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SENATE COMMITTEE ON BUSINESS, LAW, AND GOVERNMENT

April 22, 1997 Hearing Room A

1:00pm Tapes 179 - 181

MEMBERS PRESENT:

Sen. Neil Bryant, Chair

Sen. Randy Miller, Vice-Chair

Sen. Kate Brown

Sen. Gene Derfler

Sen. Randy Leonard

Sen. David Nelson

MEMBER EXCUSED:

STAFF PRESENT:

Nikola Jones, Administrator

Andrea Terry, Administrative Support

MEASURE/ISSUES HEARD:

SB 811, SB 278, SB 942, SB 674

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 179, A		
004	Chair Bryant	opens meeting at 1:04
<u>SB 811--PUBLIC HEARING AND WORK SESSION</u>		
008	Bryant	open public hearing on SB 811
011	Donald Douglas	Attorney
013	Douglas	EXHIBIT A EXHIBIT B EXHIBIT C
037	Bryant	close public hearing on SB 811
038	Bryant	open work session on SB 811
040	Sen. Miller	MOTION: Moves to ADOPT SB 811-1 amendments dated 4/21/97.
042	Bryant	no discussion, no objection
044	Sen. Miller	MOTION: Moves SB 811 to the floor with a DO PASS AS AMENDED recommendation.
047	Bryant	no discussion, no objection Sen. Miller will carry SB 811
049	Bryant	close work session on SB 811
<u>SB 278--PUBLIC HEARING</u>		
055	Bryant	open public hearing on SB 278
066	Kingsley Click	State Court Administrator
070	Click	EXHIBIT D
123	Click	still discussing EXHIBIT D

150	Click	still discussing EXHIBIT D
181	Ann Christian	State Court Administrator's Office
183	Christian	explains indigent defense role
212	Ingrid Swenson	Oregon Criminal Defense Lawyers Association
216	Swenson	we are opposed to SB 278
220	David Terry	President of the OCDLA
222	Terry	this issue comes up every session discusses opposition to SB 278
298	Sally Avera	Public Defender's Office
300	Avera	EXHIBIT E EXHIBIT F
350	Avera	still discussing EXHIBIT E
Tape 180, A		
005	Avera	we typically hire people with eight years experience or more
017	Miller	close public hearing on SB 278
<u>SB 942--PUBLIC HEARING</u>		
021	Miller	open public hearing on SB 942
027	Ann Christian	State Court Administrator's Office
029	Christian	gives summary of SB 942 (very difficult to hear her)
088	Christian	still discussing SB 942
107	Christian	fiscal impact a little over \$1,000,000
116	Sen. Brown	refers to SB 493, was the fiscal impact of SB 493 addressed as part of SB 942
127	Christian	that particular concern was not addressed in this particular fiscal impact
173	Joseph Ochoa	Judge in Marion County
200	Ochoa	EXHIBIT G
250	Ochoa	I speak here today as a neutral party discusses Habeas Corpus
312	Ochoa	discusses consequences finishes discussing Habeas Corpus
Tape 179, B		
<u>SB 674--PUBLIC</u>		

HEARING AND WORK SESSION		
012	Bryant	open public hearing on SB 674
016	Neil Goldschmidt	former Governor of Oregon
029	Goldschmidt	gives background on SB 674
037	Irving LeVine	CEO of Renaissance Bank Card Services
053	LeVine	we worked with Ted Kulongowski
074	LeVine	this law will determine whether or not we will remain in Oregon or move to another state
101	Goldschmidt	discusses failure rate of credit cards
109	Gregory Aube	President of First Consumers National Bank
111	Aube	EXHIBIT H
178	Aube	the late fees I have seen range anywhere from \$10 - \$25
204	Derfler	how do other state charge on late charges
206	Aube	the terms and fees are to be agreed upon by the customers and the bank
233	Goldschmidt	the choices of cards that consumers gets is overwhelming
252	Goldschmidt	society does not benefit from the bankruptcy rate occurring in the U.S. credit cards are about to be a big business in Oregon
282	LeVine	Oregon Law cannot protect cards not issue from an Oregon company
300	Sen. Nelson	how big a market are we talking about
310	LeVine	several billion dollars a month that consumers use credit
327	Goldschmidt	where does the business come from, I will have Mr. LeVine describe a card that his company helps to issue
334	LeVine	example of Montgomery Ward and gives people a chance to rebuild their credit
389	Mark Huston	Economic Development Department
Tape 180, B		
002	Huston	history of First Consumers National Bank
036	Bryant	close public hearing on SB 674
037	Bryant	open work session on SB 674
039	Sen. Derfler	MOTION: Moves SB 674 to the floor with a DO PASS recommendation.

041	Bryant	no discussion; no objection Sen. Bryant will carry
<u>SB 942--PUBLIC HEARING</u>		
045	Bryant	reopen public hearing on SB 942
055	Judge Poole	Judge in Circuit Court in Douglas County
057	Poole	EXHIBIT I EXHIBIT J
100	Poole	still discussing EXHIBITS I and J
131	Poole	still discussing EXHIBITS I and J
168	Poole	one of the greatest factors in reducing delinquency is to reduce abuse and neglect
186	Sen. Brown	we call them preliminary hearings, how many do you do a day
190	Poole	depends upon the day
206	Brown	where do you get all the volunteers
228	Poole	we have a group of people on call
258	Terry	there are three safeguards in our system to protect people: 1. direct appeals 2. post conviction relief 3. pardons (very rare)
282	Ingrid Swenson	OCDLA
285	Swenson	we are not talking here about minor technicalities, but the heart and soul of the case being flawed
333	Timothy Travis	Juvenile Rights Project
335	Travis	EXHIBIT K
Tape 181, A		
002	Travis	still discussing EXHIBIT K
027	David Fidanque	Executive Director ACLU
029	Fidanque	discusses court appointed attorneys
084	Bryant	adjourned at 3pm

Submitted By, Reviewed By,

Andrea Terry, Nikola Jones

Administrative Support Administrator

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EXHIBIT SUMMARY

A - Amendments to SB 811 - introduced by OSB - 1 page

B - Testimony of Donald Douglas - introduced by D. Douglas - 1 page

C - Proposed amendments to SB 811 - introduced by Legislative Counsel - 2 pages

D - Testimony of Kingsley Click - introduced by K. Click - 13 pages

E - Proposed amendments to SB 278 - introduced by S. Avera - 7 pages

F - Testimony on SB 278 - introduced by S. Avera - 3 pages

G - Appointment and payment of Counsel - introduced by J. Ochoa - 1 page

H - Testimony of Gregory Aube - introduced by Gregory Aube - 3 pages

I - Douglas County Trial Courts Juvenile Dependency Process - introduced by Judge Poole - 6 pages

J - Issues Court Must Determine - introduced by Judge Poole - 3 pages

K - Frequently asked questions on SB 942 - introduced by T. Travis - 7 pages
