

SENATE COMMITTEE ON JUDICIARY

August 22, 2003
9:00 a.m.

Hearing Room 343
Tapes 201-202

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

MEMBER EXCUSED: Sen. Vicki Walker

STAFF PRESENT: Craig Prins, Counsel
Jane Bodenweiser, Committee Assistant

MEASURE/ISSUES HEARD: HB 2237B Work Session
SB 937 Public Hearing and Work Session
HB 2725A Work Session
HB 3426A Work Session
HB 2308A 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.

<u>TAPE/#</u>	<u>Speaker</u>	<u>Comments</u>
TAPE 201, A		
003	Chair Minnis	Calls the meeting to order at 9:40 a.m. and opens a work session on HB 2237B.
<u>HB 2237B WORK SESSION</u>		
004	Chair Minnis	Introduces the B10 amendments to HB 2237B that limits authority of Board on and Department of Public Safety Standards and Training to disclose photograph of public safety officer (EXHIBIT A) .
012	Connie Gallagher	Department of Justice. Explains the B10 amendments.
022	Sen. Ringo	MOTION: Moves to ADOPT HB 2237B-B10 amendments dated 8/21/03. VOTE: 4-0-2 EXCUSED: 2 - Sen. Walker, Sen. Burdick
027	Chair Minnis	Hearing no objection, declares the motion CARRIED.
030	Sen. Ringo	MOTION: Moves HB 2237B to the floor with a DO PASS AS AMENDED recommendation. VOTE: 4-0-2 EXCUSED: 2 - Sen. Walker, Sen. Burdick
033	Chair Minnis	Hearing no objection, declares the motion CARRIED. SEN. MINNIS will lead discussion on the floor.
035	Chair Minnis	Closes the work session on HB 2237B and opens a public hearing on SB 937.

SB 937 PUBLIC HEARING

040 Marshall Cobra American Council of Engineering Companies of Oregon. Submits testimony (**EXHIBIT B**) and testifies in support of the - 1 amendments to SB 937 that exempts certain persons from licensing requirements as investigator (**EXHIBIT C**).
062 Chair Minnis Closes the public hearing on SB 937 and opens a work session.

SB 937 WORK SESSION

063 Sen. Ringo **MOTION: Moves to ADOPT SB 937-1 amendments dated 8/22/03.**

VOTE: 4-0-2

EXCUSED: 2 - Sen. Walker, Sen. Burdick

Hearing no objection, declares the motion CARRIED.

065 Chair Minnis
069 Vice Chair Burdick **MOTION: Moves SB 937 to the floor with a DO PASS AS AMENDED recommendation.**

VOTE: 5-0-1

EXCUSED: 1 - Sen. Walker

Hearing no objection, declares the motion CARRIED.

SEN. FERRIOLI will lead discussion on the floor.

073 Chair Minnis
078 Chair Minnis Closes the work session on SB 937 and opens a work session on HB 2725A.

HB 2725A WORK SESSION

082 Chair Minnis Introduces the A3 amendments to HB 2725A (**EXHIBIT D**) that modifies crime of giving false information to police officer to include service of arrest warrants.

092 Vice Chair Burdick **MOTION: Moves to ADOPT HB 2725A-A3 amendments dated 8/21/03.**

VOTE: 5-0-1

EXCUSED: 1 - Sen. Walker

Hearing no objection, declares the motion CARRIED.

098 Chair Minnis
100 Vice Chair Burdick **MOTION: Moves HB 2725A to the floor with a DO PASS AS AMENDED recommendation.**

VOTE: 5-0-1

EXCUSED: 1 - Sen. Walker

Hearing no objection, declares the motion CARRIED.

SEN. STARR will lead discussion on the floor.

103 Chair Minnis
105 Chair Minnis Closes the work session on HB 2725A and opens a work session on HB 3426A.

HB 3426A WORK SESSION

108 Craig Prins Introduces HB 3426A that specifies circumstances under which peace officer and corrections officer may use deadly physical force, and the A8 amendments (**EXHIBIT E**).

150 Vice Chair Burdick Asks for an opinion from the District Attorney's office.

159 Brad Berry Oregon District Attorneys Association. Testifies in support of the A8 amendments to HB 3426A.

189 Vice Chair Burdick **MOTION: Moves to ADOPT HB 3426A-A8 amendments dated 8/20/03.**

VOTE: 5-0-1

EXCUSED: 1 - Sen. Walker

Hearing no objection, declares the motion CARRIED.

192 Chair Minnis
194 Vice Chair Burdick **MOTION: Moves HB 3426A to the floor with a DO PASS AS AMENDED recommendation.**

VOTE: 5-0-1

EXCUSED: 1 - Sen. Walker

Hearing no objection, declares the motion CARRIED.

200 Chair Minnis

202 Chair Minnis **SEN. BURDICK will lead discussion on the floor.**
Closes the work session on HB 3426A and opens and public hearing on HB 2308A.

HB 2308A PUBLIC HEARING

209 Paul Cosgrove Association of Health Information Outsourcing Services. Submits testimony and testifies in support of HB 2308A (**EXHIBIT F**). Introduces the A3 amendments (**EXHIBIT G**).

281 Sen. Ringo Asks for some clarification of how private companies operate when it comes to outsourcing services.

291 Cosgrove Discusses comparable fee schedules.

300 Sen. Ringo Wonders if profits might be diminished under certain fee schedules.

306 Cosgrove Says they cannot operate at a loss.

323 Vice Chair Burdick Asks if it would be in the hospitals' best interest to hire outsourcing services.

333 Cosgrove Says, yes.

348 Vice Chair Burdick Expresses concerns about outrageous fees, and thinks that the proposed fee schedule is reasonable.

361 Cosgrove Agrees.

372 Vice Chair Burdick Asks for examples from other states.

378 Cosgrove Explains typical fee schedules from other states.

407 Sen. Ferrioli Thinks that we are losing sight of the purpose of this legislation. Believes the cost of \$25.50 is reasonable.

450 Sen. Ringo Believes consumers are being gouged and that the issue needs more time.

TAPE 202, A

036 Chair Minnis Reads a question submitted by Jane Myers of the Oregon Dental Association (**EXHIBIT H**) asking if the bill applies only to written health records.

046 Cosgrove Addresses the issue of health records such as radiographs that are not on paper.

056 Chair Minnis Expresses his concern with new federal issues that are having to be addressed by the states.

081 Sen. Ferrioli Says he would like to keep this legislation as revenue neutral as possible and thinks the fee schedule is a good step.

088 Chair Minnis Believes there is a constitutional problem with the bill. Closes the public hearing on HB 2308A and adjourns the meeting at 10:15 a.m.

EXHIBIT SUMMARY

A – HB 2237B, -B10 amendments dated 8/21/03 submitted by staff, 2 pp
B – SB 937, written testimony submitted by Marshall Coba, 1 p
C – SB 937, -1 amendments dated 8/22/03 submitted by staff, 1 p
D – HB 2725A, -A3 amendments dated 8/21/03 submitted by staff, 3 pp
E – HB 3426A, -A8 amendments dated 8/20/03 submitted by staff, 9 pp
F – HB 2308A, written testimony submitted by Paul Cosgrove, 1 p
G - HB 2308A, -A3 amendments dated 8/21/03 submitted by staff, 1 p
H – HB 2308A, written question from Jane Myers read by staff, 1 p