

HOUSE COMMITTEE ON JUDICIARY

April 22, 2003 Hearing Room 357
1:00 pm Tapes 153 - 154

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
 Rep. Lane Shetterly

STAFF PRESENT: **Bill Taylor, Counsel**
 Nancy Masee, Committee Assistant

MEASURE/ISSUES HEARD: **HB 2490 Work Session**
 HB 3193 Work Session
 HB 2094 Work Session
 HB 3481 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 153, A		
004	Chair Williams	Opens meeting at 1:10 pm. Opens work session on HB 2490.
<u>HB 2490 WORK SESSION</u>		
016	Rep. Jeff Kruse	House District 7. Explains HB 2490 which modifies requirements in protective proceedings in which respondent or protected person is minor. Testifies in support of HB 2490. Discusses problems of children of incarcerated parents.
061	Janet Carlson	Commissioner, Marion County. Explains why HB 2490 is needed. Testifies in support of HB 2490 and submits testimony (EXHIBITS A and B) .
095	Chair Williams	Recesses work session on HB 2490. Opens work session on HB 3193.
<u>HB 3193 WORK SESSION</u>		
104	Rep. Brad Avakian	House District 34. Explains HB 3193 which reclassifies certain crimes against animals to double maximum fine when crime is committed as part of single criminal episode involving eight or more animals, with each animal being subjected to one or more of certain crimes. Supports the -1 amendments (EXHIBIT C) . Testifies in support of HB 3193 and submits testimony (EXHIBIT D) .
170	Chair Williams	Recesses work session on HB 3193. Reopens work session on HB 2490.
<u>HB 2490 WORK SESSION</u>		
170	Diana Janowski	Testifies in support of HB 2490. Relates personal experience of children of prisoners.

180	Melissa Garcia	Testifies in support of HB 2490. Describes experiences of children of prisoners.
212	Rep. Barker	Asks if the fathers are involved in the program.
215	Janowski	Explains that some parenting classes are available.
225	Claudia Black	Department of Corrections (DOC). Explains what the -1 amendments do.
235	Rep. Prozanski	MOTION: Moves to ADOPT HB 2490-1 amendments dated 4/15/03.
		VOTE: 8-0-1
		EXCUSED: 1 – Anderson
236	Chair Williams	Hearing no objection, declares the motion CARRIED.
237	Rep. Prozanski	MOTION: Moves HB 2490 to the floor with a DO PASS AS AMENDED recommendation.
		VOTE: 8-0-1
		EXCUSED: 1 - Rep. Anderson
238	Chair Williams	Hearing no objection, declares the motion CARRIED.
		REP. WILLIAMS will lead discussion on the floor.
259	Chair Williams	Closes work session on HB 2490. Reopens HB 3193 work session.

HB 3193 WORK SESSION

296	Sharon Harmon	Director, Oregon Humane Society. Supports HB 3193 and submits testimony (EXHIBIT E).
342	Harmon	Comments that jail sentences have increased but restitution has not been coming.
350	Rep. Prozanski	Comments that restitution is important.
363	Harmon	Responds not all who abuse animals are without property.
374	Taylor	Comments on -1 amendments. Asks how to prove abuse takes place in presence of other animals.
390	Harmon	Not sure of the bearing on this issue.
TAPE 154, A		
011	Chair Williams	Comments on unclear wording in amendments. Discusses element of proof.
029	Rep. Prozanski	Comments that when eight or more animals are together, there may not be the ability to prove abuse on every animal. With one animal abused, the others most likely have been abused also. Talks about guidelines.
049	Harmon	Replies the intent is to address hoarders and commercial enterprises that should be held at a higher standard of public trust for those who cannot speak for themselves.
059	Chair Williams	Reiterates the point that this bill will add a tool to collect with those who have assets. Comments on monetary gain of some who hold animals in bad conditions.
075	Rep. Jenson	Asks what the intent of the sponsor of the bill is.
080	Harmon	Rep. Avakian's amendment is addressing commercial enterprises.
089	Staff	Submits written testimony in support of HB 3193 from Kelly Peterson (EXHIBIT F).
090	Chair Williams	Closes work session on HB 3193. Opens work session on HB 2094 for reconsideration.

HB 2094 WORK SESSION

092	Rep. Ackerman	MOTION: Moves to SUSPEND the rules for the purpose of RECONSIDERING the vote on HB 2094.
		VOTE: 9-0

093	Chair Williams	Hearing no objection, declares the motion CARRIED.
094	Rep. Ackerman	MOTION: Moves to RECONSIDER the vote by which "HB 2094 was sent to the floor with a Do Pass As Amended recommendation."
		VOTE: 9-0
095	Chair Williams	Hearing no objection, declares the motion CARRIED.
096	Pete Shepherd	Department of Justice. States that there is no net fiscal impact to HB 2094 as amended.
099	Rep. Ackerman	MOTION: Moves HB 2094 to the floor with a DO PASS recommendation and the SUBSEQUENT REFERRAL to the committee on Ways and Means BE RESCINDED.
		VOTE: 8-0-1
		EXCUSED: 1 – Barker
100	Chair Williams	Hearing no objection, declares the motion CARRIED.
		REP. ACKERMAN will lead discussion on the floor.
105	Chair Williams	States HB 2802 will be held over. Opens work session on HB 3481.

HB 3481 WORK SESSION

150	Cheryl Pellegrini	Oregon Department of Justice. Testifies in support of HB 3481 which creates Task Force on Identity Theft. Refers to the work group convened by the Department of Transportation, DMV, which has met and is addressing identity theft issues.
164	Chair Williams	Asks if it would be good to get a narrower group together.
10	Rep. Shetterly	Suggests the established work group not be disbanded.
228	Chair Williams	Asks what the process is to coordinate work groups.
235	Pellegrini	Says the present group did not feel it had standing.
260	Rep. Prozanski	Asks if the Interim Judiciary Committee could empower the existing work group.
283	Chair Williams	Asks if the work group could come before the Interim Judiciary committee.
284	Staff	Submits letter from Department of Human Service (DHS) in support of HB 3481 (EXHIBIT G).
285	Chair Williams	Closes work session on HB 3481. Adjourns meeting at 2:00 pm

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EXHIBIT SUMMARY

- A – HB 2490, Feasibility Study, Janet Carlson, 16 pp**
- B – HB 2490-1 amendment, staff, 4 pp**
- C – HB 3193-1 amendment, Rep. Avakian, 2 pp**
- D – HB 3193, written testimony, Rep. Avakian, 5 pp**
- E – HB 3193, written testimony, Sharon Harmon, 2 pp**
- F – HB 3193, written testimony of Kelly Peterson, 8 pp**
- G – HB 3481, written testimony of Clyde Saiki, 3 pp**