

HOUSE COMMITTEE ON JUDICIARY

April 25, 2001
5:00 PM

Hearing Room 357
Tapes 45 - 46

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

MEMBER EXCUSED: Rep. Jackie Dingfelder

STAFF PRESENT: Bill Taylor, Counsel
 Andrea Shartel, Counsel
 Marilyn Odell, Counsel
 Shannon Reed, Committee Assistant

MEASURES HEARD: **HB 2170 Work Session**
 HB 2175 Work Session
 HB 2884 Reconsideration and Work Session
 HB 2809 Work Session
 HB 2396 Work Session
 HB 2398 Work Session
 HB 3675 Public Hearing
 HB 2394 Work Session
 HB 3059 Work Session
 HB 3661 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 45, A 003	Chair Williams	Calls the meeting to order at 5:05 p.m. and opens a work session on HB 2170.
<u>HB 2170 WORK SESSION</u>		
010	Counsel Andrea Shartel	Introduces HB 2170 that allows person to request hearing from Department of Revenue to contest claim assigned by state agency to department for collection. Says that the -4 amendments were adopted in the civil subcommittee (EXHIBIT A).
012	Rep. V. Walker	Explains bill and discusses the -5 amendments (EXHIBIT B).
055	Rep. V. Walker	MOTION: Moves to ADOPT HB 2170-5 amendments dated 04/25/01.
056		VOTE: 10-0-1
		EXCUSED: 1 – Dingfelder
057	Chair Williams	Hearing no objection, declares the motion CARRIED.

058 Rep. V. Walker **MOTION: Moves HB 2170 to the floor with a DO PASS AS AMENDED recommendation.**

059 **VOTE: 10-0-1**

060 **Chair Williams EXCUSED: 1 – Dingfelder**

**Hearing no objection, declares the motion CARRIED.
REP. V. WALKER will lead discussion on the floor.**

061 Chair Williams Closes the work session on HB 2170 and opens a work session on HB 2175.

HB 2175 WORK SESSION

063 Counsel Shartel Introduces HB 2175 that exempts from execution amounts received by debtor as earned income tax credit. Says that the –2 amendments were adopted in the civil subcommittee (**EXHIBIT C**).

071 Rep. V. Walker Comments on HB 2175.

100 **Rep. V. Walker MOTION: Moves HB 2175 to the floor with a DO PASS AS AMENDED recommendation.**

VOTE: 8-0-3

102 **Chair Williams EXCUSED: 3 - Ackerman, Dingfelder, Ringo
Hearing no objection, declares the motion CARRIED.
REP. V. WALKER will lead discussion on the floor.**

103 Chair Williams Closes the work session on HB 2175 and opens a work session on HB 2884.

HB 2884 WORK SESSION

108 **Rep. Williams MOTION: Moves to SUSPEND the rules for the purpose of reconsidering HB 2884.**

VOTE: 8-0-3

110 **Chair Williams EXCUSED: 3 - Ackerman, Dingfelder, Ringo
Hearing no objection, declares the motion CARRIED.**

112 **Rep. Shetterly MOTION: Moves to RECONSIDER the vote on HB 2884.**

VOTE: 8-0-3

114 **Chair Williams EXCUSED: 3 - Ackerman, Dingfelder, Ringo
Hearing no objection, declares the motion CARRIED.**

115 Chair Williams Comments on the reason for reconsidering HB 2884 relating to the release of criminal offender information.

125 **Chair Williams MOTION: Moves HB 2884 to the floor with a DO PASS recommendation and be referred to the committee on Ways and Means.**

VOTE: 8-0-3

130 **Chair Williams EXCUSED: 3 - Ackerman, Dingfelder, Ringo
Hearing no objection, declares the motion CARRIED.**

140 Chair Williams Closes the work session on HB 2884 and opens a work session on HB 2809.

HB 2809 WORK SESSION

142 Counsel Shartel Comments on the fiscal impact.

160 Rep. C. Walker Explains the background of HB 2809 which modifies funeral trusts.

170 Chair Williams Comments on the fiscal impact.

178 **Rep. C. Walker MOTION: Moves HB 2809 to the floor with a DO PASS AS**

AMMENDED recommendation and be referred to the committee on Ways and Means.

The -2 amendments were adopted by the subcommittee (EXHIBIT D).

VOTE: 8-0-3

EXCUSED: 3 - Ackerman, Dingfelder, Ringo

Hearing no objections, declares the motion CARRIED.

202 Chair Williams
207 Chair Williams

Closes the work session on HB 2809 and opens a work session on HB 2396.

HB 2396 WORK SESSION

208 Counsel Marilyn Odell

Explains HB 2396 which creates advocacy services to people who are civilly committed

232 Rep. C. Walker

Comments on discussion from the subcommittee.

242 Rep. Lowe

Relates correspondence she has received.

255 Counsel Odell

Points out that the concerns of the Long Term Care Ombudsman were addressed in the -3 amendments that were adopted in subcommittee (EXHIBIT E).

285 Rep. C. Walker

MOTION: Moves HB 2396 to the floor with a DO PASS AS AMENDED recommendation and BE REFERRED to the committee on Ways and Means.

VOTE: 8-0-3

EXCUSED: 3 - Ackerman, Dingfelder, Ringo

305 Chair Williams

Hearing no objection, declares the motion CARRIED.

307 Chair Williams

Closes the work session on HB 2396 and opens a work session HB 2398.

HB 2398 WORK SESSION

308 Counsel Odell

Explains HB 2398 to the committee relating to civil commitment.

327 Rep. Backlund

Comments on HB 2398.

340 Rep. Backlund

MOTION: Moves HB 2398 to the floor with a DO PASS recommendation.

VOTE: 8-0-3

EXCUSED: 3 - Ackerman, Dingfelder, Ringo

344 Chair Williams

Hearing no objection, declares the motion CARRIED.

REP. BACKLUND will carry the bill.

358 Chair Williams

Closes the work session on HB 2398 and opens a public hearing on HB 3675.

HB 3675 PUBLIC HEARING

366 Chair Williams

Discusses HB 3675 relating to state lottery money.

TAPE 46, A

010 Chris Lyons

Director, Oregon State Lottery

Testifies in opposition to HB 3675 concerning state lottery funds (EXHIBIT F).

131 David Hooper

Oregon Lottery Commission

Testifies in opposition to HB 3675 referring to Exhibit F.

138 Chair Williams

Comments on the state's dependence on lottery funds. Provides personal opinion on video terminals.

180 Lyons

Relates the type of video terminals the lottery currently uses.

200 Chair Williams

Reiterates previous comments. Points out that HJR 66 has recently been introduced and that would solve the constitutionality issue of HB 3675.

230 Lyons Responds to Chair Williams's comments.
260 Chair Williams Closes the public hearing on HB 3675 and opens a work session on HB 2394.

HB 2394 WORK SESSION

268 **Bob Nickel**

**Deputy Assistant Administrator, Mental Health
Developmental Disabilities Services Division (MHDDSD)**

Expresses concern about access to Law Enforcement Data System (LEDS) information. Comments on the fiscal impact of HB 2394 which allows access to LEDS for investigative purposes.

300 Chair Williams
344 **Margaret Taylor**

Comments on access to LEDS.
Marion County Mental Health

Explains the -1 and -2 amendments (**EXHIBITS G & H**).

TAPE 45, B

017 Chair Williams

Closes the work session on HB 2394 and opens a work session on HB 3059.

HB 3059 WORK SESSION

018 Chair Williams

Explains the background of HB 3059 relating to missing persons. Comments on the -1 amendments (**EXHIBIT I**).

040 Chair Williams

MOTION: Moves HB 3059 to the floor with a DO PASS AS AMENDED recommendation.

VOTE: 7-0-4

042 Chair Williams

**EXCUSED: 4 - Ackerman, Dingfelder, Ringo, V. Walker
Hearing no objection, declares the motion CARRIED.
REP. KRIEGER will lead discussion on the floor.**

043 Chair Williams

Closes the work session on HB 3059 and opens a work session on HB 3661.

HB 3661 WORK SESSION

042 Counsel Bill Taylor

Explains HB 3661 to the committee which adds additional chemicals to the controlled substance list.

053 Chair Williams

Comments on the -6 amendments adopted by the subcommittee (**EXHIBIT J**).

065 Chair Williams

MOTION: Moves HB 3661 to the floor with a DO PASS AS AMENDED recommendation.

VOTE: 7-0-4

068 Chair Williams

**EXCUSED: 4 - Ackerman, Dingfelder, Ringo, V. Walker
Hearing no objection, declares the motion CARRIED.
REP. LOWE will lead discussion on the floor.**

070 Chair Williams

Closes the work session on HB 3661 and adjourns the meeting.

Submitted By,

Reviewed By,

Andrew Morris
Committee Assistant

Bill Taylor,
Counsel

EXHIBIT SUMMARY

- A - HB 2170, -4 amendments dated 4/25/01, submitted by staff, 3 pp.**
- B - HB 2170, -5 amendments, dated 4/25/01, submitted by staff, 4 pp.**
- C - HB 2175, -2 amendments, dated 4/20/01, submitted by staff, 1 p.**
- D - HB 2809, -2 amendments, dated 4/24/01, submitted by staff, 34 pp.**
- E - HB 2396, -3 amendments, dated 4/24/01, submitted by staff, 7 pp.**
- F - HB 3675, written testimony submitted by Chris Lyons, Oregon State Lottery, dated 4/25/01, 6 pp.**
- G - HB 2394, -1 amendments dated 3/9/01, submitted by Margaret Taylor, 4 pp.**
- H- HB 2394, -2 amendments dated 4/2/01, submitted by Margaret Taylor, 1 p.**
- I - HB 3059, -1 amendments dated 4/16/01, submitted by staff, 1 p.**
- J - HB 3661, -6 amendments dated 4/23/01, submitted by staff, 4 pp.**