SENATE COMMITTEE ON JUDICIARY May 15, 1995 Hearing Room C 3:00 PM Tapes 162 - 165 MEMBERS PRESENT: Sen. Neil Bryant, Chair Sen. Randy MiUer, Vice-Cbair Sen. Ken Baker Sen. Jeannette Hamby Sen. Peter Sorenson Sen. Dick Splinger Sen. Shirley StuU STAFF PRESENT: Max WiUiams, Committee Counsel - Sarah Watson, Committee Assistant MEASURES HEARD: SB 51 - Work Session SB 900 - Work Session HB 2645 - Public Hearing HB 2524 - Public Hearing HB 26X5 - Public Hearing and Work Session HB 3252 - Public Hearing and Work Session HB 3288 - Public Hearing and Work Session These minutes contain materials which paraphrase and/or summarize statements made during this session. Only text enclosed in quotation marks report a speaker's exact words. For complete contents of the proceedings, please refer to the tapes. TAPE 162, SIDE A 006 CHAIR BRYANT: Calls the meeting to order at 3:13 pm. WORK SESSION ON SB 51 016 MOTION: SEN. BAKER: Moves to SUSPEND the rules for the purpose of RECONSIDERING the vote on SB 51. VOTE: Hearing no objections the MOTION CARRIES. SENATE JUDICIARY - Page 2 MOTION: SEN. BAKER: Moves to RECONSIDER the vote by which "SB 51 was sent 021 to the FLOOR with a DO PASS recommendation". VOTE: Hearing no objection the MOTION CARRIES. 027 CHAIR BRYANT: Discusses that the bill will be worked on during the interim. 029 SEN. BAKER: My hope would be that they would look at ORS 73.345 and possibly repealing that section. PUBLIC HEARING ON HB 2645 (HB 2645 prescribes procedure requiring health care provider to report blood alcohol content of certain motor vehicle accident victims.) Anitra Rasmussen, District 11 Witnesses: Rep. John Schoon, District 34 Sen. Ron Cease, District 10 Rep. Floyd Prozanski, District 40 Ray Mensing, Oregon Medical Association David Fidanque, ACLU Jim Arneson, Oregon Criminal Defense Lawyers Association Ed Patterson, Oregon Association of Hospitals Carol Bonnono, Self as Nurse Susan King, Oregon Nurses Association Deborah Willey, Emergency Room Nurse Laureen Oskochil, Multnomah County DUII Community Board Steve Azzor, Public Safety Officer at OHSU 040 REP. ANITRA RASMUSSEN, DISTRICT 11: Test)fies and submits written testimony in support of HB 2645. (EXHIBIT A) 053 REP. JOHN SCHOON, DISTRICT 34: Test) fies in support of HB 2645.

064 SEN. RON CEASE, DISTRICT 10: Test)fies in support of HB 2645.

095 REP. FLOYD PROZANSKI, DISTRICT 40: Test)fies and submits written testimony in support of HB 2645. (EXHIBIT B)

122 CHAIR BRYANT: It would help if you could wait for the Oregon Medical Associations amendments and then comment on them. 134 RAY MENSING, OREGON MEDICAL ASSOCIATION: Test)fies and submits proposed amendments and written testimony in opposition to HB 2645. (EXHIBITS C, D) 218 SEN. SORENSON: Did you make comments on HB 2645 when it was in the House? 220 MENSING: No. These rninutes contain materials which paraphrase and/or summarlze statements made during this session. OrYy text enclosed in quotation marks report a speaker's exact words. For complete contents of the proceedings, please refer to the tapes. SENATE JUDICIARY Page 3 221 SEN. SORENSON: Gives example of emergency room situation. Are there any specific ethical rules that physicians would be violating if they complied with this law? 240 MENSING: Yes, discusses the informed consent statute ORS 677.097 and the disclosure of a professional secret. 247 SEN. SORENSON: How did we resolve the disclosing need for professionals secret in the reporting of child abuse? 248 MENSING: You made a law, which is what you are doing with this bill. We just want some provisional protections under the law to report. 255 SEN. SORENSON: Did the amendments that your suggesting, limit the effectiveness of HB 2645? 258 MENSING: I don't think that it limits the effectiveness, explains. This regulation doesn't go far enough 269 CHAIR BRYANT: What should happen if a person isn't able to give consent?  $274\ {\tt MENSING}$  : Under the implied consent, the police officer has to have probable cause to believe that the person is under the influence of alcohol. In this bill, the police officer wouldn't make that decision. 278 CHAIR BRYANT: What would be your position as far as someone in the emergency room not being able to give a valid consent. 283 MENSING: There is an implied consent to take a test for medical purpose. This bill would require someone to take a medical test for a criminal charges. You might allow a spouse, parent, or adult child to make that consent. 291 CHAIR BRYANT: Discusses OMA's amendment and that if a person cannot give their consent, then there would be no test for criminal purposes. 294 MENSING: That is correct. SEN. HAMBY: What is the meaning behind the language, "may draw a sample 295 if it is necessary for the proper care and treatment"? What does that mean? 302 MENSING: In medical care, we will take a test for medical care and treatment. When you start taking that blood test for other purpose, then you have to have different protections. 308 SEN. HAMBY: That is the only time that this kind of test would be taken? 311 MENSING: Correct. These nunutes contain materials which paraphrase and/or surnmanze statements made during this session. Only text enclosed in quotation marks report a speaker's exact words. For complete contents of the proceedings, please refer to the tapes. SENATE JUDICIARY Pagee 4 312 SEN. HAMBY: Asks about section 3 concerning reporting. Don't you think that we should identify language that would force emergency room personnel that same kind of moral and ethical duty to report the blood alcohol level of someone? 324 MENSING: If it is the legislatures intent to place that moral duty, you could do that. 32.6 SEN. HAMBY: We could do that. MENSING: As the bill is written, it doesn't give you that permission. 327 You have not created that duty.

344 DAVID FIDANQUE, ACLU: Test)fies in opposition to HB 2645.

SEN. BAKER: Why are you opposed to unreasonable search and seizure? 357 There are times that the state can have reasonable search and seizure. 360 FIDANQUE: Cites ORS 813.140 and the possible amendment. Continues with testimony. 391 CHAIR BRYANT: Does that ever extend to a non-police officer? 393 FIDANQUE: I don't think that has ever come before the court. Continues with testimony. 427 CHAIR BRYANT: Gives example of health care provider believing that the patient is under the influence of alcohol, an officer being present, and the health care provider telling the police officer that their patient may be under the influence. Would that allow the officer, based on that information, to request a blood draw? 438 FIDANQUE: I don't know. TAPE 163, SIDE A 011 SEN. SORENSON: Is there a possibility to accommodate your concerns of doctor/patient confidentiality by compromising to have a greater reporting of blood tests to law enforcement and use of those in the court proceedings? 021 FIDANQUE: That depends on what it is. The testimony that I heard on the House side is that there is a minority of health care providers that want to notify the police, give example. The majority of these cases have police officers who follow them to the hospital. Gives example of how problems can occur in police officer examples of false injury. 046 SEN. HAMBY: Discusses possibility of an injured person requesting a helicopter so that a police officer could not follow them to the hospital. 050 JIM ARNESON, OREGON CRIMINAL DEFENSE LAWYERS ASSOCIATION: Testifies in opposition to HB 2645. 093 CHAIR BRYANT: Asks if the medical professional could provide the probable cause. These r tes contain materials which paraphrase and/or summarue statements made during this session. Only ten enclosed in quotation rnarks report a speaker's exact words. For complete contents of the proceeding, please refer to the tapes, SENATE JUDICIARY Page S 095 ARNESON: If the person who provided the information had the training and the experience to provide the objective information to a police officer to establish probable cause, then that would be fine. Gives case example of objective evidence. Discusses amendments to HB 2645. SEN. SORENSON: Can you distinguish between a confrontation clause 133 problem and a right to jury trial? If a health care professional performs a test and there is a statute that the person cannot be subpoenaed into a criminal case, is there a violation of a jury trial right to have witnesses? 148 ARNESON: The inability to subpoena a doctor would violate the right to subpoena witnesses under the Oregon constitution. The right not to confront, would be in the provision that states "the medical record shall be admissible", and they are presumed to accurately identify the person without the need of a witness. SEN. SORENSON: Asks about physician/patient rule of evidence. Isn't 159 there already a provision that excluded communications by physicians to a patient and vice versa, if it is a criminal case. Doesn't this allow for a physician/patient privilege in the criminal context? 172 ARNESON: The difference is that the lack of privilege in the criminal case applies to information subpoenaed for a trial, whereas there is no criminal case at this point because no evidence has been developed. The medical provider is providing the information that is the source of the criminal case. 183 ED PATTERSON, OREGON ASSOCIATION OF HOSPITALS: Testifies in opposition t o HB 2645. (EXHIBIT E) 235 SEN. BAKER: Did you or any hospitals testify on the House side? 237 PATTERSON: No.

238 SEN. BAKER: Do you know who testified on the House side? 238 PATTERSON: I don't believe the OMA or our association test)fied. 243 SEN. BAKER: You indicated some reluctance in becoming a element of the criminal justice system, but you are required now on other issues to report. What is the difference between those other offenses and drunk driving? 250 PATTERSON: The law on the books requiring reporting hasn't helped solve or reduce any problems. 267 REP. PROZANSKI: Discusses the conceptual amendments by the OMA. TAPE 162, SIDE B 030 CAROL BONNONO, SELF AS NURSE: Test) fies and submits written testimony in support of HB 2645. (EXHIBIT F) 051 SUSAN KING, OREGON NURSES ASSOCIATION: Testifies and submits written testimony in support of HB 2645. (EXHIBIT G) These mimltes coluain materials which parapl~ase aml/or sumnarie sta~ ments made during this session. Only text enclosed in quotadon marks report a speaker's exact words. For complete contents of the proceedings, please refer to the tapes. SENATE JUDICIARY \_ Psge 6 101 DEBORAH WILLEY, EMERGENCY ROOM NURSE: Test)fies and submits written testimony in support of HB 2645. (EXHIBIT H) 167 LAUREEN OSKOCHIL, MULTNOMAH COUNTY DUII COMMUNITY BOARD: Test)fies and submits written testimony in support of HB 2645. (EXHIBIT I) 225 STEVE AZZOR, PUBLIC SAFETY OFFICER AT OHSU: Test) fies in support of HB 2645. PUBLIC HEARING ON HB 2524 (HB 2524 expands list of persons authorized to direct disposition of decedent's remains.) Witnesses: Robert Earhart, Legislative Aid for Rep. George Eighmy Paul Reynold, Funeral Director Mary Jane Hunt, Oregon Donor Program Mike Seeley, Paciffc Northwest Transplant Bank Scott Maguire, Lions Eyebank of Oregon Tom Golden, Funeral Director Rennie Meek, President of Oregon Funeral Directors Rep. George Eighmy, District 14 Bob Oleson, Oregon State Bar David Noble, Service Corporation International 264 ROBERT EARHART, LEGISLATIVE AID FOR REP. GEORGE EIGHMY: Testifies and submits written testimony in support of HB 2524. (EXHIBITS J, K) 294 CHAIR BRYANT: You are referring to the 4 amendments? 297 EARHART: Yes. Continues with testimony. 331 SEN. BAKER: What about a person who has unreasonable requests for burial? Who decides that? 337 EARHART: That is included in the A engrossed version of HB 2524, explains. 346 SEN. BAKER: How would the provision of the probate code be handled if the surviving spouse or family is need of money to support them versus the wishes of the deceased? 350 EARHART: That is covered under other statutes not pertaining to this. SEN. BAKER: What if it is not covered under other statutes. 353 EARHART: I don't know. 354 357 SEN. SORENSON: Rep. Eighmy and I have discussed this issue. Gives examples of advising people in this sort of situation. These minutes contain materials which paraphrase and/or swnmarlze statements matte during tbis session. Only text enclosed in quotation muds report a speaker's exact words. For complete contents of the proceedings please refer to the tapes. SENATE JUDICIARY Page 7 385 PAUL RENYOLD, FUNERAL DIRECTOR: Test) fies in opposition to HB 2524. TAPE 163, SIDE B

CHAIR BRYANT: When there is a common law, or other relationship, are the 012 parties and next to kin usually able to work things out? How often do you have a real controversy? 014 REYNOLD: In 44 years I have never had a problem where people have had to legally go to court. 019 MARY JANE HUNT, OREGON DONOR PROGRAM: Test) fies and submits written testimony in opposition to HB 2524. (EXHIBIT L) 027 MIKE SEELEY, PACIELC NORTHWEST TRANSPLANT BANK: Testifies and submits written testimony in opposition to HB 2524. (EXHIBIT M) SCOTT MAGUIRE, LIONS EYEBANK OF OREGON: Test) fies and submits written 049 testimony in opposition to HB 2524. (EXHIBIT N) TOM GOLDEN, FUNERAL DIRECTOR: Testifies in opposition to HB 2524. 079 097 RENNIE MEEK, PRESIDENT OF OREGON FUNERAL DIRECTORS: Test)fies in opposition to HB 2524. REP. GEORGE EIGHMY, DISTRICT 14: Test) fies in support as sponsor of HB 155 2524 204 CHAIR BRYANT: Can't they do that now with pre-arrangements? 205 REP. EIGHMY: No, explains. It can be breached as it stands today. 226 SEN. BAKER: Under the probate code, we have provision where people in the family can invade the estate for purposes of living expenses. Would you have any problem with changing section 1 subsection 6, to expand that to include to the situation where the money was needed for the survivors of the decedent? 238 REP. EIGHMY: I have no problem at all with that. If you feel that there is language to better address that, that is fine. 247 SEN. BAKER: Doesn't the probate statute allow the court to direct that as an ongoing sum of money for the family, until the probate is closed? 250 REP. EIGHMY: Yes, up to a certain amount. 252 BOB OLESON, OREGON STATE BAR: Test)fies in support of HB 2524. 270 DAVID NOBLE, SERVICE CORPORATION INTERNATIONAL: Test) fies and submits written testimony in opposition to HB 2524. (EXHIBIT O) These ~ con~ain materials ~ paraphrase and/or summa~e statements made during this session. Only text enclosed in quotation marks report a speaker's exact words. For complete contents of the proceedings, please refer to the tapes. SENATE JUDICIARY Page 8 PUBLIC HEARING ON ~ 2685 (HB 2685 adds court appointed special advocates to list of persons required to report child abuse.) Witness: Betty Uchytil, Oregon Department of Human Resources 354 BETTY UCHYTIL, OREGON DEPARTMENT OF HUMAN RESOURCES: Test)fies and submits written testimony of HB 2685. (EXHIBIT P) 393 SEN. HAMBY: I cannot believe that the Court Appointed Special Advocates (CASA) have not been there all along. 395 UCHYTIL: When they were created, I think it was overlooked that CASA was added to the child abuse reporting law. There is immunity protection for the CASA involvement in the statute that creates them, explains. 409 CHAIR BRYANT: Discusses the high fiscal analysis on HB 2685. 422 SEN. BAKER: What do we do now for all the warrants? 425 CHAIR BRYANT: I don't understand the fiscal impact either. In the criminal cases, there is something additionally paid for being the judge on call. TAPE 164, SIDE A

010 MAX WILLIAMS, COMMITTEE COUNSEL: Discusses fiscal impact and that it deals with areas where there are only one or two judges that have to cover a large geographic area and that they would be on call for a 24 hour time period.

016 CHAIR BRYANT: In some places, there is only one judge for five or six

counties. They would appoint someone pro tem to fill the 24 hour position. This would mainly be for the rural areas.

- 024 SEN. HAMBY: They don't have judges available for any of the on call positions.
- 026 SEN. BAKER: Do we allow to call in judges from somewhere else?

030 CHAIR BRYANT: I don't know how that works.

foster care homes?

0.32 MAX WILLIAMS, COMMITTEE COUNSEL: The judges staff in the courthouse probably has standing protocols that they follow when their judge is away. 036 CHAIR BRYANT: Discusses possible language to help resolve some of the fiscal issue. 041 UCHYTIL: With this fiscal impact, we could not support the bill. If the part of the bill about court appointed advocates had no fiscal impact, it would be unfortunate not to allow that to go through in this bill. 048 CHAIR BRYANT: We can delete section 2 or else this bill will have to go to Ways and Means. These minutes contaiD materials which paraphrase and/or summarize statemer~ts made during this session. Only text enclosed in quotation marks report a speaker's exact words. For complete contents of the proceedings, please refer to the tapes. SENATE JUDICIARY · Page g 051 SEN. BAKER: Right now, if there is a law enforcement officer that believes that a child is in immediate and present danger of abuse, they already have a current statute. 053 UCHYTIL: They can take the child into custody, but cannot issue a restraining order to make someone leave. 0.57 SEN. BAKER: We changed that language last session to order someone to leave, in the meantime the child could be in a protective shelter somewhere. What does section 2 add to this? UCHYTIL: This would allow the law enforcement officer to call and get 06.0 an immediate restraining order to tell the person they have to leave without the child ever having to leave. 066 SEN. BAKER: We probably need to work on this bill. 069 CHAIR BRYANT: HB 3180 is up for a hearing on Wednesday which also talks about 24 availability. If we delete section 2 now, then we can look into further and send it to a conference committee. WORK SESSION ON HB 2685 082 MOTION: SEN. HA1\IBY: moves to AMEND HB 2685 by deleting "section 2 of the bill". VOTE: Hearing no objection the MOTION CARRIES. MOTION: SEN. HAMBY: Moves HB 2685 be sent to the floor with a DO PASS AS 084 AMENDED recommendation. Hearing no objections the MOTION CARRIES. Sen. Miller, Sorenson, and VOTE · Springer are excused. 086 CHAIR BRYANT: Sen. Stull will carry the bill. PUBLIC HEARING ON HB 3252 (HB 3252 removes certain foster home providing respite care as defined by rule from cardfication requirements.) Witnesses: Kathryn Weit, Oregon Developmental Disabilities Council Betty Uchityl, Department of Human Resources 093 KATHRYN WEIT, OREGON DEVELOPMENTAL DISABILITIES COUNCIL: Test)fies and submits written testimony in support of HB 3252. (EXHIBITS Q, R) These nunutes contain materials which paraparase and/or summarlze statemnents made during this session. Only text enclosed in qK - on marks report a speaker's exact words. For complete contents of the proceedings, please refer to the tapes. SENATE JUDICIARY Page 10 119 BETTY UCHITYL, DEPARTMENT OF HUMAN RESOURCES: Test)fies and submits written testimony in support of HB 3252. (EXHIBIT S) 136 CHAIR BRYANT: Respite care homes would not qualify for super siting as

UCHITYL: They would not qualify as foster care homes under the statute 139 at all because they are an exception to those that must be certified. 141 SEN. BAKER: Is there a length of time that you can have a child in respite care? 143 UCHITYL: No, explains. 145 SEN. BAKER: If we were to leave that child there for an unregulated length time, we have no supervision at all? 150 WEIT: Current respite programs are operated by local non profit organizations that have a fairly extensive inspection criminal records check process. We do believe that as we expand respite care in Oregon that we will be looking at uniform state regulation. 157 SEN. BAKER: Is the state doing anything to inventory how many of these we are talking about and what the conditions are? 159 WEIT: Yes, explains. 163 SEN. STULL: Do respite care providers have a criminal background check? 166 WEIT: In most programs right now, respite care providers do have a criminal records check. We are in the process of establishing a number of new respite programs. WORK SESSION ON HB 3252 174 MOTION: SEN. BAKER: Moves HB 3252 be sent to the floor with a DO PASS recommendation. VOTE: Hearing no objection the MOTION CARRE S. Sen. Miller, Sorenson are excused. 175 CHAIR BRYANT: Sen. Hamby will carry the bill. PUBLIC HEARING ON HB 3288 (HB 3288 creates crime of improper use of 9-1-1 emergency reporting system.) Witness: Galen Howard, 911 Coordinator for Lane County 182 GALEN HOWARD, 911 COORDINATOR FOR LANE COUNTY: Test)fies and submits written testimony in support of HB 3288. (EXHIBIT T) - ..... These rnmutes contain materials which paraplnase and/or summarlze ststernents made during tbis session. Only text enclosed in quotation marks report a speaker's exact words. For complete contents of the proceedings, please refer to the lopes. SENATE JUDICIARY - Psge 11 WORK SESSION ON HB 3288 230 SEN. STULL: Has concerns about prosecuting older people who may not be dialing this number maliciously. How would that be dealt with? CHAIR BRYANT: "Knowingly", is the key wording. 238 SEN. BAKER: You are interpreting "knowingly" to be the criminal state of 242 mind? 243 CHAIR BRYANT: Yes. 244 SEN. STULL: Most emergency communication facilities deal with the elderly who may accidentally call this number. 247 CHAIR BRYANT: I don't think a District Attorney would prosecute though. They know who they are intending to go after in these situations. 254 SEN. STULL: I was just wondering if there was a better way to deal with this. 257 CHAIR BRYANT: If they don't have the mental ability, then they couldn't be guilty of the came anyway. 263 SEN. BAKER: I agree in that the language is somewhat awkward. MOTION: SEN. HAMBY: Moves HB 3288 be sent to the floor with a DO PASS 265 recommendation. VOTE: Hearing no objections the MOTION CARRIES. Sen. Miller and Sorenson are excused. 270 CHAIR BRYANT: Sen. Bryant will carry the bill. WORK SESSION ON SB 900 (SB 900 creates crime of insurance fraud. [EXHIBITS U, V, VV1) 316 JIM GARDENER, ALLIANCE OF AMERICAN INSURERS: Test)fies in support of SB

900. Discusses -8, -9, -10 amendments and conceptual amendments.

389 SEN. SPRINGER: Discusses proposed amendments by Sen. Sorenson. (EXHIBIT X) 407 CHUCK TOMLIN, OREGON TRIAL LAWYERS ASSOCIATION: Discusses conceptual amendments by Sen. Sorenson. Against the bill? TAPE 165, SIDE A 030 GARDENER: We oppose this amendment by Sen. Sorenson. Discusses opposition to amendments. These rnin~tes contain materials which paraphrase - /or sunDnarlze statements made during this session. Onb text enclosed m quotadon marks report a speaker's exact words. For complete contents of the proceedings, please refer to the tapes. SENATE JUDICIARY - Psge 12 047 CHAIR BRYANT: What happens if they violate that section? 049 THOMAS MORNINGSTAR, ATTORNEY: Test)fies on behalf of proponents on SB 900. Discusses consequences. 054 CHAIR BRYANT: Would you also be subject to damages? MORNINGSTAR: Yes and attorney fees as well. 056 CHAIR BRYANT: Asks about page 2, lines 2-3 and discusses possible language. 063 GARDENER: That language is fine. SEN. SPRINGER: Discusses -9 and -10 amendments. In section 5, those are 064 unfamiliar terms in the Oregon statutes aren't they? 071 MORNINGSTAR: No. There is an existing immunity for providing information to regulatory agencies regarding insurance company conduct, discusses language. Discusses ORS 746 685 language. 089 SEN. SPRINGER: What about negligence? Gives example. 092 MORNINGSTAR: That wouldn't be maliciously, explains. 095 SEN. SPRINGER: To accuse someone of a crime would otherwise be actionable wouldn't it? Even if done negligently and in the absence of malice? 099 MORNINGSTAR: You would have a hard time getting that past motions to strike. 100 SEN. SPRINGER: I could accuse someone of a crime and not be held accountable? 102 MORNINGSTAR: Correct. It is unlawful to "knowingly" file a false police report. 105 SEN. SPRINGER: I am not suggesting a crime, I am talking about civil liability. 107 MORNINGSTAR: A person wouldn't get very far with an action like that, explains. 114 GARDENER: We have moved toward the golden mean in terms of taking out some provisions that were the subject of controversy. 124 DAVID F IDANQUE, ACLU: Test)fies in opposition to SB 900. 140 MAX WILLIAMS, COMMITTEE COUNSEL: That suggestion was provided by the proponents and LC. They felt that it made it more confusing. It isn't the proponents fault that it was not included. FIDANQUE: Continues with testimony. 148 These rninutes cortain materials which paraphrase and/or surnmarlze statements made during this session. Only text enclosed in quotadon marks report a speaker's exact words. For complete contents of the proceedings, please refer to the tapes. SENATE JUDICIARY - Page 13 INGRID SWENSON, OREGON CRIMINAL DEFENSE LAWYERS ASSOCIATION: 161 Discuses conceptual amendments. 195 CHAIR BRYANT: Please give me a letter about your testimony, I will pass it on. MOTION: SEN. BAKER: Moves to ADOPT SB 900-9 & -10 amendments dated 195 05/15/95 and that the bill be further amended on page 1, by deleting "line~ 16 & 17" VOTE: Hearing no objections the amendments are ADOPTED. Sen. Miller and

	202	Sorenson are excused. MOTION: SEN. SPRINGER: moves to AMEND SB 900 by inserting "conceptual amendment, as explained by Chuck Tomlin" on page, line of the bm.			
concept	204 tual	SEN. BAKER: Discusses possible friendly amendment to Sen. Springer's			
	211	MOTION: SEN. BAKER: moves to AMEND SEN. SPRINGER'S motion on SB 900 by deleting "incomplete".			
		70TE: 5-0 MOTION PASSES AYE: Sen. Baker, Harnby, Springer, Stull, Bryant			
	218	NO: None EXCUSED: Sen Miller, Sorenson MOTION: SEN. BRYANT: moves to AMEND SB 900 by inserting "a person commits	l.		
a		fraudulent insurance act, if the person with an intent to defraud deceive" after "" on page 2, line 2-3 of the bill. YOTE; Hearing on objections the MOTION CARRIES.	lor		
	225	SEN. BAKER: Discusses conceptual arnendTnent.			
232 CHAIR BRYANT: That is taken care of by the earlier amendment.					
	236	AOTION: SEN. BRYANT: Moves SB 900 AS AMENDED be sent to the floor v~ith a DO PASS recommendation.	L.		
		70TE: 4-1 MOTION PASSES AYE: Sen Baker, Harnby, Stull, Bryant			
		NO: Sen. Springer EXCUSED: Sen. Miller, Sorenson			
	241	CHAIR BRYANT: Sen. Baker will carry the bill.			
made during this session. Only text enclosed in quotation marks report a speaker's exact words. For complete contents of the proceedings please refer to tbe tapes. SENATE JUDICIARY ~ le 14					
(HB 2212 delivery or payment of proceeds of compensable crimes to Department of Justice.)					
Witness: Rives Kistler, Department of Justice					
248 RIVES KISTLER, DEPARTMENT OF JUSTICE: Test)fies and submits written testimony in opposition to HB 2212. (EXHIBIT Y)					
272 CHAIR BRYANT: So it narrows tine prior statute, provides constitutional guarantees as a due process to the person.					
274 KISTLER: Yes.					
WORK SE	ESSION ON	- 2212			
	275	<ul> <li>MOTION: SEN. SPRINGER: Moves HB 2212 be sent to the floor with a DO PASS recommendation.</li> <li>MOTE: 4-0 MOTION PASSES         AYE: Sen. Baker, Springer, Stull, Bryant NO: None     </li> </ul>			
	279 CH2	EXCUSED: Sen. Hannby, Miller, Sorenson R BRYANT: Sen. Springer will carry the bill.			
280 CHAIR BRYANT: Adjourns the hearing at 5:50 pm.					
		Submitted by,			

Reviewed by,

Sarah Watson Debra Johnsgh Committee Assistant Committee (Coordinator

## EXHIBIT SUMMARY:

A. Testimony on HB 2645 - Rep. Anitra Rasmussen - 1 page
B. Testhnony on HB 2645 - Rep. Floyd Prozanski - 1 page
C. Proposed Amendments to HB 2645 - Ray Mensing - 2 pages
D. Testunony on HB 2645 - Ray Mensing - 1 page
E. Testimony on HB 2645 - Ed Patterson - 2 pages

F. Testimony on HB 2645 - Carol Bonnono - 1 page

These mmutes contain materials which pa~phrase sal/or summenze sta~ m - - mede during this session. Only text ~ in qlotadon rnarks report a speaker's exact words. For complete contents of the proceedings, please refer to the tapes.

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G.	Testhnony on HB 2645 - Susan King - 2 pages
н.	Testhnony on HB 2645 - Deborah Willey - 3 pages
I.	Testimony on HB 2645 - Laureen Oskochil - 1 page
J.	Testimony on HB 2524 - Rep. George Eighmy - 1 page
к.	Proposed Amendments to HB 2524 - Rep. George Eighmy - 7 pages
L.	Testimony on HB 2524 - Mary Jane Hunt - 1 page
Μ.	Testimony on HB 2524 - Michael Seely - 1 page
Ν.	Testhnony on HB 2524 - Scott Maguire - 2 pages
ο.	Testimony on HB 2524 - David Noble - 1 page
P.	Testimony on HB 2685 - Betty Uchytil - 1 page
Q.	Testhnony on HB 3252 - Kathryn Weit - 2 pages
R.	Testimony on HB 3252 - Kathryn Weit - 4 pages
s.	Testhnony on HB 3252 - Betty Uchytil - 1 page
т.	Testhnony on HB 3288 - Galen Howard - 2 pages
U.	Proposed Amend nents to SB 900 - Staff - 1 page
V.	Proposed Amendments to SB 900 - Staff - 1 page
W.	Proposed Amendments to SB 900 - Staff - 1 page
х.	Proposed Amendments to SB 900 - Sen. Peter Sorenson - 1 page
Υ.	Testimony on HB 2212 - Rives Xistler - 2 pages

These rni~tes contain materiels which paraphrase end/or summarue statements made during this session. Only text enclosed in qlotadon marks report a speaker's exact words. For complete contents of the proceedings please refer to the tapes.