

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.

Measures Heard SB 505 (WRK) SB 372 (WRK) SB 570 (PUB & WRK) SB 193 (PUB) SB 133 (WRK) SB 211 (WRK) SB 214 (WRK) SB 215 (WRK) SB 216 (WRK) SB 376 (WRK) SB 638 (PUB)

SENATE COMMITTEE ON THE JUDICIARY

March 13, 1991 Hearing Room C 1:15 p.m. Tapes 60 - 61

MEMBERS PRESENT: SEN. JOYCE COHEN, CHAIR SEN. JIM HILL, VICE CHAIR SEN. PETER BROCKMAN SEN. JIM BUNN SEN. JEANNETTE HAMBY SEN. BOB SHOEMAKER SEN. DICK SPRINGER

STAFF PRESENT: BILL TAYLOR, COMMITTEE COUNSEL INGRID SWENSON, COMMITTEE COUNSEL MARK THORBURN, COMMITTEE ASSISTANT

WITNESSES: PETER HARVEY, CITY MANAGER OF LAKE OSWEGO GLEN RADER, OREGON STATE POLICE SHIRLEY BENSON, OREGON STATE SNOWMOBILE ASSOCIATION LARRY MCCALL, OREGON ALL TERRAIN VEHICLE ASSOCIATION CHARLES WILLIAMSON, OREGON TRIAL LAWYERS ASSOCIATION DAN HARTMAN, RISK MANAGEMENT DIVISION OF THE DEPARTMENT OF GENERAL SERVICES VERN FAATZ, CHAIRMAN OF THE BOARD OF PAROLE AND POST-PRISON SUPERVISION CINDY BURGESS, STAFF MEMBER OF BOARD OF PAROLE AND POST-PRISON SUPERVISION JOHN BRADLEY, MULTNOMAH COUNTY DISTRICT ATTORNEY'S OFFICE CHARLES KARL, PORTLAND POLICE BUREAU RICHARD STEIN, OREGON STATE POLICE LLOYD ATHEARN, MEMBER OF REPRESENTATIVE VERA KATZ' STAFF JOHN NICHOLS, OREGON STATE SHOOTING ASSOCIATION

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TAPE 60, SIDE A

025 CHAIR COHEN: Calls meeting to order at 1:15 p.m.

SB 505

027 BILL TAYLOR, COMMITTEE COUNSEL: Current law limits liability of manufacturers, distributors, and suppliers of electronic signaling devices for wilderness travel and mountaineering. There's a sunset clause in that statute. SB 505 would remove that sunset provision. There are no amendments proposed.

034 CHAIR COHEN: We have a note from Senator Hamby indicating that the proponents do not favor making use of the devices for minors mandatory.

042 MOTION: Senator Hill moves SB 505 to the floor with a "do pass" recommendation.

046 VOTE: Motion passes unanimously; Senators Brockman, Bunn, and Hamby excused.

050 SEN. SHOEMAKER: May I carry that?

051 CHAIR COHEN: Yes.

SB 372

052 TAYLOR: The bill would make available to victims of crime the same materials and information that is provided to a criminal defendant when the victim is seeking a civil suit against the criminal defendant. There are amendments (Exhibit A) which limit the to motor vehicle accidents where the defendant is alleged to have been under the influence of alcohol or drugs. Amendments drafted by the OTLA and the Marion County District Attorney. The D.A's do not object to the amendment. The criminal defense lawyers do not object to the bill (Exhibit B).

069 SEN. SHOEMAKER: Do we have a hand engrossed version of the bill with the amendments?

070 CHAIR COHEN: No. Asks Bill Taylor to explain amendments.

072 TAYLOR: Explains amendments.

081 CHAIR COHEN: What kind of reports are we talking about?

082 TAYLOR: Police reports.

083 CHAIR COHEN: Their talking about the basic reports instead of all of the materials in the file in cases of automobile collisions, DUII, or drugs.

095 CHARLES WILLIAMSON, OREGON TRIAL LAWYERS ASSOCIATION: The amendments put the bill back to what the measure summary said.

- Nothing precludes the District Attorney from giving out reports; the bill requires it in particular cases.

- An automobile collision under the amendment includes one car - pedestrian collisions.

- Have a letter from MADD (Exhibit C).

109 MOTION: Sen. Hill moves the amendments.

111 CHAIR COHEN: Calls for objections; hearing none, so ordered; Senators Brockman, Bunn, and Hamby excused.

112 MOTION: Sen. Hill moves SB 372 to the floor with a "do pass" recommendation.

117 VOTE: Motion passes unanimously; Senators Brockman, Bunn, and Hamby excused.

SB 570

124 CHAIR COHEN: Brief comments on the bill.

131 PETER HARVEY, CITY MANAGER OF LAKE OSWEGO: Paraphrases Exhibit D.

167 CHAIR COHEN: We've asked the counties to come forward to let us know what their doing with that money; they're working to get their final tallies.

176 SEN. SPRINGER: Do you have comparable figures for Multnomah County?

179 HARVEY: It's \$40 or \$50. About three percent of our population lives in Multnomah County.

188 CHAIR COHEN: Asks for objections to having a work session.

192 MOTION: Sen. Hill moves SB 570 to the floor with a "do pass" recommendation.

194 VOTE: Motion passes unanimously; Senators Brockman, Bunn, and Hamby excused.

198 CHAIR COHEN: Asks Sen. Springer if he'll carry the bill.

199 SEN. SPRINGER: Yes.

SB 193

212 CHAIR COHEN: Brief comments on the bill and the witnesses.

226 GLEN RADER, OREGON STATE POLICE: Paraphrases Exhibit E.

249 SEN. SPRINGER: Why is the bill limited to offenses that occur on public land as opposed to premises open to the public?

255 RADER: These vehicles are not permitted on public highways on areas such as parking lots. They operate on those areas described on Chapter 821 of the Motor Vehicle Code and on public lands.

263 SEN. SPRINGER: What about private lands?

265 RADER: If operating on your own private property, this law will not apply.

268 SEN. SHOEMAKER: Or on anyone else's private property.

272 RADER: That's correct.

274 SEN. BUNN: If I drink and drive in my pickup in my field, I'm not violating the law, am I?

276 RADER: That's correct.

278 SEN. BUNN: There's another bill dealing with a similar situation, but with boating. Do you see any problem to include boating with this bill?

284 CHAIR COHEN: This bill came from the Senate Transportation Committee and we don't want to amend.

289 SEN. BUNN: Understands the problem.

293 CHAIR COHEN: Will have Ingrid Swenson explain why the bill is before this committee.

296 SEN. HILL: Do our driving under the influence laws cover this type of vehicles?

298 RADER: Yes.

300 CHAIR COHEN: Comments on why this committee is reviewing this bill subsequent to the Transportation Committee.

306 INGRID SWENSON, COMMITTEE COUNSEL: This bill tracks the open container violation for motor vehicles at 811.170 of the vehicle code (Exhibit Q). Explains differences.

318 SEN. SHOEMAKER: Why aren't snowmobiles within definition of motor vehicles?

321 SWENSON: They're not vehicles that use the public highways.

326 RADER: Class One vehicles, Class Three vehicles, and snowmobiles are not allowed on the public highway.

337 SEN. HILL: When people go on long hunting trips, before coming home, they either finish drinking or pour out whatever they've opened because they can't take the open container back. Was this thought about?

353 RADER: As long as container has not been opened, it's O.K. to transport on their vehicle. Can bring back empty containers. But cannot transport a half empty bottle of an alcoholic beverage.

362 SEN. HILL: Concerned about fact that person violates the law if he takes out an alcoholic beverage, does not become intoxicated, and brings the rest of the beverage back. Intoxication should be the issue, not whether there's an open container.

394 LARRY MCCALL, OREGON ALL TERRAIN VEHICLE ASSOCIATION: (Exhibit F). Some of the things that you're discussing could also happen to a driver of an automobile. Cites example. Need to trust the officer's discretion. The intent is to stop drinking while operating.

422 SEN. HILL: But they'd already be guilty of a violation if they're driving while intoxicated.

426 RADER: That's correct. Cites example of the problem that they're trying to address.

442 SEN. SPRINGER: Wants language "premises open to the public" and explains why.

463 CHAIR COHEN: We'll keep that in consideration; suggests Sen. Springer consult with proponents about that.

467 SEN. SPRINGER: Would check with Senator Dukes to see if she has any strong feelings about that.

471 CHAIR COHEN: Invites comments from Larry McCall.

478 MCCALL: We'd have no problem with that additional language.

TAPE 61, SIDE A

035 SHIRLEY BENSON, OREGON STATE SNOWMOBILE ASSOCIATION: Likes the bill (Exhibit G). Concerned that, for insurance purposes, when one gets a ticket on a snowmobile, the ticket does not indicate that it was on a

snowmobile.

047 CHAIR COHEN: Did you raise this issue with the Transportation Committee?

048 BENSON: No.

049 SEN. BUNN: If I cite someone for careless or reckless driving in a boat, that does not go on their automobile driving record. Why is it different for a snowmobile?

052 BENSON: It's just always been that way.

057 CHAIR COHEN: We'll explore that.

059 SEN. HAMBY: Do we have that many more ATV's than snowmobiles? Is that the difference in the number of tickets?

063 BENSON: Lack of enforcement, we do not have the numbers of ATV's, and we're spread state-wide while the use of ATV's is concentrated to geographic two areas.

SB 133

073 SWENSON: Explains the bill. It has a fiscal impact. There is a hand engrossed bill (Exhibit H) including amendments from the Children's Services Division (Exhibit I).

085 CHAIR COHEN: And there was no opposition to the bill?

087 SWENSON: That's correct. There was question relating to language, but proponents conferred with others and decided that it was satisfactory.

093 CHAIR COHEN: Does this go to Ways and Means? Who's going to carry this bill?

096 SEN. SPRINGER: Senator Bunn.

099 SEN. HILL: The amendments?

100 CHAIR COHEN: We need to adopt the amendments.

101 SWENSON: Identifies the amendments as Exhibit I.

102 MOTION: Sen. Hamby moves the amendments.

103 CHAIR COHEN: Sen. Hamby has moved the amendments contained in Exhibits H and I.

107 SWENSON: Explains why set of amendments from Legislative Counsel are not available. That's not the correct version.

110 SEN. HILL: These aren't any good?

111 SWENSON: That's correct.

112 CHAIR COHEN: We're talking about the 281 revised. Calls for objections to motion; hearing none, so ordered.

119 SEN. BUNN: The amendments deal with personal injury, but not with property. Did the original bill deal with property loss?

121 SWENSON: The 1989 legislation dealt with property damage only; this

measure extends this to personal injury and includes the 18 to 21 year olds.

126 SEN. BUNN: Cites example of person who's car was damaged by a MacLaren inmate.

128 CHAIR COHEN: MacLaren is different from foster parent operation.

129 SEN. BUNN: Just seeking a clarification.

134 SEN. HAMBY: Cites example of someone was personally injured by a foster child.

136 MOTION: Sen. Hamby moves SB 133 to Ways and Means with a "do pass" recommendation.

139 SEN. SPRINGER: Refers to language stating that bodily injury to foster parents is limited to actual and incurred damages. Are they limited or prohibited from collecting any future damages, like future medical bills?

149 CHAIR COHEN: Doesn't think this is a limitation on liability.

152 SWENSON: I believe it is a limitation.

156 DAN HARTMAN, RISK MANAGEMENT DIVISION OF THE DEPARTMENT OF GENERAL SERVICES: We helped draft the bill and we interpret the words "actual and incurred" as meaning that it has to be something they actually incurred. There is a limit of \$5000, but there is no time limit.

164 CHAIR COHEN: If they collected from you the \$5000, are they then prohibited from going to court and trying to get something more serious?

170 HARTMAN: Under the bill, if the act was due to an intentional, wilful, or malicious act of the child, then the \$5000 limit does not apply; our tort limits do. The \$5000 is strictly no-fault.

178 SEN. SHOEMAKER: If the damage was intentional, then bill would not apply?

182 CHAIR COHEN: Just the regular court damage. \$100,000.

183 SEN. SHOEMAKER: Language in section 2(b) of the bill seems to say that the bill applies only when the damage was intentionally done.

196 HARTMAN: Section 2 has always been there. Subsection 4 is a new, no-fault coverage. Under the old law, Risk Management would pay only if the child had intentionally caused the loss and that caused a problem because there are children that, under a certain age, cannot form the intent to injure someone. That led to the no-fault coverage in Subsection 4. If damage or injury was intentionally caused, we pay up to the limits. If it wasn't intentional, but to a foster parent, subsection 4 is triggered in.

212 SEN. SHOEMAKER: So we're also amending Section 2.

216 SWENSON: The bill contains a number of stylistic changes made by Legislative Counsel to reorganize the material.

223 SEN. SPRINGER: Afraid we'll still have folks such as those Sen. Hamby described who might still not be able to recover.

228 CHAIR COHEN: So you'd be limited by the tort claim?

229 SEN. SPRINGER: Yes.

230 CHAIR COHEN: And that's existing

231 SEN. SPRINGER: Right.

235 CHAIR COHEN: Doesn't think there is a problem. This allows additional flexibility to include property in addition to personal damages.

249 SEN. SHOEMAKER: Where does the bill say no-fault?

251 CHAIR COHEN: Invites comments from witness.

257 HARTMAN: Second page, beginning at line 5, section 4, is the no-fault section. Intent and negligence are irrelevant.

270 SEN. SHOEMAKER: It does not read as a qualification or exception to the requirement of subsection 2(b) that the damages be intentional.

276 HARTMAN: That's certainly how we're

277 SEN. SHOEMAKER: But that's what's intended though.

278 SWENSON: It does specifically refer to subparagraphs a and c.

279 SEN. SHOEMAKER: Maybe it follows.

281 CHAIR COHEN: Asks Sen. Shoemaker to check with Legislative Counsel.

290 SWENSON: Will ask Legislative Counsel about this part.

294 CHAIR COHEN: We're ready for a motion with the caveat that Ingrid Swenson that checks with Legislative Counsel about the part that seems to be confusing.

302 SEN. SHOEMAKER: Might instead have a discussion with Ingrid Swenson about it after reading the bill carefully.

305 CHAIR COHEN: Urges committee members to read bills ahead of time.

- Back to Sen. Hamby's motion to move SB 133 as amended to Ways and Means with a "do pass" recommendation.

329 VOTE: Motion passes by vote of 6 to 1; Sen. Springer voting no.

SB 211

339 CHAIR COHEN: The bill has been merged with SB 214.

343 SWENSON: Refers to hand engrossed amendments (Exhibit J) which combines SB 211 and SB 214. Explains what the bill does. It has an insignificant, but indeterminate, fiscal impact.

363 CHAIR COHEN: So the hand engrossed includes 214-1 and 211-1.

373 SEN. HILL: Clarifies Chair Cohen's comments.

382 CHAIR COHEN: We want to adopt SB 211-1

385 MOTION: Sen. Hill moves the adoption of the 211-1 amendments.

388 SWENSON: And 214-1.

389 CHAIR COHEN: And 214-1.

390 SWENSON: Explains that 214-1 was incorporated into 211-1, so it's necessary to pass both.

397 SEN. HILL: So moved.

398 CHAIR COHEN: Explains motion. Calls for objections; hearing none, so ordered.

411 MOTION: Sen. Hill moves SB 211 to the floor with a "do pass" recommendation.

416 SEN. SHOEMAKER: Reminds committee of Vern Faatz' earlier testimony that the bill might be ex post facto (Exhibit K).

433 VERN FAATZ, CHAIRMAN OF THE BOARD OF PAROLE AND POST-PRISON SUPERVISION: Defers to Cindy Burgess.

443 CHAIR COHEN: We need further elaboration so we can sense what you need to do and then overlay that with Cindy Burgess' comments.

TAPE 60, SIDE B

016 FAATZ: SB 211 was designed to close a loophole in the statute that allowed persons to be released up to six months early in those circumstances when the Board did not set a release date. Cites example of when the loophole might occur.

- Discusses testimony from an inmate group objecting to the bill (Exhibit M).

040 CHAIR COHEN: So they have been taking advantage of your refusal to set a parole date and getting out six months ahead of time.

043 FAATZ: There are circumstances when the good time date is changed. Cites example.

054 CHAIR COHEN: So the difference is that they can be released only two days early as opposed to six months?

055 FAATZ: If this is implemented, that is correct.

057 SEN. SHOEMAKER: Wants Cindy Burgess' input.

062 CINDY BURGESS, STAFF MEMBER OF BOARD OF PAROLE AND POST- PRISON SUPERVISION: Explains Oregon Court of Appeals case of Williams v. Board of Parole. The statute does need amending.

082 SEN. SHOEMAKER: As the bill stands, it's ex post facto?

086 BURGESS: Yes.

087 SEN. SHOEMAKER: Not too comfortable with that.

088 CHAIR COHEN: Please restate concern.

089 SEN. SHOEMAKER: The odds are that the bill is unconstitutional.

094 CHAIR COHEN: Maybe we should do nothing and pass SB 214-1 as it is.

103 FAATZ: We need to look at the bill again.

111 CHAIR COHEN: The Chair concerned about last minute surprises at work sessions. Do you want SB 214 as it stands separately?

123 FAATZ: We gave it to you separately; we did not blend the two together.

125 CHAIR COHEN: Do you want SB 214?

128 FAATZ: Would prefer to proceed and to work more on SB 211.

131 WITHDRAWAL OF MOTION: Sen. Hill withdraws motion.

132 CHAIR COHEN: Sets SB 211 over.

SB 214

133 CHAIR COHEN: Comments on passing SB 214 by itself. There are amendments offered (Exhibit M).

137 SWENSON: Refers to Exhibit M.

139 CHAIR COHEN: The amendments need approval. Asks Ingrid Swenson for explanation of the amendments.

147 SWENSON: The amendments require substantial compliance with the conditions of parole rather than exemplary behavior. The amendments also delete section two of the bill.

157 CHAIR COHEN: Asks Sen. Springer if deletion of section two takes care of his concerns.

159 SEN. SPRINGER: Has no problems with that.

160 CHAIR COHEN: Sen. Hill?

161 SEN. HILL: No.

162 MOTION: Sen. Bunn moves the dash one amendments.

163 CHAIR COHEN: Calls for objections; hearing none, so ordered.

164 MOTION: Sen. Bunn moves SB 214 as amended to the floor with a "do pass"

recommendation.

167 VOTE: Motion passes unanimously.

SB 215

174 SWENSON: The bill permits psychologists and psychiatrists to perform dangerous offender examinations and transfers responsibility from the Oregon State Hospital to the Board of Parole and Post-Prison Supervision for performing and funding those examinations. It has a Ways and Means referral.

184 CHAIR COHEN: There are no amendments.

187 SEN. SHOEMAKER: Did the psychiatrists have any problem with the bill?

189 SWENSON: Did not hear from them. Psychologists are authorized to

perform the initial examination at the request of the court to determine if the person is a dangerous offender and this bill would conform to that.

194 MOTION: Sen. Bunn moves SB 215 to Ways and Means with a "do pass" recommendation.

197 VOTE: Motion passes unanimously.

SB 216

206 SWENSON: Refers to amendments contained on Exhibit N. This bill extends the authority of the Board of Parole and Post-Prison Supervision to grant early release to persons sentenced who are suffering from severe medical conditions. Has a minimal fiscal impact.

221 SEN. SHOEMAKER: Do we have amendments to remove the terminal illness reference.

224 SWENSON: Yes. The Board decided that the term "severe medical condition" was more appropriate.

230 SEN. BUNN: Supports the change, but wants phrase "terminal illness" in.

235 SEN. SPRINGER: Not sure what "severe medical condition" means.

- Are these people going to find themselves out in the community with no access to health care except public assistance?

246 SEN. HAMBY: Cites example of Alzheimer's.

249 SEN. BUNN: It's very few cases; there's no major worry that it's abused. Talking about terminal cases; should leave that language in the statute.

258 SEN. SHOEMAKER: The phrase "terminal illness" is not clear.

270 SEN. BUNN: Whatever term we use, we're leaving it to their discretion. Since we're not defining either, not taking away anything if we leave the term "terminal illness" in; believes the term is closer to what we're trying to do.

281 CHAIR COHEN: In the original SB 216, the line 10, sub b, indicates that it doesn't have to be a terminal illness.

288 SEN. HAMBY: Can't classify Alzheimer's as a terminal illness.

290 SEN. SHOEMAKER: Present law reads just "a severe medical condition."

294 SEN. BUNN: Doesn't want to eliminate the phrase "terminal illness" from line 21.

303 SEN. SHOEMAKER: For consistency, they should read the same.

308 CHAIR COHEN: Yes.

- Let's ask Vern Faatz.

313 FAATZ: Our intent was to set aside the gun minimum in certain cases where there was a severe medical illness and the person clearly was one who, for humanitarian reasons, should be moved from the prison at a date

set earlier than the minimum term. Cites examples.

- Have had in ORS 144.122 the language "severe medical condition" for a long time.

371 CHAIR COHEN: ORS 144.122 is pre-guidelines; ORS 144.126 is after guidelines. And ORS 161.610 is the gun minimum?

374 FAATZ: That's correct.

377 CHAIR COHEN: Are we doing anything ex post facto if we change the pre-guidelines language?

379 FAATZ: This change is to the benefit to the offender.

383 CHAIR COHEN: What about people being dumped out of institutions with no medical care?

392 FAATZ: That has never happened. Those who have left had resources on the outside.

399 SEN. SPRINGER: Would think most folks would be indigent.

402 FAATZ: Many are. Resources include family and hospice.

416 SEN. SHOEMAKER: They're going to be on public aid whether they are in prison or Medicaid.

422 CHAIR COHEN: What's the pleasure of the committee?

428 MOTION: Sen. Shoemaker moves the dash one amendments.

440 CHAIR COHEN: Calls for objections.

446 SEN. HILL: So we'll stick to deleting the term "terminal illness?"

447 SEN. SHOEMAKER: That's right.

449 CHAIR COHEN: Calls for further objections.

452 SEN. HILL: Wants language "terminal illness" kept in.

457 CHAIR COHEN: Then we ought to include language "including terminal illness" in both line 10 and line 21.

- Calls for objections to doing that.

487 SEN. SHOEMAKER: None so long as legislative record is clear that we mean terminal and close to death. Cites example of SB 494.

492 CHAIR COHEN: Comments on SB 494.

TAPE 61, SIDE B

037 SEN. SHOEMAKER: Not sure that the definitions in SB 494 will apply to this bill. When voting, it's with understanding of what "terminal illness" means.

041 CHAIR COHEN: "That is to say, for the record, that they could release someone who had a severe medical condition, not including a fatal illness."

- Calls for objections to the Chair's amendments. Hearing none, so ordered.

048 MOTION: Sen. Shoemaker moves SB 216 to the floor with a "do pass" recommendation.

051 VOTE: Motion passes unanimously; Sen. Bunn excused.

SB 376

058 CHAIR COHEN: Sen. Bunn has asked that we wait to do this bill until he comes back. Let's do SB 638 and see how far we go.

SB 638

071 JOHN BRADLEY, MULTNOMAH COUNTY DISTRICT ATTORNEY'S OFFICE: Supports the bill.

- The bill makes discharging a firearm from a vehicle within a city that has a population in excess of 15,000 a Class C felony. Explains the reason behind the 15,000 figure. Explains other exceptions contained in the bill.

- Doesn't think the bill should contain, on line 14, the phrase "or property."

- The bill closes a loophole in the law.

138 CHARLES KARL, PORTLAND POLICE BUREAU: Has statistics on drive-by shootings and weapons charges. Supports the bill. Suggests that, on line 9, statement be included regarding the discharge of firearms on a public right-of-way in a city.

182 SEN. HAMBY: Regarding the size of the city, what is your preference?

187 KARL: Hates any such limitation.

197 SEN. SHOEMAKER: Why limit it to a city?

201 BRADLEY: Explains why it is limited to cities. No opposition to making it state-wide.

216 SEN. SHOEMAKER: Don't know if want to prohibit road hunting.

217 BRADLEY: But they're exempted in line 15.

220 CHAIR COHEN: There were people two years ago who were concerned about the ability to fire off a gun. Comments on how the committee may proceed with the limitations.

240 RICHARD STEIN, OREGON STATE POLICE: Paraphrases Exhibit O.

314 SEN. HAMBY: Appreciates comment about Aloha.

324 LLOYD ATHEARN, MEMBER OF REPRESENTATIVE VERA KATZ' STAFF: Representative Katz supports the bill. Doubts she has any objections to eliminating the 15,000 population or city limits restrictions. Explains basis for support.

359 JOHN NICHOLS, OREGON STATE SHOOTING ASSOCIATION: Wants the bill to apply state-wide and then have a laundry list of exemptions. Met with person before hearing about and discussed amendment adding a new

subsection c that will cover his concerns.

388 CHAIR COHEN: Urges witness to work with John Bradley and Ingrid Swenson.

- Committee's consensus seems to favor state-wide application.

405 SEN. BROCKMAN: The 15,000 limit is silly.

412 SEN. SHOEMAKER: The wording in the bill of "firing at" any person, etc., might not accommodate random shooting. Wants that covered.

417 NICHOLS: The amendments are still in rough draft form.

BILL INTRODUCTION

425 CHAIR COHEN: LC 3954 from the Banker's Association. Calls for objections. Hearing none, so ordered; Sen. Bunn excused.

SB 376

435 CHAIR COHEN: We'll take up this bill another day.

- Adjourns at 3:05 p.m.

Submitted by:

Reviewed by:

Mark Thorburn

Committee Counsel

Ingrid Swenson Committee Assistant

EXHIBIT LOG:

A - Amendments to SB 372 (i.e., 372-2) - Committee Staff - 1 page
B - Letter in Support of SB 372 - Committee Staff - 1 page
C - Letter in Support of SB 372 - Charles Williamson - 1 page
D - Testimony on SB 570 - Peter Harvey - 1 page
E - Testimony on SB 193 - Glen Radar - 3 pages F - Testimony
on SB 193 - Larry McCall - 1 page G - Resolution in Support of SB
193 - Shirley Benson - 1 page H - Hand Engrossed Version of SB 133
w/ Amendments - Committee Staff - 2 pages I - Amendments to SB 133
- Committee Staff - 1 page J - Hand Engrossed Version of SB 211 w/
Amendments - Committee Staff - 1 page K - Testimony on SB 211 -
Vern Faatz - 3 pages L - Testimony on SB 211 - Inmate Legislative
Committee - 3 pages M - Hand Engrossed Version of SB 214 w/
Amendments - Committee Staff - 1 page N - Hand Engrossed Version
of SB 216 w/ Amendments - Committee Staff - 1 page O - Testimony
on SB 638 - Richard Stein - 4 pages Q - Copy of ORS 811.170 -
Committee Staff - 1 page

MATERIALS PRESENTED TO COMMITTEE, BUT NOT REFERRED TO DURING HEARING:

P - Testimony on SB 193 - Richard Lulay - 2 pages
R - Testimony on SB 638 - David Whitlow - 1 page S - Copy of
ORS 166.180 et. seq. - Committee Staff - 9 pages