

## SENATE COMMITTEE ON JUDICIARY

May 15, 2001 Hearing Room 343

1:30 PM Tapes 139-143

**MEMBERS PRESENT:** Sen. John Minnis, Chair  
Sen. Peter Courtney, Vice-Chair  
Sen. Roger Beyer  
Sen. Ginny Burdick  
Sen. Verne Duncan  
Sen. Steve Harper  
Sen. Rick Metsger

**STAFF PRESENT:** Marilyn Odell, Counsel  
Craig Prins, Counsel  
Andrea Shartel, Counsel  
Bill Taylor, Counsel  
Annola DeJong, Committee Assistant

**MEASURE/ISSUES HEARD:** HB 2216 Work Session  
HB 2217 Work Session  
HB 2202B Work Session  
HB 3677A Public Hearing and Work Session  
HB 2112A Public Hearing and Work Session  
HB 2339A Public Hearing and Work Session  
SB 81 Work Session  
HB 2102 Public Hearing and Work Session  
HB 2175A Public Hearing and Work Session  
HB 2243A Public Hearing and Work Session  
HB 2398 Public Hearing and Work Session  
HB 2613 Public Hearing  
HB 2840 Public Hearing and Work Session  
HB 3156 Public Hearing and Work Session  
HB 3398A Public Hearing and Work Session  
HB 3745 Public Hearing and Work Session  
HB 3669A Public Hearing and Work Session  
HB 3682 Public Hearing and Work Session  
HB 3059A Public Hearing and Work Session  
HB 3661A Public Hearing  
HB 2336A Work Session  
SB 492 Work Session  
SB 95 Work Session  
HB 2460A Public Hearing

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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.

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<b>TAPE/#</b>	<b>Speaker</b>	<b>Comments</b>
TAPE 139, A 004	Chair Minnis	Calls the meeting to order at 1:40 p.m.

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006	Counsel Taylor	Indicates that HB 2218 has been withdrawn at the request of the sponsors.
010	Chair Minnis	Opens a joint work session on HB 2216 and HB 2217.
<b><u>HB 2216 AND HB 2217 WORK SESSION</u></b>		
011	Counsel Taylor	Provides a brief description of HB 2216, which modifies legislative declaration of purpose of antitrust laws to include conduct outside Oregon that involves actual or threatened injury in Oregon. Provides a brief description of HB 2217, which authorizes claims for relief by natural person in state who are indirectly injured by violation of state antitrust laws. Introduces the –1 amendments ( <b>EXHIBIT A</b> ).
022	<b>Andy Auberteen</b>	<b>Oregon Department of Justice</b> Testifies in support of HB 2216. States that HB 2216 extends Oregon’s antitrust laws to apply to both intrastate and interstate commerce.
036	<b>Jim Gardner</b>	<b>Microsoft Corporation</b> Testifies as neutral on HB 2216.
042	<b>Sen. Metsger</b>	<b>MOTION: Moves HB 2216 to the floor with a DO PASS recommendation.</b>
048		<b>VOTE: 6-0-1</b>
058	<b>Chair Minnis</b>	<b>EXCUSED: 1 - Courtney</b> <b>Hearing no objection, declares the motion CARRIED.</b> <b>SEN. MINNIS will lead discussion on the floor.</b>
060	Auberteen	Testifies in support of HB 2217. States the –1 amendments address concerns raised at a previous hearing. Indicates an agreement has been reached to perform additional work during the interim.
082	Gardner	Testifies in support of HB 2217. States the amendments have withdrawn the possibility of multiple treble damages at various levels of distribution through the elimination of private right of action.
095	<b>Sen. Beyer</b>	<b>MOTION: Moves to ADOPT HB 2217-1 amendments.</b>
097		<b>VOTE: 6-0-1</b>
098	<b>Chair Minnis</b>	<b>EXCUSED: 1 - Courtney</b> <b>Hearing no objection, declares the motion CARRIED.</b>
099	<b>Sen. Beyer</b>	<b>MOTION: Moves HB 2217 to the floor with a DO PASS AS AMENDED recommendation.</b>
102		<b>VOTE: 6-0-1</b>
105	<b>Chair Minnis</b>	<b>EXCUSED: 1 - Courtney</b> <b>Hearing no objection, declares the motion CARRIED.</b> <b>SEN. MINNIS will lead discussion on the floor.</b>
109	Chair Minnis	Closes the work session on HB 2216 and HB 2217 and opens a work session on HB 2202B.
<b><u>HB 2202B WORK SESSION</u></b>		
110	Counsel Shartel	Provides a brief description of HB 2202B. Introduces the –B5 amendments ( <b>EXHIBIT B</b> ).
126	<b>Sen. Metsger</b>	<b>MOTION: Moves to SUSPEND the rules for the purpose of reconsidering the vote by which HB 2202B was sent to the floor with a DO PASS</b>

127 recommendation.  
**VOTE: 6-0-1**  
**EXCUSED: 1 - Courtney**  
128 Chair Minnis Hearing no objection, declares the motion **CARRIED**.  
129 Sen. Metsger **MOTION: Moves to RECONSIDER the vote by which HB 2202B was sent to the floor with a DO PASS recommendation.**  
130 **VOTE: 6-0-1**  
**EXCUSED: 1 - Courtney**  
131 Chair Minnis Hearing no objection, declares the motion **CARRIED**.  
132 Sen. Metsger **MOTION: Moves to ADOPT HB 2202-B5 amendments.**  
133 **VOTE: 6-0-1**  
**EXCUSED: 1 - Courtney**  
135 Chair Minnis Hearing no objection, declares the motion **CARRIED**.  
137 Sen. Metsger **MOTION: Moves HB 2202B to the floor with a DO PASS AS AMENDED recommendation.**  
140 **VOTE: 6-0-1**  
**EXCUSED: 1 - Courtney**  
141 Chair Minnis Hearing no objection, declares the motion **CARRIED**.  
**SEN. COURTNEY will lead discussion on the floor.**  
142 Chair Minnis Closes the work session on HB 2202B and opens a public hearing on HB 3677A.

**HB 3677A PUBLIC HEARING**

146 Rep. Max Williams **House District 9**  
Testifies in support of HB 3677A. States that HB 3677A addresses the manner in which the judicial branch interprets statute. Refers to *PGE v. Bureau of Labor and Industries (BOLI) (1993)*, which required that the court consider “text in context” when considering legislative intent. States that HB 3677A overrules the “harsh and limiting construct” of *PGE v. BOLI*.  
199 Chair Minnis Summarizes the intent of HB 3677A.  
210 Rep. Williams Concurs with the chair’s interpretation. Acknowledges the court’s role in determining the proper weight of legislative intent.  
244 Sen. Burdick Remarks the Supreme Court currently has a hierarchy of importance when considering legislative intent. Asks whether HB 3677A affects that hierarchy.  
254 Rep. Williams Answers that the hierarchy is not identified with any particular case. Assures that HB 3677A does not prescribe a particular hierarchy.  
284 Sen. Burdick Asks if the Supreme Court will view the measure favorably.  
288 Rep. Williams Replies affirmatively.  
308 Sen. Harper Ponders whether HB 3677A is dealing too specifically in the meaning of words.  
310 Chair Minnis Frames the issue as one of separation of powers between the judicial and legislative branches of state government. Recalls an explanation by the Chief Justice of the Oregon Supreme Court as to how the legislature can clarify legislative intent.  
342 Rep. Williams Agrees with the chair and adds that vague statements of support

345	Sen. Duncan	are insufficient to declare legislative intent. Mentions cases where committee members may disagree with the statements of a witness or other committee member but does not voice them out of respect to the other. Submits that silence can be construed as approval with regard to legislative intent.
367	Rep. Williams	Replies that it is the duty of the court to divine the value and meaning of the comments of legislators.
388	Chair Minnis	Adds that it is impossible to set legislative intent through silence. Emphasizes the importance of understanding and asking for clarification when necessary.
412	Sen. Harper	Asks whether passage of HB 3677A might affect the use of purpose clauses within bills.
423	Rep. Williams	Responds that the purpose clauses may be more meaningful following passage of HB 3677A, though they would be less important than the actual words that are codified in statute.
451	Chair Minnis	Closes the public hearing and opens a work session on HB 3677A.

**TAPE 140, A**

**HB 3677A WORK SESSION**

017	Sen. Metsger	<b>MOTION: Moves HB 3677A to the floor with a DO PASS recommendation.</b>
018		<b>VOTE: 6-0-1</b>
020	Chair Minnis	<b>EXCUSED: 1 - Courtney</b>
025	Chair Minnis	<b>Hearing no objection, declares the motion CARRIED. SEN. METSGER will lead discussion on the floor.</b>
		Closes the work session on HB 3677A and opens a public hearing on HB 2112A.

**HB 2112A PUBLIC HEARING**

031	Jim Craven	<b>American Electronics Association</b> Testifies in support of HB 2112A. Provides a brief description of the bill. States the measure adopts the Uniform Electronics Transactions Act, which is a national model law developed by the National Conference of Commissioners on Uniform Laws. Indicates that HB 2112A gives electronic signatures the same force of law as pen-and-ink signatures.
076	Pat Lundeen	<b>Electronic Commerce Manager, Department of Administrative Services (DAS)</b> Testifies in support of HB 2112A. Says HB 2112A is enabling legislation that allows state agencies to utilize electronic transactions for any business process.
089	Chair Minnis	Closes the public hearing and opens a work session on HB 2112A.

**HB 2112A WORK SESSION**

091	Sen. Duncan	<b>MOTION: Moves HB 2112A to the floor with a DO PASS recommendation.</b>
094		<b>VOTE: 7-0-0</b>
096	Chair Minnis	<b>Hearing no objection, declares the motion CARRIED. SEN. METSGER will lead discussion on the floor.</b>
100	Chair Minnis	Closes the work session on HB 2112A and opens a public hearing on HB 2339A.

**HB 2339A PUBLIC HEARING**

105	Alice Phalan	<b>Oregon Department of Justice (DOJ)</b> Testifies in support of HB 2339A (EXHIBIT C). States
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		that HB 2339A allows for expanded use of mediation fees to include parent education, custody evaluation, and other interventions for parents in court on domestic relations matters. Indicates that the bill also clarifies that mediation orientation is required for several types of domestic matters.
145	Chair Minnis	Requests confirmation that HB 2339A does not increase fees, but merely increases the possible uses of those fees.
147	Phalan	Replies affirmatively.
148	Sen. Beyer	Asks whether the budget is sufficient to handle the increased demand HB 2339A will create.
151	Phalan	Responds that mediation is sometimes more cost effective than the alternatives. Mentions that the measure will provide a greater range of services in Eastern Oregon than is currently available.
163	Chair Minnis	Closes the public hearing and opens a work session on HB 2339A.

**HB 2339A WORK SESSION**

163	Vice-Chair Courtney	<b>MOTION: Moves HB 2339A to the floor with a DO PASS recommendation.</b>
166		<b>VOTE: 7-0-0</b>
167	Chair Minnis	<b>Hearing no objection, declares the motion CARRIED. SEN. BURDICK will lead discussion on the floor.</b>
188	Chair Minnis	Closes the work session on HB 2339A and opens a work session on SB 81.

**SB 81 WORK SESSION**

190	Counsel Shartel	Provides a brief description of SB 81. Indicates that the –3 amendments ( <b>EXHIBIT D</b> ) have been submitted for the committee’s consideration.
210	Chair Minnis	Recalls there was objection to the original bill.
211	Counsel Shartel	Explains that the original bill created a voluntary program, but dictated what that program should look like. Says that there is agreement on the need for standards.
230	Vice-Chair Courtney	<b>MOTION: Moves to ADOPT SB 81-3 amendments dated 4/16/01.</b>
233		<b>VOTE: 7-0-0</b>
234	Chair Minnis	<b>Hearing no objection, declares the motion CARRIED.</b>
235	Vice-Chair Courtney	<b>MOTION: Moves SB 81 to the floor with a DO PASS AS AMENDED recommendation.</b>
237		<b>VOTE: 7-0-0</b>
238	Chair Minnis	<b>Hearing no objection, declares the motion CARRIED. SEN. COURTNEY will lead discussion on the floor.</b>
240	Chair Minnis	Closes the work session on SB 81 and recesses the meeting at 2:20 p.m.

-----**RECESS**-----

244	Chair Minnis	Reconvenes the meeting at 2:30 p.m. and opens a public hearing on HB 2102.
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**HB 2102 PUBLIC HEARING**

246	Chair Minnis	Closes the public hearing on HB 2102 and opens a public hearing on HB 2175A.
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**HB 2175A PUBLIC HEARING**

280 Chair Minnis

Closes the public hearing on HB 2175A and opens a public hearing on HB 2243A.

**HB 2243A PUBLIC HEARING**

290 Dan Kaplan

**Senior and Disabled Services Division, Department of Human Services (DHS)**

Testifies in support of HB 2243A (**EXHIBIT E**). Provides a brief description of the bill. States the measure requires DHS to make a claim to Medicaid to collect back some portion of the medical assistance costs paid on behalf of the deceased. Indicates that the funds are anticipated by both the legislature's and Governor's budgets.

328 Chair Minnis

Closes the public hearing and opens a work session on HB 2243A.

**HB 2243A WORK SESSION**

330 Vice-Chair  
Courtney

**MOTION: Moves HB 2243A to the floor with a DO PASS recommendation.**

331

**VOTE: 7-0-0**

333 Chair Minnis

**Hearing no objection, declares the motion CARRIED.**

336 Chair Minnis

**SEN. DUNCAN will lead discussion on the floor.**

Closes the work session on HB 2243A and reopens the public hearing on HB 2175A.

**HB 2175A PUBLIC HEARING**

344 Rep. Vicki Walker

**House District 41**

Testifies in support of HB 2175A (**EXHIBIT F**). States that the measure allows debtors the right to exempt their earned income credit through bankruptcy proceedings.

425 Chair Minnis

Closes the public hearing and opens a work session on HB 2175A.

**HB 2175A WORK SESSION**

428 Vice-Chair  
Courtney

**MOTION: Moves HB 2175A to the floor with a DO PASS recommendation.**

433 Sen. Beyer

Comments that individuals who owe money should be required to pay it, adding that the bill passes the burden on from the low-income wage earners to the businesses to whom the individual owes money.

444 Rep. Walker

Concurs. States that even debtors sometimes need the opportunity of a fresh start. Remarks that the average earned income tax credit is relatively small, but is meaningful for the working poor.

472 Sen. Beyer

Opines that the bill unfairly prevents those who are owed money from collecting it.

476 Rep. Walker

Mentions that pension plans are exempted from bankruptcy collection, while the much-needed income assistance is not.

495

**VOTE: 6-1-0**

**AYE: 6 - Burdick, Courtney, Duncan, Harper, Metsger,**

**Minnis**

496 Chair Minnis

**NAY: 1 - Beyer R**

**The motion CARRIES.**

**SEN. COURTNEY will lead discussion on the floor.**

**TAPE 139, B**

Chair Minnis

Closes the work session on HB 2175A and opens a public hearing on HB 2398.

**HB 2398 PUBLIC HEARING**

042 Richard Templeton

**Office of Mental Health Services, Mental Health Division, DHS**

Testifies in support of HB 2398. Offers a brief description of the bill. States the measure allows for the release of “comfort information” regarding persons held in involuntary treatment without the patient’s consent.

062 Counsel Odell

Mentions that the Interim Judiciary Committee’s Civil Commitment Work Group drafted the bill. Notes that the Oregon Advocacy Center has opposed the measure. Notes that the measure allows individuals to specify information to be made available in the event of future incapacitation.

085 Chair Minnis

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

**HB 2398 WORK SESSION**

087 Vice-Chair  
Courtney

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

088

**VOTE: 7-0-0**

089 Chair Minnis

**Hearing no objection, declares the motion CARRIED. SEN. BEYER will lead discussion on the floor.**

097 Chair Minnis

Closes the work session on HB 2398 and opens a public hearing on HB 2613.

**HB 2613 PUBLIC HEARING**

108 Chair Minnis

Closes the public hearing on HB 2613 and opens a public hearing on HB 2840.

**HB 2840 PUBLIC HEARING**

114 Paul Snyder

**Association of Oregon Counties (AOC)**

Testifies to a position of neutrality regarding HB 2840. Mentions that there are seven county judges currently exercising judicial function, all in Eastern Oregon, adding that six of the seven supports HB 2840.

120 Chair Minnis

Requests an explanation of HB 2840.

122 Snyder

Indicates that HB 2840 requires that county judge positions be nonpartisan.

124 Chair Minnis

Closes the public hearing on HB 2840 and opens a work session on HB 2840.

**HB 2840 WORK SESSION**

126 Sen. Duncan

**MOTION: Moves HB 2840 to the floor with a DO PASS recommendation.**

128

**VOTE: 7-0-0**

129 Chair Minnis

**Hearing no objection, declares the motion CARRIED. SEN. DUNCAN will lead discussion on the floor.**

133 Chair Minnis

Closes the work session on HB 2840 and opens a public hearing on HB 3156.

**HB 3156 PUBLIC HEARING**

149 Counsel Odell

Provides a brief description of the bill. States that the measure requires a hearing to be held in a particular geographic area in cases where the hearing is held at the request of citizens from that area.

166 Chair Minnis

Closes the public hearing and opens a work session on HB 3156.

**HB 3156 WORK SESSION**

168 Vice-Chair

**MOTION: Moves HB 3156 to the floor with a DO PASS**

170 Courtney  
171 Chair Minnis  
175 Chair Minnis

**HB 3398A PUBLIC HEARING**

178 Jim Green  
  
195 Chuck Bennett  
  
200 Chair Minnis

**HB 3398A WORK SESSION**

201 Vice-Chair  
Courtney  
204  
206 Chair Minnis  
209 Chair Minnis

**HB 3745 PUBLIC HEARING**

234 Kathie Osborn  
  
  
255 Chair Minnis

**HB 3745 WORK SESSION**

257 Vice-Chair  
Courtney  
260  
262 Chair Minnis  
264 Chair Minnis

**recommendation.**  
**VOTE: 7-0-0**  
**Hearing no objection, declares the motion CARRIED.**  
**SEN. HARPER will lead discussion on the floor.**  
Closes the work session on HB 3156 and opens a public hearing on HB 3398A.

**Oregon School Boards Association (OSBA)**  
Testifies in support of HB 3398A (**EXHIBIT G**). States the measure sets a two-year statute of limitation regarding hearings in special education matters. Explains the rationale for choosing a two-year statute of limitation.  
**Confederation of School Administrators (COSA)**  
Submits testimony and testifies in support of HB 3398A (**EXHIBIT H**).  
Closes the public hearing and opens a work session on HB 3398A.

**MOTION: Moves HB 3398A to the floor with a DO PASS recommendation.**  
**VOTE: 7-0-0**  
**Hearing no objection, declares the motion CARRIED.**  
**SEN. MINNIS will lead discussion on the floor.**  
Closes the work session on HB 3398A and opens a public hearing on HB 3745.

**Juvenile Rights Project**  
Testifies to a position of neutrality regarding HB 3745. Explains that the sunset to the original legislation was instituted at the request of the Juvenile Rights Project, which no longer opposes the removal of the sunset provision. Recounts the concerns that the Juvenile Rights Project had with the original legislation.  
Closes the public hearing and opens a work session on HB 3745.

**MOTION: Moves HB 3745 to the floor with a DO PASS recommendation.**  
**VOTE: 7-0-0**  
**Hearing no objection, declares the motion CARRIED.**  
**SEN. METSGER will lead discussion on the floor.**  
Closes the work session on HB 3745 and recesses the meeting at 3:00 p.m.

-----**RECESS**-----

271 Chair Minnis

**HB 3669A PUBLIC HEARING**

278 Rep. Max Williams

Reconvenes the meeting at 5:25 p.m. and opens a public hearing on HB 3669A.

**House District 9**  
Testifies in support of HB 3669A. Discusses the negative impacts that exposure to methamphetamine manufacture can have on children. States that the measure allows for termination

		of parental rights in cases involving exposure to methamphetamine storage or production. Talks about the –A2 amendments ( <b>EXHIBIT I</b> ).
326	Chair Minnis	Closes the public hearing and opens a work session on HB 3669A.
<b><u>HB 3669A WORK SESSION</u></b>		
328	Vice-Chair Courtney	<b>MOTION: Moves to ADOPT HB 3669-A2 amendments.</b>
331		<b>VOTE: 5-0-2</b>
333	Chair Minnis	<b>EXCUSED: 2 – Burdick, Duncan</b> <b>Hearing no objection, declares the motion CARRIED.</b>
336	Vice-Chair Courtney	<b>MOTION: Moves HB 3669A to the floor with a DO PASS AS AMENDED recommendation.</b>
337		<b>VOTE: 6-0-1</b>
339	Chair Minnis	<b>EXCUSED: 1 - Burdick</b> <b>Hearing no objection, declares the motion CARRIED.</b> <b>SEN. MINNIS will lead discussion on the floor.</b> <b>Sen. Duncan’s AYE vote is recorded later in the meeting (TAPE 140, B, #169)</b>
351	Chair Minnis	Closes the work session on HB 3669A and opens a public hearing on HB 3682.
<b><u>HB 3682 PUBLIC HEARING</u></b>		
353	Rep. Max Williams	<b>House District 9</b> Testifies in support of HB 3682.
359	Paul Cosgrove	<b>Alliance of Automobile Manufacturers</b> Testifies in support of HB 3682 ( <b>EXHIBIT J</b> ). Explains that HB 3682 declares that those who intentionally fail to properly repair a car safety airbag can be convicted of a Class A misdemeanor.
374	Vice-Chair Courtney	Requests clarification.
376	Cosgrove	Describes a “scam” that took place in California in which bad operators were pretending to repair vehicle air bags by stuffing them with newspaper or socks. States that the consumer drives away unaware that the airbag has not been reset and that the expensive electronics have not been replaced.
402	Vice-Chair Courtney	Wonders why a fake repair job would do anything except replace the deflated air bag into its compartment.
407	Cosgrove	Concurs, adding that the fake repair was probably performed so that a legitimate repair shop might probably believe the repair to be legitimate.
416	Chair Minnis	Asks how many prosecutions might be expected as a result of passage of HB 3682.
418	Cosgrove	Replies it is likely there will be few prosecutions, as the measure is preemptive in nature.
424	Sen. Harper	Asks how many such cases have been documented in Oregon.
426	Cosgrove	Answers that there is only evidence of the problem in California.
433	Sen. Harper	Wonders how fake repair jobs would be discovered if HB 3682 becomes law.
440	Cosgrove	Asserts that the threat of prosecution should be sufficient to prevent bad operators from taking up residence in Oregon.
447	Chair Minnis	Discusses stolen car operations that salvage cars for similar air bags. Asks whether a Class A misdemeanor is sufficient

475	Cosgrove	punishment for a crime that could conceivably end in death.
488	Chair Minnis	Replies that in such a case there may be other crimes that apply. Asks whether Mr. Cosgrove would consent to the committee amending the bill so that the crime would be considered a Class C felony.
489	Cosgrove	Responds that would be acceptable.
<b>TAPE 140, B</b>		
036	Sen. Beyer	Asks whether someone who performs faulty repair on an air bag system would be prosecutable for fraud.
038	Counsel Prins	Answers that it is difficult to connect such a crime to business fraud.
044	Chair Minnis	Comments that stolen car rings typically scavenge stolen cars for parts, particularly expensive ones such as air bag units.
049	<b>Phil Lemman</b>	<b>Criminal Justice Commission</b> Replies he cannot estimate the cost of expanding the penalty to a Class C felony. Closes the public hearing and opens a work session on HB 3682.
060	Chair Minnis	
<b><u>HB 3682 WORK SESSION</u></b>		
067	Vice-Chair Courtney	<b>MOTION: Moves HB 3682 to the floor with a DO PASS recommendation.</b>
071		<b>VOTE: 6-0-1</b>
072	Chair Minnis	<b>EXCUSED: 1 - Burdick</b> <b>Hearing no objection, declares the motion CARRIED.</b> <b>SEN. MINNIS will lead discussion on the floor.</b>
073	Chair Minnis	Closes the work session on HB 3682 and opens a public hearing on HB 3059A.
<b><u>HB 3059A PUBLIC HEARING</u></b>		
077	Rep. Rob Patridge	<b>House District 50</b> Testifies in support of HB 3059A. States that the measure requires the Board of Public Safety Standards and Training to ensure that police and reserve officers are trained to investigate and report cases of missing children. Refers to the –A2 amendments ( <b>EXHIBIT K</b> ).
100	Chair Minnis	Closes the public hearing and opens a work session on HB 3059A.
<b><u>HB 3059A WORK SESSION</u></b>		
101	Vice-Chair Courtney	<b>MOTION: Moves to ADOPT HB 3059-A2 amendments.</b>
103		<b>VOTE: 6-0-1</b>
104	Chair Minnis	<b>EXCUSED: 1 - Burdick</b> <b>Hearing no objection, declares the motion CARRIED.</b>
105	Vice-Chair Courtney	<b>MOTION: Moves HB 3059A to the floor with a DO PASS AS AMENDED recommendation.</b>
108		<b>VOTE: 6-0-1</b>
110	Chair Minnis	<b>EXCUSED: 1 - Burdick</b> <b>Hearing no objection, declares the motion CARRIED.</b> <b>SEN. METSGER will lead discussion on the floor.</b>
114	Chair Minnis	Closes the work session on HB 3059A and opens a public hearing on HB 2102.
<b><u>HB 2102 PUBLIC HEARING</u></b>		
116	Col. Mike Caldwell	<b>Oregon Military Department</b> Testifies in support of HB 2102 ( <b>EXHIBIT L</b> ). Describes the

		resident program “boot camp” for high school dropouts. Explains that OMD needs the way to screen potential employees for the boot camp.
138	Chair Minnis	Closes the public hearing and opens a work session on HB 2102.
	<b><u>HB 2102 WORK SESSION</u></b>	
139	Vice-Chair Courtney	<b>MOTION: Moves HB 2102 to the floor with a DO PASS recommendation.</b>
141		<b>VOTE: 6-0-1</b>
143	Chair Minnis	<b>EXCUSED: 1 - Burdick</b> <b>Hearing no objection, declares the motion CARRIED.</b> <b>SEN. HARPER will lead discussion on the floor.</b>
168	Chair Minnis	Closes the work session on HB 2102 and reopens the work session on HB 3669A.
	<b><u>HB 3669A WORK SESSION</u></b>	
169	Sen. Duncan	<b>MOTION: Requests unanimous consent that the rules be SUSPENDED to allow SEN. DUNCAN to BE RECORDED as voting AYE on the motion to send HB 3669A to the floor with a DO PASS AS AMENDED recommendation.</b>
170		<b>VOTE: 6-0-1</b>
172	Chair Minnis	<b>EXCUSED: 1 - Burdick</b> <b>Hearing no objection, declares the motion CARRIED.</b>
174	Chair Minnis	Closes the work session on HB 3669A and opens a public hearing on HB 3661A.
	<b><u>HB 3661A PUBLIC HEARING</u></b>	
182	John Salle	<b>Lieutenant, Oregon State Police (OSP)</b> Testifies and submits informational materials in support of HB 3661A ( <b>EXHIBITS M &amp; N</b> ).
197	Sen. Harper	Notes that the bill makes it a crime to possess phosphorous.
201	Counsel Prins	Explains that the bill criminalizes possession of “precursors” to the manufacture of methamphetamine. Notes that there are exemptions, including farm practice, fireworks, and others.
219	Salle	Assures that the House Committee on Judiciary worked to include as many valid exemptions as possible.
224	Terry Witt	<b>Executive Director, Oregonians for Food and Shelter</b> Testifies in support of HB 3661A. States his organization is satisfied that the materials are exempt as lawfully used for farming, as are others that are legitimately used as a refrigerant in legitimate business practice.
245	Chair Minnis	Asks whether possession of a certain amount of the materials in question is a crime, regardless of intent to manufacture methamphetamine.
249	Salle	Responds affirmatively. Explains that the reason that possession of more than 9 grams of pseudoephedrine is a crime is that it becomes a matter of negligence.
261	Counsel Prins	Remarks that commission of a crime without intent is classified as criminal negligence. Refers to section 10 of HB 3661A with regard to intent to manufacture.
278	Sen. Metsger	Notes that section 4 declares any possession of phosphorous to be a criminal offense. Asks whether a person who owns a home chemistry set containing phosphorous would be in violation of HB 3661A.
295	Salle	Concedes that OSP had not considered home chemistry sets.

307	Chair Minnis	Asks how an amendment might be crafted to address that concern.
309	Sen. Metsger	Replies he does not know.
311	Salle	Comments that he doubts whether home chemistry sets contain elemental phosphorous, considering its volatility.
320	Sen. Harper	Acknowledges that the use of the precursor chemicals to make methamphetamine should be a crime, but wonders why it should be a crime to possess some or all of the precursors if there is no demonstrated intent to manufacture methamphetamine.
331	Salle	Explains that the basic ingredients of methamphetamine are available at retail outlets and that the measure seeks to make them more difficult to obtain. Asserts that for some of the precursors, such as phosphorous, iodine or pseudoephedrine, the only reason to be in possession of large quantities is for industrial or scientific use, retail sale, or the manufacture of methamphetamine.
371	Sen. Harper	Concludes that possession of the precursors can only be considered intent if there is other evidence present as well.
381	Salle	Agrees.
386	Vice-Chair Courtney	Doubts that contemporary home chemistry sets contain the same chemicals as those that existed when the committee members were children
396	Metsger	Suggests that the committee amend HB 3661A to criminalize “possession with intent to manufacture.”
408	Sen. Beyer	Asks how farmers are exempted by the bill from prosecution for possession of anhydrous ammonia
411	Witt	Replies that the crime is possession of anhydrous ammonia in an improper container. Indicates that those who would use anhydrous ammonia to manufacture methamphetamine typically steal it and maintain it in a 5-gallon container.
440	Chair Minnis	Inquires whether HB 3661A was modeled after legislation passed previously in another state.
441	Salle	Replies that HB 3661A is crafted similarly to bills in Arizona, California, Utah, and Washington. Mentions that there have been no problems with the bills in those states.
458	Chair Minnis	States that HB 3661A will be brought back for a work session on May 16 and that Legislative Counsel will be asked to investigate whether the bill parallels federal law.
461	Sen. Harper	Asks whether the bill should be amended to reflect Sen. Metsger’s suggestion regarding possession with intent to manufacture.
472	Salle	Agrees to such an amendment.
029	Chair Minnis	Solicits the committee’s opinion regarding the intent issue.
031	Sen. Metsger	Suggests that the committee should make such an amendment if it is not too problematic.
033	Vice-Chair Courtney	Requests additional information regarding the chemistry set issue.
049	Chair Minnis	Closes the public hearing on HB 3661A and opens a work session on HB 2336A.

**HB 2336A WORK SESSION**

**058** Vice-Chair Courtney

**MOTION: Moves to SUSPEND the rules for the purpose of reconsidering the vote by which HB 2336A was sent to the floor with a DO PASS recommendation.**

060 **VOTE: 6-0-1**

062 **Chair Minnis** **EXCUSED: 1 - Burdick**  
**Hearing no objection, declares the motion CARRIED.**

064 **Vice-Chair** **MOTION: Moves to RECONSIDER the vote by which HB**  
**Courtney** **2336A was sent to the floor with a DO PASS**  
**recommendation.**

066 **VOTE: 6-0-1**

067 **Chair Minnis** **EXCUSED: 1 - Burdick**  
**Hearing no objection, declares the motion CARRIED.**

068 **Counsel Prins** Explains that this bill and HB 2388 deal with the same statute (419A.200) and that the –A2 amendments resolve the conflict **(EXHIBIT 0).**

077 **Vice-Chair** **MOTION: Moves to ADOPT HB 2336-A2 amendments.**  
**Courtney**

078 **VOTE: 6-0-1**

079 **Chair Minnis** **EXCUSED: 1 - Burdick**  
**Hearing no objection, declares the motion CARRIED.**

080 **Vice-Chair** **MOTION: Moves HB 2336A to the floor with a DO PASS**  
**Courtney** **AS AMENDED recommendation.**

081 **VOTE: 6-0-1**

084 **Chair Minnis** **EXCUSED: 1 - Burdick**  
**Hearing no objection, declares the motion CARRIED.**  
**SEN. COURTNEY will lead discussion on the floor.**

088 **Chair Minnis** Closes the work session on HB 2336A and opens a work session on SB 492.

**SB 492 WORK SESSION**

102 **Counsel Prins** States that the –1 amendments replace SB 492 and allow for the revocation driving privileges for individuals convicted of felony driving while under the influence of intoxicants (DUII) **(EXHIBIT P).**

126 **Vice-Chair Courtney** Provides a brief history of the measure. Describes the compromise that resulted in the –1 amendments.

161 **Sen. Duncan** Asks whether the measure includes a work permit.

165 **Counsel Prins** Replies that a probationary permit is allowed in some cases. Refers to section 2 of the amended bill.

188 **Sen. Duncan** Agrees with the message that the –1 amendments will send, but expresses concern as to the potential problems that it could cause to those who depend on the ability of the convicted person to work.

201 **Sen. Beyer** Concurs with Sen. Duncan’s comments regarding work release but notes that the offender will likely serve jail time as a result of the conviction.

207 **Counsel Prins** Offers to look into how such an offender would go about being granted a work permit following release from incarceration.

221 **Sen. Duncan** Mentions that some permits allow the offender to drive along a particular route to and from the place of work during specified hours.

227 **Sen. Beyer** Requests a definition of felony DUII.

230 **Counsel Prins** Replies that felony DUII is defined as the fourth conviction for DUII within a 10-year period, the current penalty for which is a

		3-year suspension of license. States that the measure increases the penalty.
240	Sen. Beyer	Opines that the current penalty for the crime is sufficient.
244	Counsel Prins	Clarifies that the measure adds the penalty of permanent revocation of drivers license.
249	Vice-Chair Courtney	States that the goal is to make a statement that drinking is the problem for the habitual offender and that the state will impose serious penalties for conviction.
273	Sen. Harper	Requests an explanation of how the 10-year period is calculated.
277	Counsel Prins	Answers that if there are four convictions within any 10-year period, not counting diversion of the first, SB 492 would take effect.
285	Sen. Beyer	Summarizes that conviction under SB 492 permanently revokes driving privileges.
289	Counsel Prins	Agrees, adding that the offender may petition the court for reinstatement after 10 years.
291	Sen. Beyer	Asks how many Oregonians have been convicted of felony DUII.
296	<b>Phil Lemman</b>	<b>Criminal Justice Commission</b> Replies that approximately 100 were convicted of felony DUII in 2000, with 80 going to prison for 13-40 months.
310	Sen. Beyer	Asks if the measure will be applied retroactively.
311	Counsel Prins	Replies negatively.
316	Sen. Harper	Asks whether there has been any consideration as to whether SB 316 will act as a deterrent.
320	Counsel Prins	Ventures that incarceration is a deterrent but has proven to be insufficient to affect the behavior of habitual offenders.
331	Vice-Chair Courtney	Acknowledges that prison keeps the habitual offenders off the roads.
340	Sen. Beyer	Submits that if felony DUII was passed just last session then it is too soon to determine whether that was a sufficient deterrent.
355	Chair Minnis	Suggests that passage of SB 492 as amended may be premature.
374	Counsel Prins	Remarks that SB 492 applies to those who have been released from prison and may now be on the roads.
		Remarks that the presumptive sentence for felony DUII is 13 months, meaning that those who were convicted following passage of felony DUII during the 1999 Legislative Session will be on the streets by the time SB 492 takes effect.
<b>393</b>	<b>Vice-Chair Courtney</b>	<b>MOTION: Moves to ADOPT SB 492-1 amendments.</b>
<b>395</b>		<b>VOTE: 6-0-1</b>
<b>398</b>	<b>Chair Minnis</b>	<b>EXCUSED: 1 - Burdick</b> <b>Hearing no objection, declares the motion CARRIED.</b>
<b>401</b>	<b>Vice-Chair Courtney</b>	<b>MOTION: Moves SB 492 to the floor with a DO PASS AS AMENDED recommendation.</b>
		<b>VOTE: 5-1-1</b>
		<b>AYE: 5 - Courtney, Duncan, Harper, Metsger, Minnis</b>
		<b>NAY: 1 - Beyer</b>
		<b>EXCUSED: 1 - Burdick</b>
<b>403</b>	<b>Chair Minnis</b>	<b>The motion Carries.</b>
		<b>SEN. COURTNEY will lead discussion on the floor.</b>
405	Chair Minnis	Closes the work session on SB 492 and opens a work session on

SB 95.

**SB 95 WORK SESSION**

407	Counsel Prins	Provides a brief description of SB 95. States the measure deals with probation officers and their access to a probationer's common areas. References the court case <i>State of Oregon v. Guzman (1999)</i> .
448	<b>Vice-Chair Courtney</b>	<b>MOTION: Moves SB 95 to the floor with a DO PASS recommendation.</b>
451		<b>VOTE: 5-0-2</b>
455	<b>Chair Minnis</b>	<b>EXCUSED: 2 - Beyer, Burdick</b> <b>Hearing no objection, declares the motion CARRIED.</b> <b>SEN. MINNIS will lead discussion on the floor.</b>
459	Chair Minnis	Closes the work session on SB 95 and recesses the meeting at 6:25 p.m.

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460	Chair Minnis	Reconvenes the meeting at 6:30 p.m. and opens a public hearing on HB 2460A.
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**HB 2460A PUBLIC HEARING**

**TAPE 142, A**

030	<b>Rep. Kurt Schrader</b>	<b>House District 23</b> Testifies in support of HB 2460A. Explains how strategic lawsuits against public participation (SLAPP) seek to prevent certain groups or individuals from their right to free speech. States that the measure allows for a "motion to strike" if the lawsuit is believed to be groundless.
084	Rep. Schrader	Submits and describes the -A3 amendments ( <b>EXHIBIT Q</b> ) for the committee's consideration. States that the purpose of anti-SLAPP legislation is to prevent frivolous lawsuits from being filed in the first place.
144	Chair Minnis	Asks why the tort reform legislation passed previously by the legislature is insufficient to prevent frivolous claims.
161	<b>Dave Heynderickx</b>	<b>Senior Deputy Legislative Counsel</b> References Oregon Rules of Civil Procedure (ORCP) 17, related to false certification. Explains that it is difficult to gain an award of attorney fees under previous efforts at reform. Adds that HB 2460A seeks to remove frivolous complaints from the judicial process as quickly as possible.
188	Chair Minnis	Clarifies that the difference is that current rules are predicated on the facts of the case, necessitating a hearing, while HB 2460A allows a claim to be thrown out before going to court.
198	Rep. Schrader	Comments that previous reform efforts have clearly been unsuccessful, given the number of suits that have been filed.
210	Chair Minnis	Acknowledges that there seems to be a reluctance on the part of the judiciary to enforce current reforms.
219	Heynderickx	Emphasizes that in many cases the penalties of ORCP 17 are insufficient to deter a large corporation, especially considering what is potentially at stake in some cases.
233	Chair Minnis	Asks how HB 2460A compels a judge to grant such a motion.
237	Heynderickx	Refers to similar cases in California.

249	Chair Minnis	Assumes that there may be a need to train judges in these procedures in the event that the bill becomes law.
269	<b>Mitch Rohse</b>	<b>Oregon Chapter, American Planning Association (OAPA)</b> Submits testimony and testifies in support of HB 2460A ( <b>EXHIBIT R</b> ). Testifies as neutral on the –A3 amendments. Describes the effect that SLAPP suits have on city planning.
335	Sen. Harper	Asks how many SLAPP cases judges have thrown out on the grounds that they are frivolous.
352	Chair Minnis	Concludes that the volume of cases indicates that only a few of these cases are thrown out.
357	Heynderickx	Remarks that in order for a judge to throw one of these cases out they need to make it through a significant portion of the judicial process.
385	<b>Joe Landry</b>	<b>OAPA</b> Testifies in support of HB 2460A. States that the measure allows frivolous cases to be thrown out much earlier than they are today. Assert that SLAPP suits are capable of hindering First Amendment rights.
451	Chair Minnis	Notes that HB 2460A refers to speech “in the issue of public interest” and asks where that phrase is defined.
466	Landry	Explains that issues of the public interest are decisions that are made by a public body.
475	Chair Minnis	Disagrees and suggests that comments made in a workplace could be considered applicable.

**TAPE 143, A**

**(Tape 141B was not used)**

027	Rohse	Describes the types of citizen involvement in land use planning that have been dissuaded through the threat of SLAPP suits.
037	Chair Minnis	Refers to the case <i>State of Oregon v. Henry (1987)</i> , which declared nude dancing to be free speech. Says nude dancing as free speech may be applicable to a motion to strike.
051	Landry	Opines that in such a case HB 2460A would protect the free speech of all parties involved.
070	Chair Minnis	Asks whether the measure would be applicable to attorney malpractice or insurance policies.
084	Rohse	Recalls that OAPA has previously sought to involve the insurance industry into SLAPP suits. Remarks that insurance has been problematic, as the insurance companies often counsel their policyholders to settle rather than testify and face a SLAPP suit.
111	<b>Harlan Levy</b>	<b>Oregon Association of Realtors (OAR); Oregon Building Industry Association (OBIA)</b> Testifies in opposition to HB 2460A ( <b>EXHIBIT S</b> ). States that OAR would support SLAPP legislation that is fair to all parties. Proposes and describes OAR’s conceptual amendments to HB 2460A. Submits that the whereas clause is biased and adds nothing of substance.
160	Levy	Offers a hypothetical example in which a developer is assaulted and asserts that a motion to strike should not disallow the developer’s ability to press charges for battery.
169	Chair Minnis	Notes that the measure disallows a motion to strike if it is likely

		that the plaintiff will prevail.
173	Levy	Expresses a desire to clarify that the judgement of dismissal applies not to the entire case but only to a single claim.
198	Sen. Metsger	Opines that no motion to strike could be made for an assault or battery charge.
207	Levy	Responds that HB 2460A provides for a motion to strike and is ambiguous enough to possibly entail striking a battery claim.
223	Sen. Metsger	Submits that HB 2460A clarifies that the three reasons for a motion to strike all arise out of exercise of free speech in oral or written form.
228	Levy	Requests that HB 2460A be clarified to specify that point.
235	Chair Minnis	Notes the possibility of a loophole on line 24, specifically the phrase “any other conduct in the furtherance of”.
247	Levy	Notes the Oregon State Bar will be presenting amendments that would strike the language in question.
272	Chair Minnis	Submits that the effectiveness of HB 2460A will be reduced if reimbursement for attorney’s fees are limited or not included in the bill.
288	Levy	Consents to the inclusion of reimbursement for attorney fees, so long as the reimbursement is solely for the preparation of the motion to strike and is reciprocal to both sides.
309	Vice-Chair Courtney	Asserts that the defendant must carry the first burden of proof by making the special motion to strike.
325	Levy	Concurs but says that the <i>prima facie</i> standard does not require much proof for the burden to shift to the plaintiff.
337	Vice-Chair Courtney	Doubts that HB 2460A could be constructed so as to ensure what a judge’s action will be in each manner.
385	<b>Larry DeBates</b>	<b>Chairman, Citizen’s Involvement Committee</b> Testifies in support of HB 2460A ( <b>EXHIBIT T</b> ). Discusses factors that inhibit public involvement in policy decision making, of which SLAPP suits are one of the most effective.
<b>TAPE 142, B</b>		
057	<b>Bob Olson</b>	<b>Oregon State Bar</b> Testifies in support of the –4 amendments ( <b>EXHIBIT U</b> ) and –5 amendments ( <b>EXHIBIT V</b> ) to HB 2460A.
068	Sen. Metsger	Observes that the –5 amendments alter the motion to dismiss and asks whether the amendments revert the motion to current standards.
074	Olson	Responds that the language clarifies the proposal, as opposed to creating an entirely new process.
086	Heynderickx	Answers that the primary change made by the language in the –5 amendments is a stipulation as to when the procedural motion must be made.
103	Vice-Chair Courtney	Notes that the burden remains on the defendant when the motion was made, but then seems to transfer to a burden of substantial evidence on the part of the plaintiff to counter the motion to strike.
111	Heynderickx	Clarifies that the language in the amendments requires substantially more evidence than the original bill.
123	Vice-Chair Courtney	Reiterates that the defendant is required to produce <i>prima facie</i> evidence, while the plaintiff must counter with substantial evidence.

134	Heynderickx	Concedes that the plaintiff is required to produce significantly more evidence.
138	Vice-Chair Courtney	Concludes that the defendant must take the first action, but that a substantially heavier burden of proof then falls upon the plaintiff.
147	Heynderickx	Explains the respective burdens of proof imposed upon both the defendant and the plaintiff.
172	Chair Minnis	Presumes that once the burden shifts then the plaintiff faces a greater burden than does the defendant.
180	Heynderickx	Remarks that the burden of proof always rests with the plaintiff.
217	<b>Liz Frenkel</b>	<b>League of Women Voters of Oregon</b> Testifies in support of HB 2460A ( <b>EXHIBIT W</b> ). Recounts two cases in which SLAPP suits dissuaded testimony before public bodies, including issues before the Oregon State Legislature. States that one case required 10 months and \$10,000 to have thrown out.
238	Sen. Harper	Asks whether the suit was eventually dismissed because it was deemed to be frivolous.
241	Frenkel	Replies affirmatively and references informational materials regarding testimony and SLAPP suits ( <b>EXHIBITS X &amp; Y</b> ).
245	Sen. Beyer	Wonders whether those testifying before a legislative committee are provided immunity.
253	Heynderickx	Answers that witnesses before legislative committees are afforded strong immunity, so long as the information discussed is relevant to the issues being discussed.
268	Frenkel	Describes the information provided within her written testimony and the accompanying newspaper articles. Provides an account of a SLAPP case related to Corvallis.
335	Vice-Chair Courtney	Notes that local voters must approve all annexations in Corvallis.
353	<b>Merilyn Reeves</b>	<b>Friends of Yamhill County</b> Testifies in support of HB 2460A ( <b>EXHIBIT Z</b> ). Recounts the first time she heard about a SLAPP suit and discusses other subsequent cases.
410	Reeves	Speaks to how important it is that the State of Oregon restrict SLAPP suits.
<b>TAPE 143, B</b>		
020	Reeves	Remarks that a similar bill failed to pass during the 1999 Legislative Session. Asserts that it is preferable to pass an imperfect law limiting SLAPP suits than to pass no law at all.
050	<b>Evan Manuel</b>	<b>1000 Friends of Oregon</b> Testifies in support of HB 2460A and submits a letter from an interested party ( <b>EXHIBIT AA</b> ). Describes a SLAPP suit filed in Florence. States that intimidation through the threat of lawsuit has prevented public participation in communities throughout Oregon.
100	Manuel	Asserts that SLAPP suits create an environment in which only those who can afford the risk of a costly court battle will be willing to exercise their free speech rights.
117	Chair Minnis	Inquires whether there is a way to define “issues of public interest” for purposes of clarifying the language of the bill. Mentions that there have been SLAPP suits during political campaigns.

130	Heynderickx	Discusses public issue language and how it relates to cases involving media defendants. Concedes that it is difficult to define many such issues more narrowly than simply as a public issue.
162	Chair Minnis	Refers to how the Oregon Supreme Court has generally dealt with exercise of free speech.
170	Heynderickx	Replies that perhaps there should be clarification in this regard.
181	Chair Minnis	Closes the public hearing on HB 2460A and adjourns the meeting at 8:05 p.m.

Submitted By,                      Reviewed By,

Annola DeJong, Committee Assistant	Craig Prins, Counsel
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Transcribed By

Patrick Brennan,  
Committee Assistant

**EXHIBIT SUMMARY**

- A – HB 2217, -1 amendments submitted by staff, dated 5/10/01, 6 pp.**
- B – HB 2202B, -B5 amendments submitted by staff, dated 5/14/01, 11 pp.**
- C – HB 2339A, written testimony submitted by Alice Phalan, Department of Justice, dated 5/15/01, 1 p.**
- D – SB 81, -3 amendments submitted by staff, dated 4/16/01, 1 p.**
- E – HB 2243, written testimony submitted by Dan Kaplan, Department of Human Resources, dated 5/15/01, 1 p.**
- F – HB 2175, written testimony from Richard Slottee, submitted by Rep. Vicki Walker, dated 4/16/01, 2 pp.**
- G – HB 3398A, written testimony from Steve Johnson, submitted by Jim Green, Oregon School Boards Association, dated 5/15/01, 2 pp.**
- H – HB 3398A, written testimony from Craig Roessler, submitted by Chuck Bennett, Confederation of School Administrators, 1 p.**
- I – HB 3669A, -A2 amendments submitted by Rep. Max Williams, House District 9, dated 5/15/01, 1 p.**
- J – HB 3682, written testimony submitted by Paul Cosgrove, Alliance of Automobile Manufacturers, 6 pp.**
- K – HB 3059A, -A2 amendments submitted by Rep. Rob Patridge, House District 50, dated 5/14/01, 1 p.**
- L – HB 2102, written testimony submitted by Col. Mike Caldwell, Oregon Military Department, 2 pp.**
- M – HB 3661A, written testimony submitted by John Salle, Oregon State Police, 2 pp.**
- N – HB 3661A, written testimony from Rob Bovett, submitted by John Salle, Oregon State Police, dated 5/15/01, 3 pp.**

**O – HB 2336A, -A2 amendments submitted by staff, dated 5/14/01, 3 pp.**  
**P – SB 492, -1 amendments submitted by staff, dated 5/04/01, 6 pp.**  
**Q – HB 2460A, -A3 amendments submitted by Rep. Kurt Schrader, House District 23, dated 5/15/01, 1 p.**  
**R – HB 2460A, written testimony submitted by Mitch Rohse, American Planning Association, dated 5/15/01, 2 pp.**  
**S – HB 2460A, written testimony submitted by Harlan Levy, Oregon Association of Realtors, dated 5/15/01, 3 pp.**  
**T – HB 2460A, written testimony submitted by Larry DeBates, Citizen’s Involvement Committee, dated 5/15/01, 1 p.**  
**U – HB 2460A, -A4 amendments submitted by Bob Olson, Oregon State Bar, dated 5/15/01, 1 p.**  
**V – HB 2460A, -A5 amendments submitted by Bob Olson, Oregon State Bar, dated 5/15/01, 1 p.**  
**W – HB 2460A, written testimony submitted by Liz Frenkel, League of Women Voters, dated 5/15/01, 3 pp.**  
**X – HB 2460A, written testimony from Department of Land Conservation and Development, submitted by Liz Frenkel, League of Women Voters, 23 pp.**  
**Y – HB 2460A, written testimony from Department of Land Conservation and Development, submitted by Liz Frenkel, League of Women Voters, 173 pp.**  
**Z – HB 2460A, written testimony submitted by Merilyn Reeves, Friends of Yamhill County, dated 5/15/01, 1 p.**  
**AA – HB 2460A, written testimony submitted by Even Manuel, 1000 Friends of Oregon, 3 pp.**