

SENATE COMMITTEE ON  
JUDICIARY

April 21, 1993      Hearing Room C  
1:00 p.m.      Tapes 117-119

MEMBERS PRESENT:    Sen. Dick Springer, Chair  
                          Sen. Jeannette Hamby  
                          Sen. Karsten Rasmussen  
                          Sen. Bob Shoemaker  
                          Sen. Gordon Smith

MEMBERS EXCUSED:    Sen. Catherine Webber

STAFF PRESENT:        Karen Quigley, Committee Counsel  
                          Kirk Bailey, Committee Assistant

ISSUES DISCUSSED:    Public Hearing on SB 867, SB 839, SB 1051, SB 772, SB  
522 .

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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.

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TAPE 117, SIDE A

003 CHAIR SPRINGER: Sen. Shoemaker opens the hearing at 1:12 pm in  
the  
absence of the Chair.

Public Hearing

SB 772: Increases award to certain prevailing party in Supreme Court,  
in  
Court of Appeals, in circuit court after trial, and in district  
court after trial.

WITNESSES:  
SENATOR BRYANT

008 SENATOR BRYANT: Testifies in support of the bill.

036 SEN. SHOEMAKER: Effective date? Would it be good to have date  
certain  
of January 1, 1994?

042 SEN. BRYANT: Fine.

SB 839: Allows court to award attorney fees to prevailing party if other party fails to establish that claim, defense or ground for appeal or review was asserted in good faith after court finds that claim, defense or ground was asserted without reasonable basis.

WITNESSES:  
SENATOR BRYANT

046 SENATOR BRYANT: Testifies in support of the bill.

086 SEN. BRYANT: Inquires if committee thinks a date certain would be necessary? If so that is fine.

SEN. SHOEMAKER: Doesn't seem to be as urgent in this case. Effective 90 days after session seems sufficient.

090 SEN. BRYANT: The sooner the better.

SB 867: Grants cooperative corporation security interest in certain capital credits, capital credit accounts or other evidence of equity to secure debts owed cooperative.

WITNESSES:  
SANDY FLICKER, RURAL ELECTRIC COOPERATIVE ASSOCIATION  
HENRY LORENZEN, RURAL ELECTRIC COOPERATIVE ASSOCIATION  
JOHN MCCULLEY, AGRICULTURE COOPERATIVE COUNCIL

105 SANDY FLICKER: Introduces Henry Lorenzen.

114 HENRY LORENZEN: Submits and reviews written testimony in support of the bill (EXHIBIT A).  
>Presents and reviews chart as background information.

209 CHAIR SPRINGER: Any amendments?

FLICKER: No.

216 CHAIR SPRINGER: Any negative impact on ability or willingness of banks to extend credit?

LORENZEN: No. Banks are relatively unaware that these equity credits exist.

228 SEN. SHOEMAKER: What is the range of magnitude?

LORENZEN: Quite high, up to \$1 million.  
>Typical account is in the range of \$600 - \$700.

255 SEN. SHOEMAKER: If member is in bankruptcy situation and  
the cooperative asserts its position, that only applies to outstanding  
debt,  
and not remaining balance?

LORENZEN: Correct. Like any other perfected security interest, it  
would not continue into the future.

274 SEN. SHOEMAKER: Reviews provisions of the bill.  
>Does intervening bankruptcy interfere and break security interest as  
to  
debts that follow bankruptcy?

LORENZEN: No. Debts after bankruptcy would be secured by future earned  
equity credits.

284 SEN. SHOEMAKER: But not by accumulated interest?

LORENZEN: No.

287 SEN. SHOEMAKER: Suggests clarification by legislative counsel.

293 SEN. SMITH: Notes lack of conflict interest in this situation.  
>Comments on agricultural interests effected by this bill.

318 JOHN MCCULLEY: Submits and reviews written testimony in support of  
the  
bill (EXHIBIT B).

SB 1051: Revises juvenile code.

WITNESSES:

JUDGE STEPHEN HERRELL

JUDGE JAMES HARGREAVES

KATHARINE ENGLISH, JUVENILE COURT REFEREE

TIM TRAVIS, JUVENILE JUSTICE PROJECT

TIM SIMMONS, JUVENILE JUSTICE PROJECT, NATIVE AMERICAN PROJECT

LEN MUNKS, CHILDREN'S SERVICES DIVISION

BETSY WELCH, JUVENILE JUDGE, MULTNOMAH COUNTY

DOUGLAS HUTCHINSON, COMMISSION ON INDIAN SERVICES

338 JUDGE STEPHEN HERRELL: Submits and reviews written testimony in  
support

of the bill (EXHIBIT C).

>Submits and reviews amendments to the bill (EXHIBIT E & G).

470 SEN. SMITH: On page 2, line 36 clause relating to biological  
fathers

establishing paternity.

>What are other provisions of the law cited in the bill?

HERRELL: Refers to criteria listed in Chapter 109.

TAPE 118, SIDE A

042 JUDGE JIM HARGREAVES: Testifies in support of the bill.

057 CHAIR SPRINGER: Do you handle juvenile matters in Lane county?  
HARGREAVES: Primary responsibility.

060 SEN. SHOEMAKER: Notes unfamiliarity with the specifics of the bill.

062 CHAIR SPRINGER: Urges proponents to review the bill for the benefit  
of  
the committee.

064 JUDGE HARGREAVES: Reviews the bill generally.

116 CHAIR SPRINGER: Notes lack of opposition to the bill.  
>Does this deal with remand issues?  
HARGREAVES: No, does change name. Creates a euphemism called waiver.

127 CHAIR SPRINGER: Does the bill deal with expungement?

129 KATHARINE ENGLISH: Yes, bill rephrases criminal penalties for  
violating  
expungement.

135 CHAIR SPRINGER: Does it address the Bishop case on discretion?  
HERRELL: No. Reviews the bill and inquires about the will of the  
committee.

147 SEN. SMITH: Interested in insights into previous questions.  
Concerned  
about provisions defining fathers, particularly any overly broad  
definition.

154 TIM TRAVIS: Can't have too broad a definition of father.  
Current  
system excludes people.  
>This does not create any new way to create a father.

158 SEN. SMITH: Expresses concern about semen donors and creation  
of  
paternity in that case.  
TRAVIS: Bill does not address this issue. If other bill passes, then  
this would be included in that.  
>Bill provides that parties can agree in advance that semen donor will  
have paternal rights.

168 SEN. SHOEMAKER: That measure failed.

170 SEN. SMITH: Want to avoid passing that provision through the back  
door?

172 TRAVIS: This bill does not.  
>Testifies generally in support with suggested revisions to the bill.

189 ENGLISH: Questions Travis' recommendation.  
>Suggests simply noting provision for further review.

198 TRAVIS: Will provide final draft of HB 2411 and SB 199 to counsel  
as  
amendments to SB 37.

203 SEN. HAMBY: Do we know status on HB 2411? Did it pass or have  
a  
hearing?

TRAVIS: Passed in the House.

209 HERRELL: Comments on SB 257.  
>Committee advised to ensure that further legislation complies with SB  
257.

218 BETSY WELCH: Testifies in support of the bill.  
>Comments on lack of rules in juvenile court.

241 ENGLISH: Testifies in support of the bill. Concurs with Judge  
Welch.

271 CHAIR SPRINGER: Comments on committee schedule on the bill.

288 TIM SIMMONS: Submits and reviews written testimony in support  
with  
amendments to the bill (EXHIBIT D).

329 DOUGLAS HUTCHINSON: Testifies in support of the bill and  
the  
amendments.

383 CHAIR SPRINGER: Are there tribes which exercise exclusive or  
concurrent  
juvenile jurisdiction?

HUTCHINSON: Yes. Federal law indicates that state courts must give  
full faith and credit to American Indian courts.  
>Broad jurisdiction.

394 SIMMONS: Clarifies further.

300 CHAIR SPRINGER: Has the Bar done a C.L.E. on these issues?

HUTCHINSON: No and there is no section of the bar for this area.

408 CHAIR SPRINGER: Indicates intention to discuss the issue with  
the  
Oregon State Bar.

411 LEN MUNKS: Submits and reviews written testimony in support of the  
bill  
(EXHIBIT F).

SB 522: Requires remand to adult court of child 15 years of age or older  
for  
specified crimes.

WITNESSES:

SENATOR PAUL PHILLIPS  
TED KULONGOSKI, ATTORNEY GENERAL  
MARK MCDONNELL, MULTNOMAH COUNTY DISTRICT ATTORNEY  
DON WALTERS, CITIZEN  
PAULA BERRY, CITIZEN  
NADINE COUSHAY, CITIZEN  
TIMOTHY TRAVIS, JUVENILE RIGHTS PROJECT  
INGRID SWENSON, METROPOLITAN PUBLIC DEFENDERS  
BILL FOGARTY, MULTNOMAH COUNTY JUVENILE DEPARTMENT  
JUDGE STEPHEN HERRELL  
JAMES O'LEARY, CLACKAMAS COUNTY DISTRICT ATTORNEY  
TERRY GUSTAFSON, CLACKAMAS COUNTY DISTRICT ATTORNEY  
DAVID SCHWABE, CITIZEN  
COLLEEN DOELL, CITIZEN  
ADELE BALIGHI, CITIZEN  
JENNIFER HATFIELD, CITIZEN  
MIKE SCHRUNK, MULTNOMAH COUNTY DISTRICT ATTORNEY  
JENNIFER HATFIELD, CITIZEN  
EDITH MINNICK, CITIZEN  
DORIS WILLISON, CITIZEN  
FRANCES BARNETT, CITIZEN  
LARRY OGLESB Y, OREGON JUVENILE DEPARTMENT DIRECTORS ASSOCIATION

012 CHAIR SPRINGER: Convenes consideration of SB 522.

019 SENATOR PHILLIPS: Testifies in support of the bill as sponsor.

053 CHAIR SPRINGER: Difference in crime charged and charging  
instrument.

No grand jury in juvenile court.

>Bill effects discretion of trial court judges.

066 PHILLIPS: First point is a policy decision.

>Second point is not considered lightly but is a policy decision as  
well.

081 TED KULONGOSKI: Testifies in support of the bill.

>Comments on judicial discretion issue.

157 MARK MCDONNELL: Testifies in support of the bill.

>Addresses Chair Springer's questions concerning discretion and  
remand.

191 TERRY GUSTAFSON: Submits and reviews written testimony in support  
of  
the bill (EXHIBIT S).

285 JIM O'LEARY: Testifies in support of the bill.

292 MIKE SCHRUNK: Submits and reviews written testimony in support of  
the  
bill (EXHIBIT H).

373 MARK MCDONNELL: Reviews charts and background information included  
in  
Schrunk testimony.

395 SEN. HAMBY: Are the statistics national?  
MCDONNELL: Yes. Continues review of statistics included in written  
testimony.

TAPE 118, SIDE B

003 MCDONNELL: Concludes testimony.

059 DON WALTERS: Submits and reviews written testimony in support of  
the  
bill (EXHIBIT I).

161 PAULA BERRY: Submits and reviews written testimony in support of  
the  
bill (EXHIBIT U).

348 JUDGE HERRELL: Testifies in opposition to the bill.

378 INGRID SWENSON: Submits and reviews written testimony in opposition  
to  
the bill (EXHIBIT M).

TAPE 119, SIDE A

033 BILL FOGARTY: Testifies in opposition to the bill.

STAFF NOTE: The following witnesses submitted written testimony only  
in  
support of the bill:

DAVID SCHWABE (EXHIBIT J).  
JENNIFER HATFIELD (EXHIBIT L).  
ADELE BALIGHI (EXHIBIT N).  
NADINE COUSHAY (EXHIBIT O).  
EDITH MINNICK (EXHIBIT P).  
DORIS WILLISON (EXHIBIT Q).  
FRANCES BARNETT (EXHIBIT T).  
COLLEEN DOELL (EXHIBIT V).

The following witnesses submitted written testimony only in opposition  
to the bill:

LARRY OGLESBY (EXHIBIT R).  
TIM TRAVIS (EXHIBIT K).

085 CHAIR SPRINGER: Recesses hearing at 3:00 pm, until 5:30 pm in  
Hearing  
Room C.

Submitted by:

Reviewed by:

Kirk Bailey  
Assistant

Karen Quigley  
Administrator

EXHIBIT LOG:

- A - Testimony on SB 867, Henry Lorenzen, 4 pages
- B - Testimony on SB 867, John McCulley, 1 page
- C - Testimony on SB 1051, Stephen Herrell, 10 pages
- D - Amendments to SB 1051, Juvenile Justice Project, 1 page
- E - Amendments to SB 1051, Stephen Herrell, 3 pages
- F - Testimony on SB 1051, Len Munks, 3 pages
- G - Amendments to SB 1051, 5 pages
- H - Testimony on SB 522, Mike Schrunk, packet
- I - Testimony on SB 522, Don Walters, 3 pages
- J - Testimony on SB 522, David Schwabe, 5 pages
- K - Testimony on SB 522, Tim Travis, 4 pages
- L - Testimony on SB 522, Jennifer Hatfield, 2 pages
- M - Testimony on SB 522, Ingrid Swenson, 5 pages
- N - Testimony on SB 522, Adele Balighi, 2 pages
- O - Testimony on SB 522, Nadine Coushay, 2 pages
- P - Testimony on SB 522, Edith Minnick, 1 page
- Q - Testimony on SB 522, Doris Willison, 1 page
- R - Testimony on SB 522, Larry OgleSB y, 1 page
- S - Testimony on SB 522, Terry Gustafson, 3 pages
- T - Testimony on SB 522, Frances Barnett, 1 page
- U - Testimony on SB 522, Paula Berry, 4 pages
- V - Testimony on SB 522, Colleen Doell, 9 pages



SENATE COMMITTEE ON  
JUDICIARY

April 21, 1993      Hearing Room C  
5:30 p.m.      Tapes 120 - 121

MEMBERS PRESENT:    Sen. Dick Springer, Chair  
                          Sen. Bob Shoemaker, Vice-Chair  
                          Sen. Jeanette Hamby  
                          Sen. Karsten Rasmussen  
                          Sen. Catherin Webber  
                          Sen. Gordon Smith

VISITING MEMBERS:  Sen. John Lim  
                          Sen. Wes Cooley  
                          Rep. Sharon Wylie

STAFF PRESENT:        Bill Taylor, Legislative Counsel  
                          Kate Wrightson, Committee Administrator  
                          Ellen L. Senecal, Committee Assistant

ISSUES DISCUSSED:    Public Hearing on SB 228, SB 813.  
                          Public Hearing and Work Session on SCR 5.  
                          Work Session on SB 692, SB 780, SB 137, SB 138,  
                          SB  
                          139 , SB 140,  
                          SB 141.

[--- Unable To Translate Graphic ---]

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TAPE 120, SIDE A

003    CHAIR SPRINGER: Opens hearing at 5:40 p.m.

PUBLIC HEARING AND WORK SESSION

SCR 5: In memoriam: Multnomah County Sheriff's Office reservists Sergeant Scott Collins and Deputy Mark Whitehead.

017    SENATOR JOHN LIM, DISTRICT 11: Submits and reviews written testimony in support of SCR 5. (EXHIBIT A)

039    SENATOR WES COOLEY, DISTRICT 28: Testifies in support of SCR

053    REP. SHARON WYLIE, DISTRICT 22: Submits and reviews written

testimony in support of SCR 5.

068 BOB SKIPPER, MULTNOMAH SHERIFF'S OFFICE: Testifies in support of SCR 5.

082 CHAIR SPRINGER: Were there survivors of both families?

SKIPPER: Each had outstanding families, but no wife and childdren.

087 CHAIR SPRINGER: Were they covered under Workers Compensation as volunteers?

SKIPPER: Yes. The Federal Statutes enables their families to receive an insurance benefit.

097 REVEREND ED STEBLE: Testifies in support of SCR 5.

110 MOTION: CHAIR SPRINGER: Moves that SCR 5 be ADOPTED and sent to the Floor with a DO PASS recommendation.

VOTE: In a roll call vote all members present vote AYE. Senator Webber is excused.

116 The motion is ADOPTED. Senator Lim will carry.

#### PUBLIC HEARING

SB 228:

Establishes procedures to stay execution of sentence for person appealing judgment of conviction.

118 TAYLOR: Gives overview of SB 228 with LC-1 amendments. (EXHIBIT C)

133 MIKE REYNOLDS, DEPARTMENT OF JUSTICE: Submits and reviews written testimony in support of SB 228. (EXHIBIT F, G)

150 DANNY SANTOS, BOARD OF PAROLE: Submits and reviews written testimony in support of SB 228. (EXHIBIT )D  
- The -1 amendments would limit the number of appeals subject to repeal for revocation for parole and post-prison supervision.

190 HARRISON LATTO, DEPARTMENT OF JUSTICE: Submits and reviews written testimony in support of SB 228. (EXHIBIT E)  
- Because of the way Standard Review is structured the prisoners have little chance of challenging the Board of Parole's decisions.  
- A prisoner can't claim abusive discretion as grounds for appeal.

CHAIR SPRINGER: How many cases a year are we talking about?

LATTO: Appelate division opens 20 new files per month.

252 CHAIR SPRINGER: When was the last time someone was successful?

255 LATTO: There have been some successes as far as the Board's rules go. No incidence where a prisoner overturned the

Board's discretion as far as advancing a parole date.

270 SEN. WEBBER: Which actions will you not have this ability to appeal now?

LATTO: The bill would limit the Board's action only to parole revocations and supervision revocation.

277 SEN. WEBBER: What would they no longer be able to appeal?

LATTO: The initial prison terms, extensions, reductions.

282 SEN. WEBBER: What time served credit issues? Would they still be subject to appeal?

SANTOS: Those aren't Board matters. Credits are under Department of Corrections.

297 REYNOLDS: Submits and reviews proposed SB 228 amendments. (EXHIBITS H, I, J)

- The first amendment to ORS 12.160 eliminates sub-section 3: the five year tolling provision for inmates, while incarcerated, to bring claims to court.

TAPE 121, SIDE A

003 REYNOLDS: Continues presentation.

107 SEN. SHOEMAKER: Is it possible to bypass the disciplinary hearing because of the inmates conduct and just put him in Intensive Management Unit (IMU)?

REYNOLDS: Not necessarily. A prisoner has to get a certain score, which is 90 points and up, to be classified maximum custody.

127 SEN. SHOEMAKER: If the rule were to be revised, so as to allow bypassing the disciplinary step, would it be subject to review under the statute?

REYNOLDS: No, it would not.

137 SEN. SHOEMAKER: When an initial decision is made about the security a prisoner will be subjected to, when he's sent to prison in the first place, is that subject to Judicial Review?

REYNOLDS: All inmates are initially given a classification upon entry to the institution. Those decisions aren't subject to judicial review.

144 SEN. SHOEMAKER: That's presumed we already occurred in the trial in the sentencing. That is coincident to the sentence they receive. Those aren't subject to judicial review?

REYNOLDS: No, there may be some concern that that will be the next step.

153 CHAIR SPRINGER: Is there any therapeutic value to allow them to use up their time and energy in the legal system?

REYNOLDS: This would provide additional activity for the inmates. With over 100 inmates in the IMU at one time we'll see more legal activity.

- 175 SALLY AVERA, STATE PUBLIC DEFENDER: Submits and reviews written testimony in opposition to SB 228-1 amendments.
- We do about 186 parole appeals per year and 90% would be eliminated.
  - An inmate who has his term extended to 24 months would not be entitled to review for that extension.
  - There should be a neutral check through the courts on the human decisions made by Parole Board Members.

256 SEN. WEBBER: Could you describe some of the cases you're talking about?

- 258 LARRY HALL, SILVERTON: Submits and reviews written testimony in opposition to SB 228-1 amendments.
- Answers Senator Webbers question
  - For years the Board said that constitutional ex post facto guarantees did not apply to the Board of Parole (BOP).
  - Pre-sentencing: the BOP will make the final decision on length of term.
  - ORS 144.28 isn't being followed.

AVERA: We have no comments on the SB 228-2 amendments and that our agency doesn't represent inmates on appeal of disciplinary matters.

420 LATTO: In Balfour briefs if an Attorney representing an indigent client sees no maratorious grounds for an appeal he'll step aside and let the inmate represent himself.

TAPE 120, SIDE B

010 AVERA: We attempted to file Balfour briefs in parole cases in the past but were rejected by former Chief Judge George Joseph.

013 REYNOLDS: There's no intention in these proposals to deprive inmates of the right to seek judicial review when their constitutional rights are at stake.

SB 813:

Provides that acriminal impersonation of peace officer is punishable by maximum of five years imprisonment, \$100,000 fine or both.

028 DAN NOELLE, PORTLAND POLICE BUREAU: Testifies in support of SB 813.

- There is tremendous risk when someone can use a fake police badge and I.D. to gain control of another.
- This crime should be higher than a Class A misdemeanor.

060 LES YOUNGBAR, OREGON ASSOCIATION CHIEFS OF POLICE: Submits and reviews testimony in support of SB 813. (EXHIBIT M, L)

- Submits proposed SB 813-1 amendments.

088 SEN. WEBBER: How many prison beds are we talking?

NOELLE: Your talking about class C felony and I'm not concerned about beds. This is more a matter of trust in people with badges and I.D. cards.

093 SEN. WEBBER: The jail keepers won't say this has a significant financial impact

NOELLE: No.

097 TAYLOR: THE relating clause may be to narrow and Section 3 too broad. We may have to change it relating to law enforcement

108 CHAIR SPRINGER: It seems more law enforcement is being done in plain clothes. Is this creating a more suseptible position for public?

NOELLE: There are more plain clothed officers, but the issue has to do more with fact that non-police people would be able to imitate based on TV or other observtions.

#### WORK SESSION

SB 780:

Authorizes board of community college district of 300,000 or more population to establish law enforcement agency for security purposes.

134 TAYLOR: Gives overview of SB 780-1 amendments, which are almost same as last one. (EXHIBIT N)

MOTION: SEN. WEBBER: Moves to ADOPT the SB 780-1 amendments.

VOTE: Hearing no objection the amendments are ADOPTED.

182 MOTION: SEN. WEBBER: Moves that SB 780 AS AMENDED be sent to the Floor with a DO PASS recommendation.

VOTE: In a roll call vote all members present vote AYE.

The motion is ADOPTED. SEN. WEBBER will carry.

199 CHAIR SPRINGER: You were excused when we voted on SCR 5. Would you like to be recorded as an AYE vote?

SEN. WEBBER: Yes.

SB 1043:

Adopts amendments to specified rules of State Sentencing Guidelines Board.

200 TAYLOR: Gives overview on SB 1043-1 amendments. (EXHIBIT 0)

224 MOTION: CHAIR SPRINGER: Moves to ADOPT the SB 1043-1 amendments.

VOTE: Hearing no objection the amendments are ADOPTED.

226 MOTION: CHAIR SPRINGER: Moves that SB 1043 AS AMENDED be sent to the Floor with a DO PASS recommendation.

VOTE: In a roll call vote all members present vote AYE.

232 The motion is ADOPTED. CHAIR SPRINGER will carry.

SB 137:

Allows State Board of Parole and Post-Prison Supervision to discharge parolee if parolee has substantially complied with conditions of parole.

SB 138:

Provides that Department of Corrections shall determine probation violations and impose sanctions for violations.

SB 139:

Modifies allocation formula for community corrections enhancement grants.

SB 140: Modifies definitions of various crimes of theft.

248 TAYLOR: The SB 139-2 amendments put the whole package into one bill. Gives overview of the amendments. (EXHIBIT P) There is also the SB 139-3 amendments, which relate to SB 692. (EXHIBIT Q)

353 MOTION: CHAIR SPRINGER: Moves to ADOPT the amendments in Section 27 of the SB 139-2 amendments.

VOTE: Hearing no objection the amendments are ADOPTED.

360 TAYLOR: Continues overview of amendments.

375 MOTION: CHAIR SPRINGER: Moves to ADOPT the amendments in Section 30 of the SB 139-2 amendments.

VOTE: Hearing no objection the amendments are ADOPTED.

382 TAYLOR: Continues overview.

393 SEN. SHOEMAKER: The drafting problem of SB 139-2 on line 18, page 3: We were going to change that to "inactive". It still reads "unsupervised".

ELYSE CLAWSON, DEPARTMENT OF CORRECTIONS: I recommend that it be changed to "inactive".

415 MOTION: SEN. SHOEMAKER: Moves to correct and ADOPT Line 18, page 3 "unsupervised" to "inactive".

VOTE: Hearing no objection the correction is ADOPTED.

TAPE 121, SIDE B

003 CHAIR SPRINGER: I don't think we should move SB 141 into the corrections package.

026 MOTION: CHAIR SPRINGER: Moves to ADOPT the SB 139-3 amendments.

VOTE: Hearing no objection the amendments are ADOPTED.

030 MOTION: CHAIR SPRINGER: Moves to ADOPT the SB 139-2 amendments as further amended.

VOTE: Hearing no objection the amendments are ADOPTED.

035 MOTION: CHAIR SPRINGER: Moves that SB 139 AS AMENDED be sent to Ways and Means WITHOUT RECOMMENDATION TO PASSAGE.

040 SEN. G. SMITH: Alot of excellent work has been done, I have a problem with SB 140.

050 SEN. RASMUSSEN: I'll vote to send it to Ways & Means, but I won't vote for it on the Floor.

063 VOTE: In a roll call vote all members present vote AYE. Sen. Smith votes NAY.

067 The motion is ADOPTED.

073 CHAIR SPRINGER adjourns hearing at 7:05 p.m.

Submitted by:

Reviewed by:

Ellen L. Senecal  
Assistant

Bill Taylor  
Administrator

#### EXHIBIT LOG

- A - Testimony on SCR 5-Senator Lim-2 pgs.
- B - Testimony on SCR 5-Rep. Wylie-1 pg.
- C - Proposed SB 228-1 amendments-staff-1 pg.
- D - Testimony on SB 228-Danny Santos-1 pg.
- E - Testimony on SB 228-Harrison Latta-3 pgs.
- F - Testimony on SB 228-Micheal Reynolds-2 pgs.
- G - Testimony on SB 228-Micheal Reynolds-1 pg.
- H - Proposed amendments to SB 228-Micheal Reynolds-1 pg.
- I - Testimony on SB 228-Micheal Reynolds-3 pgs.
- J - Testimony on SB 228-Micheal Reynolds-1 pg.
- K - Testimony on SB 228-Larry Hall-3 pgs.
- L - Proposed SB 813-1 amendments-staff-2 pgs.
- M - Testimony on SB 813-Les Youngbar-3 pgs.
- N - Proposed SB 780-1 amendments-staff-2 pgs.
- O - Proposed SB 1043-1 amendments-staff-1 pg.
- P - Proposed SB 139-2 amendments-staff-30 pgs.
- Q - Proposed SB 139-3 amendments-staff-1pg.
- R - Testimony on SB 692-Art Martinak-1 pg. \*
- S - Testimony on SB 692-Paul Snider-4 pgs. \*

\* Submitted written testimony only.