

**HOUSE COMMITTEE ON JUDICIARY**

**SUBCOMMITTEE ON CRIMINAL LAW**

**June 9, 1997 Hearing Room 357**

**3:15 P.M. Tapes 143 - 145**

**MEMBERS PRESENT: Rep. John Minnis, Chair**

**Rep. Jo Ann Bowman, Vice-Chair**

**Rep. Floyd Prozanski**

**Rep. Lane Shetterly**

**Rep. Ron Sunseri**

**Rep. Larry Wells**

**MEMBER EXCUSED: Rep. Peter Courtney**

**STAFF PRESENT: Scott Lumsden, Counsel**

**Lisa Fritz, Administrative Support**

**MEASURE/ISSUES HEARD: SB 613 Work Session**

**SB 443 Work Session**

**SB 999 Public Hearing and Work Session**

**SB 1076 Work Session**

**SB 425 Public Hearing**

**SB 1010 Public Hearing**

**SB 345 Public Hearing**

**SB 1119 Public Hearing and Work Session**

**SB 660 Public Hearing**

**SB 773 Public Hearing and Work Session**

**SB 1163 Public Hearing and Work Session**

**SB 229 Public Hearing and Work Session**

**SB 885 Public Hearing and Work Session**

**SB 156 Public Hearing**

**SB 157 Public Hearing**

**SB 1107 Public Hearing and 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.**

<b>Tape/#</b>	<b>Speaker</b>	<b>Comments</b>
<b>Tape 143, A</b>		
004	Chair Minnis	Calls the meeting to order at 4:00 p.m. Opens a work session on SB 613 A.
<b><u>SB 613A - WORK SESSION</u></b>		
<b>006</b>	<b>Rep. Sunseri</b>	<b>MOTION: Moves SB 613 to the full committee with a DO PASS recommendation.</b>
		<b>VOTE: 4-0</b> <b>AYE: In a roll call vote, all members present vote Aye.</b> <b>EXCUSED: 3 - Bowman, Courtney, Prozanski</b>
<b>009</b>	<b>Chair Minnis</b>	<b>The motion CARRIES.</b> <b>REP. MINNIS will lead discussion in the full committee.</b>
011	Chair Minnis	Closes the work session on SB 613 and opens a work session on SB 443.
<b><u>SB 443A - WORK SESSION</u></b>		
014	Scott Lumsden	Counsel Indicates that the work bill suggests approval of the -3 amendments. Explains that the -3 amendments replace the original bill with the amendments to HB 2176.
022	Rep. Wells	Describes progress of the work group. States that the work group is ready to move on the issue.
<b>033</b>	<b>Rep. Wells</b>	<b>MOTION: Moves to ADOPT SB 443-A3 amendments dated 6/9/97 (EXHIBIT A).</b>
037	Chair Minnis	Asks Rep. Prozanski and Rep. Bowman if they are ready to move on the amendments.

039	Rep. Prozanski	Still questions who will be running the check system and who will be in charge of checks and balances for control of access to the LED system.
053	John Hileman	Department of Human Resources (DHR). Explains that 53 people in DHR have access to the information in question. Stresses that the information on the system is public information.
067	Chair Minnis	<b>Hearing no objections, declares the motion CARRIED.</b>
070	Rep. Wells	<b>MOTION: Moves SB 443 to the full committee with a DO PASS AS AMENDED recommendation.</b>
		<b>VOTE: 6-0</b>  <b>AYE: In a roll call vote, all members present vote Aye.</b>  <b>EXCUSED: 1 - Courtney</b>
075	Chair Minnis	<b>The motion CARRIES.</b>  <b>REP. WELLS will lead discussion in the full committee.</b>
079	Chair Minnis	Closes the work session on SB 443 and opens a public hearing on SB 999.
<b><u>SB 999</u></b> <b><u>PUBLIC</u></b> <b><u>HEARING</u></b>		
080	Sen. Joan Dukes	State Senator, Senate District 1.  Describes provisions of the bill. Indicates that the bill will allow suspension of an establishment's liquor license, if there is illegal drug use in that establishment. Describes an incident in the Astoria area. Provides the -A6 amendments at the request of the Oregon Liquor Control Commission.
130	Rep. Wells	Expresses concern with language that can be interpreted to mean parking lots or areas around an establishment. Asks if the issue was discussed in the Senate.
137	Sen. Dukes	Indicates that the issue was discussed.
151	Rep. Shetterly	Asks about the meaning of "repeated suspensions."
155	Sen. Dukes	"Repeated suspensions" means more than one. This is to prevent subsequent suspensions.
165	Rep. Shetterly	Asks if there is a limitation to the time frame in which the suspensions can happen.
167	Sen. Dukes	No.
169	Rep. Shetterly	Expresses concern for "repeated suspensions." Suggests that a definite number be included.

175	Chair Minnis	Agrees that "repeated" should be defined and possibly include a time limit.
180	Chair Minnis	Closes the public hearing on SB 999 and opens a work session on SB 999.
<b><u>SB 999</u></b> <b><u>WORK</u></b> <b><u>SESSION</u></b>		
182	Chair Minnis	Suggest that changes be made to the -A6 amendments.
190	Rep. Prozanski	Clarifies that the -A6 amendments will go to SB 999.
195	Sen. Dukes	Agrees that is the case.
200	Chair Minnis	<b>MOTION: Moves to FURTHER AMEND SB 999-A6 amendments dated 6/9/97 by including language that reads "a second or subsequent suspension within the previous 24 months."</b>
206	Chair Minnis	<b>Hearing no objections, declares the motion CARRIED.</b>
207	Rep. Shetterly	<b>MOTION: Moves to ADOPT SB 999-A6 amendments, as further amended, dated 6/9/97 (EXHIBIT B).</b>
211	Chair Minnis	<b>Hearing no objections, declares the motion CARRIED.</b>
213	Rep. Shetterly	<b>MOTION: Moves SB 999 to the full committee with a DO PASS AS AMENDED recommendation.</b>
		<b>VOTE: 5-0</b>  <b>AYE: In a roll call vote, all members present vote Aye.</b>  <b>EXCUSED: 2 - Bowman, Courtney</b>
220	Chair Minnis	<b>The motion CARRIES.</b>  <b>REP. SHETTERLY will lead discussion in the full committee.</b>
223	Chair Minnis	Closes the work session on SB 999 and opens a work session on SB 1076.
<b><u>SB 1076</u></b> <b><u>WORK</u></b> <b><u>SESSION</u></b>		
230	Diana Godwin	Representative, Lawfirm of Williams and Troutwein.  Expresses support for SB 1076. Describes provisions of the bill. Describes exceptions for instances of video taping without a person's consent.
305	Rep. Sunseri	<b>MOTION: Moves SB 1076 to the full committee with a DO PASS recommendation.</b>

		<p><b>VOTE: 5-0</b></p> <p><b>AYE: In a roll call vote, all members present vote Aye.</b></p> <p><b>EXCUSED: 2 - Bowman, Courtney</b></p>
313	Chair Minnis	<p><b>The motion CARRIES.</b></p> <p><b>REP. SUNSERI will lead discussion in the full committee.</b></p>
314	Chair Minnis	Closes the work session on SB 1076 and recesses the committee at 4:27 p.m. for a Call of the House.
315	Chair Minnis	Reconvenes the committee at 4:43 p.m.
326	Chair Minnis	Opens a public hearing on SB 425.
<b><u>SB 425</u></b> <b><u>PUBLIC</u></b> <b><u>HEARING</u></b>		
328	Chair Minnis	Asks if the bill is being expanded to include misdemeanors instead of felonies.
330	Kevin Campbell	Oregon Association of Chiefs of Police. Explains that the expansion is a way to equal laws in the State of Washington.
340	Rep. Prozanski	Explains that pursuit is related to felony charges, but wonders why an expansion is being added to the bill.
359	Campbell	Explains the reasons for expanding the bill.
370	Chair Minnis	Verifies that the proposed legislation mirrors Washington State statutes. Indicates that the justification is related to safety for the public.
377	Campbell	Indicates that Legislative Counsel suggested parity between Oregon and Washington statutes.
387	Rep. Prozanski	<b>MOTION: Moves to AMEND SB 425 by deleting Sections 5 and 6 of the bill.</b>
395	Chair Minnis	<b>Hearing no objections, declares the motion CARRIED.</b>
410	Rep. Prozanski	<b>MOTION: Moves SB 425 to the full committee with a DO PASS AS AMENDED recommendation.</b>
		<p><b>VOTE: 5-0</b></p> <p><b>AYE: In a roll call vote, all members present vote Aye.</b></p> <p><b>EXCUSED: 2 - Courtney, Sunseri</b></p>
425	Chair Minnis	<b>The motion CARRIES.</b>

		<b>REP. PROZANSKI will lead discussion in the full committee.</b>
426	Chair Minnis	Closes the work session on SB 425 and opens a public hearing on SB 1010.
<b>TAPE 144, A</b>		
<b>SB 1010 PUBLIC HEARING</b>		
010	Sy Kornbrodt	Adult Parole and Probation Officer, Multnomah County.  Presents written materials about exhibitionists. Indicates that public indecency has been attempted to be made a sexual offense, but the statute on the subject is very broad. Describes when a person should or should not be registered for a sex offense. <b>(EXHIBIT C)</b>
049	Rep. Bowman	Asks Mr. Kornbrodt if he is in support of the bill.
050	Kornbrodt	Answers affirmatively.
068	Chair Minnis	Reads the public indecency statute to Rep. Bowman.
074	Rep. Bowman	Wonders if the public indecency is an offense unless they offender is involved in a sexual act or some form of abuse.
079	Chair Minnis	Indicates that every act of public indecency involves some form of sexual behavior.
094	Chair Minnis	Closes the public hearing on SB 1010 and opens a public hearing on SB 345.
<b>SB 345 PUBLIC HEARING</b>		
112	Beverly Bettis	Oregon Chapter, National Multiple Sclerosis Society.  Expresses support for the bill. Describes personal experience with faulty assistance equipment. <b>(EXHIBIT D)</b>
125	Ruth McEwen	Private citizen.  Expresses support for the bill. Describes personal experience with assistance equipment. <b>(EXHIBIT E)</b>
153	Rep. Bowman	Verifies that Ms. McEwen has had to replace the motors in her wheel chair five times in the past year. Asks if that is normal.
156	McEwen	Affirms that the motors have failed, but no that isn't normal.
158	Rep. Bowman	Asks if Ms. McEwen has spoken with the wheelchair manufacturer about the faulty equipment.
160	McEwen	Indicates that the manufacturer does the work on the motors, but she must pay for the labor.
	Chair	

164	Minnis	Asks if her concern is primarily with wheelchairs.
165	McEwen	The concern is for all assistance devices.
177	Bob Joondeph	Director, Oregon Advocacy Center. Explains that the proposed legislation has been worked on by many individuals in legal fields. Expresses the need for warranties on assistance devices. Submits testimony from Eugene Organ. <b>(EXHIBIT F)</b>
220	Rep. Shetterly	Asks who was working on the bill from the Attorney General's office.
223	Joondeph	States that Cheryl Pelligrini from the Attorney General's office was involved with the work group.
226	Rep. Shetterly	Describes a case that he worked on that was associated with the proposed legislation. Asks how the proposed legislation improves upon existing statutes.
245	Joondeph	Explains that the committee did extensive research on warranty laws. Indicates that a manufacturer does not have to give an express warranty and can waive an implied warranty.
260	Rep. Shetterly	Describes the 800 portion of chapter 72.
269	Rep. Wells	Asks if there will be testimony from the industry.
270	Chair Minnis	Indicates that industry folks will testify, but testimony will be carried over since there are amendments that are being drafted.
274	Joondeph	Explains that audiologists had concern about including hearing aids in the bill.
280	Rep. Wells	Suggests that the bill will cover more than just wheelchairs.
283	Chair Minnis	Indicates that he too is concerned with the broadness of the language.
287	Rep. Wells	Suggests that some caution in purchasing equipment needs to be taken by the individual.
290	Joondeph	Indicates that many people have problems with getting assistance devices repaired. Explains that while the device is out of commission, the person cannot read, write, hear, or move.
320	Chair Minnis	Asks about section 9 of the bill.
339	Joondeph	Explains that amendments will be made to the section.
360	Chair Minnis	Closes the public hearing on SB 345 and opens a public hearing on SB 1119. Additional testimony was presented to the committee. <b>(EXHIBIT G)</b>
<b>SB 1119 PUBLIC HEARING</b>		

		State Senator, District #5.
365	Sen. Jeannette Hamby	Describes provisions of the bill. Explains that an offender's car would have a "boot" placed on the tire when parked in a location of the offenders choosing.
399	Rep. Wells	Asks how much the "boots" cost.
<b>TAPE 143, B</b>		
003	Sen. Hamby	Describes the cost of a boot if it is purchased by a law enforcement department. Describes the costs of DUII.
022	Rep. Bowman	Asks why language associated with hardships to co-owners of a vehicle was deleted.
028	Sen. Hamby	Indicates that language is referenced to current ORS language.
032	Rep. Bowman	Asks how the proposed legislation is related to other legislation dealing with automobiles and driving privileges passed during the session.
046	Sen. Hamby	Indicates that Multnomah County judges hope to be able to extend a period of impoundment if the offender has had multiple offenses.
063	Paul Snider	Association of Oregon Counties. Testifies neutrally on SB 1119. Indicates that there is concern for the potential fiscal impact of the bill. Does not know if the bill is subject to Measure 30.
085	Chair Minnis	Asks if the Association of Oregon Counties is ever concerned with policy or if their primary concern is with financial issues.
087	Snider	States that the Association is concerned with policy.
090	Rep. Bowman	Wants to know how the proposed legislation will fit in with other DUII bills passed during the session.
093	Rep. Prozanski	Explains that the bill will give another option to the courts for impoundment of vehicles.
100	Chair Minnis	Closes the public hearing on SB 1119 and opens a work session on SB 1119.
<b><u>SB 1119</u></b> <b><u>WORK</u></b> <b><u>SESSION</u></b>		
102	Rep. Prozanski	<b>MOTION: Moves SB 1119 to the full committee with a DO PASS recommendation.</b>
		<b>VOTE: 4-1</b>  <b>AYE: 4 - Prozanski, Sunseri, Wells, Minnis</b>  <b>NAY: 1 - Bowman</b>  <b>EXCUSED: 2 - Courtney, Shetterly</b>
		<b>The motion CARRIES.</b>



110	Chair Minnis	<b>REP. PROZANSKI will lead discussion in the full committee.</b>
115	Chair Minnis	Closes the work session on SB 1119 and opens a public hearing on SB 660.
<b><u>SB 660</u></b> <b><u>PUBLIC</u></b> <b><u>HEARING</u></b>		
121	Marla Cummings	Legislative Assistant, Senator Timms. Expresses support for SB 660. Describes provisions of the bill. Requests that the bill be re-amended to the original bill.
147	Rep. Prozanski	Asks when changes were made and why the bill should be changed again.
152	Cummings	Describes the need for changes.
158	Rep. Prozanski	Asks if both parents should be responsible for a child instead of laying responsibility on one of the two parents.
160	Cummings	Indicates that was not addressed in the bill.
163	Rep. Prozanski	Asks if the change was suggested on the belief that both parents should be involved with the care of their child.
181	Cummings	Expresses concerns for a non-custodial parent not being supportive of the custodial parent.
186	Rep. Prozanski	Asks if a particular lawsuit would be brought against a custodial parent.
191	Cummings	Understands that to be true.
195	Scott Lumsden	Counsel, Describes language that will delete parts of the existing statute.
210	Chair Minnis	Closes the public hearing on SB 660 and opens a public hearing on SB 773.
<b><u>SB 773</u></b> <b><u>PUBLIC</u></b> <b><u>HEARING</u></b>		
217	Al Chandler	Assistant Director, Department of Corrections. States that he is willing to answer questions related to the proposed legislation.
221	Rep. Prozanski	Asks if there is a position on the bill from the Department of Corrections.
224	Chandler	Expresses support for the bill and the amendments that have been introduced.
250	Chair Minnis	Discusses the -A4 and -A5 amendments.

254	Steve Marks	Representative, Governor's Office. Describes the need for the bill and amendments.
270	Chair Minnis	Closes the public hearing on SB 773 and opens a work session on SB 773.
<b><u>SB 773 WORK SESSION</u></b>		
281	Rep. Prozanski	<b>MOTION: Moves to ADOPT SB 773-A4 amendments dated 6/9/97; SB 773-A5 amendments dated 6/9/97, and SB 773-A6 amendments dated 6/9/97. (EXHIBIT H)</b>
285	Chair Minnis	<b>Hearing no objections, declares the motion CARRIED.</b>
290	Rep. Prozanski	<b>MOTION: Moves SB 773 to the full committee with a DO PASS AS AMENDED recommendation.</b>
292	Rep. Wells	Verifies that the Department of Corrections approves of language associated with public notification related to sex offenders.
291	Chandler	States approval for the language.
293	Rep. Bowman	Asks if sexual offenders will be working in the community.
296	Chandler	States that some sex offenders do work in minimum security work crews
		<b>VOTE: 5-0</b>  <b>AYE: In a roll call vote, all members present vote Aye.</b>  <b>EXCUSED: 2 - Courtney, Sunseri</b>
312	Chair Minnis	<b>The motion CARRIES.</b>  <b>REP. PROZANSKI will lead discussion in the full committee.</b>
317	Chair Minnis	Closes the work session on SB 773 and opens a public hearing on SB 1163.
<b><u>SB 1163 PUBLIC HEARING</u></b>		
321	Gary Lawhead	Superintendent, Maclaren Youth Correctional Facility, Oregon Youth Authority. Expresses support for SB 1163 A and presents written testimony. <b>(EXHIBIT I)</b>
352	Rep. Prozanski	Asks if a pilot project is being removed because it wasn't successful or if there is no remaining funding.
355	Lawhead	It is a combination of both reasons.
364	Rep. Bowman	Expresses frustration that inmates in the Department of Corrections are getting younger.

371	Lawhead	Agrees that younger inmates are entering the system.
378	Rep. Bowman	Asks if the pilot project would have placed the young offenders under the Oregon Youth Authority.
380	Lawhead	Indicates that the pilot project is targeted towards 18 and 19 year olds.
393	Chair Minnis	Closes the public hearing on SB 1163 and opens a work session on SB 1163.
<b><u>SB 1163</u></b> <b><u>WORK</u></b> <b><u>SESSION</u></b>		
<b>396</b>	<b>Rep. Shetterly</b>	<b>MOTION: Moves SB 1163 to the full committee with a DO PASS recommendation.</b>
399	Rep. Prozanski	Expresses concern for transfer of authority from the Oregon Youth Authority to the Department of Corrections.
<b>TAPE 144, B</b>		
001	Jim Lockwood	Public Affairs Director, Department of Corrections. Understands that the bill is to remove a pilot program that was placed in statute and never implemented.
005	Rep. Prozanski	Agrees that is the case, but the program was to allow transfer of some inmates from the Department of Corrections to the Oregon Youth Authority.
014	Lockwood	Indicates that he can not speak to that point.
017	Lawhead	Explains that there is an interagency agreement with the Department of Corrections for the transfer of some youths to the Oregon Youth Authority for assessment.
022	Rep. Prozanski	Asks if there is language in place to cover 18 and 19 year olds.
023	Lawhead	No.
024	Rep. Prozanski	Asks if the Oregon Youth Authority (OYA) was given jurisdiction of youths through age 25.
027	Lawhead	Indicates that the OYA has that authority over persons who commit an offense before their 18th birthday.
032	Rep. Prozanski	Indicates that the bill appears to be a housecleaning bill, but there is concern the program should be available.
038	Rep. Bowman	Continues to express concern for the inmates getting younger in the Department of Corrections.
055	Lockwood	Does not have an answer to the concern.
061	Vice Chair Bowman	Suggests that the committee hold off on the bill and closes the work session on SB 1163. Opens a public hearing SB 229.
<b><u>SB 229</u></b> <b><u>PUBLIC</u></b> <b><u>HEARING</u></b>		

070	Phillip Lemman	Executive Director, Oregon Criminal Justice Commission. Expresses support for SB 229 and presents testimony for the committee. Explains provisions of the bill. <b>(EXHIBIT J)</b>
107	Vice-Chair Bowman	Closes the public hearing on SB 229 and opens a work session on SB 229.
<b><u>SB 229</u></b> <b><u>WORK</u></b> <b><u>SESSION</u></b>		
108	Rep. Prozanski	<b>MOTION: Moves to ADOPT SB 229-A5 amendments dated 6/2/97. (EXHIBIT K)</b>
112	Vice-Chair Bowman	<b>Hearing no objections, declares the motion CARRIED.</b>
114	Rep. Prozanski	<b>MOTION: Moves SB 229 to the full committee with a DO PASS AS AMENDED recommendation.</b>
		<b>VOTE: 5-0</b>  <b>AYE: In a roll call vote, all members present vote Aye.</b>  <b>EXCUSED: 2 - Courtney, Minnis</b>
120	Vice-Chair Bowman	<b>The motion CARRIES.</b>  <b>REP. PROZANSKI will lead discussion in the full committee.</b>
122	Vice-Chair Bowman	Closes the work session on SB 229 and opens a public hearing on SB 855.
<b><u>SB 855</u></b> <b><u>PUBLIC</u></b> <b><u>HEARING</u></b>		
132	Scott Lumsden	Counsel. Explains provisions of the bill.
150	Vice-Chair Bowman	Closes the public hearing on SB 855 and opens a work session on SB 855.
<b><u>SB 855</u></b> <b><u>WORK</u></b> <b><u>SESSION</u></b>		
153	Rep. Shetterly	<b>MOTION: Moves SB 855 to the full committee with a DO PASS recommendation.</b>
		<b>VOTE: 5-0</b>  <b>AYE: In a roll call vote, all members present vote Aye.</b>  <b>EXCUSED: 2 - Courtney, Minnis</b>
158	Vice-Chair Bowman	<b>The motion CARRIES.</b>  <b>REP. SHETTERLY will lead discussion on the floor.</b>

164	Vice Chair Bowman	Closes the work session on SB 855 and opens a public hearing on SB 156.
<b><u>SB 156 PUBLIC HEARING</u></b>		
178	Dianne Middle	Chair Board of Parole and Post-Prison Supervision. Testifies in support of SB 156A and presents written testimony. Explains how SB 155 and SB 156 work together. <b>(EXHIBIT L)</b>
236	Rep. Bowman	Asks if there will be specific procedures that outline which prisoners fall into the category that is being discussed.
240	Middle	Explains how decisions will be made in regard to inmates and the proposed legislation. Indicates that joint administrative rule must be developed between the Department of Corrections and Post-Prison Supervision. Provides examples of offenders that would be included in the program.
286	Scott Taylor	Assistant Director, Department of Corrections. Expresses support for SB 156. Explains that there will have to be joint agreement between jurisdictions about which offenders would be in the program.
298	Rep. Bowman	Suggests that unless there are rules that apply to all inmates, the evaluations will be very subjective.
314	Middle	Explains that administrative rules will do as Rep. Bowman is suggesting. Indicates that the rules should include specific criteria that are used to evaluate the prisoners.
350	Chair Minnis	Closes the public hearing on SB 156 and opens a public hearing on SB 157.
<b><u>SB 157 PUBLIC HEARING</u></b>		
373	Dianne Middle	Chairperson Board of Parole and Post-Prison Supervision. Testifies in support of SB 157A and presents written testimony. Explains the provisions of the bill. Speaks of recovering unpaid restitution. <b>(EXHIBIT M)</b>
<b><u>TAPE 145, A</u></b>		
012	Rep. Bowman	Explains that legislation passed this session has added charges that inmates must pay for. Expresses frustration that some inmates might not be able to pay for all of the restitution costs and therefore not be released.
022	Middle	Indicates that restitution is related to post-prison supervision, but it does not affect an inmate's release. Explains that the proposed legislation will allow for a longer period of time to pay retribution.
034	Rep. Bowman	Verifies that the bill will allow an inmate a longer period to pay restitution.

035	Middle	Answers affirmatively. The restitution charges will stay with the individual inmate and be their personal debt to pay.
043	Rep. Bowman	Asks if it is already a current law that the debt stay with the prisoner until it is paid off.
047	Middle	Indicates that is correct, but explains that it makes sense that the Post-Prison Division encourage an inmate to pay restitution instead of having to go through court processes.
052	Rep. Shetterly	Verifies that the proposed legislation will enforce the judgment in favor of the victims.
055	Middle	Answers affirmatively.
058	Chair Minnis	Closes the public hearing on SB 157 and opens a public hearing on SB 1107.
<b><u>SB 1107</u></b> <b><u>PUBLIC</u></b> <b><u>HEARING</u></b>		
060	Jody Fischer	Representative, Smith, Kline & Beecham. Testifies in support of SB 1107. Describes the work group that produced the bill. Indicates that the area of privacy in genetic testing is a relatively new territory in law. Indicates that the -A3 amendments are to reinsert a missing phrase.
092	Tom Burns	Public Affairs Officer, Smith, Kline & Beecham. Expresses strong support for not discriminating against a person for employment, health care, and insurance based on their genetic material. Explains the need for anonymous genetic material. Expresses support for SB 1107.
120	Rep. Prozanski	Asks if the donor of the sample knows that the sample is being taken for research purposes.
123	Burns	Explains that under current Oregon law, the donor must be asked for the sample. Indicates that the proposed legislation indicates that all identifying information would be removed from the sample and no permission would be needed.
135	Rep. Prozanski	Understands the need for samples, but suggests that that the donor needs to know that the sample is being taken in the event that benefits should be gained.
153	Burns	Expresses the need for samples for anonymous research.
177	Rep. Prozanski	Asks if enough samples can be gained from the donor program instead of other methods.
182	Burns	Explains that organs that are donated are healthy tissues and the research companies are in need of non-healthy tissues.
212	Chair Minnis	Closes the public hearing on SB 1107 and opens a work session on SB 1107.

<b><u>SB 1107 WORK SESSION</u></b>		
214	Rep. Bowman	<b>MOTION: Moves to ADOPT SB 1107-A3 amendments dated 6/9/97 and SB 1107-A4 amendments dated 6/9/97. (EXHIBIT N)</b>
216	Chair Minnis	<b>Hearing no objections, declares the motion CARRIED.</b>
218	Rep. Bowman	<b>MOTION: Moves SB 1107 to the full committee with a DO PASS AS AMENDED recommendation.</b>
		<b>VOTE: 4-2</b>  <b>AYE: 4 - Bowman, Shetterly, Wells, Minnis</b>  <b>NAY: 2 - Prozanski, Sunseri</b>  <b>EXCUSED: 1 - Courtney</b>
229	Chair Minnis	<b>The motion CARRIES.</b>  <b>REP. BOWMAN will lead discussion on the floor.</b>
231	Chair Minnis	Adjourns meeting at 6:37 p.m.

Transcribed by, Reviewed by,

Marjorie Taylor, Sarah Watson,

Administrative Support Office Manager

**EXHIBIT SUMMARY**

**A - SB 443, -A3 amendments, Legislative Counsel, 18 pp.**

**B - SB 999, -A6 amendments, Legislative Counsel, 1 p.**

**C - SB 1010, Written materials, Sy Kornbrodt, 78 pp.**

**D - SB 345, Written testimony, Beverly Bettis, 2 pp.**

**E - SB 345, Written testimony, Ruth McEwen, 5 pp.**

**F - SB 345, Written testimony, Bob Joondeph, 6 pp.**

**G - SB 345, Presented testimony, Committee Staff, 1 p.**

**H - SB 773, -A4, -A5, and -A6 amendments, Legislative Counsel, 13 pp.**

**I - SB 1163, Written testimony, Gary Lawhead, 1 p.**

**J - SB 229, Written materials, Phillip Lemman, 18, pp.**

**K - SB 229, -A5 amendments, Legislative Counsel, 2 pp.**

**L - SB 156, Written materials, Dianne Middle, 7 pp.**

**M - SB 157, Written materials, Dianne Middle, 4 pp.**

**N - SB 1107, -A3 and -A4 amendments, Legislative Counsel, 2 pp.**