

HOUSE JUDICIARY COMMITTEE ON CIVIL LAW

May 28, 1999 Hearing Room 357

1:00 p.m. Tapes 182 - 183

MEMBERS PRESENT: Rep. Lane Shetterly, Chair

Rep. Max Williams, Vice-Chair

Rep. Judy Uherbelau, Vice-Chair

Rep. Vic Backlund

Rep. Randall Edwards

Rep. Kathy Lowe

Rep. Vicki Walker

Rep. Larry Wells

Rep. Bill Witt

STAFF PRESENT: Anne Tweedt, Counsel

Nancy Richards, Administrative Support

MEASURE/ISSUES HEARD

SB 690B - Work Session

SB 196A - Public Hearing and Work Session

SB 915A - Public Hearing and Work Session

HB 2633 - Work Session

HJR 29 - 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.

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TAPE/#	Speaker	Comments
TAPE 182, A		
004	Chair Shetterly	Calls meeting to order at 1:11 P.M.
<u>SB 690B WORK SESSION</u>		
010	Chair Shetterly	MOTION: Moves to SUSPEND the rules for the purpose of RECONSIDERING the vote on SB 690B.
		VOTE: 8-0-1 EXCUSED: 1 - Lowe
Chair Shetterly		Hearing no objection, declares the motion CARRIED.
013	Chair Shetterly	MOTION: Moves to RECONSIDER the vote by which SB 690A was sent to the floor of the House DO PASS AS AMENDED.
		VOTE: 8-0-1 EXCUSED: 1 - Lowe
Chair Shetterly		Hearing no objection, declares the motion CARRIED.
015	Dave Barrows	Non-Bank Fund Transmitters Group Testifies in support of SB 690B and explains the 4 amendments (EXHIBIT A).
030	Rep. Williams	MOTION: Moves to ADOPT SB 690B-4 amendments dated 05/26/99.
		VOTE: 8-0-1 EXCUSED: 1 - Lowe

	Chair Shetterly	Hearing no objection, declares the motion CARRIED.
034	Rep. Williams	MOTION: Moves SB 690B to the floor with a DO PASS AS AMENDED recommendation.
		VOTE: 8-0-1 AYE: In a roll call vote, all members present vote Aye. EXCUSED: 1 - Lowe
	Chair Shetterly	The motion CARRIES. REP. BACKLUND will lead discussion on the floor.
043	Chair Shetterly	Closes the work session on SB 690B.
<u>SB 196A PUBLIC HEARING</u>		
048	Counsel Tweedt	SB 196A modifies state law to comply with the federal Financial Reform Recovery and Enforcement Act (FIRREA) and removes the valuation committee from current state law because it is no longer necessary with the improvement in available market information.
054	Tim Martinez	Oregon Bankers Association Testifies in support of SB 196A.
068	Darren Bond	Director of Finance, Oregon State Treasury Testifies and submits written testimony in support of SB 196A (EXHIBIT B).
086	Chair Shetterly	Closes the public hearing on SB 196A.
<u>SB 196A WORK SESSION</u>		
087	Rep. Edwards	MOTION: Moves SB 196A to the floor with a DO PASS recommendation.

		<p>VOTE: 9-0</p> <p>AYE: In a roll call vote, all members present vote Aye.</p>
	Chair Shetterly	<p>The motion CARRIES.</p> <p>REP. EDWARDS will lead discussion on the floor.</p>
095	Chair Shetterly	Closes the work session on SB 196A.
<u>SB 915A PUBLIC HEARING</u>		
097	Counsel Tweedt	Discusses the ñA3 amendments to SB 915A that directs the Attorney General to contract for services of administrator who will create, maintain and distribute database containing names of persons who do not wish to receive telephone solicitations (EXHIBIT C).
107	Pete Shepherd	<p>Department of Justice (DOJ)</p> <p>Testifies and submits written testimony in support of SB 915A (EXHIBIT D). Discusses the problem with unwanted telephone solicitations and the solution that SB 915A provides. Discusses the fiscal impact on the Attorney Generalís office. DOJ supports the ñA3 amendments.</p>
165	Rep. Uherbelau	Would the centralized list you are proposing eliminate the need for the "black dot" to be placed in the telephone book beside a personís name who does not want to receive solicitations?
170	Shepherd	Yes.
174	Rep. Uherbelau	Do you know what the fiscal impact to the DOJ would be for this service?
177	Shepherd	We estimate the fiscal impact at less than \$2,000.
197	Gary Bauer	<p>Oregon Telecommunications Association</p> <p>Testifies in support of SB 915A explaining the background that lead to the drafting of this bill.</p>
217	Paul Cosgrove	<p>Oregon Financial Service Association</p> <p>Testifies in support of SB 915A. Discusses the justification for deleting "also" on</p>

		page 1, line 11 of the bill.
258	Chair Shetterly	Closes the public hearing on SB 915A.
<u>SB 915A WORK SESSION</u>		
261	Rep. Witt	MOTION: Moves to ADOPT SB 915A-3 amendments dated 05/28/99.
		VOTE: 9-0
	Chair Shetterly	Hearing no objection, declares the motion CARRIED.
265	Rep. Witt	MOTION: Moves SB 915A to the floor with a DO PASS AS AMENDED recommendation.
		VOTE: 9-0 AYE: In a roll call vote, all members present vote Aye.
	Chair Shetterly	The motion CARRIES. REP. WELLS will lead discussion on the floor.
284	Chair Shetterly	Closes the work session on SB 915A.
<u>HB 2633 WORK SESSION</u>		
297	Counsel Tweedt	HB 2633 requires notice to parent or guardian before abortion is performed on minor or ward, with specific exceptions. Presents the 8 amendments (EXHIBIT E) .

307	Rep. Witt	MOTION: Moves to ADOPT HB 2633-8 amendments dated 04/19/99.
		VOTE: 5-4 AYE: 5 - Backlund, Wells, Williams, Witt, Shetterly NAY: 4 - Edwards, Lowe, Uherbelau, Walker
	Chair Shetterly	The motion CARRIES.
323	Rep. Witt	MOTION: Moves HB 2633 to the floor with a DO PASS AS AMENDED recommendation.
327	Rep. Walker	Expresses her opposition to HB 2633.
336	Rep. Edwards	Expresses his opposition to HB 2633.
347	Rep. Lowe	Expresses her opposition to HB 2633.
353		VOTE: 5-4 AYE: 5 - Backlund, Wells, Williams, Witt, Shetterly NAY: 4 - Edwards, Lowe, Uherbelau, Walker
	Chair Shetterly	The motion CARRIES. REP. BACKLUND and REP. WITT will lead discussion on the floor.
356	Rep. Edwards	Serves notice of a possible minority report.
357	Rep. Lowe	Serves notice of a possible minority report.
359	Rep. Uherbelau	Serves notice of a possible minority report.
360	Rep. Walker	Serves notice of a possible minority report.

367	Chair Shetterly	Closes the work session HB 2633.
<u>HJR 29 WORK SESSION</u>		
374	Counsel Tweedt	HJR 29 proposes amendment to Oregon Constitution relating to definition of benefits of marriage. Introduces the ñ8 amendments (EXHIBIT F). Reads names on letters sent in opposition to HJR 29 (EXHIBITS G ñ K).
403	Rep. Witt	MOTION: Moves to ADOPT HJR 29-8 amendments dated 05/26/99.
409	Rep. Walker	Expresses her opposition to HJR 29.
413	Rep. Uherbelau	Expresses her opposition to HJR 29.
418	Rep. Lowe	Discusses the opposition she has heard and received regarding this legislation.
TAPE 183, A		
004		VOTE: 5-4 AYE: 5 - Backlund, Wells, Williams, Witt, Shetterly NAY: 4 - Edwards, Lowe, Uherbelau, Walker
	Chair Shetterly	The motion CARRIES.
009	Rep. WITT:	MOTION: Moves HJR 29 be sent to the floor with a BE ADOPTED AS AMENDED recommendation.
012	Rep. Walker	Expresses her opposition to HJR 29.
027	Rep. Uherbelau	Expresses her opposition to HJR 29.
033	Rep. Edwards	Expresses his opposition to HJR 29.
054	Rep. Lowe	Expresses her opposition to HJR 29.
060	Chair Shetterly	Discusses his intention to support the minority report on HJR 29.

070	Rep. Williams	Expresses his support of HJR 29.
081		VOTE: 5-4 AYE: 5 - Backlund, Wells, Williams, Witt, Shetterly NAY: 4 - Edwards, Lowe, Uherbelau, Walker
	Chair Shetterly	The motion CARRIES. REP. MANNIX will lead discussion on the floor.
082	Rep. Edwards	Serves notice of a possible minority report.
083	Rep. Lowe	Serves notice of a possible minority report.
085	Rep. Walker	Serves notice of a possible minority report.
093	Chair Shetterly	Closes the work session on HJR 29.
095	Chair Shetterly	Adjourns meeting at 1:45 p.m.

Transcribed By, Reviewed By,

Patsy Wood, Sarah Watson

Administrative Support Officer Manager

EXHIBIT SUMMARY

A - SB 690B, nB4 amendments (LC 1880), dated 5/26/99, Dave Barrows, Non-Bank Fund Transmitters Group, 1 pg.

B - SB 196A, written testimony submitted by Darren Bond, Oregon State Treasury, dated 5/28/99, 3 pgs.

C - SB 915A, ñA3 amendments (LC 3866), dated 5/28/99. staff. 1 pg.

D - SB 915A, written testimony submitted by Pete Shepherd, DOJ, dated 5/27/99, 6 pgs.

E - HB 2633, ñ8 amendments (LC 2147), dated 4/19/99, staff, 3 pgs.

F - HJR 29, ñ8 amendments (LC 2608), dated 5/26/99, staff, 1 pg.

G - HJR 29, written testimony submitted by Kate Chard-Herring, dated 5/28/99, 1 pg.

H - HJR 29, written testimony submitted by Vera Katz, Portland Mayor, dated 5/27/99, 2 pgs.

I - HJR 29, written testimony submitted by Bonnie Tinker, dated 5/27/99, 2 pgs.

J - HJR 29, written testimony submitted by Rich Peppers, dated 5/27/99, 1 pg.

K - HJR 29, written testimony submitted by M. J. Whitney, dated 5/26/99, 2 pgs.