

SENATE COMMITTEE ON JUDICIARY

July 09, 2003
9:00 AM

Hearing Room 343
Tapes 187 - 188

MEMBERS PRESENT: **Sen. John Minnis, Chair**
 Sen. Ginny Burdick, Vice-Chair
 Sen. Ted Ferrioli
 Sen. Charlie Ringo
 Sen. Charles Starr
 Sen. Vicki Walker

STAFF PRESENT: **Craig Prins, Counsel**
 Bill Taylor, Counsel
 Jane Bodenweiser, Committee Assistant

MEASURE/ISSUES HEARD: **SB 910 Public Hearing and Work Session**
 SB 908 Public Hearing and Work Session
 HB 2094A 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 187, A		
003	Chair Minnis	Calls the meeting to order at 9:07 a.m. and opens a public hearing on SB 910.
<u>SB 910 PUBLIC HEARING</u>		
014	Sen. Walker	Explains that SB 910 is a reincarnation of HB 2737.
019	Rep. Jeff Merkley	House District 47. Testifies in support of SB 910 that prohibits person in course of offering real estate, goods or services for sale, rent or other disposition from transmitting electronic mail message that uses Internet domain name without permission or misrepresents subject or origin of message.
053	Jim Craven	American Electronics Association. Testifies in support of SB 910. Says the first section of the bill explains why it is important that the legislature support anti-Spam legislation. Says the requirements are not in conflict with any other states.
154	Cheryl Pellegrini	Oregon Department of Justice. Testifies as neutral on SB 910. Contends this is a compromise bill as opposed to a consensus bill.
180	Sen. Ferrioli	Asks about the nexus for prosecution.
200	Pellegrini	Explains the basis for a lawsuit.
220	Sen. Ferrioli	Says he does not see the agency being able to take serious action.
237	Pellegrini	Says this bill will not stop all Spam, but hopefully it will stop a percentage.
267	Rep. Merkley	Explains that there are two vehicles, the Unfair Trade Practices Act and the Right of Private Action, available to deal with

310 Rep. Mark Hass Spam.
345 Bill Taylor House District 27. Testifies in support of SB 910.
Committee Counsel. Explains how the bill addresses attorney's
fees.
364 John Gotts Clackamas County, Oregon. Testifies in support of SB 910 with
some reservation.

TAPE 188, A

046 Chair Minnis Closes the public hearing on SB 910 and opens a work session.

SB 910 WORK SESSION

051 Vice Chair Burdick **MOTION: Moves SB 910 to the floor with a DO PASS
recommendation.**

VOTE: 4-0-2

EXCUSED: 2 – Sen. Walker, Sen. Ferrioli

054 Chair Minnis **Hearing no objection, declares the motion CARRIED.**

SEN. WALKER will lead discussion on the floor.

058 Chair Minnis Closes the work session on SB 910 and opens a public hearing
on SB 908.

SB 908 PUBLIC HEARING

060 Sen. Walker Explains that SB 908 is another reincarnated bill from HB 2765.

069 John VanLandingham Attorney, Lane County. Submits testimony and testifies in
support of SB 908 that modifies provisions relating to security
deposit or prepaid rent on space for tenant owned manufactured
dwelling or floating home (**EXHIBIT A**).

209 Pat Schwock Manufactured Housing Communities of Oregon. Testifies in
support of SB 908.

214 Chuck Carpenter Director, Manufactured Housing Communities of Oregon.
Testifies in support of SB 908.

226 Chair Minnis Asks if the Attorney General's office anticipates this function in
their budget.

221 Pete Shepherd Deputy Attorney General. Says their office does not have a
specific budget item for this, but it would fall under Unlawful
Trade Practices.

The following prepared testimony is submitted for the record without public testimony for SB 908

Written testimony submitted by Jack Kenny (EXHIBIT B)

267 Closes the public hearing on SB 908 and opens a work session.

SB 908 WORK SESSION

269 Vice Chair Burdick **MOTION: Moves SB 908 to the floor with a DO PASS
recommendation.**

VOTE: 4-0-2

EXCUSED: 2 – Sen. Ferrioli, Sen. Ringo

280 Chair Minnis **Hearing no objection, declares the motion CARRIED.**

SEN. WALKER will lead discussion on the floor.

298 Chair Minnis Closes the work session on SB 908 and opens a work session on
HB 2094A.

HB 2094A WORK SESSION

302 Craig Prins Committee Counsel. Introduces HB 2094A that requires
tobacco product manufacturers to report certain information to
Attorney General. Explains that the –A5, -A9 and –A10
amendments have already been passed (**EXHIBITS C-E**).

341 Vice Chair Burdick **MOTION: Moves HB 2094A to the floor with a DO PASS
AS AMENDED recommendation.**

VOTE: 4-0-2

EXCUSED: 2 - Sen. Ferrioli, Sen. Ringo

353	Chair Minnis	Hearing no objection, declares the motion CARRIED. SEN. MINNIS will lead discussion on the floor.
358	Chair Minnis	Closes the work session on HB 2094A and adjourns the meeting at 10:00 a.m.

EXHIBIT SUMMARY

- A – SB 908, written testimony submitted by John VanLandingham, 3 pp**
- B – SB 908, written testimony submitted by Jack Kenny, 1 p**
- C – HB 2094A, -A5 amendments submitted by staff, 6 pp**
- D – HB 2094A, -A9 amendments submitted by staff, 2 pp**
- E – HB 2094A, -A10 amendments submitted by staff, 1 p**