIRG, dated 2/5/03, 2 pgs.**
- I – HB 2426, written testimony, submitted by Jim Gardner, (PhRMA), dated 2/5/03, 3 pgs.**