

HOUSE COMMITTEE ON JUDICIARY

April 20, 2001
8:00 a.m.

Hearing Room 357
Tapes 41 - 42

MEMBERS PRESENT: Rep. Max Williams, Chair
 Rep. Wayne Kreiger, Vice Chair
 Rep. Kathy Lowe, Vice Chair
 Rep. Robert Ackerman
 Rep. Vic Backland
 Rep. Jackie Dingfelder
 Rep. Charlie Ringo
 Rep. Lane Shetterly
 Rep. Cheryl Walker
 Rep. Vicki Walker
 Rep. Carl Wilson

STAFF PRESENT: Andrea Shartel, Counsel
 Shannon Reed, Committee Assistant

MEASURE/ISSUES HEARD: HB 2112 Work Session
 HB 2356 Work Session
 HB 3251 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 41, A 003	Chair Williams	Calls the meeting to order at 8:09 a.m. and opens the work session on HB 2112.
<u>HB 2112 WORK SESSION</u>		
011	Counsel Shartel	Explains HB 2112 and the -4 amendments which relate to the Uniform Electronic Transaction Act (EXHIBIT A).
024	Jim Craven	American Electronics Association Testifies in support of HB 2112.
078	Tom Bahrman	Oregon State Bar Testifies in support of HB 2112.
093	Rep. Ringo	Asks about consumer risk.
097	Barman	Explains a transactional agreement occurs when consumers reply to electronic transmission of information.
139	Rep. Williams	MOTION: Moves to ADOPT HB 2112-4 amendments dated 4/9/01. VOTE: 10-0-1 EXCUSED: 1 - Lowe
142	Chair Williams	Hearing no objection, declares the motion CARRIED.
143	Rep. Williams	MOTION: Moves HB 2112 to the floor with a DO PASS

AS AMENDED recommendation.

VOTE: 10-0-1

AYE: In a roll call vote, all members present vote Aye.

EXCUSED: 1 – Rep. Lowe

150 Chair Williams

**The motion CARRIES.
Rep. LOWE will lead discussion on the floor.**

170 Chair Williams

Closes the work session on HB 2112 and opens a work session on HB 2356.

HB 2356 WORK SESSION

173 Chair Williams

Explains the measure and the –2 amendments relating to State Commission on Court Facilities (**EXHIBIT B**).

245 **Paul Snider**

Association of Oregon Counties

Discusses HB 2356 and the –2 amendments.

235 **Rod Johnstone**

Yamhill County Commissioner

Discusses HB 2356 and the –2 amendments.

TAPE 42, A

063 Snider

States that the –2 amendments are not the answer to the situation, but a reasonable way to start the process.

126 **Bradd Swank**

State Court Administrator’s Office

Discusses HB 2356 and the –2 amendments.

211 Rep. C. Walker

Asks if the justice courts will be included in the appropriations.

213 Snider

Responds that justice courts are unaffected by the bill.

224 Rep. Ackerman

Asks if technology infrastructure is included.

240 Swank

Responds that the state bears that responsibility.

273 Snider

Says that state and county cooperation is the only way to facilitate the issues and it is being addressed.

331 Chair Williams

Asks about consulting with local judges regarding future facility spending.

345 Swank

Says that it should be about the judges’ agreement rather than just consulting.

356 Chair Williams

Wants “consulting” rather than “agreement” to prevent judges from making the money spending issues. Asks for opinions.

428 Johnstone

Responds that counties should have the final say.

TAPE 41, B

034 Chair Williams

Asks about suitable plan definition and says that implementing a jointly developed plan with the county and state would be most desirable.

038 Snider

Responds that counties want financial relief.

050 Chair Williams

Says that the counties and state need to be players in this issue and do their parts.

064 Johnstone

Says that the counties are firm in their position that as long as they are responsible for the costs, then they will make the decisions.

070 Chair Williams

Closes the work session HB 2356 and opens a work session on HB 3251.

HB 3251 WORK SESSION

077 Counsel Shartel

Explains HB 3251, which relates to modifying the procedure for promulgation, amendment or repeal of rule of civil procedure.

109 Rep. Ringo

Expresses concern about the bill-making process in this case.

118 Rep. Shetterly

Comments on rule changes and the appeal process.

130	Chair Williams	Clarifies on the history of the measure.
155	Rep. Lowe	MOTION: Moves HB 3251 to the floor with a DO PASS recommendation.
		VOTE: 10-0-1
		AYE: In a roll call vote, all members present vote Aye.
		EXCUSED: 1 – Wilson
169	Chair Williams	The motion CARRIES.
		REP. WILSON will lead discussion on the floor.
174	Chair Williams	Closes the work session on HB 3251 and adjourns the meeting at 9:15 a.m.

Submitted By,

Reviewed By,

Shannon Reed
Committee Assistant

Andrea Shartel
Counsel

EXHIBIT SUMMARY

- A – HB 2112, -4 amendments, submitted by staff, dated 4/09/01, 25 pgs.**
- B – HB 2356, -2 amendments, submitted by staff, dated 4/17/01, 7 pgs.**