

## HOUSE COMMITTEE ON JUDICIARY

March 26, 2003 Hearing Room 357  
1:00 p.m. Tapes 106-107

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

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

**MEASURE/ISSUES HEARD:**        **HB 2783 Public Hearing and Work Session**  
                                 **HB 2543 Public Hearing**  
                                 **HB 3015 Public Hearing**  
                                 **HB 2523 Public Hearing and Work Session**  
                                 **HB 2589 Public Hearing and Work Session**  
                                 **HB 2658 Public Hearing**  
                                 **HB 3107 Public Hearing and Work Session**

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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.

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<b>TAPE/#</b>	<b>Speaker</b>	<b>Comments</b>
<b>106, A</b>		
003	Chair Williams	Calls the meeting to order at 1:10 p.m. Opens a public hearing on HB 2783.
<b><u>HB 2783 PUBLIC HEARING</u></b>		
040	Ronelle Shankle	Department of Justice. Submits testimony and testifies in support of HB 2783 which requires state agencies, boards and commissions that issue certain licenses, certifications, permits or registrations to record applicant's Social Security number on application for, or form for renewal of, driver license or certain permits ( <b>EXHIBIT A</b> ).
085	Bradd Swank	Special Counsel, Oregon Judicial Department. Testifies in support of HB 2783. Says that his concerns about this bill are highly technical.
142	Kelly Taylor	Oregon Department of Transportation. Testifies in support of HB 2783 and discusses -1 amendments ( <b>EXHIBIT B</b> ).
187	David Nebel	Oregon Law Center. Testifies on HB 2783. Discusses -2 amendments ( <b>EXHIBIT C</b> ).
251	David Fidanque	Executive Director, American Civil Liberties Union of Oregon (ACLU). Testifies on HB 2783.
310	Chair Williams	Talks about bill and fiscal impact.
339	John Powell	Regence Blue Cross/Blue Shield of Oregon & State Farm Insurance Companies. Testifies on HB 2783. Expresses his

394	Rep. Shetterly	concerns with the bill.
387	Chair Williams	Comments on having statement notarized.
<b>TAPE 107, A</b>		
006	Rep. Krummel	Wonders what happens if a person refuses to give their social security number.
015	Chair Williams	Answers that they won't get their license.
025	Chair Williams	Closes the public hearing and opens a work session on HB 2783.
<b><u>HB 2783 WORK SESSION</u></b>		
029	Rep. Prozanski	<b>MOTION: Moves to ADOPT HB 2783-1 amendments dated 03/19/03.</b>
		<b>VOTE: 8-0-1</b>
		<b>EXCUSED: 1 - Macpherson</b>
032	Chair Williams	<b>Hearing no objection, declares the motion CARRIED.</b>
035	Rep. Prozanski	<b>MOTION: Moves HB 2783 to the floor with a DO PASS AS AMENDED recommendation and BE REFERRED to the committee on Ways and Means.</b>
		<b>VOTE: 8-0-1</b>
		<b>EXCUSED: 1 - Macpherson</b>
040	Chair Williams	<b>Hearing no objection, declares the motion CARRIED.</b>
046	Chair Williams	Closes the work session on HB 2783 and opens a public hearing on HB 2543.
<b><u>HB 2543 PUBLIC HEARING</u></b>		
054	Rep. Betsy Johnson	House District 31. Testifies in support of HB 2543 which grants individual property right in individual's name, voice, signature, photograph and likeness.
063	Janet Scamahorn	Columbia City. Submits testimony and testifies in support of HB 2543 ( <b>EXHIBIT D</b> ).
130	Chair Williams	Discusses -1 amendments ( <b>EXHIBIT E</b> ). Closes the public hearing on HB 2543 and opens a public hearing on HB 3015.
<b><u>HB 3015 PUBLIC HEARING</u></b>		
141	Rep. Betsy Johnson	House District 31. Testifies in support of HB 3015 which requires presiding judge of each judicial district to establish procedures to protect confidentiality of Social Security numbers required in certain domestic relations proceedings.
163	Bradd Swank	Special Counsel, Oregon Judicial Department. Testifies in support of HB 3015.
220	Vice-Chair Ackerman	Asks Mr. Swank if this is an amendment to the inspection of public records statute and wonders if "judicial district" qualifies as a public body.
242	Swank	Answers, yes.
266	Chair Williams	Mentions testimony of HB 3015 submitted by Ronelle Shankle ( <b>EXHIBIT F</b> ). Closes the public hearing on HB 3015 and opens a public hearing on HB 2523.
<b><u>HB 2523 PUBLIC HEARING</u></b>		
283	Bill Joseph	Committee Counsel. Introduces HB 2523 which allows justice of the peace district in Deschutes County to include all or part of City of Bend.
292	Dennis Luke	Deschutes County Commissioner. Submits testimony and testifies in support of HB 2523 ( <b>EXHIBIT G</b> ).
408	Rep. Krummel	Asks if Bend has a municipal court.
409	Luke	Answers, yes they do.
<b>TAPE 106, B</b>		

009 Bradd Swank Special Counsel, State Court Administrator's Office. Submits testimony and testifies in opposition to HB 2523 (**EXHIBIT H**).  
034 Chair Williams Closes a public hearing on HB 2523 and opens a work session on HB 2523.

**HB 2523 WORK SESSION**

**048 Rep. Krummel MOTION: Moves HB 2523 to the floor with a DO PASS recommendation.**

053 Vice-Chair Anderson Says that he supports the independence of local government.  
058 Rep. Krummel Agrees with Rep. Anderson.  
076 Rep. Macpherson Sees this bill as an effort by local government to solve some problems.

**114 VOTE: 9-0**

**120 Chair Williams Hearing no objection, declares the motion CARRIED.**

**REP. JENSON will lead discussion on the floor.**

130 Chair Williams Closes the work session on HB 2523 and opens a public hearing on HB 2589.

**HB 2589 PUBLIC HEARING**

141 Marge Kafoury City of Portland. Testifies in support of HB 2589 which exempts sensitive financial information submitted to urban renewal agency from disclosure under public records law.

148 Chip Lazenby Portland Development Commission, General Counsel. Submits testimony and testifies in support of HB 2589 (**EXHIBIT I**).

180 Rep. Macpherson Asks Mr. Lazenby for examples of organizations where they are getting this information.

183 Lazenby Says that one of the organizations is Meier and Frank.

217 Chair Williams Asks Mr. Lazenby if he knows of any opposition to the bill.

219 Lazenby Answers that he suspected that the Newspaper Association opposed the bill, but heard they did not.

225 Chair Williams Closes the public hearing on HB 2589 and opens a work session.

**HB 2589 WORK SESSION**

**229 Rep. Macpherson MOTION: Moves HB 2589 to the floor with a DO PASS recommendation.**

**VOTE: 8-0-1**

**EXCUSED: 1 - Jenson**

**235 Chair Williams Hearing no objection, declares the motion CARRIED.**

**REP. MACPHERSON will lead discussion on the floor.**

238 Chair Williams Closes the work session on HB 2589 and opens a public hearing on HB 2658.

**HB 2658 PUBLIC HEARING**

240 Bill Joseph Committee Counsel. Introduces HB 2658 which exempts public employee and volunteer Social Security numbers from disclosure under public records law.

258 Rep. Jeff Merkley House District 47. Testifies in support of HB 2658.

287 Mark Landauer City of Portland. Testifies in support of HB 2658.

292 Pete Kasting Portland City Attorney's Office. Submits testimony and testifies in support of HB 2658 (**EXHIBIT J**).

345 Bradd Swank Special Counsel, State Court Administrator's Office. Testifies as neutral on HB 2658.

356 Chair Williams Discusses bill.

**TAPE 107, B**

001 Rep. Shetterly Comments on bill.

010 Chair Williams Discusses bill and possible amendments to bill.

021 Rep. Prozanski Says that they can get an amendment quickly.

048	Chair Williams	Closes the public hearing on HB 2658 and opens a public hearing on HB 3107.
<b><u>HB 3107 PUBLIC HEARING</u></b>		
058	Larry Hatch	Assistant Director, Washington County Consolidated Communications Agency. Submits testimony and testifies in support of HB 3107 which expands basis for disclosure of confidential or nonpublic subscriber information of telecommunications utility to include providing public notice of emergency ( <b>EXHIBIT K</b> ).
099	Chair Williams	Says that he views this bill as very important for increasing security in our communities.
111	Rep. Prozanski	Says that he will support the bill because they are already using this system in Eugene.
122	Chair Williams	Closes the public hearing on HB 3107 and opens a work session.
<b><u>HB 3107 WORK SESSION</u></b>		
140	Rep. Krummel	<b>MOTION: Moves to SUSPEND the rules for the purpose of conceptually amending HB 3107.</b> <b>VOTE: 8-0-1</b> <b>EXCUSED: 1 - Rep. Jenson</b> <b>Hearing no objection, declares the motion CARRIED.</b>
145	Chair Williams	<b>MOTION: Moves to conceptually amend page 1, line 20 of HB 3107, by deleting the word "are" and inserting the word "is", and deleting the word "be" that follows the word "not".</b>
160	Rep. Krummel	<b>VOTE: 8-0-1</b> <b>EXCUSED: 1 - Rep. Jenson</b> <b>Hearing no objection, declares the motion CARRIED.</b>
165	Chair Williams	<b>MOTION: Moves HB 3107 to the floor with a DO PASS AS AMENDED recommendation.</b>
203	Rep. Krummel	<b>VOTE: 8-0-1</b> <b>EXCUSED: 1 - Rep. Jenson</b> <b>Hearing no objection, declares the motion CARRIED.</b>
210	Chair Williams	<b>REP. WILLIAMS will lead discussion on the floor.</b>
221	Chair Williams	Closes the work session on HB 3107 and adjourns the meeting at 2:45 p.m.

**EXHIBIT SUMMARY**

- A – HB 2783, written testimony, submitted by Ronelle Shankle, 9 pgs.**
- B – HB 2783, -1 amendments, submitted by staff, dated 3/19/03, 1 pg.**
- C – HB 2783, -2 amendments, submitted by staff, dated 3/20/03, 1 pg.**
- D – HB 2543, written testimony, submitted by Janet Scamahorn, 3 pgs.**
- E – HB 2543, -1 amendments, submitted by staff, dated 3/24/03, 1 pg.**
- F – HB 3015, written testimony of Ronelle Shankle, submitted by staff, 2 pgs.**
- G – HB 2523, written testimony, submitted by Dennis Luke, 6 pgs.**
- H – HB 2523, written testimony, submitted by Bradd Swank, 1 pg.**
- I – HB 2589, written testimony, submitted by Chip Lazenby, 2 pgs.**
- J – HB 2658, written testimony, submitted by Pete Kasting, 7 pgs.**
- K – HB 3107, written testimony, submitted by Larry Hatch, 1 pg.**
- L – HB 2658, written testimony of Seth Karpinski, submitted by staff, 1 pg.**
- M – HB 2658, written testimony of Christy Monson, submitted by staff, 1 pg.**