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SENATE COMMITTEE ON BUSINESS, LAW, AND GOVERNMENT

May 6, 1997 Hearing Room A

1:00pm Tapes 211 - 212

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:

David J. Amesbury, Administrator

Andrea Terry, Administrative Support

MEASURE/ISSUES HEARD:

SB 126

SB 660

SB 739

SB 1115

SB 835

HB 2044

HB 2306

HB 2241

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 211, A		
004	Chair Bryant	opens meeting at 1:15pm
<u>SB 739--WORK SESSION</u>		
005	Chair	opens work session on SB 739
007	Sen. Castillo	Senator from district 20
020	Maura Roche	Planned Parenthood
022	Roche	EXHIBIT A
024	Roche	explanation of EXHIBIT A
050	Roche	EXHIBIT B
052	Roche	explanation of EXHIBIT B
076	Bryant	is Norplant the most expensive of the hormonal contraceptives
078	Roche	it is the most expensive up front, but over five years it is not the most expensive
100	Bryant	explanation of conceptual amendments
117	Sen. Bryant	MOTION: Moves to ADOPT SB 739-4 amendments dated 4/25/97 and conceptual amendments.
118	Bryant	no discussion; no objection

121	Sen. Brown	MOTION: Moves SB 739 to the floor with a DO PASS AS AMENDED recommendation.
131	Bryant	no discussion; no objection Sen. Castillo will carry
<u>SB 126--WORK SESSION</u>		
134	Bryant	opens work session on SB 126
135	Roger Martin	represents Securities Division
137	Martin	EXHIBIT C
139	Martin	explanation of EXHIBIT C
178	Sen. Bryant	MOTION: Moves to ADOPT the amendments offered by the Roger Martin to SB 126.
180	Bryant	no discussion; no objection
183	Sen. Bryant	MOTION: Moves SB 126 to the floor with a DO PASS AS AMENDED recommendation.
187	Bryant	no discussion; no objection Sen. Nelson will carry
<u>SB 660--WORK SESSION</u>		
200	Bryant	open work session on SB 660
204	Amesbury	explanation of SB 660
206	Amesbury	EXHIBIT D
215	Staff	EXHIBIT E
221	Sen. Brown	MOTION: Moves to ADOPT SB 660-2 amendments dated 5/5/97.
224	Bryant	no discussion; no objection
228	Sen. Brown	MOTION: Moves SB 660 to the floor with a DO PASS AS AMENDED recommendation.
230	Bryant	no discussion Sen. Miller votes no Sen. Brown will carry
<u>SB 1115--WORK SESSION</u>		
240	Bryant	open work session on SB 1115
246	Linda Ziskin	Intern in Sen. Hamby's office
250	Ziskin	EXHIBIT F

		history of the commission
311	Bryant	this bill has the support of Tom Clifford and can probably have a staff member support the commission Law School Deans are in support of this bill
350	Brown	if it is our intent to not fund this commission we need to have it stated clearly, so that we are not here next session debating this issue
360	Ziskin	let me call your attention to the -2 amendments on the last page, this is written in that the commission will not be funded
377	Sen. Bryant	MOTION: Moves to ADOPT SB 1115-2 amendments dated 5/5/97 and conceptual amendments.
379	Bryant	no discussion; no objection this has a subsequent referral to Ways and Means and this needs to be removed, before we can move the bill we need to have that referral removed by Sen Timms if you can take care of that before the meeting ends today we will move the bill today
Tape 212, A		
008	Bryant	closes work session on SB 1115
<u>SB 835--WORK SESSION</u>		
011	Bryant	open work session on SB 835
013	Amesbury	explanation of SB 835 (EXHIBIT G)
045	Bryant	we need to send the proposed amendments to Legislative Counsel
048	Bryant	close work session on SB 835
<u>HB 2306--PUBLIC HEARING AND WORK SESSION</u>		
050	Bryant	opens public hearing on HB 2306
060	Randall Jordan	Assistant Attorney General
062	Jordan	EXHIBIT H
090	Jim Markee	Oregon Collector's Association
092	Markee	gives history of HB 2306
116	Dave Barrows	Oregon Association of Process Servers
119	Barrows	in support of HB 2306

124	Bryant	close public hearing on HB 2306 open work session on HB 2306
126	Sen. Miller	MOTION: Moves HB 2306 to the floor with a DO PASS recommendation.
128	Bryant	no discussion; no objection Sen. Miller will carry
130	Bryant	close work session on HB 2306
<u>HB 2044--PUBLIC HEARING AND WORK SESSION</u>		
136	Bryant	open public hearing on HB 2044
140	Dave Barrows	Oregon Association of Veterinarians
142	Barrows	refers to list of good Samaritans on page 1, line 18 of the bill veterinarians came to the House and wanted to be added to the list this bill was discussed in detail in the House Judiciary sub committee on Civil Law
180	Bryant	discusses "gross negligence"
185	Barrows	this was discussed in great detail on the House side
190	Brown	gives example of swimming pool rescue
210	Bryant	gross negligence will e determined case by case
249	Sen. Miller	further explanation of "gross negligence"
265	Sen. Leonard	car accident example
280	Dave Barrows	summary of HB 2044
310	Bryant	gives definition of "gross negligence"
330	Alan Tressider	Oregon Trial Lawyers
335	Tressider	comments in opposition to HB 2044
Tape 211, B		
008	Sen. Leonard	are you afraid we will all of a sudden have many people rushing to the scenes of accidents causing undo harm
017	Tresidder	I think people react instinctively I don't believe people stop and ask themselves "will I be libel if I help them"

030	Barrows	people will not put there family welfare on the line and become a good Samaritan
035	Leonard	I believe in the heat of the moment people don't think about the implications of their helping actions, it is only later that they think about their actions
058	Tresidder	2/3 of the states have statutes that are broader than Oregon's current statutes
065	Leonard	my experience in emergency situations is that people do nothing, they become "frozen" it is very frustrating to have people standing around doing nothing
075	Bryant	close public hearing on HB 2044 open work session on HB 2044
078	Sen. Leonard	MOTION: Moves HB 2044 to the floor with a DO PASS recommendation.
080	Bryant	no discussion; no objection Sen. Leonard will carry
<u>HB 2241--PUBLIC HEARING</u>		
100	Bryant	open public hearing on HB 2241
110	Bryant	close public hearing on HB 2241
<u>SB 1115--WORK SESSION</u>		
112	Bryant	open work session on SB 1115
118	Miller	MOTION: Change relating to clause of SB 1115.
122	Bryant	no discussion; no objection
125	Sen. BRYANT:	MOTION: Moves SB 1115 be sent to the floor with a BE ADOPTED AS AMENDED recommendation and the subsequent referral to Ways and Means be rescinded.
127	Bryant	no discussion; no objection Sen. Hamby will carry
<u>HB 2241--PUBLIC HEARING</u>		
140	Bryant	open public hearing on HB 2241
180	Amesbury	explanation of HB 2241
250	Bob Oleson	OSB
255	Oleson	routine bill
260	Carl Myers	OSB

265	Amesbury	explanation of HB 2241
275	Bryant	we will bring this bill back for a work session
285	Bryant	adjourns meeting at 2:33pm

Submitted By, Reviewed By,

Andrea Terry, David J. Amesbury,

Administrative Support Counsel

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EXHIBIT SUMMARY

A - -4 amendments to SB 739 - introduced by Senator Castillo - 5 pages

B - -2 amendments to SB 739 - introduced by Legislative Counsel - 5 pages

C - Proposed amendments to SB 126 - introduced by R. Martin - 1 page

D - -2 amendments to SB 660 - introduced by Legislative Counsel - 2 pages

E - Testimony SB 660 - introduced by OJDDA - 1 page

F - Letter from Hardy Myers - introduced by L. Ziskin - 10 pages

G - Hand Engrossed SB 835 - introduced by D. Amesbury - 1 page

H - Testimony on HB 2306 - introduced by R. Jordan - 2 pages
