

OFFICERS OF THE SENATE

PETER COURTNEY, President

LENN HANNON, President Pro Tempore

JUDY HALL, Secretary of the Senate

SENATE CAUCUS LEADERS

BEV CLARNO, Republican Leader*

KATE BROWN, Democratic Leader

ROGER BEYER, Republican Leader**

GINNY BURDICK, Deputy Democratic Leader

ROGER BEYER, Assistant Republican Leader

RICHARD DEVLIN, Assistant Democratic Leader

KEN MESSERLE, Assistant Republican Leader

TONY CORCORAN, Democratic Whip

JASON ATKINSON, Republican Whip

* Resigned as Republican Leader 07/28/03

** Succeeded to Republican Leader 07/28/03

SENATE DESK PERSONNEL

ROBIN WILTON, Publications Coordinator

JAMES GOULDING, Reading Clerk

CYNDY JOHNSTON, Calendar Composer

CERTIFICATE OF APPROVAL

We, the undersigned, having supervised the revision of the Journal and Status Report of the Senate covering the Regular Session of the Seventy-second Legislative Assembly, hereby certify that such Journal and Status Report are correct to the best of our information and belief.

Dated at Salem the 12th day of January 2004.

PETER COURTNEY
President of the Senate

JUDY HALL
Secretary of the Senate

SENATORS' ADDRESSES - REGULAR SESSION - 2003

Atkinson, Jason	P.O. Box 1704, Grants Pass, OR 97528	Rep	2
Beyer, Roger	39486 S. Cooper Rd., Molalla, OR 97038	Rep	9
Brown, Kate	900 Court St. NE, S-323, Salem, OR 97301	Dem	21
Burdick, Ginny	4641 SW Dosch Rd., Portland, OR 97201	Dem	18
Carter, Margaret	3939 NE MLK Blvd., Portland, OR 97212	Dem	22
(1) Clarno, Beverly	P.O. Box 7970, Bend, OR 97708	Rep	27
Corcoran, Tony	34475 Kizer Creek Rd., Cottage Grove, OR 97424	Dem	4
Courtney, Peter	2925 Island View Drive N., Salem, OR 97303	Dem	11
Deckert, Ryan	P.O. Box 2247, Beaverton, OR 97075	Dem	14
Devlin, Richard	10290 SW Anderson Ct., Tualatin, OR 97062	Dem	19
Dukes, Joan	900 Court St. NE, Room S-318, Salem, OR 97301	Dem	16
Ferrioli, Ted	750 West Main, John Day, OR 97845	Rep	30
Fisher, Bill	268 Akin Lane, Roseburg, OR 97470	Rep	1
George, Gary	15195 NE Ribbon Ridge Rd., Newberg, OR 97132	Rep	12
Gordly, Avel	10809 NE Fremont, Portland, OR 97220	Dem	23
Hannon, Lenn	240 Scenic Drive, Ashland, OR 97520	Rep	3
Harper, Steve	7121 Sierra Place, Klamath Falls, OR 97603	Rep	28
Messerle, Ken	94271 Coos Sumner Lane, Coos Bay, OR 97420	Rep	5
Metsger, Rick	P.O. Box 287, Welches, OR 97067	Dem	26
Minnis, John	P.O. Box 790, Fairview, OR 97024	Rep	25
Morrisette, Bill	348 G Street, Springfield, OR 97477	Dem	6
Morse, Frank	221 NW 2 nd St., Corvallis, OR 97330	Rep	8
Nelson, David	1407 NW Horn Avenue, Pendleton, OR 97801	Rep	29
Ringo, Charlie	4085 SW 109 th Avenue, Beaverton, OR 97005	Dem	17
Schrader, Kurt	2525 N. Baker Drive, Canby, OR 97013	Dem	20
Shields, Frank	P.O. Box 20356, Portland, OR 97294	Dem	24
Starr, Bruce	22115 NW Imbrie Dr. #290, Hillsboro, OR 97124	Rep	15
Starr, Charles	8330 SW River Rd., Hillsboro, OR 97123	Rep	13
Walker, Vicki	P.O. Box 10314, Eugene, OR 97440	Dem	7
(2) Westlund, Ben	20590 Arrowhead Drive, Bend, OR 97701	Rep	27
Winters, Jackie	P.O. Box 126, Salem, OR 97308	Rep	10

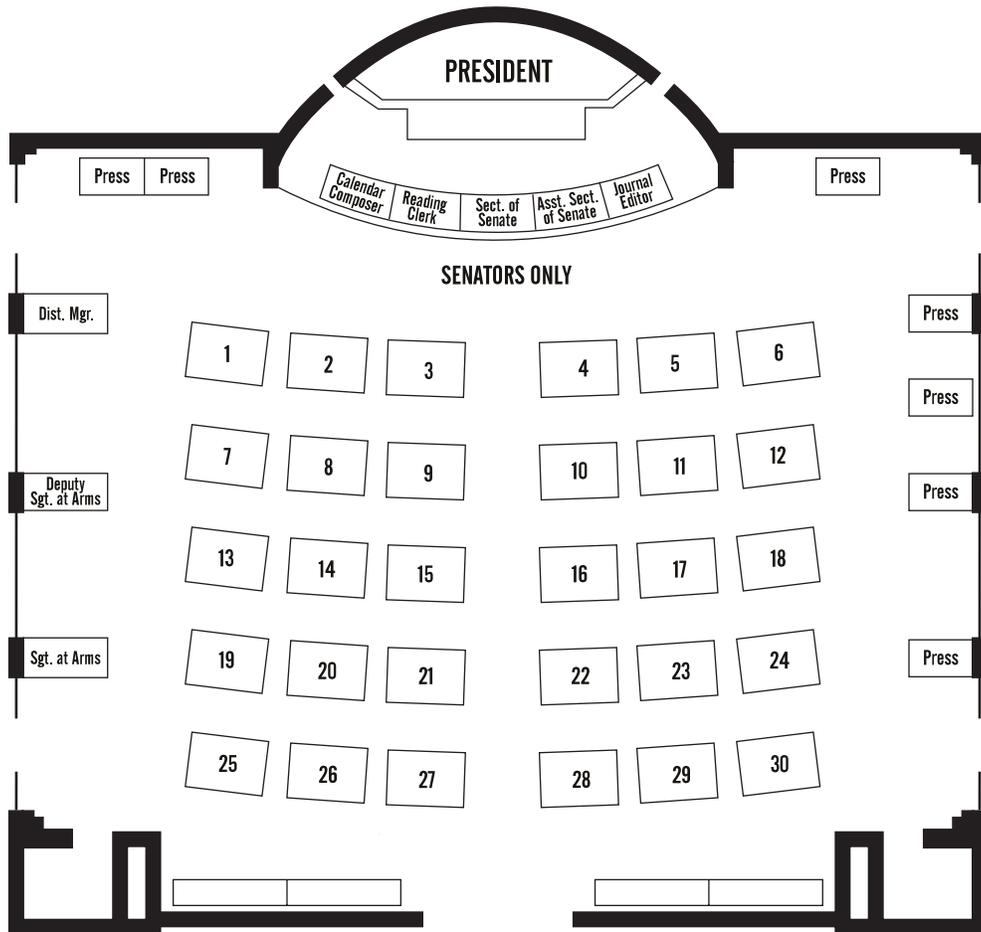
Democrats - 15

Republicans - 15

(1) Resigned 8/1/03

(2) Sworn-in 8/11/03

SENATE SEATING CHART



- 1-Courtney
- 2-Metsger
- 3-Gordly
- 4-Starr B.
- 5-Walker
- 6-Schrader
- 7-Burdick
- 8-Devlin
- 9-Corcoran
- 10-Winters

- 11-Ringo
- 12-Harper
- 13-Messerle
- 14-Deckert
- 15-Minnis
- 16-Morse
- 17-Morrisette
- 18- Shields
- 19-Hannon
- 20-Atkinson

- 21-Beyer/Westlund*
- 22-Ferrioli
- 23-Starr, C.
- 24-Carter
- 25-Dukes
- 26-George
- 27-Brown
- 28-Clarno/Beyer**
- 29- Nelson
- 30- Fisher

** Reassigned 8/1/03

* Reassigned 8/11/03

SENATE STANDING COMMITTEE MEMBERSHIP**AGRICULTURE AND NATURAL RESOURCES—**

Frank Shields, Chair
Roger Beyer, Vice-Chair
Tony Corcoran
Bill Fisher

BUSINESS AND LABOR—

David Nelson, Chair
Vicki Walker, Vice-Chair
Roger Beyer
Rick Metsger

EDUCATION—

Charles Starr, Chair
Ryan Deckert, Vice-Chair
Ted Ferrioli
Bill Morrisette

GENERAL GOVERNMENT—

Tony Corcoran, Chair
John Minnis, Vice-Chair
Bruce Starr
Vicki Walker

HEALTH POLICY—

Bill Morrisette, Chair
Bill Fisher, Vice-Chair
John Minnis
Frank Shields
Charles Starr
Vicki Walker

HUMAN RESOURCES—

Bill Fisher, Chair
Bill Morrisette, Vice-Chair
Kate Brown
Ginny Burdick
Bev Clarno (resigned 8/1/03)
Charles Starr

JUDICIARY—

John Minnis, Chair
Ginny Burdick, Vice-Chair
Ted Ferrioli
Charlie Ringo
Charles Starr
Vicki Walker

REVENUE—

Ryan Deckert, Chair
Ted Ferrioli, Vice-Chair
Tony Corcoran
Lenn Hannon
Rick Metsger (appointed 7/7/03 for HB 2041;
discharged following consideration; reappointed
7/29/03)
David Nelson (appointed 7/7/03 for HB 2041;
discharged following consideration; reappointed
7/29/03)
Charlie Ringo
Bruce Starr

RULES—

Roger Beyer (appointed Co-Chair 7/28/03)
Kate Brown, Co-Chair
Bev Clarno, Co-Chair (discharged as Co-Chair
7/28/03, discharged 7/31/03)
Jason Atkinson, Vice-Chair
Ginny Burdick, Vice-Chair
Tony Corcoran
Bill Fisher (appointed 7/31/03)

TRANSPORTATION AND ECONOMIC DEVELOPMENT—

Rick Metsger, Chair
Bruce Starr, Vice-Chair
Ryan Deckert
David Nelson

WATER AND LAND USE—

Ted Ferrioli, Chair
Charlie Ringo, Vice-Chair
Jason Atkinson
Rick Metsger

SENATE STANDING COMMITTEE MEMBERSHIP**WAYS AND MEANS—**

Kurt Schrader, Co-Chair
Steve Harper, Vice-Chair
Margaret Carter
Richard Devlin
Joan Dukes
Gary George
Avel Gordly
Ken Messerle
Frank Morse
Jackie Winters

Subcommittee on Transportation and Economic Development—

Gary George, Chair
Margaret Carter
Joan Dukes
Frank Morse

Subcommittee on Capital Construction**Bonding (appointed 8/7/03)—**

Kurt Schrader, Co-Chair
Steve Harper

Subcommittee on Education—

Avel Gordly
Ken Messerle

Subcommittee on General Government—

Richard Devlin
Jackie Winters

Subcommittee on Human Services—

Jackie Winters, Chair
Margaret Carter
Avel Gordly
Frank Morse
Frank Shields, Ex-Officio

Subcommittee on Natural Resources—

Ken Messerle, Chair
Joan Dukes

Subcommittee on Public Safety—

Richard Devlin
Gary George

SENATE SPECIAL COMMITTEE MEMBERSHIP**BUDGET (appointed 7/25/03)—**

Kurt Schrader, Chair
Steve Harper, Vice-Chair
Margaret Carter
Richard Devlin
Joan Dukes
Gary George
Avel Gordly
Ken Messerle
Frank Morse
Jackie Winters

CONDUCT—

Joan Dukes, Co-Chair
Ken Messerle, Co-Chair
Jason Atkinson
Margaret Carter
Frank Morse
Charlie Ringo

CREDENTIALS—

Roger Beyer, Chair
Ginny Burdick
Gary George
Frank Shields

PER DIEM—

Tony Corcoran, Chair
Ken Messerle
David Nelson
Vicki Walker

PERMANENT ORGANIZATION AND ORDER OF BUSINESS—

Avel Gordly, Chair
Ted Ferrioli
Steve Harper
Richard Devlin

RULES (ORGANIZATION)—

Richard Devlin, Chair
Kurt Schrader
Charles Starr
Jackie Winters

THE OREGON HEALTH PLAN (appointed 5/8/03)—

Peter Courtney, Co-Chair
Jackie Winters, Co-Chair
Kate Brown
Margaret Carter
Bill Fisher
Lenn Hannon
John Minnis
Bill Morrisette

COMMITTEE ASSIGNMENT BY SENATOR

ATKINSON —

Conduct
 Rules, Vice-Chair
 Water and Land Use

BEYER —

Agriculture and Natural Resources, Vice-Chair
 Business and Labor
 Credentials, Chair
 Rules, Co-Chair (appointed Co-chair 7/28/03)

BROWN —

Human Resources
 Rules, Co-Chair
 The Oregon Health Plan

BURDICK —

Credentials
 Human Resources
 Judiciary, Vice-Chair
 Rules, Vice-Chair

CARTER —

Budget
 Conduct
 The Oregon Health Plan
 Ways and Means
 Human Services Subcommittee
 Transportation and Economic Development
 Subcommittee

CLARNO —

Human Resources (resigned 8/1/03)
 Rules, Co-Chair (discharged as Co-Chair 7/28/03;
 discharged 7/31/03)

CORCORAN —

Agriculture and Natural Resources
 General Government, Chair
 Per Diem, Chair
 Revenue
 Rules

COURTNEY —

Ex-officio member of all committees
 The Oregon Health Plan, Co-Chair

DECKERT —

Education, Vice-Chair
 Revenue, Chair
 Transportation and Economic Development

DEVLIN —

Budget
 Permanent Organization and Order of Business
 Rules (Organization), Chair
 Ways and Means
 General Government Subcommittee
 Public Safety Subcommittee

DUKES —

Budget
 Conduct, Co-Chair
 Ways and Means
 Natural Resources Subcommittee
 Transportation and Economic Development
 Subcommittee

FERRIOLI —

Education
 Judiciary
 Permanent Organization and Order of Business
 Revenue, Vice-Chair
 Water and Land Use, Chair

FISHER —

Agriculture and Natural Resources
 Health Policy, Vice-Chair
 Human Resources, Chair
 Rules (appointed 7/31/03)
 The Oregon Health Plan

GEORGE —

Budget
 Credentials
 Ways and Means
 Public Safety Subcommittee
 Transportation and Economic Development
 Subcommittee, Chair

COMMITTEE ASSIGNMENT BY SENATOR

GORDLY —

Budget
Permanent Organization and Order of Business,
Chair
Ways and Means
Education Subcommittee
Human Services Subcommittee

HANNON—

Revenue
The Oregon Health Plan

HARPER—

Budget, Vice-Chair
Permanent Organization and Order of Business
Ways and Means, Vice-Chair
Capital Construction Bonding Subcommittee

MESSERLE—

Budget
Conduct, Co-Chair
Per Diem
Ways and Means
Education Subcommittee
Natural Resources Subcommittee, Chair

METSGER—

Business and Labor
Revenue (appointed 7/7/03 for HB 2041; discharged
following consideration; reappointed 7/29/03)
Transportation and Economic Development, Chair
Water and Land Use

MINNIS—

General Government, Vice-Chair
Health Policy
Judiciary, Chair
The Oregon Health Plan

MORRISETTE—

Education
Health Policy, Chair
Human Resources, Vice-Chair
The Oregon Health Plan

MORSE—

Budget
Conduct
Ways and Means
Human Services Subcommittee
Transportation and Economic Development
Subcommittee

NELSON—

Business and Labor, Chair
Per Diem
Revenue (appointed 7/7/03 for HB 2041; discharged
following consideration; reappointed 7/29/03)
Transportation and Economic Development

RINGO—

Conduct
Judiciary
Revenue
Water and Land Use, Vice-Chair

SCHRADER—

Budget, Chair
Rules (Organization)
Ways and Means, Co-Chair
Capital Construction Bonding Subcommittee,
Co-Chair

SHIELDS—

Agriculture and Natural Resources, Chair
Credentials
Health Policy
Ways and Means: Human Services Subcommittee,
Ex-Officio

COMMITTEE ASSIGNMENT BY SENATOR**STARR, B.—**

General Government
Revenue
Transportation and Economic Development, Vice-Chair

STARR, C.—

Education, Chair
Health Policy
Human Resources
Judiciary
Rules (Organization)

WALKER—

Business and Labor, Vice-Chair
General Government
Health Policy
Judiciary
Per Diem

WESTLUND—

Sworn in August 11, 2003. Substantive standing committees were closed at this time in anticipation of sine die adjournment, so no appointments were made.

WINTERS—

Budget
Rules (Organization)
The Oregon Health Plan, Co-Chair
Ways and Means
 General Government Subcommittee
 Human Services Subcommittee, Chair

SENATE STANDING COMMITTEE REGULAR MEETING SCHEDULE

Committee Name/Staff	Office	Staff Phone	Monday	Tuesday	Wednesday	Thursday	Friday
Agriculture and Natural Resources Judith Callens, Administrator Megan Jensen, Assistant	401	503-986-1688 503-986-1495	8:00 A.M. HR B		8:00 A.M. HR B		8:00 A.M. HR B
Business and Labor Dennis Dotson, Administrator Romy Dye, Assistant	334	503-986-1640 503-986-1656	1:00 P.M. HR C		1:00 P.M. HR C		1:00 P.M. HR C
Education Jan McComb, Administrator Romy Dye, Assistant	334	503-986-1635 503-986-1656		3:00 P.M. HR C		3:00 P.M. HR C	
General Government Mark Ellsworth, Administrator Heather Gravelle, Assistant	334	503-986-1658 503-986-1656	3:00 P.M. HR B		3:00 P.M. HR B		
Health Policy Marjorie Taylor, Administrator Saranelle Allen, Assistant	349	503-986-1755 503-986-1626		1:00 P.M. HR B		1:00 P.M. HR B	
Human Resources Marjorie Taylor, Administrator Saranelle Allen, Assistant	349	503-986-1755 503-986-1626	1:00 P.M. HR B		1:00 P.M. HR B		
Judiciary Bill Taylor, Counsel Craig Prins, Counsel Bill Joseph, Counsel Jane Bodenweiser, Assistant	354	503-986-1694 503-986-1664 503-986-1489 503-986-1488	8:00 A.M. 343	8:00 A.M. 343	8:00 A.M. 343	8:00 A.M. 343	
Revenue Paul Warner, Legislative Revenue Officer Kim Taylor James, Office Manager Tara Lantz, Committee Assistant	H197	503-986-1266 503-986-1264 503-986-1268	1:00 P.M. HR A	1:00 P.M. HR A	1:00 P.M. HR A	1:00 P.M. HR A	
Rules Jim Stembridge, Administrator Pam Cox, Assistant	401A	503-986-1681 503-986-1652		3:00 P.M. 343		3:00 P.M. 343	
Transportation and Economic Development Amy Joyce, Administrator Anna Suess, Assistant	401B	503-986-1643 503-986-1639	8:00 A.M. HR C	8:00 A.M. HR C	8:00 A.M. HR C	8:00 A.M. HR C	
Water and Land Use Judith Callens, Administrator Megan Jensen, Assistant Patricia Neilsen, Assistant	401F	503-986-1688 503-986-1495 503-986-1086	3:00 P.M. HR D		3:00 P.M. HR D		

SENATE SPECIAL COMMITTEE REGULAR MEETING SCHEDULE

Committee Name/Staff	Office	Staff Phone	Monday	Tuesday	Wednesday	Thursday	Friday	
Budget Ken Rocco, Fiscal Officer Gina Rumbaugh, Coordinator	H-178	503-986-1844 503-986-1829	Meets at the Call of the Chair					
The Oregon Health Plan Marjorie Taylor, Administrator Heather Gravelle, Assistant Megan Jensen, Assistant	333	503-986-1755 503-986-1660 503-986-1495	Meets at the Call of the Chair					

JOINT STANDING COMMITTEE REGULAR MEETING SCHEDULE

Committee Name/Staff	Office	Staff Phone	Monday	Tuesday	Wednesday	Thursday	Friday	
Ways and Means Ken Rocco, Fiscal Officer Gina Rumbaugh, Coordinator	H-178	503-986-1844 503-986-1829					9:00 A.M. HR F	
Ways and Means Subcommittee On Capital Construction Ken Rocco, Fiscal Officer Gina Rumbaugh, Coordinator	H-178	503-986-1844 503-986-1829	Meets at the Call of the Chair					
Ways and Means Subcommittee On Education Steve Bender, Budget Analyst	H-178	503-986-1836	8:30 A.M. HR F	8:30 A.M. HR F	8:30 A.M. HR F	8:30 A.M. HR F		
Ways and Means Subcommittee On General Government Dallas Weyand, Budget Analyst	H-178	503-986-1834	8:30 A.M. H-170	8:30 A.M. H-170	8:30 A.M. H-170	8:30 A.M. H-170		
Ways and Means Subcommittee On Human Services Sheila Baker, Budget Analyst	H-178	503-986-1838	1:00 P.M. HR F	1:00 P.M. HR F	1:00 P.M. HR F	1:00 P.M. HR F		
Ways and Means Subcommittee On Natural Resources Sue MacGlashan, Budget Analyst	H-178	503-986-1817	1:00 P.M. H-170	1:00 P.M. H-170	1:00 P.M. H-170	1:00 P.M. H-170		
Ways and Means Subcommittee On Public Safety Doug Wilson, Budget Analyst	H-178	503-986-1837	1:00 P.M. H-174	1:00 P.M. H-174	1:00 P.M. H-174	1:00 P.M. H-174		
Ways and Means Subcommittee On Transportation and Economic Development Robin LaMonte, Budget Analyst	H-178	503-986-1845	8:30 A.M. H-174	8:30 A.M. H-174	8:30 A.M. H-174	8:30 A.M. H-174		

RULINGS BY THE CHAIR (SENATE)

August 19	Mason's Section 402 (3)	Germaneness of amendment.	SJ-220
August 22	SR 10.01 (4)	Timelines associated with motion to reconsider and the appointments of conferees.	SJ-226
August 23	SR 11.01 (6)	Appointment of conferees following defeat of concur and repass.	SJ-229
August 26	Oregon Constitution, Art. IV, Sec. 10a	Constitutionality of the bill.	SJ-235

MESSAGES FROM THE GOVERNOR

Date	Title	Page
June 16	Veto Message on SB 761 (Seventy-Second Regular Session)	SJ-164
July 3	Veto Message on SB 880 (Seventy-Second Regular Session)	SJ-182

BILLS REFERRED TO THE COMMITTEE ON RULES
(Per Article II, Section 6 of the Memorandum of Understanding)

- SB 279 Limits compensation of video lottery game retailers to 15 percent of net receipts.
- SB 593 Creates crime of partial birth infanticide.
- SB 649 Establishes State Accident Insurance Fund Policyholders Fund.
- SB 660 Creates certificate of birth for stillbirths.
- SB 677 Modifies definition of practice of pharmacy to include authority to prescribe and dispense emergency contraceptives in accordance with written protocol established by physician or nurse practitioner authorized to prescribe drugs.
- SB 772 Prohibits smoking in bowling centers and certain restaurants, effective January 1, 2004.
- SB 733 Creates crime of causing death of unborn child.
- SB 781 Prohibits smoking within 100 feet of entrance to public place.
- SB 786 Prohibits discrimination against persons in education, employment, housing, public accommodations and public assistance based on sexual orientation or gender identity.
- SB 816 Includes in intimidation laws crimes against gender identity.

Monday, January 13, 2003--Organizational Session

Senate convened at 9:00 a.m. Dukes in Chair. The following members were present: Atkinson, Beyer, Brown, Burdick, Carter, Clarno, Corcoran, Courtney, Deckert, Devlin, Ferrioli, Fisher, George, Gordly, Hannon, Harper, Messerle, Metsger, Minnis, Morrissette, Morse, Nelson, Ringo, Schrader, Shields, Starr, B., Starr, C., Walker, Winters. Colors were posted by members of Confederated Tribes of Grand Ronde. Katie Harman, Miss America 2002 sang the National Anthem. Invocation by Senator Frank Shields, Portland. Musical performance by Jefferson High School Dance Troupe, Portland.

Courtesies of the Senate were extended to former Senate Presidents: E.D. "Debbs" Potts, Edward N. Fadeley, Bill Bradbury, Gene Derfler, and Tom Hartung at the request of the Chair.

Schrader moved that a committee of four be appointed by the Chair to serve as a Committee on Permanent Organization and Order of Business, seconded by Hannon. Motion carried on voice vote.

The Chair appointed Gordly, Devlin, Ferrioli, and Harper as the Committee on Permanent Organization and Order of Business.

Nelson moved that a committee of four be appointed by the Chair to serve as a Committee on Credentials, seconded by Burdick. Motion carried on voice vote.

The Chair appointed Beyer, Burdick, George and Shields as the Committee on Credentials.

Senate at ease while committees met. Senate reassembled.

The following report by the Committee on Permanent Organization and Order of Business was read and adopted by voice vote on motion of Gordly, seconded by Ferrioli.

January 13, 2003

Presiding Officer:

We, your Committee on Permanent Organization and Order of Business, respectfully recommend that the Senate proceed to effect permanent organization of the Senate and that the following orders of business be adopted:

1. Appointment of Committees on Permanent Organization and Order of Business, and Credentials.
2. Adoption of reports of the Committees on Permanent Organization and Order of Business, and Credentials.
3. Administering Oath of Office to newly-elected Senators.
4. Election of Temporary Officers until the Senate elects a President.
5. Recess to attend Joint Session for the purpose of canvassing the vote for Governor, receiving the message

from outgoing Governor John A. Kitzhaber and receiving the inaugural message from Governor-elect Ted Kulongoski.

6. Reconvene at 3:00 p.m.
7. Appointment of Special Committee on Rules.
8. Adopt Regular Session Rules of the Senate.
9. Election of permanent officers of the Senate in the following order: President, President Pro Tempore, Secretary of the Senate.

Respectfully submitted,
 Senator Avel Gordly, Chair
 Senator Richard Devlin
 Senator Ted Ferrioli
 Senator Steve Harper

The following report by the Committee on Credentials was read and adopted by voice vote on motion of Beyer, seconded by Shields.

January 13, 2003

Presiding Officer:

We, your Committee on Credentials, after inspecting the official Proclamation from the Secretary of State, respectfully submit the following report:

That the following Senators are entitled to sit in this body until the second Monday in January 2005, to wit:

Jason Atkinson	Bill Fisher
Roger Beyer	Gary George
Kate Brown	Avel Gordly
Ginny Burdick	Steve Harper
Margaret Carter	Ken Messerle
Beverly Clarno	John Minnis
Ryan Deckert	David Nelson
Ted Ferrioli	

That the following named Senators were elected on November 5, 2002 at the General Election for a term of four years beginning the second Monday in January, 2003 and are entitled to sit in this body until the second Monday in January, 2007, to wit:

Peter Courtney	Charlie Ringo
Tony Corcoran	Kurt Schrader
Richard Devlin	Frank Shields
Joan Dukes	Bruce Starr
Rick Metsger	Charles Starr
Lenn L. Hannon	Vicki Walker
Bill Morrissette	Jackie Winters
Frank Morse	

That Gene Derfler, a duly-elected Senator from the 10th Senatorial District for a term of four years beginning the second Monday in January, 1999 and terminating the second Monday in January, 2003, resigned on November 8, 2002.

That Susan Castillo, a duly-elected Senator from the 7th Senatorial District for a term of four years beginning the second Monday in January, 1999 and terminating the second Monday in January, 2003, resigned on January 5, 2003.

Respectfully submitted,
 Senator Roger Beyer, Chair
 Senator Ginny Burdick
 Senator Gary George
 Senator Frank Shields

Courtney and Hannon were appointed to escort The Honorable Wallace P. Carson, Jr., Chief Justice of the Oregon Supreme Court, to the Rostrum.

Chief Justice Carson administered the oath of office to the newly-elected senators.

Nominations for temporary presiding officer of the Senate were declared open by unanimous consent at the request of the Chair.

Fisher nominated Hannon for temporary presiding officer of the Senate. Corcoran moved that nominations for temporary presiding officer be closed and that a unanimous ballot be cast for Hannon. Motion carried on voice vote.

Nominations for temporary Secretary of the Senate were declared open by unanimous consent at the request of the Chair.

Clarno nominated Judy Hall for temporary Secretary of the Senate. Brown moved that nominations be closed and a unanimous ballot be cast for Judy Hall. Motion carried on voice vote.

Message from the House announcing that the House of Representatives has organized and elected the following officers: Speaker of the House, Representative Karen Minnis; Speaker Pro Tempore, Representative Lane Shetterly; Chief Clerk, Ramona J. Kenady; and is ready for the business of the Seventy-second Legislative Assembly.

Message from the House inviting members of the Senate to meet in Joint Session at 10:30 a.m. today for the purpose of hearing from the Speaker of the House the result of the canvass of vote cast for Governor, to receive the farewell address from Governor John A. Kitzhaber, and to receive the inaugural address of Ted Kulongoski, Governor-elect.

Senate accepted the invitation from the House on motion of Starr, B., seconded by Walker.

Senate to recess following Joint Assembly until 3:00 p.m. on motion of Walker, seconded by Morse. Members of the Senate proceeded to the House for Joint Assembly.

Monday, January 13, 2003--Afternoon Session

Convening of the Senate delayed until 3:30 p.m. by implied consent at the request of the Chair. Recess extended to 4:30 p.m.

Senate reconvened at 4:30 p.m. Hannon in Chair. All present except Beyer, Brown, Burdick, Clarno, George, Nelson, Ringo, Walker, excused.

Senate, having recessed under the provisions of the Report of the Committee on Permanent Organization and Order of Business, resumed under the order of those provisions by unanimous consent at the request of the Chair.

Senate adjourned until 2:00 p.m. Tuesday by unanimous consent at the request of the Chair.

Tuesday, January 14, 2003 -- Afternoon Session

Senate convened at 2:00 p.m. Hannon in Chair. The following members were present: Atkinson, Beyer, Brown, Burdick, Carter, Clarno, Corcoran, Courtney, Deckert, Devlin, Dukes, Ferrioli, Fisher, George, Gordly, Harper, Messerle, Metsger, Minnis, Morrisette, Morse, Nelson, Ringo, Schrader, Shields, Starr, B., Starr, C., Walker, Winters. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Senator Bill Fisher, Roseburg.

Senate, having recessed under the provisions of the Report of the Committee on Permanent Organization and Order of Business, resumed under the order of those provisions by unanimous consent at the request of the Chair.

Pursuant to the provisions of the Report of the Committee on Permanent Organization and Order of Business, the Chair made the following appointments to the Special Committee on Rules.

SPECIAL COMMITTEE ON RULES

Senator Richard Devlin, Chair
 Senator Kurt Schrader
 Senator Charles Starr
 Senator Jackie Winters

Senate at ease while committee met. Senate reassembled.

The following report was read.

January 14, 2003

Presiding Officer:

We, the Special Committee on Rules, recommend that the Senate adopt the 2001 Regular Session and Interim Rules, as amended, as the Rules for the 2003 Regular Session and Interim Rules.

Senator Richard Devlin, Chair
 Senator Kurt Schrader
 Senator Charles Starr
 Senator Jackie Winters

Devlin moved that the 2001 Regular Session and Interim Rules, as amended, be adopted as the

Permanent Senate Rules for the 2003 Legislative Session. On adoption of the motion the vote was: Ayes, 29, excused, 1—Carter. Permanent Rules and Interim Rules of the Senate adopted.

RULES OF THE SENATE

SEVENTY-~~FIRST~~-SECOND LEGISLATIVE ASSEMBLY

DEFINITIONS

1.01 Definitions.

- (1) “Chamber” means the entire area of the Senate Floor and the side aisles.
- (2) “Chamber area” includes the entire area of the Senate Floor including the areas immediately adjacent to the Senate Chamber, with the exception of Room 231.
- (3) “Constitutional majority (16)” means a majority of the members of the Senate except in the case of those measures requiring an otherwise constitutionally designated majority vote.
- (4) “Courtesy of the floor” means admittance within the bar granted upon request of a member in accordance with SR 17.01 (2).
- (5) “Majority” means a majority of those members present.
- (6) “Measure” means bill, resolution or memorial, but does not include amendments.
- (7) “Member” means member of the Senate.
- (8) “Printing” includes printing and other means of reproducing copy.
- (9) “Remonstrance” may be considered as a “protest” under section 26, Article IV of the Oregon Constitution.
- (10) “Within the bar” means within the area of the Chamber that is enclosed by waist-high partitions and that contains the members' desks and the rostrum.
- (11) Appendix A - Interim Rules identifies specific rules governing interim period.

RULES

2.01 Use of Mason's Manual of Legislative Procedure.

Mason's Manual of Legislative Procedure shall apply to cases not provided for in these rules or otherwise covered by the Oregon Constitution, statute or custom.

2.05 Procedure for Amending Rules.

No standing rule of the Senate shall be adopted, amended or rescinded except upon the affirmative vote of a constitutional majority (16). After the organizational meeting of the Senate, the adoption, amendment or rescision of rules shall be proposed in writing, read at a regular business session, printed, distributed to members' desks, and allowed to lie on the table for at least one day prior to any vote thereon.

2.10 Procedure for Suspending Rules.

(1) No rule of the Senate shall be suspended except by unanimous consent of the members or by the affirmative vote of two-thirds of the members (20). In suspending a provision of the Oregon Constitution, as provided by the Oregon Constitution, an affirmative vote of two-thirds of the members is required. The vote shall be a roll call vote.

(2) When a motion to suspend the rules is defeated, the motion shall not be renewed until after an intervening recess or adjournment.

2.20 Rules of the Senate.

(1) Except as modified or rescinded under Rule 2.05, and the memorandum of agreement attached and incorporated herein, these rules shall be in effect for the entire term of the Legislative Assembly, whether the Senate is in session or has adjourned sine die.

CONVENING

3.01 Quorum.

(1) A quorum of the Senate is 20 members.

(2) If a quorum is present, the Senate shall proceed with the transaction of business. When there is no quorum present, a lesser number of members may adjourn from day to day and compel the attendance of absent members.

3.05 Session Hour; Deliberations Open.

(1) Unless otherwise ordered by a majority of the members present, the hour of meeting shall be designated by the President.

(2) All deliberations of the Senate and its committees shall be open to the public. However, this provision does not prohibit clearing the gallery or hearing room in the event of a disturbance, during which time deliberations shall be in recess.

3.10 Attendance.

(1) A member shall attend all sessions of the Senate unless excused by the President. The Journal Editor will record on each roll call all members “present,” “excused,” “attending legislative business,” or “absent.”

(2) The President or committee chair may excuse a member from committee meetings. The minutes of the committee shall record all committee members as “present,” “excused,” or “absent.”

VOTING

3.15 Roll Call.

(1) A roll call vote of “ayes” and “nays” shall be taken and recorded on the final passage of all measures, with the exception of memorials and resolutions that affect only the Senate and do not appropriate money.

(2) Upon demand of two members, a roll call shall be taken and recorded on any question.

(3) If the presiding officer is in doubt on any motion considered on voice vote, the presiding officer shall order a roll call vote.

3.20 Requirements for Voting.

(1) Every member who is in attendance when the question is stated shall vote.

(2) Except by unanimous consent, no member shall be permitted to vote on any question unless in attendance at the time the question is put. A member shall be considered in attendance if the member is in the Chamber area. However, a member must be within the bar to vote.

3.30 Voting by President.

The President shall vote whenever a roll call is required. The President's name is called last.

3.33 Announcement of Conflict of Interest.

(1) When involved in a potential conflict of interest as defined by ORS 244.020, a member shall announce, on the Senate floor or in the committee meeting, the nature of the potential conflict prior to voting on the issue giving rise to the potential conflict.

(2) The member's announcement of a potential conflict of interest shall be recorded in the Journal or in the committee minutes. If the member desires to have more than the announcement recorded, the member shall reduce to writing the nature of the potential conflict as given in the oral explanation and file it with the Secretary of the Senate or the committee assistant. The written statement must be filed by 5 p.m. of the next session day following the vote on the measure .

(3) Failure to comply with section (1) of this rule may constitute improper conduct as determined by the Special Committee on Conduct appointed in accordance with Senate Rule 18.04 (1).

(4) A complaint against a Senate member alleging violation of section (1) of this rule must meet the following criteria:

(a) The complaint must be in writing;

(b) The complaint must be specific in its allegations and be accompanied by documentation supporting the allegations;

(c) The complaint must be signed by at least two persons who witnessed the conduct that is the subject of the complaint; and

(d) The complaint, in the manner prescribed by the Secretary of the Senate, must be filed with the Secretary's office within 10 days of the alleged violation.

(5) The Secretary shall transmit copies of the written and signed complaint to the President of the Senate, the President Pro-Tempore ~~{Senate Majority Leader}~~, and the Senate Caucus ~~{Minority} Leader~~{s} as soon as practicable.

(6) The President shall refer any written complaint that has been filed in accordance with section (4) of this rule to the Special Committee on

Conduct within 30 days of receipt of the complaint.

(7) The committee shall investigate any written complaint to determine whether the alleged conduct constitutes violation of section (1) of this rule and shall conduct such investigation in accordance with procedures set forth in the committee rules.

(8) The committee must complete the investigation and report recommended sanctions, if any, to the full Senate within 45 days of receiving the complaint as referred by the President. The President may permit a reasonable extension of time at his or her discretion.

(9) Any recommended sanction resulting from a written complaint against a Senate member must be proportionate to the seriousness of the offense. The committee may recommend the following sanctions:

- (a) Reprimand;
- (b) Censure; or
- (c) Expulsion.

(10) In reporting to the full Senate, the committee shall include in its report:

- (a) A copy of the complaint;
- (b) Whether or not there was a violation of Section (1) of this rule;
- (c) Recommended sanctions, if any; and
- (d) The basis for the committee's recommendation.

(11) The committee report must be signed by the committee chair and submitted to the Secretary of the Senate within 3 days of final committee action.

(12) The report shall be placed on the calendar for final consideration on the session day following the reading and distribution of the report.

(13) Before taking action against a Senate member under this section, the Senate must approve the committee report recommending a sanction by a two-thirds majority vote (20).

(14) If the committee recommends no action, the formal procedure is concluded and the complaint shall be considered dismissed. The report shall be submitted in accordance with Section (11) of this rule and read under reports from special committees on the session day following distribution of the report.

3.35 Explanation of Vote.

(1) Any member may explain a vote on any matter for which a roll call vote is taken. The member may make the oral explanation from the floor following completion of the roll call and announcement of the result or announce that he or she intends to submit a written explanation. Oral explanations shall not exceed two minutes.

(2) The vote explanation must be germane to the subject and shall not reflect on the honor or integrity of other members of the Legislative Assembly. If the explanation offered from the floor does not meet the requirements of this subsection, the President may call the member to order. The President may direct the Secretary of the Senate to delete out-of-order material from the Journal.

(3) If the member wishes the explanation to be entered in the Journal, the member must indicate that request at the time the explanation is given. The member shall reduce to writing the substance of the oral explanation. The written explanation must be filed with the Secretary of the Senate by 5 p.m. of the day the vote was taken.

3.45 Printed Measures Required for Voting.

(1) No measure, or amendment to a measure, shall be finally voted on until it has been printed and placed on the desks of the members, except as provided by Rule 5.40.

(2) A printing error in a printed measure or printed amendments to a measure under consideration of the Senate shall be considered corrected if the correction is made on the original copy and initialed by the appropriate member. The original measure is found in the original measure folder at the Senate Desk.

3.50 Third Reading Requirements.

Except for resolutions and memorials that affect the Senate only, no measure shall pass the Senate until after third reading nor shall any measure be read more than once in any one day.

3.55 Call of the Senate.

(1) Three members may demand a Call of the Senate at any time there is a pending question and before a roll call has commenced.

(2) Upon a Call of the Senate, the Chamber doors shall be closed until proceedings under the Call have been terminated. No other business shall be

transacted until the proceedings under the Call are terminated. A member must remain in attendance until proceedings under the Call are terminated. A member shall be considered in attendance when in the Chamber area. However, a member must comply with the provisions of Senate Rule 3.20 for the purpose of voting.

(3) Upon a Call of the Senate, the Sergeant at Arms shall cause all members not excused to come to the floor. If the Sergeant at Arms cannot locate an unexcused member, that fact shall be reported to the President who shall announce the fact to the members.

(4) Proceedings under a Call of the Senate shall be considered terminated only when the question and subsidiary motions for which the Call was invoked have been voted on, or when a motion to remove the Call is approved by at least two-thirds (20) of the members of the Senate.

(5) A motion to remove the Call shall be in order when the Sergeant at Arms reports that unexcused members cannot be located. If there is no quorum, after the report of the Sergeant at Arms is received, the Senate may remove the Call by the consent of the majority of the members present.

(6) Under the proceedings of a Call of the Senate:

(a) Senate guests may leave the Chamber at will; however, they shall not be permitted to return until the proceedings are terminated or the Call has been removed.

(b) Members of the House, the press and Senate staff on Senate business may leave the Chamber and return at will during the proceedings under the Call.

ORDER OF BUSINESS

4.01 Order of Business.

(1) The general order of business shall be:

(a) Roll Call

(b) Honors to the Colors and the Pledge of Allegiance

(c) Invocation

(d) Courtesies of the Senate

(e) Remonstrances

(f) Reports from conference committees

(g) Reports from standing committees

(h) Reports from special committees

(i) Propositions and motions

(j) Action on Executive Appointments requiring Senate confirmation

(k) Introduction and first reading of Senate measures

(l) Second reading of Senate measures

(m) Third reading of Senate measures

(n) First reading of House measures

(o) Second reading of House measures

(p) Third reading of House measures

(q) Unanimous Consent Calendar

~~(r)~~ (r) Other business of the Senate

~~(s)~~ (s) Announcements

(2) Messages from the Governor or the House may be read at any time. Courtesies may be extended at any time.

(3) Questions relating to the priority of business shall be decided without debate.

(4) The general order of business shall not be varied except upon suspension of the rules. However, any subject before the Senate may be made a special order of business upon the vote of a majority of the members present. When the appropriate time for consideration of the subject arrives, the Senate shall take up the subject.

(5) When scheduled for third reading, appropriation bills shall take precedence over all other bills from the same house of origin.

(6) Under the order of business Remonstrances, no member may speak for longer than two minutes, or for a second time, or yield time to another member.

The motives or integrity of any member of the House or Senate shall not be impugned.

4.05 Unanimous Consent Calendar

(1) Each session day, a consent calendar of measures, if there are any so designated, shall be presented for consideration and vote of the Senate. Copies of the consent calendar shall be printed and distributed to members prior to consideration.

(2) Any measure reported out of committee unanimously to the Senate floor, with or without amendments, may be placed on the consent calendar with unanimous agreement of the committee reporting the bill.

(3) Any measure reported out of committee with the recommendation that it be placed on the consent calendar shall be placed on the second reading calendar under subsection (1) and (2) of Senate Rule 8.55.

(4) Any measure recommended for the consent calendar shall be placed on the calendar but held at the Desk for two days after the day on which the committee report is read. During this period, Members may submit written objection to the placing of the measure on the consent calendar. If the objections of three members of the Senate are received at the Desk prior to adjournment of floor session on the second day, the measure shall be removed from the consent calendar and placed in its proper order on the third reading calendar for the following day. The measure may also be removed by order of the President with the agreement of the President pro Tempore.

(5) If no objections or an insufficient number are filed within the two-day period, the measure shall be placed in its proper order on the next consent calendar.

(6) When the order of business "unanimous consent calendar" is reached, the President shall announce the calendar. The clerk shall read each measure by number and title only. Following each reading, it shall be in order for the member designated to carry the measure to explain the measure. The member shall be allotted not to exceed five minutes for the explanation. Following the presentation, only a Call of the Senate is in order or the following motions may be made:

- (a) to refer to committee
- (b) to lay on the table
- (c) to postpone indefinitely

(7) No measure which has been made the subject of a motion to reconsider shall be placed on the consent calendar.

(8) Notwithstanding the provisions of this rule, if the President and President pro Tempore have reasonable cause to believe sine die is imminent, the President, with the agreement of the President pro Tempore, may order any measure recommended for the consent calendar be placed in its proper order on the third reading calendar.

MOTIONS

5.01 Moving a Motion.

(1) When a motion is moved, it shall be stated by the President. If the motion is in writing, it shall be handed to the Secretary of the Senate and read aloud before debate on the motion begins.

(2) A motion shall be reduced to writing upon request of any member.

(3) No second to a motion is required.

5.05 Motion in Possession of the Senate.

After a motion is stated by the President or read by the Secretary of the Senate or the Reading Clerk, it is in the possession of the Senate. The motion may be withdrawn only with the permission of the Senate and prior to a decision on the motion.

5.10 Precedence of Motions.

(1) When a question is under debate, only the following motions shall be made:

- (a) To adjourn
- (b) To recess
- (c) To lay on the table
- (d) To move the previous question
- (e) To postpone to a certain day
- (f) To refer or rerefer

- (g) To amend
- (h) To postpone indefinitely
- (i) To withdraw a motion.

(2) The motions listed in subsection (1) of this section shall have precedence in the order in which they are listed.

5.15 Undebatable Motions.

(1) The following motions are undebatable:

- (a) To adjourn
- (b) To recess
- (c) To suspend the Rules
- (d) To lay on the table
- (e) To move the previous question
- (f) To amend an undebatable motion
- (g) To take from the table.

(2) All incidental questions shall be decided without debate.

(3) An appeal to the committee chair or the President is undebatable, although the member making the appeal may state briefly the reason for the appeal, and the chair or the President may state briefly the rationale for the ruling.

5.17 Form of Previous Question.

(1) The previous question shall be put in this form: "Shall the main question be now put?" The main question is the question immediately under consideration.

(2) The previous question shall only be admitted when demanded by a majority of the members present. Until it is decided, it shall preclude all amendments and further debate on the question, except for closing arguments.

5.20 Form of Question on a Motion.

The question on a motion shall be put in this form: "Those in favor say, 'aye'" and after the response, "Those opposed say, 'no'."

5.25 Effect of Motion to Indefinitely Postpone.

(1) When a measure or question has been indefinitely postponed, no further action on the measure or question shall be allowed in the same session of the Legislative Assembly. The vote is not subject to a motion for reconsideration.

(2) When the motion to indefinitely postpone a measure or question fails, the motion shall not be allowed again on the same day or at the same stage of the measure or question.

5.30 Division of the Question.

(1) Any member may call for a division of a question if the question presents propositions so distinct in substance that if one is taken away, a substantive proposition remains for the decision of the Senate.

(2) The question of final passage or adoption of any measure is not subject to division.

5.40 Amendments from the Floor.

No measure shall be amended on the floor unless unanimous consent is given and a written statement of the proposed amendment is filed with the Secretary of the Senate.

DEBATE AND DECORUM

6.01 Decorum.

When a member is speaking, no one shall walk between the member and the rostrum. No one shall leave the Chamber or hearing room in a manner disruptive of the proceedings. When the Senate is in daily session, or a hearing is being conducted, no one in the Chamber, gallery or hearing room shall act in a manner disruptive of the proceedings.

6.05 Recognition of Members.

When a member seeks to be recognized by the chair, the member shall use the electrical signal device at the member's desk, or the member shall rise and respectfully address the chair. Exceptions to this rule are:

- (a) When demanding a Call of the Senate or a roll call.
- (b) When allowed to interrupt a speaker for one of the purposes listed in *Mason's Manual of*

Legislative Procedures, section 92.

6.10 Conduct in Debate.

(1) In speaking, a member must confine remarks to the question under debate and shall avoid personalities. A member may refer to the actions of a committee if such actions are relevant to the debate, but a member shall not impugn the motives of another [Senate or House](#) member's vote or argument.

(2) In speaking, a member may address another member by using the appellation of Senator or the appellation of Senator and the member's district number or other description of district.

(3) A member's right to read from any paper or book as a part of a speech is subject to the will of the Senate. If any member objects to such reading, the matter shall be immediately put to a vote without debate.

(4) No member is permitted to use audio or video reproductions during debate. As used in this rule, "audio and video reproductions" include films, audio and video tapes or slides.

(5) No one other than a member may speak during debate.

6.20 Questioning a Member.

(1) All questions asked of a member shall be addressed through the chair.

(2) Members responding to a question shall confine remarks to the question only.

6.25 Frequency with Which Member May Speak.

(1) The mover of a motion or the member designated to carry a measure shall have the privilege of closing the debate on the motion or the measure.

(2) Except as authorized by subsection (1) of this rule, no member shall speak more than once on any question until every member wishing to speak has spoken.

(3) If a pending question is lost by reason of adjournment and is revived on the following day, a member who has previously spoken on the question shall not be permitted to speak again until every member wishing to speak on the question has spoken.

(4) No member may speak more than twice on any question.

6.30 Limitation on Duration of Debate.

The following rules apply to the length of time a member shall have the floor in debate:

(1) On the final passage of a measure, the chair of the committee reporting the measure, or a member designated by the chair, may speak for ten minutes. In the case of multiple carriers, each member may speak for five minutes. Other members may speak for five minutes.

(2) On a motion to adopt or substitute a committee report, the member who moves the motion may speak for ten minutes. Other members may speak for five minutes.

(3) The member closing debate on final passage or moving to adopt or substitute a committee report, may speak for ten minutes. In the case of multiple carriers, one member shall be designated to close.

(4) On other debatable motions, a member may speak for five minutes.

(5) Any member may yield the time allowed under this rule to another member. However, no additional time can be yielded to a member closing debate.

(6) When a member who has the floor asks a question of another member, the time used in answering shall be taken from the questioning member.

6.35 Call to Order.

(1) If a member transgresses the rules of the Senate, the President, or any member through the President, may call the member to order. Unless permitted by the President to explain, the member called to order shall be seated immediately.

(2) The member who is called to order may appeal the ruling of the President. If the Senate decides the appeal in favor of the member, the member may proceed with the debate. If the Senate decides the appeal against the member, the member may proceed "in order" or be liable to a motion of censure of the Senate.

6.40 Discipline.

If a member is called to order for words spoken in debate, the member objecting shall immediately repeat the words to which objection is taken and they shall be recorded by the Journal Editor. However, if any other member has spoken or other business has intervened after the words were spoken and before the objection was made, the member shall not be held answerable or subject to censure.

PRESIDING OFFICER

7.01 Election of Presiding Officer; Pro Tempore Presiding Officer.

(1) The members of the Senate shall elect by a roll call vote a President of the Senate. A constitutional majority (16) is required to elect a President.

(2) The members shall also elect by a roll call vote a President pro tempore of the Senate. A constitutional majority (16) is required to elect a President pro tempore.

7.05 Temporary Presiding Officer.

(1) The President may designate a member other than the President pro tempore if the President pro tempore declines to act temporarily as the presiding officer. The designation shall not extend beyond adjournment on the day of the appointment. The member does not lose the right to vote while presiding. The President may resume the chair at his or her pleasure.

(2) If, at any time, the office of the President of the Senate becomes vacant, the President pro tempore shall become President until a new President is elected.

7.10 Duties of Presiding Officer.

(1) The President shall take the chair every day at the hour as provided in Senate Rule 3.05.

(2) The President shall immediately call the members to order and have the roll called.

(3) The President shall preside over deliberations of the Senate, preserve order and decorum and decide questions of order, subject to appeal by any two members.

(4) The President, in consultation with the President pro tempore, shall have general control and direction of all Senate employees and all employees of the

Legislative Assembly when they are in the Senate Chamber.

(5) The President shall have control of the Senate Chamber and adjacent areas.

COMMITTEES

8.01 Names of Committees.

(1) The following shall be the standing committees of the Senate:

(a) Business ~~and~~ Labor; ~~and Economic Development~~

(b) Education

(c) General Government ~~and Transportation~~

(d) Health Policy and Human Services

(e) Human Resources Information Management and Technology

(f) Judiciary

(g) Natural Resources, ~~Agriculture, and Salmon, and Water~~

(h) Rules ~~and Redistricting~~

(i) Revenue

(j) Joint Ways and Means

(k) Water and Land Use

(l) Transportation and Economic Development

8.05 Committee Appointments.

(1) The President may establish special committees and conference committees, but shall establish no additional standing committees, without the approval of a majority. No committee with the exception of conference committees shall have less than four members.

(2) Members of all standing and special committees, and the chairs and vice-chairs thereof, shall be ~~appointed by the President~~ set forth in the memorandum of understanding attached to these rules.

(3) The President shall appoint members to other committees as necessary or as required by law. Each committee shall have an equal number of members from each party.

(4) (a) The President shall be an ex officio member of each standing committee and have the power to vote. As an ex officio member on a standing committee the President does not increase the size of the respective committees. Ex officio membership does not increase the number of members required to provide a quorum.

(b) The President shall not have the ex officio power to vote on a motion to rerefer a bill that is in the possession of the Rules Committee.

8.10 Committee Quorum; Rules.

(1) A majority of the members appointed to a standing or special committee shall constitute a quorum for the transaction of business before the committee.

(2) Final action on a measure in committee shall be taken only on the affirmative vote of a majority of the members.

(3) All standing and special committees shall be governed by committee rules adopted by a majority of committee members, the Senate Rules and *Mason's Manual of Legislative Procedure* and statute.

8.15 Committee Meetings.

(1) All committees shall meet at the call of the committee chair. The chair shall cause notice of the meeting to be given to the public. The chair may designate a time certain for an agenda item. The chair shall begin a time certain agenda item at the appointed time and accommodate witnesses wishing to testify to the extent practicable. Written notice is to be posted outside the Senate Chamber and in the lobby areas of the 2nd and 3rd floor wings at least 24 hours in advance of the meeting.

(2) Meetings to resolve conflicts or inconsistencies between two or more measures may be called on shorter notice. Written notice to the public shall be given immediately upon call of such a meeting. The meeting shall be announced on the floor of the Senate if it is in session.

(3) No committee shall meet during the time the Senate is in session without approval of the

President. Any member attending a meeting during a session shall be considered excused to attend business of the Senate and subject only to a Call of the Senate.

(4) Committee meetings held at a time or place not provided for in the Joint Legislative Schedule require the advance approval of the President, if the meeting time would cause a member to miss a regularly scheduled meeting of another committee.

(5) Approval of the President must be obtained if the location of a meeting will require the expenditure of state monies for travel.

8.16 Committee Meeting--Less Than 24 Hours' Notice.

When the President has reason to believe that adjournment sine die of the session is imminent, the President may invoke the following provisions by announcement from the rostrum during floor session:

Notwithstanding the provision of Senate Rule 8.15, the committee chair may call a meeting of a committee with less than 24 hours' notice if, at least one hour prior to the meeting, notice is given to the Secretary of the Senate's Office and posted outside the Senate Chamber, in the Press Room and in any other place reasonably designed to give notice to the public and interested persons. Written notice must also be delivered to all committee members' offices who have not been excused from attendance pursuant to Senate Rule 3.10. Whenever possible, such meetings shall be announced on the floor while the Senate is in session.

8.20 Committee Action Required.

(1) Each committee shall act upon referred measures as soon as practicable.

(2) Upon written request of a majority of committee members filed with the committee chairperson and the Secretary of the Senate, the chairperson shall order a hearing or work session on any measure in the possession of the committee. The hearing or work session shall be held only after notice as required by Rule 8.15(1), but shall be held within a reasonable time.

8.25 Committee Meeting Records.

(1) Each meeting of a committee or subcommittee shall be sound recorded. As soon as practicable after each meeting, written minutes of the meeting shall be

prepared and distributed. The minutes shall contain at least the following information:

- (a) Attendance of members and staff
 - (b) Names of all witnesses
 - (c) Recorded vote on all official actions
 - (d) Any announcements of conflicts of interest
 - (e) References to the recording log, sufficient to serve as an index to the original sound recording.
- (2) Testimony and exhibits submitted in writing shall be attached to the minutes and considered as part of the official record.

REFERRAL OF MEASURES TO COMMITTEE

8.40 Referral to Committee.

(1) Within seven calendar days following first reading of a measure, the President shall refer the measure to an appropriate committee and may refer it to not more than one additional committee. When a bill is referred to a committee the President shall notify the President pro tempore. The President pro tempore shall have three calendar days to agree or disagree with the referral. In the event they do not agree, the bill will be referred to the committee on Rules. Any measure appropriating money or requiring the expenditure of money may also be referred to the Joint Committee on Ways and Means. The referral may occur before or after it has been referred to and reported out of any other committee. The President with the agreement of the President pro tempore may, at any time, rescind a subsequent referral.

(2) At the request of a committee reporting on a measure, the President with the agreement of the President pro tempore may rescind or add a subsequent referral to another committee.

(3) The Secretary of the Senate shall publish and distribute to the members a current listing of measures referred. A list of measures referred shall be placed in the Journal. The President may either announce the referral decisions or order the referrals made in accordance with the printed list.

8.42 Withdrawing Measure from Committee.

A measure, including one referred by the President to a joint committee, may be withdrawn from a committee by a motion to withdraw, and by the affirmative vote of a constitutional majority (16) of the members of the Senate.

8.43 Motion to Refer or Rerefer.

A measure may be referred or rereferred to committee either under Propositions and Motions or on third reading. An affirmative vote of a majority of those present is necessary. A measure may be referred or rereferred with recommendations to a committee. These recommendations must be in writing and filed with the Secretary of the Senate before the vote is taken on the motion to refer with recommendations.

COMMITTEE REPORTS

8.50 Committee Reports.

(1) All committee reports on measures shall be signed by the committee chair. Committee reports must be submitted to the Secretary of the Senate on or before the third session day following final committee action on the measure. When a committee requests a subsequent referral or requests a referral be rescinded, the request shall be in writing and accompany the committee report.

(2) If a minority report is to be filed, notice must be given to the committee on the day the report was adopted. The minority report, together with the committee report, shall be filed jointly no later than three session days following final committee action.

(3) All committee reports shall be filed in a manner prescribed by the Secretary of the Senate. Reports which are not in the proper form and style may be returned to the committee or corrected by the Secretary of the Senate and the President or their designees. Any substantive changes must be approved by the committee.

(4) In reporting a measure out, a committee shall include in its report:

- (a) The measure in the form reported out
- (b) The recommendation of the committee
- (c) A staff measure summary for all measures except appropriation bills and joint memorials

(d) A fiscal impact statement, if applicable, prepared by the Legislative Fiscal Officer

(e) A revenue impact statement, if applicable, prepared by the Legislative Revenue Officer

(f) Budget notes, if applicable, as adopted by a majority of the Committee on Ways and Means.

(5) If the committee is of the opinion that a fiscal impact statement or a revenue statement is not applicable, the report shall state that decision and be filed without such statements.

8.52 Committee Reports--Read or Announced.

(1) At the discretion of the President, committee reports at the Senate Desk may be either read or announced under the proper order of business. If reports are announced, the Secretary of the Senate shall distribute to the members a summary of all reports and measures passed to calendar.

(2) The Secretary of the Senate shall cause the committee report to be entered in the Status Report and Journal.

8.55 Second Reading of Measures.

(1) Measures reported favorably without amendments and having no subsequent referral shall be placed on the second reading calendar for the same session day on which the report is read or announced.

(2) Measures reported favorably with amendments and having no subsequent referral shall be placed on the Second reading calendar for the same session day on which printed amendments are distributed.

8.60 Dissents; Minority Reports.

(1) Any member of a committee who dissents from the committee recommendations may request to be listed in the committee report as not concurring. The names of members not concurring shall be recorded in the Status Report and Journal.

(2) If a minority report, subscribed to by at least two members dissenting from the committee report, accompanies the committee report, both reports shall be filed jointly. On the day next following distribution of amendments, it shall be in order under Propositions and Motions to move the adoption of the committee report and then to move that the minority report be substituted for the committee report. When

action on the minority report is completed, the measure shall be read for the third time and considered immediately.

(3) No member of a committee may subscribe to more than one minority report respecting a given committee report.

(4) Committee members may subscribe to a minority report only if present during committee meeting when action was taken.

8.65 Without Recommendation.

If a measure is reported without recommendation by a committee, the report shall be filed and the measure placed on the Second reading calendar for that day, and on the Third reading calendar the second session day following receipt. If the measure has amendments, second reading shall occur on the same day on which printed amendments are distributed. The measure shall be carried on the floor by the chief Senate sponsor, the committee chair, or committee member designated by the committee chair at the discretion of the committee chair.

8.70 Adverse Committee Report.

(1) When a measure is reported with a do not pass recommendation, the effect of the adoption of an adverse committee report is the indefinite postponement of the measure. A motion to adopt the report is required.

(2) The Secretary of the Senate must notify, in writing, the President, [President pro tempore](#) and the sponsors of the measure of an adverse report within 24 hours of receipt of the report by the Secretary of the Senate. No action shall be taken on any adverse report until 24 hours after the Secretary of the Senate has notified the President, [President pro tempore](#) and the sponsors of the measure.

8.75 Germaneness.

If, at any time after filing of a committee report, including a conference committee report, and before final action by the Senate on the measure, a member raises the question of the germaneness of the amendments, the President shall decide the question based on section 402 of *Mason's Manual of Legislative Procedure* and announce the decision from the rostrum.

8.80 Third Reading and Final Passage.

(1) Except as provided in Senate Rule 3.50, measures shall be placed on the calendar for third reading and final passage the next session day following second reading.

(2) When a measure is reported favorably but with amendments, the amendments must be printed and distributed to the desks of the members before the measure comes up for third reading and final passage. The measure shall be placed on the calendar for third reading and final passage on the session day following the day of distribution of the printed amendments.

(3) Upon the recommendation of the committee chair reporting a measure with amendments, or at the President's discretion, the President may order a measure printed with the amendments engrossed therein. If the measure is printed engrossed, it shall not be considered for final reading sooner than the session day following distribution of the printed engrossed measure unless the amendments have been distributed to the desks of the members.

(4) Measures passed to the calendar in the regular order of business which, according to Legislative Counsel, conflict with measures previously passed in the current session, may be taken from the calendar for the purpose of resolving the conflict. A motion by the chair of the committee that considered the measure is in order for removal of the measure from the calendar.

(5) Notwithstanding the provisions of this rule, it shall be in order for the Secretary of the Senate to replace a measure on the calendar for third reading and final passage in the regular order of business immediately after the committee report resolving the conflict has been read. If changes other than resolving conflicts or minor corrections are made, consideration of the measure must comply with the regular procedure.

8.85 Order of Consideration for Final Passage.

(1) When placed on the calendar for final passage, measures shall be considered in their numerical order. However, appropriations measures shall precede other measures.

(2) Except as otherwise provided in these rules, no motion is required to adopt a committee report.

8.95 Substitute Measure.

A substitute measure shall be treated as a newly introduced measure providing it is relevant to the title and subject of the original measure. After first reading, the measure shall be placed on second reading, on the next session day, without referral to committee.

RECONSIDERATION

10.01 Reconsideration.

(1) A motion for reconsideration may be made by a member who voted on the prevailing side when:

(a) A measure or executive appointment has passed or been confirmed;

(b) A measure or executive appointment has failed to pass or has been denied;

(c) A non-procedural motion has been adopted; or

(d) A non-procedural motion is defeated.

A motion for reconsideration is not in order on a vote whereby a measure was indefinitely postponed.

(2) Notice of intent to move for reconsideration must be given orally by the member who intends to move the motion. Notice must be given prior to adjournment on the day on which the vote to be reconsidered was taken.

(3) A motion to reconsider may be debated together with the main question, if the subject of the main question is debatable.

(4) The motion to reconsider may be voted on the day when the vote to be reconsidered was taken, or on the next session day.

(5) A majority affirmative vote of those present and voting is required to reconsider a vote, including a measure requiring an otherwise constitutionally designated majority vote. There shall be only one reconsideration of any final vote even though this action reverses the previous action.

10.05 Transmitting Measures which may be Reconsidered.

When a member has given notice of intention to move for reconsideration of the final vote passing a

measure, the Secretary of the Senate shall not transmit that measure until a motion for reconsideration has been made or the time for making a motion has expired. However, if the measure subject to reconsideration was passed on what the President has reasonable cause to believe is one of the final days of the session, the Secretary of the Senate shall transmit the measure notwithstanding the fact that notice of reconsideration has been given.

10.10 Recall of a Measure.

In order to reconsider the vote on a measure no longer in possession of the Senate, a motion to recall the measure is in order. Measures originating in either the House or the Senate may be recalled from the Governor at any time prior to signing and filing of the measure by the Governor. A motion to request the return of a measure shall be acted upon immediately and without debate.

CONFERENCE

11.01 Vote to Concur in Amendments of Other House.

(1) Upon return to the Senate of a Senate measure which has been amended in the House, the vote to concur and re-pass the measure, or not to concur with the House amendments, shall not be taken before the next session day after the message from the House has been read.

(2) A motion to concur and re-pass the measure, or not to concur with the House amendments, shall come under the order of business of Propositions and Motions and is not subject to referral to a committee.

(3) On the motion to concur and re-pass the measure, a roll call vote is required and a constitutional majority (16) is needed for concurrence and re-passage, except in the case of a measure requiring an otherwise constitutionally designated majority vote.

(4) On a motion not to concur, the affirmative votes of a majority of the members present is needed. If the motion not to concur is adopted, the President shall appoint a conference committee.

(5) If a motion not to concur is defeated, the President shall immediately order a roll call vote on the question of concurrence and re-passage of the measure.

(6) If the motion to concur and re-pass the measure is defeated, the President shall appoint a conference committee.

11.05 Conference Committee.

Upon receipt of a message from the House that it has failed to concur with Senate amendments to a House measure, the President shall, within five calendar days, appoint a conference committee of two or three more members to represent the Senate and meet with a similar committee of the House. Each conference committee shall have equal numbers of members from each party. At least one member appointed shall have served on the Senate committee that considered the measure. The President may request the committee chair to designate one of the members.

11.10 Authority of Conference Committee.

(1) The conference committee has authority to propose amendments only within the scope of the issue between the houses.

(2) The Senate conferees shall meet with the House conferees as soon as is practicable after appointment. The time and place shall be agreed upon by a majority of all the conferees. The committee shall immediately notify the President and the Secretary of the Senate of the time and place of the meeting. The Secretary of the Senate shall immediately cause notice of the meeting to be given to the public and posted outside the Senate Chambers. Notice of the meeting shall be announced on the floor, if the Senate is in session.

11.15 Adoption of Conference Committee Report.

(1) If a majority of conference committee members of each house agree to an amendment, or otherwise resolve the issue between the houses, the report shall be filed with both houses. A majority of conferees from each house shall sign the report. A dissenting conferee may indicate that fact when signing the report.

(2) No motion is required to adopt the conference committee report if re-passage of the measure is not required. When re-passage is required, a motion to adopt the conference committee report and re-pass the measure is necessary. A motion shall not be made sooner than the next session day after the conference committee report has been printed and then may be made at any time.

(3) On the motion to adopt the conference committee report and repass the measure, a roll call vote is required and the affirmative votes of a constitutional majority (16) is needed, except in the case of a measure requiring an otherwise constitutionally designated majority vote.

(4) If the motion to adopt the conference committee report and repass the measure fails, the President may appoint another conference committee.

(5) On a motion to refuse to adopt the conference committee report, the affirmative vote of a majority of those present is needed. If the motion is adopted, the President may appoint a conference committee.

(6) It shall not be in order to refer, rerefer or amend a conference committee report.

(7) When the conference committee report concerns a measure that originated in the House, the Senate may take action in accordance with subsections (1) and (2) without waiting for action by the House.

11.20 Discharge of Conferees.

(1) If a majority of conference committee members cannot agree within a reasonable time, the Senate conferees shall advise the President of their inability to agree with the House conferees and request discharge. The President shall then discharge the Senate conferees and may appoint a new conference committee to represent the Senate.

(2) If a conference committee does not report within a reasonable period of time after its appointment, the President may discharge the Senate conferees and appoint new conference committee members to represent the Senate.

SPONSORSHIP

12.01 Sponsorship.

(1) Every measure introduced in the Senate shall bear the name of the chief sponsor(s) and shall comply with ORS 171.127.

(2) Upon written request, filed with the Secretary of the Senate, a member may be added to any measure as a sponsor, after first reading and prior to final consideration.

(3) When the measure is in the possession of the Senate, the President may order the name of a

sponsor deleted from a printed engrossed or enrolled measure if a sponsor requests in writing to have the name removed because it was placed on the measure by error or because the measure has been so substantially altered that the sponsor can no longer sponsor it. If the removal is so ordered, the name shall be removed from the list of sponsors at the next printing of the measure, and from the measure history in the Status Report at the next printing.

(4) If removal of the sponsor's name leaves the measure without sponsorship, the President may order the name of the committee that reported the measure to be named as sponsor.

12.02 Requester.

(1) Every measure introduced at the request of an individual, organization, state agency, or legislative interim committee shall indicate that it is introduced by request and identify the requester.

(2) When the measure is in the possession of the Senate, the President may order the name of a requester added or deleted from a printed engrossed or enrolled measure if the chief sponsor or the requester asks in writing to have the name added or removed.

(3) A requester's name may be removed because it was placed on the measure by error or because the measure has been so substantially altered that the requester can no longer support the measure.

(4) If the addition or removal is so ordered, the requester's name shall also be added or removed from the measure at the next printing and from the measure history in the Status Report at the next printing.

12.05 Committee Sponsorship.

Any measure to be sponsored by a committee must be approved for such sponsorship by a majority of the committee members and must be signed by the committee chair.

INTRODUCTION OF MEASURES

13.01 Requirements for Presentation of Measures for Introduction; Bill backs.

(1) The sponsor of a measure for introduction shall present to the Secretary of the Senate one copy of the measure which has a bill back initialed by the

sponsor(s). Such presentation may be made only by a member, authorized staff of a member or, in the case of a committee, by the chair or authorized committee staff. The Secretary of the Senate or a person authorized by the Secretary of the Senate shall, upon request, provide a time-dated receipt to the person presenting the measure.

(2) A copy of the measure designated as the original shall be placed in the original measure folder. Copies of all amendments and reports, and a record of all actions on the measure shall be maintained with the original measure folder.

(3) Immediately after presentation to the Secretary of the Senate, the measure shall be sent to Legislative Counsel for examination and compliance with the "Form and Style Manual for Legislative Measures" and preparation of a copy for the State Printer. No corrections that might affect the substance of the measure shall be made without the consent of the sponsor of the measure.

13.02 Measure Summary.

(1) No measure shall be accepted by the Secretary of the Senate for introduction without an impartial summary of the measure's content, describing new law and changes in existing law proposed by the measure. Any measure presented to the Secretary of the Senate which does not comply with this requirement shall be returned to the member or committee that presented it.

(2) The summary may be edited by Legislative Counsel and must be printed on the first page of the measure. The summaries of measures may be compiled and published by the appropriate legislative agency.

(3) If a material error in a printed summary is brought to the attention of Legislative Counsel, Counsel shall cause a corrected summary to be prepared which shows the changes made in the summary. Changes shall be shown in the same manner as amendments to existing law are shown. Counsel shall deliver the corrected summary to the Secretary of the Senate. The President may order the corrected summary printed and distributed as directed by the Secretary of the Senate.

(4) When a measure is amended, Legislative Counsel shall prepare an amended summary. The amended summary may be a part of the printed amendment. The summary shall be amended to show proposed

changes in the measure in the same manner as amendments to existing law are shown.

(5) All summaries must comply with ORS 171.134.

13.05 Deadline on Introductions

No measure shall be accepted by the Secretary of the Senate for introduction in the Senate after 5 p.m. on the 36th calendar day of the session except:

(1) Measures approved for introduction by the Senate Committee on Rules ~~and Elections~~ and so identified by the initials of the chair on the original copy.

(2) Appropriation or fiscal measures sponsored by the Joint Committee on Ways and Means.

(3) Measures drafted by Legislative Counsel and introduced as provided in Senate Rule 13.15.

13.08 Introduction of Agency Bills.

A state agency that did not file a measure prior to the session pursuant to ORS 171.132 may request, in writing, to have the measure introduced by submitting the measure to the Senate Committee on Rules ~~and Redistricting~~. If the committee concludes that the agency's reason for not filing the measure under ORS 171.132 is adequate, the committee may introduce the measure as a committee bill or with whatever other sponsorship is requested.

13.10 Legislative Counsel Drafting Services.

(1) Between 5 p.m. on the 22nd calendar day of the session and 5 p.m. on the 29th calendar day of the session, the Legislative Counsel shall accept only five non-transferable drafting requests from each member.

(2) After 5 p.m. on the 29th calendar day of the session, the Legislative Counsel shall discontinue drafting of all measures except:

(a) Measures approved for drafting by the Senate Committee on Rules ~~and Redistricting~~;

(b) Appropriation or fiscal measures approved for drafting by the Joint Committee on Ways and Means; or

(c) A proposal requested for drafting by a member under Senate Rule 13.15.

(3) Nothing in this rule prohibits Legislative Counsel from providing drafting services for amendments to measures, including substitute measures, at the request of a member or a committee.

13.11 Confidentiality; Consolidation of Requests.

(1) A member may designate that a request for measure drafting services be treated as confidential in accordance with ORS 173.230. Requests from a committee may not be treated confidentially.

(2) Whenever a request is made for measure drafting services, Legislative Counsel shall inform the requester of all nonconfidential requests for similar measures and attempt to consolidate all such requests in one measure. Legislative Counsel shall also inform requesters of confidential drafts when similar but nonconfidential requests are made. This will be done in order to determine whether the requester wishes to consolidate the confidential request with similar but nonconfidential requests.

13.15 Drafting Requests.

(1) Every member shall be entitled to not more than two priority drafting requests of the Legislative Counsel.

(2) Every measure bearing a priority designation of the Legislative Counsel must be presented to the Secretary of the Senate for introduction within three session days after delivery of the measure to the member by the Legislative Counsel. The Secretary of the Senate shall not accept any measure showing that it was delivered by Legislative Counsel to the member more than three session days before it is presented to the Secretary of the Senate.

PUBLICATIONS AND RECORDS

14.01 Journal; Status Report

(1) The Senate shall cause a Journal of its proceedings to be maintained. The Journal shall contain a full, true and correct chronological record of all proceedings of the Senate.

(2) The Senate shall cause a Status Report to be composed and printed daily during the regular session of the Legislative Assembly. The measures shall be listed in numerical order and shall contain title, sponsor and a history of actions taken in each

house.

(3) The President may direct publication of the Status Report on a weekly cumulative basis, with daily supplements reflecting the proceedings of the previous day.

14.03 Senate Records.

(1) As used in this rule, "Senate record" means a measure or amendment of a measure, a document, book, paper, photograph, sound recording or other material produced by the Senate, a Senate committee or staff member, in connection with the exercise of legislative or investigatory functions, but does not include the record of an official act of the Legislative Assembly kept by the Secretary of State under section 2, Article VI of the Oregon Constitution.

(2) Subject to the needs of Senate members and Senate staff in the performance of official duties, Senate records in the possession of the Senate shall be available for public inspection, subject to such requirements as may be imposed by the President to insure their safety.

(3) Sound recordings shall be made of every floor session of the Senate and be kept in the custody and control of the Secretary of the Senate. Sound recordings shall be made of every committee meeting and be kept in the custody and control of the Legislative Administrator.

(4) A Senate committee or Senate staff member having possession of Senate records that are not required for the regular performance of official duties shall, within 10 days after the adjournment sine die of the session, deliver all such Senate records to the Legislative Administrator.

(5) Senate records shall not be loaned except to staff of the Legislative Assembly who require access to such records in the performance of official duties. Arrangements for having records copied may be made and an appropriate fee to meet costs may be imposed. All monies collected under this rule shall be promptly turned over to the Legislative Administrator or designee.

14.05 Other Legislative Publications.

(1) Unless otherwise directed by resolution, the President is authorized to implement the powers vested in the Senate by ORS 171.206.

(2) All orders for printing and distribution of

publications printed for the Senate, except those publications the printing or distribution of which are governed specifically by statute or otherwise, shall be signed by the President or by a designee.

14.10 Distribution of Legislative Publications.

(1) In implementation of ORS 171.206, and for the proper functioning of the Senate, the Secretary of the Senate shall order from the Legislative Administrator a sufficient number of copies of all publications printed for either house of the Legislative Assembly.

(2) Unless otherwise directed by joint resolution or otherwise provided under ORS 171.206, 171.236 or 182.070, the Legislative Administration Committee shall, upon request, cause to be distributed, without charge, the publications of each session of the Legislative Assembly to boards of county commissioners, cities, public libraries, law schools in the state and accredited representatives of the news media as considered appropriate.

(3) Each member is authorized up to 15 mailings of weekly Status Reports, indexes and Legislative Schedules without charge.

(4) Each member is authorized a maximum of 50 additional copies of measures without charge.

(5) Mailings of legislative publications requested by members shall not be made to any person who is a lobbyist, as defined in ORS 171.725.

14.20 Legislative Newsletters.

(1) Each member may issue legislative newsletters or other informational material to constituents. Costs for newsletters and informational material may be billed to the member's individual expense account. Such newsletters or other informational material charged in whole or in part against a member's individual expense account may be distributed at any time during a member's term with the following exceptions:

(a) The period commencing 60 days before the primary election until the day following the election if the member is a candidate for election or reelection at the primary election.

(b) The period commencing 60 days before the regular general election until the day following the election if the member is a candidate for election or reelection at the general election.

(2) As used in this rule "legislative newsletter" and "informational material" means material suitable for distribution to members of the public informing them of official activities of a legislator or actions occurring before the Legislative Assembly or its committees or affecting its activities when such material is not campaign material and does not serve partisan political purposes.

(3) As used in this rule "distributed" means that the legislative newsletter or informational material has left the possession and control of the member.

OFFICERS; PERSONNEL

15.01 Secretary of the Senate; Election and Duties.

(1) The members shall elect a Secretary of the Senate who shall be considered an officer of the Senate and shall serve at its pleasure until the convening of the next regular session of the Legislative Assembly. In the event the office becomes vacant at a time when the Senate is not in session, the President may appoint an acting Secretary of the Senate to serve until the next regular or special session or meeting of the Senate to consider executive appointments, at which time the members shall elect a Secretary of the Senate.

(2) Under the direction of the President, the Secretary of the Senate, in addition to performing those duties provided by law or other provisions of these rules, shall:

(a) Authorize and supervise the preparation and distribution of all measures, Status Reports, Journals and related publications of the Senate.

(b) Be responsible for the keeping of the measures, papers and records of the proceedings and actions of the Senate and have charge of the publications and distribution of publications related thereto.

(c) Instruct and supervise staff of Senate committees in the preparation of official Senate records.

(d) Receipt for documents transmitted to the Senate and take receipts from persons, including Senate committees, receiving documents from the Senate.

(e) Serve as parliamentarian for the Senate.

(f) Instruct and supervise Senate employees engaged in carrying out the duties described in paragraphs (a), (b) and (c) herein, and employees, other than members' personal staff, assigned to duties in or related to the Chamber area.

15.02 Sergeant at Arms; Appointment and Duties.

(1) The Secretary of the Senate, in consultation with the President, shall appoint a Sergeant at Arms.

(2) Under direction of the President, the Sergeant at Arms, assisted by the Capitol Executive Security when directed by the President, shall maintain order in the chamber and other areas assigned to the Senate, execute all processes issued by authority of the Senate or any of its committees, and perform such other duties as the President may direct. The Sergeant at Arms shall permit such ingress and egress to the chamber during sessions as may be directed by the President or allowed by the rules.

15.04 Senate Desk and Floor Personnel.

(1) The Secretary of the Senate, in consultation with the President and President pro tempore of the Senate, shall appoint Senate desk staff, floor personnel and receptionists as necessary to conduct the business of the Senate and in accordance with the current Legislative Assembly budget.

(2) Personnel assigned to the Senate Desk and the Senate floor, including receptionists shall perform duties as directed by the Secretary of the Senate and the President.

15.05 Other Personnel.

(1) (a) Subject to the provisions of this rule, a member may appoint personal staff for the session or the interim or both, according to the allowance provided in the current Legislative Assembly budget.

(b) A member shall establish salaries payable to persons appointed under subsection (1) (a) of this rule. If a member has a balance in his/her staff allowance account at adjournment sine die of the regular session, the member may use the balance during the interim for personnel or for legislative newsletters or other informational material.

(c) For purposes of computing fringe benefits,

persons appointed under subsection (1) (a) of this rule who are paid less than \$600 per month shall be considered to be working less than half time and shall not be eligible for such benefits. A member shall not appoint more than two persons eligible for fringe benefits in any month.

(2) The ~~majority and minority~~caucus leaders may each appoint such staff as is necessary to conduct the business of the caucus as provided in the current Legislative Assembly budget.

(3) The President, in consultation with the President pro tempore, may appoint such staff as is necessary to perform the duties of the offices of the President and President pro tempore or to assist the Senate.

(4) In consultation with each committee chair, the President may appoint a committee administrator and committee assistant to conduct the business of the committee and in accordance with the current Legislative Administration budget, may appoint other personnel as determined necessary for the proper operation of the committee.

(5) Employees of the Senate serve at the pleasure of the appointing authority and shall be appointed or dismissed by written notice thereof to the Legislative Administrator.

(6) The time of service for all employees begins on the date contained in their letter of appointment, which shall be filed with the Legislative Administrator's office.

(7) To maintain professionalism in the legislative process, dress code policies may be established for positions which support decorum and protocol of the Senate.

15.10 Salaries.

All salaries for Senate employees shall be fixed by the Per Diem Committee and reported to the Senate.

15.20 Expense Allowance.

Each member has an allowance of ~~\$26,083~~-~~27,439~~ during the regular session for personal staff as defined in Senate Rule 15.05, services and supplies as defined in Senate Rule 16.01, and legislative newsletters as defined in Senate Rule 14.20.

SERVICES AND SUPPLIES

16.01 Office Supplies, Stationery and Equipment.

(1) The Legislative Administrator shall issue office supplies directly to Senate members and staff in accordance with the Rules of the Senate and policies of the Legislative Administration Committee. Members and staff shall comply with ORS 171.136.

(2) New members will receive a one-time allowance of \$200 for start-up expenses. The costs of requisitioned services and supplies shall be charged against the member's individual services and supplies account. Weekly reports of the status of the member's services and supplies accounts shall be provided to each member.

(3) Services and supplies that may be obtained under this rule include:

- (a) Postage (all classes)
- (b) Subscriptions to newspapers and periodicals
- (c) Out-of-state telephone toll charges
- (d) Office supplies
- (e) Copying, facsimile charges
- (f) Newsletter printing, postage and labels

(g) Any other service or supply authorized by the President.

(4) All orders for stationery and printing may be placed with the Secretary of the Senate.

(5) Each member's office in the Capitol Building and committee office in the Capitol Building shall be provided with office furniture and equipment necessary to assist in the conduct of Senate business. Requests for additional furniture or equipment shall be placed with the President.

(6) Any amount remaining unexpended or unobligated in the member's individual services and supplies account upon adjournment sine die of the regular session may be used during the interim for the following:

- (a) Postage (all classes)
- (b) Office supplies

(c) Copying, facsimile charges

(d) Newsletter printing, postage and labels

(e) Interim staff.

(f) Any other service or supply authorized by the Senate President.

(7) Any member who spends in excess of the allowance provided under these rules shall reimburse the Legislative Assembly for the overdraft.

16.02 Assembly Transition

Those members not returning to serve in the next regular legislative session shall have until December 1 of the even-numbered year to vacate their office space in the State Capitol.

16.05 Requests for Attorney General Opinions.

Requests for opinions from the Attorney General require approval of the President as a necessary condition for authorizing payment from legislative funds. This rule takes precedence over subsection (2) of ORS 180.060. Legislative Counsel shall provide legal advice and opinions to the members of the Senate without prior approval of the President.

PRIVILEGES

17.01 Floor Privileges.

(1) When the Senate is in session, no person shall be permitted within the bar except:

- (a) Members of the Senate;
- (b) Desk and floor personnel of the Senate;
- (c) Members of the House of Representatives;
- (d) Accredited representatives of the news media;
- (e) One member of the staff of the majority office and the minority office; and

(f) One member of a Senator's personal staff or a member of the staff of a Senate standing committee, statutory committee, special committee, the majority office minority office may be seated at a member's desk. Additional Senate staff members are permitted on the side aisles.

(2) Courtesies of the floor may be extended only to special dignitaries, former members of the Legislative Assembly and members of the family of a member to whom courtesies of the floor have been extended. However, courtesies shall not be extended to any former member who is a lobbyist.

(3) No person who is a lobbyist as defined in ORS 171.725 shall be permitted in the Senate Chamber area during its daily session. Any person transgressing this subsection shall be removed from the Chamber and shall be subject to the penalties provided by law for violation of lobbying regulations.

(4) Admission to the side aisles beyond the bar shall be reserved for the families and guests of members of the Senate, local and state-elected officials and such other persons as may be authorized by the President. However, the privilege shall not be granted to any person actively engaged in seeking the passage or defeat of any measure, except during consideration of Concurrent Resolutions as may be authorized by the President.

(5) No food, beverage or smoking is permitted on the side aisles or within the bar.

(6) While the Senate is in daily session, the center aisle of the floor shall be kept clear of all persons, except members and the Secretary of the Senate or someone acting under the direction of the Secretary of the Senate and conducting the business of the Senate. Access to the Chamber during a daily session shall be by the side doors and side aisles.

(7) Beginning 15 minutes before the opening of each session and ending 15 minutes after the session, no person shall be permitted in the Chamber area except those authorized to be in the Chamber under this rule.

17.02 Accreditation of News Media.

(1) As used in these rules, "accredited representatives of the news media" means bona fide representatives of publications of general circulation and of news wire services and bona fide representatives of radio and television facilities.

(2) In order to obtain accreditation, representatives of the news media shall register in the office of the President, indicating the publication, news wire service, radio or television station represented. However, any representative of a news media who is

attending the session as a lobbyist, as defined in ORS 171.125, shall not be entitled to accreditation or the privileges of the floor.

(3) Accredited representatives of the news media may use still cameras on the side aisles. The use of motion picture or television cameras in the Chamber, or still cameras within the bar, may be permitted by the President. The Secretary of the Senate shall provide adequate camera locations for accredited representatives of the news media in the Senate gallery. Personnel of Legislative Media Services are subject to this rule.

17.03 Distribution of Materials on Floor.

(1) No materials on any measure which is on the third reading calendar or on the agenda may be distributed on the floor except materials prepared for, or by, a member of the Senate.

(2) No anonymous material shall be distributed to members on the floor at any time. A copy of any material distributed to members' desks must be filed with the Secretary of the Senate prior to distribution.

(3) Nothing in the rule prohibits a member from requesting and receiving specific material delivered by legislative staff.

(4) The Sergeant at Arms shall enforce this rule.

17.05 Lounge Privileges.

The lounge is for the convenience of Senators. Supervision, operation and use of the Senate Lounge shall be directed through agreement of ~~the Majority Leader and the Minority Leader~~ [Caucus Leaders](#).

IMPROPER CONDUCT

18.01 Work Environment.

(1) The Senate is committed to providing a work environment free from improper conduct, which includes any conduct, including workplace harassment that discredits the integrity of the Senate.

(2) "Workplace harassment" means treatment or behavior that to a reasonable person creates an intimidating, hostile or abusive work environment, and includes violent acts for which employers could be held liable. Harassment may be based on a person's sex, race, religion, age, disability, national origin or

status as a member of a protected class.

(3) (a) "Sexual harassment" means unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when:

(A) A person says or suggests that declining to submit to the conduct will affect a person's job, benefits or business before the Legislative Assembly;

(B) A person uses submission to or rejection of the conduct as the basis for decisions affecting another person's employment; or

(C) The conduct has the purpose or effect of unreasonably interfering with a person's performance or creating an intimidating, hostile or offensive environment in which the person works.

(b) "Sexual harassment" includes the following conduct:

(A) Verbal abuse of a sexual nature;

(B) Graphic comment about a person's body or attire;

(C) Touching of a sexual nature;

(D) Sexual advances and propositions;

(E) Sexually degrading words used to describe a person;

(F) Display in the workplace of any sexually suggestive object or picture; and

(G) Any threat or insinuation that a person's refusal to submit to a sexual advance will adversely affect that person's employment, evaluation, wages, duties, work shifts or any other condition of employment or business before the Legislative Assembly.

(4) A supervisor engages in improper conduct by failing to take appropriate action when the supervisor knows or should have known that improper conduct is or was occurring.

18.02 Scope.

The Senate rules on improper conduct apply to complaints brought against Senate members, Senate employees, Senate caucus employees, lobbyists or the personal staff of a Senate member. Senate personal

staff includes legislative assistants, secretaries, interns, volunteers and other staff working in the offices of individual members, the President's office and the majority and minority offices.

18.03 Notice.

(1) When a legislative session commences, the President shall give the following notice to all Senate members and Senate employees:

(2) If you believe you have been a victim of improper conduct, you have options. You can tell the offender about the action that disturbed you and ask the offender to stop. You can communicate with the offender in person or in writing. You may also use the informal or formal procedures established by the Rules of the Senate as set forth in 18.05 and 18.06 to pursue a complaint of improper conduct if you:

(a) Do not want to confront the offender directly;

(b) Have talked to the offender and the offensive behavior has not stopped; or

(c) Believe your complaint has resulted in retaliation.

In addition, you have the right to file a complaint with administrative agencies and the courts.

(3) Notice of the Senate policy shall be posted in all work areas.

18.04 Special Committee on Conduct.

(1) The President shall appoint members of ~~the majority and minority~~each parties-party in equal numbers to the Special Committee on Conduct for the purpose of handling the formal procedure set forth in Rules 18.06 to 18.09. The chair ~~shall be a member of the majority party and the vice chair shall be a member of the minority party~~and vice chair shall be from different parties.

(2) The committee shall adopt rules as necessary, including rules to govern the nature and scope of any investigation conducted pursuant to the Senate rules on improper conduct.

18.05 Informal Procedure.

Persons who believe they have been subjected to improper conduct may simply want the improper

conduct to end; they may not want to go through a formal or legal procedure. The following informal procedure addresses this need. However, a person making a complaint need not use this informal procedure before filing a formal complaint with the Senate, administrative agency or court. The informal and formal procedures in the Senate rules on improper conduct are optional; a person may or may not use them.

(1) The person making the complaint must submit the complaint to an intermediary designated pursuant to subsection (5) of this rule within 30 days of the improper conduct.

(2) The intermediary has two roles. First, the intermediary ensures that the person making the complaint has a safe and nonhostile work environment. The President or the Secretary of the Senate shall assist the intermediary in making the appropriate arrangements. Second, the intermediary listens, answers questions and explains options. The intermediary is not an advocate but a mediator who, with the permission of the person making the complaint, may explore various paths to resolution. An intermediary does not have authority to impose disciplinary action.

(3) The identities of the parties to the informal procedure shall be confidential. Any records related to the informal procedure shall be exempt from public disclosure under the provisions of ORS 192.501 and 192.502 without regard to the public's interest in their disclosure. Confidentiality shall extend until such time as a formal written complaint, if any, is filed with the Legislative Counsel as provided in Rule 18.06.

(4) After meeting with an intermediary, the person making the complaint may decide to take further action and institute formal complaint procedures.

(5) The ~~Majority and Minority~~Caucus Leaders shall designate as intermediaries a reasonable number of Senate members and staff of the Senate, including the Secretary, the Legislative Administrator and the Employee Services Manager. A description of the function of the intermediary shall be prepared by the Legislative Administrator and approved by the Special Committee on Conduct. Designated intermediaries shall be identified by name, with contact telephone number and office location, and a list of the designated intermediaries shall be given to all Senate members and Senate employees. The Senate shall save harmless and indemnify any

intermediary against any tort claim or demand arising out of an alleged act or omission occurring in the performance of duty under these rules.

18.06 Formal Procedure.

A person may file a formal written complaint instead of participating in the informal complaint procedure described in Rule 18.05, or may file a formal written complaint if, after participating in the informal procedure, the person is not satisfied with its resolution. The formal complaint procedure shall consist of the following steps:

(1) During a legislative session, the person must file a formal written complaint with the ~~Majority and Minority~~Caucus Leaders. If the person filing the complaint agrees, the ~~Majority and Minority~~Caucus Leaders may work to resolve the complaint informally. However, if there is no informal resolution, the formal written complaint shall be filed by the ~~Majority and Minority~~Caucus Leaders with Legislative Counsel within seven days of the determination that there is no consent or no resolution. During the interim between legislative sessions, the person must file a formal written complaint with the Legislative Counsel.

(2) The person must file the formal written complaint within 30 days of the improper conduct or, if the person has timely begun an informal procedure, within 14 days of the end of the informal procedure.

(3) Upon receipt of a complaint, the ~~Majority and Minority~~Caucus Leaders shall:

(a) Provide the person filing the complaint with a safe and nonhostile work environment with a comparable work assignment; and

(b) Notify the accused of the complaint, the name of the person making the complaint and the nature of the complaint.

(4) After the filing of a formal written complaint with Legislative Counsel, the ~~Majority and Minority~~Caucus Leaders shall appoint an investigator who is not an employee of the Legislative Assembly and who is experienced in investigating complaints of improper conduct of the type alleged. If the respondent is either the ~~Majority or Minority~~Caucus Leader, or the ~~Majority and Minority~~Caucus Leaders are unable to agree on appointing an investigator within 10 days of the filing of the complaint, Legislative Counsel shall appoint the independent investigator.

(5) The investigator shall conduct an investigation and, within 14 days after being appointed, present findings of fact and recommendations to the President, President pro tempore and the Majority and Minority Caucus Leaders, the person filing the complaint, the person who is the subject of the complaint and the members of the Special Committee on Conduct.

(6) If the person accused of improper conduct is a the Majority or Minority Caucus Leader, the obligations of the Majority or Minority that Caucus Leader under this rule shall be assumed by the President or President pro tempore, whichever is of the same party as the accused caucus leader.

18.07 Time Limits.

(1) The Special Committee on Conduct has jurisdiction over conduct occurring from 30 days before the convening of a regular session of the Legislative Assembly to adjournment sine die. However, if the complaint is filed less than 10 days before adjournment, the President may refer the complaint to an interim committee on conduct.

(2) If a person files a formal complaint with Legislative Counsel during the interim between legislative sessions as provided in Rule 18.06, the President may appoint an interim committee on conduct for the sole purpose of hearing that complaint.

(3) Neither committee shall have jurisdiction over any complaint that is:

(a) Based on conduct that occurred before the effective date of these Senate rules on improper conduct; or

(b) Filed after the deadline prescribed by Rule 18.06.

18.08 Hearing.

(1) Upon receipt of the formal written complaint and the investigator's report, the Special Committee on Conduct shall schedule a public hearing on the complaint. The committee shall notify the Majority and Minority Caucus Leaders, the President, the person filing the complaint and the person who is the subject of the complaint of the hearing date, which shall be not sooner than 14 days after receipt of the complaint and report. The committee must complete

its hearing and make its recommendations within 60 days of the filing of the formal written complaint with Legislative Counsel.

(2) At the hearing, only the members of the committee may ask questions of witnesses. The person who filed the complaint and the person who is the subject of the complaint, or a representative of either of them, shall be allowed to present evidence to the committee by suggesting witnesses and documents to be presented to the committee and by suggesting questions that the committee may address to the witnesses. Questions by committee members must be those that a court of law would deem relevant to a civil action involving the same conduct.

(3) Audio recordings of the committee hearing shall be made by committee staff and shall be made available on an expedited basis to the person filing the complaint and to the person who is the subject of the complaint. No television equipment or tape recording devices other than those used for official committee recording shall be permitted at the hearing.

(4) If the person filing the complaint or the person who is the subject of the complaint disagrees with the recommendations of the Special Committee on Conduct, either person may request that the committee review the recommendations. The request must be made in writing within 10 days after receiving written notice of the committee's action. The committee must complete the review not later than 10 days after receiving the request.

18.09 Sanctions.

(1) (a) Any sanction the Special Committee on Conduct recommends must be proportionate to the seriousness of the offense.

(b) For Senate personal staff, recommended sanctions may include reprimand, suspension or termination. The supervising Senate member must impose the sanction recommended for personal staff.

(c) For Senate members, recommended sanctions may include reprimand, censure or expulsion.

(d) The President must impose any sanction recommended against persons other than Senate personal staff and members. Recommended sanctions may include, as appropriate, reprimand, censure or exclusion from part or all of the Senate.

(2) If the committee recommends no action, the formal procedure is concluded and the complaint shall be considered dismissed.

(3) Any recommended sanction resulting from a formal complaint against a Senate member must be recommended to the floor by the Special Committee on Conduct. Any formal sanctions recommended against a Senate member must be referred to the floor for approval by a two-thirds majority vote of the Senate before final action is taken against a Senate member.

(4) The person who filed the complaint may determine that no further action is necessary but is not precluded from pursuing other appropriate remedies, including court action.

18.10 Malicious or Frivolous Claims.

If, after a hearing, the Special Committee on Conduct determines that a complaint of improper conduct is frivolous, the person filing the complaint shall be subject to appropriate disciplinary action, including the sanctions set forth in Rule 18.09. A complaint is frivolous only if the complaint was not grounded in fact or warranted by existing law, or was brought forward solely to harass the accused person or to interfere with the work of the Senate.

18.11 Retaliation Prohibited.

Retaliatory action against any person who participates in any activity authorized or directed by Senate rules is prohibited and constitutes improper conduct within the meaning of Rule 18.01.

EXECUTIVE APPOINTMENTS

19.10 Referral to Committee.

Following reading of the message from the Governor appointing a person to a position or office requiring confirmation by the Senate, the President shall refer the appointment to ~~an appropriate standing or special committee and may refer it to not more than one additional committee~~ the committee on Rules. The committee shall consider the appointment as soon as practicable.

19.20 Committee Review of Appointees.

All persons initially appointed to boards, commissions or agencies, subject to the provisions of section 4,

Article III of the Oregon Constitution, shall appear before the appropriate Senate committee prior to confirmation by the Senate.

19.35 Committee Action.

(1) The committee may, after public hearing, take action on the appointment and promptly file the report with the Secretary of the Senate. On final action the committee shall recommend that:

(a) the Senate confirm;

(b) the Senate refuse to confirm; or

(c) the appointment be reported to the Senate without recommendation.

19.40 Additional Time for Consideration.

(1) If any appointment submitted by the Governor and subject to Senate confirmation, is submitted too late for the Senate to review the recommendation of the committee or otherwise consider the appointment, that appointment shall be carried over to the next convening of the Senate as required by section 4, Article III of the Oregon Constitution and ORS 171.562 and 171.565.

(2) The proposed appointment shall not be considered rejected, or confirmation denied, if the appointment is carried over. The action of carrying over consideration of the appointment shall be duly recorded in the Journal.

19.55 Consideration of Committee Reports.

(1) Action on a committee report recommending Senate confirmation shall be placed on the calendar for the session day immediately following reading or distribution of the report.

(2) If the committee recommendation is to refuse to confirm or no recommendation, action on the report shall take place on the second session day after the session day the report is read or distributed.

(3) The vote on confirmation shall be taken by roll call. The affirmative vote of a Constitutional majority (16) is necessary for confirmation.

19.60 Confirmation en bloc.

(1) If a committee reports on nominees en bloc, the report shall be placed on the calendar for

confirmation the next session day after reading or distribution of the list of appointments.

(2) When there is more than one appointee to an individual board, commission or agency, a motion to confirm en bloc, when recommended by the committee, shall be in order.

(3) Any member may require a separate vote by requesting that an appointee be considered separately. The request shall be submitted in writing to the Secretary of the Senate one hour before the session on the day that the confirmation is on the calendar. The request will be announced at the appropriate time and the appointee considered separately from the en bloc vote.

MEMORANDUM OF UNDERSTANDING

20.01 Memorandum of Understanding

I. Joint Committee on Ways and Means.

(1) The Senate co-chair of the Joint Committee on Ways and Means shall be from one political party and the Senate vice chair of the committee shall be from the other political party.

(2) The committee shall consist of 10 members with equal numbers from each party.

(3) A member of the committee may not serve on a standing committee.

(4) In the event of a tie vote of the Senate members of the committee, the President may vote as a member of the committee.

(5) The Senate vice chair shall participate in the preparation of the Senate co-chair's budget.

(6) The Legislative Fiscal Officer shall provide all information requested by the Senate vice chair.

(7) A subcommittee of which a Senator is chair shall consist of four members with equal numbers from each party.

(8) In the event of a tie vote of the members of a The memorandum of understanding supplements these rules and supersedes a rule that is inconsistent with the memorandum.

(9) The Senate co-chair shall refer measures to subcommittees in consultation with the vice chair. If

the co-chair and vice chair cannot agree on the referral of a Senate measure, the President may refer the measure to a subcommittee.

II. Committee on Rules.

(1) The caucus leaders shall be co-chairs of the Committee on Rules. Each caucus shall select a vice chair to be appointed to the committee.

(2) The committee shall consist of six members with equal numbers from each party.

(3) (a) The co-chairs shall act together to set the committee's agendas.

(b) Notwithstanding paragraph (a) of this subsection, either co-chair may schedule a public hearing or work session on any measure that the President has referred to the committee.

(4) Final action on a measure or appointment shall be taken only on an affirmative vote of a majority of the members of the committee.

(5) The President shall refer the sine die resolution to the Committee on Rules.

(6) Referral of a measure requires the agreement of the President and President pro tempore. However, if the President and President pro tempore cannot agree on the referral of a measure, the President shall refer the measure to the Committee on Rules. By an affirmative vote of a majority of the committee, the committee may refer a measure to the President's desk for referral to a specific committee. The President shall comply with the committee's referral.

III. President Pro Tempore.

(1) The President pro tempore shall be a Senate liaison with the executive department of state government.

(2) The President shall transfer one budgeted policy analyst position from the President's staff to the staff of the President Pro Tempore. The President Pro Tempore may select the individual to fill the position.

IV. Committees Generally.

(1) Senate members of a standing or statutory committee shall be in equal numbers from each party.

(2) The President may not change the membership of a standing committee or remove a chair or vice chair without agreement of the caucus leaders.

(3) If a member of one political party is the chair of a standing committee, the vice chair of that committee shall be from the other political party.

(4) The chairs and vice chairs of the standing committees of the Senate shall be as follows:

- (a) Agriculture and Natural Resources
Chair: Sen. Frank Shields
Vice Chair: Sen. Roger Beyer
 - (b) Business and Labor
Chair: Sen. David Nelson
Vice Chair: Sen. Vicki Walker
 - (c) Education
Chair: Sen. Charles Starr
Vice Chair: Sen. Ryan Deckert
 - (d) General Government
Chair: Sen. Tony Corcoran
Vice Chair: Sen. John Minnis
 - (e) Health Policy
Chair: Sen. Bill Morrisette
Vice Chair: Sen. Bill Fisher
 - (f) Human Resources
Chair: Sen. Bill Fisher
Vice Chair: Sen. Bill Morrisette
 - (g) Judiciary
Chair: Sen. John Minnis
Vice Chair: Sen. Ginny Burdick
 - (h) Rules
Co-Chair: Sen. Kate Brown
Co-Chair: Sen. Beverly Clarno
Vice Chair: Sen. Ginny Burdick
Vice Chair: Sen. Jason Atkinson
 - (i) Revenue
Chair: Sen. Ryan Deckert
Vice Chair: Sen. Ted Ferrioli
 - (j) Joint Ways and Means
Co-Chair: Sen. Kurt Schrader
Vice Chair: Sen. Steve Harper
- (A) Agriculture and Natural Resources

Subcommittee

Chair: Sen. Ken Messerle

(B) Human Resources Subcommittee

Chair: Sen. Jackie Winters

(C) Transportation and Economic Development Subcommittee

Chair: Sen. Gary George

(k) Water and Land Use

Chair: Sen. Ted Ferrioli

Vice Chair: Sen. Charlie Ringo

(l) Transportation and Economic Development

Chair: Sen. Rick Metsger

Vice Chair: Sen. Bruce Starr

(5) Membership of the standing committees of the Senate is as set forth on Attachment A to this memorandum.

V. **Deadline.**

If the parties have not completed Attachment A within seven calendar days of the date of this memorandum, this memorandum, rules adopted by the Senate of the Seventy-second Legislative Assembly and any agreements that the memorandum expresses are void and of no effect.

Dated this 14th day of January, 2003.

Signed,

Roger Beyer
Kate Brown
Ginny Burdick
Peter Courtney
Beverly Clarno

Lenn Hannon
John Minnis
David Nelson
Jackie Winters

ATTACHMENT A – MEMORANDUM OF UNDERSTANDING

Agriculture and Natural Resources

Senator Frank Shields, Chair
Senator Roger Beyer, Vice-Chair
Senator Tony Corcoran
Senator Bill Fisher

Business and Labor

Senator David Nelson, Chair
Senator Vicki Walker, Vice-Chair
Senator Roger Beyer
Senator Rick Metsger

Education

Senator Charles Starr, Chair
 Senator Ryan Deckert, Vice-Chair
 Senator Ted Ferrioli
 Senator Bill Morrisette

General Government

Senator Tony Corcoran, Chair
 Senator John Minnis, Vice-Chair
 Senator Bruce Starr
 Senator Vicki Walker

Health Policy

Senator Bill Morrisette, Chair
 Senator Bill Fisher, Vice-Chair
 Senator John Minnis
 Senator Frank Shields
 Senator Charles Starr
 Senator Vicki Walker

Human Resources

Senator Bill Fisher, Chair
 Senator Bill Morrisette, Vice-Chair
 Senator Kate Brown
 Senator Ginny Burdick
 Senator Beverly Clarno
 Senator Charles Starr

Judiciary

Senator John Minnis, Chair
 Senator Ginny Burdick, Vice-Chair
 Senator Ted Ferrioli
 Senator Charlie Ringo
 Senator Charles Starr
 Senator Vicki Walker

Revenue

Senator Ryan Deckert, Chair
 Senator Ted Ferrioli, Vice-Chair
 Senator Tony Corcoran
 Senator Lenn Hannon
 Senator Charlie Ringo
 Senator Bruce Starr

Rules

Senator Kate Brown, Co-Chair
 Senator Beverly Clarno, Co-Chair
 Senator Jason Atkinson, Vice-Chair
 Senator Ginny Burdick, Vice-Chair
 Senator Roger Beyer
 Senator Tony Corcoran

Transportation and Economic Development

Senator Rick Metsger, Chair
 Senator Bruce Starr, Vice-Chair

Senator Ryan Deckert
 Senator David Nelson

Water and Land Use

Senator Ted Ferrioli, Chair
 Senator Charlie Ringo, Vice-Chair
 Senator Jason Atkinson
 Senator Rick Metsger

Joint Ways and Means

Senator Kurt Schrader, Co-Chair
 Senator Steve Harper, Vice-Chair
 Senator Margaret Carter
 Senator Richard Devlin
 Senator Joan Dukes
 Senator Gary George
 Senator Avel Gordly
 Senator Ken Messerle
 Senator Frank Morse
 Senator Jackie Winters

Ways and Means Education Subcommittee

Senator Avel Gordly
 Senator Ken Messerle

Ways and Means General Government Subcommittee

Senator Richard Devlin
 Senator Jackie Winters

Ways and Means Human Resources Subcommittee

Senator Jackie Winters, Chair
 Senator Margaret Carter
 Senator Avel Gordly
 Senator Frank Morse

Ways and Means Natural Resources Subcommittee

Senator Ken Messerle, Chair
 Senator Joan Dukes

Ways and Means Public Safety/Regulation Subcommittee

Senator Richard Devlin
 Senator Gary George

Ways and Means Transportation and Economic Development Subcommittee

Senator Gary George, Chair
 Senator Margaret Carter
 Senator Joan Dukes
 Senator Frank Morse

Appendix A

INTERIM RULES OF THE SENATE
Seventy-~~first~~-second Legislative Assembly

202.01 Use of Mason's Manual of Legislative Procedure.

Mason's Manual of Legislative Procedure shall apply to cases not provided for in these Interim Rules, the Rules of the Senate or otherwise covered by the Oregon Constitution, statute or custom.

203.05 Session Hour; Deliberations Open.

(1) The Senate shall meet at the call of the President, or when requested by a Constitutional majority (16) of the members.

(2) All deliberations of the Senate and its committees shall be open to the public. However, nothing in this provision limits the procedures used for a Call of the Senate. This provision does not prohibit clearing the gallery in the event of a disturbance, during which time the Senate shall be in recess.

203.11 Interim Meetings.

When the full Senate meets to consider executive appointments and other interim business, it shall not be considered to be in regular or special legislative session or meeting as a committee of the whole.

VOTING**203.15 Roll Call.**

- (1) A roll call vote of "ayes" and "nays" shall be taken.
- (2) Upon the demand of two members, a roll call vote shall be taken and recorded on any question.
- (3) If the presiding officer is in doubt on an oral vote, the presiding officer shall order a roll call vote.
- (4) The affirmative vote of a Constitutional majority (16) is necessary for Senate confirmation of Executive Appointments.

ORDER OF BUSINESS**204.01 Order of Business.**

- (1) The general order of business shall be:
 - (a) Roll Call
 - (b) Honors to the Colors and the Pledge of Allegiance

- (c) Invocation
- (d) Courtesies of the Senate
- (e) Remonstrances
- (f) Reports from standing committees
- (g) Reports from special committees
- (h) Propositions and motions
 - (i) Action on Executive Appointments requiring Senate confirmation
 - (j) Reading of Senate petitions, memorials and resolutions
 - (k) Other business of the Senate
 - (l) Announcements

(2) Messages from the Governor may be read at any time. Courtesies may be extended at any time.

(3) Questions relating to the priority of business shall be decided without debate.

(4) The general order of business shall not be varied except upon suspension of the rules. However, any subject before the Senate may be made a special order of business by the vote of a majority of the members present. When the appropriate time for consideration of the subject arrives, the Senate shall take up the subject.

PRESIDING OFFICER**207.01 Presiding Officer; Other Officers.**

The officers of the Senate, during the interim, shall be those elected by the Senate for the ~~71st~~ 72nd Legislative Assembly, under Senate Rules 7.01 and 15.01.

COMMITTEES**208.01 Names of Committees.**

- (1) The following shall be the interim standing committees of the Senate:
 - (a) Committee on Rules and Executive Appointments

(b) Committee on Conduct

(2) The committee on Rules and Executive Appointments shall have at least ~~five~~four, but not more than ~~11-12~~ members. The number of members must ~~be an equal even number and shall represent proportionally the makeup of the political parties of the full Senate.~~ have an equal number of members from each party.~~an odd number.~~

(3) The makeup of all interim committees shall have an even number of members from each party.

~~(3)~~(4) The President may appoint special committees. Referral of executive appointments to special committees requires approval of a majority of the members of the Senate.

EXECUTIVE APPOINTMENTS**209.15 Transmittal of Executive Appointments.**

(1) Upon receipt of a message from the Governor appointing a person to a position or office requiring the confirmation by the Senate, the Secretary of the Senate shall transmit the message to the chair of the Rules and Executive Appointments Committee.

(2) A summary list of executive appointments received by the Secretary of the Senate and transmitted to committee shall be distributed to members at least 72 hours in advance of the scheduled convening of the Senate.

209.20 Committee Review of Appointees.

The chair of the Executive Appointments Committee, with the consent of the President of the Senate and a majority of the committee members, may waive appearance before the committee of persons appointed by the Governor.

209.35 Committee Action Required.

(1) The committee shall, after public hearing, take action on the appointment and promptly file its report with the Secretary of the Senate. The committee shall recommend that:

- (a) The Senate confirm;
- (b) The Senate refuse to confirm;

(c) Report the appointment to the Senate without recommendation; or

(d) Report that no final action was taken and that the appointment shall be carried over.

(2) The committee may include material in its report that the committee deems appropriate.

209.40 Additional Time for Consideration.

(1) If any appointment submitted by the Governor and subject to Senate confirmation, does not receive final action by the committee, the appointment shall be carried over to the next convening of the Senate or shall be considered at the next special session.

(2) The proposed appointment shall not be considered rejected or confirmation denied if the appointment is carried over. The action of carrying over consideration of the appointment shall be recorded in the Journal.

209.45 Dissents.

Upon request, any member of the committee who dissents from the committee recommendation shall be listed in the committee report as not concurring therein. The names of the members not concurring shall be recorded in the Journal and Status Report.

ACTION ON COMMITTEE REPORTS**209.50 Reading of Committee Reports.**

At the discretion of the President, committee reports at the Senate Desk may be either read or announced under the proper order of business. If reports are announced, the Secretary of the Senate shall distribute to the members' desks a Status Report with the pertinent information included. Committee reports shall be recorded in the Journal.

209.55 Consideration of Committee Reports.

(1) Reports from committees shall be considered in appropriate order at the next convening of the Senate. The Status Report for such meeting shall be delivered to each Senator at least 72 hours prior to the convening of the Senate.

(2) The vote on confirmation shall be taken by roll call. The affirmative vote of a Constitutional majority (16) is necessary for confirmation.

209.60 Confirmation en bloc.

(1) When there is more than one appointee to an individual board, commission, or agency, a motion to confirm en bloc, when recommended by the committee, shall be in order. Individuals whose appearance before the committee has been waived under Senate Interim Rule 209.20, may be considered en bloc upon recommendation of the committee.

(2) Any member may require a separate vote by requesting that an appointee be considered separately. The request shall be submitted in writing to the Senate Desk one hour before the session on the day that the confirmation is on the calendar. The request shall be announced at the appropriate time and the appointee separated from the en bloc vote.

209.65 Withdrawing Appointment from Committee.

(1) An appointment by the Governor requiring Senate confirmation, may be withdrawn from a committee by a motion to withdraw the appointment. The motion requires a Constitutional majority (16) for adoption.

(2) The effect of withdrawal shall be the same as if the committee had reported the appointment to the Senate without recommendation.

(3) A motion to withdraw shall not be in order if the committee has been granted additional time to consider the appointment pursuant to Interim Rule 209.40.

RECONSIDERATION

210.01 Reconsideration of Executive Appointments.

(1) When an executive appointment has been confirmed, or the Senate has refused to confirm, it shall be in order for any member voting on the prevailing side to move for reconsideration of the vote. A motion for reconsideration is not in order on a vote which indefinitely postponed an appointment.

(2) Notice of intent to move for reconsideration must be given orally by the member who intends to move the motion.

(3) The motion to reconsider shall be moved and voted upon before final adjournment of the Senate meeting during which the vote being reconsidered was taken.

(4) A motion to reconsider may be debated together with the main question, providing the subject of the main question is debatable. There shall be only one reconsideration of any final vote, even though this action may reverse the previous action.

(5) The affirmative vote of a Constitutional majority (16) is required to adopt a motion to reconsider the vote.

PRESESSION FILING

213.06 Pre-session Filing.

Pre-session filing and printing of measures shall be in accordance with the rules and practices of the preceding sessions, customs of the Senate, and statutes. Members, members-elect, and committees may not request drafting services from the Legislative Counsel for an agency or officer of the executive or judicial departments unless the agency or officer has arranged to pay any charge the Legislative Counsel imposes under ORS 173.130.

213.07 Measure Drafting and Filing by the Executive and Judicial Branches of State Government.

(1) The Executive Department, administrative agencies, boards and commissions, and the Judicial Branch, shall have all measures for pre-session filing with the Senate drafted by Legislative Counsel.

(2) All pre-session filing requests shall be submitted in the manner prescribed by the Secretary of the Senate and shall include, but not be limited to:

- (a) One backed copy of the proposed measure;
- (b) Measure Summary;
- (c) Agency name;
- (d) Signature of agency director or designee; and
- (e) Contact person and telephone number.

(3) All pre-session filed drafts must be submitted to the Secretary of the Senate by 5:00 p.m. on December 15 of the even numbered years. If the 15th falls on a weekend, the following Monday shall apply.

213.09 Measure Drafting and Filing by Statutory Committees, Interim Committees and

Task Forces of the Legislative Assembly.

(1) All measures for pre-session filing must be drafted by Legislative Counsel.

(2) All pre-session filing requests shall be submitted in the manner prescribed by the Secretary of the Senate and shall include, but not be limited to:

- (a) One backed copy of the proposed measure;
- (b) Measure Summary;
- (c) Name of committee or task force;
- (d) Signature of Committee Chair; and
- (e) Contact person and telephone number.

(3) All pre-session filed drafts must be submitted to the Secretary of the Senate by 5:00 p.m. on December 31 of the even numbered years. If the 31st falls on a weekend, the following Monday shall apply.

213.15 Measure Drafting and Pre-session Filing by Members Who Will Serve in the Session and Newly Elected Statewide Officials.

(1) Drafting requests may be filed after the 2nd Monday in November of the even-numbered year, or following certification of election if a recount is required, or has been requested, under ORS 258.150 to 258.300.

(2) All pre-session filing requests shall be submitted in the manner prescribed by the Secretary of the Senate, and shall include, but not be limited to:

- (a) One backed copy of the proposed measure;
- (b) Measure Summary;
- (c) Name of the Requester;
- (d) Signature of the member or newly-elected official; and
- (e) Contact person and telephone number.

(3) All pre-session filed drafts must be submitted to Secretary of the Senate by 5:00 p.m. on December 31 of the even numbered years. If the 31st falls on a weekend, the following Monday shall apply.

213.28 Introduction Ordered by the President.

(1) A pre-session filed measure may be introduced by order of the President. The measure shall bear a statement that introduction is by order of the President and by request. The measure must identify the sponsor and indicate neither advocacy nor opposition on the part of the President.

(2) The measure must be filed in conformance with Interim Rules 213.07, 213.09, 213.15.

213.30 Confidentiality; Consolidation of Requests.

(1) A requester may designate that a request for a Legislative Counsel draft be considered confidential in accordance with ORS 173.230. Requests from a legislative committee shall not be treated confidentially.

(2) When a request is made for measure drafting services, Legislative Counsel shall inform the requester of all nonconfidential requests of a similar nature previously submitted. An attempt shall be made to consolidate all such requests in one measure.

PUBLICATIONS**214.01 Journal.**

(1) The Senate shall maintain a Journal of its proceedings. The Journal shall contain a full, true and correct chronological record of all proceedings.

(2) At the discretion of the President, the Secretary of the Senate shall publish such information as may be required to inform the public of Senate actions and proceedings.

(3) Newsletters may be distributed in accordance with Senate Rule 14.20.

PERSONNEL**215.07 Interim Staff.**

A member may employ interim staff subject to the provisions of Senate Rule 15.05 and as limited by the Legislative Assembly budget. Funds allocated for interim staff salaries may **also be used to reimburse** a member for vouchered in-district travel expense and vouchered services and supplies.

SERVICES AND SUPPLIES

216.01 Services and Supplies.

(1) Any amount remaining unexpended or unobligated in the member's individual services and supplies account upon adjournment sine die of the regular session may be used during the interim for the following:

- (a) Postage (all classes);
- (b) Office supplies;
- (c) Copying, facsimile charges;
- (d) Newsletter printing, postage and labels;
- (e) Interim staff; and
- (f) Any other service and supply approved by the Senate President.

(2) Any member who spends in excess of the allowance provided under Senate Rule 216.01 shall reimburse the Legislative Assembly for the overdraft.

Nominations for President of the Senate were declared open by unanimous consent at the request of the Chair.

Clarno nominated Courtney for President of the Senate.

Brown moved that nominations be closed and a unanimous ballot be cast for Courtney. Motion carried on voice vote. Courtney elected President of the Senate.

The Chair appointed Clarno and Brown to escort Courtney to the rostrum. Chief Justice Carson administered the oath of office to the newly-elected President of the Senate. At this time the gavel was presented to the newly-elected President of the Senate. (President Courtney in Chair)

President Courtney made the following remarks to the Senate.

"I'd like to just take a few moments of my time here to introduce my family. When we were having a retreat, both the Democrats and the Republicans were in retreat in early December, there was an ice breaker, and we were asked by our colleagues to say who the person was whom we admired the most. And as individuals talked about that, Senator Bill Morrisette anticipated me. Because he said that he admired his wife most. I have to say that this woman right here is the person I admire the most. I've had some difficult times in my life, most recently, as you know, with

hospitalization. That Margie Brennan Courtney, the little girl from Mt. Angel, has always been there. And we have three sons, they were called in, one out of High School, Sean, a Junior at Blanchett, and Peter's a Junior at Western Oregon University, and our third son is playing basketball as we speak, we couldn't get him, he's on a court playing. Together we make up a whole family, the Courtneys.

"And just let it be said that this is the woman who is the safe harbor, the lynch pin of this family that she says consists of four boys. So I want to acknowledge Margie, Sean Michael Sebastian, and Peter Vincent Damian and Adam Brennan, wherever you are, who carries his mother's maiden name. So please, if you would, acknowledge the Courtney family. Thank you, you can sit down now. She wants me to give her a hug.

"I also want to acknowledge Senator Kate Brown. We've been through a lot and I know that in this audience today each of you bring to what we've just done varying degrees of support and opposition. Senator Brown has acted in a way that I envy. She has shown a degree of true public service in taking herself out of a situation that she has spent so long pursuing. I hope she understands that I stand before her today as an individual who realizes that while I am the President now, I am simply a shared President. And that I feel that Senator Kate Brown has shown that she is the ultimate public servant.

"Senator Bev Clarno and I go back to a famous 1995 session, and I know that her life in the last several weeks has been very difficult. And it is interesting, she reminded me that it was the '95 session that the then minority leader nominated her for Speaker. I had forgotten that was Peter, so she has just nominated me. Her life and my life, are very close together now because I cannot begin to do this job without Senator Kate Brown, the leader of the Democrats, and Senator Bev Clarno, the leader of the Republicans.

"And so I hope that you all understand that these individuals have already sacrificed much over the last several weeks. And their lives will not be the same for they will be giving more than they will ever be receiving in the weeks and the months ahead.

"But there is one other person you should know about. His name is Lenn Hannon. People kid Lenn and Peter about the special sessions, but what you do not know is that he is a man who carries many crosses. Everyday of his life is filled with pain and suffering. It is not easy. Yet he is a man who loves Oregon and this institution. He is a man who will give and give and give as he already has so that this session will be written about for many years to come. I cannot even begin to stand before you today if it weren't for Lenn Hannon. This is a man of so much substance and

caring, but a man you must know, carries many crosses.

“And now to each of you, whether you know it or not, you have just made history. There will never be another class like you. That is not histrionics. The last time this was attempted was in 1957. It took them 251 ballots, there was no unanimous vote, it was just by a single vote that things were done. And next time was 1971, and it took 51 ballots. In the last few moments you have made history. Not only in Oregon, but perhaps in the nation. We are going to try something that no Oregon Legislature has tried before. We have just adopted a template that uses the words of Senator John Minnis that no Legislature in our history has ever been willing to try. We are going to try, just the thirty few of us. Yesterday when the few of us walked into the House Chamber, I said there’s only thirty of us. There’s just thirty of us. And the thirty of us are going to try something that has never been done before. That’s how special you are, and that’s how good you are.

“Today is not like yesterday, yesterday was about ceremony and speech, today is a day of history. You are very, very good. You are very, very talented. You will be, probably go down as, the greatest Senate in Oregon’s history. For the actions you took today, and will do in the days ahead. Let me simply say, we are the first wagon on this Oregon Trail. That’s right, we are the first wagon. That negotiating team had no model, no map to go by. You might say we were making it up as we went along, well I’ll tell you something, that’s what’s going to happen to all of us.

“In the end, let me just say, I am very nervous today; you all know how much I love to speak. I am still very frightened, very, very frightened. I need you to help me, each of you, to do this. I need your help, it’s a team effort. There’s no ‘I’ or ‘me’ in ‘team.’ I need each of you, I need you today and tomorrow, we need each other. We came here as Democrats and Republicans, we’re going to leave as Democrats and Republicans, but first and foremost, we’re legislators, and we’re public servants. And I’ll tell you something we’re not going to get any better than this group of thirty. You’re the best. Thank you very much.”

Nominations for President Pro Tempore of the Senate were declared open by unanimous consent at the request of the Chair.

Brown nominated Hannon for President Pro Tempore of the Senate. Clarno moved that nominations be closed and that a unanimous ballot be cast for Hannon. Motion carried on voice vote. Hannon elected President Pro Tempore of the Senate.

The Chair appointed Clarno and Brown to escort Hannon to the rostrum. Chief Justice Carson administered the oath of office to the newly-elected President Pro Tempore of the Senate.

President Pro Tempore Hannon made the following remarks to the Senate.

“Following President Courtney is a difficult thing to do. I am at a loss for words; he has paid me an accolade that was very generous and magnanimous. But I want to thank my family, my wife who’s up in the office with our five month old boxer puppy, who we’re looking for daycare and could not be here to be with me. But, I want to thank all of you. Thank you for your help, your support, and your confidence. I ask you to do something like we did yesterday and we join hands as Oregonians and we recaptured that Oregon vision, and we recaptured that Oregon dream. For you see, in the last few years, we’ve lost the roadmap. It may have been foggy out but we didn’t cross the fog line, now we have an opportunity to ride its course. And as the governor said yesterday we’re in this boat together, both rich and poor, high and low, Democrat and Republican. I ask you to join with me as a fellow Oregonian when we recapture that Oregon dream. The can do attitude. Rather than the cannot attitude. And when we light a flame, like our ancestors before us who left an image of the first bottle bill, the beach bill, land use planning, and a positive course of direction for our state. But we recaptured that vision. And when we support the governor in limited times and limited conditions with whole hearted support, not limited support. And when we join together at the end of this session we can say well done, good and faithful servants of Oregon’s trust. Because you have not violated that trust, you have enriched that trust. So today I say thank you to all of you.

“And I ask for your prayers and support as I work with my good friend Senator Courtney, the only thing I’m not going to do is give him my home phone. During five special sessions, they thought it was permanent residence at the hotel down the street because he called every night and every morning. And they said who is this man who calls the room all the time. And I said well he’s the same one who turned me in to the police. And the police raided my hotel room one night, and as most of you know I love to sit around in my shorts and t-shirt at night watching college basketball. And there’s these red and blue lights and I looked out the window and there were five policemen with guns drawn. And one on the bullhorn said come on out with your hands raised above your head. So I did. Only problem was, I was the wrong person. So the campaign photo is up in my office. We can have humor, we can have laughter, we can have support. Together we will make this the Oregon, my Oregon, our Oregon. Thank you.”

Brown nominated Judy Hall for Secretary of the Senate. Clarno moved that nominations be closed and a unanimous ballot be cast for Judy Hall. Motion carried on voice vote. Hall elected Secretary of the Senate. Chief Justice Carson administered the oath of office to the newly-elected Secretary of the Senate.

SB 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 82, 83, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152 -- Introduced, read first time and referred to President's desk.

Senate adjourned until 11:30 a.m. Wednesday by unanimous consent at the request of the chair.

Wednesday, January 15, 2003 -- Morning Session

Senate convened at 11:30 a.m. President Courtney in Chair. The following members were present: Atkinson, Beyer, Brown, Burdick, Carter, Clarno, Corcoran, Deckert, Devlin, Dukes, Ferrioli, Fisher, Gordly, Hannon, Harper, Messerle, Metsger, Minnis, Morrisette, Morse, Nelson, Ringo, Schrader, Shields, Starr, B., Starr, C., Walker, Winters; excused -- George. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Senator Margaret Carter, Portland.

SB 81, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227 -- Introduced, read first time and referred to President's desk.

Senate in recess until 2:00 p.m. by unanimous consent at the request of the Chair.

Wednesday, January 15, 2003 -- Afternoon Session

Recess extended to 3:30 p.m. by implied consent at the request of the Chair. Senate reconvened at 3:30 p.m. President Courtney in Chair. The following members were present: Atkinson, Beyer, Brown, Burdick, Carter, Clarno, Corcoran, Deckert, Devlin, Dukes, Ferrioli, Fisher, Gordly, Hannon, Harper, Messerle, Metsger, Minnis, Morrisette, Morse, Nelson, Ringo, Schrader, Shields, Starr, B., Starr, C., Walker, Winters; excused -- George.

Senate, having recessed under the order of announcements, resumed under that order by unanimous consent at the request of the Chair.

President Courtney announced the following committee assignments.

SENATE STANDING COMMITTEES

AGRICULTURE AND NATURAL RESOURCES

Frank Shields, Chair
Roger Beyer, Vice-Chair
Tony Corcoran
Bill Fisher

BUSINESS AND LABOR

David Nelson, Chair
Vicki Walker, Vice-Chair
Roger Beyer
Rick Metsger

EDUCATION

Charles Starr, Chair
Ryan Deckert, Vice-Chair
Ted Ferrioli
Bill Morrisette

GENERAL GOVERNMENT

Tony Corcoran, Chair
John Minnis, Vice-Chair
Bruce Starr
Vicki Walker

HEALTH POLICY

Bill Morrisette, Chair
Bill Fisher, Vice-Chair
John Minnis
Frank Shields
Charles Starr
Vicki Walker

HUMAN RESOURCES

Bill Fisher, Chair
Bill Morrisette, Vice-Chair
Kate Brown
Ginny Burdick
Beverly Clarno
Charles Starr

JUDICIARY

John Minnis, Chair
Ginny Burdick, Vice-Chair
Ted Ferrioli
Charlie Ringo
Charles Starr
Vicki Walker

REVENUE

Ryan Deckert, Chair
 Ted Ferrioli, Vice-Chair
 Tony Corcoran
 Lenn Hannon
 Charlie Ringo
 Bruce Starr

RULES

Kate Brown, Co-Chair
 Beverly Clarno, Co-Chair
 Jason Atkinson, Vice-Chair
 Ginny Burdick, Vice-Chair
 Roger Beyer
 Tony Corcoran

TRANSPORTATION AND ECONOMIC DEVELOPMENT

Rick Metsger, Chair
 Bruce Starr, Vice-Chair
 Ryan Deckert
 David Nelson

WATER AND LAND USE

Ted Ferrioli, Chair
 Charlie Ringo, Vice-Chair
 Jason Atkinson
 Rick Metsger

JOINT WAYS AND MEANS

Kurt Schrader, Co-Chair
 Steve Harper, Vice-Chair
 Margaret Carter
 Richard Devlin
 Joan Dukes
 Gary George
 Avel Gordly
 Ken Messerle
 Frank Morse
 Jackie Winters

Senate adjourned until 11:30 a.m. Thursday by unanimous consent at the request of the Chair.

Thursday, January 16, 2003 -- Morning Session

Senate convened at 11:30 a.m. President Courtney in Chair. The following members were present: Beyer, Brown, Burdick, Clarno, Corcoran, Deckert, Dukes, Ferrioli, Fisher, George, Gordly, Hannon, Harper, Messerle, Metsger, Minnis,

Morrisette, Morse, Nelson, Ringo, Schrader, Shields, Starr, C., Walker, Winters; excused -- Carter, Devlin attending legislative business -- Atkinson, Starr, B. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Senator Charles Starr, Hillsboro.

SJR 1; SB 5501, 5502, 5503, 5504, 5505, 5506, 5507, 5508, 5509, 5510, 5511, 5512, 5513, 5514, 5515, 5516, 5517, 5518, 5519, 5520, 5521, 5522, 5523, 5524; 84, 85, 201, 202, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253 -- Introduced, read first time and referred to President's desk.

President Courtney announced the following committee assignments.

SENATE COMMITTEE ON WAYS AND MEANS SUBCOMMITTEES**Subcommittee on Education**

Senator Avel Gordly
 Senator Ken Messerle

Subcommittee on General Government

Senator Richard Devlin
 Senator Jackie Winters

Subcommittee on Human Resources

Senator Jackie Winters, Chair
 Senator Margaret Carter
 Senator Avel Gordly
 Senator Frank Morse

Subcommittee on Natural Resources

Senator Ken Messerle, Chair
 Senator Joan Dukes

Subcommittee on Public Safety/Regulation

Senator Richard Devlin
 Senator Gary George

Subcommittee on Transportation and Economic Development

Senator Gary George, Chair
 Senator Margaret Carter
 Senator Joan Dukes
 Senator Frank Morse

Senate adjourned until 11:30 a.m. Friday by unanimous consent at the request of the Chair.

Friday, January 17, 2003 -- Morning Session

Senate convened at 11:30 a.m. President Courtney in Chair. The following members were present: Beyer, Brown, Burdick, Clarno, Corcoran, Devlin, Dukes, Ferrioli, Fisher, Gordly, Hannon, Harper, Messerle, Metsger, Minnis, Morrisette, Morse, Nelson, Ringo, Schrader, Shields, Starr, B., Winters; excused -- Atkinson; attending legislative business -- Carter, Deckert, George, Starr, C., Walker. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Frank Carpenter, Chaplain of Capitol Ministries, Hillsboro.

The following messages from the Governor were read and referred to the Committee on Rules.

January 16, 2003

TO THE HONORABLE PRESIDENT OF THE SENATE
OF THE 72nd LEGISLATIVE ASSEMBLY

ORS 184.315 provides that the Governor shall appoint the Director of the Department of Administrative Services, subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I appoint Gary Weeks of Salem as the Director of the Department of Administrative Services for a term beginning January 1, 2003, and serving at the pleasure of the Governor, effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,
Ted Kulongoski
Governor

January 16, 2003

TO THE HONORABLE PRESIDENT OF THE SENATE
OF THE 72nd LEGISLATIVE ASSEMBLY

ORS 705.105 provides that the Governor shall appoint the Director of the Department of Consumer and Business Services, subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I appoint Cory Streisinger of Portland as the Director of the Department of Consumer and Business Services for a term beginning January 1, 2003, and serving at the pleasure of the Governor, effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,
Ted Kulongoski
Governor

January 16, 2003

TO THE HONORABLE PRESIDENT OF THE SENATE
OF THE 72nd LEGISLATIVE ASSEMBLY

ORS 285A.070 provides that the Governor shall appoint the Director of the Economic and Community Development Department, subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I appoint Martin Brantley of Portland as the Director of the Economic and Community Development Department for a term beginning January 1, 2003 and serving at the pleasure of the Governor, effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,

Ted Kulongoski
Governor

January 16, 2003

TO THE HONORABLE PRESIDENT OF THE SENATE
OF THE 72nd LEGISLATIVE ASSEMBLY

ORS 409.100 provides that the Governor shall appoint the Director of Human Services, subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I appoint Jean Thorne of Salem as the Director of Human Services for a term beginning January 1, 2003 and serving at the pleasure of the Governor, effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,
Ted Kulongoski
Governor

SB 5525, 5526, 5527, 5528, 5529, 5530, 5531, 5532, 5533, 5534, 5535, 5536, 5537, 5538, 5539, 5540, 5541, 5542, 5543, 5544, 5545, 5546, 5547, 5548, 5549, 5550, 5551, 5552, 5553, 5554, 5555, 5556, 5557, 5558, 5559, 5560, 5561, 5562, 5563, 5564 -- Introduced, read first time and referred to President's desk.

The following measures were referred to committee on January 16 and recorded on Committee Referral List No. 1 which was distributed to members. Referral list recorded in the Journal and Status Report by order of the President.

- SB 11 Education
- SB 12 General Government
- SB 13 Human Resources
- SB 14 Judiciary
- SB15 Transportation and Economic Development; Judiciary
- SB 16 Education; Ways and Means
- SB 17 Judiciary
- SB 18 Human Resources; Judiciary
- SB 19 Judiciary
- SB 20 Judiciary; Ways and Means
- SB 21 Judiciary; Ways and Means
- SB 22 Health Policy; Ways and Means
- SB 23 Judiciary
- SB 24 Judiciary
- SB 25 Judiciary
- SB 26 Judiciary
- SB 27 Judiciary
- SB 28 Judiciary
- SB 29 Judiciary
- SB 30 Judiciary
- SB 31 Judiciary
- SB 32 Judiciary
- SB 33 Judiciary
- SB 34 Business and Labor; Ways and Means
- SB 35 Judiciary
- SB 36 Judiciary
- SB 37 Human Resources; Judiciary
- SB 38 Judiciary

SB 39	Judiciary	SB 109	Business and Labor
SB 40	Business and Labor	SB 110	Judiciary
SB 41	Judiciary	SB 111	Judiciary
SB 42	Judiciary	SB 112	Judiciary
SB 43	Business and Labor; Judiciary	SB 113	Judiciary
SB 44	Judiciary	SB 114	Judiciary
SB 45	Judiciary	SB 115	Judiciary
SB 46	Judiciary	SB 116	Judiciary
SB 47	Judiciary	SB 117	Judiciary
SB 48	Judiciary	SB 118	Human Resources
SB 49	Judiciary	SB 119	Human Resources; Judiciary
SB 50	General Government; Ways and Means	SB 120	Business and Labor
SB 51	Judiciary	SB 121	Business and Labor
SB 52	Judiciary	SB 122	Judiciary
SB 53	Judiciary	SB 123	Judiciary
SB 54	Health Policy	SB 124	Education; Ways and Means
SB 55	Business and Labor	SB 125	Education
SB 56	Business and Labor; Ways and Means	SB 126	Education
SB 57	Agriculture and Natural Resources; Judiciary	SB 127	Education
SB 58	Judiciary	SB 128	Education; Ways and Means
SB 59	Judiciary	SB 129	Education
SB 60	Transportation and Economic Development	SB 130	Education
SB 61	Revenue	SB 131	Education; Ways and Means
SB 62	Revenue	SB 132	Rules
SB 63	Business and Labor	SB 133	General Government
SB 64	Judiciary	SB 134	General Government
SB 65	Judiciary	SB 135	General Government
SB 66	Education	SB 136	Judiciary
SB 67	Judiciary	SB 137	Rules
SB 68	Judiciary	SB 138	Rules
SB 69	Judiciary	SB 139	Rules; Ways and Means
SB 70	Judiciary	SB 140	Rules
SB 71	Judiciary	SB 141	Rules
SB 72	Judiciary	SB 142	Human Resources
SB 73	Business and Labor	SB 143	Human Resources; Ways and Means
SB 74	Health Policy	SB 144	Human Resources
SB 75	Education	SB 145	Health Policy; Ways and Means
SB 76	Business and Labor; Revenue	SB 146	Health Policy; Ways and Means
SB 77	General Government; Ways and Means	SB 147	Revenue
SB 78	Transportation and Economic Development; Ways and Means	SB 148	Business and Labor
SB 79	Revenue; Ways and Means	SB 149	Business and Labor
SB 80	Transportation and Economic Development; Ways and Means	SB 150	Business and Labor
SB 82	Water and Land Use	SB 151	Business and Labor
SB 83	Transportation and Economic Development; Revenue	SB 152	Business and Labor
SB 100	Judiciary		
SB 101	Judiciary		
SB 102	Rules		
SB 103	Business and Labor; Judiciary		
SB 104	Judiciary		
SB 105	Judiciary		
SB 106	Judiciary		
SB 107	Judiciary		
SB 108	Judiciary		

Senate adjourned until 11:30 a.m. Monday by unanimous consent at the request of the Chair.

Monday, January 20, 2003 -- Morning Session

Senate convened at 11:30 a.m. Gordly in Chair. The following members were present: Atkinson, Beyer, Burdick, Carter, Clarno, Corcoran, Deckert, Devlin, Dukes, Ferrioli, Fisher, Hannon, Harper, Messerle, Metsger, Morrisette, Morse, Nelson, Ringo, Shields, Starr, C., Walker, Winters, President Courtney; excused -- Brown, George, Minnis,

Schrader, Starr, B. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Senator Jackie Winters, Salem. Musical performance by Senator Margaret Carter, Portland. (President Courtney in Chair) Rules suspended by unanimous consent in order to receive brief remarks from Portland State University President Bernstein. (Hannon in Chair)

SB 86, 87, 88, 89, 90 -- Introduced, read first time and referred to President's desk.

The following measures were referred to committee on January 17 and recorded on Committee Referral List No. 2 which was distributed to members. Referral list recorded in the Journal and Status Report by order of the President.

Director of the Department of Administrative Services (ORS 184.315)

Gary Weeks Rules

Director of the Department of Consumer and Business Services (ORS 705.105)

Cory Streisinger Rules

Director of Economic and Community Development Department (ORS 285A.070)

Martin Brantley Rules

Director of Department of Human Services (ORS 409.100)

Jean Thorne Rules

Senate adjourned until 11:30 a.m. Tuesday by unanimous consent at the request of the Chair.

Tuesday, January 21, 2003 -- Morning Session

Senate convened at 11:30 a.m. President Courtney in Chair. The following members were present: Beyer, Brown, Carter, Clarno, Corcoran, Deckert, Devlin, Dukes, Fisher, Gordly, Hannon, Harper, Messerle, Metsger, Minnis, Morse, Nelson, Ringo, Shields, Starr, B., Starr, C., Walker, Winters; absent -- Atkinson, Burdick, Ferrioli, George, Morrisette, Schrader. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Mercedes Miller-Hayes, a spoken-word artist, Portland.

SJR 2; SB 91, 92, 93, 94, 95, 96, 97, 98, 99, 213 -- Introduced, read first time and referred to President's desk.

The following measures were referred to committee on January 20 and recorded on Committee Referral List No. 3 which was distributed to members. Referral list recorded in the Journal and Status Report by order of the President.

SB 81 Judiciary

SB 153 Business and Labor
 SB 154 Human Resources
 SB 155 Human Resources
 SB 156 Human Resources
 SB 157 General Government
 SB 158 Health Policy
 SB 159 Business and Labor
 SB 160 Business and Labor
 SB 161 Human Resources
 SB 162 Human Resources
 SB 163 Human Resources
 SB 164 Human Resources
 SB 165 Human Resources; Judiciary
 SB 166 Human Resources
 SB 167 Judiciary
 SB 168 Human Resources; Ways and Means
 SB 169 Judiciary
 SB 170 General Government
 SB 171 General Government
 SB 172 General Government
 SB 173 Revenue
 SB 174 Transportation and Economic Development
 SB 175 Judiciary
 SB 176 Judiciary
 SB 177 Judiciary
 SB 178 Judiciary
 SB 179 Transportation and Economic Development
 SB 180 Transportation and Economic Development; Ways and Means
 SB 181 Transportation and Economic Development
 SB 182 Transportation and Economic Development
 SB 183 Transportation and Economic Development
 SB 184 Education; Ways and Means
 SB 185 Education; Ways and Means
 SB 186 Education
 SB 187 Transportation and Economic Development
 SB 188 Transportation and Economic Development
 SB 189 Judiciary
 SB 190 Transportation and Economic Development; Ways and Means
 SB 191 Health Policy
 SB 192 Health Policy
 SB 193 General Government
 SB 194 Judiciary
 SB 195 Judiciary
 SB 196 Agriculture and Natural Resources; Ways and Means
 SB 197 Ways and Means
 SB 198 Business and Labor
 SB 199 Business and Labor
 SB 200 Business and Labor
 SB 203 Agriculture and Natural Resources; Ways and Means
 SB 204 Agriculture and Natural Resources
 SB 205 Business and Labor
 SB 206 Business and Labor
 SB 207 Business and Labor
 SB 208 Business and Labor
 SB 209 General Government
 SB 210 General Government
 SB 211 General Government
 SB 212 Judiciary

SB 214 Human Resources
 SB 215 Business and Labor
 SB 216 Judiciary
 SB 217 Judiciary
 SB 218 Water and Land Use
 SB 219 Water and Land Use
 SB 220 Revenue
 SB 221 Revenue
 SB 222 Revenue
 SB 223 Revenue
 SB 224 Revenue
 SB 225 Revenue
 SB 226 Revenue
 SB 227 Revenue

Senate adjourned until 11:30 a.m. Wednesday by unanimous consent at the request of the Chair.

Wednesday, January 22, 2003 -- Morning Session

Senate convened at 11:30 a.m. President Pro Tempore Hannon in Chair. The following members were present: Atkinson, Carter, Corcoran, Deckert, Devlin, Dukes, Ferrioli, George, Gordly, Harper, Messerle, Metsger, Minnis, Morrisette, Morse, Nelson, Ringo, Schrader, Shields, Starr, B., Starr, C., Walker, Winters, President Courtney; excused -- Beyer, Brown, Burdick, Clarno, Fisher. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Reverend Joyce Frame of the Christian Church, Keizer.

Committee Report Summary No. 1 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

SB 133 -- Report by Committee on General Government recommending passage and be placed on the Unanimous Consent Calendar.

SB 135 -- Report by Committee on General Government recommending passage.

SB 239, 254, 257, 258, 259 -- Introduced, read first time and referred to President's desk.

SB 133, 135 -- Read second time and passed to third reading.

The following measures were referred to committee on January 21 and recorded on Committee Referral List No. 4 which was distributed to members. Referral list recorded in the Journal and Status Report by order of the President.

SJR 1 Education
 SB 5501 Ways and Means
 SB 5502 Ways and Means
 SB 5503 Ways and Means
 SB 5504 Ways and Means
 SB 5505 Ways and Means
 SB 5506 Ways and Means
 SB 5507 Ways and Means
 SB 5508 Ways and Means
 SB 5509 Ways and Means

SB 5510 Ways and Means
 SB 5511 Ways and Means
 SB 5512 Ways and Means
 SB 5513 Ways and Means
 SB 5514 Ways and Means
 SB 5515 Ways and Means
 SB 5516 Ways and Means
 SB 5517 Ways and Means
 SB 5518 Ways and Means
 SB 5519 Ways and Means
 SB 5520 Ways and Means
 SB 5521 Ways and Means
 SB 5522 Ways and Means
 SB 5523 Ways and Means
 SB 5524 Ways and Means
 SB 84 Judiciary
 SB 85 Business and Labor
 SB 201 Transportation and Economic Development
 SB 202 Transportation and Economic Development
 SB 228 Revenue
 SB 229 Revenue
 SB 230 Revenue
 SB 231 Revenue
 SB 232 Revenue
 SB 233 Business and Labor
 SB 234 Business and Labor
 SB 235 Business and Labor
 SB 236 Health Policy
 SB 237 Business and Labor
 SB 238 Education
 SB 240 Education; Ways and Means
 SB 241 Agriculture and Natural Resources
 SB 242 Agriculture and Natural Resources
 SB 243 Business and Labor
 SB 244 Business and Labor
 SB 245 Judiciary
 SB 246 Transportation and Economic Development
 SB 247 Transportation and Economic Development
 SB 248 Business and Labor
 SB 249 Human Resources
 SB 250 Business and Labor
 SB 251 Water and Land Use
 SB 252 Business and Labor
 SB 253 Business and Labor

Senate adjourned until 11:00 a.m. Thursday by unanimous consent at the request of the Chair.

Thursday, January 23, 2003 -- Morning Session

Senate convened at 11:00 a.m. President Courtney in Chair. The following members were present: Burdick, Clarno, Corcoran, Fisher, Nelson, Walker; absent -- Atkinson, Beyer, Brown, Carter, Deckert, Devlin, Dukes, Ferrioli, Gordly, Hannon, Harper, Messerle, Metsger, Minnis, Morrisette, Morse, Ringo, Schrader, Shields, Starr, B., Starr, C., Winters; excused -- George.

Call of the Senate demanded by Corcoran joined by Nelson and Clarno. All present except Beyer, Deckert, Ferrioli, Gordly, Hannon, Harper, Messerle,

Metsger, Morse, Ringo, Schrader, Shields, Starr, B., Starr, C., Winters, absent; George, excused. Pending arrival of members subject to the Call, Senate at ease. Further proceedings under the Call terminated by implied consent. All present except George, excused. Senate reassembled. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Mary Ann Googins, Minister of Discipleship, First United Methodist Church, Salem.

Call of the Senate demanded by Corcoran joined by Nelson and Gordly. All present except Devlin, Schrader, Walker, absent; George, excused. Pending arrival of members subject to the Call, Senate at ease. Members subject to the Call arrived. Further proceedings under the Call terminated by implied consent at the request of the Chair. Senate reassembled. All present except George, excused. Mary Mertens James gave a presentation clarifying the Senate Rules regarding workplace harassment awareness.

Committee Report Summary No. 2 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

SB 12 -- Report by Committee on General Government recommending passage and requesting referral to Committee on Ways and Means. Referred to Committee on Ways and Means by order of the President in agreement with the President Pro Tempore.

Report by Committee on Rules recommending that the Governor's appointment of Gary Weeks as the Director of the Department of Administrative Services be confirmed.

Report by Committee on Rules recommending that the Governor's appointment of Cory Streisinger as the Director of the Department of Consumer and Business Services be confirmed.

Report by Committee on Rules recommending that the Governor's appointment of Martin Brantley as the Director of Economic and Community Development Department be confirmed.

Report by Committee on Rules recommending that the Governor's appointment of Jean Thorne as the Director of Department of Human Services be confirmed.

Brown moved that in compliance with Article IV, section 19 of the Oregon Constitution, and notwithstanding any provision of the Permanent Rules of the Senate for the Seventy-Second Legislative Assembly, the requirement that on its final passage each bill shall be read section by section be suspended for the duration of the regular session of the Seventy-Second Legislative Assembly and the requirement that every bill shall be read by title only on three several days in each house be suspended.

On suspension of the constitutional provisions, the vote was: Ayes, 26; nays, 1—Deckert; excused, 1—George; attending legislative business, 2—Gordly, Walker. Constitutional provisions suspended.

SB 135 -- Taken from its place on today's third reading calendar and placed on January 24 calendar by unanimous consent on motion of Corcoran.

SJM 1; SJR 3; SB 255, 256, 261, 262, 263, 264 -- Introduced, read first time and referred to President's desk.

The following measures were referred to committee on January 22 and recorded on Committee Referral List No. 5 which was distributed to members. Referral list recorded in the Journal and Status Report by order of the President.

SB 5525 Ways and Means
 SB 5526 Ways and Means
 SB 5527 Ways and Means
 SB 5528 Ways and Means
 SB 5529 Ways and Means
 SB 5530 Ways and Means
 SB 5531 Ways and Means
 SB 5532 Ways and Means
 SB 5533 Ways and Means
 SB 5534 Ways and Means
 SB 5535 Ways and Means
 SB 5536 Ways and Means
 SB 5537 Ways and Means
 SB 5538 Ways and Means
 SB 5539 Ways and Means
 SB 5540 Ways and Means
 SB 5541 Ways and Means
 SB 5542 Ways and Means
 SB 5543 Ways and Means
 SB 5544 Ways and Means
 SB 5545 Ways and Means
 SB 5546 Ways and Means
 SB 5547 Ways and Means
 SB 5548 Ways and Means
 SB 5549 Ways and Means
 SB 5550 Ways and Means
 SB 5551 Ways and Means
 SB 5552 Ways and Means
 SB 5553 Ways and Means
 SB 5554 Ways and Means
 SB 5555 Ways and Means
 SB 5556 Ways and Means
 SB 5557 Ways and Means
 SB 5558 Ways and Means
 SB 5559 Ways and Means
 SB 5560 Ways and Means
 SB 5561 Ways and Means
 SB 5562 Ways and Means
 SB 5563 Ways and Means
 SB 5564 Ways and Means

Senate adjourned until 10:00 a.m. Friday by unanimous consent at the request of the Chair.

Friday, January 24, 2003 -- Morning Session

Senate convened at 10:00 a.m. President Courtney in Chair. The following members were present: Beyer, Brown, Burdick, Clarno, Corcoran, Deckert, Devlin, Dukes, Fisher, Gordly Hannon, Harper, Messerle, Metsger, Minnis, Morrisette, Morse, Ringo, Schrader, Shields, Starr, C., Walker, Winters; excused -- Atkinson, Ferrioli, George, Nelson, Starr, B.; attending legislative business -- Carter. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Pastor Jim Bull of the First Baptist Church, Salem.

SB 135 -- Taken from its place on today's third reading Calendar and rereferred to Committee on General Government by voice vote on motion of Corcoran.

Rules suspended by implied consent. Brown moved that the Senate confirm the Governor's appointment of Jean Thorne as the Director of Human Services. On confirmation the vote was: Ayes, 20; excused, 5—Atkinson, Ferrioli, George, Nelson, Starr, B.; attending legislative business, 5—Carter, Devlin, Gordly, Harper, Messerle. Confirmed.

Senate at ease. Senate reassembled.

Rules suspended by implied consent. Brown moved that the Senate confirm the Governor's appointment of Gary Weeks as the Director of the Department of Administrative Services. On confirmation the vote was: Ayes, 20; excused, 5—Atkinson, Ferrioli, George, Nelson, Starr, B.; attending legislative business, 5—Carter, Devlin, Gordly, Harper, Messerle. Confirmed.

Brown moved that the Senate confirm the Governor's appointment of Cory Streisinger as the Director of the Department of Consumer and Business Services. On confirmation the vote was: Ayes, 20; excused, 5—Atkinson, Ferrioli, George, Nelson, Starr, B.; attending legislative business, 5—Carter, Devlin, Gordly, Harper, Messerle. Confirmed.

Brown moved that the Senate confirm the Governor's appointment of Martin Brantley as the Director of the Department of Economic and Community Development. On confirmation the vote was: Ayes, 20; excused, 5—Atkinson, Ferrioli, George, Nelson, Starr, B.; attending legislative business, 5—Carter, Devlin, Gordly, Harper, Messerle. Confirmed.

SB 260, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274 -- Introduced, read first time and referred to President's desk.

The following measures were referred to committee on January 23 and recorded on Committee Referral List No. 6 which was distributed to members. Referral list recorded in the Journal and Status Report by order of the President.

SB 86 Judiciary

SB 87 Revenue
SB 88 Revenue
SB 89 Revenue
SB 90 Judiciary

Senate adjourned until 11:00 a.m. Monday by unanimous consent at the request of the Chair.

Monday, January 27, 2003 -- Morning Session

Senate convened at 11:00 a.m. President Courtney in Chair. The following members were present: Atkinson, Beyer, Brown, Burdick, Clarno, Corcoran, Deckert, Devlin, Dukes, Ferrioli, Fisher, George, Gordly, Hannon, Harper, Messerle, Metsger, Minnis, Morrisette, Morse, Nelson, Ringo, Schrader, Shields, Starr, B., Starr, C., Walker, Winters; excused -- Carter. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Senator Bruce Starr, Aloha.

Committee Report Summary No. 3 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

SB 35 -- Report by Committee on Judiciary recommending passage.

SB 39 -- Report by Committee on Judiciary recommending passage.

SB 41 -- Report by Committee on Judiciary recommending passage and be placed on the Unanimous Consent Calendar.

SB 42 -- Report by Committee on Judiciary recommending passage and be placed on the Unanimous Consent Calendar.

SB 148 -- Report by Committee on Business and Labor recommending passage.

SB 149 -- Report by Committee on Business and Labor recommending passage.

SB 150 -- Report by Committee on Business and Labor recommending passage.

SB 151 -- Report by Committee on Business and Labor recommending passage.

SB 152 -- Report by Committee on Business and Labor recommending passage.

SB 275, 276, 277, 278, 279, 280 -- Introduced, read first time and referred to President's desk.

SB 35, 39, 41, 42, 148, 149, 150, 151, 152 -- Read second time and passed to third reading.

SB 133 -- Read third time under Unanimous Consent Calendar. Carried by Walker. On passage

of bill the vote was: Ayes, 29; excused, 1- Carter. Bill passed.

The following measures were referred to committee on January 24 and recorded on Committee Referral List No. 7 which was distributed to members. Referral list recorded in the Journal and Status Report by order of the President.

SJR 2 Judiciary
 SB 91 Revenue
 SB 92 Business and Labor
 SB 93 Judiciary
 SB 94 Water and Land Use
 SB 95 Agriculture and Natural Resources
 SB 96 General Government
 SB 97 Water and Land Use
 SB 98 Judiciary
 SB 99 Agriculture and Natural Resources; Ways and Means
 SB 213 Transportation and Economic Development

Senate adjourned until 11:00 a.m. Tuesday by unanimous consent at the request of the Chair.

Tuesday, January 28, 2003 -- Morning Session

Senate convened at 11:00 a.m. President Courtney in Chair. The following members were present. Atkinson, Beyer, Brown, Burdick, Carter, Clarno, Corcoran, Deckert, Devlin, Dukes, Ferrioli, Fisher, George, Gordly, Hannon, Harper, Messerle, Metsger, Minnis, Morrisette, Morse, Nelson, Ringo, Schrader, Shields, Starr, B., Starr, C., Walker; excused -- Winters. Colors were posted by Linn County Sheriff's Honor Guard and the Senate pledged allegiance to the flag. Invocation by Emily Broussard, Associate Pastor at Pauline Memorial AME Zion Church, Salem.

Committee Report Summary No. 4 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

SB 85 -- Report by Committee on Business and Labor recommending passage.

SB 153 -- Report by Committee on Business and Labor recommending passage.

SB 281 -- Introduced, read first time and referred to President's desk.

SB 85, 153 -- Read second time and passed to third reading.

SB 35 -- Read third time. Carried by Ringo. On passage of bill the vote was: Ayes, 25; nays, 4— Beyer, Ferrioli, George, Schrader; excused, 1— Winters. Bill passed.

SB 39 -- Read third time. Carried by Burdick. On passage of bill the vote was: Ayes, 28; nays, 1- Fisher; excused, 1- Winters. Bill passed.

SB 148 -- Read third time. Carried by Nelson. On passage of bill the vote was: Ayes, 28; excused, 2— Corcoran, Winters. Bill passed.

SB 149 -- Read third time. Carried by Walker. On passage of bill the vote was: Ayes, 29; excused, 1— Winters. Bill passed.

SB 150 -- Read third time. Carried by Beyer. On passage of bill the vote was: Ayes, 28; nays, 1 — Atkinson excused, 1- Winters. Bill passed.

SB 151 -- Read third time. Carried by Nelson. On passage of bill the vote was: Ayes, 28; nays, 1— George; excused, 1— Winters. Bill passed.

SB 152 -- Read third time. Carried by Walker. On passage of bill the vote was: Ayes, 23; nays, 6— Atkinson, Dukes, Fisher, George, Harper, Minnis; excused, 1— Winters. Bill passed.

Senate adjourned until 11:00 a.m. Wednesday by unanimous consent at the request of the Chair.

Wednesday, January 29, 2003 -- Morning Session

Senate convened at 11:00 a.m. President Courtney in Chair. The following members were present: Atkinson, Beyer, Brown, Burdick, Carter, Clarno, Corcoran, Deckert, Devlin, Dukes, Ferrioli, Fisher, George, Gordly, Hannon, Harper, Messerle, Minnis, Morrisette, Morse, Nelson, Ringo, Schrader, Shields, Starr, B., Starr, C., Walker, Winters; attending legislative business -- Metsger. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Senator Frank Morse, Corvallis.

Committee Report Summary No. 5 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

SB 157 -- Report by Committee on General Government recommending passage.

SB 209 -- Report by Committee on General Government recommending passage and be placed on the Unanimous Consent Calendar.

SJR 4; SB 282, 283, 284, 285, 286, 287, 288 -- Introduced, read first time and referred to President's desk.

SB 157, 209 -- Read second time and passed to third reading.

SB 85 -- Read third time. Carried by Beyer. On passage of bill the vote was: Ayes, 28; nays, 1- Shields; attending legislative business, 1- Metsger. Bill passed.

SB 153 -- Read third time. Carried by Nelson. On passage of bill the vote was: Ayes, 27; nays, 2—Atkinson, George; attending legislative business, 1—Metsger. Bill passed.

The following measures were referred to committee on January 28 and recorded on Committee Referral List No. 8 which was distributed to members. Referral list recorded in the Journal and Status Report by order of the President.

SJM 1 Rules
 SJR 3 Rules; Ways and Means
 SB 239 Water and Land Use
 SB 254 Water and Land Use
 SB 255 Judiciary
 SB 256 Agriculture and Natural Resources
 SB 257 Water and Land Use
 SB 258 General Government
 SB 259 Judiciary
 SB 261 Business and Labor
 SB 262 Business and Labor
 SB 263 Business and Labor
 SB 264 Business and Labor

Senate adjourned until 11:00 a.m. Thursday by unanimous consent at the request of the Chair.

Thursday, January 30, 2003 -- Morning Session

Senate convened at 11:00 a.m. President Courtney in Chair. The following members were present: Atkinson, Beyer, Brown, Carter, Clarno, Corcoran, Deckert, Devlin, Dukes, Fisher, George, Gordly, Hannon, Harper, Messerle, Metsger, Minnis, Morrisette, Morse, Nelson, Ringo, Schrader, Shields, Starr, B., Starr, C., Walker, Winters; excused -- Burdick; attending legislative business -- Ferrioli. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Reverend Doris Berube-Blevins, Salem.

Courtesies of the Senate were extended to former Senate President Brady Adams at the request of the Chair.

HB 2001, 2052, 2175, 2200, 2215, 2265 -- Message from the House announcing passage.

Committee Report Summary No. 6 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

SB 45 -- Report by Committee on Judiciary recommending passage and be placed on the Unanimous Consent Calendar.

SB 108 -- Report by Committee on Judiciary recommending passage and be placed on the Unanimous Consent Calendar.

SB 110 -- Report by Committee on Judiciary recommending passage and be placed on the Unanimous Consent Calendar.

SB 117 -- Report by Committee on Judiciary recommending passage and be placed on the Unanimous Consent Calendar.

SB 123 -- Report by Committee on Judiciary recommending passage and be placed on the Unanimous Consent Calendar.

SB 170 -- Report by Committee on General Government recommending passage and be placed on the Unanimous Consent Calendar.

SB 171 -- Report by Committee on General Government recommending passage and be placed on the Unanimous Consent Calendar.

SB 210 -- Report by Committee on General Government recommending passage and be placed on the Unanimous Consent Calendar.

SB 211 -- Report by Committee on General Government recommending passage and be placed on the Unanimous Consent Calendar.

SJR 5; SB 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313 -- Introduced, read first time and referred to President's desk.

SB 45, 108, 110, 117, 123, 170, 171, 210, 211 -- Read second time and passed to third reading.

SB 157 -- Read third time. Carried by Minnis. On passage of bill the vote was: Ayes, 28; excused, 1—Burdick; attending legislative business, 1—Ferrioli. Bill passed.

HB 2001, 2052, 2175, 2200, 2215, 2265 -- Read first time and referred to President's desk.

SB 41 -- Read third time under Unanimous Consent Calendar. Carried by Minnis. On passage of bill the vote was: Ayes, 26; nays, 1—Schrader; excused, 1—Burdick; attending legislative business, 2—Ferrioli, Starr, B. Bill passed.

SB 42 -- Read third time under Unanimous Consent Calendar. Carried by Minnis. On passage of bill the vote was: Ayes, 28; excused, 1—Burdick; attending legislative business, 1—Ferrioli. Bill passed.

Senate adjourned until 10:30 a.m. Friday by unanimous consent at the request of the Chair.

Friday, January 31, 2003 -- Morning Session

Senate convened at 10:30 a.m. President Courtney in Chair. The following members were present: Atkinson, Beyer, Brown, Burdick, Carter, Clarno, Corcoran, Deckert, Devlin, Dukes, Ferrioli, Fisher, George, Gordly, Hannon, Harper, Messerle, Metsger, Minnis, Morrisette, Morse, Nelson, Ringo, Schrader, Shields, Starr, B., Starr, C., Walker, Winters. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Pastor Rob Bjornstad, of the Peace Lutheran Church, Salem.

HB 2064, 2132, 2140, 2170 -- Message from the House announcing passage.

HJR 6 -- Message from the House announcing adoption.

Committee Report Summary No. 7 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

SB 182 -- Report by Committee on Transportation and Economic Development recommending passage and be placed on the Unanimous Consent Calendar.

SB 192 -- Report by Committee on Health Policy recommending passage and be placed on the Unanimous Consent Calendar.

SB 193 -- Report by Committee on General Government recommending passage and be placed on the Unanimous Consent Calendar.

SB 314, 315, 321 -- Introduced, read first time and referred to President's desk.

SB 182, 192, 193 -- Read second time and passed to third reading.

HJR 6; HB 2064, 2132, 2140, 2170 -- Read first time and referred to President's desk.

The following measures were referred to committee on January 30 and recorded on Committee Referral List No. 9 which was distributed to members. Referral list recorded in the Journal and Status Report by order of the President.

SB 260 Judiciary
 SB 265 Business and Labor; Ways and Means
 SB 266 General Government
 SB 267 General Government
 SB 268 General Government
 SB 269 General Government
 SB 270 Human Resources
 SB 271 General Government
 SB 272 Education
 SB 273 Health Policy
 SB 274 General Government
 SB 275 Health Policy
 SB 276 Transportation and Economic Development
 SB 277 Transportation and Economic Development
 SB 278 Transportation and Economic Development
 SB 279 Rules
 SB 280 Judiciary
 SB 281 Agriculture and Natural Resources

Senate adjourned until 11:00 a.m. Monday by unanimous consent at the request of the Chair.

Monday, February 3, 2003 -- Morning Session

Senate convened at 11:00 a.m. President Courtney in Chair. The following members were present: Atkinson, Beyer, Brown, Burdick, Carter, Clarno, Corcoran, Deckert, Devlin, Dukes, Ferrioli, Fisher, George, Gordly, Harper, Messerle, Metsger, Minnis, Morrisette, Nelson, Ringo, Schrader, Starr, B., Starr, C., Shields, Walker, Winters; attending legislative business -- Hannon, Morse. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Senator Steve Harper, Klamath Falls.

Committee Report Summary No. 8 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

SB 160 -- Report by Committee on Business and Labor recommending passage.

SB 163 -- Report by Committee on Human Resources recommending passage and be placed on the Unanimous Consent Calendar.

SB 199 -- Report by Committee on Business and Labor recommending passage and be placed on the Unanimous Consent Calendar.

SB 200 -- Report by Committee on Business and Labor recommending passage and be placed on the Unanimous Consent Calendar.

SB 234 -- Report by Committee on Business and Labor recommending passage and be placed on the Unanimous Consent Calendar.

SCR 1 -- Under rules suspension, resolution made a Special Order of Business immediately by unanimous consent on motion of Harper.

SCR 1 -- Under rules suspension and Special Order of Business, introduced and read first time. Referred to Rules.

Senate at ease while committee met. Senate reassembled.

SCR 1 -- Report by Committee on Rules recommending adoption.

SCR 1 -- Under rules suspension and Special Order of Business, read second time and passed to final reading.

SCR 1 -- Under rules suspension and Special Order of Business, read final time. Carried by Harper. On adoption of resolution, the vote was: Ayes, 28; attending legislative business, 2—Hannon, Morse. Resolution adopted.

SB 10, 316, 317, 318, 319, 320, 322, 323, 324, 325, 326, 327 -- Introduced, read first time and referred to President's desk.

SB 160, 163, 199, 200, 234 -- Read second time and passed to third reading.

SB 209 -- Read third time under Unanimous Consent Calendar. Carried by Walker. On passage of bill the vote was: Ayes, 28; attending legislative business, 2—Hannon, Morse. Bill passed.

The following measures were referred to committee on January 31 and recorded on Committee Referral List No. 10 which was distributed to members. Referral list recorded in the Journal and Status Report by order of the President.

SB 321 General Government

HJR 6 Human Resources

SCR 1 -- President Courtney signed on February 3.

Senate adjourned until 11:00 a.m. Tuesday by unanimous consent at the request of the Chair.

Tuesday, February 4, 2003 -- Morning Session

Senate convened at 11:00 a.m. President Courtney in Chair. The following members were present: Atkinson, Beyer, Brown, Burdick, Carter, Clarno, Corcoran, Deckert, Devlin, Dukes, Ferrioli, Fisher, George, Gordly, Harper, Messerle, Metsger, Minnis, Morrisette, Morse, Nelson, Ringo, Shields, Starr, B., Starr, C., Walker, Winters; attending legislative business -- Hannon, Schrader. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Pastor David Shimeall of the Judson Baptist Church, Salem.

SCR 1 -- Message from the House announcing adoption.

SCR 1 -- Message from the House announcing the Speaker signed on February 3.

Committee Report Summary No. 9 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

SB 130 -- Report by Committee on Education recommending passage and be placed on the Unanimous Consent Calendar.

SB 158 -- Report by Committee on Health Policy recommending passage and be placed on the Unanimous Consent Calendar.

SB 191 -- Report by Committee on Health Policy recommending passage and be placed on the Unanimous Consent Calendar

SB 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338 -- Introduced, read first time and referred to President's desk.

SB 130, 158, 191 -- Read second time and passed to third reading.

SB 160 -- Read third time. Carried by Beyer. On passage of bill the vote was: Ayes, 27; attending legislative business, 3—Hannon, Schrader, Winters. Bill passed.

SB 45 -- Read third time under Unanimous Consent Calendar. Carried by Minnis. On passage of bill the vote was: Ayes, 27; attending legislative business, 3—Hannon, Schrader, Winters. Bill passed.

SB 108 -- Read third time under Unanimous Consent Calendar. Carried by Burdick. On passage of bill the vote was: Ayes, 27; attending legislative business, 3—Hannon, Schrader, Winters. Bill passed.

SB 110 -- Read third time under Unanimous Consent Calendar. Carried by Walker. On passage of bill the vote was: Ayes, 27; attending legislative business, 3—Hannon, Schrader, Winters. Bill passed.

SB 117 -- Read third time under Unanimous Consent Calendar. Carried by Burdick. On passage of bill the vote was: Ayes, 27; attending legislative business, 3—Hannon, Schrader, Winters. Bill passed.

SB 123 -- Read third time under Unanimous Consent Calendar. Carried by Burdick. On passage of bill the vote was: Ayes, 26; attending legislative business, 4—Carter, Hannon, Schrader, Winters. Bill passed.

SB 170 -- Read third time under Unanimous Consent Calendar. Carried by Starr, B. On passage of bill the vote was: Ayes, 26; attending legislative business, 4—Carter, Hannon, Schrader, Winters. Bill passed.

SB 171 -- Read third time under Unanimous Consent Calendar. Carried by Corcoran. On passage of bill the vote was: Ayes, 26; attending legislative business, 4—Carter, Hannon, Schrader, Winters. Bill passed.

SB 210 -- Read third time under Unanimous Consent Calendar. Carried by Walker. On passage of bill the vote was: Ayes, 26; attending legislative business, 4—Carter, Hannon, Schrader, Winters. Bill passed.

SB 211 -- Read third time under Unanimous Consent Calendar. Carried by Walker. On passage of bill the vote was: Ayes, 26; attending legislative business, 4—Carter, Hannon, Schrader, Winters. Bill passed.

The following measures were referred to committee on February 3 and recorded on Committee Referral List No. 11 which was distributed to members today. Referral list recorded in the Journal and Status Report by order of the President.

SJR 4 Rules

SJR 5 Rules
 SB 282 Education; Ways and Means
 SB 283 Education; Ways and Means
 SB 284 Business and Labor
 SB 285 Business and Labor
 SB 286 Business and Labor
 SB 287 Education; Ways and Means
 SB 288 Human Resources
 SB 289 Transportation and Economic Development
 SB 290 Revenue; Ways and Means
 SB 291 Agriculture and Natural Resources
 SB 292 Revenue
 SB 293 Water and Land Use
 SB 294 Agriculture and Natural Resources
 SB 295 Water and Land Use
 SB 296 Revenue
 SB 297 Judiciary
 SB 298 Judiciary
 SB 299 Judiciary
 SB 300 Judiciary
 SB 301 Judiciary
 SB 302 Judiciary
 SB 303 Judiciary
 SB 304 Judiciary
 SB 305 Judiciary
 SB 306 Judiciary
 SB 307 Judiciary
 SB 308 Judiciary
 SB 310 Water and Land Use
 SB 311 Water and Land Use
 SB 312 Transportation and Economic Development
 SB 313 Revenue
 HB 2001 General Government
 HB 2052 General Government
 HB 2175 General Government
 HB 2200 Agriculture and Natural Resources
 HB 2215 Transportation and Economic Development
 HB 2265 Transportation and Economic Development

Senate adjourned until 11:00 a.m. Wednesday by unanimous consent at the request of the Chair.

Wednesday, February 5, 2003 -- Morning Session

Senate convened at 11:00 a.m. Brown in Chair. The following members were present: Atkinson, Beyer, Burdick, Clarno, Corcoran, Deckert, Devlin, Ferrioli, Fisher, George, Gordly, Hannon, Messerle, Metsger, Minnis, Morrisette, Morse, Nelson, Ringo, Shields, Starr, B., Starr, C., Walker, Winters, President Courtney; attending legislative business -- Carter, Dukes, Harper, Schrader. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Reverend Bill Cavanah of St. Paul's Episcopal Church, Salem.

The following messages from the Governor were read and referred to the Committee on Rules.

February 4, 2003

TO THE HONORABLE PRESIDENT OF THE SENATE
 OF THE 72nd LEGISLATIVE ASSEMBLY

ORS 561.010 provides that the Governor shall appoint the Director of the Department of Agriculture, subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I appoint Katy Coba of Salem as the Director of the Department of Agriculture for a term beginning February 3, 2003, and serving at the pleasure of the Governor, effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,
 Ted Kulongoski
 Governor

February 4, 2003

TO THE HONORABLE PRESIDENT OF THE SENATE
 OF THE 72nd LEGISLATIVE ASSEMBLY

ORS 461.150 provides that the Governor shall appoint the Director of Oregon State Lottery, subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I appoint Brenda Rocklin of Salem as the Director of the Oregon State Lottery for a term beginning January 31, 2003, and serving at the pleasure of the Governor, effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,
 Ted Kulongoski
 Governor

HB 2035, 2087, 2114, 2157, 2185 -- Message from the House announcing passage.

Committee Report Summary No. 10 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

SB 244 -- Report by Committee on Business and Labor recommending passage.

SB 252 -- Report by Committee on Business and Labor recommending passage with amendments and be placed on the Unanimous Consent Calendar.

HJR 6 -- Report by Committee on Human Resources recommending adoption.

SB 339, 340, 341, 342, 343, 344, 345 -- Introduced, read first time and referred to President's desk.

SB 244 -- Read second time and passed to third reading.

HB 2035, 2087, 2114, 2157, 2185 -- Read first time and referred to President's desk.

HJR 6 -- Read second time and passed to third reading.

SB 182 -- Read third time under Unanimous Consent Calendar. Carried by Deckert. On passage of

bill the vote was: Ayes, 26; attending legislative business, 4—Carter, Dukes, Harper, Schrader.

SB 192 -- Read third time under Unanimous Consent Calendar. Carried by Minnis. On passage of bill the vote was: Ayes, 28; attending legislative business, 2—Carter, Dukes.

SB 193 -- Read third time under Unanimous Consent Calendar. Carried by Minnis. On passage of bill the vote was: Ayes, 28; attending legislative business, 2—Carter, Dukes.

Senate adjourned until 11:00 a.m. Thursday by unanimous consent at the request of the Chair.

Thursday, February 6, 2003 -- Morning Session

Senate convened at 11:00 a.m. Clarno in Chair. The following members were present: Atkinson, Beyer, Brown, Burdick, Carter, Corcoran, Deckert, Devlin, Dukes, Ferrioli, Fisher, George, Gordly, Hannon, Harper, Messerle, Morrisette, Morse, Nelson, Ringo, Schrader, Shields, Starr, B., Starr, C., Walker, Winters, President Courtney; attending legislative business -- Metsger, Minnis. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Senator Bill Fisher, Roseburg. Musical performance by Portland Adventist Academy Choir, Portland.

HB 2055, 2169, 2214, 2261 -- Message from the House announcing passage.

Committee Report Summary No. 11 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

SB 81 -- Report by Committee on Judiciary recommending passage and be placed on the Unanimous Consent Calendar.

SB 134 -- Report by Committee on General Government recommending passage with amendments.

SB 135 -- Report by Committee on General Government recommending passage with amendments.

SB 222 -- Report by Committee on Revenue recommending passage and be placed on the Unanimous Consent Calendar.

SB 226 -- Report by Committee on Revenue recommending passage and be placed on the Unanimous Consent Calendar.

SB 346, 347, 348, 349, 350, 351, 352, 353, 354 -- Introduced, read first time and referred to President's desk.

SB 81, 222, 226, 252 -- Read second time and passed to third reading.

SB 244 -- Read third time. Carried by Nelson. On passage of bill the vote was: Ayes, 30. Bill passed.

HB 2055, 2169, 2214, 2261 -- Read first time and referred to President's desk.

Senate recessed until 11:30 a.m. by unanimous consent on motion of Beyer.

Senate reconvened at 11:30 a.m. Clarno in Chair. All present except Dukes, attending legislative business.

Senate, having recessed following the order of Second Reading of House Measures, resumed under the general order of business by unanimous consent at the request of the Chair.

HJR 6 -- Read final time. Carried by Morrisette. On adoption of resolution, the vote was: Ayes, 26; nays, 3—Beyer, George, Starr, C.; attending legislative business, 1—Dukes. Resolution adopted.

SB 163 -- Read third time under Unanimous Consent Calendar. Carried by Brown. On passage of bill the vote was: Ayes, 29; attending legislative business, 1—Dukes. Bill passed.

SB 199 -- Read third time under Unanimous Consent Calendar. Carried by Nelson. On passage of bill the vote was: Ayes, 29; attending legislative business, 1—Starr, C. Bill passed.

SB 200 -- Read third time under Unanimous Consent Calendar. Carried by Walker. On passage of bill the vote was: Ayes, 29; attending legislative business, 1—Starr, C. Bill passed.

SB 234 -- Read third time under Unanimous Consent Calendar. Carried by Beyer. On passage of bill the vote was: Ayes, 29; attending legislative business, 1—Starr, C. Bill passed.

The following measures were referred to committee on February 5 and recorded on Committee Referral List No. 12 which was distributed to members. Referral list recorded in the Journal and Status Report by order of the President.

SB 309 Health Policy
 SB 314 Judiciary
 SB 315 Judiciary
 SB 326 Human Resources; Ways and Means
 HB 2064 Judiciary
 HB 2132 Judiciary
 HB 2140 General Government
 HB 2170 General Government

Director of the Department of Agriculture (ORS 561.010)

Katy Coba

Rules

Director Oregon State Lottery (ORS 461.150)

Brenda Rocklin

Rules

Senate adjourned until 8:30 a.m. Friday by unanimous consent at the request of the Chair.

Friday, February 7, 2003 -- Morning Session

Senate convened at 8:30 a.m. President Courtney in Chair. The following members were present Beyer, Brown, Burdick, Carter, Clarno, Corcoran, Deckert, Devlin, Dukes, Ferrioli, Fisher, George, Gordly, Hannon, Harper, Messerle, Metsger, Minnis, Morrisette, Morse, Nelson, Ringo, Schrader, Shields, Starr, B., Walker, Winters; excused -- Atkinson, Starr, C. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Charlie Wallace, Chaplain of Willamette University, Salem.

The following message from the Governor was read and referred to the Committee on Rules:

February 6, 2003

TO THE HONORABLE PRESIDENT OF THE SENATE
OF THE 72nd LEGISLATIVE ASSEMBLY

ORS 285A.040 provides that the Governor shall appoint the members of the Oregon Economic and Community Development Commission, subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I appoint Jack Isselman of Portland as a member of the Oregon Economic and Community Development Commission for an unexpired four-year term beginning February 6, 2003, and ending June 30, 2005, effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,
Ted Kulongoski
Governor

HB 2005, 2192, 2216 -- Message from the House announcing passage.

HCR 2 -- Message from the House announcing adoption.

Committee Report Summary No. 12 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

SB 59 -- Report by Committee on Judiciary recommending passage and be placed on the Unanimous Consent Calendar.

SB 65 -- Report by Committee on Judiciary recommending passage and be placed on the Unanimous Consent Calendar.

SB 67 -- Report by Committee on Judiciary recommending passage.

SB 68 -- Report by Committee on Judiciary recommending passage and be placed on the Unanimous Consent Calendar.

SB 105 -- Report by Committee on Judiciary recommending passage and be placed on the Unanimous Consent Calendar.

SB 106 -- Report by Committee on Judiciary recommending passage and be placed on the Unanimous Consent Calendar.

SB 111 -- Report by Committee on Judiciary recommending passage.

SB 227 -- Report by Committee on Revenue recommending passage and be placed on the Unanimous Consent Calendar.

SB 321 -- Report by Committee on General Government recommending passage.

SB 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366 -- Introduced, read first time and referred to President's desk.

SB 59, 65, 67, 68, 105, 106, 111, 134, 135, 227, 321 -- Read second time and passed to third reading.

HCR 2; HB 2005, 2192, 2216 -- Read first time and referred to President's desk.

SB 130 -- Read third time under Unanimous Consent Calendar. Carried by Deckert. On passage of bill the vote was: Ayes, 27; excused, 3—Atkinson, Ringo, Starr, C. Bill passed.

SB 158 -- Read third time under Unanimous Consent Calendar. Carried by Walker. On passage of bill the vote was: Ayes, 27; excused, 3—Atkinson, Ringo, Starr, C. Bill passed.

SB 191 -- Read third time under Unanimous Consent Calendar. Carried by Morrisette. On passage of bill the vote was: Ayes, 27; excused, 3—Atkinson, Ringo, Starr, C. Bill passed.

The following measures were referred to committee on February 6 and recorded on Committee Referral List No. 13 which was distributed to members. Referral list recorded in the Journal and Status Report by order of the President.

SB 10 Education

SB 316 Education

SB 317 Water and Land Use

SB 318 Rules

SB 319 Rules

SB 320 Judiciary

SB 322 Revenue

SB 323 General Government

SB 324 Health Policy; Ways and Means

SB 325 General Government

SB 327 Revenue

Senate adjourned until 11:00 a.m. Monday by unanimous consent at the request of the Chair.

Monday, February 10, 2003 -- Morning Session

Senate convened at 11:00 a.m. President Courtney in Chair. The following members were present: Beyer, Brown, Burdick, Carter, Clarno, Devlin, Dukes, Ferrioli, Fisher, George, Gordly, Hannon, Harper, Messerle, Metsger, Minnis, Morse, Nelson, Ringo, Schrader, Shields, Starr, B., Starr, C., Winters; absent -- Corcoran, Deckert, Walker; excused -- Atkinson, Morrisette. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Dennis Lind, Portland. Musical performance by Cascade College Concert Choir, Portland. (Dukes in Chair)

Committee Report Summary No. 13 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

SB 13 -- Report by Committee on Human Resources recommending passage.

SB 34 -- Report by Committee on Business and Labor recommending passage with amendments and be placed on the Unanimous Consent Calendar. Subsequent referral to Ways and Means rescinded by order of the President in agreement with the President Pro Tempore.

SB 80 -- Report by Committee on Transportation and Economic Development recommending passage with amendments and be placed on the Unanimous Consent Calendar and requesting subsequent referral to Committee on Ways and Means be rescinded. Subsequent referral rescinded by order of the President in agreement with the President Pro Tempore.

SB 187 -- Report by Committee on Transportation and Economic Development recommending passage and be placed on the Unanimous Consent Calendar.

HB 2001 -- Report by Committee on General Government recommending passage of the A-engrossed bill.

SB 1, 367, 368, 369, 370, 371, 372, 373, 374, 375 - Introduced, read first time and referred to President's desk.

SB 13, 187 -- Read second time and passed to third reading.

SB 67 -- Read third time. Carried by Starr, C. On passage of bill the vote was: Ayes, 27; excused, 2—Atkinson, Morrisette; attending legislative business, 1—Schrader. Bill passed.

SB 111 -- Read third time. Carried by Walker. On passage of bill the vote was: Ayes, 27; excused, 2—Atkinson, Morrisette; attending legislative business, 1—Schrader. Bill passed.

SB 134 A-Eng. -- Read third time. Carried by Minnis. On passage of bill the vote was: Ayes, 27; excused, 2—Atkinson, Morrisette; attending legislative business, 1—Schrader. Bill passed.

SB 135 A-Eng. -- Read third time. Carried by Morse. On passage of bill the vote was: Ayes, 27; excused, 2—Atkinson, Morrisette; attending legislative business, 1—Carter. Bill passed.

SB 321 -- Read third time. Carried by Messerle. On passage of bill the vote was: Ayes, 27; excused, 2—Atkinson, Morrisette; attending legislative business, 1—Carter. Bill passed.

HB 2001 -- Read second time and passed to third reading.

SB 252 -- Read third time under Unanimous Consent Calendar. Carried by Nelson. Rereferred to Committee on Business and Labor by voice vote on motion of Nelson.

The following measures were referred to committee on February 7 and recorded on Committee Referral List No. 14 which was distributed to members. Referral list recorded in the Journal and Status Report by order of the President.

SB 328 Business and Labor
 SB 329 General Government; Ways and Means
 SB 330 Education
 SB 331 Revenue
 SB 332 Judiciary
 SB 333 General Government; Ways and Means
 SB 334 Business and Labor; Ways and Means
 SB 335 Business and Labor; Ways and Means
 SB 336 Water and Land Use
 SB 337 Education; Ways and Means
 SB 338 Education; Ways and Means
 SB 339 Health Policy; Ways and Means
 SB 340 Education
 SB 341 Business and Labor
 SB 342 Judiciary
 SB 343 Business and Labor
 SB 344 Revenue
 SB 345 Education; Ways and Means
 HB 2035 Transportation and Economic Development
 HB 2087 Judiciary
 HB 2114 Judiciary
 HB 2157 Health Policy
 HB 2185 Revenue

Oregon Economic and Community Development Commission (ORS 285A.040)

Jack Isselmann Rules

Senate adjourned until 11:00 a.m. Tuesday by unanimous consent at the request of the Chair.

Tuesday, February 11, 2003 -- Morning Session

Senate convened at 11:00 a.m. Beyer in Chair. The following members were present: Brown, Carter, Clarno, Corcoran, Deckert, Devlin, Dukes, Ferrioli, Fisher, Gordly, Hannon, Harper, Messerle, Metsger, Minnis, Morrisette, Morse, Nelson, Ringo, Schrader, Shields, Starr, B., Starr, C., Walker, Winters; President Courtney; excused -- Atkinson, Burdick, George. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Pastor Dan Bryant, First Christian Church, Eugene.

Courtesies of the Senate were extended to former State Senator Rod Johnson at the request of the Chair.

HB 2027, 2257, 2317, 2321 -- Message from the House announcing passage.

Committee Report Summary No. 14 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

SB 180 -- Report by Committee on Transportation and Economic Development recommending passage with amendments and requesting subsequent referral to Committee on Ways and Means be rescinded. Subsequent referral rescinded by order of the President in agreement with the President Pro Tempore.

SB 204 -- Report by Committee on Agriculture and Natural Resources recommending passage.

HB 2052 -- Report by Committee on General Government recommending passage.

SB 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394 -- Introduced, read first time and referred to President's desk.

SB 34, 80, 204 -- Read second time and passed to third reading.

SB 13 -- Read third time. Carried by Morrisette. On passage of bill the vote was: Ayes, 28; excused, 1—Atkinson; attending legislative business, 1 – George. Bill passed.

HB 2027, 2257, 2317, 2321 -- Read first time and referred to President's desk.

HB 2052 -- Read second time and passed to third reading.

HB 2001 A-Eng. -- Read third time. Carried by Corcoran, Minnis. On passage of bill the vote was: Ayes, 28; excused, 1—Atkinson; attending legislative business, 1 – George. Bill passed.

SB 81 -- Read third time under Unanimous Consent Calendar. Carried by Minnis. On passage of bill the vote was: Ayes, 28; excused, 1—Atkinson; attending legislative business, 1 – George. Bill passed.

SB 222 -- Read third time under Unanimous Consent Calendar. Carried by Corcoran. On passage of bill the vote was: Ayes, 28; excused, 1—Atkinson; attending legislative business, 1 – George. Bill passed.

SB 226 -- Read third time under Unanimous Consent Calendar. Carried by Ringo. On passage of bill the vote was: Ayes, 28; excused, 1—Atkinson; attending legislative business, 1 – George. Bill passed.

The following measures were referred to committee on February 10 and recorded on Committee Referral List No. 15 which was distributed to members. Referral list recorded in the Journal and Status Report by order of the President.

SB 346 General Government; Ways and Means
 SB 347 General Government
 SB 348 Judiciary
 SB 349 Human Resources
 SB 350 Education
 SB 351 Agriculture and Natural Resources
 SB 352 Judiciary
 SB 353 Business and Labor
 SB 354 General Government; Ways and Means
 SB 358 Transportation and Economic Development; Ways and Means
 SB 359 Transportation and Economic Development; Ways and Means
 SB 360 Transportation and Economic Development; Ways and Means
 SB 361 Transportation and Economic Development; Revenue
 SB 362 Transportation and Economic Development; Revenue
 SB 363 Transportation and Economic Development; Ways and Means
 HB 2055 Business and Labor
 HB 2169 General Government
 HB 2214 Transportation and Economic Development
 HB 2261 Transportation and Economic Development

Senate adjourned until 11:00 a.m. Wednesday by unanimous consent at the request of the Chair.

Wednesday, February 12, 2003 -- Morning Session

Senate convened at 11:00 a.m. President Courtney in Chair. The following members were present: Atkinson, Beyer, Brown, Burdick, Carter, Clarno, Corcoran, Deckert, Devlin, Dukes, Ferrioli, Fisher, George, Gordly, Hannon, Harper, Messerle, Metsger, Minnis, Morrisette, Morse, Nelson, Ringo, Schrader, Shields, Starr, B., Starr, C., Walker,

Winters. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Reverend Paul Robinson, Congregational United Church of Christ, Medford.

SB 153; HB 2176, 2295 -- Message from the House announcing passage.

Senate recessed until 11:57 a.m. by unanimous consent on motion of Beyer.

Senate reconvened at 11:57 a.m. President Courtney in Chair. All present except Metsger, Morrisette, excused; Carter, Deckert, attending legislative business.

Senate, having recessed following the order of Reports from Conference Committees, resumed under the general order of business by unanimous consent at the request of the Chair.

Committee Report Summary No. 15 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

SB 147 -- Report by Committee on Revenue recommending passage.

SB 203 -- Report by Committee on Agriculture and Natural Resources recommending passage with amendments and requesting subsequent referral to Committee on Ways and Means be rescinded. Subsequent referral rescinded by order of the President in agreement with the President Pro Tempore.

SB 223 -- Report by Committee on Revenue recommending passage and be placed on the Unanimous Consent Calendar.

SB 224 -- Report by Committee on Revenue recommending passage.

HB 2140 A-Eng. -- Report by Committee on General Government recommending passage of the A-engrossed bill and be placed on the Unanimous Consent Calendar.

HB 2175 -- Report by Committee on General Government recommending passage and be placed on the Unanimous Consent Calendar.

SJR 6; SB 9, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414 -- Introduced, read first time and referred to President's desk.

SB 147, 180, 223, 224 -- Read second time and passed to third reading.

SB 204 -- Read third time. Carried by Beyer. On passage of bill the vote was: Ayes, 27; excused, 1—Shields; attending legislative business, 2—Deckert, George. Bill passed.

HB 2176, 2295 -- Read first time and referred to President's desk.

HB 2140, 2175 -- Read second time and passed to third reading.

HB 2052 -- Read third time. Carried by Minnis. On passage of bill the vote was: Ayes, 27; excused, 1—Shields; attending legislative business, 2—Deckert, George. Bill passed.

SB 59 -- Read third time under Unanimous Consent Calendar. Carried by Walker. On passage of bill the vote was: Ayes, 27; excused, 1—Shields; attending legislative business, 2—Deckert, George. Bill passed.

SB 65 -- Read third time under Unanimous Consent Calendar. Carried by Ringo. On passage of bill the vote was: Ayes, 27; excused, 1—Shields; attending legislative business, 2—Deckert, George. Bill passed.

SB 68 -- Read third time under Unanimous Consent Calendar. Carried by Ringo. On passage of bill the vote was: Ayes, 28; excused, 1—Shields; attending legislative business, 1—Deckert. Bill passed.

SB 105 -- Read third time under Unanimous Consent Calendar. Carried by Starr, C. On passage of bill the vote was: Ayes, 27; excused, 1—Shields; attending legislative business, 2—Deckert, Ringo. Bill passed.

SB 106 -- Read third time under Unanimous Consent Calendar. Carried by Burdick. On passage of bill the vote was: Ayes, 25; excused, 1—Shields; attending legislative business, 4—Carter, Deckert, Ringo, Winters. Bill passed.

SB 227 -- Read third time under Unanimous Consent Calendar. Carried by Starr, B. On passage of bill the vote was: Ayes, 23; nays, 2—Dukes, Gordly; excused, 1—Shields; attending legislative business, 4—Carter, Deckert, Ringo, Winters. Bill passed.

The following measures were referred to committee on February 11 and recorded on Committee Referral List No. 16 which was distributed to members. Referral list recorded in the Journal and Status Report by order of the President.

SB 355 Business and Labor
 SB 356 Judiciary; Ways and Means
 SB 357 Health Policy; Ways and Means
 SB 364 Water and Land Use
 SB 365 General Government
 SB 366 Judiciary
 HCR 2 Rules
 HB 2005 General Government
 HB 2192 General Government
 HB 2216 Transportation and Economic Development

SB 153; HB 2001 -- President Courtney signed on February 12.

Senate adjourned until 11:00 a.m. Thursday by unanimous consent at the request of the Chair.

Thursday, February 13, 2003 -- Morning Session

Senate convened at 11:00 a.m. President Courtney in Chair. The following members were present: Atkinson, Beyer, Brown, Burdick, Carter, Clarno, Corcoran, Deckert, Devlin, Dukes, Ferrioli, Fisher, George, Gordly, Hannon, Harper, Messerle, Metsger, Minnis, Morrisette, Morse, Nelson, Ringo, Schrader, Starr, C., Shields, Walker, Winters; attending legislative business -- Starr, B. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Rabbi Frank Rosenthal from the Rose Schnitzer Manor, Portland.

SB 133, 148; HB 5075; 2098 -- Message from the House announcing passage.

HB 2001 -- Message from the House announcing the Speaker signed on February 12.

SB 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436 -- Introduced, read first time and referred to President's desk.

SB 203 -- Read second time and passed to third reading.

SB 147 -- Read third time. Carried by Deckert. On passage of bill the vote was: Ayes, 28; nays, 1--Beyer; attending legislative business, 1--Starr, B. Bill passed.

SB 180 A-Eng. -- Read third time. Carried by Metsger. On passage of bill the vote was: Ayes, 27; nays, 2--Beyer, Nelson; attending legislative business, 1--Starr, B. Bill passed.

SB 224 -- Read third time. Carried by Ferrioli. On passage of bill the vote was: Ayes, 29; attending legislative business, 1--Starr, B. Bill passed.

HB 5075; 2098 -- Read first time and referred to President's desk.

SB 34 A-Eng. -- Read third time under Unanimous Consent Calendar. Carried by Nelson. On passage of bill the vote was: Ayes, 29; attending legislative business, 1--Starr, B. Bill passed.

SB 80 A-Eng. -- Read third time under Unanimous Consent Calendar. Carried by Metsger. On passage of bill the vote was: Ayes, 29; attending legislative business, 1--Starr, B. Bill passed.

SB 187 -- Read third time under Unanimous Consent Calendar. Carried by Starr, B. On passage of bill the vote was: Ayes, 30. Bill passed.

President Courtney announced the following committee assignments effective February 12.

LEGISLATIVE COUNSEL COMMITTEE

Senator Kate Brown, Co-Chair
 Senator Beverly Clarno, Co-Chair
 Senator Roger Beyer
 Senator Ginny Burdick
 Senator John Minnis
 Senator Charlie Ringo

Senate adjourned until 8:30 a.m. Friday by unanimous consent at the request of the Chair.

Friday, February 14, 2003 -- Morning Session

Senate convened at 8:30 a.m. President Courtney in Chair. The following members were present: Atkinson, Beyer, Brown, Carter, Clarno, Corcoran, Devlin, Dukes, Ferrioli, Fisher, George, Gordly, Hannon, Harper, Messerle, Metsger, Minnis, Morrisette, Morse, Nelson, Ringo, Schrader, Shields, Walker, Winters; excused -- Burdick, Deckert, Starr, B., Starr, C. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Serena Stoudamire, Portland.

SB 150; HB 2044, 2314, 2316, 2318, 2319, 2322 -- Message from the House announcing passage.

Committee Report Summary No. 16 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

Report by Committee on Rules recommending that the Governor's appointment of Brenda Rocklin as the Director of Oregon State Lottery be confirmed.

Committee Report Summary No. 17 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

SB 241 -- Report by Committee on Agriculture and Natural Resources recommending passage with amendments.

SB 242 -- Report by Committee on Agriculture and Natural Resources recommending passage with amendments.

SB 247 -- Report by Committee on Transportation and Economic Development recommending passage and be placed on the Unanimous Consent Calendar.

Rules suspended by unanimous consent in order to take action immediately on the Governor's appointment. Brown moved that the Senate confirm the Governor's appointment of Brenda Rocklin as the Director of Oregon State Lottery. On confirmation the vote was: Ayes, 25; excused, 5 -- Burdick, Deckert, Nelson, Starr, B., Starr, C. Confirmed.

SJR 7; SB 8, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452 -- Introduced, read first time and referred to President's desk. (Hannon in Chair)

SB 247 -- Read second time and passed to third reading.

SB 203 A-Eng. -- Read third time. Carried by Schrader. On passage of bill the vote was: Ayes, 24; excused, 6 – Burdick, Deckert, Nelson, Ringo, Starr, B., Starr, C. Bill passed.

HB 2044, 2314, 2316, 2318, 2319, 2322 -- Read first time and referred to President's desk.

The following measures were referred to committee on February 13 and recorded on Committee Referral List No. 17 which was distributed to members. Referral list recorded in the Journal and Status Report by order of the President.

SB 367 Business and Labor
 SB 368 Health Policy
 SB 369 Education; Ways and Means
 SB 370 Education; Ways and Means
 SB 371 Business and Labor; Ways and Means
 SB 372 Education; Ways and Means
 SB 373 Judiciary
 SB 374 Education
 SB 375 Business and Labor
 SB 376 Agriculture and Natural Resources
 SB 377 Agriculture and Natural Resources
 SB 378 Water and Land Use; Ways and Means
 SB 379 Rules
 SB 380 Rules
 SB 381 Business and Labor
 SB 382 Revenue
 SB 383 General Government; Ways and Means
 SB 384 Agriculture and Natural Resources
 SB 385 Agriculture and Natural Resources
 SB 386 Judiciary
 SB 387 Transportation and Economic Development
 SB 388 Education
 SB 389 Education; Ways and Means
 SB 390 Human Resources
 SB 391 Revenue
 SB 392 Health Policy
 SB 393 Human Resources
 SB 394 Transportation and Economic Development
 HB 5075 Ways and Means
 HB 2027 Revenue
 HB 2257 Water and Land Use
 HB 2317 General Government
 HB 2321 Business and Labor

Senate adjourned until 11:00 a.m. Monday by unanimous consent at the request of the Chair.

Monday, February 17, 2003 -- Morning Session

Senate convened at 11:00 a.m. President Courtney in Chair. The following members were present: Atkinson, Beyer, Brown, Burdick, Carter, Clarno, Corcoran, Devlin, Dukes, Ferrioli, Fisher, George, Gordly, Hannon, Harper, Messerle, Metsger, Minnis, Morrisette, Morse, Nelson, Ringo, Shields, Starr, B., Starr, C., Walker; Winters; excused -- Deckert; attending legislative business -- Schrader. Colors were posted and the Senate pledged allegiance to the flag. Invocation by John G. Vlazny, Catholic Archbishop, Portland.

Committee Report Summary No. 18 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

SB 251 -- Report by Committee on Water and Land Use recommending passage with amendments.

Report by Committee on Rules recommending that the Governor's appointment of Katy Coba as the Director of Department of Agriculture be confirmed.

SJR 8, 9, 10, 11; SB 453, 454, 455, 456, 457, 463 - - Introduced, read first time and referred to President's desk.

SB 241, 242 -- Read second time and passed to third reading.

SB 223 -- Read third time. Rereferred to Committee on Revenue by voice vote on motion of Ringo.

HB 2140 A-Eng. -- Read third time under Unanimous Consent Calendar. Carried by Starr, B. On passage of bill the vote was: Ayes, 28; excused, 1 – Deckert; attending legislative business, 1 – Schrader. Bill passed.

HB 2175 -- Read third time under Unanimous Consent Calendar. Carried by Minnis. On passage of bill the vote was: Ayes, 28; excused, 1 – Deckert; attending legislative business, 1 – Schrader. Bill passed.

Senate adjourned until 11:00 a.m. Tuesday by unanimous consent at the request of the Chair.

Tuesday, February 18, 2003 -- Morning Session

Senate convened at 11:00 a.m. Atkinson in Chair. The following members were present: Beyer, Brown, Burdick, Carter, Clarno, Corcoran, Deckert, Devlin, Dukes, Ferrioli, Fisher, George, Gordly, Hannon, Harper, Metsger, Minnis, Morse, Nelson, Ringo, Shields, Starr, B., Starr, C., Walker, Winters; attending legislative business -- Messerle, Morrisette, Schrader, President Courtney. Colors were posted and the Senate pledged allegiance to the flag.

Invocation by Reverend Ed Lykens of the Church of the Nazarene, Prineville.

HB 2133, 2134, 2135, 2136, 2159, 2173, 2211, 2223, 2424 -- Message from the House announcing passage.

HJR 4 -- Message from the House announcing adoption.

Committee Report Summary No. 19 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

SB 250 -- Report by Committee on Business and Labor recommending passage with amendments.

SB 291 -- Report by Committee on Agriculture and Natural Resources recommending passage.

SB 359 -- Report by Committee on Transportation and Economic Development recommending passage. Referred to Committee on Ways and Means by prior reference.

SB 360 -- Report by Committee on Transportation and Economic Development recommending passage. Referred to Committee on Ways and Means by prior reference.

SB 361 -- Report by Committee on Transportation and Economic Development without recommendation as to passage. Referred to Committee on Revenue by prior reference.

SB 362 -- Report by Committee on Transportation and Economic Development without recommendation as to passage. Referred to Committee on Revenue by prior reference.

SB 363 -- Report by Committee on Transportation and Economic Development recommending passage. Referred to Committee on Ways and Means by prior reference.

Burdick moved that the Senate confirm the Governor's appointment of Katy Coba as the Director of the Department of Agriculture. On confirmation the vote was: Ayes, 27; attending legislative business, 3 -- Messerle, Schrader, President Courtney. Confirmed.

SJR 12; SB 458, 459, 460, 461, 462, 464, 470, 476, 479, 480 -- Introduced, read first time and referred to President's desk.

SB 251, 291 -- Read second time and passed to third reading.

SB 241 A-Eng. -- Read third time. Carried by Beyer. Potential conflict of interest declared by Beyer. On passage of bill the vote was: Ayes, 26; nays, 1 -- Hannon; attending legislative business, 3 -- Messerle, Schrader, President Courtney. Bill passed.

SB 242 A-Eng. -- Read third time. Carried by Fisher. On passage of bill the vote was: Ayes, 26; nays, 1 -- Hannon; attending legislative business, 3 -- Messerle, Schrader, President Courtney. Bill passed.

HJR 4; HB 2133, 2134, 2135, 2136, 2159, 2173, 2211, 2223, 2424 -- Read first time and referred to President's desk.

The following measures were referred to committee on February 17 and recorded on Committee Referral List No. 18 which was distributed to members. Referral list recorded in the Journal and Status Report by order of the President.

SJR 6 Human Resources
 SB 1 Health Policy
 SB 9 Human Resources
 SB 395 Business and Labor
 SB 396 General Government
 SB 397 Judiciary
 SB 398 Water and Land Use
 SB 399 Water and Land Use
 SB 400 Judiciary
 SB 401 Human Resources
 SB 402 Judiciary
 SB 403 Human Resources
 SB 404 Human Resources
 SB 405 Education; Ways and Means
 SB 406 Business and Labor
 SB 407 Business and Labor
 SB 408 Business and Labor
 SB 409 Business and Labor
 SB 410 Business and Labor
 SB 411 Business and Labor; Ways and Means
 SB 412 Business and Labor
 SB 413 Education; Ways and Means
 SB 414 Human Resources
 SB 415 Revenue
 SB 416 Agriculture and Natural Resources
 SB 417 Transportation and Economic Development
 SB 418 Water and Land Use
 SB 419 Business and Labor
 SB 420 Transportation and Economic Development
 SB 421 Judiciary
 SB 422 Business and Labor
 SB 423 Transportation and Economic Development
 SB 424 Human Resources; Ways and Means
 SB 425 Transportation and Economic Development
 SB 426 Judiciary
 SB 427 Human Resources; Ways and Means
 SB 428 Judiciary; Ways and Means
 SB 429 Judiciary
 SB 430 Agriculture and Natural Resources; Ways and Means
 SB 431 Judiciary
 SB 432 Revenue
 SB 433 Transportation and Economic Development
 SB 434 Health Policy

SB 435 Health Policy
 SB 436 Health Policy
 HB 2098 Business and Labor
 HB 2176 Transportation and Economic Development
 HB 2295 Business and Labor

The Chair announced that President Courtney made the following committee assignments effective February 14.

CENTER FOR RESEARCH ON OCCUPATIONAL AND ENVIRONMENTAL TOXICOLOGY (CROET) ADVISORY COMMITTEE. (ORS 353.460)

Senator David Nelson
 Senator Frank Shields

The Chair announced that President Courtney made the following committee assignment effective February 18.

COMMISSION ON INDIAN SERVICES (ORS 172.110)

Senator Kate Brown

Senate adjourned until 11:00 a.m. Wednesday by unanimous consent at the request of the Chair.

Wednesday, February 19, 2003 -- Morning Session

Senate convened at 11:00 a.m. President Courtney in Chair. The following members were present: Atkinson, Beyer, Brown, Burdick, Carter, Clarno, Corcoran, Deckert, Devlin, Dukes, Ferrioli, Fisher, Gordly, Hannon, Harper, Messerle, Metsger, Minnis, Morrisette, Morse, Nelson, Ringo, Schrader, Shields, Starr, B., Starr, C., Walker, Winters; excused -- George. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Chaplain Frank Carpenter, Capitol Ministries of Oregon, Hillsboro. (Burdick in Chair)

HB 2021, 2024, 2025, 2026, 2033, 2284, 2339, 2426, 2429 -- Message from the House announcing passage.

SB 153; HJR 6; HB 2052 -- Message from the House announcing the Speaker signed on February 18.

Committee Report Summary No. 20 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

SB 56 -- Report by Committee on Business and Labor without recommendation as to passage. Referred to Committee on Human Resources and then Committee on Ways and Means by prior reference. Referred to Committee on Human Resources by order of the President in agreement with the President Pro Tempore.

SB 76 -- Report by Committee on Business and Labor without recommendation as to passage. Referred to Committee on Revenue by prior reference.

SB 83 -- Report by Committee on Transportation and Economic Development recommending passage with amendments and requesting subsequent referral to Committee on Revenue be rescinded. Subsequent referral rescinded by order of the President in agreement with the President Pro Tempore.

SB 127 -- Report by Committee on Education recommending passage.

SB 173 -- Report by Committee on Revenue recommending passage and be placed on the Unanimous Consent Calendar.

SB 183 -- Report by Committee on Transportation and Economic Development recommending passage.

SB 188 -- Report by Committee on Transportation and Economic Development recommending passage.

SB 198 -- Report by Committee on Business and Labor recommending passage.

SB 220 -- Report by Committee on Revenue recommending passage.

SB 221 -- Report by Committee on Revenue recommending passage.

SJR 13, 14, 15; SB 465, 466, 467, 468, 469, 471, 472, 473, 474, 475, 477, 478, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 542, 543, 544 -- Introduced, read first time and referred to President's desk.

SB 127, 173, 183, 188, 198, 220, 221, 250 -- Read second time and passed to third reading.

SB 251 A-Eng. -- Read third time. Carried by Ferrioli. On passage of bill the vote was: Ayes, 29; excused, 1 -- George. Bill passed.

SB 291 -- Read third time. Carried by Ferrioli. On passage of bill the vote was: Ayes, 23; nays, 6 -- Burdick, Carter, Corcoran, Hannon, Morrisette, Walker; excused, 1 -- George. Bill passed.

HB 2021, 2024, 2025, 2026, 2033, 2284, 2339, 2426, 2429 -- Read first time and referred to President's desk.

SB 247 -- Read third time under Unanimous Consent Calendar. Carried by Starr, B. On passage of bill the vote was: Ayes, 27; nays, 2 -- Hannon, Ringo; excused, 1 -- George. Bill passed.

The following measures were referred to committee on February 18 and recorded on Committee Referral List No. 19 which was distributed to members. Referral list recorded in the Journal and Status Report by order of the President.

SJR 7 Education; Revenue
 SB 8 General Government
 SB 437 Education; Ways and Means
 SB 438 Transportation and Economic Development
 SB 439 Water and Land Use
 SB 440 Health Policy
 SB 441 Transportation and Economic Development
 SB 442 Business and Labor
 SB 443 Transportation and Economic Development
 SB 444 General Government
 SB 445 General Government
 SB 446 General Government
 SB 447 Human Resources
 SB 448 Transportation and Economic Development; Ways and Means
 SB 449 Judiciary
 SB 450 Rules
 SB 451 Judiciary
 SB 452 Judiciary
 HB 2044 Rules
 HB 2314 Judiciary
 HB 2316 Judiciary
 HB 2318 Judiciary
 HB 2319 Judiciary
 HB 2322 Judiciary

SB 133, 148 -- President Courtney signed on February 18.

HJR 6; HB 2052 -- President Courtney signed on February 19.

Senate adjourned until 11:00 a.m. Thursday by unanimous consent at the request of the Chair.

Thursday, February 20, 2003 -- Morning Session

Senate convened at 11:00 a.m. President Courtney in Chair. The following members were present: Atkinson, Beyer, Brown, Carter, Clarno, Corcoran, Deckert, Devlin, Dukes, Ferrioli, Fisher, George, Gordly, Hannon, Harper, Messerle, Metsger, Minnis, Morrisette, Nelson, Schrader, Shields, Starr, C., Walker, Winters; excused -- Burdick, Ringo; attending legislative business -- Morse, Starr, B. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Pastor Stephen P. Lewis of the Evergreen Presbyterian Church, Salem.

Courtesies of the Senate were extended to former State Representative Mike Burton at the request of the Chair.

HB 2023, 2274 -- Message from the House announcing passage.

SB 133, 148 -- Message from the House announcing the Speaker signed on February 19.

Committee Report Summary No. 21 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

SB 228 -- Report by Committee on Revenue recommending passage.

SB 232 -- Report by Committee on Revenue recommending passage and be placed on the Unanimous Consent Calendar.

HB 2169 -- Report by Committee on General Government recommending passage.

HB 2170 -- Report by Committee on General Government recommending passage and be placed on the Unanimous Consent Calendar.

SJR 17, 18, 19; SM 2; SR 1; SB 2, 497, 498, 499, 500, 501, 502, 503, 504, 517, 518, 519, 520, 526, 527, 528, 529, 530, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 545, 546, 547, 548, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 571, 572, 573, 574, 578, 579 -- Introduced, read first time and referred to President's desk.

SB 83, 228, 232 -- Read second time and passed to third reading.

SB 127 -- Read third time. Carried by Morrisette. On passage of bill the vote was: Ayes, 26; excused, 2 -- Burdick, Ringo; attending legislative business, 2 -- Morse, Starr, B. Bill passed.

SB 183 -- Moved to the foot of today's third reading calendar by unanimous consent at the request of the Chair.

SB 188 -- Read third time. Carried by Metsger. On passage of bill the vote was: Ayes, 26; excused, 2 -- Burdick, Ringo; attending legislative business, 2 -- Morse, Starr, B. Bill passed.

SB 198 -- Read third time. Carried by Nelson. On passage of bill the vote was: Ayes, 26; excused, 2 -- Burdick, Ringo; attending legislative business, 2 -- Morse, Starr, B. Bill passed.

SB 220 -- Read third time. Carried by Corcoran. On passage of bill the vote was: Ayes, 26; excused, 2 -- Burdick, Ringo; attending legislative business, 2 -- Morse, Starr, B. Bill passed.

SB 221 -- Read third time. Carried by Ferrioli. On passage of bill the vote was: Ayes, 26; excused, 2 -- Burdick, Ringo; attending legislative business, 2 -- Morse, Starr, B. Bill passed.

SB 250 A-Eng. -- Read third time. Carried by Walker. On passage of bill the vote was: Ayes, 26;

excused, 2 – Burdick, Ringo; attending legislative business, 2 – Morse, Starr, B. Bill passed.

SB 183 -- Read third time. Carried by Nelson. On passage of bill the vote was: Ayes, 19; nays, 7 – Atkinson, Beyer, Dukes, Fisher, George, Hannon, Messerle; excused, 2 – Burdick, Ringo; attending legislative business, 2 – Morse, Starr, B. Bill passed.

HB 2023, 2274 -- Read first time and referred to President's desk.

HB 2169, 2170 -- Read second time and passed to third reading.

SB 150 -- President Courtney signed on February 19.

Senate adjourned until 8:30 a.m. Friday by unanimous consent at the request of the Chair.

Friday, February 21, 2003 -- Morning Session

Senate convened at 8:30 a.m. President Courtney in Chair. The following members were present: Beyer, Brown, Carter, Clarno, Corcoran, Devlin, Ferrioli, Fisher, George, Gordly, Hannon, Messerle, Metsger, Minnis, Morse, Ringo, Shields, Starr, B., Starr, C., Walker, Winters; absent -- Deckert, Nelson; excused -- Atkinson, Burdick; attending legislative business -- Dukes, Harper, Morrisette, Schrader. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Senator Bill Fisher, Roseburg.

Courtesies of the Senate were extended to former State Representative Liz VanLeeuwen at the request of Morse.

HB 2197, 2269, 2535 -- Message from the House announcing passage.

Committee Report Summary No. 22 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

SB 225 -- Report by Committee on Revenue recommending passage.

SB 238 -- Report by Committee on Education recommending passage.

SB 311 -- Report by Committee on Water and Land Use recommending passage.

SB 353 -- Report by Committee on Business and Labor recommending passage.

HB 2185 -- Report by Committee on Revenue recommending passage.

HB 2257 -- Report by Committee on Water and Land Use recommending passage and be placed on the Unanimous Consent Calendar.

Report by Committee on Rules recommending that the Governor's appointment of Jack Isselmann to the Oregon Economic and Community Development Commission be confirmed.

SCR 2; SJM 2; SJR 16, 20; SB 521, 522, 523, 524, 525, 531, 569, 570, 575, 576, 577, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 618, 619, 620, 621, 622, 623, 624, 625, 634, 635 -- Introduced, read first time and referred to President's desk.

SB 225, 238, 311, 353 -- Read second time and passed to third reading.

SB 83, 228 -- Carried over to February 24 calendar by unanimous consent at the request of the Chair.

HB 2197, 2269, 2535 -- Read first time and referred to President's desk.

HB 2185, 2257 -- Read second time and passed to third reading.

HB 2169 -- Carried over to February 24 calendar by unanimous consent at the request of the Chair.

Senate adjourned until 11:00 a.m. Monday by unanimous consent at the request of the Chair.

Monday, February 24, 2003 -- Morning Session

Senate convened at 11:00 a.m. President Pro Tempore Hannon in Chair. The following members were present: Atkinson, Beyer, Brown, Carter, Clarno, Deckert, Devlin, Ferrioli, Fisher, Gordly, Messerle, Metsger, Minnis, Morrisette, Morse, Nelson, Ringo, Shields, Starr, B., Starr, C., Walker, Winters, President Courtney; absent -- Burdick, Corcoran, George; attending legislative business -- Dukes, Harper, Schrader. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Father William Moisant of St. Mary, Star of the Sea, Astoria.

SB 150 -- Message from the House announcing the Speaker signed on February 21.

Committee Report Summary No. 23 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

SB 71 -- Report by Committee on Judiciary recommending passage.

SB 72 -- Report by Committee on Judiciary recommending passage with amendments.

SB 161 -- Report by Committee on Human Resources recommending passage with amendments.

SB 162 -- Report by Committee on Human Resources recommending passage with amendments.

SB 167 -- Report by Committee on Judiciary recommending passage.

SB 174 -- Report by Committee on Transportation and Economic Development recommending passage and be placed on the Unanimous Consent Calendar.

SB 246 -- Report by Committee on Transportation and Economic Development recommending passage and be placed on the Unanimous Consent Calendar.

SB 393 -- Report by Committee on Human Resources recommending passage.

Consideration of the Governor's appointment of Jack Isselmann to the Oregon Economic and Community Development Commission taken from its place on today's third reading calendar and placed on February 25 calendar by voice vote on motion of Brown.

SCR 3; SJR 21, 22, 23; SM 1; SB 616, 617, 626, 627, 628, 629, 630, 631, 632, 633, 636, 637, 638, 639, 640, 641, 642, 645, 646, 647, 648, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675 -- Introduced, read first time and referred to President's desk.

SB 71, 167, 174, 246, 393 -- Read second time and passed to third reading.

SB 83 A-Eng. -- Read third time. Carried by Starr, B.

Senate recessed until 11:55 a.m. by unanimous consent on motion of Clarno.

Senate reconvened at 11:55 a.m. President Pro Tempore Hannon in Chair. All present except Dukes, attending legislative business.

Senate, having recessed under the order of Third Reading of Senate Measures, resumed under that order by unanimous consent at the request of the Chair.

SB 83 -- Debate resumed. Call of the Senate demanded by Metsger joined by Gordly and Shields. All present except Dukes, attending legislative business. On passage of bill the vote was: Ayes, 17; nays, 12 -- Atkinson, Beyer, Ferrioli, Fisher, George, Hannon, Harper, Messerle, Minnis, Morse, Ringo, Winters; attending legislative business, 1 -- Dukes. Bill passed.

SB 228 -- Read third time. Carried by Deckert. On passage of bill the vote was: Ayes, 27; nays, 1 -- Nelson; attending legislative business, 2 -- Brown, Dukes. Bill passed.

SB 225 -- Read third time. Carried by Corcoran. On passage of bill the vote was: Ayes, 28; attending legislative business, 2 -- Brown, Dukes. Bill passed.

SB 238 -- Read third time. Carried by Morrisette. On passage of bill the vote was: Ayes, 28; attending legislative business, 2 -- Brown, Dukes. Bill passed.

SB 311 -- Read third time. Carried by Ferrioli. On passage of bill the vote was: Ayes, 27; nays, 1 -- Beyer; attending legislative business, 2 -- Brown, Dukes. Bill passed.

SB 353 -- Read third time. Carried by Walker. On passage of bill the vote was: Ayes, 28; attending legislative business, 2 -- Brown, Dukes. Bill passed.

HB 2169 -- Read third time. Carried by Minnis. On passage of bill the vote was: Ayes, 28; attending legislative business, 2 -- Brown, Dukes. Bill passed.

HB 2185 -- Read third time. Carried by Ringo. On passage of bill the vote was: Ayes, 28; attending legislative business, 2 -- Brown, Dukes. Bill passed.

SB 173 -- Read third time under Unanimous Consent Calendar. Carried by Corcoran. On passage of bill the vote was: Ayes, 28; attending legislative business, 2 -- Brown, Dukes. Bill passed.

The following measures were referred to committee on February 21 and recorded on Committee Referral List No. 20 which was distributed to members. Referral list recorded in the Journal and Status Report by order of the President.

SJR 8	Rules
SJR 9	Rules
SJR 10	Rules
SJR 11	Rules
SJR 12	Rules
SB 453	Transportation and Economic Development
SB 454	Education; Ways and Means
SB 455	Education; Ways and Means
SB 456	Education; Ways and Means
SB 457	Rules
SB 458	Health Policy; Ways and Means
SB 459	Judiciary; Ways and Means
SB 460	Judiciary
SB 461	Human Resources; Ways and Means
SB 462	Agriculture and Natural Resources
SB 463	Business and Labor
SB 464	Judiciary
SB 470	Human Resources
SB 476	Judiciary
SB 479	Transportation and Economic Development
SB 480	Revenue
HJR 4	Health Policy
HB 2133	Revenue
HB 2134	Revenue
HB 2135	Revenue
HB 2136	Revenue
HB 2159	Health Policy
HB 2173	Transportation and Economic Development
HB 2211	Transportation and Economic Development
HB 2223	Transportation and Economic Development

HB 2424 Revenue

The Chair announced that President Courtney made the following committee assignments effective February 20.

BIOSCIENCE TASKFORCE

Senator John Minnis

Senator Charlie Ringo

Senate adjourned until 11:00 a.m. Tuesday by unanimous consent at the request of the Chair.

Tuesday, February 25, 2003 -- Morning Session

Senate convened at 11:00 a.m. Corcoran in Chair. The following members were present: Atkinson, Beyer, Burdick, Carter, Deckert, Devlin, Dukes, Ferrioli, Fisher, George, Gordly, Harper, Messerle, Metsger, Minnis, Morrisette, Morse, Nelson, Ringo, Schrader, Shields, Starr, B., Starr, C., Walker, Winters; attending legislative business -- Brown, Clarno, Hannon, President Courtney. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Pastor Steve Hopkins of the Calvary Chapel, Salem.

SB 85; HB 2029, 2030, 2241 -- Message from the House announcing passage.

Atkinson moved that the Senate confirm the Governor's appointment of Jack Isselmann to the Oregon Economic and Community Development Commission. On confirmation the vote was: Ayes, 28; attending legislative business, 2 – Brown, Clarno. Confirmed.

SJR 24, 32; SB 549, 550, 551, 643, 644, 649, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711 -- Introduced, read first time and referred to President's desk.

SB 855, 856, 859 -- Introduced, read first time and referred to Committee on Ways and Means.

SB 72, 161, 162 -- Read second time and passed to third reading.

SB 71 -- Read third time. Carried by Ringo. On passage of bill the vote was: Ayes, 28; attending legislative business, 2 – Brown, Clarno. Bill passed.

SB 167 -- Read third time. Carried by Burdick. On passage of bill the vote was: Ayes, 28; attending legislative business, 2 – Brown, Clarno. Bill passed.

SB 393 -- Read third time. Carried by Starr, C. On passage of bill the vote was: Ayes, 26; nays, 1 – Hannon; excused, 1 – Burdick; attending legislative business, 2 – Brown, Clarno. Bill passed.

HB 2029, 2030, 2241 -- Read first time and referred to President's desk.

SB 232 -- Read third time under Unanimous Consent Calendar. Carried by Hannon. On passage

of bill the vote was: Ayes, 28; attending legislative business, 2 – Brown, Clarno. Bill passed. (Burdick in Chair)

HB 2170 -- Read third time under Unanimous Consent Calendar. Carried by Corcoran. On passage of bill the vote was: Ayes, 26; attending legislative business, 4 – Brown, Clarno, Hannon, President Courtney. Bill passed.

The following measures were referred to committee on February 24 and recorded on Committee Referral List No. 21 which was distributed to members. Referral list recorded in the Journal and Status Report by order of the President.

SJR 13 Rules
 SJR 14 Rules
 SJR 15 Rules
 SB 2 Transportation and Economic Development
 SB 465 Business and Labor
 SB 466 Judiciary
 SB 467 Transportation and Economic Development
 SB 468 Transportation and Economic Development; Ways and Means
 SB 469 Revenue
 SB 471 Transportation and Economic Development; Ways and Means
 SB 472 Transportation and Economic Development
 SB 473 Transportation and Economic Development
 SB 474 Transportation and Economic Development; Ways and Means
 SB 475 Judiciary
 SB 477 Business and Labor; Ways and Means
 SB 478 General Government
 SB 481 Business and Labor
 SB 482 Revenue
 SB 483 General Government; Ways and Means
 SB 484 Judiciary
 SB 485 Judiciary
 SB 486 Business and Labor
 SB 487 Judiciary
 SB 488 Health Policy
 SB 489 Health Policy
 SB 490 Education
 SB 491 Health Policy
 SB 492 Revenue
 SB 493 Revenue
 SB 494 General Government
 SB 495 General Government
 SB 496 Business and Labor
 SB 505 Judiciary
 SB 506 Health Policy
 SB 507 Judiciary; Ways and Means
 SB 508 Transportation and Economic Development; Ways and Means
 SB 509 Education; Ways and Means
 SB 510 Education
 SB 511 Revenue
 SB 512 Judiciary

SB 513 Rules
 SB 514 Business and Labor
 SB 515 Business and Labor
 SB 516 Water and Land Use
 SB 542 Health Policy
 SB 543 General Government; Ways and Means
 SB 544 Judiciary
 HB 2021 Human Resources
 HB 2024 Revenue
 HB 2025 Revenue
 HB 2026 Revenue
 HB 2033 Agriculture and Natural Resources
 HB 2284 Judiciary
 HB 2339 Revenue
 HB 2426 Judiciary
 HB 2429 Business and Labor

The Chair announced that President Courtney made the following committee assignment effective February 25.

STATE WORKFORCE INVESTMENT BOARD

Senator Margaret Carter

Senate adjourned until 11:00 a.m. Wednesday by unanimous consent at the request of the Chair.

Wednesday, February 26, 2003 -- Morning Session

Senate convened at 11:00 a.m. Gordly in Chair. The following members were present: Atkinson, Beyer, Brown, Burdick, Carter, Clarno, Corcoran, Deckert, Devlin, Dukes, Ferrioli, Fisher, George, Hannon, Harper, Messerle, Metsger, Minnis, Morrisette, Morse, Nelson, Ringo, Schrader, Shields, Starr, B., Starr, C., Walker, Winters, President Courtney. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Pastor Jonathan Enz of the United Methodist Church, Monroe.

HB 2111, 2113, 2161, 2163, 2245, 2252, 2487 -- Message from the House announcing passage.

Committee Report Summary No. 24 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

SB 16 -- Report by Committee on Education recommending passage. Referred to Committee on Committee on Ways and Means by prior reference.

SB 287 -- Report by Committee on Education recommending passage and requesting subsequent referral to Committee on Ways and Means be rescinded. Subsequent referral rescinded by order of the President in agreement with the President Pro Tempore.

SB 374 -- Report by Committee on Education recommending passage with amendments.

SJM 3; SJR 25, 26; SB 690, 691, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725,

726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 815, 816, 817, 818, 819 -- Introduced, read first time and referred to President's desk.

SB 287 -- Read second time and passed to third reading.

SB 72 A-Eng. -- Read third time. Carried by Walker. On passage of bill the vote was: Ayes, 30. Bill passed.

SB 161 A-Eng. -- Read third time. Carried by Starr, C. On passage of bill the vote was: Ayes, 30. Bill passed.

Courtesies of the Senate were extended to former State Representative Monroe Sweetland at the request of the Chair.

SB 162 A-Eng. -- Read third time. Carried by Brown. On passage of bill the vote was: Ayes, 30. Bill passed.

HB 2111, 2113, 2161, 2163, 2245, 2252, 2487 -- Read first time and referred to President's desk.

HB 2257 -- Read third time under Unanimous Consent Calendar. Carried by Ferrioli. On passage of bill the vote was: Ayes, 28; attending legislative business, 2 -- Ringo, Walker. Bill passed.

The following measures were referred to committee on February 25 and recorded on Committee Referral List No. 22 which was distributed to members today. Referral list recorded in the Journal and Status Report by order of the President.

SB 855 Ways and Means

SB 856 Ways and Means

SB 859 Ways and Means

The following measures were referred to committee on February 26 and recorded on Committee Referral List No. 23 which was distributed to members today. Referral list recorded in the Journal and Status Report by order of the President.

SJR 17 Rules

SJR 18 Revenue

SJR 19 Rules

SM 2 Rules

SR 1 Rules

SB 497 Judiciary

SB 498 Education; Ways and Means

SB 499 Water and Land Use; Ways and Means

SB 500 Agriculture and Natural Resources; Ways and Means

SB 501 Agriculture and Natural Resources; Ways and Means

SB 502 Revenue

SB 503 Revenue

SB 504 Business and Labor

SB 517 Judiciary

SB 518 Transportation and Economic Development; Ways

and Means
 SB 519 Judiciary
 SB 520 Judiciary
 SB 526 Business and Labor
 SB 527 Judiciary
 SB 528 Judiciary
 SB 529 Education
 SB 530 Judiciary
 SB 532 Revenue
 SB 533 Revenue
 SB 534 Business and Labor
 SB 535 Business and Labor
 SB 536 Judiciary
 SB 537 Judiciary
 SB 538 Water and Land Use; Ways and Means
 SB 539 Health Policy; Ways and Means
 SB 540 Health Policy; Ways and Means
 SB 541 Health Policy; Ways and Means
 SB 545 Education; Ways and Means
 SB 546 Business and Labor
 SB 547 General Government
 SB 548 General Government; Ways and Means
 SB 552 Rules
 SB 553 Judiciary; Ways and Means
 SB 554 Human Resources
 SB 555 Business and Labor
 SB 556 Revenue
 SB 557 Business and Labor
 SB 558 Revenue
 SB 559 Business and Labor; Ways and Means
 SB 560 Revenue
 SB 561 Judiciary
 SB 562 Business and Labor
 SB 563 Business and Labor
 SB 564 Judiciary
 SB 565 Rules
 SB 566 General Government
 SB 567 Health Policy; Ways and Means
 SB 568 Education; Ways and Means
 SB 571 General Government
 SB 572 General Government
 SB 573 Agriculture and Natural Resources
 SB 574 Transportation and Economic Development
 SB 578 Judiciary
 SB 579 Judiciary
 HB 2023 Revenue
 HB 2274 Judiciary

Senate adjourned until 11:00 a.m. Thursday by unanimous consent at the request of the Chair.

Thursday, February 27, 2003 -- Morning Session

Senate convened at 11:00 a.m. President Courtney in Chair. The following members were present: Atkinson, Beyer, Clarno, Corcoran, Deckert, Devlin, Dukes, Ferrioli, George, Gordly, Hannon,

Messerle, Minnis, Morrisette, Morse, Nelson, Starr, B., Starr, C., Walker; absent -- Brown, Burdick, Metsger, Ringo; excused -- Fisher; attending legislative business -- Carter, Harper, Schrader, Shields, Winters. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Reverend Stephen Whitney-Wise of the All Saints Episcopal Church, Portland.

Courtesies of the Senate were extended to former State Senator Scott Duff at the request of the Chair.

SB 148, 153 -- Message from the Governor announcing he signed on February 26.

HB 2262, 2439, 2474, 2622 -- Message from the House announcing passage.

Committee Report Summary No. 25 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

SB 164 -- Report by Committee on Human Resources recommending passage with amendments.

HB 2157 -- Report by Committee on Health Policy recommending passage.

SJM 4; SJR 27, 28, 29, 30; SM 3; SB 692, 693, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 778, 779, 780, 781, 782, 784, 785, 786, 787, 789, 790, 791, 792, 798, 799, 800, 801, 812, 813, 814, 820, 821, 823, 824, 825, 826, 827, 828, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 845, 846, 847, 848, 853 -- Introduced, read first time and referred to President's desk.

SB 374 -- Read second time and passed to third reading.

SB 287 -- Read third time. Carried by Deckert. On passage of bill the vote was: Ayes, 20; nays, 3 -- Beyer, Hannon, Messerle; excused, 2 -- Fisher, George; attending legislative business, 5 -- Carter, Harper, Schrader, Shields, Winters. Bill passed.

HB 2262, 2439, 2474, 2622 -- Read first time and referred to President's desk.

HB 2157 -- Read second time and passed to third reading.

SB 174 -- Read third time under Unanimous Consent Calendar. Carried by Nelson. On passage of bill the vote was: Ayes, 23; excused, 2 -- Fisher, George; attending legislative business, 5 -- Carter, Harper, Schrader, Shields, Winters. Bill passed.

SB 246 -- Read third time under Unanimous Consent Calendar. Carried by Metsger. On passage of bill the vote was: Ayes, 23; excused, 2 -- Fisher, George; attending legislative business, 5 -- Carter, Harper, Schrader, Shields, Winters. Bill passed.

Senate adjourned until 8:30 a.m. Friday by unanimous consent at the request of the Chair.

Friday, February 28, 2003 -- Morning Session

Senate convened at 8:30 a.m. President Courtney in Chair. The following members were present: Atkinson, Brown, Burdick, Clarno, Corcoran, Deckert, Dukes, Ferrioli, Fisher, George, Gordly, Hannon, Harper, Messerle, Metsger, Morrisette, Morse, Nelson, Ringo, Shields, Starr, C., Walker; absent -- Beyer, Carter, Starr, B., Schrader; excused -- Devlin, Minnis; attending legislative business -- Winters. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Pastor Christina Thompson Fridel of the Asbury United Methodist Church, Hood River.

SB 133 -- Message from the Governor announcing he signed on February 27.

HB 2004 -- Message from the House announcing passage.

Committee Report Summary No. 26 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

SB 58 -- Report by Committee on Judiciary recommending passage and be placed on the Unanimous Consent Calendar.

SB 256 -- Report by Committee on Agriculture and Natural Resources recommending passage with amendments.

SB 281 -- Report by Committee on Agriculture and Natural Resources recommending passage with amendments.

SB 414 -- Report by Committee on Human Resources without recommendation as to passage and requesting referral to Committee on Business and Labor. Referred to Committee on Business and Labor by order of the President in agreement with the President Pro Tempore.

HB 2133 -- Report by Committee on Revenue recommending passage.

HB 2134 -- Report by Committee on Revenue recommending passage.

HB 2136 -- Report by Committee on Revenue recommending passage and be placed on the Unanimous Consent Calendar.

HB 2157 -- Taken from its place on today's third reading calendar and placed on March 3 calendar by voice vote on motion of Morrisette.

SCR 4; SJM 5; SJR 31, 33, 38; SB 676, 783, 788, 793, 794, 795, 796, 797, 802, 803, 804, 805, 806, 807,

808, 809, 810, 811, 822, 829, 844, 849, 850, 851, 852, 854, 857, 858 -- Introduced, read first time and referred to President's desk.

SB 862 -- Introduced, read first time and referred to Committee on Ways and Means.

SB 58, 164 -- Read second time and passed to third reading.

SB 374 A-Eng -- Read third time. Carried by Hannon, Walker. On passage of bill the vote was: Ayes, 28; excused, 1 -- Minnis; attending legislative business, 1 -- Winters. Bill passed.

HB 2004 -- Read first time and referred to President's desk.

HB 2133, 2134, 2136 -- Read second time and passed to third reading.

The following measures were referred to committee on February 28 and recorded on Committee Referral List No. 24 which was distributed to members. Referral list recorded in the Journal and Status Report by order of the President.

SCR 2 Rules
 SJM 2 Rules
 SJR 16 Rules
 SJR 20 Rules
 SB 521 Judiciary; Ways and Means
 SB 522 Judiciary
 SB 523 Judiciary
 SB 524 Revenue
 SB 525 Education; Ways and Means
 SB 531 Rules
 SB 569 Business and Labor
 SB 570 General Government
 SB 575 Business and Labor
 SB 576 Agriculture and Natural Resources
 SB 577 Revenue
 SB 580 Human Resources
 SB 581 Education; Ways and Means
 SB 582 Revenue
 SB 583 Judiciary
 SB 584 Rules
 SB 585 Transportation and Economic Development
 SB 586 Transportation and Economic Development
 SB 587 Transportation and Economic Development
 SB 588 Transportation and Economic Development
 SB 589 Transportation and Economic Development; Ways and Means
 SB 590 Water and Land Use; Ways and Means
 SB 591 Water and Land Use
 SB 592 Judiciary
 SB 593 Rules
 SB 594 Agriculture and Natural Resources; Ways and Means
 SB 595 Agriculture and Natural Resources; Ways and

Means
 SB 596 Transportation and Economic Development
 SB 597 Agriculture and Natural Resources; Ways and Means
 SB 598 Transportation and Economic Development; Ways and Means
 SB 599 Judiciary
 SB 600 Health Policy; Ways and Means
 SB 601 Revenue; Ways and Means
 SB 602 Business and Labor
 SB 603 Business and Labor
 SB 604 Business and Labor
 SB 605 Water and Land Use
 SB 606 Human Resources
 SB 607 Health Policy; Ways and Means
 SB 608 Revenue
 SB 609 Business and Labor
 SB 610 Judiciary
 SB 611 Judiciary
 SB 612 Judiciary
 SB 613 Judiciary
 SB 614 Education
 SB 615 Judiciary
 SB 618 Judiciary
 SB 619 Judiciary
 SB 620 Judiciary; Ways and Means
 SB 621 Judiciary
 SB 622 Transportation and Economic Development
 SB 623 Judiciary
 SB 624 Judiciary
 SB 625 Judiciary
 SB 634 Business and Labor
 SB 635 Business and Labor
 HB 2197 Revenue
 HB 2269 Judiciary
 HB 2535 Revenue

Senate adjourned until 10:00 a.m. Monday by unanimous consent at the request of the Chair.

Monday, March 3, 2003 -- Morning Session

Senate convened at 10:00 a.m. President Courtney in Chair. The following members were present: Atkinson, Beyer, Brown, Burdick, Clarno, Corcoran, Deckert, Ferrioli, Fisher, Hannon, Messerle, Metsger, Minnis, Morrisette, Morse, Nelson, Ringo, Shields, Starr, B., Starr, C., Walker; attending legislative business -- Carter, Devlin, Dukes, George, Gordly, Harper, Schrader, Winters. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Senator Charles Starr, Hillsboro.

Committee Report Summary No. 27 listing the following reports was distributed to members February 28. Summary list recorded in Journal and Status Report by order of the President.

SB 5548 -- Report by Committee on Ways and Means recommending passage with amendments.

SB 855 -- Report by Committee on Ways and Means recommending passage with amendments.

SB 856 -- Report by Committee on Ways and Means recommending passage with amendments.

SB 859 -- Report by Committee on Ways and Means recommending passage with amendments.

Committee Report Summary No. 28 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

SB 122 -- Report by Committee on Judiciary recommending passage.

SB 388 -- Report by Committee on Education recommending passage with amendments.

HB 2214 -- Report by Committee on Transportation and Economic Development recommending passage of the A-engrossed bill.

HB 2216 -- Report by Committee on Transportation and Economic Development recommending passage.

HB 2261 -- Report by Committee on Transportation and Economic Development recommending passage of the A-engrossed bill.

HB 2265 -- Report by Committee on Transportation and Economic Development recommending passage.

Senate recessed until 10:55 a.m. by unanimous consent on motion of Brown.

Senate reconvened at 10:55 a.m. President Courtney in Chair. All present except Carter, Clarno, Minnis, absent.

Senate, having recessed following the order of Reports from Special Committees, resumed under the general order of business by unanimous consent at the request of the Chair.

SB 5548; 855, 856, 859, 862 -- Consideration of bills made a Special Order of Business at the head of the Senate third reading calendar today by unanimous consent on motion of Schrader.

SB 860, 861 -- Introduced, read first time and referred to President's desk.

Committee Report Summary No. 29 listing the following reports was distributed but not announced by implied consent to members March 3. Summary list recorded in Journal and Status Report by order of the President.

SB 862 -- Report by Committee on Ways and means recommending passage.

SB 5548; 122, 256, 281, 855, 856, 859, 862 -- Read second time and passed to third reading.

Minnis rose to a point of order and immediately repeated words that he objected to, "leadership locked into the lobby" which were spoken by Morrisette during debate. In accordance with SR 6.80. the words are recorded in the journal.

Senate proceeded to the Special Order of Business by unanimous consent at the request of the Chair.

SB 5548; 855, 856, 859, 862 --Rules suspended by unanimous consent in order that the Senate may take final action immediately on motion of Schrader.

SB 5548 A-Eng. -- Under rules suspension and Special Order of Business, read third time. Carried by Schrader. On passage of bill the vote was: Ayes, 30. Bill passed.

SB 855 A-Eng. -- Under rules suspension and Special Order of Business, read third time. Carried by Morse. On passage of bill the vote was: Ayes, 30. Bill passed.

SB 856 A-Eng. -- Under rules suspension and Special Order of Business, read third time. Carried by Devlin. On passage of bill the vote was: Ayes, 28; nays, 2 – Burdick, Hannon. Bill passed.

SB 859 A-Eng. -- Under rules suspension and Special Order of Business, read third time. Carried by Harper. On passage of bill the vote was: Ayes, 24; nays, 6 – Metsger, Morrisette, Nelson, Ringo, Starr, B., Walker. Bill passed.

SB 862 -- Under rules suspension and Special Order of Business, read third time. Carried by Winters. On passage of bill the vote was: Ayes, 19; nays, 11 – Burdick, Corcoran, Dukes, George, Hannon, Metsger, Morrisette, Nelson, Ringo, Shields, Starr, B. Bill passed.

Senate resumed under the order of Third Reading of Senate Measures by unanimous consent at the request of the Chair.

SB 164 A-Eng. -- Read third time. Carried by Morrisette. On passage of bill the vote was: Ayes, 29; nays, 1 – Hannon. Bill passed.

HB 2214, 2216, 2261, 2265 -- Read second time and passed to third reading.

HB 2133 -- Read third time. Carried by Starr, B. On passage of bill the vote was: Ayes, 30. Bill passed.

HB 2134 -- Read third time. Carried by Ringo. On passage of bill the vote was: Ayes, 30. Bill passed.

HB 2157 -- Read third time. Carried by Minnis. On passage of bill the vote was: Ayes, 30. Bill passed.

The following measures were referred to committee on February 28 and recorded on Committee Referral List No. 25 which was distributed to members. Referral list recorded in the Journal and Status Report by order of the President.

SCR 3 Rules
 SJR 21 Rules
 SJR 22 Rules
 SM 1 Rules
 SB 616 Business and Labor
 SB 617 Judiciary
 SB 626 Revenue
 SB 627 Transportation and Economic Development
 SB 628 Judiciary
 SB 629 Health Policy
 SB 630 Health Policy
 SB 631 Water and Land Use
 SB 632 Revenue
 SB 633 Water and Land Use; Revenue
 SB 636 Health Policy; Ways and Means
 SB 637 Human Resources
 SB 638 Judiciary
 SB 639 Revenue; Ways and Means
 SB 640 Agriculture and Natural Resources
 SB 641 Judiciary
 SB 642 Water and Land Use
 SB 645 Water and Land Use
 SB 646 Human Resources
 SB 647 Human Resources
 SB 648 Human Resources
 SB 650 General Government; Ways and Means
 SB 652 Transportation and Economic Development
 SB 653 Health Policy; Ways and Means
 SB 654 Business and Labor
 SB 655 Judiciary
 SB 657 Human Resources
 SB 658 Business and Labor
 SB 659 Health Policy
 SB 660 Rules
 SB 661 Transportation and Economic Development
 SB 662 General Government
 SB 663 Transportation and Economic Development
 SB 664 Transportation and Economic Development
 SB 665 Business and Labor
 SB 666 Judiciary
 SB 667 Water and Land Use
 SB 668 Water and Land Use
 SB 669 Health Policy; Ways and Means
 SB 670 Agriculture and Natural Resources
 SB 671 Agriculture and Natural Resources
 SB 672 Agriculture and Natural Resources
 SB 673 Agriculture and Natural Resources
 SB 674 Agriculture and Natural Resources
 SB 675 Transportation and Economic Development

SB 862 Ways and Means

Senate adjourned until 11:00 a.m. Tuesday by unanimous consent at the request of the Chair.

Tuesday, March 4, 2003 -- Morning Session

Senate convened at 11:00 a.m. President Pro Tempore Hannon in Chair. The following members were present: Atkinson, Beyer, Burdick, Clarno, Corcoran, Deckert, Devlin, Dukes, Ferrioli, Fisher, George, Harper, Messerle, Metsger; Minnis, Morrisette, Morse, Nelson, Ringo, Schrader, Starr, B., Starr, C., Walker, Winters; excused -- Brown, Carter, Gordly, Shields, President Courtney. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Pastor John Maas of Christ Lutheran Church, Salem. Musical performance by Second Chance Singers of Blue Mountain Community College, Pendleton.

SB 150 -- Message from the Governor announcing he signed on March 3.

HB 2158, 2263, 2283, 2332, 2546, 2576 -- Message from the House announcing passage.

HB 2270 -- Message from the House announcing failure to pass.

Committee Report Summary No. 30 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

SB 8 -- Report by Committee on General Government recommending passage.

SB 267 -- Report by Committee on General Government recommending passage.

SB 269 -- Report by Committee on General Government recommending passage with amendments.

SB 358 -- Report by Committee on Transportation and Economic Development recommending passage with amendments. Referred to Committee on Ways and Means by prior reference.

HB 2176 -- Report by Committee on Transportation and Economic Development recommending passage of the A-engrossed bill.

SB 863, 864 -- Introduced, read first time and referred to President's desk.

SB 8, 267, 388 -- Read second time and passed to third reading.

SB 122 -- Read third time. Carried by Ringo. On passage of bill the vote was: Ayes, 25; excused, 5 -- Brown, Carter, Gordly, Shields, President Courtney. Bill passed.

SB 256 A-Eng. -- Read third time. Carried by Corcoran. On passage of bill the vote was: Ayes, 23;

nays, 1 -- Hannon; excused, 5 -- Brown, Carter, Gordly, Shields, President Courtney; attending legislative business, 1 -- Ringo. Bill passed.

SB 281 A-Eng. -- Read third time. Carried by Beyer. On passage of bill the vote was: Ayes, 24; excused, 5 -- Brown, Carter, Gordly, Shields, President Courtney; attending legislative business, 1 -- Ringo. Bill passed.

HB 2158, 2263, 2283, 2332, 2546, 2576 -- Read first time and referred to President's desk.

HB 2176 -- Read second time and passed to third reading.

HB 2214 A-Eng. -- Read third time. Carried by Deckert. On passage of bill the vote was: Ayes, 24; nays, 1 -- Schrader; excused, 5 -- Brown, Carter, Gordly, Shields, President Courtney. Bill passed.

HB 2216 -- Read third time. Carried by Metsger. On passage of bill the vote was: Ayes, 25; excused, 5 -- Brown, Carter, Gordly, Shields, President Courtney. Bill passed.

Courtesies of the Senate were extended to former State Representative Bill Markham at the request of Fisher.

HB 2261 A-Eng. -- Read third time. Carried by Starr, B. On passage of bill the vote was: Ayes, 23; nays, 2 -- Harper, Schrader; excused, 5 -- Brown, Carter, Gordly, Shields, President Courtney. Bill passed.

HB 2265 -- Read third time. Carried by Nelson. On passage of bill the vote was: Ayes, 24; excused, 6 -- Brown, Carter, Corcoran, Gordly, Shields, President Courtney. Bill passed.

The following measures were referred to committee on March 3 and recorded on Committee Referral List No. 26 which was distributed to members. Referral list recorded in the Journal and Status Report by order of the President.

SJR 23	Rules
SJR 24	Rules
SJR 32	Rules
SB 549	Revenue
SB 550	Revenue
SB 551	Revenue
SB 643	Judiciary; Ways and Means
SB 644	Education; Ways and Means
SB 651	Education
SB 656	Judiciary
SB 678	Rules
SB 679	Judiciary
SB 680	Rules
SB 681	Human Resources
SB 682	Water and Land Use; Revenue
SB 683	Judiciary

SB 684 Health Policy
 SB 685 Judiciary
 SB 686 Judiciary
 SB 687 Transportation and Economic Development;
 Ways and Means
 SB 688 Transportation and Economic Development
 SB 689 Judiciary
 SB 694 General Government; Ways and Means
 SB 695 Human Resources; Ways and Means
 SB 696 Judiciary
 SB 697 Transportation and Economic Development
 SB 698 Judiciary
 SB 699 Agriculture and Natural Resources; Ways and
 Means
 SB 700 Agriculture and Natural Resources; Ways and
 Means
 SB 701 Agriculture and Natural Resources; Ways and
 Means
 SB 702 Rules; Ways and Means
 SB 703 Human Resources; Ways and Means
 SB 704 Health Policy; Ways and Means
 SB 705 Business and Labor; Ways and Means
 SB 706 Rules
 SB 707 Transportation and Economic Development
 SB 708 Health Policy
 SB 709 Health Policy
 SB 710 Business and Labor; Ways and Means
 SB 711 Business and Labor; Ways and Means
 HB 2029 Revenue
 HB 2030 Revenue
 HB 2241 Agriculture and Natural Resources

Senate adjourned until 11:00 a.m. Wednesday by unanimous consent at the request of the Chair.

Wednesday, March 5, 2003 -- Morning Session

Senate convened at 11:00 a.m. President Courtney in Chair. The following members were present: Atkinson, Beyer, Burdick, Clarno, Corcoran, Deckert, Dukes, Ferrioli, Fisher, George, Hannon, Harper, Messerle, Metsger, Minnis, Morrisette, Nelson, Ringo, Schrader, Shields, Starr, C., Winters; excused -- Carter, Gordly, Morse; attending legislative business -- Brown, Devlin, Starr, B., Walker. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Dr. Duane Dunham, Pastor of Scholls Community Church, Hillsboro. Musical performance by Mount Hood Community College String Ensemble, Portland.

SB 5548; 855, 856, 859, 862 -- Message from the House announcing passage.

SB 5548; 855, 856, 859, 862 -- Message from the House announcing the Speaker signed on March 4.

SB 5548; 855, 856, 859, 862 -- Message from the Governor announcing he signed on March 4.

Committee Report Summary No. 31 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

SB 2 -- Report by Committee on Transportation and Economic Development recommending passage.

SB 237 -- Report by Committee on Business and Labor recommending passage.

SB 240 -- Report by Committee on Education recommending passage. Referred to Committee on Ways and Means by prior reference.

HB 2321 -- Report by Committee on Business and Labor recommending passage.

SB 8 -- Taken from its place on today's third reading calendar and placed on March 10 calendar by voice vote on motion of Corcoran.

SB 2, 237, 269 -- Read second time and passed to third reading.

SB 2 -- Rules suspended by unanimous consent in order to take final action immediately on motion of Hannon.

SB 2 -- Under rules suspension, read third time. Carried by Hannon. On passage of bill the vote was: Ayes, 25; excused, 2 -- Carter, Gordly; attending legislative business, 3 -- Brown, Devlin, Starr, B. Bill passed.

SB 267 -- Read third time. Carried by Minnis. On passage of bill the vote was: Ayes, 22; nays, 1 -- Schrader; excused, 2 -- Carter, Gordly; attending legislative business, 5 -- Brown, Devlin, Morse, Shields, Starr, B. Bill passed.

SB 388 A-Eng. -- Read third time. Carried by Metsger. On passage of bill the vote was: Ayes, 23; excused, 3 -- Carter, Gordly, Morse; attending legislative business, 4 -- Brown, Devlin, Shields, Starr, B. Bill passed.

HB 2321 -- Read second time and passed to third reading.

HB 2176 A-Eng. -- Read third time. Carried by Nelson. On passage of bill the vote was: Ayes, 23; excused, 3 -- Carter, Gordly, Morse; attending legislative business, 4 -- Brown, Devlin, Shields, Starr, B. Bill passed.

SB 58 -- Read third time under Unanimous Consent Calendar. Carried by Burdick. On passage of bill the vote was: Ayes, 20; nays, 1 -- Schrader; excused, 3 -- Carter, Gordly, Morse; attending legislative business, 6 -- Brown, Devlin, Morrisette, Ringo, Shields, Starr, B. Bill passed.

HB 2136 -- Read third time under Unanimous Consent Calendar. Carried by Ferrioli. On passage of

bill the vote was: Ayes, 21; excused, 3 – Carter, Gordly, Morse; attending legislative business, 6 – Brown, Devlin, Morrisette, Ringo, Shields, Starr, B. Bill passed.

The following measures were referred to committee on March 4 and recorded on Committee Referral List No. 27 which was distributed to members. Referral list recorded in the Journal and Status Report by order of the President.

SJM 3 Rules
 SJR 25 Rules
 SJR 26 Rules
 SB 649 Rules
 SB 677 Rules
 SB 690 Transportation and Economic Development; Ways and Means
 SB 691 Judiciary
 SB 712 Business and Labor; Ways and Means
 SB 713 Business and Labor; Ways and Means
 SB 714 Business and Labor; Ways and Means
 SB 715 Business and Labor; Ways and Means
 SB 716 Judiciary
 SB 717 General Government; Ways and Means
 SB 718 Human Resources; Ways and Means
 SB 719 Judiciary
 SB 720 Revenue
 SB 722 Rules
 SB 723 Health Policy
 SB 724 General Government
 SB 725 General Government; Ways and Means
 SB 726 General Government; Ways and Means
 SB 727 Education; Ways and Means
 SB 728 Revenue
 SB 729 Judiciary
 SB 730 General Government; Ways and Means
 SB 731 Judiciary
 SB 732 Judiciary
 SB 733 Rules
 SB 734 Business and Labor
 SB 735 Judiciary
 SB 736 Judiciary
 SB 737 Judiciary
 SB 738 Education; Ways and Means
 SB 739 Business and Labor
 SB 740 General Government
 SB 741 General Government
 SB 742 Judiciary
 SB 743 Judiciary
 SB 744 Judiciary
 SB 745 Education; Ways and Means
 SB 746 Education; Ways and Means
 SB 747 Revenue
 SB 748 Agriculture and Natural Resources; Ways and Means
 SB 760 Education; Ways and Means
 SB 761 Education
 SB 762 Transportation and Economic Development
 SB 763 General Government
 SB 764 Transportation and Economic Development

SB 765 Transportation and Economic Development
 SB 766 Judiciary
 SB 767 Education; Ways and Means
 SB 768 Rules
 SB 769 Health Policy; Ways and Means
 SB 770 Agriculture and Natural Resources
 SB 771 Transportation and Economic Development; Ways and Means
 SB 772 Transportation and Economic Development; Ways and Means
 SB 773 General Government
 SB 774 Judiciary
 SB 775 Transportation and Economic Development; Ways and Means
 SB 776 Transportation and Economic Development; Ways and Means
 SB 777 Transportation and Economic Development; Ways and Means
 SB 815 Transportation and Economic Development
 SB 816 Rules
 SB 817 Agriculture and Natural Resources
 SB 818 Agriculture and Natural Resources
 SB 819 Revenue
 HB 2111 Judiciary
 HB 2113 Judiciary
 HB 2161 Business and Labor
 HB 2163 Business and Labor
 HB 2245 Business and Labor
 HB 2252 Transportation and Economic Development
 HB 2487 Health Policy

SB 5548; 855, 856, 859, 862 -- President Courtney signed on March 4.

Senate adjourned until 11:00 a.m. Thursday by unanimous consent at the request of the Chair.

Thursday, March 6, 2003 -- Morning Session

Senate convened at 11:00 a.m. President Courtney in Chair. The following members were present: Atkinson, Beyer, Burdick, Clarno, Corcoran, Deckert, Dukes, Ferrioli, Fisher, George, Hannon, Harper, Messerle, Metsger, Minnis, Morrisette, Morse, Nelson, Ringo, Schrader, Shields, Starr, C., Walker, Winters; excused -- Carter; attending legislative business -- Brown, Devlin, Gordly, Starr, B. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Senator Frank Shields, Portland.

HB 2343, 2623 -- Message from the House announcing passage.

Committee Report Summary No. 32 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

SJR 1 -- Report by Committee on Education recommending adoption and requesting referral to Committee on Ways and Means. Referred to

Committee on Ways and Means by order of the President in agreement with the President Pro Tempore.

SB 245 -- Report by Committee on Judiciary recommending passage and be placed on the Unanimous Consent Calendar.

HB 2024 -- Report by Committee on Revenue recommending passage.

HB 2025 -- Report by Committee on Revenue recommending passage.

HB 2026 -- Report by Committee on Revenue recommending passage.

HB 2027 -- Report by Committee on Revenue recommending passage.

HB 2424 -- Report by Committee on Revenue recommending passage.

SB 245 -- Read second time and passed to third reading.

SB 237 -- Read third time. Carried by Metsger. On passage of bill the vote was: Ayes, 26; excused, 1 – Carter; attending legislative business, 3 – Brown, Devlin, Starr, B. Bill passed.

SB 269 A-Eng. -- Read third time. Carried by Corcoran. On passage of bill the vote was: Ayes, 25; nays, 1 – Beyer; excused, 1 – Carter; attending legislative business, 3 – Brown, Devlin, Starr, B. Bill passed.

HB 2343, 2623 -- Read first time and referred to President's desk.

HB 2024, 2025, 2026, 2027, 2424 -- Read second time and passed to third reading.

HB 2321 -- Read third time. Carried by Nelson. On passage of bill the vote was: Ayes, 25; nays, 1 – Schrader; excused, 1 – Carter; attending legislative business, 3 – Brown, Devlin, Starr, B. Bill passed.

The following measures were referred to committee on March 5 and recorded on Committee Referral List No. 28 which was distributed to members. Referral list recorded in the Journal and Status Report by order of the President.

SJM 4 Rules

SJR 27 Rules

SJR 28 Revenue

SJR 29 Rules

SJR 30 Rules

SM 3 Rules

SB 692 General Government

SB 693 General Government

SB 721 Water and Land Use

SB 749 Business and Labor

SB 750 General Government

SB 751 Transportation and Economic Development; Ways and Means

SB 752 Judiciary; Ways and Means

SB 753 Business and Labor

SB 754 Water and Land Use

SB 755 Water and Land Use

SB 756 Agriculture and Natural Resources

SB 757 Business and Labor

SB 758 Revenue

SB 759 Judiciary

SB 778 Revenue

SB 779 Judiciary

SB 780 Rules

SB 781 Rules

SB 782 Judiciary

SB 784 General Government

SB 785 Health Policy

SB 786 Rules

SB 787 Transportation and Economic Development

SB 789 Health Policy; Ways and Means

SB 790 General Government; Ways and Means

SB 791 Education; Ways and Means

SB 792 Judiciary

SB 798 Revenue

SB 799 Transportation and Economic Development

SB 800 Education; Ways and Means

SB 801 Judiciary

SB 812 Business and Labor

SB 813 Revenue

SB 814 Health Policy

SB 820 Water and Land Use

SB 821 Water and Land Use

SB 823 Transportation and Economic Development; Ways and Means

SB 824 Business and Labor

SB 825 Business and Labor

SB 826 Business and Labor; Ways and Means

SB 827 Education; Ways and Means

SB 828 Business and Labor

SB 830 General Government

SB 831 Business and Labor

SB 832 Agriculture and Natural Resources

SB 833 Business and Labor; Ways and Means

SB 834 Business and Labor

SB 835 Judiciary

SB 836 Water and Land Use

SB 837 Water and Land Use

SB 838 Water and Land Use; Ways and Means

SB 839 Health Policy

SB 840 Health Policy

SB 841 Health Policy

SB 842 Judiciary

SB 843 Health Policy; Ways and Means

SB 845 Water and Land Use; Ways and Means

SB 846 Water and Land Use; Ways and Means
 SB 847 Revenue
 SB 848 Health Policy
 SB 853 Revenue; Ways and Means
 HB 2262 Judiciary
 HB 2439 Business and Labor
 HB 2474 Business and Labor
 HB 2622 Revenue

Senate adjourned until 8:30 a.m. Friday by unanimous consent at the request of the Chair.

Friday, March 7, 2003 -- Morning Session

Senate convened at 8:30 a.m. President Courtney in Chair. The following members were present: Atkinson, Beyer, Burdick, Clarno, Corcoran, Deckert, Dukes, Ferrioli, Fisher, George, Gordly, Harper, Messerle, Metsger, Minnis, Morrisette, Morse, Nelson, Ringo, Schrader, Shields, Starr, C., Walker; --excused -- Carter, Winters; attending legislative business -- Brown, Devlin, Hannon, Starr, B. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Darcy Adsit, Senate Distribution Manager.

Committee Report Summary No. 33 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

SB 478 -- Report by Committee on General Government recommending passage.

HB 2192 -- Report by Committee on General Government recommending passage with amendments.

HB 2426 -- Report by Committee on Judiciary recommending passage and be placed on the Unanimous Consent Calendar.

SB 865 -- Introduced, read first time and referred to President's desk.

SB 478 -- Read second time and passed to third reading.

HB 2426 -- Read second time and passed to third reading.

HB 2024 -- Read third time. Carried by Corcoran. On passage of bill the vote was: Ayes, 23; nays, 1 – Schrader; excused, 2 – Carter, Winters; attending legislative business, 4 – Brown, Devlin, Hannon, Starr, B. Bill passed.

HB 2025 -- Read third time. Carried by Corcoran. On passage of bill the vote was: Ayes, 24; excused, 2 – Carter, Winters; attending legislative business, 4 – Brown, Devlin, Hannon, Starr, B. Bill passed.

HB 2026 -- Read third time. Carried by Corcoran. On passage of bill the vote was: Ayes, 22; nays, 2 – Schrader, Walker; excused, 2 – Carter, Winters; attending legislative business, 4 – Brown, Devlin, Hannon, Starr, B. Bill passed.

HB 2027 -- Read third time. Carried by Corcoran. On passage of bill the vote was: Ayes, 24; excused, 2 – Carter, Winters; attending legislative business, 4 – Brown, Devlin, Hannon, Starr, B. Bill passed.

HB 2424 -- Read third time. Carried by Deckert. On passage of bill the vote was: Ayes, 23; excused, 2 – Carter, Winters; attending legislative business, 5 – Beyer, Brown, Devlin, Hannon, Starr, B. Bill passed.

The following measures were referred to committee on March 6 and recorded on Committee Referral List No. 29 which was distributed to members. Referral list recorded in the Journal and Status Report by order of the President.

- SCR 4 Rules
- SJM 5 Rules
- SJR 31 Rules
- SJR 33 Rules
- SJR 38 Rules
- SB 676 General Government
- SB 783 General Government
- SB 788 Revenue
- SB 793 Judiciary
- SB 794 Transportation and Economic Development
- SB 795 Transportation and Economic Development
- SB 796 General Government; Ways and Means
- SB 797 Revenue
- SB 802 Business and Labor
- SB 803 Human Resources
- SB 804 Judiciary
- SB 805 Revenue
- SB 806 Health Policy
- SB 807 Revenue
- SB 808 Judiciary
- SB 809 Judiciary
- SB 810 Revenue; Ways and Means
- SB 811 Revenue
- SB 822 Business and Labor; Ways and Means
- SB 829 Judiciary
- SB 844 Education; Ways and Means
- SB 849 Education
- SB 850 Education; Ways and Means
- SB 851 General Government; Ways and Means
- SB 852 Health Policy; Ways and Means
- SB 854 Agriculture and Natural Resources; Ways and Means
- SB 857 General Government; Ways and Means
- SB 858 Revenue
- SB 860 General Government; Ways and Means
- SB 861 General Government; Ways and Means
- HB 2004 General Government; Ways and Means

SB 85 -- President Courtney signed on March 7.

Senate adjourned until 11:00 a.m. Monday by unanimous consent at the request of the Chair.

Monday, March 10, 2003 -- Morning Session

Senate convened at 11:00 a.m. President Courtney in Chair. The following members were present: Atkinson, Beyer, Brown, Burdick, Carter, Clarno, Corcoran, Deckert, Devlin, Dukes, Ferrioli, Fisher, George, Gordly, Hannon, Harper, Messerle, Metsger, Morrisette, Morse, Nelson, Ringo, Schrader, Shields, Starr, B., Starr, C., Walker; Winters; attending legislative business -- Minnis. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Pastor Albert Harris of Brookwood Baptist Church, Hillsboro.

Committee Report Summary No. 34 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

SB 306 -- Report by Committee on Judiciary recommending passage.

SB 478 -- Taken from its place on today's third reading calendar and placed on March 11 by voice vote on motion of Corcoran.

SB 866 -- Introduced, read first time and referred to President's desk.

SB 306 -- Read second time and passed to third reading.

SB 8 -- Read third time. Carried by Starr, B. On passage of bill the vote was: Ayes, 28; attending legislative business, 2 -- Beyer, Minnis. Bill passed.

HB 2192 -- Read second time and passed to third reading.

Senate adjourned until 11:00 a.m. Tuesday by unanimous consent at the request of the Chair.

Tuesday, March 11, 2003 -- Morning Session

Senate convened at 11:00 a.m. Morse in Chair. The following members were present: Atkinson, Beyer, Brown, Burdick, Carter, Clarno, Corcoran, Deckert, Devlin, Dukes, Ferrioli, Fisher, George, Gordly, Hannon, Harper, Messerle, Metsger, Minnis, Morrisette, Nelson, Ringo, Schrader, Shields, Starr, B., Starr, C., Walker, Winters, President Courtney. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Reverend Ed Lykens of the Church of the Nazarene, Prineville.

SB 81; HB 2099, 2219, 2221, 2312, 2379, 2380, 2422 -- Message from the House announcing passage.

HJM 2 -- Message from the House announcing adoption.

SB 85; HB 2134, 2140, 2157, 2169, 2170, 2175, 2185, 2214, 2216, 2257, 2261, 2265 -- Message from the House announcing the Speaker signed on March 11.

Committee Report Summary No. 35 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

SB 205 -- Report by Committee on Business and Labor recommending passage with amendments.

SB 253 -- Report by Committee on Business and Labor recommending passage with amendments.

HB 2098 -- Report by Committee on Business and Labor recommending passage.

HB 2295 -- Report by Committee on Business and Labor recommending passage with amendments to the A-engrossed bill.

SB 306 -- Read third time. Carried by Walker. On passage of bill the vote was: Ayes, 30. Bill passed.

SB 478 -- Read third time. Carried by Minnis. On passage of bill the vote was: Ayes, 28; nays, 2 -- Beyer, Schrader. Bill passed.

HJM 2; HB 2099, 2219, 2221, 2312, 2379, 2380, 2422 -- Read first time and referred to President's desk.

HB 2098 -- Read second time and passed to third reading.

HB 2192 A-Eng. -- Read third time. Carried by Starr, B. On passage of bill the vote was: Ayes, 29; nays, 1 -- Schrader. Bill passed.

SB 245 -- Read third time under Unanimous Consent Calendar. Carried by Burdick. On passage of bill the vote was: Ayes, 29; nays, 1 -- Schrader. Bill passed.

Senate adjourned until 11:00 a.m. Wednesday by unanimous consent at the request of the Chair.

Wednesday, March 12, 2003 -- Morning Session

Senate convened at 11:00 a.m. President Courtney in Chair. The following members were present: Atkinson, Beyer, Brown, Burdick, Carter, Clarno, Corcoran, Deckert, Devlin, Dukes, Ferrioli, Fisher, George, Gordly, Hannon, Harper, Messerle, Metsger, Minnis, Morrisette, Morse, Nelson, Ringo, Schrader, Shields, Starr, B., Starr, C., Walker, Winters. Colors were posted and the Senate pledged

allegiance to the flag. Invocation by Reverend Wes Taylor of the United Methodist Church, Tualatin.

SB 147; HB 2130 -- Message from the House announcing passage.

Committee Report Summary No. 36 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

SJM 2 -- Report by Committee on Rules recommending adoption with amendments.

SB 11 -- Report by Committee on Education recommending passage with amendments.

SB 248 -- Report by Committee on Business and Labor recommending passage.

SB 434 -- Report by Committee on Health Policy recommending passage with amendments.

SB 436 -- Report by Committee on Health Policy recommending passage.

HB 2033 -- Report by Committee on Agriculture and Natural Resources recommending passage of the A-engrossed bill.

HB 2200 -- Report by Committee on Agriculture and Natural Resources recommending passage with amendments.

SB 81 A-Eng. -- Minnis moved that the Senate concur in House amendments and repass bill. On concurrence and repassage the vote was: Ayes, 28; attending legislative business, 2 – Carter, Gordly. Bill repassed.

SB 867, 868 -- Introduced, read first time and referred to President's desk.

SB 205, 248, 253, 436 -- Read second time and passed to third reading.

HB 2130 -- Read first time and referred to President's desk.

HB 2033, 2295 -- Read second time and passed to third reading.

HB 2098 -- Read third time. Carried by Nelson. On passage of bill the vote was: Ayes, 28; attending legislative business, 2 – Carter, Gordly. Bill passed.

HB 2426 -- Read third time under Unanimous Consent Calendar. Carried by Minnis. On passage of bill the vote was: Ayes, 28; attending legislative business, 2 – Carter, Gordly. Bill passed.

The following measures were referred to committee on March 11 and recorded on Committee Referral List No. 30 which was distributed to

members. Referral list recorded in the Journal and Status Report by order of the President.

SB 863 Revenue

SB 864 Revenue; Ways and Means

SB 865 Human Resources; Ways and Means

HB 2158 Agriculture and Natural Resources

HB 2263 Judiciary

HB 2283 Revenue

HB 2332 Judiciary

HB 2343 General Government

HB 2546 Agriculture and Natural Resources

HB 2576 General Government

HB 2623 Business and Labor

HB 2134, 2140, 2157, 2169, 2170, 2175, 2185, 2214, 2216, 2257, 2261, 2265 -- President Courtney signed on March 12.

Senate adjourned until 11:00 a.m. Thursday by unanimous consent at the request of the Chair.

Thursday, March 13, 2003 -- Morning Session

Senate convened at 11:00 a.m. Schrader in Chair. The following members were present: Atkinson, Beyer, Brown, Burdick, Carter, Clarno, Corcoran, Deckert, Devlin, Dukes, Ferrioli, Fisher, George, Gordly, Hannon, Harper, Messerle, Metsger, Minnis, Morrisette, Morse, Nelson, Ringo, Shields, Starr, B., Starr, C., Walker, Winters, President Courtney. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Pastor Larry Murrell of the Christian Center, Salem. Musical performance occurred prior to Third Readings of Senate Measures, by Shantay Knorr, Redmond.

SB 222, 224, 321; HB 2187, 2277, 2645 -- Message from the House announcing passage.

HB 2133 -- Message from the House announcing the Speaker signed on March 12.

Committee Report Summary No. 37 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

SB 118 -- Report by Committee on Human Resources recommending passage with amendments.

SB 154 -- Report by Committee on Human Resources recommending passage with amendments.

SB 155 -- Report by Committee on Human Resources recommending passage.

SB 243 -- Report by Committee on Business and Labor recommending passage with amendments.

SB 500 -- Report by Committee on Agriculture and Natural Resources recommending passage.

Referred to Committee on Ways and Means by prior reference.

SB 501 -- Report by Committee on Agriculture and Natural Resources recommending passage. Referred to Committee on Ways and Means by prior reference.

SB 869, 870 -- Introduced, read first time and referred to President's desk.

SJM 2; SB 11, 155, 434 -- Read second time and passed to third reading.

SB 205 A-Eng. -- Read third time. Carried by Nelson. On passage of bill the vote was: Ayes, 29; nays, 1 -- Hannon. Bill passed.

SB 248 -- Read third time. Carried by Walker. On passage of bill the vote was: Ayes, 30. Bill passed.

SB 253 A-Eng. -- Read third time. Carried by Nelson. On passage of bill the vote was: Ayes, 30. Bill passed.

SB 436 -- Read third time. Carried by Dukes. On passage of bill the vote was: Ayes, 28; nays, 2 -- Corcoran, Minnis. Bill passed.

HB 2187, 2277, 2645 -- Read first time and referred to President's desk.

HB 2200 -- Read second time and passed to third reading.

HB 2033 A-Eng. -- Read third time. Carried by Corcoran. On passage of bill the vote was: Ayes, 30. Bill passed.

HB 2295 B-Eng. -- Read third time. Carried by Beyer. On passage of bill the vote was: Ayes, 29; nays, 1 -- Shields. Bill passed.

HB 2133 -- President Courtney signed on March 13.

Senate adjourned until 8:30 a.m. Friday by unanimous consent at the request of the Chair.

Friday, March 14, 2003 -- Morning Session

Senate convened at 8:30 a.m. President Courtney in Chair. The following members were present: Atkinson, Beyer, Brown, Burdick, Carter, Clarno, Corcoran, Deckert, Dukes, Ferrioli, Fisher, George, Gordly, Harper, Messerle, Metsger, Morrisette, Morse, Nelson, Ringo, Schrader, Shields, Starr, B., Starr, C., Walker, Winters; excused -- Devlin; attending legislative business -- Hannon, Minnis. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Pastor Vincent O'Rourke of Sunbreak Community Church, Hillsboro.

HB 2050, 2086, 2222, 2634 -- Message from the House announcing passage.

HB 2192 -- Message from the House announcing concurrence in Senate amendments and repassage.

Committee Report Summary No. 38 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

SB 18 -- Report by Committee on Human Resources recommending passage with amendments and requesting subsequent referral to Committee on Judiciary be rescinded. Subsequent referral rescinded by order of the President in agreement with the President Pro Tempore.

SB 37 -- Report by Committee on Human Resources recommending passage and requesting subsequent referral to Committee on Judiciary be rescinded. Subsequent referral rescinded by order of the President in agreement with the President Pro Tempore.

SB 354 -- Report by Committee on General Government recommending passage with amendments. Referred to Committee on Ways and Means by prior reference.

SB 566 -- Report by Committee on General Government recommending passage with amendments and requesting referral to Committee on Ways and Means. Referred to Committee on Ways and Means by order of the President in agreement with the President Pro Tempore.

HB 2317 -- Report by Committee on General Government recommending passage with amendments.

SB 872, 873, 874, 875 -- Introduced, read first time and referred to President's desk.

SB 37, 118, 154, 243 -- Read second time and passed to third reading.

SJM 2 A-Eng. -- Read final time. Carried by Atkinson. On adoption of memorial, the vote was: Ayes, 27; excused, 1 -- Devlin; attending legislative business, 2 -- Hannon, Minnis. Memorial adopted.

SB 11 A-Eng. -- Read third time. Carried by Ferrioli. On passage of bill the vote was: Ayes, 27; excused, 1 -- Devlin; attending legislative business, 2 -- Hannon, Minnis. Bill passed.

SB 155 -- Read third time. Carried by Morrisette. On passage of bill the vote was: Ayes, 27; excused, 1 -- Devlin; attending legislative business, 2 -- Hannon, Minnis. Bill passed.

SB 434 A-Eng. -- Read third time. Carried by Dukes. On passage of bill the vote was: Ayes, 26;

nays, 1 – Schrader; excused, 1 – Devlin; attending legislative business, 2 – Hannon, Minnis. Bill passed.

HB 2050, 2086, 2222, 2634 -- Read first time and referred to President's desk.

HB 2200 A-Eng. -- Read third time. Carried by Beyer. On passage of bill the vote was: Ayes, 25; nays, 1 – George; excused, 1 – Devlin; attending legislative business, 3 – Hannon, Minnis, Ringo. Bill passed.

Senate adjourned until 11:00 a.m. Monday by unanimous consent at the request of the Chair.

Monday, March 17, 2003 -- Morning Session

Senate convened at 11:00 a.m. Messerle in Chair. The following members were present: Atkinson, Beyer, Brown, Burdick, Carter, Corcoran, Deckert, Devlin, Dukes, Ferrioli, Fisher, George Gordly, Harper, Metsger, Minnis, Morrisette, Morse, Nelson, Ringo, Schrader, Shields, Starr, B., Starr, C., Walker, Winters, President Courtney; attending legislative business -- Clarno, Hannon. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Father James Coleman of St. Joseph's, Salem. Musical performances by Senator Margaret Carter, Portland and Kevin and Eileen McCornack, Eugene.

The following messages from the Governor were read and referred to the Committee on Rules.

March 13, 2003

TO THE HONORABLE PRESIDENT OF THE SENATE
OF THE 72nd LEGISLATIVE ASSEMBLY

ORS 684.130 provides that the Governor shall appoint the members of the State Board of Chiropractic Examiners subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I reappoint James Hendry of Portland to the State Board of Chiropractic Examiners for a three-year term, as provided by statute, beginning December 1, 2002 and ending November 30, 2005, effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,
Ted Kulongoski
Governor

March 13, 2003

TO THE HONORABLE PRESIDENT OF THE SENATE
OF THE 72nd LEGISLATIVE ASSEMBLY

ORS 684.130 provides that the Governor shall appoint the members of the State Board of Chiropractic Examiners subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I reappoint Richard McCarthy of Cottage Grove to the State Board of Chiropractic Examiners for a three-year term, as provided by statute, beginning December 1, 2001 and ending November 30, 2004, effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,
Ted Kulongoski
Governor

March 13, 2003

TO THE HONORABLE PRESIDENT OF THE SENATE
OF THE 72nd LEGISLATIVE ASSEMBLY

ORS 684.130 provides that the Governor shall appoint the members of the State Board of Chiropractic Examiners subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I appoint George Siegfried of McMinnville to the State Board of Chiropractic Examiners for a three-year term, as provided by statute, beginning April 1, 2003 and ending March 31, 2006, effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,
Ted Kulongoski
Governor

March 13, 2003

TO THE HONORABLE PRESIDENT OF THE SENATE
OF THE 72nd LEGISLATIVE ASSEMBLY

ORS 684.130 provides that the Governor shall appoint the members of the State Board of Chiropractic Examiners subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I reappoint Jim Wilkens of Bend to the State Board of Chiropractic Examiners for a three-year term, as provided by statute, beginning September 18, 2001 and ending September 17, 2004, effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,
Ted Kulongoski
Governor

March 13, 2003

TO THE HONORABLE PRESIDENT OF THE SENATE
OF THE 72nd LEGISLATIVE ASSEMBLY

ORS 679.230 provides that the Governor shall appoint the members of the Oregon Board of Dentistry subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I appoint Rodney Nichols of Portland to the Oregon Board of Dentistry for a four-year term, as provided by statute, beginning April 3, 2003 and ending January 2, 2007, effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,
Ted Kulongoski
Governor

March 13, 2003

TO THE HONORABLE PRESIDENT OF THE SENATE
OF THE 72nd LEGISLATIVE ASSEMBLY

ORS 1.410 provides that the Governor shall appoint the members of the Commission on Judicial Fitness and Disability subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I reappoint Dick Feeney of Portland to the Commission on Judicial Fitness and Disability for a four-year term, as provided by statute, beginning November 20, 2002 and ending November 19, 2006, effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,
Ted Kulongoski
Governor

March 13, 2003

TO THE HONORABLE PRESIDENT OF THE SENATE
OF THE 72nd LEGISLATIVE ASSEMBLY

ORS 197.030 provides that the Governor shall appoint the members of the Land Conservation and Development Commission subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I reappoint John Van Landingham of Eugene to the Land Conservation and Development Commission for a four-year term, as provided by statute, beginning February 1, 2003 and ending January 31, 2007, effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,
Ted Kulongoski
Governor

March 13, 2003

TO THE HONORABLE PRESIDENT OF THE SENATE
OF THE 72nd LEGISLATIVE ASSEMBLY

ORS 197.810 provides that the Governor shall appoint the members of the Land Use Board of Appeals subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I reappoint Tod Bassham of Salem to the Land Use Board of Appeals for a four-year term, as provided by statute, beginning March 1, 2003 and ending February 28, 2007, effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,
Ted Kulongoski
Governor

March 13, 2003

TO THE HONORABLE PRESIDENT OF THE SENATE
OF THE 72nd LEGISLATIVE ASSEMBLY

ORS 197.810 provides that the Governor shall appoint the members of the Land Use Board of Appeals subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I reappoint Anne Corcoran Briggs of Portland to the Land Use Board of Appeals for a four-year term, as provided by statute, beginning March 15, 2003 and ending March 14, 2007, effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,
Ted Kulongoski
Governor

March 13, 2003

TO THE HONORABLE PRESIDENT OF THE SENATE

OF THE 72nd LEGISLATIVE ASSEMBLY

ORS 197.810 provides that the Governor shall appoint the members of the Land Use Board of Appeals subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I reappoint Michael Holstun of Portland to the Land Use Board of Appeals for a four-year term, as provided by statute, beginning September 18, 2002 and ending September 17, 2006, effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,
Ted Kulongoski
Governor

March 13, 2003

TO THE HONORABLE PRESIDENT OF THE SENATE
OF THE 72nd LEGISLATIVE ASSEMBLY

ORS 678.140 provides that the Governor shall appoint the members of the Oregon State Board of Nursing subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I appoint Marguerite Gutierrez of Pendleton to the Oregon State Board of Nursing for a three-year term, as provided by statute, beginning March 25, 2003 and ending March 24, 2006, effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,
Ted Kulongoski
Governor

March 13, 2003

TO THE HONORABLE PRESIDENT OF THE SENATE
OF THE 72nd LEGISLATIVE ASSEMBLY

ORS 678.140 provides that the Governor shall appoint the members of the Oregon State Board of Nursing subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I reappoint Rolf Olson of Salem to the Oregon State Board of Nursing for a three-year term, as provided by statute, beginning January 1, 2003 and ending December 31, 2005, effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,
Ted Kulongoski
Governor

March 13, 2003

TO THE HONORABLE PRESIDENT OF THE SENATE
OF THE 72nd LEGISLATIVE ASSEMBLY

ORS 678.140 provides that the Governor shall appoint the members of the Oregon State Board of Nursing subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I appoint Beverly Shields of Medford to the Oregon State Board of Nursing for a three-year term, as provided by statute, beginning March 25, 2003 and ending March 24, 2006, effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,
Ted Kulongoski

Governor

March 13, 2003

TO THE HONORABLE PRESIDENT OF THE SENATE
OF THE 72nd LEGISLATIVE ASSEMBLY

ORS 678.140 provides that the Governor shall appoint the members of the Oregon State Board of Nursing subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I appoint Sandy Theis of Ashland to the Oregon State Board of Nursing for a three-year term, as provided by statute, beginning March 25, 2003 and ending March 24, 2006, effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,
Ted Kulongoski
Governor

March 13, 2003

TO THE HONORABLE PRESIDENT OF THE SENATE
OF THE 72nd LEGISLATIVE ASSEMBLY

ORS 678.140 provides that the Governor shall appoint the members of the Oregon State Board of Nursing subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I appoint Janet Wright of La Grande to the Oregon State Board of Nursing for a three-year term, as provided by statute, beginning March 25, 2003 and ending March 24, 2006, effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,
Ted Kulongoski
Governor

March 13, 2003

TO THE HONORABLE PRESIDENT OF THE SENATE
OF THE 72nd LEGISLATIVE ASSEMBLY

ORS 390.114 provides that the Governor shall appoint the members of the State Parks and Recreation Commission subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I reappoint Nik Blosser of Portland to the State Parks and Recreation Commission for a four-year term, as provided by statute, beginning March 15, 2003 and ending March 14, 2007, effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,
Ted Kulongoski
Governor

March 13, 2003

TO THE HONORABLE PRESIDENT OF THE SENATE
OF THE 72nd LEGISLATIVE ASSEMBLY

ORS 462.210 provides that the Governor shall appoint the members of the Oregon Racing Commission subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I reappoint Jeff Gilmour of Jefferson to the Oregon Racing Commission for a four-year term, as provided by statute,

beginning February 1, 2003 and ending January 31, 2007, effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,
Ted Kulongoski
Governor

March 13, 2003

TO THE HONORABLE PRESIDENT OF THE SENATE
OF THE 72nd LEGISLATIVE ASSEMBLY

ORS 462.210 provides that the Governor shall appoint the members of the Oregon Racing Commission subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I reappoint Stephen Walters of Portland to the Oregon Racing Commission for a four-year term, as provided by statute, beginning January 10, 2003 and ending January 9, 2007, effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,
Ted Kulongoski
Governor

Committee Report Summary No. 39 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

SB 10 -- Report by Committee on Education recommending passage with amendments.

SB 315 -- Report by Committee on Judiciary recommending passage.

SB 357 -- Report by Committee on Health Policy recommending passage. Referred to Committee on Ways and Means by prior reference.

SB 413 -- Report by Committee on Education recommending passage. Referred to Committee on Ways and Means by prior reference.

SB 748 -- Report by Committee on Agriculture and Natural Resources recommending passage and requesting subsequent referral to Ways and Means be rescinded. Subsequent referral rescinded by order of the President in agreement with the President Pro Tempore.

HB 2035 -- Report by Committee on Transportation and Economic Development recommending passage of the A-engrossed bill.

SB 876 -- Introduced, read first time and referred to President's desk.

SB 18, 315, 748 -- Read second time and passed to third reading.

SB 37 -- Read third time. Carried by Brown. On passage of bill the vote was: Ayes, 28; attending legislative business, 2 – Clarno, Hannon. Bill passed.

SB 118 A-Eng. -- Read third time. Carried by Brown. On passage of bill the vote was: Ayes, 25; nays, 1 – Schrader; excused, 2 – Burdick, George; attending legislative business, 2 – Clarno, Hannon. Bill passed.

SB 154 A-Eng. -- Read third time. Carried by Morrisette. On passage of bill the vote was: Ayes, 26; excused, 1 – George; attending legislative business, 3 – Carter, Clarno, Hannon. Bill passed.

SB 243 A-Eng. -- Read third time. Carried by Walker. On passage of bill the vote was: Ayes, 25; excused, 2 – Corcoran, George; attending legislative business, 3 – Carter, Clarno, Hannon. Bill passed.

HB 2035, 2317 -- Read second time and passed to third reading.

The Chair announced that President Courtney made the following committee assignments effective March 14.

SPECIAL JOINT COMMITTEE ON PUBLIC EDUCATION APPROPRIATION

Senator Ryan Deckert
Senator Ken Messerle

Senate adjourned until 11:00 a.m. Tuesday by unanimous consent at the request of the Chair.

Tuesday, March 18, 2003 -- Morning Session

Senate convened at 11:00 a.m. President Courtney in Chair. The following members were present: Atkinson, Beyer, Brown, Burdick, Carter, Clarno, Corcoran, Deckert, Devlin, Dukes, Ferrioli, Fisher, George, Gordly, Hannon, Harper, Messerle, Metsger, Minnis, Morrisette, Morse, Nelson, Ringo, Schrader, Shields, Starr, B., Starr, C., Walker, Winters. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Pastor Ron Larimore of Immanuel Community Church, Aloha.

HB 2075, 2101, 2210, 2305, 2306, 2307, 2309, 2526 -- Message from the House announcing passage.

HB 2295 -- Message from the House announcing concurrence in Senate amendments and repassage.

Committee Report Summary No. 40 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

SB 233 -- Report by Committee on Business and Labor recommending passage with amendments.

SB 326 -- Report by Committee on Human Resources recommending passage with amendments. Referred to Committee on Ways and Means by prior reference.

SB 401 -- Report by Committee on Human Resources recommending passage with amendments.

SB 455 -- Report by Committee on Education recommending passage with amendments. Referred to Committee on Ways and Means by prior reference.

SB 549 -- Report by Committee on Revenue recommending passage with amendments.

SB 871 -- Introduced, read first time and referred to President's desk.

SB 10 -- Read second time and passed to third reading.

SB 18 A-Eng. -- Read third time. Carried by Gordly. On passage of bill the vote was: Ayes, 29; attending legislative business, 1 – Ringo. Bill passed.

SB 315 -- Read third time. Carried by Burdick. On passage of bill the vote was: Ayes, 29; attending legislative business, 1 – Ringo. Bill passed.

SB 748 -- Read third time. Carried by Atkinson. On passage of bill the vote was: Ayes, 30. Bill passed.

HB 2075, 2101, 2210, 2305, 2306, 2307, 2309, 2526 -- Read first time and referred to President's desk.

HB 2035 A-Eng. -- Read third time. Carried by Deckert. On passage of bill the vote was: Ayes, 30. Bill passed.

HB 2317 A-Eng. -- Read third time. Carried by Corcoran. On passage of bill the vote was: Ayes, 29; nays, 1 – Hannon. Bill passed.

The following measures were referred to committee on March 17 and recorded on Committee Referral List No. 31 which was distributed to members. Referral list recorded in the Journal and Status Report by order of the President.

State Board of Chiropractic Examiners (ORS 684.130)

James Hendry (r)	Rules
Richard McCarthy (r)	Rules
George Siegfried	Rules
Jim Wilkens (r)	Rules

Oregon Board of Dentistry (ORS 679.230)

Rodney Nichols	Rules
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Commission on Judicial Fitness and Disability (ORS 1.410)

Dick Feeny (r)	Rules
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Land Conservation and Development Commission (ORS 197.030)

John Van Landingham (r)	Rules
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Land Use Board of Appeals (ORS 197.810)

Tod Bassham (r) Rules
 Anne Corcoran Briggs (r) Rules
 Michael Holstun (r) Rules

Oregon State Board of Nursing (OR 678.140)

Marguerite Gutierrez Rules
 Rolf Olson (r) Rules
 Beverly Shields Rules
 Sandy Theis Rules
 Janet Wright Rules

State Parks and Recreation Commission (ORS 390.114)

Nik Blosser (r) Rules

Oregon Racing Commission (ORS 462.210)

Jeff Gilmour (r) Rules
 Stephen Walters (r) Rules

SB 81 -- President Courtney signed on March 18.

Senate adjourned until 11:00 a.m. Wednesday by unanimous consent at the request of the Chair.

Wednesday, March 19, 2003 -- Morning Session

Senate convened at 11:00 a.m. Walker in Chair. The following members were present: Atkinson, Beyer, Brown, Burdick, Carter, Clarno, Corcoran, Deckert, Devlin, Dukes, Ferrioli, Fisher, George, Gordly, Hannon, Harper, Messerle, Metsger, Minnis, Morrisette, Morse, Nelson, Ringo, Schrader, Shields, Starr, B., Starr, C., Winters, President Courtney. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Senator Bill Fisher, Roseburg.

SB 173, 220, 353; HB 2272, 2389, 2542, 2818 -- Message from the House announcing passage.

HJM 5 -- Message from the House announcing adoption.

HB 2200 -- Message from the House announcing concurrence in Senate amendments and repassage.

Committee Report Summary No. 41 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

SB 213 -- Report by Committee on Transportation and Economic Development recommending passage and be placed on the Unanimous Consent Calendar.

SB 229 -- Report by Committee on Revenue recommending passage with amendments.

SB 667 -- Report by Committee on Water and Land Use recommending passage with amendments.

HB 2211 -- Report by Committee on Transportation and Economic Development recommending passage.

HB 2223 -- Report by Committee on Transportation and Economic Development recommending passage with amendments.

SB 213, 233, 401, 549 -- Read second time and passed to third reading.

SB 10 A-Eng. -- Read third time. Carried by President Courtney. Call of the Senate demanded by Brown joined by Metsger and Gordly. All present. On passage of bill the vote was: Ayes, 22; nays, 8 -- Atkinson, Beyer, Clarno, George, Harper, Minnis, Morse, Winters. Bill passed.

HJM 5; HB 2272, 2389, 2542, 2818 -- Read first time and referred to President's desk.

HB 2211 -- Read second time and passed to third reading.

The following measures were referred to committee on March 18 and recorded on Committee Referral List No. 32 which was distributed to members. Referral list recorded in the Journal and Status Report by order of the President.

SB 866 Agriculture and Natural Resources
 SB 867 General Government; Ways and Means
 SB 868 Judiciary
 SB 869 Transportation and Economic Development; Ways and Means
 SB 870 Education; Ways and Means
 SB 872 Business and Labor
 SB 873 Business and Labor
 SB 874 Revenue
 SB 875 Health Policy
 HJM 2 Health Policy
 HB 2050 Judiciary
 HB 2086 Judiciary
 HB 2099 Judiciary
 HB 2130 General Government
 HB 2187 Revenue
 HB 2219 Transportation and Economic Development
 HB 2221 Judiciary
 HB 2222 Transportation and Economic Development
 HB 2277 Judiciary
 HB 2312 Revenue
 HB 2379 Revenue
 HB 2380 Revenue
 HB 2422 Judiciary
 HB 2634 Transportation and Economic Development
 HB 2645 Judiciary

Senate adjourned until 11:00 a.m. Thursday by unanimous consent at the request of the Chair.

Thursday, March 20, 2003 -- Morning Session

Senate convened at 11:00 a.m. President Courtney in Chair. The following members were present: Atkinson, Beyer, Burdick, Carter, Brown, Clarno, Deckert, Devlin, Dukes, Fisher, George, Hannon, Harper, Messerle, Metsger, Minnis, Morrisette, Morse, Nelson, Ringo, Shields, Starr, B., Starr, C., Walker, Winters; excused -- Corcoran; attending legislative business -- Ferrioli, Gordly, Schrader. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Pastor Marv Shrom, Hillsboro.

SB 193; HB 2401, 2489, 2564, 2691, 2743 -- Message from the House announcing passage.

SB 81 -- Message from the House announcing the Speaker signed on March 18.

Committee Report Summary No. 42 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

SB 32 -- Report by Committee on Judiciary recommending passage with amendments.

SB 145 -- Report by Committee on Health Policy recommending passage with amendments and requesting subsequent referral to Committee on Ways and Means be rescinded. Subsequent referral rescinded by order of the President in agreement with the President Pro Tempore.

SB 184 -- Report by Committee on Education recommending passage. Referred to Committee on Ways and Means by prior reference.

SB 185 -- Report by Committee on Education recommending passage and requesting subsequent referral to Committee on Ways and Means be rescinded. Subsequent referral rescinded by order of the President in agreement with the President Pro Tempore.

SB 303 -- Report by Committee on Judiciary recommending passage.

SB 650 -- Report by Committee on General Government recommending passage. Referred to Committee on Ways and Means by prior reference.

SB 676 -- Report by Committee on General Government recommending passage.

HB 2023 -- Report by Committee on Revenue recommending passage of the A-engrossed bill.

HB 2622 -- Report by Committee on Revenue recommending passage.

SB 877 -- Introduced, read first time and referred to President's desk.

SB 185, 229, 303, 667, 676 -- Read second time and passed to third reading.

Senate recessed until 11:42 a.m. by unanimous consent on motion of Clarno.

Senate reconvened at 11:42 a.m. President Courtney in Chair. All present except Atkinson, Brown, Deckert, Fisher, absent; Carter, Corcoran, excused; Ferrioli, attending legislative business.

Senate, having recessed under the order of Third Reading of Senate Measures, resumed under that order of business by unanimous consent at the request of the Chair.

SB 233 A-Eng. -- Read third time. Carried by Walker. On passage of bill the vote was: Ayes, 25; excused, 3 -- Carter, Corcoran, Gordly; attending legislative business, 2 -- Ferrioli, Winters. Bill passed.

SB 401 A-Eng. -- Read third time. Carried by Morrisette. On passage of bill the vote was: Ayes, 26; excused, 2 -- Carter, Corcoran; attending legislative business, 2 -- Ferrioli, Winters. Bill passed.

SB 549 A-Eng. -- Read third time. Carried by Starr, B. Call of the Senate demanded by Brown joined by Devlin and Gordly. All present except Corcoran, excused; Ferrioli, Winters, attending legislative business. On passage of bill the vote was: Ayes, 20; nays, 7 -- Atkinson, Beyer, Fisher, George, Harper, Minnis, Morrisette; excused, 1 -- Corcoran; attending legislative business, 2 -- Ferrioli, Winters. Bill passed.

HB 2401, 2489, 2564, 2691, 2743 -- Read first time and referred to President's desk.

HB 2023, 2223, 2622 -- Read second time and passed to third reading.

HB 2211 -- Read third time. Carried by Starr, B. On passage of bill the vote was: Ayes, 27; excused, 1 -- Corcoran; attending legislative business, 2 -- Ferrioli, Winters. Bill passed.

Senate adjourned until 8:30 a.m. Friday by unanimous consent at the request of the Chair.

Friday, March 21, 2003 -- Morning Session

Senate convened at 8:30 a.m. President Courtney in Chair. The following members were present: Atkinson, Beyer, Brown, Burdick, Carter, Clarno, Deckert, Devlin, Dukes, Ferrioli, Fisher, George, Gordly, Hannon, Harper, Messerle, Metsger, Minnis, Morrisette, Morse, Nelson, Schrader, Shields, Starr, B., Starr, C., Walker, Winters; excused -- Corcoran, Ringo. Colors were posted and the Senate pledged allegiance to the flag. Invocation by students of Providence Academy, Wallowa.

HB 2213, 2454, 2491 -- Message from the House announcing passage.

HJM 4 -- Message from the House announcing adoption.

HB 2317 -- Message from the House announcing concurrence in Senate amendments and repassage.

Committee Report Summary No. 43 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

SB 403 -- Report by Committee on Human Resources recommending passage.

SB 404 -- Report by Committee on Human Resources recommending passage.

SB 648 -- Report by Committee on Human Resources recommending passage.

SB 673 -- Report by Committee on Agriculture and Natural Resources recommending passage with amendments.

SR 2 -- Introduced, read first time and passed to calendar.

SB 32, 145, 403, 404, 648 -- Read second time and passed to third reading.

SR 2 -- Read final time. Carried by Harper. On adoption of resolution, the vote was: Ayes, 28; excused, 2 – Corcoran, Ringo. Resolution adopted.

SB 185 -- Read third time. Carried by Starr, C. On passage of bill the vote was: Ayes, 26; nays, 1 – George; excused, 2 – Corcoran, Ringo; attending legislative business, 1 – Brown. Bill passed.

SB 229 A-Eng. -- Read third time. Carried by Deckert. On passage of bill the vote was: Ayes, 27; excused, 2 – Corcoran, Ringo; attending legislative business, 1 – Brown. Bill passed.

SB 303 -- Read third time. Carried by Walker. On passage of bill the vote was: Ayes, 28; excused, 2 – Corcoran, Ringo. Bill passed.

SB 667 A-Eng. -- Read third time. Carried by Schrader. On passage of bill the vote was: Ayes, 27; nays, 1 – Burdick; excused, 2 – Corcoran, Ringo. Bill passed.

SB 676 -- Read third time. Carried by Starr, B. On passage of bill the vote was: Ayes, 28; excused, 2 – Corcoran, Ringo. Bill passed.

HB 2023 A-Eng. -- Read third time. Carried by Ferrioli. On passage of bill the vote was: Ayes, 28; excused, 2 – Corcoran, Ringo. Bill passed.

HB 2223 A-Eng. -- Read third time. Carried by Starr, B. On passage of bill the vote was: Ayes, 28; excused, 2 – Corcoran, Ringo. Bill passed.

HB 2622 -- Read third time. Carried by Deckert. On passage of bill the vote was: Ayes, 28; excused, 2 – Corcoran, Ringo. Bill passed.

HJM 4; HB 2213, 2454, 2491 -- Read first time and referred to President's desk.

President Courtney announced the following committee assignments effective March 21.

PER DIEM COMMITTEE

Senator Tony Corcoran, Chair

Senator Ken Messerle

Senator David Nelson

Senator Vicki Walker

SB 147, 222, 224, 321, 353 -- President Courtney signed on March 20.

Senate adjourned until 11:00 a.m. Monday by unanimous consent at the request of the Chair.

Monday, March 24, 2003 -- Morning Session

Senate convened at 11:00 a.m. Starr, B. in Chair. The following members were present: Atkinson, Beyer, Brown, Burdick, Carter, Clarno, Deckert, Devlin, Dukes, Ferrioli, Fisher, George, Gordly, Hannon, Harper, Messerle, Metsger, Minnis, Morrisette, Morse, Nelson, Schrader, Shields, Starr, B., Starr, C., Walker, Winters; excused -- Beyer, Corcoran. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Kenneth Erickson, Associate Rector of St. Paul's Episcopal Church, Salem.

HR 2 -- Message from the House announcing adoption.

SB 147, 222, 224, 321, 353; HB 2024, 2025, 2026, 2027, 2098, 2136, 2176, 2321, 2424, 2426 -- Message from the House announcing the Speaker signed on March 21.

Committee Report Summary No. 44 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

SJR 38 -- Report by Committee on Rules recommending adoption with amendments.

SB 9 -- Report by Committee on Human Resources recommending passage with amendments.

SB 19 -- Report by Committee on Judiciary recommending passage with amendments.

SB 33 -- Report by Committee on Judiciary recommending passage with amendments.

SB 46 -- Report by Committee on Judiciary recommending passage with amendments.

SB 112 -- Report by Committee on Judiciary recommending passage with amendments.

SB 252 -- Report by Committee on Business and Labor recommending passage with amendments to the A-engrossed bill.

SB 328 -- Report by Committee on Business and Labor recommending passage with amendments.

SB 468 -- Report by Committee on Transportation and Economic Development recommending passage with amendments. Referred to Committee on Ways and Means by prior reference.

SB 584 -- Report by Committee on Rules recommending passage.

HB 2158 -- Report by Committee on Agriculture and Natural Resources recommending passage.

HB 2487 -- Report by Committee on Health Policy recommending passage.

SB 878, 879 -- Introduced, read first time and referred to President's desk.

SB 584, 673 -- Read second time and passed to third reading.

SB 32 A-Eng. -- Read third time. Carried by Starr, C. On passage of bill the vote was: Ayes, 26; nays, 1 – Schrader; excused, 3 – Beyer, Carter, Corcoran. Bill passed.

SB 145 A-Eng. -- Read third time. Carried by Morrisette. On passage of bill the vote was: Ayes, 23; nays, 5 – Fisher, George, Schrader, Starr, B., Starr, C.; excused, 2 – Beyer, Corcoran. Bill passed.

SB 403 -- Read third time. Carried by Morrisette. On passage of bill the vote was: Ayes, 28; excused, 2 – Beyer, Corcoran. Bill passed.

SB 404 -- Read third time. Carried by Morrisette. On passage of bill the vote was: Ayes, 28; excused, 2 – Beyer, Corcoran. Bill passed.

SB 648 -- Read third time. Carried by Ferrioli. On passage of bill the vote was: Ayes, 28; excused, 2 – Beyer, Corcoran. Bill passed.

HB 2158, 2487 -- Read second time and passed to third reading.

SB 213 -- Read third time under Unanimous Consent Calendar. Carried by Metsger. On passage

of bill the vote was: Ayes, 28; excused, 2 – Beyer, Corcoran. Bill passed.

HB 2024, 2025, 2026, 2027, 2098, 2136, 2176, 2321, 2424, 2426 -- President Courtney signed on March 24.

Senate adjourned until 11:00 a.m. Tuesday by unanimous consent at the request of the Chair.

Tuesday, March 25, 2003 -- Morning Session

Senate convened at 11:00 a.m. President Courtney in Chair. The following members were present: Atkinson, Brown, Burdick, Carter, Clarno, Corcoran, Deckert, Devlin, Dukes, Ferrioli, Fisher, George, Gordly, Hannon, Harper, Messerle, Metsger, Minnis, Morrisette, Morse, Nelson, Ringo, Shields, Starr, B., Starr, C., Walker; Winters; excused -- Beyer; attending legislative business -- Schrader. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Steve Sprecher, Assistant to the Bishop of the Oregon-Idaho Annual Conference of the United Methodist Church.

HB 2119, 2398, 2456, 2545, 2573, 2799 -- Message from the House announcing passage.

HB 2033, 2192, 2295 -- Message from the House announcing the Speaker signed on March 24.

Committee Report Summary No. 45 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

SJR 11 -- Report by Committee on Rules recommending adoption.

SB 74 -- Report by Committee on Health Policy recommending passage with amendments.

SB 101 -- Report by Committee on Judiciary recommending passage with amendments.

SB 143 -- Report by Committee on Human Resources recommending passage with amendments. Referred to Committee on Ways and Means by prior reference.

SB 215 -- Report by Committee on Business and Labor recommending passage with amendments.

SB 392 -- Report by Committee on Health Policy recommending passage with amendments. Referred to Committee on Ways and Means by order of the President in agreement with the President Pro Tempore.

SB 739 -- Report by Committee on Business and Labor recommending passage.

SB 803 -- Report by Committee on Human Resources recommending passage.

HB 2055 -- Report by Committee on Business and Labor recommending passage with amendments to the A-engrossed bill.

The Chair announced that the Per Diem Committee report for the Seventy-second Legislative Assembly is at the Senate Desk and is available for review by the members. Chair ordered report recorded in the Journal.

March 24, 2003

Mr. President:

The Per Diem Committee has fixed the salaries of the Senate employees as shown in the attached listing. The Legislative Administration Committee is directed to issue paychecks to all Senate employees at the customary time, payable from the appropriation for the expenses of the regular session of the Seventy-second Legislative Assembly.

Senator Tony Corcoran, Chair
 Senator Ken Messerle
 Senator David Nelson
 Senator Vicki Walker

(Per Diem Report filed in original documents file.)

SB 880, 881, 882, 883 -- Introduced, read first time and referred to President's desk.

SJR 11, 38; SB 9, 19, 33, 46, 112, 328, 739, 803 -- Read second time and passed to third reading.

SB 584 -- Read third time. Carried by Brown. On passage of bill the vote was: Ayes, 28; excused, 1 -- Beyer; attending legislative business, 1 -- Schrader. Bill passed.

SB 673 A-Eng. -- Read third time. Carried by Messerle. On passage of bill the vote was: Ayes, 26; nays, 2 -- Hannon, Harper; excused, 1 -- Beyer; attending legislative business, 1 -- Schrader. Bill passed.

HB 2158 -- Read third time. Carried by Shields. On passage of bill the vote was: Ayes, 27; excused, 1 -- Beyer; attending legislative business, 2 -- Gordly, Schrader. Bill passed.

HB 2487 -- Read third time. Carried by Fisher. On passage of bill the vote was: Ayes, 27; excused, 1 -- Beyer; attending legislative business, 2 -- Gordly, Schrader. Bill passed.

HB 2119, 2398, 2456, 2545, 2573, 2799 -- Read first time and referred to President's desk.

The following measures were referred to committee on March 24 and recorded on Committee Referral List No. 33 which was distributed to members. Referral list recorded in the Journal and Status Report by order of the President.

SB 871 Revenue
 SB 876 General Government
 HJM 5 Revenue
 HB 2075 Business and Labor
 HB 2101 Judiciary
 HB 2210 Business and Labor
 HB 2272 Judiciary
 HB 2305 Judiciary
 HB 2306 Judiciary
 HB 2307 Judiciary
 HB 2309 Judiciary
 HB 2389 Business and Labor
 HB 2526 Judiciary
 HB 2542 Transportation and Economic Development
 HB 2818 General Government

SB 173, 193, 220; HB 2033, 2192, 2295 -- President Courtney signed on March 25.

Senate adjourned until 11:00 a.m. Wednesday by unanimous consent at the request of the Chair.

Wednesday, March 26, 2003 -- Morning Session

Senate convened at 11:00 a.m. Shields in Chair. The following members were present: Atkinson, Beyer, Brown, Burdick, Carter, Clarno, Corcoran, Deckert, Devlin, Dukes, Ferrioli, Fisher, George, Gordly, Hannon, Harper, Messerle, Metsger, Minnis, Morrisette, Morse, Nelson, Ringo, Schrader, Starr, B., Starr, C., Walker, Winters, President Courtney. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Reverend Becca Wenger of the Morningside United Methodist Church, Salem.

The following message from the Governor was read and referred to the Committee on Rules:

March 25, 2003

TO THE HONORABLE PRESIDENT OF THE SENATE OF THE 72nd LEGISLATIVE ASSEMBLY

ORS 442.011 provides that the Governor shall appoint the Administrator of the Office for Oregon Health Policy and Research, subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I appoint Bruce Goldberg of Portland as the Administrator of the Office for Oregon Health Policy and Research for a term beginning February 1, 2003, and serving at the pleasure of the Governor, effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,
 Ted Kulongoski
 Governor

SB 81, 85 -- Message from the Governor announcing he signed on March 25.

HB 2558 -- Message from the House announcing passage.

HJR 16 -- Message from the House announcing adoption.

HB 2223 -- Message from the House announcing concurrence in Senate amendments and repassage.

Committee Report Summary No. 46 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

SJR 7 -- Report by Committee on Education recommending adoption. Referred to Committee on Revenue by prior reference.

SB 94 -- Report by Committee on Water and Land Use recommending passage with amendments.

SB 137 -- Report by Committee on Rules recommending passage with amendments.

SB 179 -- Report by Committee on Transportation and Economic Development recommending passage with amendments.

SB 181 -- Report by Committee on Transportation and Economic Development recommending passage with amendments.

SB 310 -- Report by Committee on Water and Land Use recommending passage.

SB 319 -- Report by Committee on Rules recommending passage with amendments.

SB 692 -- Report by Committee on General Government recommending passage with amendments.

SB 74, 101, 215, 310 -- Read second time and passed to third reading.

SJR 11 -- Read final time. Carried by Devlin. Call of the Senate demanded by Brown joined by Gordly and Starr, C. All present. On adoption of resolution, the vote was: Ayes, 20; nays, 10 -- Corcoran, Deckert, Dukes, Fisher, Hannon, Minnis, Morse, Nelson, Schrader, Walker. Resolution adopted.

SJR 38 A-Eng. -- Read final time. Carried by Clarno, Harper. On adoption of resolution, the vote was: Ayes, 29; attending legislative business, 1 -- Starr, B. Resolution adopted.

SB 9 A-Eng. -- Read third time. Carried by Fisher. On passage of bill the vote was: Ayes, 28; excused, 1 -- Winters; attending legislative business, 1 -- Starr, B. Bill passed.

SB 19, 33, 46, 112, 252, 328, 739, 803 -- Carried over to March 27 calendar by unanimous consent at the request of the Chair.

HJR 16; HB 2558 -- Read first time and referred to President's desk.

HB 2055 -- Read second time and passed to third reading.

Senate adjourned until 10:00 a.m. Thursday by unanimous consent at the request of the Chair.

Thursday, March 27, 2003 -- Morning Session

Senate convened at 10:00 a.m. President Courtney in Chair. The following members were present: Atkinson, Beyer, Brown, Burdick, Carter, Clarno, Corcoran, Deckert, Devlin, Dukes, Ferrioli, Fisher, George, Hannon, Harper, Metsger, Minnis, Morrisette, Morse, Nelson, Ringo, Shields, Starr, B., Starr, C., Walker, Winters; attending legislative business -- Gordly, Messerle, Schrader. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Senator Bruce Starr, Aloha.

HB 2226, 2338, 2393, 2517, 2682, 3026 -- Message from the House announcing passage.

HB 2035, 2200, 2211, 2317 -- Message from the House announcing the Speaker signed on March 25.

SB 173, 193, 220 -- Message from the House announcing the Speaker signed on March 26.

Committee Report Summary No. 47 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

SJR 13 -- Report by Committee on Rules without recommendation as to adoption and requesting referral to Revenue. Referred to Committee on Revenue by order of the President in agreement with the President Pro Tempore.

SJR 14 -- Report by Committee on Rules without recommendation as to adoption and requesting referral to Transportation and Economic Development. Referred to Committee on Transportation and Economic Development by order of the President in agreement with the President Pro Tempore.

SJR 30 -- Report by Committee on Rules without recommendation as to adoption and requesting referral to Revenue. Referred to Committee on Revenue by order of the President in agreement with the President Pro Tempore.

SB 327 -- Report by Committee on Revenue recommending passage.

HB 2546 -- Report by Committee on Agriculture and Natural Resources recommending passage.

SB 94, 137, 179, 181, 319, 327, 692 -- Read second time and passed to third reading.

SB 19 A-Eng. -- Read third time. Carried by Ferrioli. On passage of bill the vote was: Ayes, 27; attending legislative business, 3 – Gordly, Messerle, Schrader. Bill passed.

SB 33 A-Eng. -- Read third time. Carried by Burdick. On passage of bill the vote was: Ayes, 27; attending legislative business, 3 – Gordly, Messerle, Schrader. Bill passed.

SB 46 A-Eng. -- Read third time. Carried by Minnis. On passage of bill the vote was: Ayes, 27; attending legislative business, 3 – Gordly, Messerle, Schrader. Bill passed.

SB 112 A-Eng. -- Read third time. Carried by Burdick. On passage of bill the vote was: Ayes, 26; attending legislative business, 4 – Gordly, Messerle, Nelson, Schrader. Bill passed

SB 252 B-Eng. -- Read third time. Carried by Metsger. On passage of bill the vote was: Ayes, 26; nays, 1 – Hannon; attending legislative business, 3 – Gordly, Nelson, Schrader. Bill passed.

SB 328 A-Eng. -- Read third time. Carried by Beyer. On passage of bill the vote was: Ayes, 27; attending legislative business, 3 – Gordly, Nelson, Schrader. Bill passed.

SB 739 -- Read third time. Carried by Minnis. On passage of bill the vote was: Ayes, 27; attending legislative business, 3 – Gordly, Nelson, Schrader. Bill passed.

SB 803 -- Read third time. Carried by Brown. On passage of bill the vote was: Ayes, 26; nays, 1 – Hannon; attending legislative business, 3 – Gordly, Nelson, Schrader. Bill passed.

SB 74 A-Eng. -- Read third time. Carried by Morrisette. On passage of bill the vote was: Ayes, 27; attending legislative business, 3 – Gordly, Nelson, Schrader. Bill passed.

SB 101 A-Eng. -- Read third time. Carried by Walker. On passage of bill the vote was: Ayes, 26; nays, 1 – Hannon; attending legislative business, 3 – Gordly, Nelson, Schrader. Bill passed.

SB 215 -- Taken from its place on today's third reading calendar and placed on March 31 calendar by voice vote on motion of Beyer.

SB 310 -- Read third time. Carried by Ferrioli. On passage of bill the vote was: Ayes, 19; nays, 9 – Atkinson, Brown, Burdick, Carter, Deckert, Hannon, Ringo, Shields, Walker; attending legislative business, 2 – Gordly, Schrader. Bill passed.

HB 2226, 2338, 2393, 2517, 2682, 3026 -- Read first time and referred to President's desk.

HB 2546 -- Read second time and passed to third reading.

HB 2055 B-Eng. -- Read third time. Carried by Winters. On passage of bill the vote was: Ayes, 23; nays, 5 – Carter, Corcoran, Hannon, Ringo, Shields; attending legislative business, 2 – Gordly, Schrader. Bill passed.

The following measures were referred to committee on March 26 and recorded on Committee Referral List No. 34 which was distributed to members. Referral list recorded in the Journal and Status Report by order of the President.

Administrator of the Office for Oregon Health Policy and Research (ORS 422.011)

Bruce Goldberg Rules

President Courtney announced the following committee assignments effective March 24.

LEGISLATIVE ADMINISTRATION COMMITTEE

Senator Peter Courtney, Co-Chair
 Senator Kate Brown
 Senator Beverly Clarno
 Senator Lenn Hannon
 Senator Ginny Burdick, Alternate for Co-Chair

President Courtney announced the following committee assignments effective March 25.

SPECIAL COMMITTEE ON CONDUCT

Senator Joan Dukes, Co-Chair
 Senator Ken Messerle, Co-Chair
 Senator Jason Atkinson
 Senator Margaret Carter
 Senator Frank Morse
 Senator Charlie Ringo

Senate adjourned until 11:00 a.m. Monday by unanimous consent at the request of the Chair.

Monday, March 31, 2003 -- Morning Session

Senate convened at 11:00 a.m. Winters in Chair. The following members were present: Atkinson, Brown, Burdick, Carter, Clarno, Deckert, Devlin, Dukes, Ferrioli, George, Hannon, Harper, Messerle, Metsger, Minnis, Morrisette, Morse, Nelson, Starr, C., Ringo, Schrader, Starr, B., Walker; President Courtney; -- attending legislative business -- Beyer, Corcoran, Fisher, Gordly, Shields. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Senator Jackie Winters, Salem.

SB 147, 222, 224, 321, 353 -- Message from the Governor announcing he signed on March 28.

HB 2023, 2622 -- Message from the House announcing Speaker signed on March 27.

Committee Report Summary No. 48 listing the following reports was distributed to members today.

Summary list recorded in Journal and Status Report by order of the President.

SB 236 -- Report by Committee on Business and Labor recommending passage with amendments.

SB 215 -- Rereferred to Committee on Business and Labor by voice vote on motion of Nelson.

SCR 5; SB 884, 885 -- Introduced, read first time and referred to President's desk.

SB 94 A-Eng. -- Read third time. Carried by Ringo. On passage of bill the vote was: Ayes, 28; nays, 1 -- George; attending legislative business, 1 -- Shields. Bill passed.

SB 137 A-Eng. -- Read third time. Carried by Beyer. On passage of bill the vote was: Ayes, 29; attending legislative business, 1 -- Shields. Bill passed.

SB 179 A-Eng. -- Read third time. Carried by Starr, B. On passage of bill the vote was: Ayes, 28; nays, 1 -- Schrader; attending legislative business, 1 -- Shields. Bill passed.

SB 181 A-Eng. -- Read third time. Carried by Metsger. On passage of bill the vote was: Ayes, 28; nays, 1 -- Schrader; attending legislative business, 1 -- Shields. Bill passed.

SB 319 A-Eng. -- Read third time. Carried by Walker. On passage of bill the vote was: Ayes, 29; attending legislative business, 1 -- Shields. Bill passed.

SB 327 -- Read third time. Carried by Messerle. On passage of bill the vote was: Ayes, 29; attending legislative business, 1 -- Shields. Bill passed.

SB 692 A-Eng. -- Read third time. Carried by Starr, B. On passage of bill the vote was: Ayes, 29; attending legislative business, 1 -- Shields. Bill passed.

HB 2152, 2333, 2547, 2676, 2689 -- Read first time and referred to President's desk.

HB 2546 -- Read third time. Carried by Beyer. On passage of bill the vote was: Ayes, 28; nays, 1 -- Atkinson; attending legislative business, 1 -- Shields. Bill passed.

The following measures were referred to committee on March 27 and recorded on Committee Referral List No. 35 which was distributed to members. Referral list recorded in the Journal and Status Report by order of the President.

SB 877 Business and Labor
 SB 878 Health Policy
 SB 879 Judiciary
 HJM 4 Health Policy
 HB 2213 Revenue

HB 2401 General Government

HB 2454 Revenue

HB 2489 Revenue

HB 2491 General Government

HB 2564 Business and Labor

HB 2691 Transportation and Economic Development

HB 2743 General Government

SR 2; HB 2035, 2200, 2211, 2317 -- President Courtney signed on March 27.

HB 2023, 2622 -- President Courtney signed on March 31.

Senate adjourned until 11:00 a.m. Tuesday by unanimous consent at the request of the Chair.

Tuesday, April 1, 2003 -- Morning Session

Senate convened at 11:00 a.m. President Courtney in Chair. The following members were present: Atkinson, Beyer, Brown, Burdick, Carter, Clarno, Corcoran, Deckert, Devlin, Dukes, Ferrioli, Fisher, George, Gordly, Harper, Hannon, Messerle, Metsger, Minnis, Morrisette, Morse, Nelson, Ringo, Shields, Starr, B., Starr, C., Walker, Winters; attending legislative business -- Schrader. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Senator Bill Fisher, Roseburg.

SB 2; HB 2047, 2091, 2110, 2206, 2475, 2533, 2671, 2846, 2853, 3014 -- Message from the House announcing passage.

HJM 3 -- Message from the House announcing adoption.

Committee Report Summary No. 49 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

SCR 3 -- Report by Committee on Rules recommending adoption with amendments.

SCR 4 -- Report by Committee on Rules recommending adoption.

SJM 3 -- Report by Committee on Rules recommending adoption.

SJM 5 -- Report by Committee on Rules recommending adoption.

SM 1 -- Report by Committee on Rules without recommendation as to adoption and requesting referral to Committee on Water and Land Use. Referred to Committee on Water and Land Use by order of the President in agreement with the President Pro Tempore.

SM 3 -- Report by Committee on Rules without recommendation as to adoption and requesting referral to Committee on Agriculture and Natural Resources. Referred to Committee on Agriculture and Natural Resources by order of the President in agreement with the President Pro Tempore.

SB 43 -- Report by Committee on Business and Labor recommending passage with amendments to the A-engrossed bill and requesting subsequent referral to Committee on Judiciary be rescinded. Subsequent referral rescinded by order of the President in agreement with the President Pro Tempore.

SB 63 -- Report by Committee on Business and Labor recommending passage with amendments. Referred to Committee on Ways and Means by order of the President in agreement with the President Pro Tempore.

SB 331 -- Report by Committee on Revenue recommending passage with amendments.

SB 425 -- Report by Committee on Transportation and Economic Development recommending passage with amendments.

SB 474 -- Report by Committee on Transportation and Economic Development recommending passage. Referred to Committee on Ways and Means by prior reference.

SB 487 -- Report by Committee on Judiciary recommending passage.

SB 687 -- Report by Committee on Transportation and Economic Development recommending passage with amendments and requesting subsequent referral to Committee on Ways and Means be rescinded. Subsequent referral rescinded by order of the President in agreement with the President Pro Tempore.

SB 688 -- Report by Committee on Transportation and Economic Development recommending passage.

HB 2173 -- Report by Committee on Transportation and Economic Development recommending passage.

Report by Committee on Rules recommending that the Governor's appointment of Rodney Nichols (appearance waived) to the Oregon Board of Dentistry be confirmed.

Report by Committee on Rules recommending that the Governor's reappointment of Dick Feeney (appearance waived) to the Commission on Judicial Fitness and Disability be confirmed.

Report by Committee on Rules recommending that the Governor's reappointment of Nik Blosser

(appearance waived) to the State Parks and Recreation Commission be confirmed.

Report by Committee on Rules recommending that the Governor's reappointments of Jeff Gilmour (appearance waived) and Stephen Walters (appearance waived) to the Oregon Racing Commission be confirmed en bloc.

SJM 3; SCR 4; SJM 5; SB 286, 487, 688 -- Read second time and passed to third reading.

HJM 3; HB 2047, 2091, 2110, 2206, 2475, 2533, 2671, 2846, 2853, 3014 -- Read first time and referred to President's desk.

HB 2173 -- Read second time and passed to third reading.

SB 2 -- President Courtney signed on April 1.

Senate adjourned until 11:00 a.m. Wednesday by unanimous consent at the request of the Chair.

Wednesday, April 2, 2003 -- Morning Session

Senate convened at 11:00 a.m. Devlin in Chair. The following members were present: Atkinson, Beyer, Brown, Burdick, Carter, Clarno, Corcoran, Deckert, Dukes, Ferrioli, Fisher, George, Gordly, Harper, Hannon, Messerle, Metsger, Minnis, Morrisette, Morse, Nelson, Ringo, Schrader, Shields, Starr, B., Starr, C., Walker, Winters, President Courtney. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Reverend Richard Morrow of the Union Gospel Mission, Salem.

SB 2 -- Message from the Governor announcing he signed on April 2.

HB 2055 -- Message from the House announcing concurrence in Senate amendments and repassage.

HB 2049, 2061, 2063, 2624, 2624, 2763, 2997 -- Message from the House announcing passage.

SB 2 -- Message from the House announcing the Speaker signed on April 1.

Committee Report Summary No. 50 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

SB 304 -- Report by Committee on Judiciary recommending passage.

SB 716 -- Report by Committee on Judiciary recommending passage with amendments.

HB 2312 -- Report by Committee on Revenue recommending passage.

Brown moved that the Senate confirm the Governor's reappointment of Rodney Nichols to the Oregon Board of Dentistry. On confirmation the vote was: Ayes, 25; excused, 3—Metsger, Minnis, Ringo; attending legislative business, 2--Carter, Messerle. Confirmed.

Brown moved that the Senate confirm the Governor's reappointment of Dick Feeney to the Judicial Fitness and Disability Board. On confirmation the vote was: Ayes, 27; excused, 1 – Corcoran; attending legislative business, 2 – Carter, Messerle. Confirmed

Brown moved that the Senate confirm the Governor's reappointment of Nik Blosser to the State Parks and Recreation Commission. On confirmation the vote was: Ayes, 28; attending legislative business, 2 – Carter, Messerle. Confirmed.

Brown moved that the Senate confirm en bloc the Governor's reappointments of Jeff Gilmour and Stephen Walters to the Racing Commission. On confirmation the vote was: Ayes, 28; attending legislative business, 2 – Carter, Messerle. Confirmed en bloc.

SCR 3; SB 43, 304, 331, 425, 687 -- Read second time and passed to third reading.

SCR 4 -- Read final time. Carried by Gordly, Brown. On adoption of resolution, the vote was: Ayes, 28; attending legislative business, 2 – Carter, Messerle. Resolution adopted.

SJM 3 -- Read final time. Carried by George. On adoption of memorial, the vote was: Ayes, 28; nays, 1 – Schrader; attending legislative business, 1 – Carter. Memorial adopted.

SJM 5 -- Read final time. Carried by Atkinson, Brown. On adoption of memorial, the vote was: Ayes, 28; excused, 2 – Corcoran, Shields. Memorial adopted.

SB 286 A-Eng. -- Read third time. Carried by Nelson. On passage of bill the vote was: Ayes, 29; nays, 1 – Schrader. Bill passed.

SB 487 -- Read third time. Carried by Burdick. On passage of bill the vote was: Ayes, 30. Bill passed.

SB 688 -- Read third time. Carried by Starr, B. On passage of bill the vote was: Ayes, 29; nays, 1 – Schrader. Bill passed.

HB 2049, 2061, 2063, 2624, 2763, 2997 -- Read first time and referred to President's desk.

HB 2312 -- Read second time and passed to third reading.

HB 2173 -- Read third time. Taken from its place on today's third reading calendar and placed on April 3 calendar by voice vote on motion of Starr, B.

The following measures were referred to committee on April 1 and recorded on Committee Referral List No. 36 which was distributed to members. Referral list recorded in the Journal and Status Report by order of the President.

SB 880 Judiciary
 SB 881 Revenue
 SB 882 Judiciary
 SB 883 General Government
 HJR 16 Education
 HB 2119 Judiciary
 HB 2226 Agriculture and Natural Resources
 HB 2338 Transportation and Economic Development
 HB 2393 Transportation and Economic Development
 HB 2398 Transportation and Economic Development
 HB 2456 Water and Land Use
 HB 2517 Human Resources
 HB 2545 Water and Land Use
 HB 2558 Health Policy
 HB 2573 Transportation and Economic Development
 HB 2682 Judiciary
 HB 2799 Agriculture and Natural Resources
 HB 3026 General Government

Senate adjourned until 11:00 a.m. Thursday by unanimous consent at the request of the Chair.

Thursday, April 3, 2003 -- Morning Session

Senate convened at 11:00 a.m. President Courtney in Chair. The following members were present: Atkinson, Beyer, Brown, Burdick, Clarno, Corcoran, Deckert, Devlin, Dukes, Ferrioli, Fisher, George, Gordly, Harper, Hannon, Messerle, Metsger, Minnis, Morrisette, Morse, Nelson, Schrader, Shields, Starr, B., Starr, C., Walker, Winters; attending legislative business -- Carter, Ringo. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Melissa Hayden of the Christian Science Church, Salem.

SB 173, 193, 220 -- Message from the Governor announcing he signed on April 2.

HB 2240, 2449, 2650, 3151, 3194 -- Message from the House announcing passage.

SJM 2; HCR 5; HJM 6; HR 1 -- Message from the House announcing adoption.

Committee Report Summary No. 51 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

SR 1 -- Report by Committee on Rules recommending adoption.

SB 435 -- Report by Committee on Health Policy recommending passage with amendments.

SB 437 -- Report by Committee on Education recommending passage with amendments. Referred to Committee on Ways and Means by prior reference.

SB 606 -- Report by Committee on Human Resources recommending passage.

SB 708 -- Report by Committee on Health Policy recommending passage.

SB 795 -- Report by Committee on Transportation and Economic Development recommending passage with amendments.

SCR 3 -- Taken from its place on today's third reading calendar and placed on April 17 calendar by voice vote on motion of Brown.

SB 886, 887, 888 -- Introduced, read first time and referred to President's desk.

SR 1; SB 606, 708, 716 -- Read second time and passed to third reading.

SB 43 A-Eng. -- Read third time. Carried by Nelson. On passage of bill the vote was: Ayes, 28; attending legislative business, 2 – Carter, Ringo. Bill passed.

SB 304 -- Read third time. Carried by Ferrioli. On passage of bill the vote was: Ayes, 27; nays, 1 – Schrader; attending legislative business, 2 – Carter, Ringo. Bill passed.

SB 331 A-Eng. -- Read third time. Carried by Ferrioli, Metsger. On passage of bill the vote was: Ayes, 22; nays, 5 – Beyer, Hannon, Harper, Morrisette, Nelson; excused, 1 – Clarno; attending legislative business, 2 – Carter, Ringo. Bill passed.

SB 425 A-Eng. -- Read third time. Carried by Metsger. On passage of bill the vote was: Ayes, 28; attending legislative business, 2 – Carter, Ringo. Bill passed.

SB 687 A-Eng. -- Read third time. Carried by Starr, B. On passage of bill the vote was: Ayes, 26; nays, 1 – Schrader; attending legislative business, 3 – Carter, Corcoran, Ringo. Bill passed.

HCR 5; HJM 6; HB 2240, 2449, 2650, 3151, 3194 -- Read first time and referred to President's desk.

HB 2173 -- Bill read. Carried by Starr, B. Fisher moved that the bill be rereferred to Committee on Transportation and Economic Development. Senate at ease. Senate reassembled. Motion withdrawn by unanimous consent at the request of Fisher. Metsger moved that bill be referred to Committee on Ways and Means; the vote was: Ayes, 26; nays, 2 – Corcoran, Deckert; attending legislative business, 2 – Carter, Ringo. Motion carried; referred to Committee on Ways and Means.

HB 2312 -- Read third time. Carried by Corcoran. On passage of bill the vote was: Ayes, 25; nays, 2 – George, Schrader; attending legislative business, 3 – Beyer, Carter, Ringo. Bill passed.

Senate adjourned until 8:30 a.m. Friday by unanimous consent at the request of the Chair.

Friday, April 4, 2003 -- Morning Session

Senate convened at 8:30 a.m. President Courtney in Chair. The following members were present: Atkinson, Beyer, Brown, Carter, Clarno, Corcoran, Deckert, Devlin, Dukes, Ferrioli, Fisher, George, Gordly, Harper, Messerle, Metsger, Minnis, Morrisette, Morse, Nelson, Ringo, Schrader, Shields, Starr, C., Walker, Winters; excused -- Burdick, Starr, B.; attending legislative business -- Hannon. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Reverend Charlie Wallace of Willamette University, Salem.

HB 2095, 2131, 2207, 2417, 2425, 2866, 2873 -- Message from the House announcing passage.

Committee Report Summary No. 52 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

SB 70 -- Report by Committee on Judiciary recommending passage with amendments.

SB 136 -- Report by Committee on Judiciary recommending passage with amendments.

SB 255 -- Report by Committee on Judiciary recommending passage with amendments.

SB 259 -- Report by Committee on Judiciary recommending passage.

SB 397 -- Report by Committee on Judiciary recommending passage with amendments.

SB 641 -- Report by Committee on Judiciary recommending passage.

SB 724 -- Report by Committee on General Government recommending passage with amendments.

SB 833 -- Report by Committee on Business and Labor recommending passage with amendments and requesting subsequent referral to Committee on Ways and Means be rescinded. Subsequent referral rescinded by order of the President in agreement with the President Pro Tempore.

SB 889 -- Introduced, read first time and referred to President's desk.

SB 259, 435, 641, 795 -- Read second time and passed to third reading.

SR 1 -- Moved to the foot of today's calendar by unanimous consent at the request of the chair.

SB 606 -- Read third time. Carried by Carter. On passage of bill the vote was: Ayes, 23; excused, 3 -- Burdick, Starr, B., Winters; attending legislative business, 4 -- Beyer, Corcoran, Hannon, Schrader. Bill passed.

SB 708 -- Read third time. Taken from its place on today's third reading calendar and rereferred to Committee on Health Policy by voice vote on motion of Walker.

SB 716 A-Eng. -- Read third time. Carried by Minnis. On passage of bill the vote was: Ayes, 20; nays, 5 -- Atkinson, Dukes, Fisher, Shields, Starr, C.; excused, 3 -- Burdick, Starr, B., Winters; attending legislative business, 2 -- Beyer, Hannon. Bill passed.

SR 1 -- Read final time. Carried by George. On adoption of resolution, the vote was: Ayes, 27; excused, 2 -- Burdick, Starr, B.; attending legislative business, 1 -- Hannon. Resolution adopted.

HB 2095, 2131, 2207, 2417, 2425, 2866, 2873 -- Read first time and referred to President's desk.

The following measures were referred to committee on April 3 and recorded on Committee Referral List No. 37 which was distributed to members. Referral list recorded in the Journal and Status Report by order of the President.

SCR 5 Rules
 SB 884 Health Policy; Ways and Means
 SB 886 Health Policy; Ways and Means
 SB 887 Judiciary
 HJM 3 Human Resources
 HB 2047 Judiciary
 HB 2049 Judiciary
 HB 2061 Judiciary
 HB 2063 Judiciary
 HB 2091 Judiciary
 HB 2110 Judiciary
 HB 2152 Revenue
 HB 2206 Judiciary
 HB 2333 Business and Labor
 HB 2475 Water and Land Use
 HB 2533 Agriculture and Natural Resources
 HB 2547 Rules; Ways and Means
 HB 2624 General Government
 HB 2671 Revenue
 HB 2676 General Government
 HB 2763 Rules
 HB 2846 Business and Labor
 HB 2853 Transportation and Economic Development
 HB 2997 Transportation and Economic Development
 HB 3014 Transportation and Economic Development

Senate adjourned until 11:00 a.m. Monday by unanimous consent at the request of the Chair.

Monday, April 7, 2003 -- Morning Session

Senate convened at 11:00 a.m. Carter in Chair. The following members were present: Atkinson, Beyer, Brown, Burdick, Clarno, Corcoran, Deckert, Devlin, Dukes, Ferrioli, Fisher, George, Gordly, Harper, Hannon, Messerle, Metsger, Minnis, Morrisette, Morse, Nelson, Ringo, Schrader, Shields, Starr, B., Starr, C., Walker, Winters, President Courtney. Colors were posted by the Air Force and Army Reserve Officer Training Corps and the Senate pledged allegiance to the flag. Invocation by Dr. Timothy White, President of Oregon State University. Musical performance by Oregon State University Meistersingers, directed by Dr. Steven Zielke, Director of Choral Activities, Corvallis.

Courtesies of the Senate were extended to former State Senator Cliff Trow and former State Representative Tony Van Vliet at the request of Brown.

Courtesies of the Senate were extended to former Senate President Tom Hartung at the request of Atkinson.

Courtesies of the Senate were extended to current Superintendent of Schools and former State Senator Susan Castillo at the request of President Courtney.

HB 2158, 2223, 2487 -- Message from the House announcing the Speaker signed on April 4.

Committee Report Summary No. 53 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

SB 104 -- Report by Committee on Judiciary recommending passage with amendments.

SB 355 -- Report by Committee on Business and Labor recommending passage with amendments.

SB 550 -- Report by Committee on Revenue recommending passage with amendments.

SB 822 -- Report by Committee on Business and Labor recommending passage and requesting subsequent referral to Committee on Ways and Means be rescinded. Subsequent referral rescinded by order of the President in agreement with the President Pro Tempore.

HJR 4 -- Report by Committee on Health Policy recommending adoption.

HB 2130 -- Report by Committee on General Government recommending passage of the A-engrossed bill.

Report by Committee on Rules recommending that the Governor's appointment of John Van Landingham (appearance waived) to the Land Conservation and Development Commission be confirmed.

Report by Committee on Rules recommending that the Governor's reappointments of Tod Bassham (appearance waived), Anne Corcoran Briggs (appearance waived), and Michael Holstun (appearance waived) to the Land Use Board of Appeals be confirmed en bloc.

Report by Committee on Rules recommending that the Governor's appointments of Marguerite Gutierrez (appearance waived), Rolf Olson (r) (appearance waived), Beverly Shields (appearance waived), Sandy Theis (appearance waived), and Janet Wright (appearance waived) to the Oregon State Board of Nursing be confirmed en bloc.

Report by Committee on Rules recommending that the Governor's appointment of Bruce Goldberg (appearance waived) as the Administrator of the Office for Oregon Health Policy and Research be confirmed.

SB 70, 136, 255, 397, 724, 822, 833 -- Read second time and passed to third reading.

SB 259 -- Read third time. Carried by Burdick. On passage of bill the vote was: Ayes, 28; nays, 2 -- Schrader, Starr, B. Bill passed.

SB 435 A-Eng. -- Read third time. Carried by Dukes. On passage of bill the vote was: Ayes, 22; nays, 8 -- Beyer, Fisher, George, Morse, Nelson, Schrader, Starr, B., Winters. Bill passed.

SB 641 -- Read third time. Carried by Ferrioli. On passage of bill the vote was: Ayes, 30. Bill passed.

SB 795 A-Eng. -- Read third time. Carried by Clarno, Morrisette. On passage of bill the vote was: Ayes, 25; nays, 5 -- Beyer, Fisher, George, Harper, Schrader. Bill passed.

HJR 4; HB 2130 -- Read second time and passed to third reading.

The chair announced the following committee assignment effective April 3.

COMMISSION ON ASIAN AFFAIRS (ORS 185.610)

Senator Kate Brown

HB 2158, 2223, 2487 -- President Courtney signed on April 7.

Senate adjourned until 11:00 a.m. Tuesday by unanimous consent at the request of the Chair.

Tuesday, April 8, 2003 -- Morning Session

Senate convened at 11:00 a.m. President Courtney in Chair. The following members were present: Atkinson, Beyer, Brown, Burdick, Carter, Clarno, Corcoran, Deckert, Devlin, Dukes, Ferrioli, Fisher, George, Gordly, Harper, Hannon, Messerle, Metsger, Minnis, Morrisette, Morse, Nelson, Ringo, Schrader, Shields, Starr, B., Starr, C., Walker, Winters. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Chaplain Frank Carpenter of Capitol Ministries of Oregon, Hillsboro.

HCR 4 -- Message from the House announcing adoption.

HB 2115, 2177, 2227, 2230, 2275, 2276, 2372, 2501, 2589, 2639, 2674, 2784, 3062, 3107 -- Message from the House announcing passage.

Committee Report Summary No. 54 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

SM 1 -- Report by Committee on Water and Land Use recommending adoption.

SB 102 -- Report by Committee on Rules, signed by Burdick, Vice-Chair, recommending passage with amendments. Minority Report, signed by Atkinson, Beyer, recommending passage with different amendments.

SB 554 -- Report by Committee on Human Resources recommending passage with amendments.

SB 777 -- Report by Committee on Transportation and Economic Development recommending passage with amendments. Referred to Committee on Ways and Means by prior reference.

SB 852 -- Report by Committee on Health Policy recommending passage with amendments. Referred to Committee on Ways and Means by prior reference.

HB 2005 -- Report by Committee on General Government recommending passage with amendments to the A-eng. bill.

Corcoran moved that the Senate confirm the Governor's appointment of John Van Landingham to the Land Conservation and Development Commission. On confirmation the vote was: Ayes, 27; excused, 3 -- Harper, Ringo, Schrader. Confirmed.

Clarno moved that the Senate confirm en bloc the Governor's reappointments of Tod Bassham, Anne Corcoran Briggs, and Michael Holstun to the Land Use Board of Appeals. On confirmation the vote was: Ayes, 28; excused, 2 -- Harper, Ringo. Confirmed en bloc.

Atkinson moved that the Senate confirm en bloc the Governor's appointments of Marguerite Gutierrez, Rolf Olson (r), Beverly Shields, Sandy Theis and Janet Wright to the Oregon State Board of Nursing. On confirmation the vote was: Ayes, 27; excused, 2 – Harper, Ringo; attending legislative business, 1 – Brown. Confirmed en bloc.

Atkinson moved that the Senate confirm the Governor's appointment of Bruce Goldberg as the Administrator of the Office for Oregon Health Policy and Research. On confirmation the vote was: Ayes, 28; excused, 2 – Harper, Ringo. Confirmed.

SM 1; SB 104, 355, 550 -- Read second time and passed to third reading.

SB 70 A-Eng. -- Read third time. Carried by Minnis. On passage of bill the vote was: Ayes, 28; excused, 2 – Harper, Ringo. Bill passed.

SB 136 A-Eng. -- Read third time. Carried by Ferrioli. On passage of bill the vote was: Ayes, 28; excused, 2 – Harper, Ringo. Bill passed.

SB 255 A-Eng. -- Read third time. Carried by Schrader. On passage of bill the vote was: Ayes, 27; nays, 2 – Beyer, George; excused, 1 – Harper. Bill passed.

SB 397 A-Eng. -- Read third time. Carried by Minnis. On passage of bill the vote was: Ayes, 28; excused, 2 – Clarno, Harper. Bill passed.

SB 724 A-Eng. -- Read third time. Carried by Corcoran. On passage of bill the vote was: Ayes, 25; nays, 2 – Hannon, Schrader; excused, 3 – Carter, Clarno, Harper. Bill passed.

SB 822 -- Read third time. Carried by Nelson. On passage of bill the vote was: Ayes, 25; nays, 2 – Hannon, Schrader; excused, 3 – Carter, Clarno, Harper. Bill passed.

SB 833 A-Eng. -- Read third time. Carried by Walker. On passage of bill the vote was: Ayes, 26; nays, 2 – Hannon, Winters; excused, 2 – Carter, Harper. Bill passed.

HCR 4; HB 2115, 2177, 2227, 2230, 2275, 2276, 2372, 2501, 2589, 2639, 2674, 2784, 3062, 3107 -- Read first time and referred to President's desk.

HJR 4 A-Eng. -- Read final time. Carried by Fisher. On adoption of resolution, the vote was: Ayes, 27; excused, 3 – Carter, Corcoran, Harper. Resolution adopted.

HB 2130 A-Eng. -- Read third time. Carried by Minnis. On passage of bill the vote was: Ayes, 27; nays, 1 – Hannon; excused, 2 – Carter, Harper. Bill passed.

The following measures were referred to committee on April 7 and recorded on Committee

Referral List No. 38 which was distributed to members. Referral list recorded in the Journal and Status Report by order of the President.

SB 885 Human Resources
 HCR 5 Rules
 HJM 6 Agriculture and Natural Resources
 HB 2095 Judiciary; Ways and Means
 HB 2131 Revenue
 HB 2207 Judiciary
 HB 2240 Human Resources
 HB 2417 General Government; Ways and Means
 HB 2425 Judiciary
 HB 2449 Judiciary
 HB 2650 Revenue
 HB 2689 Water and Land Use
 HB 2866 Judiciary
 HB 2873 Judiciary
 HB 3151 Transportation and Economic Development
 HB 3194 General Government

Senate adjourned until 11:00 a.m. Wednesday by unanimous consent at the request of the Chair.

Wednesday, April 9, 2003 -- Morning Session

Senate convened at 11:00 a.m. Ferrioli in Chair. The following members were present: Atkinson, Beyer, Brown, Burdick, Carter, Clarno, Corcoran, Deckert, Devlin, Dukes, Fisher, George, Gordly, Harper, Hannon, Messerle, Metsger, Minnis, Morrisette, Morse, Nelson, Ringo, Schrader, Shields, Starr, B., Starr, C., Walker, Winters, President Courtney. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Pastor Eric Burtness of St. Matthew Lutheran Church, Beaverton. Musical performance by Astoria Tuba Quartet, Astoria.

HB 2054, 2186, 2770, 2996, 3001, 3010, 3123 -- Message from the House announcing passage.

Committee Report Summary No. 55 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

SJR 7 -- Report by Committee on Revenue recommending adoption with amendments.

SB 196 -- Report by Committee on Agriculture and Natural Resources recommending passage with amendments. Referred to Committee on Ways and Means by prior reference.

SB 223 -- Report by Committee on Revenue recommending passage with amendments.

SB 276 -- Report by Committee on Transportation and Economic Development recommending passage with amendments.

SB 602 -- Report by Committee on Business and Labor recommending passage.

SB 718 -- Report by Committee on Human Resources recommending passage with amendments. Referred to Committee on Ways and Means by prior reference.

SB 800 -- Report by Committee on Education recommending passage with amendments. Referred to Committee on Ways and Means by prior reference.

SB 832 -- Report by Committee on Agriculture and Natural Resources recommending passage with amendments.

HB 2135 -- Report by Committee on Revenue recommending passage with amendments.

SB 7, 890 -- Introduced, read first time and referred to President's desk.

SB 102, 554, 602 -- Read second time and passed to third reading.

SM 1 -- Read final time. Carried by Metsger. On adoption of memorial, the vote was: Ayes, 29; attending legislative business, 1 -- Schrader. Memorial adopted.

SB 104 A-Eng. -- Read third time. Carried by Starr, C. On passage of bill the vote was: Ayes, 29; attending legislative business, 1 -- Schrader. Bill passed.

SB 355 A-Eng. -- Read third time. Carried by Burdick. On passage of bill the vote was: Ayes, 29; attending legislative business, 1 -- Schrader. Bill passed.

SB 550 A-Eng. -- Read third time. Carried by Deckert. On passage of bill the vote was: Ayes, 29; attending legislative business, 1 -- Schrader. Bill passed.

HB 2054, 2186, 2770, 2996, 3001, 3010, 3123 -- Read first time and referred to President's desk.

HB 2005 -- Read second time and passed to third reading.

The Chair announced the following committee assignment effective April 7.

INTERNATIONAL TRADE COMMISSION (ORS 285a.131)

Senator Ryan Deckert

The Chair announced the following committee assignments effective April 8.

OREGON OPPORTUNITY TASK FORCE (ORS

353.100)

Senator Ryan Deckert

Senator Beverly Clarno

COMMISSION ON HISPANIC AFFAIRS (ORS 185.320)

Senator Tony Corcoran

Senate adjourned until 11:00 a.m. Thursday by unanimous consent at the request of the Chair.

Thursday, April 10, 2003 -- Morning Session

Senate convened at 11:00 a.m. President Courtney in Chair. The following members were present: Atkinson, Beyer, Brown, Burdick, Carter, Clarno, Corcoran, Deckert, Devlin, Dukes, Ferrioli, Fisher, George, Gordly, Harper, Hannon, Messerle, Metsger, Minnis, Morrisette, Morse, Nelson, Ringo, Schrader, Shields, Starr, B., Starr, C., Walker, Winters. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Pastor Jess Strickland of the Living Hope Fellowship Church, Aloha. Musical performance by Stacey Murdock and Anne McKee Reed of Portland State University's Opera Theater Program, led by Professor Ruth Dobson.

HCR 7 -- Message from the House announcing adoption.

SB 170, 171; HB 2727, 2885, 3050, 3162, 3370, 3371, 3375 -- Message from the House announcing passage.

Committee Report Summary No. 56 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

SB 216 -- Report by Committee on Judiciary recommending passage.

SB 102 -- Committee report and minority report read. Senate recessed until 11:55 a.m. by unanimous consent at the request of the Chair. Senate reconvened at 11:55 a.m. President Courtney in Chair. Burdick moved that the Senate adopt the committee report. Beyer moved that the minority report be substituted for the committee report. Call of the Senate demanded by Beyer joined by Brown and Atkinson. All present except Carter, Minnis, Schrader, absent. Pending arrival of members subject to the Call, Senate at ease. All present. Senate reassembled.

SB 102 -- Motion to substitute minority report failed. The vote was: Ayes, 14; nays, 16 -- Brown, Burdick, Carter, Corcoran, Deckert, Devlin, Dukes, Gordly, Hannon, Metsger, Morrisette, Ringo, Schrader, Shields, Walker, President Courtney. Motion failed.

SB 102 A-Eng. -- Bill, as amended by committee report, read third time. Call of the Senate demanded by Burdick joined by Brown and Winters. All present except Deckert, absent. Pending arrival of Deckert, Senate at ease. Deckert returned. All present. Senate reassembled. On passage of bill the vote was: Ayes, 20; nays, 10 – Atkinson, Beyer, Ferrioli, Fisher, George, Harper, Minnis, Schrader, Starr, B., Starr, C. Bill passed.

SJR 7; SB 216, 276, 832 -- Read second time and passed to third reading.

SB 554, 602 -- Carried over to April 11 calendar by unanimous consent at the request of the Chair.

HCR 7; HB 2727, 2885, 3050, 3162, 3370, 3371, 3375 -- Read first time and referred to President's desk.

HB 2135 -- Read second time and passed to third reading.

HB 2005 -- Carried over to April 11 calendar by unanimous consent at the request of the Chair.

The following measures were referred to committee on April 9 and recorded on Committee Referral List No. 39 which was distributed to members. Referral list recorded in the Journal and Status Report by order of the President.

SB 7 General Government
 SB 888 Business and Labor; Ways and Means
 SB 889 Business and Labor
 SB 890 Transportation and Economic Development;
 Ways and Means
 HCR 4 Rules
 HB 2115 Judiciary
 HB 2177 Judiciary
 HB 2186 Revenue
 HB 2227 General Government
 HB 2230 Business and Labor; Ways and Means
 HB 2275 Judiciary
 HB 2276 Judiciary
 HB 2372 Revenue
 HB 2501 Transportation and Economic Development; Ways
 and Means
 HB 2589 Revenue
 HB 2639 Business and Labor
 HB 2674 Water and Land Use
 HB 2784 Judiciary
 HB 3062 Revenue
 HB 3107 Judiciary

Senate adjourned until 8:30 a.m. Friday by unanimous consent at the request of the Chair.

Friday, April 11, 2003 -- Morning Session

Senate convened at 8:30 a.m. President Courtney in Chair. The following members were present: Atkinson, Beyer, Brown, Burdick, Carter, Clarno, Corcoran, Deckert, Devlin, Dukes, Ferrioli, Fisher, George, Gordly, Harper, Hannon, Messerle, Metsger, Minnis, Morrisette, Morse, Nelson, Ringo, Schrader, Shields, Starr, B., Starr, C., Walker, Winters. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Senator Bill Fisher, Roseburg.

HB 2057, 2059, 2060, 2150, 2190, 2642, 2761, 2933, 3213, 3581 -- Message from the House announcing passage.

SJR 38; HJR 41 -- Message from the House announcing adoption.

Committee Report Summary No. 57 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

SB 525 -- Report by Committee on Education recommending passage with amendments and requesting subsequent referral to Committee on Ways and Means be rescinded. Subsequent referral rescinded by order of the President in agreement with the President Pro Tempore.

SB 575 -- Report by Committee on Business and Labor recommending passage with amendments.

SB 828 -- Report by Committee on Business and Labor recommending passage with amendments

SB 554 A-Eng. -- Read third time. Carried by Walker. On passage of bill the vote was: Ayes, 29; nays, 1 – Corcoran. Bill passed.

SB 602 -- Read third time. Carried by Beyer. On passage of bill the vote was: Ayes, 29; nays, 1 – Ringo. Bill passed.

SJR 7 A-Eng. -- Read final time. Carried by Clarno, Hannon. On adoption of resolution, the vote was: Ayes, 29; nays, 1 – Harper. Resolution adopted.

SB 216 -- Read third time. Carried by Walker. On passage of bill the vote was: Ayes, 30. Bill passed.

SB 223 A-Eng. -- Read third time. Carried by Starr, B. On passage of bill the vote was: Ayes, 29; nays, 1 – Schrader. Bill passed.

SB 276 A-Eng. -- Read third time. Carried by Starr, B. On passage of bill the vote was: Ayes, 29; nays, 1 – Morrisette. Bill passed.

SB 832 A-Eng. -- Read third time. Carried by Beyer. On passage of bill the vote was: Ayes, 29; nays, 1 – Burdick. Bill passed.

HJR 41; HB 2057, 2059, 2060, 2150, 2190, 2642, 2761, 2933, 3213, 3581 -- Read first time and referred to President's desk.

HB 2005 B-Eng. -- Read third time. Carried by Starr, B. On passage of bill the vote was: Ayes, 27; nays, 3 -- Carter, Hannon, Nelson. Bill passed.

HB 2135 A-Eng. -- Read third time. Carried by Starr, B. On passage of bill the vote was: Ayes, 29; nays, 1 -- Schrader. Bill passed.

HB 2055 -- President Courtney signed on April 11.

Senate adjourned until 11:00 a.m. Monday by unanimous consent at the request of the Chair.

Monday, April 14, 2003 -- Morning Session

Senate convened at 11:00 a.m. Deckert in Chair. The following members were present: Atkinson, Beyer, Brown, Burdick, Carter, Clarno, Corcoran, Devlin, Dukes, Ferrioli, Fisher, George, Gordly, Harper, Hannon, Messerle, Minnis, Morrisette, Morse, Nelson, Ringo, Schrader, Shields, Starr, B., Starr, C., Winters, President Courtney; excused -- Walker; attending legislative business -- Metsger. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Senator Frank Shields, Portland.

HB 2191, 2374, 2450, 2773, 2957, 3063, 3351, 3372 -- Message from the House announcing passage.

Committee Report Summary No. 58 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

SM 3 -- Report by Committee on Agriculture and Natural Resources recommending adoption.

SB 235 -- Report by Committee on Business and Labor recommending passage with amendments.

SB 341 -- Report by Committee on Business and Labor recommending passage with amendments.

SB 343 -- Report by Committee on Business and Labor recommending passage with amendments. Referred to Committee on Ways and Means by order of the President in agreement with the President Pro Tempore.

SB 387 -- Report by Committee on Transportation and Economic Development recommending passage.

SB 444 -- Report by Committee on General Government recommending passage with amendments.

SB 445 -- Report by Committee on General Government recommending passage with amendments.

SB 446 -- Report by Committee on General Government recommending passage with amendments.

SB 489 -- Report by Committee on Health Policy recommending passage with amendments. Referred to Committee on Ways and Means by order of the President in agreement with the President Pro Tempore.

SB 514 -- Report by Committee on Business and Labor recommending passage with amendments.

SB 704 -- Report by Committee on Health Policy recommending passage with amendments. Referred to Committee on Ways and Means by prior reference.

SB 749 -- Report by Committee on Business and Labor recommending passage.

SB 761 -- Report by Committee on Education recommending passage.

SB 870 -- Report by Committee on Education recommending passage and requesting subsequent referral to Committee on Ways and Means be rescinded. Subsequent referral rescinded by order of the President in agreement with the President Pro Tempore.

HB 2004 -- Report by Committee on General Government recommending passage with amendments to the A-engrossed bill. Referred to Committee on Ways and Means by prior reference.

HB 2159 -- Report by Committee on Health Policy recommending passage.

HB 2215 -- Report by Committee on Transportation and Economic Development recommending passage.

HB 2226 -- Report by Committee on Agriculture and Natural Resources recommending passage of the A-engrossed bill.

HB 2305 -- Report by Committee on Judiciary recommending passage with amendments to the A-engrossed bill.

HB 2306 -- Report by Committee on Judiciary recommending passage with amendments to the A-engrossed bill.

HB 2307 -- Report by Committee on Judiciary recommending passage with amendments to the A-engrossed bill.

HB 2309 -- Report by Committee on Judiciary recommending passage of the A-engrossed bill.

HB 2393 -- Report by Committee on Transportation and Economic Development recommending passage of the A-engrossed bill.

HB 2526 -- Report by Committee on Judiciary recommending passage with amendments to the A-engrossed bill.

HB 2634 -- Report by Committee on Transportation and Economic Development recommending passage.

HB 2799 -- Report by Committee on Agriculture and Natural Resources recommending passage.

SB 891, 892, 893 -- Introduced, read first time and referred to President's desk.

SM 3; SB 387, 525, 575, 749, 761, 828, 870 -- Read second time and passed to third reading.

HB 2191, 2374, 2450, 2773, 2957, 3063, 3351, 3372 -- Read first time and referred to President's desk.

HB 2159, 2215, 2226, 2309, 2393, 2634, 2799 -- Read second time and passed to third reading.

The following measures were referred to committee on April 11 and recorded on Committee Referral List No. 40 which was distributed to members. Referral list recorded in the Journal and Status Report by order of the President.

HCR 7 Rules

HB 2054 Judiciary

HB 2727 Judiciary

HB 2770 Judiciary; Ways and Means

HB 2885 Judiciary

HB 2996 Human Resources

HB 3001 Transportation and Economic Development

HB 3050 General Government

HB 3123 Agriculture and Natural Resources

HB 3162 General Government

HB 3370 Judiciary

HB 3371 Judiciary

HB 3375 Water and Land Use

SJR 38; SM 1; SB 170, 171 -- President Courtney signed on April 14.

Senate adjourned until 11:00 a.m. Tuesday by unanimous consent at the request of the Chair.

Tuesday, April 15, 2003 -- Morning Session

Senate convened at 11:00 a.m. George in Chair. The following members were present: Atkinson, Beyer, Burdick, Carter, Clarno, Corcoran, Deckert, Devlin, Dukes, Ferrioli, Fisher, Gordly, Hannon, Harper, Messerle, Metsger, Minnis, Morrisette, Morse, Nelson, Ringo, Schrader, Shields, Starr, B.,

Starr, C., Walker, Winters, President Courtney; excused -- Brown. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Senator Frank Morse, Corvallis.

HB 2594, 2908, 3068, 3317, 3361, 3366 -- Message from the House announcing passage.

HJR 48 -- Message from the House announcing adoption.

SJM 2; HM 1; HR 1; HB 2312, 2546 -- Message from the House announcing the Speaker signed on April 15.

Committee Report Summary No. 59 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

SCR 5 -- Report by Committee on Rules recommending adoption with amendments.

SB 159 -- Report by Committee on Business and Labor recommending passage with amendments.

SB 215 -- Report by Committee on Business and Labor recommending passage with amendments to the A-engrossed bill.

SB 690 -- Report by Committee on Transportation and Economic Development recommending passage with amendments. Referred to Committee on Ways and Means by prior reference.

SB 741 -- Report by Committee on General Government without recommendation as to passage and requesting referral to Committee on Judiciary. Referred to Committee on Judiciary by order of the President in agreement with the President Pro Tempore.

SB 878 -- Report by Committee on Health Policy recommending passage.

SB 894 -- Introduced, read first time and referred to President's desk.

SB 235, 341, 444, 445, 446, 514, 878 -- Read second time and passed to third reading.

Senate recessed until 11:40 a.m. by unanimous consent on motion of Burdick.

Senate reconvened at 11:40 a.m. George in Chair. All present except Brown, excused.

Senate, having recessed following the order of Second Reading of Senate Measures, resumed under the general order of business by unanimous consent at the request of the Chair.

SM 3 -- Read final time. Carried by Corcoran. On adoption of memorial, the vote was: Ayes, 28;

excused, 2 – Brown, President Courtney. Memorial adopted.

SB 387 -- Read third time. Carried by Fisher. On passage of bill the vote was: Ayes, 27; nays, 1 – Schrader; excused, 2 – Brown, President Courtney. Bill passed. (Hannon in Chair)

SB 525 A-Eng. -- Read third time. Carried by George. On passage of bill the vote was: Ayes, 27; excused, 3 – Brown, Minnis, President Courtney. Bill passed. (George in Chair)

SB 575 A-Eng. -- Read third time. Carried by Walker. On passage of bill the vote was: Ayes, 28; excused, 2 – Brown, President Courtney. Bill passed.

SB 749 -- Read third time. Carried by Walker. On passage of bill the vote was: Ayes, 28; excused, 2 – Brown, President Courtney. Bill passed.

SB 761 -- Read third time. Carried by Starr, B. Call of the Senate demanded by Starr, B. joined by Starr, C., and Beyer. All present except Brown, excused. On passage of bill the vote was: Ayes, 20; nays, 9 – Burdick, Carter, Corcoran, Dukes, Hannon, Morrisette, Schrader, Walker, President Courtney; excused, 1 – Brown. Bill passed.

SB 761 -- Schrader requested the following explanation of vote be entered into the journal.

"I'm a strong home school supporter as evidenced by my past track record starting in 1997. However, every student, every child in Oregon should be required to pass academic tests that are indicative of the same or similar high educational standards.

"Given the excellent results from home school programs and parents, I am familiar with, this should be no problem.

"It's a simple matter of fairness."

SB 828, 870 -- Carried over to April 16 calendar by unanimous consent at the request of the Chair.

HJR 48; HB 2594, 2908, 3068, 3317, 3361, 3366 -
- Read first time and referred to President's desk.

HB 2305, 2306, 2307, 2526 -- Read second time and passed to third reading.

HB 2159, 2215, 2226, 2309, 2393, 2634, 2799 -- Carried over to April 16 calendar by unanimous consent at the request of the Chair.

The following measures were referred to committee on April 14 and recorded on Committee Referral List No. 41 which was distributed to members. Referral list recorded in the Journal and Status Report by order of the President.

SB 891 Human Resources
SB 892 Rules

SB 893 Business and Labor
HJR 41 General Government
HB 2057 Judiciary
HB 2059 Judiciary
HB 2060 Judiciary
HB 2150 Judiciary
HB 2190 General Government
HB 2642 Health Policy
HB 2761 Judiciary
HB 2933 Transportation and Economic Development;
Ways and Means
HB 3010 Rules
HB 3213 Water and Land Use
HB 3581 General Government

HB 2312, 2546 -- President Courtney signed on April 15.

Senate adjourned until 10:30 a.m. on Wednesday by unanimous consent at the request of the Chair.

Wednesday, April 16, 2003 -- Morning Session

Senate convened at 10:30 a.m. President Courtney in Chair. The following members were present: Beyer, Brown, Burdick, Carter, Clarno Corcoran, Deckert, Devlin, Dukes, Ferrioli, Fisher, George, Gordly, Hannon, Harper, Messerle, Metsger, Minnis, Morrisette, Morse, Nelson, Ringo, Schrader, Shields, Starr, B., Starr, C., Walker, Winters, excused -- Atkinson. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Don Boderman, Western Oregon University. Musical performance by Dr. Kevin Helppie, Associate Professor of Music, Western Oregon University.

Courtesies of the Senate were extended to former State Senator Verne Duncan at the request of Shields.

HJM 1; HJR 42 -- Message from the House announcing adoption.

HB 2005, 2135 -- Message from the House announcing concurrence in Senate amendments and repassage.

Committee Report Summary No. 60 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

SJR 14 -- Report by Committee on Transportation and Economic Development recommending adoption and requesting referral to Committee on Ways and Means. Referred to Committee on Ways and Means by order of the President in agreement with the President Pro Tempore.

SB 15 -- Report by Committee on Transportation and Economic Development recommending passage

with amendments. Referred to Committee on Judiciary by prior reference.

SB 119 -- Report by Committee on Human Resources recommending passage with amendments and requesting subsequent referral to Committee on Judiciary be rescinded. Subsequent referral rescinded by order of the President in agreement with the President Pro Tempore.

SB 230 -- Report by Committee on Revenue recommending passage with amendments.

SB 231 -- Report by Committee on Revenue recommending passage with amendments.

SB 289 -- Report by Committee on Transportation and Economic Development recommending passage with amendments.

SB 516 -- Report by Committee on Water and Land Use recommending passage with amendments.

SB 734 -- Report by Committee on Business and Labor recommending passage with amendments.

SB 764 -- Report by Committee on Transportation and Economic Development recommending passage with amendments.

HB 2075 -- Report by Committee on Business and Labor recommending passage of the A-engrossed bill.

HB 2161 -- Report by Committee on Business and Labor recommending passage.

HB 2533 -- Report by Committee on Agriculture and Natural Resources recommending passage of the A-engrossed bill.

SCR 5; SB 159, 215 -- Read second time and passed to third reading.

SB 828 A-Eng. -- Read third time. Carried by Walker. On passage of bill the vote was: Ayes, 24; nays, 3 -- Beyer, Fisher, Hannon; excused, 1 -- Atkinson; attending legislative business, 2 -- Harper, Schrader. Bill passed.

SB 870 -- Read third time. Carried by Nelson. On passage of bill the vote was: Ayes, 25; nays, 2 -- Hannon, Minnis; excused, 1 -- Atkinson; attending legislative business, 2 -- Harper, Schrader. Bill passed.

SB 235 A-Eng. -- Read third time. Carried by Nelson. Potential conflict of interest declared by Hannon and Clarno. On passage of bill the vote was: Ayes, 27; excused, 1 -- Atkinson; attending legislative business, 2 -- Harper, Schrader. Bill passed.

SB 341 A-Eng. -- Read third time. Carried by Beyer. On passage of bill the vote was: Ayes, 27;

excused, 1 -- Atkinson; attending legislative business, 2 -- Harper, Schrader. Bill passed.

SB 444 A-Eng. -- Read third time. Carried by Walker. Call of the Senate demanded by Brown joined by George and Corcoran. All present except Metsger, Schrader, Winters, absent; Atkinson, excused. Pending arrival of members subject to the Call, Senate at ease. Further proceedings under the Call terminated by unanimous consent at the request of the Chair. All present except Atkinson, excused. Senate reassembled. On passage of bill the vote was: Ayes, 19; nays, 10 -- Beyer, Clarno, Ferrioli, Fisher, George, Harper, Messerle, Morse, Nelson, Starr, C.; excused, 1 -- Atkinson. Bill passed.

SB 445 A-Eng. -- Read third time. Carried by Starr, B. Call of the Senate demanded by Brown joined by Minnis and George. All present except Atkinson, excused. On passage of bill the vote was: Ayes, 18; nays, 11 -- Beyer, Clarno, Ferrioli, Fisher, George, Harper, Messerle, Morse, Nelson, Starr, C., Winters; excused, 1 -- Atkinson. Bill passed.

SB 446 A-Eng. -- Read third time. Carried by Starr, B. Call of the Senate demanded by Brown joined by Minnis and Corcoran. All present except Atkinson, excused. On passage of bill the vote was: Ayes, 19; nays, 10 -- Beyer, Clarno, Ferrioli, Fisher, George, Harper, Messerle, Morse, Nelson, Schrader; excused, 1 -- Atkinson. Bill passed.

SB 514 A-Eng. -- Read third time. Carried by Metsger. On passage of bill the vote was: Ayes, 29; excused, 1 -- Atkinson. Bill passed.

SB 878 -- Read third time. Carried by Shields. On passage of bill the vote was: Ayes, 29; excused, 1 -- Atkinson. Bill passed.

HJM 1; HJR 42 -- Read first time and referred to President's desk.

HB 2075, 2161, 2533 -- Read second time and passed to third reading.

HB 2159 -- Read third time. Carried by Fisher. On passage of bill the vote was: Ayes, 28; nays, 1 -- Hannon; excused, 1 -- Atkinson. Bill passed.

HB 2215 -- Read third time. Carried by Nelson. On passage of bill the vote was: Ayes, 27; nays, 1 -- Schrader; excused, 2 -- Atkinson, Corcoran. Bill passed.

HB 2226 A-Eng. -- Read third time. Carried by Beyer. On passage of bill the vote was: Ayes, 26; nays, 1 -- Schrader; excused, 2 -- Atkinson, Corcoran; attending legislative business, 1 -- Clarno. Bill passed.

HB 2309 A-Eng. -- Read third time. Carried by Minnis. On passage of bill the vote was: Ayes, 24; nays, 3 -- Carter, Hannon, Schrader; excused, 3 -- Atkinson, Burdick, Corcoran. Bill passed.

HB 2393 A-Eng. -- Read third time. Carried by Starr, B. On passage of bill the vote was: Ayes, 27; excused, 3 – Atkinson, Burdick, Corcoran. Bill passed.

HB 2305, 2306, 2307, 2526, 2634, 2799 -- Carried over to April 17 calendar by unanimous consent at the request of the Chair.

Senate adjourned until 10:30 a.m. Thursday by unanimous consent at the request of the Chair.

Thursday, April 17, 2003 -- Morning Session

Senate convened at 10:30 a.m. President Courtney in Chair. The following members were present: Atkinson, Beyer, Burdick, Carter, Clarno, Corcoran, Deckert, Ferrioli, Fisher, Gordly, Hannon, Metsger, Minnis, Morrisette, Morse, Nelson, Ringo, Shields; Starr, B., Starr, C., Walker; -- attending legislative business -- Brown, Devlin, Dukes, George, Harper, Messerle, Schrader, Winters. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Father Chester Pruzinski, Portland.

SCR 3, 5 -- Rules suspended by unanimous consent on motion of Clarno in order to proceed to the order of Propositions and Motions.

SCR 3, 5 -- Made a Special Order of Business immediately under final consideration by unanimous consent of motion of Clarno.

SCR 3 A-Eng. -- Under Special Order of Business, read final time. Carried by Carter. On adoption of resolution, the vote was: Ayes, 23; attending legislative business, 7 – Brown, Devlin, Dukes, George, Gordly, Messerle, Winters. Resolution adopted.

SCR 5 A-Eng. -- Under Special Order of Business, read final time. Carried by Clarno. On adoption of resolution, the vote was: Ayes, 23; attending legislative business, 7 – Devlin, Dukes, George, Gordly, Messerle, Schrader, Winters. Resolution adopted.

HB 2258, 2736, 2925 -- Message from the House announcing passage.

SJR 38; SB 170, 171 HJR 4; HB 2130 -- Message from the House announcing the Speaker signed on April 16.

Committee Report Summary No. 61 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

SB 390 -- Report by Committee on Human Resources recommending passage.

SB 471 -- Report by Committee on Transportation and Economic Development

recommending passage with amendments and requesting subsequent referral to Committee on Ways and Means be rescinded. Subsequent referral rescinded by order of the President in agreement with the President Pro Tempore.

HB 2343 -- Report by Committee on General Government recommending passage.

HB 2558 -- Report by Committee on Health Policy recommending passage.

HB 2676 -- Report by Committee on General Government recommending passage of the A-engrossed bill.

HB 3026 -- Report by Committee on General Government recommending passage.

SB 895 -- Introduced, read first time and referred to President's desk.

SB 119, 230, 231, 289, 390, 516, 734, 764 -- Read second time and passed to third reading.

SB 159, 215 -- Carried over to April 18 calendar by unanimous consent at the request of the Chair.

HB 2258, 2736, 2925 -- Read first time and referred to President's desk.

HB 2343, 2558, 2676, 3026 -- Read second time and passed to third reading.

HB 2075, 2161, 2305, 2306, 2307, 2526, 2533, 2634, 2799 -- Carried over to April 18 calendar by unanimous consent at the request of the Chair.

The following measures were referred to committee on April 16 and recorded on Committee Referral List No. 42 which was distributed to members. Referral list recorded in the Journal and Status Report by order of the President.

SB 894 Judiciary; Ways and Means
 HJR 48 Human Resources
 HB 2191 General Government
 HB 2374 Human Resources; Ways and Means
 HB 2594 Judiciary
 HB 2773 General Government
 HB 2908 Business and Labor
 HB 2957 Agriculture and Natural Resources
 HB 3063 Business and Labor
 HB 3068 General Government
 HB 3317 Judiciary
 HB 3351 Judiciary
 HB 3361 Judiciary
 HB 3366 Judiciary
 HB 3372 Judiciary

HJR 4; HB 2130 -- President Courtney signed on April 17.

Senate adjourned until 8:30 a.m. Friday by unanimous consent at the request of the Chair.

Friday, April 18, 2003 -- Morning Session

Senate convened at 8:30 a.m. President Courtney in Chair. The following members were present: Atkinson, Beyer, Brown, Burdick, Carter, Clarno, Corcoran, Deckert, Devlin, Dukes, Ferrioli, Fisher, George, Gordly, Hannon, Harper, Messerle, Metsger, Minnis, Morrisette, Morse, Nelson, Ringo, Schrader, Shields, Starr, B., Starr, C., Walker, Winters. Colors were posted and the Senate pledged allegiance to the flag. Invocation by John Scott, Western Baptist College, Salem.

Committee Report Summary No. 62 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

SB 258 -- Report by Committee on General Government recommending passage with amendments. Referred to Committee on Ways and Means by order of the President in agreement with the President Pro Tempore.

SB 772 -- Report by Committee on Transportation and Economic Development recommending passage with amendments. Referred to Committee on Ways and Means by prior reference.

SB 858 -- Report by Committee on Revenue recommending passage with amendments.

HB 2222 -- Report by Committee on Transportation and Economic Development recommending passage of the A-engrossed bill.

HB 2398 -- Report by Committee on Transportation and Economic Development recommending passage of the A-engrossed bill.

HB 2997 -- Report by Committee on Transportation and Economic Development recommending passage of the A-engrossed bill.

SB 471 -- Read second time and passed to third reading.

SB 159 A-Eng. -- Read third time. Carried by Nelson. On passage of bill the vote was: Ayes, 24; excused, 6 -- George, Harper, Messerle, Schrader, Starr, C., Winters. Bill passed.

SB 215 B-Eng. -- Read third time. Carried by Carter. On passage of bill the vote was: Ayes, 25; nays, 2 -- Corcoran, Ringo; excused, 2 -- Harper, Starr, C.; attending legislative business, 1 -- Brown. Bill passed.

SB 119 A-Eng. -- Read third time. Carried by Clarno. On passage of bill the vote was: Ayes, 25;

excused, 3 -- Harper, Ringo, Starr, C.; attending legislative business, 2 -- Brown, Deckert. Bill passed.

SB 230 A-Eng. -- Read third time. Carried by Hannon. On passage of bill the vote was: Ayes, 22; nays, 2 -- Schrader, Starr, B.; excused, 4 -- Corcoran, Harper, Ringo, Starr, C.; attending legislative business, 2 -- Brown, Deckert. Bill passed.

SB 231 A-Eng. -- Read third time. Carried by Hannon. On passage of bill the vote was: Ayes, 23; excused, 1 -- Starr, C.; attending legislative business, 6 -- Brown, Corcoran, Deckert, Ferrioli, Harper, Ringo. Bill passed.

SB 289 A-Eng. -- Read third time. Carried by Atkinson. On passage of bill the vote was: Ayes, 25; excused, 1 -- Starr, C.; attending legislative business, 4 -- Brown, Corcoran, Deckert, Ferrioli. Bill passed.

SB 390 -- Read third time. Carried by Fisher. On passage of bill the vote was: Ayes, 23; excused, 2 -- Carter, Starr, C.; attending legislative business, 5 -- Brown, Corcoran, Deckert, Ferrioli, Ringo. Bill passed.

SB 516 A-Eng. -- Read third time. Carried by Atkinson. On passage of bill the vote was: Ayes, 23; excused, 2 -- Carter, Starr, C.; attending legislative business, 5 -- Brown, Corcoran, Deckert, Ferrioli, Ringo. Bill passed.

SB 734 A-Eng. -- Read third time. Carried by Nelson. On passage of bill the vote was: Ayes, 22; nays, 1 -- Hannon; excused, 2 -- Carter, Starr, C.; attending legislative business, 5 -- Brown, Corcoran, Deckert, Ferrioli, Ringo. Bill passed.

SB 764 A-Eng. -- Taken from its place on today's third reading calendar and placed on April 21 by unanimous consent.

HB 2222, 2398, 2997 -- Read second time and passed to third reading.

HB 2634 -- Read third time. Carried by Metsger. On passage of bill the vote was: Ayes, 22; excused, 2 -- Carter, Starr, C.; attending legislative business, 6 -- Brown, Corcoran, Deckert, Ferrioli, Nelson, Ringo. Bill passed.

HB 2799 -- Read third time. Carried by Fisher. On passage of bill the vote was: Ayes, 24; excused, 2 -- Carter, Starr, C.; attending legislative business, 4 -- Brown, Corcoran, Deckert, Ferrioli. Bill passed.

HB 2305 B-Eng. -- Read third time. Carried by Ringo. On passage of bill the vote was: Ayes, 24; excused, 2 -- Carter, Starr, C.; attending legislative business, 4 -- Brown, Corcoran, Deckert, Ferrioli. Bill passed.

HB 2306 B-Eng. -- Read third time. Carried by Walker. On passage of bill the vote was: Ayes, 21; nays, 1 -- Schrader; excused, 2 -- Carter, Starr, C.;

attending legislative business, 6 – Brown, Clarno, Corcoran, Deckert, Ferrioli, Ringo. Bill passed.

HB 2307 -- Moved to the foot of today's third reading calendar by unanimous consent at the request of the Chair.

HB 2526 B-Eng. -- Read third time. Carried by Minnis. On passage of bill the vote was: Ayes, 21; nays, 1 – Schrader; excused, 2 – Carter, Starr, C.; attending legislative business, 6 – Brown, Clarno, Corcoran, Deckert, Ferrioli, Ringo. Bill passed.

HB 2075 A-Eng. -- Read third time. Carried by Walker. On passage of bill the vote was: Ayes, 24; nays, 1 – Schrader; excused, 1 – Starr, C.; attending legislative business, 4 – Brown, Corcoran, Ferrioli, Ringo. Bill passed.

HB 2161 -- Read third time. Carried by Beyer. On passage of bill the vote was: Ayes, 23; nays, 2 – Gordly, Schrader; excused, 1 – Starr, C.; attending legislative business, 4 – Brown, Corcoran, Ferrioli, Ringo. Bill passed.

HB 2533 A-Eng. -- Read third time. Carried by Beyer. On passage of bill the vote was: Ayes, 24; nays, 1 – Hannon; excused, 1 – Starr, C.; attending legislative business, 4 – Brown, Corcoran, Ferrioli, Ringo. Bill passed.

HB 2343 -- Read third time. Carried by Starr, B. On passage of bill the vote was: Ayes, 24; nays, 1 – Schrader; excused, 1 – Starr, C.; attending legislative business, 4 – Brown, Corcoran, Ferrioli, Ringo. Bill passed.

HB 2558 -- Read third time. Carried by Walker. On passage of bill the vote was: Ayes, 22; nays, 3 – Hannon, Schrader, Winters; excused, 1 – Starr, C.; attending legislative business, 4 – Brown, Corcoran, Ferrioli, Ringo. Bill passed.

HB 2676 A-Eng. -- Read third time. Carried by Starr, B. On passage of bill the vote was: Ayes, 25; excused, 1 – Starr, C.; attending legislative business, 4 – Brown, Corcoran, Ferrioli, Ringo. Bill passed.

HB 3026 -- Read third time. Carried by Walker. On passage of bill the vote was: Ayes, 24; excused, 1 – Starr, C.; attending legislative business, 5 – Brown, Corcoran, Ferrioli, Gordly, Ringo. Bill passed.

HB 2307 B-Eng. -- Read third time. Carried by Minnis. On passage of bill the vote was: Ayes, 24; excused, 1 – Starr, C.; attending legislative business, 5 – Corcoran, Gordly, Harper, Ringo, Schrader. Bill passed.

Senate adjourned until 10:30 a.m. Monday by unanimous consent at the request of the Chair.

Monday, April 21, 2003 -- Morning Session

Senate convened at 10:30 a.m. Morrisette in Chair. The following members were present: Atkinson, Beyer, Brown, Burdick, Carter, Corcoran, Deckert, Devlin, Ferrioli, Fisher, George, Gordly, Hannon, Harper, Messerle, Metsger, Minnis, Morse, Nelson, Ringo, Schrader, Shields, Starr, B., Starr, C., Walker, Winters, President Courtney; excused -- Clarno, Dukes. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Father Tom Zoebel of the Union Gospel Mission, Salem. Musical performance by Seth Morgan, student at Ardenwald Elementary School, Milwaukie, accompanied by Bill Oliver.

Courtesies of the Senate were extended to former State Representative Tony VanVliet at the request of Morse.

HB 2407, 3261, 3265 -- Message from the House announcing passage.

HCR 3 -- Message from the House announcing adoption.

Committee Report Summary No. 3 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

SB 47 -- Report by Committee on Judiciary recommending passage.

SB 129 -- Report by Committee on Education recommending passage.

SB 194 -- Report by Committee on Judiciary recommending passage and be placed on the Unanimous Consent Calendar.

SB 212 -- Report by Committee on Judiciary recommending passage with amendments.

SB 260 -- Report by Committee on Judiciary recommending passage with amendments.

SB 426 -- Report by Committee on Judiciary recommending passage.

SB 628 -- Report by Committee on Judiciary recommending passage with amendments.

HJM 3 -- Report by Committee on Human Resources recommending adoption.

HJR 16 -- Report by Committee on Education recommending adoption.

HB 2240 -- Report by Committee on Human Resources recommending passage with amendments.

HB 2338 -- Report by Committee on Transportation and Economic Development

recommending passage with amendments to the A-engrossed bill.

HB 2517 -- Report by Committee on Human Resources recommending passage.

HB 2624 -- Report by Committee on General Government without recommendation as to passage and requesting referral to Committee on Business and Labor. Referred to Committee on Business and Labor by order of the President in agreement with the President Pro Tempore.

SB 47, 129, 194, 426, 858 -- Read second time and passed to third reading.

SB 471 A-Eng. -- Read third time. Carried by Metsger. On passage of bill the vote was: Ayes, 21; nays, 5 -- Atkinson, Beyer, George, Hannon, Harper; excused, 3 -- Carter, Clarno, Dukes; attending legislative business, 1 -- Schrader. Bill passed.

SB 764 A-Eng. -- Read third time. Carried by Starr, B. Call of the Senate demanded by Starr, B. joined by Starr, C. and Nelson. All present except Clarno, Dukes, excused; Schrader, attending legislative business. Senate reassembled. On passage of bill the vote was: Ayes, 17; nays, 10 -- Atkinson, Beyer, Carter, George, Hannon, Harper, Minnis, Morse, Walker, Winters; excused, 2 -- Clarno, Dukes; attending legislative business, 1 -- Schrader. Bill passed.

HCR 3; HB 2407, 3261, 3265 -- Read first time and referred to President's desk.

HJM 3; HJR 16; HB 2517 -- Read second time and passed to third reading.

HB 2222 A-Eng. -- Read third time. Carried by Deckert. On passage of bill the vote was: Ayes, 27; excused, 2 -- Clarno, Dukes; attending legislative business, 1 -- Schrader. Bill passed.

HB 2398 A-Eng. -- Read third time. Carried by Fisher. On passage of bill the vote was: Ayes, 27; excused, 2 -- Clarno, Dukes; attending legislative business, 1 -- Schrader. Bill passed.

HB 2997 A-Eng. -- Read third time. Carried by Deckert. On passage of bill the vote was: Ayes, 27; excused, 2 -- Clarno, Dukes; attending legislative business, 1 -- Schrader. Bill passed.

Senate adjourned until 10:30 a.m. Tuesday by unanimous consent at the request of the Chair.

Tuesday, April 22, 2003 -- Morning Session

Senate convened at 10:30 a.m. President Courtney in Chair. The following members were present: Atkinson, Beyer, Brown, Burdick, Clarno, Corcoran, Deckert, Devlin, Dukes, Ferrioli, Fisher, George, Gordly, Hannon, Harper, Messerle, Minnis,

Morrisette, Morse, Nelson, Ringo, Schrader, Shields, Starr, B., Starr, C., Walker, Winters; attending legislative business -- Carter, Metsger. Colors were posted and the Senate pledged allegiance to the flag. Invocation by David Crowe, Lake Oswego.

HB 2034, 2237, 2432, 2811, 2821, 3084, 3094, 3164 -- Message from the House announcing passage.

HB 2305, 2306, 2307, 2526 -- Message from the House announcing concurrence in Senate amendments and repassage.

Committee Report Summary No. 64 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

SB 14 -- Report by Committee on Judiciary recommending passage with amendments.

SB 17 -- Report by Committee on Judiciary recommending passage with amendments.

SB 56 -- Report by Committee on Human Resources recommending passage with amendments and requesting subsequent referral to Committee on Ways and Means be rescinded. Subsequent referral rescinded by order of the President in agreement with the President Pro Tempore.

SB 115 -- Report by Committee on Judiciary recommending passage with amendments.

SB 325 -- Report by Committee on General Government recommending passage with amendments.

SB 391 -- Report by Committee on Revenue recommending passage with amendments.

SB 488 -- Report by Committee on Health Policy recommending passage with amendments. Referred to Committee on Ways and Means by order of the President in agreement with the President Pro Tempore.

SB 499 -- Report by Committee on Water and Land Use recommending passage with amendments and requesting subsequent referral to Committee on Ways and Means be rescinded. Subsequent referral rescinded by order of the President in agreement with the President Pro Tempore.

SB 515 -- Report by Committee on Business and Labor recommending passage with amendments.

SB 617 -- Report by Committee on Judiciary recommending passage with amendments.

SB 618 -- Report by Committee on Judiciary recommending passage with amendments.

SB 710 -- Report by Committee on Business and Labor recommending passage with amendments. Referred to Committee on Ways and Means by prior reference.

SB 720 -- Report by Committee on Revenue recommending passage with amendments and requesting referral to Committee on Ways and Means. Referred to Committee on Ways and Means by order of the President in agreement with the President Pro Tempore.

SB 783 -- Report by Committee on General Government recommending passage with amendments.

SB 807 -- Report by Committee on Revenue recommending passage with amendments.

SB 844 -- Report by Committee on Education recommending passage. Referred to Committee on Ways and Means by prior reference.

SB 876 -- Report by Committee on General Government recommending passage.

SB 882 -- Report by Committee on Judiciary recommending passage with amendments.

HB 2219 -- Report by Committee on Transportation and Economic Development recommending passage.

HB 2252 -- Report by Committee on Transportation and Economic Development recommending passage of the A-engrossed bill.

HB 2333 -- Report by Committee on Business and Labor recommending passage of the A-engrossed bill.

HB 2429 -- Report by Committee on Business and Labor recommending passage.

HB 2439 -- Report by Committee on Business and Labor recommending passage.

HB 2743 -- Report by Committee on General Government recommending passage of the A-engrossed bill

SB 896 -- Introduced, read first time and referred to President's desk.

SB 212, 260, 628, 876 -- Read second time and passed to third reading.

SB 47 -- Read third time. Carried by Burdick. On passage of bill the vote was: Ayes, 26; excused, 2 -- Deckert, George; attending legislative business, 2 -- Carter, Metsger. Bill passed.

SB 129 -- Read third time. Carried by Starr, C. On passage of bill the vote was: Ayes, 23; nays, 4 --

Beyer, Hannon, Harper, Schrader; excused, 1 -- George; attending legislative business, 2 -- Carter, Metsger. Bill passed.

SB 426 -- Read third time. Carried by Burdick. On passage of bill the vote was: Ayes, 28; attending legislative business, 2 -- Carter, Metsger. Bill passed.

SB 858 A-Eng. -- Read third time. Carried by Winters. On passage of bill the vote was: Ayes, 28; attending legislative business, 2 -- Carter, Metsger. Bill passed.

HB 2034, 2237, 2432, 2811, 2821, 3084, 3094, 3164 -- Read first time and referred to President's desk.

HB 2219, 2240, 2252, 2333, 2338, 2429, 2439, 2743 -- Read second time and passed to third reading.

HJM 3 -- Read final time. Carried by Starr, C. On adoption of memorial the vote was: Ayes, 26; nays, 2 -- Corcoran, Schrader; attending legislative business, 2 -- Carter, Metsger. Memorial adopted.

HJR 16 -- Read final time. Carried by Deckert. On adoption of resolution, the vote was: Ayes, 27; attending legislative business, 3 -- Carter, Gordly, Metsger. Resolution adopted.

HB 2517 -- Read third time. Carried by Fisher. On passage of bill the vote was: Ayes, 26; nays, 2 -- Brown, Schrader; attending legislative business, 2 -- Carter, Gordly. Bill passed.

Senate adjourned until 10:30 a.m. Wednesday by unanimous consent at the request of the Chair.

Wednesday, April 23, 2003 -- Morning Session

Senate convened at 10:30 a.m. President Courtney in Chair. The following members were present: Atkinson, Beyer, Brown, Burdick, Carter, Clarno, Corcoran, Deckert, Devlin, Dukes, Ferrioli, Fisher, George, Gordly, Hannon, Harper, Messerle, Metsger, Minnis, Morrisette, Morse, Nelson, Ringo, Schrader, Shields, Starr, B., Starr, C., Walker, Winters. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Steve Witte, Oregon Farm Workers Ministries.

SB 170, 171 -- Message from the House announcing Governor signed April 22.

HB 2019, 2331, 2340, 2416, 2732, 3224, 3339, 3363, 3601 -- Message from the House announcing passage.

HB 2055 -- Message from the House announcing the Speaker signed on April 22.

Committee Report Summary No. 65 listing the following reports was distributed to members today.

Summary list recorded in Journal and Status Report by order of the President.

SB 38 -- Report by Committee on Judiciary recommending passage with amendments.

SB 69 -- Report by Committee on Judiciary recommending passage with amendments.

SB 292 -- Report by Committee on Revenue recommending passage.

SB 308 -- Report by Committee on Judiciary recommending passage with amendments.

SB 332 -- Report by Committee on Judiciary recommending passage with amendments.

SB 348 -- Report by Committee on Judiciary recommending passage with amendments.

SB 457 -- Report by Committee on Rules recommending passage with amendments.

SB 467 -- Report by Committee on Transportation and Economic Development recommending passage with amendments and requesting referral to Committee on Ways and Means. Referred to Committee on Ways and Means by order of the President in agreement with the President Pro Tempore.

SB 553 -- Report by Committee on Judiciary recommending passage with amendments and requesting subsequent referral to Committee on Ways and Means be rescinded. Subsequent referral rescinded by order of the President in agreement with the President Pro Tempore.

SB 564 -- Report by Committee on Judiciary recommending passage with amendments.

SB 711 -- Report by Committee on Business and Labor recommending passage with amendments and requesting subsequent referral to Committee on Ways and Means be rescinded. Subsequent referral rescinded by order of the President in agreement with the President Pro Tempore.

SB 713 -- Report by Committee on Business and Labor recommending passage with amendments and requesting subsequent referral to Committee on Ways and Means be rescinded. Subsequent referral rescinded by order of the President in agreement with the President Pro Tempore.

SB 714 -- Report by Committee on Business and Labor recommending passage with amendments and requesting subsequent referral to Committee on Ways and Means be rescinded. Subsequent referral rescinded by order of the President in agreement with the President Pro Tempore.

SB 715 -- Report by Committee on Business and Labor recommending passage with amendments and

requesting subsequent referral to Committee on Ways and Means be rescinded. Subsequent referral rescinded by order of the President in agreement with the President Pro Tempore.

SB 787 -- Report by Committee on Transportation and Economic Development recommending passage with amendments.

HB 2054 -- Report by Committee on Judiciary recommending passage.

HB 2061 -- Report by Committee on Judiciary recommending passage of the A-engrossed bill.

HB 2087 -- Report by Committee on Judiciary recommending passage.

HB 2269 -- Report by Committee on Judiciary recommending passage of the A-engrossed bill.

HB 2489 -- Report by Committee on Revenue recommending passage of the A-engrossed bill.

HB 2650 -- Report by Committee on Revenue recommending passage of the B-engrossed bill.

HB 3001 -- Report by Committee on Transportation and Economic Development recommending passage of the A-engrossed bill

SB 14, 17, 56, 115, 292, 325, 391, 499, 515, 617, 618, 783, 807, 882 -- Read second time and passed to third reading.

Senate recessed until 11:10 a.m. by unanimous consent on motion of Clarno.

Senate reconvened at 11:10 a.m. President Courtney in Chair. All members present except Carter, excused.

Senate, having recessed under the order of Third Reading of Senate Measures, resumed under the general order of business by unanimous consent at the request of the Chair.

SB 212 A-Eng. -- Read third time. Carried by Starr, C. On passage of bill the vote was: Ayes, 29; excused, 1 – Morrisette. Bill passed.

SB 260 A-Eng. -- Read third time. Carried by Hannon. Hannon declared a potential conflict of interest. On passage of bill the vote was: Ayes, 27; nays, 2 – Beyer, Nelson; excused, 1 – Carter. Bill passed.

SB 628 A-Eng. -- Read third time. Carried by Ringo. On passage of bill the vote was: Ayes, 30. Bill passed.

SB 876 -- Read third time. Carried by Walker. On passage of bill the vote was: Ayes, 29; excused, 1 – Carter. Bill passed.

HB 2019, 2331, 2340, 2416, 2732, 3224, 3339, 3363, 3601 -- Read first time and referred to President's desk.

HB 2054, 2061, 2087, 2269, 2489, 2650, 3001 -- Read second time and passed to third reading.

HB 2219 -- Read third time. Carried by Nelson. On passage of bill the vote was: Ayes, 30. Bill passed.

HB 2240 A-Eng. -- Read third time. Carried by Morrisette. On passage of bill the vote was: Ayes, 29; excused, 1 -- Schrader. Bill passed.

HB 2252 A-Eng. -- Read third time. Carried by Starr, B. On passage of bill the vote was: Ayes, 27; nays, 2 -- Hannon, Schrader; attending legislative business, 1 -- Burdick. Bill passed.

HB 2333 A-Eng. -- Read third time. Carried by Beyer. On passage of bill the vote was: Ayes, 28; attending legislative business, 2 -- Devlin, Winters. Bill passed.

HB 2338 B-Eng. -- Read third time. Carried by Starr, B. On passage of bill the vote was: Ayes, 20; nays, 8 -- Atkinson, Beyer, Clarno, Dukes, Fisher, George, Hannon, Nelson; attending legislative business, 2 -- Devlin, Winters. Bill passed.

HB 2429, 2439, 2743 -- Carried over to April 24 calendar by unanimous consent at the request of the Chair.

The following measures were referred to committee on April 22 and recorded on Committee Referral List No. 43 which was distributed to members. Referral list recorded in the Journal and Status Report by order of the President.

SB 895 Judiciary
HCR 3 Rules
HJM 1 General Government
HJR 42 Rules
HB 2258 Agriculture and Natural Resources
HB 2407 General Government
HB 2450 Education
HB 2736 Judiciary
HB 2925 Business and Labor
HB 3261 Water and Land Use
HB 3265 Water and Land Use

HB 2055 -- President Courtney signed on April 22.

Senate adjourned until 10:00 a.m. Thursday by unanimous consent at the request of the Chair.

Thursday, April 24, 2003 -- Morning Session

Senate convened at 10:00 a.m. President Courtney in Chair. The following members were present: Beyer, Brown, Burdick, Carter, Clarno,

Corcoran, Deckert, Dukes, Ferrioli, Fisher, George, Hannon, Harper, Metsger, Morrisette, Morse, Nelson, Ringo, Schrader, Shields, Starr, B., Starr, C.; excused -- Atkinson, Minnis; attending legislative business -- Devlin, Gordly, Messerle, Walker, Winters. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Bill Neifert of the Union Gospel Mission, Salem. Musical performance by the Dufur School Choir, Dufur.

HB 2043, 2103, 2145, 2168, 2174, 2298, 2383, 2436, 2444, 2521, 2625, 2627 2631, 2670, 2717, 2729, 2733, 2803, 2847, 2877, 3048, 3122, 3145, 3163, 3174, 3183, 3218, 3297, 3313, 3446, 3476, 3508, 3615, -- Message from the House announcing passage.

Committee Report Summary No. 66 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

SB 82 -- Report by Committee on Water and Land Use recommending passage with amendments.

SB 206 -- Report by Committee on Business and Labor recommending passage with amendments.

SB 285 -- Report by Committee on Business and Labor recommending passage.

SB 510 -- Report by Committee on Education recommending passage with amendments.

SB 588 -- Report by Committee on Transportation and Economic Development recommending passage with amendments.

HJR 48 -- Report by Committee on Human Resources recommending adoption.

HB 2047 -- Report by Committee on Judiciary recommending passage of the A-engrossed bill.

HB 2210 -- Report by Committee on Business and Labor recommending passage.

HB 2245 -- Report by Committee on Business and Labor recommending passage.

HB 2564 -- Report by Committee on Business and Labor recommending passage of the A-engrossed bill.

HB 2623 -- Report by Committee on Business and Labor recommending passage of the A-engrossed bill.

HB 2639 -- Report by Committee on Business and Labor recommending passage of the A-engrossed bill.

HB 2996 -- Report by Committee on Human Resources recommending passage.

SB 515 -- Taken from its place on today's third reading calendar and placed on April 28 calendar by voice vote on motion of Nelson.

SB 38, 69, 285, 308, 332, 348, 457, 553, 564, 711, 713, 714, 715, 787 -- Read second time and passed to third reading.

Senate recessed until 10:45 a.m. by unanimous consent on motion of Clarno.

Senate reconvened at 10:45 a.m. President Courtney in Chair. All present except Atkinson, Minnis, excused; Messerle, Starr, B., Walker, Winters, attending legislative business.

Senate, having recessed under the order of Third Reading of Senate Measures, resumed under that order by unanimous consent at the request of the Chair.

SB 14 A-Eng. -- Read third time. Carried by Ferrioli. On passage of bill the vote was: Ayes, 23; nays, 2 -- Devlin, Schrader; excused, 2 -- Atkinson, Minnis; attending legislative business, 3 -- Starr, B., Walker, Winters. Bill passed.

SB 17 A-Eng. -- Read third time. Carried by Starr, C. On passage of bill the vote was: Ayes, 25; excused, 2 -- Atkinson, Minnis; attending legislative business, 3 -- Starr, B., Walker, Winters. Bill passed.

SB 56 A-Eng. -- Read third time. Carried by Morrisette. On passage of bill the vote was: Ayes, 20; nays, 5 -- Beyer, Harper, Morse, Schrader, Shields; excused, 2 -- Atkinson, Minnis; attending legislative business, 3 -- Starr, B., Walker, Winters. Bill passed. (Hannon in Chair)

SB 115 A-Eng. -- Read third time. Carried by Burdick. On passage of bill the vote was: Ayes, 24; nays, 1 -- George; excused, 2 -- Atkinson, Minnis; attending legislative business, 3 -- Starr, B., Walker, Winters. Bill passed.

SB 292 -- Read third time. Carried by Ferrioli. On passage of bill the vote was: Ayes, 21; nays, 3 -- Gordly, Hannon, Shields; excused, 2 -- Atkinson, Minnis; attending legislative business, 4 -- Carter, Starr, B., Walker, Winters. Bill passed.

SB 325 A-Eng. -- Read third time. Carried by Corcoran. On passage of bill the vote was: Ayes, 23; nays, 2 -- Hannon, Schrader; excused, 2 -- Atkinson, Minnis; attending legislative business, 3 -- Starr, B., Walker, Winters. Bill passed.

SB 391 A-Eng. -- Read third time. Carried by Shields. On passage of bill the vote was: Ayes, 24; nays, 1 -- Dukes; excused, 2 -- Atkinson, Minnis; attending legislative business, 3 -- Starr, B., Walker, Winters. Bill passed.

SB 499 A-Eng. -- Read third time. Carried by Messerle. On passage of bill the vote was: Ayes, 22;

nays, 2 -- Schrader, Shields; excused, 3 -- Atkinson, Carter, Minnis; attending legislative business, 3 -- Starr, B., Walker, Winters. Bill passed.

SB 617 A-Eng. -- Read third time. Carried by Ferrioli. On passage of bill the vote was: Ayes, 23; nays, 2 -- Carter, Shields; excused, 2 -- Atkinson, Minnis; attending legislative business, 3 -- Starr, B., Walker, Winters. Bill passed.

SB 618 A-Eng. -- Read third time. Carried by Ringo. On passage of bill the vote was: Ayes, 24; nays, 1 -- Gordly; excused, 2 -- Atkinson, Minnis; attending legislative business, 3 -- Starr, B., Walker, Winters. Bill passed.

SB 783 -- Taken from its place on today's third reading calendar and placed on April 28 calendar by voice vote on motion of Burdick.

SB 807 A-Eng. -- Read third time. Carried by Ferrioli. On passage of bill the vote was: Ayes, 25; excused, 2 -- Atkinson, Minnis; attending legislative business, 3 -- Starr, B., Walker, Winters. Bill passed.

SB 882 A-Eng. -- Read third time. Carried by Ferrioli. On passage of bill the vote was: Ayes, 25; excused, 2 -- Atkinson, Minnis; attending legislative business, 2 -- Starr, B., Walker, Winters. Bill passed.

HB 2043, 2103, 2168, 2174, 2298, 2383, 2436, 2444, 2521, 2625, 2627, 2631, 2670, 2717, 2729, 2733, 2803, 2847, 2877, 3048, 3122, 3145, 3163, 3174, 3183, 3218, 3297, 3313, 3446, 3476, 3508, 3615 -- Read first time and referred to President's desk.

HB 2145 -- Read first time and referred to Committee on Ways and Means.

HJR 48; HB 2047, 2210, 2245, 2564, 2623, 2639, 2996 -- Read second time and passed to third reading.

HB 2429 -- Read third time. Carried by Metsger. On passage of bill the vote was: Ayes, 23; nays, 1 -- Schrader; excused, 3 -- Atkinson, Gordly, Minnis; attending legislative business, 3 -- Starr, B., Walker, Winters. Bill passed.

HB 2439 -- Read third time. Carried by Nelson. On passage of bill the vote was: Ayes, 22; nays, 2 -- Hannon, Schrader; excused, 3 -- Atkinson, Gordly, Minnis; attending legislative business, 3 -- Starr, B., Walker, Winters. Bill passed.

HB 2743 -- Read third time. Rereferred to Committee on General Government by voice vote on motion of Corcoran.

HB 2054 -- Read third time. Carried by Starr, C. On passage of bill the vote was: Ayes, 25; excused, 2 -- Atkinson, Minnis; attending legislative business, 3 -- Starr, B., Walker, Winters. Bill passed.

HB 2061 A-Eng. -- Read third time. Carried by Ringo. On passage of bill the vote was: Ayes, 25;

excused, 2 – Atkinson, Minnis; attending legislative business, 3 – Starr, B., Walker, Winters. Bill passed.

HB 2087 -- Read third time. Carried by Burdick. On passage of bill the vote was: Ayes, 24; nays, 1 – Schrader; excused, 2 – Atkinson, Minnis; attending legislative business, 3 – Starr, B., Walker, Winters. Bill passed.

HB 2269 A-Eng. -- Read third time. Carried by Ringo. On passage of bill the vote was: Ayes, 25; excused, 2 – Atkinson, Minnis; attending legislative business, 3 – Starr, B., Walker, Winters. Bill passed.

HB 2489 A-Eng. -- Read third time. Carried by Ferrioli. On passage of bill the vote was: Ayes, 25; excused, 2 – Atkinson, Minnis; attending legislative business, 3 – Starr, B., Walker, Winters. Bill passed.

HB 2650 B-Eng. -- Read third time. Carried by Ringo. On passage of bill the vote was: Ayes, 25; excused, 2 – Atkinson, Minnis; attending legislative business, 3 – Starr, B., Walker, Winters. Bill passed.

HB 3001 A-Eng. -- Read third time. Carried by Metsger. On passage of bill the vote was: Ayes, 25; excused, 2 – Atkinson, Minnis; attending legislative business, 3 – Starr, B., Walker, Winters. Bill passed. (President Courtney in Chair)

HB 2489 A-Eng. -- Read third time. Carried by Ferrioli. On passage of bill the vote was: Ayes, 25; excused, 2 – Atkinson, Minnis; attending legislative business, 3 – Starr, B., Walker, Winters. Bill passed.

HB 2650 B-Eng. -- Read third time. Carried by Ringo. On passage of bill the vote was: Ayes, 25; excused, 2 – Atkinson, Minnis; attending legislative business, 3 – Starr, B., Walker, Winters. Bill passed.

HB 3001 A-Eng. -- Read third time. Carried by Metsger. On passage of bill the vote was: Ayes, 25; excused, 2 – Atkinson, Minnis; attending legislative business, 3 – Starr, B., Walker, Winters. Bill passed.

SB 194 -- Unanimous Consent Calendar. Taken from its place on today's Unanimous Consent Calendar and placed on April 28 calendar by unanimous consent at the request of the Chair.

Senate adjourned until 10:30 a.m. Monday by unanimous consent at the request of the Chair.

Monday, April 28, 2003 -- Morning Session

Senate convened at 10:30 a.m. Metsger in Chair. The following members were present: Atkinson, Beyer, Brown, Burdick, Clarno, Corcoran, Deckert, Devlin, Dukes, Ferrioli, Fisher, Gordly; Harper, Messerle, Minnis, Morrisette, Ringo, Schrader, Starr, B., Starr, C., Walker, Winters, President Courtney; excused – Nelson; attending legislative business – Carter, George, Hannon, Morse, Shields. Colors were posted and the Senate pledged allegiance to the flag.

Invocation by Senator Charles Starr, Hillsboro. Musical performance by South Eugene High School a cappella choir, Eugene.

HB 2369, 2725, 2945, 2961, 2965, 3159 -- Message from the House announcing passage.

Committee Report Summary No. 67 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

SB 124 -- Report by Committee on Education recommending passage with amendments and requesting subsequent referral to Committee on Ways and Means be rescinded. Subsequent referral rescinded by order of the President in agreement with the President Pro Tempore.

SB 356 -- Report by Committee on Judiciary recommending passage with amendments and requesting subsequent referral to Committee on Ways and Means be rescinded. Subsequent referral rescinded by order of the President in agreement with the President Pro Tempore.

SB 372 -- Report by Committee on Education recommending passage with amendments and requesting subsequent referral to Committee on Ways and Means be rescinded. Subsequent referral rescinded by order of the President in agreement with the President Pro Tempore.

SB 456 -- Report by Committee on Education recommending passage with amendments and requesting subsequent referral to Committee on Ways and Means be rescinded. Subsequent referral rescinded by order of the President in agreement with the President Pro Tempore.

SB 470 -- Report by Committee on Human Resources recommending passage with amendments.

SB 508 -- Report by Committee on Transportation and Economic Development recommending passage with amendments and requesting subsequent referral to Committee on Ways and Means be rescinded. Subsequent referral rescinded by order of the President in agreement with the President Pro Tempore.

SB 611 -- Report by Committee on Judiciary recommending passage with amendments.

SB 771 -- Report by Committee on Transportation and Economic Development recommending passage with amendments and requesting subsequent referral to Committee on Ways and Means be rescinded. Subsequent referral rescinded by order of the President in agreement with the President Pro Tempore.

SB 819 -- Report by Committee on Revenue recommending passage with amendments.

HB 2091 -- Report by Committee on Judiciary recommending passage of the A-engrossed bill.

HB 2145 -- Report by Committee on Ways and Means recommending passage of the B-engrossed bill.

HB 2274 -- Report by Committee on Judiciary recommending passage of the A-engrossed bill.

HB 2374 -- Report by Committee on Human Resources recommending passage of the A-engrossed bill and requesting subsequent referral to Committee on Ways and Means be rescinded. Subsequent referral rescinded by order of the President in agreement with the President Pro Tempore.

HB 2456 -- Report by Committee on Water and Land Use recommending passage of the A-engrossed bill.

HB 2475 -- Report by Committee on Water and Land Use recommending passage.

HB 2542 -- Report by Committee on Transportation and Economic Development recommending passage of the A-engrossed bill.

HB 2573 -- Report by Committee on Transportation and Economic Development recommending passage.

HB 2674 -- Report by Committee on Water and Land Use recommending passage.

HB 3123 -- Report by Committee on Agriculture and Natural Resources recommending passage.

SB 285, 711, 713, 714, 715; HB 2245, 2623 -- Taken from their places on today's third reading calendar and placed on April 29 calendar by voice vote on motion of Walker.

HB 2145 -- Rules suspended by unanimous consent in order to consider bill under second and third reading immediately on motion of Winters.

HB 2145 -- Under rules suspension, read second time.

HB 2145 B-Eng. -- Under rules suspension, read third time. Carried by Winters. On passage of bill the vote was: Ayes, 25; excused, 1—Devlin; attending legislative business, 4—George, Hannon, Nelson, Shields. Bill passed.

SB 897 -- Introduced, read first time and referred to President's desk.

SB 82, 206, 510, 588 -- Read second time and passed to third reading.

SB 38 A-Eng. -- Read third time. Carried by Walker. On passage of bill the vote was: Ayes, 25;

excused, 1 – Devlin; attending legislative business, 4 – George, Hannon, Nelson, Shields. Bill passed.

SB 69 A-Eng. -- Read third time. Carried by Walker. On passage of bill the vote was: Ayes, 25; excused, 2 – Devlin, Nelson; attending legislative business, 3 – George, Hannon, Shields. Bill passed.

SB 308 A-Eng. -- Read third time. Carried by Ferrioli. On passage of bill the vote was: Ayes, 25; excused, 2 – Devlin, Nelson; attending legislative business, 3 – George, Hannon, Shields. Bill passed.

SB 332 A-Eng. -- Read third time. Carried by Ringo. On passage of bill the vote was: Ayes, 24; excused, 2 – Devlin, Nelson; attending legislative business, 4 – George, Hannon, Shields, Starr, B. Bill passed. (President Courtney in Chair)

SB 348 A-Eng. -- Read third time. Carried by Metsger. On passage of bill the vote was: Ayes, 25; excused, 2 – Devlin, Nelson; attending legislative business, 3 – Hannon, Shields, Starr, B. Bill passed. (Metsger in Chair)

SB 457 -- Moved to the foot of today's third reading calendar by unanimous consent at the request of the chair.

SB 515 A-Eng. -- Read third time. Carried by Walker. On passage of bill the vote was: Ayes, 24; excused, 2 – Devlin, Nelson; attending legislative business, 4 – Hannon, Ringo, Shields, Starr, B. Bill passed.

SB 553 -- Read third time. Carried by Walker. Bill failed, the vote was: Ayes, 13; nays, 11 – Atkinson, Beyer, Brown, Carter, Clarno, Dukes, Fisher, George, Minnis, Morse, Schrader; excused, 2 – Devlin, Nelson; attending legislative business, 4 – Hannon, Ringo, Shields, Starr, B. Bill failed.

SB 553 -- Brown, having voted on the prevailing side, served notice of possible reconsideration and moved for immediate reconsideration.

SB 553 -- Pursuant to notice given today, Brown moved that the vote whereby bill failed to pass the Senate be reconsidered. Motion to reconsider vote carried on voice vote. Rereferred to Committee on Judiciary by voice vote on motion of Minnis.

SB 457, 564, 783, 787 -- Carried over to April 29 calendar by unanimous consent at the request of the chair.

HB 2369, 2725, 2945, 2961, 2965, 3159 -- Read first time and referred to President's desk.

HB 2091, 2274, 2374, 2456, 2475, 2542, 2573, 2674, 3123 -- Read second time and passed to third reading.

HJR 48; HB 2047, 2210, 2564, 2639, 2996 -- Carried over to April 29 calendar by unanimous consent at the request of the Chair.

SB 194 -- Unanimous Consent Calendar. Taken from its place on today's Unanimous Consent Calendar and placed on April 29 calendar by unanimous consent at the request of the Chair.

The following measures were referred to committee on April 24 and recorded on Committee Referral List No. 44 which was distributed to members. Referral list recorded in the Journal and Status Report by order of the President.

SB 896 Business and Labor
 HB 2019 Business and Labor
 HB 2034 Judiciary
 HB 2145 Ways and Means
 HB 2237 General Government
 HB 2331 Business and Labor
 HB 2340 Ways and Means
 HB 2416 Agriculture and Natural Resources
 HB 2432 Transportation and Economic Development
 HB 2732 Judiciary
 HB 2811 Judiciary
 HB 2821 Judiciary
 HB 3084 Water and Land Use
 HB 3094 Agriculture and Natural Resources
 HB 3164 Transportation and Economic Development
 HB 3224 Revenue
 HB 3339 Judiciary
 HB 3363 Judiciary
 HB 3601 Business and Labor

Senate adjourned until 10:30 a.m. Tuesday by unanimous consent at the request of the Chair.

Tuesday, April 29, 2003 -- Morning Session

Senate convened at 10:30 a.m. President Courtney in Chair. The following members were present: Atkinson, Beyer, Brown, Burdick, Carter, Clarno, Corcoran, Deckert, Devlin, Dukes, Ferrioli, Fisher, George, Gordly, Hannon, Harper, Messerle, Metsger, Minnis, Morrisette, Morse, Nelson, Ringo, Schrader, Shields, Starr, B., Starr, C., Walker; Winters. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Chaplain Frank Carpenter of Capitol Ministries, Hillsboro. Musical performance by K-4 Strings, Forest Grove.

HB 2324, 2661, 2843, 3060, 3072, 3144, 3196, 3206, 3212, 3272, 3316, 3422 -- Message from the House announcing passage.

HB 2238, 2240 -- Message from the House announcing concurrence in Senate amendments and repassage.

HB 2145 -- Message from the House announcing Speaker signed on April 29.

Committee Report Summary No. 68 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

SB 207 -- Report by Committee on Business and Labor recommending passage with amendments.

SB 362 -- Report by Committee on Revenue recommending passage with amendments.

SB 595 -- Report by Committee on Agriculture and Natural Resources without recommendation as to passage, but with amendments. Referred to Committee on Ways and Means by prior reference.

SB 596 -- Report by Committee on Transportation and Economic Development recommending passage with amendments.

SB 661 -- Report by Committee on Transportation and Economic Development recommending passage with amendments.

SB 663 -- Report by Committee on Transportation and Economic Development recommending passage with amendments.

SB 723 -- Report by Committee on Health Policy recommending passage with amendments.

SB 850 -- Report by Committee on Education recommending passage with amendments. Referred to Committee on Ways and Means by prior reference.

HB 2029 -- Report by Committee on Revenue recommending passage.

HB 2163 -- Report by Committee on Business and Labor recommending passage with amendments.

HB 2642 -- Report by Committee on Health Policy recommending passage of the A-engrossed bill.

SJM 6 -- Introduced, read first time and referred to President's desk.

SB 124, 356, 372, 456, 470, 508, 611, 771, 819 -- Read second time and passed to third reading.

Senate recessed until 11:15 a.m. by unanimous consent on motion of Clarno.

Senate, having recessed under the order of Third Reading of Senate Measures, resumed under that order by unanimous consent at the request of the Chair.

SB 457 A-Eng. -- Read third time. Carried by Devlin. On passage of bill the vote was: Ayes, 26; nays, 4 -- Carter, George, Hannon, Schrader. Bill passed.

SB 564 A-Eng. -- Read third time. Carried by Atkinson. On passage of bill the vote was: Ayes, 30. Bill passed.

SB 783 -- Bill read. Taken from its place on today's third reading calendar and placed on April 30 calendar by unanimous consent on motion of Burdick.

SB 787 A-Eng. -- Read third time. Carried by Starr, B. On passage of bill the vote was: Ayes, 26; nays, 4 – Beyer, Corcoran, Hannon, Schrader. Bill passed.

SB 82 A-Eng. -- Read third time. Carried by Messerle. On passage of bill the vote was: Ayes, 29; attending legislative business, 1 – Clarno. Bill passed.

SB 206 A-Eng. -- Read third time. Carried by Metsger. On passage of bill the vote was: Ayes, 29; attending legislative business, 1 – Clarno. Bill passed.

SB 285 -- Read third time. Taken from its place on today's third reading calendar and placed on April 30 calendar by unanimous consent on motion of Nelson.

SB 510 -- Read third time. Taken from its place on today's third reading calendar and placed on April 30 calendar by unanimous consent on motion of Starr, C.

SB 588 A-Eng. -- Read third time. Carried by Starr, B. On passage of bill the vote was: Ayes, 28; nays, 1 – Schrader; attending legislative business, 1 – Clarno. Bill passed.

SB 711 A-Eng. -- Read third time. Carried by Nelson. On passage of bill the vote was: Ayes, 30. Bill passed.

SB 713 A-Eng. -- Read third time. Carried by Nelson. On passage of bill the vote was: Ayes, 30. Bill passed.

SB 714 A-Eng. -- Read third time. Carried by Nelson. On passage of bill the vote was: Ayes, 26; nays, 3 – George, Hannon, Schrader; excused, 1 – Deckert. Bill passed.

SB 714 -- Schrader requested the following explanation of vote be entered into the journal:

"I agree with Senator Hannon that there is a potential for increased costs. This bill should be routed to Ways and Means. While statewide collaborative approach is important, understanding the full fiscal impact is also important."

SB 715 A-Eng. -- Read third time. Carried by Nelson. On passage of bill the vote was: Ayes, 28; nays, 1 – Hannon; excused, 1 – Messerle. Bill passed.

HB 2324, 2661, 2843, 3060, 3072, 3144, 3196, 3206, 3212, 3272, 3316, 3422 -- Read first time and referred to President's desk.

HB 2029, 2642 -- Read second time and passed to third reading.

HJR 48 -- Read final time. Carried by Morrisette. On adoption of the resolution, the vote was: Ayes, 27; nays, 3 – Corcoran, Hannon, Schrader. Resolution adopted.

HB 2047, 2091, 2210, 2245, 2274, 2374, 2456, 2475, 2542, 2564, 2573, 2623, 2639, 2674, 2996, 3123 - - Carried over to April 30 calendar by unanimous consent at the request of the Chair.

SB 194 -- Unanimous Consent Calendar. Taken from its place on today's Unanimous Consent Calendar and placed on April 30 calendar by unanimous consent at the request of the Chair.

HB 2145 -- President Courtney signed on April 29.

Senate adjourned until 10:30 a.m. Wednesday by unanimous consent at the request of the Chair.

Wednesday, April 30, 2003 -- Morning Session

Senate convened at 10:30 a.m. Fisher in Chair. The following members were present: Atkinson, Beyer, Brown, Burdick, Carter, Clarno Corcoran, Deckert, Devlin, Dukes, Ferrioli, George, Gordly, Hannon, Harper, Messerle, Metsger, Minnis, Morrisette, Morse, Nelson, Ringo, Schrader, Shields, Starr, B., Starr, C., Walker, Winters, President Courtney. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Don Livesay, President of the Oregon Conference of the Seventh-Day Adventist Church. Musical performance by The Windjammers from Lake Oswego High School.

HB 2069, 2148, 2235, 2238, 2279, 2344, 2915, 3061 -- Message from the House announcing passage.

Committee Report Summary No. 69 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

SB 258 -- Report by Committee on Ways and Means recommending passage of the A-grossed bill.

SB 563 -- Report by Committee on Business and Labor recommending passage with amendments.

SB 603 -- Report by Committee on Business and Labor recommending passage with amendments.

SB 747 -- Report by Committee on Revenue recommending passage and requesting referral to Committee on Ways and Means. Referred to Committee on Ways and Means by order of the

President in agreement with the President Pro Tempore.

SB 849 -- Report by Committee on Education recommending passage with amendments and requesting referral to Committee on Ways and Means. Referred to Committee on Ways and Means by order of the President in agreement with the President Pro Tempore.

SB 890 -- Report by Committee on Transportation and Economic Development recommending passage. Referred to Committee on Ways and Means by prior reference.

HB 2004 -- Report by Committee on Ways and Means recommending passage with amendments to the B-engrossed bill.

HB 2021 -- Report by Committee on Human Resources recommending passage with amendments.

HB 2115 -- Report by Committee on Judiciary recommending passage of the A-engrossed bill.

HB 2119 -- Report by Committee on Judiciary recommending passage.

HB 2272 -- Report by Committee on Judiciary recommending passage with amendments to the A-engrossed bill.

HB 2283 -- Report by Committee on Revenue recommending passage.

HB 2339 -- Report by Committee on Revenue recommending passage.

HB 2389 -- Report by Committee on Business and Labor recommending passage of the A-engrossed bill.

HB 2450 -- Report by Committee on Education recommending passage with amendments to the A-engrossed bill.

HB 2454 -- Report by Committee on Revenue recommending passage of the A-engrossed bill.

HB 2474 -- Report by Committee on Business and Labor recommending passage with amendments.

HB 2691 -- Report by Committee on Transportation and Economic Development recommending passage with amendments to the A-engrossed bill.

HB 2784 -- Report by Committee on Judiciary recommending passage.

HB 2853 -- Report by Committee on Transportation and Economic Development recommending passage of the A-engrossed bill.

HB 3014 -- Report by Committee on Transportation and Economic Development recommending passage.

HB 3063 -- Report by Committee on Business and Labor recommending passage with amendments to the A-engrossed bill.

HB 3151 -- Report by Committee on Transportation and Economic Development recommending passage.

HB 3581 -- Report by Committee on General Government recommending passage of the A-engrossed bill.

SB 456 -- Rereferred to Committee on Education by voice vote on motion of Morrisette.

SB 510 -- Rereferred to Committee on Education by voice vote on motion of Starr, C.

SB 207, 258, 362, 596, 661, 663, 723 -- Read second time and passed to third reading.

SB 124 A-Eng. -- Read third time. Carried by Ferrioli. On passage of bill the vote was: Ayes, 24; nays, 6 – Brown, Burdick, Corcoran, Hannon, Shields, Walker. Bill passed.

SB 285 -- Read third time. Carried by Nelson. On passage of bill the vote was: Ayes, 23; nays, 7 – Brown, Carter, Corcoran, Dukes, Hannon, Morrisette, Shields. Morrisette granted unanimous consent to change vote from aye to nay. Bill passed.

SB 356 -- Read third time. Taken from its place on today's third reading calendar and placed on May 2 calendar by voice vote on motion of Corcoran.

SB 372 A-Eng. -- Read third time. Carried by Ferrioli, Starr, C. On passage of bill the vote was: Ayes, 25; nays, 3 – Hannon, Ringo, Schrader; excused, 1 – Starr, B.; attending legislative business, 1 – Corcoran. Bill passed. (President Courtney in Chair)

SB 470 A-Eng. -- Read third time. Carried by Fisher. On passage of bill the vote was: Ayes, 29; attending legislative business, 1 – Corcoran. Bill passed.

SB 508 A-Eng. -- Read third time. Carried by Metsger. On passage of bill the vote was: Ayes, 27; nays, 2 – Hannon, Schrader; attending legislative business, 1 – Corcoran. Bill passed. (Fisher in Chair)

SB 611 A-Eng. -- Read third time. Carried by Ringo. On passage of bill the vote was: Ayes, 28; nays, 1 – Hannon; attending legislative business, 1 – Burdick. Bill passed.

SB 771 A-Eng. -- Read third time. Carried by Starr, B. On passage of bill the vote was: Ayes, 23; nays, 5 – Corcoran, Deckert, Hannon, Shields,

Walker; excused, 1 – Carter; attending legislative business, 1 – Winters. Bill passed.

SB 783 A-Eng. -- Bill read. Carried by Burdick. Call of the Senate demanded by Burdick joined by George and Dukes. All present except Deckert, absent; Starr, C., Winters attending legislative business. Pending arrival of members subject to the Call, Senate at ease. All members subject to the Call arrived. Further proceedings under the Call terminated by unanimous consent at the request of the Chair. All present except Starr, C., Winters attending legislative business. Senate reassembled. On passage of bill the vote was: Ayes, 22; nays, 6 – Beyer, Clarno, Fisher, Hannon, Messerle, Morse; attending legislative business, 2 – Starr, C., Winters. Bill passed.

SB 819 A-Eng. -- Read third time. Carried by Devlin. On passage of bill the vote was: Ayes, 26; nays, 2 – Beyer, Schrader; attending legislative business, 2 – Starr, C., Winters. Bill passed.

SB 819 -- Schrader requested the following explanation of vote be entered into the journal:

“SB 819 has good intentions but has had indirect consequences and is illegal.

The courts have decreed that all Oregon students should get the same quality education. That has been interpreted equal dollars per weighted student. That was all districts and their students rich and poor, urban and rural are given equal opportunities to excel and advance in Oregon society.

A small deviation from this is allowed already. Expanding the local option we currently have begins to create greater and greater inequities and more haves and have-nots. I believe every student should have equal opportunity. Those districts with rich tax base rural and distressed parts of our state continue to languish.

What we really need is statewide tax reform that includes a dedicated source of funding for our K-12 children. All of our children should be able to benefit from a raised revenue bar for the entire state not just a privileged few.

One Oregon for all.”

HB 2069, 2148, 2235, 2238, 2279, 2344, 2915, 3061 -- Read first time and referred to President's desk.

HB 2115, 2119, 2163, 2283, 2339, 2389, 2454, 2784, 2853, 3014, 3151, 3581 -- Read second time and passed to third reading.

HB 2029, 2047, 2091, 2210, 2245, 2274, 2374, 2456, 2475, 2542, 2564, 2573, 2623, 2639, 2642, 2674, 2996, 3123 -- Carried over to May 1 calendar by unanimous consent at the request of the Chair.

SB 194 -- Unanimous Consent Calendar. Taken from its place on today's Unanimous Consent Calendar and placed on May 1 calendar by unanimous consent at the request of the Chair.

Senate adjourned until 10:30 a.m. Thursday by unanimous consent at the request of the Chair.

Thursday, May 1, 2003 -- Morning Session

Senate convened at 10:30 a.m. President Courtney in Chair. The following members were present: Atkinson, Beyer, Brown, Burdick, Clarno, Corcoran, Deckert, Devlin, Dukes, Ferrioli, Fisher, George, Hannon, Harper, Metsger, Minnis, Morrisette, Morse, Nelson, Ringo, Schrader, Shields; Starr, B., Starr, C., Walker, Winters; attending legislative business -- Carter, Gordly, Messerle. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Senator Bill Fisher, Roseburg. Musical performance by Bush Elementary Marimba Band, Salem.

SB 403, 404, 648; HB 2278, 2388, 2410, 2455, 2581, 2658, 2664, 2694, 2711, 2744, 2765, 2785, 2881, 2939, 3152, 3157, 3172, 3187, 3245, 3264, 3318, 3609, 3613 -- Message from the House announcing passage.

Committee Report Summary No. 70 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

SB 103 -- Report by Committee on Business and Labor recommending passage with amendments. Referred to Judiciary by prior reference.

SB 190 -- Report by Committee on Transportation and Economic Development recommending passage with amendments. Referred to Committee on Ways and Means by prior reference.

SB 448 -- Report by Committee on Transportation and Economic Development recommending passage with amendments and requesting subsequent referral to Committee on Ways and Means be rescinded. Request denied by order of the President in agreement with the President Pro Tempore. Referred to Committee on Ways and Means by prior reference.

HB 2050 -- Report by Committee on Judiciary recommending passage with amendments to the A-engrossed bill.

HB 2262 -- Report by Committee on Judiciary recommending passage.

HB 2277 -- Report by Committee on Judiciary recommending passage.

HB 2314 -- Report by Committee on Judiciary recommending passage and be placed on the Unanimous Consent Calendar.

HB 2316 -- Report by Committee on Judiciary recommending passage and be placed on the Unanimous Consent Calendar.

HB 2319 -- Report by Committee on Judiciary recommending passage and be placed on the Unanimous Consent Calendar.

HB 2322 -- Report by Committee on Judiciary recommending passage and be placed on the Unanimous Consent Calendar.

HB 2401 -- Report by Committee on General Government recommending passage.

HB 2645 -- Report by Committee on Judiciary recommending passage.

HB 2818 -- Report by Committee on General Government recommending passage with amendments.

HB 3375 -- Report by Committee on Water and Land Use recommending passage.

HB 2004 -- Made a Special Order of Business at the head of May 2 third reading calendar by unanimous consent on motion of Corcoran.

SB 563, 603 -- Read second time and passed to third reading.

SB 207 A-Eng. -- Read third time. Carried by Metsger. On passage of bill the vote was: Ayes, 26; nays, 1 – Hannon; attending legislative business, 3 – Carter, Gordly, Messerle. Bill passed.

SB 258 A-Eng. -- Read third time. Carried by Ferrioli. On passage of bill the vote was: Ayes, 27; attending legislative business, 3 – Carter, Gordly, Messerle. Bill passed.

SB 362 A-Eng. -- Read third time. Carried by Deckert. Call of the Senate demanded by Deckert joined by Brown and Schrader. All members subject to the Call present except Carter, Gordly, Messerle, attending legislative business. On passage of bill the vote was: Ayes, 21; nays, 6 – Burdick, Corcoran, Fisher, Hannon, Morrisette, Shields; attending legislative business, 3 – Carter, Gordly, Messerle. Bill passed.

SB 596 A-Eng. -- Read third time. Carried by Dukes. On passage of bill the vote was: Ayes, 25; excused, 2 – Clarno, Ringo; attending legislative business, 3 – Carter, Gordly, Messerle. Bill passed.

SB 661 A-Eng. -- Read third time. Carried by Starr, B. On passage of bill the vote was: Ayes, 26; excused, 1 – Ringo; attending legislative business, 3 – Carter, Gordly, Messerle. Bill passed.

SB 663 A-Eng. -- Read third time. Carried by Starr, B. On passage of bill the vote was: Ayes, 24; nays, 2 – Hannon, Schrader; excused, 1 – Ringo; attending legislative business, 3 – Carter, Gordly, Messerle. Bill passed.

SB 723 A-Eng. -- Read third time. Carried by Morrisette. On passage of bill the vote was: Ayes, 27; nays, 1 – Hannon; attending legislative business, 2 – Carter, Gordly. Bill passed.

HB 2278, 2388, 2410, 2455, 2581, 2658, 2664, 2694, 2711, 2744, 2765, 2785, 2881, 2939, 3152, 3157, 3172, 3187, 3245, 3264, 3318, 3609, 3613 -- Read first time and referred to President's desk.

HB 2004, 2021, 2262, 2272, 2277, 2314, 2316, 2319, 2322, 2401, 2450, 2474, 2645, 2691, 3063, 3375 -- Read second time and passed to third reading.

HB 2047 -- Read third time. Carried by Minnis. On passage of bill the vote was: Ayes, 27; nays, 1 – Hannon; attending legislative business, 2 – Brown, Carter. Bill passed.

HB 2210 -- Read third time. Carried by Walker. On passage of bill the vote was: Ayes, 28; attending legislative business, 2 – Brown, Carter. Bill passed.

HB 2564 A-Eng. -- Read third time. Carried by Beyer. On passage of bill the vote was: Ayes, 28; attending legislative business, 2 – Brown, Carter. Bill passed.

HB 2639 A-Eng. -- Read third time. Carried by Walker. On passage of bill the vote was: Ayes, 26; nays, 1 – Hannon; excused, 1 – Clarno; attending legislative business, 2 – Brown, Carter. Bill passed.

HB 2996 -- Read third time. Carried by Burdick. On passage of bill the vote was: Ayes, 27; excused, 1 – Clarno; attending legislative business, 2 – Brown, Carter. Bill passed.

HB 2091 A-Eng. -- Read third time. Carried by Gordly. On passage of bill the vote was: Ayes, 25; nays, 1 – Hannon; excused, 1 – Clarno; attending legislative business, 3 – Brown, Carter, Schrader. Bill passed.

HB 2245 -- Read third time. Carried by Nelson. On passage of bill the vote was: Ayes, 24; nays, 2 – Atkinson, Beyer; excused, 1 – Clarno; attending legislative business, 3 – Brown, Carter, Schrader. Bill passed.

HB 2274 A-Eng. -- Read third time. Carried by Walker. On passage of bill the vote was: Ayes, 28; attending legislative business, 2 – Carter, Schrader. Bill passed.

HB 2374 A-Eng. -- Read third time. Carried by Starr, C. On passage of bill the vote was: Ayes, 28; attending legislative business, 2 – Carter, Schrader. Bill passed.

HB 2456 A-Eng. -- Read third time. Carried by Atkinson. On passage of bill the vote was: Ayes, 28; attending legislative business, 2 – Carter, Schrader. Bill passed.

HB 2475 -- Read third time. Carried by Ferrioli. On passage of bill the vote was: Ayes, 28; nays, 1 – Schrader; attending legislative business, 1 – Carter. Bill passed.

HB 2029, 2115, 2119, 2163, 2283, 2339, 2389, 2454, 2542, 2573, 2623, 2642, 2674, 2784, 2853, 3014, 3123, 3151, 3581 -- Carried over to May 2 calendar by unanimous consent at the request of the Chair.

SB 194 -- Unanimous Consent Calendar. Taken from its place on today's Unanimous Consent Calendar and placed on May 2 calendar by unanimous consent at the request of the Chair.

Senate adjourned until 8:30 a.m. Friday by unanimous consent at the request of the Chair.

Friday, May 2, 2003 -- Morning Session

Senate convened at 8:30 a.m. President Courtney in Chair. The following members were present: Atkinson, Beyer, Brown, Burdick, Carter Clarno, Corcoran, Deckert, Devlin, Ferrioli, Dukes, Fisher, George, Gordly, Hannon, Harper, Messerle, Metsger, Minnis Morrisette, Morse, Nelson, Ringo, Schrader, Shields, Starr, B., Starr, C., Walker, Winters. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Steve Hopkins of the Calvary Chapel, Salem.

HB 2233, 2864, 3175, 3184, 3228, 3274, 3557 -- Message from the House announcing passage.

Committee Report Summary No. 71 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

SB 342 -- Report by Committee on Judiciary recommending passage.

SB 534 -- Report by Committee on Business and Labor recommending passage with amendments.

SB 552 -- Report by Committee on Rules recommending passage with amendments.

SB 590 -- Report by Committee on Water and Land Use recommending passage with amendments and requesting subsequent referral to Committee on Ways and Means be rescinded. Subsequent referral rescinded by order of the President in agreement with the President Pro Tempore.

SB 887 -- Report by Committee on Judiciary recommending passage with amendments and requesting referral to Ways and Means. Referred to Committee on Ways and Means by order of the President in agreement with the President Pro Tempore.

HCR 4 -- Report by Committee on Rules recommending adoption of the A-engrossed resolution.

HB 2131 -- Report by Committee on Revenue recommending passage with amendments to the A-engrossed bill to resolve conflicts.

HB 2132 -- Report by Committee on Judiciary recommending passage with amendments to the A-engrossed bill.

HB 2187 -- Report by Committee on Revenue recommending passage.

HB 2227 -- Report by Committee on General Government recommending passage with amendments to the A-engrossed bill.

HB 2263 -- Report by Committee on Judiciary recommending passage of the A-engrossed bill.

HB 2332 -- Report by Committee on Judiciary recommending passage.

HB 2535 -- Report by Committee on Revenue recommending passage.

HB 2576 -- Report by Committee on General Government recommending passage.

HB 2589 -- Report by Committee on Revenue recommending passage.

HB 2908 -- Report by Committee on Business and Labor recommending passage.

HB 2925 -- Report by Committee on Business and Labor recommending passage.

SB 356 -- Taken from today's third reading calendar and rereferred to Committee on Judiciary by voice vote on motion of Corcoran.

SB 342 -- Read second time and passed to third reading.

HB 2004 C-Eng. -- Under Special Order of Business read third time. Carried by Corcoran, Minnis. On passage of bill the vote was: Ayes, 25; nays, 5 – Carter, Gordly, Hannon, Morrisette, Shields. Bill passed. President Courtney announced that members of the Senate who belong to PERS are part of a class regarding the declaration of potential conflict of interest.

HB 2004 -- Gordly requested the following letter be entered into the journal as her explanation of vote.

March 11, 2003

Senator Tony Corcoran
900 Court Street NE, S319
Salem, Oregon 97301

Dear Senator Corcoran:

This letter responds to your request for our “informal response” to questions about House Bill 2003 and A-engrossed House Bill 2004. Your questions and our responses are set forth below.

We preface our comments with these statements of the law from Oregon State Police Officers’ Assn. v. State of Oregon, 323 Or. 356, 373, 375 (1996), the case that invalidated Ballot Measure 8 (1994):

The statutory pension system and the relationship between the state and its employees clearly established a contractual obligation to provide an undiminished level of benefits[.]

[O]nce a public employer offers [pension] benefits plan terms to an employee, those terms remain as part of the employment contract so long as the employee continues to work for the employer.

Question No. 1

HB 2004A contains a ‘look back’ provision to protect members’ benefits in the transition to new actuarial tables. The ‘look back’ provision in the PERS boards’ proposed rule, OAR 459-005-0055, provides for a broader protection of members’ benefits. Does the ‘look back’ provision of HB 2004A adequately protect members’ contract rights as well as assure the continued qualification of the PERS plan by the IRS?

We do not know the answer to this question.

In our view, the existence of a “look back” provision does not affect whether changing actuarial tables impairs members’ contract rights. If the Legislative Assembly gave the Public Employees Retirement Board the authority to promise members the use of outdated tables, then members have a contractual right to the outdated tables and the Legislative Assembly cannot update the tables. If the Legislative Assembly did not give the board the authority to promise outdated tables, then the Legislative Assembly may update the tables. Judge Lipscomb concluded that the Legislative Assembly did not give the board the authority to promise outdated tables. If Judge Lipscomb’s interpretation of the law is correct, there is no contract right for a look-back provision to protect.

Whether the Internal Revenue Code requires the state to offer a look-back provision (and, if so, what kind) to preserve the deductibility of payments to the Public Employees Retirement Fund is a question more complicated than we have the expertise to answer. We understand that the outside tax expert who advises the board has suggested that the Internal Revenue Code does require the state to offer a look-back provision, and we assume that the look-back provision in the board’s proposed rule reflects the expert’s advice. We also understand that the board will seek advice from the Internal Revenue Service about any look-back provision that the Legislative Assembly requires.

Question No. 2

One of the provisions of HOUSE BILL 2003 would provide for the cessation of employee contributions to the PERS plan. The result of the termination of employee contributions would be a lowering in the value of the money match benefit until it disappeared as a form of PERS benefit. Would passage of this provision be a breach or impairment of the contract rights of PERS members?

Yes. The PERS statutes provide for an employee’s contribution (and for the employer to pick up that contribution). An employee, therefore, has a contractual right to the contribution and to the level of benefits that

contribution will produce. Any other result would require the Supreme Court to first overrule its decision in Oregon State Police Officers’ Assn.

Question No. 3

One of the provisions of HOUSE BILL 2003 provides a method of implementing the recent decision of Circuit Court Judge Paul Lipscomb in Eugene v. PERS, Mario[sic] County Circuit Case No. 99C-20235. In essence the provision calculates the economic impact of PERS actions which Judge Lipscomb ruled were in error. The total value of this adjustment is then deducted from future earnings of the PERS fund as an administrative expense. As a result of this approach some PERS members who received no benefit from the errors identified by Judge Lipscomb would have their future benefits reduced. Assuming that Judge Lipscomb was correct in all of his substantive rulings, would passage of this measure breach or impair the contract rights of PERS members?

Yes. The actions of the board that Judge Lipscomb ruled to be in error concerned Tier 1 members; the remedy proposed by HOUSE BILL 2003 would use Tier 2 members’ earnings. If Judge Lipscomb is correct that the board exceeded its authority when providing for benefits to Tier 1 members, then the Tier 1 members do not have a contract right to those benefits and the Legislative Assembly may eliminate them. Taking an authorized benefit from Tier 2 members would violate Tier 2 members’ contract rights—even if the Legislative Assembly took the benefits to remedy a shortfall in another part of the PERS system.

We also caution against the Legislative Assembly’s proceeding on the assumption that Judge Lipscomb’s rulings are correct. For example, Judge Lipscomb ruled that the board violated PERS statutes by failing to fund a contingency reserve. In our view, whether the board acted contrary to law is a close call, and on appeal a court could decide that the board’s decision was appropriate under the circumstances.

In addition, we believe that Judge Lipscomb erred when concluding that the board abused its discretion in allocating 1999 earnings by not fully funding the gain/loss reserve. If the Legislative Assembly implemented remedies based on the assumption that these rulings are correct, and then an appellate decision reverses either of the rulings, the state may find itself in the position of having violated PERS members’ contract rights.

Very truly yours,
Gregory A. Chaimov
Legislative Counsel

SB 563 A-Eng. -- Read third time. Carried by Walker. On passage of bill the vote was: Ayes, 28; nays, 2 – Hannon, Schrader. Bill passed.

SB 603 A-Eng. -- Read third time. Carried by Nelson. On passage of bill the vote was: Ayes, 30. Bill passed.

HB 2233, 2864, 3175, 3184, 3228, 3274, 3557 -- Read first time and referred to President’s desk.

HCR 4; HB 2050, 2187, 2263, 2332, 2535, 2576, 2589, 2818, 2908, 2925 -- Read second time and passed to third reading.

HB 2542 A-Eng. -- Read third time. Carried by Starr, B. On passage of bill the vote was: Ayes, 29;

attending legislative business, 1 – Dukes. Bill passed.

HB 2573 -- Read third time. Carried by Starr, B. On passage of bill the vote was: Ayes, 28; nays, 1 – Schrader; attending legislative business, 1 – Dukes. Bill passed.

HB 2623 A-Eng. -- Read third time. Carried by Nelson. On passage of bill the vote was: Ayes, 16; nays, 13 – Burdick, Corcoran, Deckert, Fisher, Gordly, Hannon, Harper, Minnis, Morrisette, Ringo, Schrader, Shields, President Courtney; attending legislative business, 1 – Dukes. Bill passed.

HB 2674 -- Read third time. Carried by Metsger. Potential conflict of interest declared by Beyer, Ferrioli. On passage of bill the vote was: Ayes, 29; attending legislative business, 1 – Dukes. Bill passed.

HB 3123 -- Read third time. Carried by Beyer. On passage of bill the vote was: Ayes, 29; attending legislative business, 1 – Dukes. Bill passed.

HB 2029 -- Read third time. Carried by Corcoran. On passage of bill the vote was: Ayes, 26; nays, 1 – Schrader; excused, 1 – Gordly; attending legislative business, 2 – Beyer, Dukes. Bill passed.

HB 2642 A-Eng. -- Read third time. Carried by Fisher. On passage of bill the vote was: Ayes, 27; excused, 1 – Gordly; attending legislative business, 2 – Beyer, Dukes. Bill passed.

HB 2115 A-Eng. -- Read third time. Carried by Burdick. On passage of bill the vote was: Ayes, 25; excused, 1 – Gordly; attending legislative business, 4 – Beyer, Corcoran, Dukes, Ringo. Bill passed.

HB 2119 -- Read third time. Carried by Walker. On passage of bill the vote was: Ayes, 26; attending legislative business, 4 – Beyer, Corcoran, Dukes, Ringo. Bill passed.

HB 2163 -- Moved to the foot of today's third reading calendar by unanimous consent at the request of the Chair.

HB 2283 -- Read third time. Moved to the foot of today's third reading calendar by unanimous consent at the request of the Chair.(Hannon in Chair)

HB 2339 -- Read third time. Carried by Ferrioli. On passage of bill the vote was: Ayes, 26; attending legislative business, 4 – Beyer, Corcoran, Dukes, Starr, B. Bill passed.

HB 2389 -- Read third time. Rereferred to Committee on Business and Labor by voice vote on motion of Nelson.

HB 2454 -- Moved to the foot of today's third reading calendar by unanimous consent at the request of the Chair.

HB 2784 -- Read third time. Carried by Ferrioli. On passage of bill the vote was: Ayes, 25; nays, 1 – Schrader; attending legislative business, 4 – Beyer, Corcoran, Dukes, Starr, B. Bill passed.

HB 2853 A-Eng. -- Read third time. Carried by Metsger. On passage of bill the vote was: Ayes, 24; nays, 1 – Schrader; attending legislative business, 5 – Beyer, Corcoran, Dukes, George, Starr, B. Bill passed.

HB 3014 -- Read third time. Carried by Deckert. On passage of bill the vote was: Ayes, 21; attending legislative business, 9 – Beyer, Corcoran, Dukes, George, Gordly, Harper, Ringo, Starr, B., Winters. Bill passed.

HB 3151 -- Read third time. Carried by Metsger. On passage of bill the vote was: Ayes, 21; nays, 1 – Schrader; attending legislative business, 8 – Beyer, Corcoran, Dukes, Gordly, Harper, Ringo, Starr, B., Winters. Bill passed.

HB 3581 A-Eng. -- Read third time. Carried by Carter. On passage of bill the vote was: Ayes, 20; nays, 3 – Atkinson, Fisher, Morrisette; attending legislative business, 7 – Beyer, Dukes, Gordly, Harper, Messerle, Ringo, Winters. Bill passed.

HB 2021 A-Eng. -- Read third time. Carried by Fisher. Call of the Senate demanded by Fisher joined by Nelson and Starr, C. All present except Beyer, Messerle, Morse, Ringo, Winters, attending legislative business. Pending arrival of members subject to the Call, Senate at ease. Members arrived. All present. Senate reassembled.

HB 2021 -- Debate continued. On passage of bill the vote was: Ayes, 16; nays, 14 – Beyer, Brown, Burdick, Carter, Corcoran, Deckert, Devlin, Dukes, Hannon, Metsger, Schrader, Shields, Walker, President Courtney. Bill passed.

HB 2262 -- Read third time. Carried by Ferrioli. On passage of bill the vote was: Ayes, 29; excused, 1 – Messerle. Bill passed.

HB 2272 B-Eng. -- Read third time. Carried by Walker. On passage of bill the vote was: Ayes, 29; excused, 1 – Messerle. Bill passed.

HB 2277 -- Read third time. Carried by Ringo. On passage of bill the vote was: Ayes, 28; excused, 2 – Messerle, Shields. Bill passed. (President Courtney in Chair)

HB 2401 -- Read third time. Carried by Corcoran. On passage of bill the vote was: Ayes, 29; excused, 1 – Messerle. Bill passed.

HB 2450 B-Eng. -- Read third time. Carried by Clarno. On passage of bill the vote was: Ayes, 28; excused, 1 – Messerle; attending legislative business, 1 – Corcoran. Bill passed.

HB 2474 A-Eng. -- Read third time. Carried by Walker. On passage of bill the vote was: Ayes, 25; nays, 1 – Hannon; excused, 1 – Messerle; attending legislative business, 3 – Corcoran, Schrader, Winters. Bill passed.

HB 2645 -- Read third time. Carried by Ringo. On passage of bill the vote was: Ayes, 25; excused, 1 – Messerle; attending legislative business, 4 – Corcoran, Harper, Schrader, Winters. Bill passed.

HB 2691 B-Eng. -- Read third time. Carried by Metsger. On passage of bill the vote was: Ayes, 25; excused, 1 – Messerle; attending legislative business, 4 – Corcoran, Harper, Schrader, Winters. Bill passed.

HB 3063 B-Eng. -- Read third time. Carried by Beyer. On passage of bill the vote was: Ayes, 25; excused, 1 – Messerle; attending legislative business, 4 – Corcoran, Harper, Schrader, Winters. Bill passed.

HB 3375 -- Read third time. Carried by Metsger. On passage of bill the vote was: Ayes, 24; nays, 1 – George; excused, 1 – Messerle; attending legislative business, 4 – Corcoran, Harper, Schrader, Winters. Bill passed.

HB 2163 A-Eng. -- Read third time. Carried by Beyer. On passage of bill the vote was: Ayes, 24; excused, 1 – Messerle; attending legislative business, 5 – Brown, Corcoran, Harper, Schrader, Winters. Bill passed.

HB 2283 -- Read third time. Taken from its place on today's third reading calendar and placed on May 5 calendar by voice vote on motion of Fisher.

HB 2454 A-Eng. -- Read third time. Carried by Starr, B. On passage of bill the vote was: Ayes, 24; nays, 1 – Hannon; excused, 1 – Messerle; attending legislative business, 4 – Brown, Harper, Schrader, Winters. Bill passed.

SB 194 -- Read third time under Unanimous Consent Calendar. Carried by Walker. On passage of bill the vote was: Ayes, 24; excused, 1 – Messerle; attending legislative business, 5 – Brown, Deckert, Harper, Schrader, Winters. Bill passed.

The following measures were referred to committee on May 1 and recorded on Committee Referral List No. 45 which was distributed to members. Referral list recorded in the Journal and Status Report by order of the President.

SJM 6 General Government
 SB 897 Education; Ways and Means
 HB 2043 Revenue
 HB 2069 Judiciary
 HB 2103 Business and Labor
 HB 2148 General Government; Ways and Means
 HB 2168 Revenue
 HB 2174 Judiciary
 HB 2235 Judiciary

HB 2238 Judiciary
 HB 2279 Judiciary
 HB 2298 Revenue
 HB 2324 Human Resources
 HB 2344 Agriculture and Natural Resources
 HB 2369 Water and Land Use
 HB 2383 Business and Labor
 HB 2436 Agriculture and Natural Resources
 HB 2444 Business and Labor
 HB 2521 Agriculture and Natural Resources
 HB 2625 Revenue
 HB 2627 Business and Labor
 HB 2631 Human Resources
 HB 2661 Transportation and Economic Development
 HB 2670 Business and Labor
 HB 2717 Business and Labor
 HB 2725 Judiciary
 HB 2729 Judiciary
 HB 2733 Judiciary
 HB 2803 Judiciary
 HB 2843 Education; Ways and Means
 HB 2847 General Government
 HB 2877 Judiciary
 HB 2915 Agriculture and Natural Resources
 HB 2945 Agriculture and Natural Resources
 HB 2961 Water and Land Use
 HB 2965 Business and Labor
 HB 3048 Transportation and Economic Development
 HB 3060 General Government
 HB 3061 General Government
 HB 3072 Revenue
 HB 3122 Human Resources
 HB 3144 Business and Labor
 HB 3145 Business and Labor
 HB 3159 Business and Labor
 HB 3163 Business and Labor
 HB 3174 Business and Labor
 HB 3183 Revenue
 HB 3196 Transportation and Economic Development
 HB 3206 General Government
 HB 3212 General Government
 HB 3218 Business and Labor
 HB 3272 Rules
 HB 3297 Water and Land Use; Revenue
 HB 3313 Business and Labor
 HB 3316 Business and Labor
 HB 3422 General Government
 HB 3446 General Government; Ways and Means
 HB 3476 General Government
 HB 3508 Human Resources
 HB 3615 Transportation and Economic Development

President Courtney announced that the following committees are deactivated effective May 2.

Agriculture and Natural Resources

Business and Labor**Education****General Government****Health Policy****Human Resources****Transportation and Economic Development****Water and Land Use**

Senate adjourned until 10:30 a.m. Monday by unanimous consent at the request of the Chair.

Monday, May 5, 2003 -- Morning Session

Senate convened at 10:30 a.m. Nelson in Chair. The following members were present: Atkinson, Beyer, Brown, Burdick, Carter, Clarno, Corcoran, Devlin, Dukes, Fisher George, Gordly, Hannon, Harper, Messerle, Metsger, Minnis, Morrisette, Morse, Ringo, Schrader, Shields, Starr, B., Starr, C., Walker, Winters, President Courtney; attending legislative business -- Deckert, Ferrioli. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Senator Bruce Starr, Aloha.

HB 2003, 2020 -- Message from the House announcing passage.

Committee Report Summary No. 72 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

SJR 19 -- Report by Committee on Rules, signed by Clarno, Chair, recommending adoption with amendments. Minority Report, signed by Atkinson and Beyer, recommending adoption with different amendments.

SB 1 -- Report by Committee on Health Policy recommending passage with amendments. Referred to Committee on Ways and Means by order of the President in agreement with the President Pro Tempore.

SB 40 -- Report by Committee on Business and Labor recommending passage with amendments.

SB 604 -- Report by Committee on Business and Labor recommending passage with amendments.

SB 609 -- Report by Committee on Business and Labor recommending passage with amendments.

SB 646 -- Report by Committee on Human Resources recommending passage with amendments.

SB 647 -- Report by Committee on Human Resources recommending passage with amendments.

SB 765 -- Report by Committee on Transportation and Economic Development recommending passage with amendments.

SB 885 -- Report by Committee on Human Resources recommending passage with amendments.

HB 2230 -- Report by Committee on Business and Labor recommending passage with amendments to the A-engrossed bill and requesting subsequent referral to Committee on Ways and Means be rescinded. Subsequent referral rescinded by order of the President in agreement with the President Pro Tempore.

HB 2340 -- Report by Committee on Ways and Means recommending passage with amendments to the B-engrossed bill to resolve conflicts.

HB 3261 -- Report by Committee on Water and Land Use recommending passage and be placed on the Unanimous Consent Calendar.

HB 2283 -- Taken from its place on today's third reading calendar and placed on May 6 calendar by voice vote on motion of Fisher.

SB 900 -- Introduced, read first time and referred to President's desk.

SB 534, 552, 590 -- Read second time and passed to third reading.

SB 342 -- Read third time. Carried by Burdick. On passage of bill the vote was: Ayes, 19; nays, 9 -- Carter, Clarno, Gordly, Hannon, Metsger, Morrisette, Shields, Walker, Winters; attending legislative business, 2 -- Deckert, Ferrioli. Bill passed.

HB 2003, 2020 -- Read first time and referred to President's desk.

HB 2131, 2132, 2227, 3261 -- Read second time and passed to third reading.

HCR 4 A-Eng. -- Read final time. Carried by Brown. On adoption of resolution, the vote was: Ayes, 28; attending legislative business, 2 -- Deckert, Ferrioli. Resolution adopted.

HB 2050 B-Eng. -- Read third time. Carried by Burdick. On passage of bill the vote was: Ayes, 27; attending legislative business, 3 -- Deckert, Ferrioli, Ringo. Bill passed.

HB 2187 -- Read third time. Carried by Hannon. On passage of bill the vote was: Ayes, 26; excused, 1 -- Burdick; attending legislative business, 3 -- Deckert, Ferrioli, Ringo. Bill passed.

HB 2263 A-Eng. -- Read third time. Carried by Minnis. On passage of bill the vote was: Ayes, 27; attending legislative business, 3 – Deckert, Ferrioli, Ringo. Bill passed.

HB 2332 -- Read third time. Carried by Starr, C. On passage of bill the vote was: Ayes, 27; attending legislative business, 3 – Deckert, Ferrioli, Ringo. Bill passed.

HB 2535 -- Read third time. Carried by Hannon. On passage of bill the vote was: Ayes, 27; attending legislative business, 3 – Deckert, Ferrioli, Ringo. Bill passed.

HB 2576 -- Read third time. Taken from its place on today's third reading calendar and placed on May 6 calendar by voice vote on motion of Minnis.

HB 2589 -- Read third time. Carried by Ringo. On passage of bill the vote was: Ayes, 18; nays, 10 – Burdick, Corcoran, Dukes, George, Gordly, Metsger, Schrader, Shields, Walker, President Courtney; attending legislative business, 2 – Deckert, Ferrioli. Bill passed.

HB 2818 A-Eng. -- Read third time. Carried by Starr, B. On passage of bill the vote was: Ayes, 26; nays, 2 – George, Hannon; attending legislative business, 2 – Deckert, Ferrioli. Bill passed.

HB 2908 -- Read third time. Carried by Beyer. On passage of bill the vote was: Ayes, 28; attending legislative business, 2 – Deckert, Ferrioli. Bill passed.

HB 2925 -- Read third time. Carried by Walker. On passage of bill the vote was: Ayes, 26; nays, 2 – Hannon, Ringo; attending legislative business, 2 – Deckert, Ferrioli. Bill passed.

Senate adjourned until 10:30 a.m. Tuesday by unanimous consent at the request of the Chair.

Tuesday, May 6, 2003 -- Morning Session

Senate convened at 10:30 a.m. President Courtney in Chair. The following members were present: Atkinson, Beyer, Brown, Burdick, Carter Clarno, Corcoran, Deckert, Devlin, Ferrioli, Dukes, Fisher, George, Gordly, Hannon, Harper, Messerle, Metsger, Minnis Morrisette, Morse, Nelson, Ringo, Schrader, Shields, Starr, B., Starr, C., Walker, Winters. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Senator Bill Fisher, Roseburg. (Hannon in Chair)

HB 2647, 2706, 2739, 2768, 2860, 2893, 2898, 2999, 3013, 3156, 3346, 3376, 3431 -- Message from the House announcing passage.

HB 2964, 3583 -- Message from the House announcing failure to pass.

HB 2005, 2558, 2634 -- Message from the House announcing the Speaker signed on May 5.

Committee Report Summary No. 73 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

SB 64 -- Report by Committee on Judiciary recommending passage with amendments.

SB 90 -- Report by Committee on Judiciary recommending passage with amendments and requesting referral to Committee on Ways and Means. Referred to Committee on Ways and Means by order of the President in agreement with the President Pro Tempore.

SB 189 -- Report by Committee on Judiciary recommending passage with amendments.

SB 272 -- Report by Committee on Education recommending passage with amendments.

SB 538 -- Report by Committee on Water and Land Use recommending passage with amendments and requesting subsequent referral to Committee on Ways and Means be rescinded. Subsequent referral rescinded by order of the President in agreement with the President Pro Tempore.

SB 543 -- Report by Committee on General Government recommending passage. Referred to Committee on Ways and Means by prior reference.

HCR 7 -- Report by Committee on Rules recommending adoption.

HJR 41 -- Report by Committee on General Government recommending adoption.

HB 2057 -- Report by Committee on Judiciary recommending passage and be placed on the Unanimous Consent Calendar.

HB 2059 -- Report by Committee on Judiciary recommending passage with amendments to the A-engrossed bill.

HB 2060 -- Report by Committee on Judiciary recommending passage of the A-engrossed bill.

HB 2086 -- Report by Committee on Judiciary recommending passage of the A-engrossed bill.

HB 2190 -- Report by Committee on General Government recommending passage and be placed on the Unanimous Consent Calendar.

HB 2331 -- Report by Committee on Business and Labor recommending passage.

HB 2491 -- Report by Committee on General Government recommending passage.

HB 2761 -- Report by Committee on Judiciary recommending passage with amendments to the A-engrossed bill.

HB 3163 -- Report by Committee on Business and Labor recommending passage of the A-engrossed bill.

SB 552 -- Rereferred to Committee on Rules by voice vote on motion of Metsger.

SJR 19; SB 40, 604, 609, 646, 647, 765, 885 -- Read second time and passed to third reading.

SB 534 A-Eng. -- Read third time. Carried by George. On passage of bill the vote was: Ayes, 29; excused, 1 -- Carter. Bill passed.

SB 590 A-Eng. -- Read third time. Carried by Ferrioli. On passage of bill the vote was: Ayes, 28; nays, 1 -- Schrader; excused, 1 -- Carter. Bill passed.

HB 2647, 2706, 2739, 2768, 2860, 2893, 2898, 2999, 3013, 3156, 3346, 3376, 3431 -- Read first time and referred to President's desk.

HCR 7; HJR 41; HB 2057, 2060, 2086, 2190, 2230, 2331, 2340, 2491, 3163 -- Read second time and passed to third reading.

HB 2131 B-Eng. -- Read third time. Carried by Deckert. On passage of bill the vote was: Ayes, 28; nays, 1 -- Schrader; attending legislative business, 1 -- Carter. Bill passed.

HB 2132 B-Eng. -- Read third time. Carried by Starr, C. On passage of bill the vote was: Ayes, 28; nays, 1 -- Schrader; attending legislative business, 1 -- Carter. Bill passed.

HB 2227 B-Eng. -- Read third time. Carried by Starr, B. On passage of bill the vote was: Ayes, 30. Bill passed.

HB 2283 -- Bill read. Rereferred to Committee on Revenue carried by voice vote on motion of Fisher.

HB 2576 -- Bill read. Carried by Minnis. Call of the Senate demanded by Minnis joined by Ferrioli and George. All present. On passage of bill the vote was: Ayes, 23; nays, 7 -- Beyer, Clarno, George, Harper, Messerle, Morse, Nelson. Bill passed.

HB 2314 -- Read third time under Unanimous Consent Calendar. Carried by Walker. On passage of bill the vote was: Ayes, 27; nays, 1 -- Schrader; attending legislative business, 2 -- Corcoran, Ringo. Bill passed.

HB 2316 -- Read third time under Unanimous Consent Calendar. Carried by Starr, C. On passage of bill the vote was: Ayes, 27; nays, 1 -- Schrader; attending legislative business, 2 -- Corcoran, Ringo. Bill passed.

HB 2319 -- Read third time under Unanimous Consent Calendar. Carried by Walker. On passage of bill the vote was: Ayes, 27; nays, 1 -- Schrader; attending legislative business, 2 -- Corcoran, Ringo. Bill passed.

HB 2322 -- Read third time under Unanimous Consent Calendar. Carried by Starr, C. On passage of bill the vote was: Ayes, 26; nays, 2 -- Carter, Schrader; attending legislative business, 2 -- Corcoran, Ringo. Bill passed.

The following measures were referred to committee on May 5 and recorded on Committee Referral List No. 46 which was distributed to members. Referral list recorded in the Journal and Status Report by order of the President.

HB 2003 General Government

HB 2020 General Government

HB 2005, 2634, 2558 -- President Courtney signed on May 6.

Senate adjourned until 10:30 a.m. Wednesday by unanimous consent at the request of the Chair.

Wednesday, May 7, 2003 -- Morning Session

Senate convened at 10:30 a.m. President Courtney in Chair. The following members were present: Atkinson, Beyer, Brown, Burdick, Carter Clarno, Corcoran, Deckert, Devlin, Ferrioli, Dukes, Fisher, George, Gordly, Hannon, Harper, Messerle, Metsger, Minnis, Morrisette, Morse, Nelson, Ringo, Schrader, Shields, Starr, B., Starr, C., Walker, Winters. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Chaplain Frank Carpenter of Capitol Ministries, Hillsboro.

HB 2094, 2378, 2447, 2574, 2575, 2607, 2646, 2696, 2737, 2754, 2824, 2865, 2894, 3021, 3093, 3170, 3259, 3304, 3315, 3330, 3458, 3539, 3561 -- Message from the House announcing passage.

HB 2004 -- Message from the House announcing passage as amended by the House.

Committee Report Summary No. 74 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

SB 576 -- Report by Committee on Agriculture and Natural Resources recommending passage.

SB 785 -- Report by Committee on Health Policy recommending passage with amendments.

SB 820 -- Report by Committee on Water and Land Use recommending passage with amendments.

SB 893 -- Report by Committee on Business and Labor recommending passage with amendments.

SB 896 -- Report by Committee on Business and Labor recommending passage.

HCR 3 -- Report by Committee on Rules recommending adoption of the A-engrossed resolution.

HCR 5 -- Report by Committee on Rules recommending adoption.

HJM 5 -- Report by Committee on Revenue recommending adoption.

HB 2019 -- Report by Committee on Business and Labor recommending passage of the A-engrossed bill.

HB 2030 -- Report by Committee on Revenue recommending passage with amendments.

HB 3062 -- Report by Committee on Revenue recommending passage.

SJR 19 -- Committee report and minority report read. Metsger moved the Senate adopt the committee report. Beyer moved the minority report be substituted for the committee report. Call of the Senate demanded by Beyer joined by Clarno and Minnis. All present except Carter, absent. Pending arrival of Carter, Senate at ease. All members present. Senate reassembled.

SJR 19 A-Eng. -- Motion to substitute minority report failed. The vote was: Ayes, 11; nays, 19 -- Brown, Burdick, Carter, Corcoran, Deckert, Devlin, Dukes, Ferrioli, George, Gordly, Hannon, Metsger, Morrisette, Nelson, Ringo, Schrader, Shields, Walker, President Courtney. Motion failed.

SJR 19 A-Eng. -- Resolution, as amended by committee report, read final time. Carried by Metsger. Rereferred to Committee on Rules by voice vote on motion of Corcoran.

SB 64, 189, 272, 538, 576, 896 -- Read second time and passed to third reading.

SB 40 A-Eng. -- Read third time. Carried by Beyer, Walker. Call of the Senate demanded by Walker joined by Winters and Morrisette. All present except Brown, Deckert, absent; Pending arrival of members subject to the Call, Senate at ease. Members arrived. All members present. Senate reassembled. On passage of bill the vote was: Ayes, 21; nays, 9 -- Brown, Burdick, Corcoran, Deckert, Devlin, Dukes, Hannon, Metsger, President Courtney. Walker granted unanimous consent (on May 8) to declare a potential conflict of interest after the vote. Bill passed.

SB 604, 609, 646, 647, 765, 885 -- Carried over to May 8 calendar by unanimous consent at the request of the Chair.

SB 9 -- Message from the House announcing passage.

HB 2094, 2378, 2447, 2574, 2575, 2607, 2646, 2696, 2737, 2754, 2824, 2865, 2894, 3021, 3093, 3170, 3259, 3304, 3315, 3330, 3458, 3539, 3561 -- Read first time and referred to President's desk.

HCR 3, 5; HJM 5; HB 2019, 2059, 2761, 3062 -- Read second time and passed to third reading.

HCR 7; HJR 41; HB 2060, 2086, 2230, 2331, 2340, 2491, 3163 -- Carried over to May 8 calendar by unanimous consent at the request of the Chair.

The following measures were referred to committee on May 6 and recorded on Committee Referral List No. 47 which was distributed to members. Referral list recorded in the Journal and Status Report by order of the President.

SB 900 Revenue; Ways and Means
 HB 2233 Business and Labor
 HB 2278 Judiciary
 HB 2388 Transportation and Economic Development; Ways and Means
 HB 2410 Human Resources
 HB 2455 Transportation and Economic Development
 HB 2581 Judiciary
 HB 2658 Judiciary
 HB 2664 Revenue
 HB 2694 Judiciary
 HB 2711 Judiciary
 HB 2744 Education
 HB 2765 Business and Labor
 HB 2785 Water and Land Use
 HB 2864 Business and Labor
 HB 2881 Business and Labor
 HB 2939 Health Policy
 HB 3152 Agriculture and Natural Resources
 HB 3157 Human Resources
 HB 3172 Business and Labor
 HB 3175 Agriculture and Natural Resources
 HB 3184 Revenue
 HB 3187 Transportation and Economic Development; Ways and Means
 HB 3228 Water and Land Use
 HB 3245 Water and Land Use
 HB 3264 Rules
 HB 3274 Business and Labor
 HB 3318 Judiciary
 HB 3557 Education
 HB 3609 Human Resources; Ways and Means
 HB 3613 Rules

HB 2004 -- President Courtney signed on May 7.

Senate adjourned until 10:00 a.m. Thursday by unanimous consent at the request of the Chair.

Thursday, May 8, 2003 -- Morning Session

Senate convened at 10:00 a.m. President Courtney in Chair. The following members were present: Atkinson, Beyer, Brown, Carter, Clarno, Corcoran, Deckert, Devlin, Ferrioli, Dukes, Fisher, George, Gordly, Hannon, Harper, Messerle, Metsger, Minnis, Morrisette, Morse, Nelson, Ringo, Starr, B., Starr, C., Walker, Winters; excused -- Burdick, Schrader; attending legislative business -- Shields. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Reverend Ed Lykens from the Church of the Nazarene, Prineville. Musical performance by Sound Jubilee, a home school choir, Salem.

HB 2120, 2887, 3017, 3247, 3354, 3380, 3462, 3548, 3606 -- Message from the House announcing passage.

HB 2004 -- Message from the House announcing concurrence in Senate amendments and repassage.

HB 2004 -- Message from the House announcing the Speaker signed on May 7.

Committee Report Summary No. 75 listing the following reports was distributed to members May 7. Summary list recorded in Journal and Status Report by order of the President.

HB 2003 -- Report by Committee on General Government recommending passage with amendments to the A-engrossed bill.

Committee Report Summary No. 76 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

SJR 13 -- Report by Committee on Revenue recommending adoption with amendments.

SB 7 -- Report by Committee on General Government recommending passage with amendments.

SB 146 -- Report by Committee on Health Policy recommending passage with amendments. Referred to Committee on Ways and Means by prior reference.

SB 542 -- Report by Committee on Health Policy recommending passage.

SB 869 -- Report by Committee on Transportation and Economic Development without recommendation as to passage, but with amendments and referred to Committee on Ways and Means by prior reference.

HB 2150 -- Report by Committee on Judiciary recommending passage of the A-engrossed bill.

HB 2191 -- Report by Committee on General Government recommending passage with amendments to the A-engrossed bill.

HB 2258 -- Report by Committee on Agriculture and Natural Resources recommending passage.

HB 2379 -- Report by Committee on Revenue recommending passage with amendments to the A-engrossed bill.

HB 2625 -- Report by Committee on Revenue recommending passage.

HB 3068 -- Report by General Government recommending passage with amendments to the A-engrossed bill.

HB 3194 -- Report by Committee on General Government recommending passage with amendments.

HB 2003 -- Rules suspended for second and third readings and consideration by unanimous consent on motion of Corcoran.

HB 2003 -- Made a Special Order of Business at 11:15 a.m. by unanimous consent on motion of Corcoran.

SB 542, 785, 820, 893 -- Read second time and passed to third reading.

SB 604 A-Eng. -- Read third time. Carried by Metsger. On passage of bill the vote was: Ayes, 26; absent, 2 -- Carter, Dukes; excused, 2 -- Burdick, Schrader. Bill passed.

SB 609 A-Eng. -- Read third time. Carried by Brown. On passage of bill the vote was: Ayes, 28; excused, 2 -- Burdick, Schrader. Bill passed.

SB 646 A-Eng. -- Read third time. Carried by Morrisette. On passage of bill the vote was: Ayes, 27; nays, 1 -- Hannon; excused, 2 -- Burdick, Schrader. Bill passed.

SB 647 A-Eng. -- Read third time. Carried by Ferrioli. On passage of bill the vote was: Ayes, 26; nays, 2 -- Beyer, Hannon; excused, 2 -- Burdick, Schrader. Bill passed.

SB 765 A-Eng. -- Read third time. Carried by Starr, B. On passage of bill the vote was: Ayes, 26; excused, 2 -- Burdick, Schrader; attending legislative business, 2 -- Clarno, Ringo. Bill passed.

SB 885 A-Eng. -- Read third time. Carried by Brown. On passage of bill the vote was: Ayes, 25; nays, 1 -- Hannon; excused, 2 -- Burdick, Schrader; attending legislative business, 2 -- Clarno, Ringo. Bill passed.

SB 64 A-Eng. -- Read third time. Taken from its place on today's third reading calendar and placed on May 9 by voice vote on motion of Walker.

SB 189 A-Eng. -- Read third time. Carried by Minnis. On passage of bill the vote was: Ayes, 25; nays, 1 – Beyer; excused, 2 – Burdick, Schrader; attending legislative business, 2 – Clarno, Ringo. Bill passed.

SB 272 A-Eng. -- Read third time. Carried by Deckert. On passage of bill the vote was: Ayes, 26; excused, 2 – Burdick, Schrader; attending legislative business, 2 – Clarno, Ringo. Bill passed.

SB 538 A-Eng. -- Read third time. Carried by Ferrioli. On passage of bill the vote was: Ayes, 26; nays, 1 – Hannon; excused, 2 – Burdick, Schrader; attending legislative business, 1 – Clarno. Bill passed.

SB 576 -- Read third time. Carried by Beyer. On passage of bill the vote was: Ayes, 26; excused, 1 – Burdick; attending legislative business, 3 – Clarno, Ringo, Shields. Bill passed.

SB 896 -- Read third time. Carried by Nelson. On passage of bill the vote was: Ayes, 27; nays, 1 – Hannon; excused, 1 – Burdick; attending legislative business, 1 – Shields. Bill passed.

HB 2120, 2887, 3017, 3247, 3354, 3380, 3462, 3548, 3606 -- Read first time and referred to President's desk.

HB 2030, 2150, 2258, 2625 -- Read second time and passed to third reading.

HB 2340 -- Moved to the head of the calendar by unanimous consent at the request of the chair.

HB 2340 C-Eng. -- Read third time. Carried by Devlin. On passage of bill the vote was: Ayes, 28; excused, 1 – Burdick; attending legislative business, 1 – Shields. Bill passed.

HCR 7 -- Read final time. Carried by Corcoran. On adoption of resolution, the vote was: Ayes, 29; excused, 1 – Burdick. Resolution adopted.

HJR 41 -- Read final time. Carried by Starr, B. On adoption of resolution, the vote was: Ayes, 29; excused, 1 – Burdick. Resolution adopted.

HB 2003 -- Senate proceeded to the Special Order of Business at 11:15 a.m.

HB 2003 -- Under rules suspension and Special Order of Business, read second time.

HB 2003 B-Eng. -- Under rules suspension and Special Order of Business, read third time. Carried by Corcoran, Minnis. Call of the Senate demanded by Brown joined by Minnis and Winters. All members present except Burdick, excused. On passage of bill

the vote was: Ayes, 19; nays, 10 – Brown, Carter, Devlin, Dukes, Gordly, Hannon, Morrisette, Nelson, Shields, Walker; excused, 1 – Burdick. Bill passed.

HB 2003 -- Gordly requested the following letter be entered into the journal as her explanation of vote.

March 11, 2003

Senator Tony Corcoran
900 Court Street NE, S319
Salem, Oregon 97301

Dear Senator Corcoran:

This letter responds to your request for our "informal response" to questions about House Bill 2003 and A-engrossed House Bill 2004. Your questions and our responses are set forth below.

We preface our comments with these statements of the law from Oregon State Police Officers' Assn. v. State of Oregon, 323 Or. 356, 373, 375 (1996), the case that invalidated Ballot Measure 8 (1994):

The statutory pension system and the relationship between the state and its employees clearly established a contractual obligation to provide an undiminished level of benefits[.]”

[O]nce a public employer offers [pension] benefits plan terms to an employee, those terms remain as part of the employment contract so long as the employee continues to work for the employer.

Question No. 1

HB 2004A contains a 'look back' provision to protect members' benefits in the transition to new actuarial tables. The 'look back' provision in the PERS boards' proposed rule, OAR 459-005-0055, provides for a broader protection of members' benefits. Does the 'look back' provision of HB 2004A adequately protect members' contract rights as well as assure the continued qualification of the PERS plan by the IRS?

We do not know the answer to this question.

In our view, the existence of a "look back" provision does not affect whether changing actuarial tables impairs members' contract rights. If the Legislative Assembly gave the Public Employees Retirement Board the authority to promise members the use of outdated tables, then members have a contractual right to the outdated tables and the Legislative Assembly cannot update the tables. If the Legislative Assembly did not give the board the authority to promise outdated tables, then the Legislative Assembly may update the tables. Judge Lipscomb concluded that the Legislative Assembly did not give the board the authority to promise outdated tables. If Judge Lipscomb's interpretation of the law is correct, there is no contract right for a look-back provision to protect.

Whether the Internal Revenue Code requires the state to offer a look-back provision (and, if so, what kind) to preserve the deductibility of payments to the Public Employees Retirement Fund is a question more complicated than we have the expertise to answer. We understand that the outside tax expert who advises the board has suggested that the Internal Revenue Code does require the state to offer a look-back provision, and we assume that the look-back provision in the board's proposed rule reflects the expert's advice. We also understand that the board will seek

advice from the Internal Revenue Service about any look-back provision that the Legislative Assembly requires.

Question No. 2

One of the provisions of HOUSE BILL 2003 would provide for the cessation of employee contributions to the PERS plan. The result of the termination of employee contributions would be a lowering in the value of the money match benefit until it disappeared as a form of PERS benefit. Would passage of this provision be a breach or impairment of the contract rights of PERS members?

Yes. The PERS statutes provide for an employee's contribution (and for the employer to pick up that contribution). An employee, therefore, has a contractual right to the contribution and to the level of benefits that contribution will produce. Any other result would require the Supreme Court to first overrule its decision in Oregon State Police Officers' Assn.

Question No. 3

One of the provisions of HOUSE BILL 2003 provides a method of implementing the recent decision of Circuit Court Judge Paul Lipscomb in Eugene v. PERS, Mario[sic] County Circuit Case No. 99C-20235. In essence the provision calculates the economic impact of PERS actions which Judge Lipscomb ruled were in error. The total value of this adjustment is then deducted from future earnings of the PERS fund as an administrative expense. As a result of this approach some PERS members who received no benefit from the errors identified by Judge Lipscomb would have their future benefits reduced. Assuming that Judge Lipscomb was correct in all of his substantive rulings, would passage of this measure breach or impair the contract rights of PERS members?

Yes. The actions of the board that Judge Lipscomb ruled to be in error concerned Tier 1 members; the remedy proposed by HOUSE BILL 2003 would use Tier 2 members' earnings. If Judge Lipscomb is correct that the board exceeded its authority when providing for benefits to Tier 1 members, then the Tier 1 members do not have a contract right to those benefits and the Legislative Assembly may eliminate them. Taking an authorized benefit from Tier 2 members would violate Tier 2 members' contract rights—even if the Legislative Assembly took the benefits to remedy a shortfall in another part of the PERS system.

We also caution against the Legislative Assembly's proceeding on the assumption that Judge Lipscomb's rulings are correct. For example, Judge Lipscomb ruled that the board violated PERS statutes by failing to fund a contingency reserve. In our view, whether the board acted contrary to law is a close call, and on appeal a court could decide that the board's decision was appropriate under the circumstances.

In addition, we believe that Judge Lipscomb erred when concluding that the board abused its discretion in allocating 1999 earnings by not fully funding the gain/loss reserve. If the Legislative Assembly implemented remedies based on the assumption that these rulings are correct, and then an appellate decision reverses either of the rulings, the state may find itself in the position of having violated PERS members' contract rights.

Very truly yours,
Gregory A. Chaimov
Legislative Counsel

HB 2060 A-Eng. -- Read third time. Carried by Ferrioli. On passage of bill the vote was: Ayes, 28; excused, 1 – Burdick; attending legislative business, 1 – Corcoran. Bill passed.

HB 2086 A-Eng. -- Read third time. Carried by Minnis. Call of the Senate demanded by Brown joined by Starr, C. and Devlin. All present except Corcoran, attending legislative business. On passage of bill the vote was: Ayes, 22; nays, 7 – Beyer, Fisher, George, Hannon, Harper, Messerle, Nelson; attending legislative business, 1 – Corcoran. Bill passed.

HCR 3, 5; HJM 5; HB 2019, 2059, 2230, 2331, 2491, 2761, 3062, 3163 -- Carried over to May 9 calendar by unanimous consent at the request of the Chair.

HB 3261 -- Unanimous Consent Calendar. Taken from its place on today's Unanimous Consent Calendar and placed on May 9 calendar by unanimous consent at the request of the Chair.

President Courtney announced the following committee assignments effective May 8.

SENATE SPECIAL COMMITTEE ON THE OREGON HEALTH PLAN

Senator Peter Courtney, Co-Chair
Senator Jackie Winters, Co-Chair
Senator Kate Brown
Senator Margaret Carter
Senator Bill Fisher
Senator Lenn Hannon
Senator John Minnis
Senator Bill Morrisette

SB 9 -- President Courtney signed on May 8.

Senate adjourned until 10:30 a.m. Friday by unanimous consent at the request of the Chair.

Friday, May 9, 2003 -- Morning Session

Senate convened at 10:30 a.m. President Courtney in Chair. The following members were present: Atkinson, Beyer, Brown, Burdick, Clarno, Corcoran, Deckert, Devlin, Dukes, Ferrioli, Fisher, George, Gordly, Harper, Messerle, Metsger, Minnis, Morrisette, Morse, Nelson, Ringo, Shields, Starr, B., Walker; excused -- Carter, Schrader, Winters; attending legislative business -- Hannon, Starr, C. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Margie Courtney, Salem.

SB 94, 174, 182, 187, 188, 192, 203, 204, 215, 233, 246, 247, 251, 256, 276, 281, 387, 425, 748, 878; HB 2342, 2490, 2590, 2592, 3126, 3344, 3349, 3400, 3459, 3520, 3579 -- Message from the House announcing passage.

SB 181, 225 -- Message from the House announcing passage as amended by the House.

HB 2003, 2021, 2050, 2131, 2132, 2163, 2227, 2272, 2340, 2450, 2474, 2691, 2818, 3063 -- Message

from the House announcing concurrence in Senate amendments and repassage.

SB 9 -- Message from the House announcing the Speaker signed on May 8.

HB 2003, 2340 -- Message from the House announcing the Speaker signed on May 9.

Committee Report Summary No. 77 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

SB 313 -- Report by Committee on Revenue recommending passage with amendments.

SB 419 -- Report by Committee on Business and Labor recommending passage with amendments.

SB 752 -- Report by Committee on Judiciary recommending passage with amendments and requesting subsequent referral to Committee on Ways and Means be rescinded. Subsequent referral rescinded by order of the President in agreement with the President Pro Tempore.

SB 867 -- Report by Committee on General Government recommending passage with amendments and requesting subsequent referral to Committee on Ways and Means be rescinded. Request denied by order of the President in agreement with the President Pro Tempore.

SB 886 -- Report by Committee on Health Policy recommending passage with amendments and requesting subsequent referral to Committee on Ways and Means be rescinded. Subsequent referral rescinded by order of the President in agreement with the President Pro Tempore.

HB 2064 -- Report by Committee on Judiciary recommending passage and be placed on the Unanimous Consent Calendar.

HB 2213 -- Report by Committee on Revenue recommending passage.

HB 3224 -- Report by Committee on Revenue recommending passage with amendments to the A-engrossed bill.

HCR 3 -- Taken from its place on today's third reading calendar and placed on May 12 calendar by voice vote on motion of Brown.

SB 542 -- Taken from its place on today's third reading calendar and placed on May 12 calendar by voice vote on motion of Morrisette.

SB 3 -- Introduced, read first time and referred to President's desk.

SJR 13; SB 7 -- Read second time and passed to third reading.

SB 64 A-Eng. -- Read third time. Carried by Walker. On passage of bill the vote was: Ayes, 25; nays, 2 -- George, Schrader; attending legislative business, 3 -- Hannon, Messerle, Starr, C. Bill passed.

SB 785 A-Eng. -- Read third time. Carried by Walker. On passage of bill the vote was: Ayes, 27; attending legislative business, 3 -- Hannon, Messerle, Starr, C. Bill passed.

SB 820 A-Eng. -- Read third time. Carried by Nelson. Call of the Senate demanded by Beyer, joined by Nelson and Minnis. All members present except Hannon, Starr, C., excused. On passage of bill the vote was: Ayes, 19; nays, 9 -- Brown, Burdick, Carter, Corcoran, Deckert, Devlin, Dukes, Gordly, Shields; attending legislative business, 2 -- Hannon, Starr, C. Bill passed.

SB 893 A-Eng. -- Read third time. Carried by Metsger. On passage of bill the vote was: Ayes, 26; excused, 1 -- Clarno; attending legislative business, 3 -- Hannon, Ringo, Starr, C. Bill passed.

HB 2342, 2490, 2590, 2592, 3126, 3344, 3349, 3400, 3459, 3520, 3579 -- Read first time and referred to President's desk.

HB 2064, 2191, 2213, 2379, 3068, 3194 -- Read second time and passed to third reading.

HB 2230 B-Eng. -- Read third time. Carried by Nelson. On passage of bill the vote was: Ayes, 26; excused, 1 -- Clarno; attending legislative business, 3 -- Hannon, Ringo, Starr, C. Bill passed.

HB 2331 -- Read third time. Carried by Walker. On passage of bill the vote was: Ayes, 25; excused, 1 -- Clarno; attending legislative business, 4 -- Corcoran, Hannon, Ringo, Starr, C. Bill passed.

HB 2491 -- Read third time. Carried by Starr, B. On passage of bill the vote was: Ayes, 26; excused, 1 -- Clarno; attending legislative business, 3 -- Hannon, Ringo, Starr, C. Bill passed.

HB 3163 A-Eng. -- Read third time. Carried by Nelson. On passage of bill the vote was: Ayes, 25; nays, 1 -- Gordly; excused, 1 -- Clarno; attending legislative business, 3 -- Hannon, Ringo, Starr, C. Bill passed.

HCR 5 -- Read final time. Carried by Metsger. On adoption of resolution, the vote was: Ayes, 24; nays, 1 -- Corcoran; excused, 2 -- Beyer, Clarno; attending legislative business, 3 -- Hannon, Ringo, Starr, C. Resolution adopted.

HJM 5 -- Read final time. Carried by Deckert. On adoption of the memorial, the vote was: Ayes, 25; nays, 1 -- Schrader; excused, 1 -- Clarno; attending

legislative business, 3 – Hannon, Ringo, Starr, C. Memorial adopted.

HB 2019 -- Read third time. Taken from its place on today's third reading calendar and placed on May 12 calendar by voice vote on motion of Walker.

HB 2059 B-Eng. -- Read third time. Carried by Minnis. On passage of bill the vote was: Ayes, 26; excused, 1 – Clarno; attending legislative business, 3 – Hannon, Ringo, Starr, C. Bill passed.

HB 2761 B-Eng. -- Read third time. Carried by Minnis. On passage of bill the vote was: Ayes, 25; nays, 1 – Schrader; excused, 1 – Clarno; attending legislative business, 3 – Hannon, Ringo, Starr, C. Bill passed.

HB 3062 -- Read third time. Carried by Starr, B. On passage of bill the vote was: Ayes, 26; excused, 1 – Clarno; attending legislative business, 3 – Hannon, Ringo, Starr, C. Bill passed.

HB 2030 A-Eng. -- Read third time. Carried by Corcoran. On passage of bill the vote was: Ayes, 25; excused, 2 – Brown, Clarno; attending legislative business, 3 – Hannon, Ringo, Starr, C. Bill passed.

HB 2150 A-Eng. -- Read third time. Carried by Minnis. On passage of bill the vote was: Ayes, 23; nays, 1 – Schrader; excused, 2 – Brown, Clarno; attending legislative business, 4 – George, Hannon, Ringo, Starr, C. Bill passed.

HB 2258 -- Read third time. Carried by Beyer. Potential conflict of interest declared by Beyer. On passage of bill the vote was: Ayes, 24; excused, 2 – Brown, Clarno; attending legislative business, 4 – George, Hannon, Ringo, Starr, C. Bill passed.

HB 2625 -- Read third time. Carried by Ferrioli. On passage of bill the vote was: Ayes, 22; excused, 3 – Brown, Clarno, Morse; attending legislative business, 5 – George, Hannon, Metsger, Ringo, Starr, C. Bill passed.

HB 3261 -- Read third time under Unanimous Consent Calendar. Carried by Ferrioli. On passage of bill the vote was: Ayes, 21; nays, 1 – Schrader; excused, 3 – Brown, Clarno, Morse; attending legislative business, 5 – George, Hannon, Metsger, Ringo, Starr, C. Bill passed.

HB 2057 -- Read third time. Taken from its place on today's Unanimous Consent Calendar and placed on May 12 calendar by unanimous consent at the request of the chair.

HB 2190 -- Read third time under Unanimous Consent Calendar. Carried by Corcoran. On passage of bill the vote was: Ayes, 21; nays, 1 – Schrader; excused, 3 – Brown, Clarno, Morse; attending legislative business, 5 – George, Hannon, Metsger, Ringo, Starr, C. Bill passed.

The following measures were referred to committee on May 9 and recorded on Committee Referral List No. 48 which was distributed to members. Referral list recorded in the Journal and Status Report by order of the President.

HB 2094 Judiciary
 HB 2378 Rules
 HB 2447 Business and Labor
 HB 2574 Agriculture and Natural Resources
 HB 2607 Water and Land Use
 HB 2646 Judiciary
 HB 2647 Judiciary; Ways and Means
 HB 2696 Judiciary; Ways and Means
 HB 2706 Judiciary
 HB 2737 Business and Labor
 HB 2739 General Government; Ways and Means
 HB 2754 Agriculture and Natural Resources
 HB 2768 Judiciary
 HB 2824 Business and Labor
 HB 2860 Water and Land Use; Ways and Means
 HB 2865 Judiciary
 HB 2893 General Government
 HB 2894 Education
 HB 2898 Water and Land Use; Ways and Means
 HB 2999 Revenue
 HB 3013 Agriculture and Natural Resources
 HB 3021 Business and Labor
 HB 3093 Judiciary
 HB 3156 Human Resources
 HB 3170 Agriculture and Natural Resources; Ways and Means
 HB 3259 Judiciary
 HB 3304 Rules
 HB 3315 Water and Land Use; Ways and Means
 HB 3330 Judiciary
 HB 3346 Judiciary
 HB 3376 Agriculture and Natural Resources
 HB 3431 Health Policy
 HB 3458 Business and Labor
 HB 3539 Judiciary
 HB 3561 Water and Land Use; Ways and Means

HB 2003, 2340 -- President Courtney signed on May 9.

Senate adjourned until 10:30 a.m. Monday by unanimous consent at the request of the Chair.

Monday, May 12, 2003 -- Morning Session

Senate convened at 10:30 a.m. Starr, C. in Chair. The following members were present: Atkinson, Beyer, Brown, Burdick, Carter Clarno, Corcoran, Deckert, Devlin, Ferrioli, Dukes, Fisher, George, Gordly, Hannon, Harper, Messerle, Metsger, Minnis Morrisette, Morse, Nelson, Ringo, Schrader, Shields, Starr, B., Walker, Winters, President Courtney. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Reverend Mary Midkiff of the Woodland Chapel, Salem.

SB 9 -- Message from the Governor announcing he signed on May 9.

SB 162, 163, 164, 478; HB 2066, 2138, 2166, 2209, 2246, 2381, 2688, 2756, 2986, 2987, 3015, 3020, 3051, 3215, 3217, 3250, 3296, 3300, 3460, 3544, 3602 -- Message from the House announcing passage.

SCR 5 -- Message from the House announcing adoption.

HB 2003, 2340 -- Message from the House announcing concurrence in Senate amendments and repassage.

Committee Report Summary No. 78 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

SB 27 -- Report by Committee on Judiciary recommending passage with amendments.

SB 678 -- Report by Committee on Rules recommending passage.

SB 706 -- Report by Committee on Rules recommending passage with amendments.

SB 708 -- Report by Committee on Health Policy recommending passage with amendments.

SB 709 -- Report by Committee on Health Policy recommending passage with amendments.

HB 3339 -- Report by Committee on Judiciary recommending passage of the A-engrossed bill.

SB 225 A-Eng. -- Deckert moved that the Senate concur in House amendments and repass bill. On concurrence and repassage the vote was: Ayes, 30. Bill repassed.

HB 2379 -- Taken from today's calendar and rereferred to Committee on Revenue by voice vote on motion of Corcoran.

SB 313, 419, 678, 752, 886 -- Read second time and passed to third reading.

SJR 13 A-Eng. -- Read final time. Carried by Hannon. Call of the Senate demanded by Hannon joined by George and Corcoran. All present. On adoption of resolution, the vote was: Ayes, 30. Resolution adopted.

SB 7 A-Eng. -- Read third time. Carried by Winters. On passage of bill the vote was: Ayes, 29; attending legislative business, 1 -- Carter. Bill passed.

SB 542 -- Read third time. Carried by Morrisette. Call of the Senate demanded by Morrisette joined by Brown and Atkinson. All present except Carter, Clarno, Corcoran, attending legislative business. Pending arrival of members subject to the Call, Senate at ease. Further proceedings under the Call terminated by unanimous consent at the request

of the Chair. All present. Senate reassembled. On passage of bill the vote was: Ayes, 19; nays, 11 -- Beyer, Clarno, Dukes, Fisher, George, Harper, Minnis, Morse, Nelson, Schrader, Starr, B. Bill passed.

HB 2066, 2138, 2166, 2209, 2246, 2381, 2688, 2756, 2986, 2987, 3015, 3020, 3051, 3215, 3217, 3250, 3296, 3300, 3460, 3544, 3602 -- Read first time and referred to President's desk.

HB 3224, 3339 -- Read second time and passed to third reading.

HCR 3 A-Eng. -- Read final time. Carried by Hannon. On adoption of resolution, the vote was: Ayes, 27; attending legislative business, 3 -- Burdick, Carter, Clarno. Resolution adopted.

HB 2019 -- Taken from its place on today's third reading calendar and placed on May 13 calendar by voice vote on motion of Walker.

HB 2191 B-Eng. -- Read third time. Carried by Walker. On passage of bill the vote was: Ayes, 25; nays, 2 -- Atkinson, George; attending legislative business, 3 -- Burdick, Carter, Clarno. Bill passed.

HB 2213 -- Read third time. Carried by Starr, B. On passage of bill the vote was: Ayes, 18; nays, 10 -- Beyer, Burdick, Dukes, Ferrioli, Fisher, George, Gordly, Hannon, Ringo, Shields; attending legislative business, 2 -- Carter, Clarno. Bill passed.

HB 2057, 3068, 3194 -- Carried over to May 13 calendar by unanimous consent at the request of the Chair.

Senate adjourned until 10:30 a.m. Tuesday by unanimous consent at the request of the Chair.

Tuesday, May 13, 2003 -- Morning Session

Senate convened at 10:30 a.m. President Courtney in Chair. The following members were present: Atkinson, Beyer, Brown, Burdick, Carter, Clarno, Corcoran, Deckert, Devlin, Ferrioli, Dukes, Fisher, George, Gordly, Hannon, Harper, Messerle, Metsger, Minnis, Morrisette, Morse, Nelson, Ringo, Schrader, Shields, Starr, B., Starr, C., Walker, Winters. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Larry Knox, Valley Harvest Church, Hillsboro.

SB 248; HB 2167, 2304, 2431, 2459, 2468, 2473, 2606, 2817, 2825, 2828, 2909, 2983, 3006, 3069, 3120, 3136, 3193, 3220, 3389, 3622 -- Message from the House announcing passage.

HCR 9 -- Message from the House announcing adoption.

SB 291 -- Message from the House announcing passage as amended by the House.

HJM 3; HJR 16, 48; HB 2054, 2061, 2075, 2135, 2226, 2269, 2274, 2305, 2306, 2307, 2309, 2343, 2374, 2393, 2401, 2456, 2475, 2526, 2533, 2650, 2676, 2799, 2997, 3001, 3026 -- Message from the House announcing the Speaker signed on May 12.

Committee Report Summary No. 79 listing the following reports was distributed to members May 12. Summary list recorded in Journal and Status Report by order of the President.

HB 2186 -- Report by Committee on Ways and Means recommending passage with amendments to the A-engrossed bill.

Committee Report Summary No. 80 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

SB 5549 -- Report by Committee on Ways and Means recommending passage with amendments.

SB 347 -- Report by Committee on General Government without recommendation as to passage and requesting referral to Committee on Ways and Means. Referred to Committee on Ways and Means by order of the President in agreement with the President Pro Tempore.

SB 466 -- Report by Committee on Judiciary recommending passage with amendments.

SB 743 -- Report by Committee on Judiciary recommending passage with amendments and requesting referral to Committee on Ways and Means. Referred to Committee on Ways and Means by order of the President in agreement with the President Pro Tempore.

HB 2238 -- Report by Judiciary recommending passage with amendments to the A-engrossed bill.

SB 181 B-Eng. -- Metsger moved that the Senate concur in House amendments and re-pass bill. On concurrence and re-pass the vote was: Ayes, 26; nays, 1 – Schrader; absent, 1 – Carter; attending legislative business, 2 – Starr, B., Walker. Bill re-passed.

SB 4 -- Introduced, read first time and referred to President's desk.

SB 27, 706, 708, 709 -- Read second time and passed to third reading.

SB 313 A-Eng. -- Read third time. Carried by Metsger. On passage of bill the vote was: Ayes, 18; nays, 10 – Beyer, Clarno, Ferrioli, Fisher, George, Hannon, Harper, Messerle, Starr, C., Winters; attending legislative business, 2 – Starr, B., Walker. Bill passed.

SB 419 A-Eng. -- Read third time. Carried by Harper. Potential conflict of interest declared by Harper. On passage of bill the vote was: Ayes, 28; nays, 2 – George, Hannon. Bill passed.

SB 678 -- Read third time. Carried by Devlin. Call of the Senate demanded by Devlin joined by

Corcoran and Gordly. All present. On passage of bill the vote was: Ayes, 28; nays, 2 – Beyer, George. Bill passed.

SB 752 A-Eng. -- Read third time. Carried by Minnis. On passage of bill the vote was: Ayes, 30. Bill passed.

SB 886 A-Eng. -- Read third time. Carried by Shields. On passage of bill the vote was: Ayes, 29; nays, 1 – Corcoran. Bill passed.

HCR 9; HB 2167, 2304, 2431, 2459, 2468, 2473, 2606, 2817, 2825, 2828, 2909, 2983, 3006, 3069, 3120, 3136, 3193, 3220, 3389, 3622 -- Read first time and referred to President's desk.

HB 2186 -- Read second time and passed to third reading.

HB 3068 B-Eng. -- Read third time. Carried by Corcoran. On passage of bill the vote was: Ayes, 29; attending legislative business, 1 – Dukes. Bill passed.

HB 3194 A-Eng. -- Read third time. Carried by Walker. On passage of bill the vote was: Ayes, 28; absent, 1 – Corcoran; attending legislative business, 1 – Dukes. Bill passed.

HB 2019 -- Bill read. Taken from today's third reading calendar and rereferred to Committee on Business and Labor by voice vote on motion of Walker.

HB 3224 B-Eng. -- Read third time. Carried by Ringo. On passage of bill the vote was: Ayes, 27; nays, 2 – Hannon, Schrader; attending legislative business, 1 – Dukes. Bill passed.

HB 3339 A-Eng. -- Read third time. Carried by Burdick. On passage of bill the vote was: Ayes, 28; nays, 1 – Nelson; attending legislative business, 1 – Dukes. Bill passed.

HB 2057 -- Bill read under Unanimous Consent Calendar. Carried by Ringo. On passage of bill the vote was: Ayes, 27; nays, 2 – Hannon, Schrader; attending legislative business, 1 – Dukes. Bill passed.

Senate adjourned until 10:30 a.m. Wednesday by unanimous consent at the request of the Chair.

Wednesday, May 14, 2003 -- Morning Session

Senate convened at 10:30 a.m. President Courtney in Chair. The following members were present: Atkinson, Beyer, Brown, Burdick, Carter, Clarno, Corcoran, Deckert, Devlin, Dukes, Ferrioli, Fisher, George, Gordly, Hannon, Harper, Messerle, Metsger, Minnis, Morrisette, Morse, Nelson, Ringo, Schrader, Shields, Starr, B., Starr, C., Walker; attending legislative business -- Winters. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Pastor Scott Harkness of the First United Methodist Church, Salem.

SB 130, 157, 211, 212, 221, 238, 388; HB 2118, 2299, 3519 -- Message from the House announcing passage.

SCR 3, 4; SJM 3, SJM 5; HCR 8 -- Message from the House announcing adoption.

HB 2030, 2059, 2761 -- Message from the House announcing concurrence in Senate amendments and repassage.

Committee Report Summary No. 81 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

SB 301 -- Report by Committee on Judiciary recommending passage with amendments. Referred to Committee on Ways and Means by order of the President in agreement with the President Pro Tempore.

SB 421 -- Report by Committee on Judiciary recommending passage with amendments. Referred to Committee on Ways and Means by order of the President in agreement with the President Pro Tempore.

SB 621 -- Report by Committee on Judiciary recommending passage with amendments.

SB 801 -- Report by Committee on Judiciary recommending passage with amendments.

HB 2063 -- Report by Committee on Judiciary recommending passage of the A-engrossed bill.

HB 2207 -- Report by Committee on Judiciary recommending passage of the A-engrossed bill.

HB 2449 -- Report by Committee on Judiciary recommending passage.

HB 2664 -- Report by Committee on Revenue recommending passage of the A-engrossed bill.

SB 5549; 466 -- Read second time and passed to third reading.

SB 27 A-Eng. -- Read third time. Carried by Burdick. On passage of bill the vote was: Ayes, 25; nays, 4 -- Atkinson, Clarno, Minnis, Nelson; attending legislative business, 1 -- Winters. Bill passed.

SB 706 A-Eng. -- Read third time. Carried by Atkinson. On passage of bill vote was: Ayes, 27; nays, 2 -- Beyer, George; attending legislative business, 1 -- Winters. Bill passed.

SB 708 A-Eng. -- Read third time. Carried by Walker. On passage of bill the vote was: Ayes, 26; nays, 3 -- George, Hannon, Schrader; attending legislative business, 1 -- Winters. Bill passed.

SB 709 A-Eng. -- Read third time. Carried by Morrisette. On passage of bill the vote was: Ayes, 26; nays, 2 -- George, Hannon; attending legislative business, 2 -- Clarno, Winters. Bill passed.

HCR 8; HB 2118, 2299, 3519 -- Read first time and referred to President's desk.

HB 2063, 2207, 2238, 2449, 2664 -- Read second time and passed to third reading.

HB 2186 B-Eng. -- Read third time. Carried by Deckert. Harper declared a potential conflict of interest. Call of the Senate demanded by Brown joined by Carter and Walker. All members present except Winters, attending legislative business. On passage of bill the vote was: Ayes, 17; nays, 12 -- Atkinson, Beyer, Clarno, Ferrioli, Fisher, George, Harper, Messerle, Minnis, Morse, Nelson, Starr, C.; attending legislative business, 1 -- Winters. Bill passed.

HB 2064 -- Read third time under Unanimous Consent Calendar. Carried by Walker. On passage of bill the vote was: Ayes, 28; nays, 1 -- Schrader; attending legislative business, 1 -- Winters. Bill passed.

The following measures were referred to committee on May 13 and recorded on Committee Referral List No. 49 which was distributed to members. Referral list recorded in the Journal and Status Report by order of the President.

SB 3 Business and Labor
 HB 2066 Judiciary
 HB 2120 Human Resources; Ways and Means
 HB 2138 Agriculture and Natural Resources
 HB 2166 Revenue
 HB 2209 Ways and Means
 HB 2246 General Government
 HB 2342 Judiciary
 HB 2381 Judiciary
 HB 2490 Judiciary
 HB 2575 Rules
 HB 2590 Judiciary
 HB 2592 Judiciary
 HB 2688 Water and Land Use
 HB 2756 Judiciary
 HB 2887 Agriculture and Natural Resources
 HB 2986 Judiciary
 HB 2987 Health Policy; Ways and Means
 HB 3015 Judiciary
 HB 3017 Water and Land Use; Ways and Means
 HB 3020 General Government
 HB 3051 Revenue
 HB 3126 Agriculture and Natural Resources
 HB 3215 Water and Land Use
 HB 3217 Water and Land Use
 HB 3247 Water and Land Use; Ways and Means
 HB 3250 Judiciary
 HB 3296 Judiciary
 HB 3300 Business and Labor
 HB 3344 Judiciary
 HB 3349 Judiciary
 HB 3354 Water and Land Use
 HB 3380 General Government

HB 3400 Business and Labor
 HB 3459 Water and Land Use
 HB 3460 Business and Labor
 HB 3462 Agriculture and Natural Resources; Ways and Means
 HB 3520 Judiciary
 HB 3544 Judiciary
 HB 3548 Transportation and Economic Development
 HB 3579 Transportation and Economic Development; Ways and Means
 HB 3602 Business and Labor
 HB 3606 Rules; Ways and Means

SB 403, 404, 648; HJM 3; HJR 16, 48; HB 2054, 2061, 2075, 2135, 2226, 2269, 2274, 2305, 2306, 2307, 2309, 2343, 2374, 2393, 2401, 2456, 2475, 2526, 2533, 2650, 2676, 2799, 2997, 3001, 3026 -- President Courtney signed on May 14.

Senate adjourned until 10:30 a.m. Thursday by unanimous consent at the request of the Chair.

Thursday, May 15, 2003 -- Morning Session

Senate convened at 10:30 a.m. President Courtney in Chair. The following members were present: Atkinson, Beyer, Brown, Burdick, Carter, Clarno, Corcoran, Devlin, Dukes, Fisher, Gordly, Hannon, Messerle, Metsger, Minnis, Morse, Nelson, Ringo, Starr, B., Starr, C., Walker; absent -- Deckert, Ferrioli, Harper, Morrisette, Shields; excused -- George, Schrader; attending legislative business -- Winters. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Reverend John Dennis of First Corvallis Presbyterian Church, Corvallis.

SB 13, 80, 158, 234, 243, 244, 310, 328, 374, 514, 554, 584, 606, 667, 795, 832; HB 2165, 2638, 3047, 3058, 3338 -- Message from the House announcing passage.

SB 525 -- Message from the House announcing passage as amended by the House.

HB 2230 -- Message from the House announcing refusal to concur in Senate amendments. Conferees to be announced.

Committee Report Summary No. 82 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

SB 52 -- Report by Committee on Judiciary recommending passage with amendments.

SB 103 -- Report by Committee on Judiciary recommending passage with amendments to the A-engrossed bill.

SB 808 -- Report by Committee on Judiciary recommending passage with amendments.

HB 2034 -- Report by Committee on Judiciary recommending passage of the A-engrossed bill.

HB 2101 -- Report by Committee on Judiciary recommending passage with amendments.

HB 2111 -- Report by Committee on Judiciary recommending passage of the A-engrossed bill.

HB 2177 -- Report by Committee on Judiciary recommending passage with amendments to the A-engrossed bill.

HB 2298 -- Report by Committee on Revenue recommending passage of the A-engrossed bill.

HB 2380 -- Report by Committee on Revenue recommending passage.

SB 621, 801 -- Read second time and passed to third reading.

SB 5549 A-Eng. -- Read third time. Carried by Carter. On passage of bill the vote was: Ayes, 24; nays, 1 -- Corcoran; excused, 3 -- Deckert, George, Schrader; attending legislative business, 2 -- Gordly, Winters. Bill passed.

SB 466 -- Read third time. Rereferred to Committee on Judiciary by voice vote on motion of Walker.

HB 2165, 2638, 3047, 3058, 3338 -- Read first time and referred to President's desk.

HB 2034, 2111, 2298, 2380 -- Read second time and passed to third reading.

HB 2063 A-Eng. -- Read third time. Carried by Walker. On passage of bill the vote was: Ayes, 26; excused, 2 -- George, Schrader; attending legislative business, 2 -- Gordly, Winters. Bill passed.

HB 2207 A-Eng. -- Read third time. Carried by Starr C. On passage of bill the vote was: Ayes, 25; excused, 2 -- George, Schrader; attending legislative business, 3 -- Carter, Gordly, Winters. Bill passed.

HB 2238 B-Eng. -- Read third time. Carried by Ferrioli. On passage of bill the vote was: Ayes, 26; excused, 2 -- George, Schrader; attending legislative business, 2 -- Carter, Winters. Bill passed.

HB 2449 -- Read third time. Carried by Ringo. On passage of bill the vote was: Ayes, 25; nays, 1 -- Hannon; excused, 2 -- George, Schrader; attending legislative business, 2 -- Carter, Winters. Bill passed.

HB 2664 A-Eng. -- Read third time. Carried by Ringo. On passage of bill the vote was: Ayes, 26; excused, 2 -- George, Schrader; attending legislative business, 2 -- Carter, Winters. Bill passed.

Senate adjourned until 10:30 a.m. Friday by unanimous consent at the request of the Chair.

Friday, May 16, 2003 -- Morning Session

Senate convened at 10:30 a.m. Ringo in Chair. The following members were present: Atkinson, Beyer, Brown, Burdick, Carter, Clarno, Corcoran,

Deckert, Devlin, Dukes, Ferrioli, Fisher, George, Gordly, Hannon, Harper, Messerle, Metsger, Minnis, Morrisette, Morse, Nelson, Shields, Starr, B., Starr, C., Walker, President Courtney; excused -- Schrader; attending legislative business -- Winters. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Reverend Margaret Golden of the Dundee and McCabe United Methodist Churches.

Courtesies of the Senate were extended to former State Representative Tim Josi at the request of Dukes.

The following messages from the Governor were read and referred to the Committee on Rules.

May 16, 2003

TO THE HONORABLE PRESIDENT OF THE SENATE
OF THE 72nd LEGISLATIVE ASSEMBLY

ORS 660.110 provides that the Governor shall appoint the members of the State Apprenticeship and Training Council, subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I appoint Michael McFall of Canby to the State Apprenticeship and Training Council for a four-year term, as provided by statute, beginning June 1, 2003 and ending on May 31, 2007, effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,
Ted Kulongoski
Governor

May 16, 2003

TO THE HONORABLE PRESIDENT OF THE SENATE
OF THE 72nd LEGISLATIVE ASSEMBLY

ORS 684.130 provides that the Governor shall appoint the members of the State Board of Chiropractic Examiners, subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I appoint Minga Guerrero of Portland to the State Board of Chiropractic Examiners for a three-year term as provided by statute, beginning June 1, 2003 and ending on May 31, 2006, effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,
Ted Kulongoski
Governor

May 16, 2003

TO THE HONORABLE PRESIDENT OF THE SENATE
OF THE 72nd LEGISLATIVE ASSEMBLY

ORS 701.205 provides that the Governor shall appoint the members of the Construction Contractors Board, subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I reappoint Walt Gamble of West Linn to the Construction Contractors Board for a four-year term as provided by statute, beginning July 1, 2003 and ending on June 30, 2007, effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,
Ted Kulongoski
Governor

May 16, 2003

TO THE HONORABLE PRESIDENT OF THE SENATE
OF THE 72nd LEGISLATIVE ASSEMBLY

ORS 701.205 provides that the Governor shall appoint the members of the Construction Contractors Board, subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I appoint Sandra Trainor of Tualatin to the Construction Contractors Board for an unexpired four-year term, as provided by statute, beginning June 1, 2003 and ending on June 30, 2004, effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,
Ted Kulongoski
Governor

May 16, 2003

TO THE HONORABLE PRESIDENT OF THE SENATE
OF THE 72nd LEGISLATIVE ASSEMBLY

ORS 327.500 provides that the Governor shall appoint the members of the Quality Education Commission, subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I appoint Yvonne Curtis of Terrebonne, to the Quality Education Commission for a four-year term, as provided by statute, beginning July 31, 2003 and ending on August 1, 2007, effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,
Ted Kulongoski
Governor

May 16, 2003

TO THE HONORABLE PRESIDENT OF THE SENATE
OF THE 72nd LEGISLATIVE ASSEMBLY

ORS 327.500 provides that the Governor shall appoint the members of the Quality Education Commission, subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I appoint Lynn Lundquist of Beaverton to the Quality Education Commission for a partial four-year term, as provided by statute, beginning June 1, 2003 and ending on August 1, 2004, effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,
Ted Kulongoski
Governor

May 16, 2003

TO THE HONORABLE PRESIDENT OF THE SENATE
OF THE 72nd LEGISLATIVE ASSEMBLY

ORS 327.500 provides that the Governor shall appoint the members of the Quality Education Commission, subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I appoint Ozzie Rose of Salem to the Quality Education Commission for a partial four-year term, as provided by statute, beginning June 1, 2003 and ending on August 1, 2006, effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,
Ted Kulongoski
Governor

May 16, 2003

TO THE HONORABLE PRESIDENT OF THE SENATE
OF THE 72nd LEGISLATIVE ASSEMBLY

ORS 327.500 provides that the Governor shall appoint the members of the Quality Education Commission, subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I reappoint Keith Thomson of Portland to the Quality Education Commission for a four-year term, as provided by statute, beginning July 30, 2002 and ending on August 1, 2006, effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,
Ted Kulongoski
Governor

May 16, 2003

TO THE HONORABLE PRESIDENT OF THE SENATE
OF THE 72nd LEGISLATIVE ASSEMBLY

ORS 326.021 provides that the Governor shall appoint the members of the State Board of Education, subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I appoint Jerry Berger of Salem to the State Board of Education for a four-year term, as provided by statute, beginning July 1, 2003 and ending on June 30, 2007, effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,
Ted Kulongoski
Governor

May 16, 2003

TO THE HONORABLE PRESIDENT OF THE SENATE
OF THE 72nd LEGISLATIVE ASSEMBLY

ORS 326.021 provides that the Governor shall appoint the members of the State Board of Education, subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I reappoint Steve Bogart of Vale to the State Board of Education for a four-year term, as provided by statute, beginning July 1, 2003 and ending on June 30, 2007, effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,
Ted Kulongoski
Governor

May 16, 2003

TO THE HONORABLE PRESIDENT OF THE SENATE
OF THE 72nd LEGISLATIVE ASSEMBLY

ORS 326.021 provides that the Governor shall appoint the members of the State Board of Education, subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I appoint Nikki Squire of Bend to the State Board of Education for a four-year term, as provided by statute, beginning July 1, 2003 and ending on June 30, 2007, effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,
Ted Kulongoski
Governor

May 16, 2003

TO THE HONORABLE PRESIDENT OF THE SENATE
OF THE 72nd LEGISLATIVE ASSEMBLY

ORS 240.060 provides that the Governor shall appoint the members of the Employment Relations Board, subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I appoint Paul Gamson of Portland to the Employment Relations Board for an unexpired four-year term, as provided by statute, beginning July 1, 2003 and ending on June 30, 2004, effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,
Ted Kulongoski
Governor

May 16, 2003

TO THE HONORABLE PRESIDENT OF THE SENATE
OF THE 72nd LEGISLATIVE ASSEMBLY

ORS 496.090 provides that the Governor shall appoint the members of the State Fish and Wildlife Commission, subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I reappoint Don Denman of Medford to the State Fish and Wildlife Commission for a four-year term, as provided by statute, beginning August 1, 2001 and ending on July 31, 2005, effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,
Ted Kulongoski
Governor

May 16, 2003

TO THE HONORABLE PRESIDENT OF THE SENATE
OF THE 72nd LEGISLATIVE ASSEMBLY

ORS 496.090 provides that the Governor shall appoint the members of the State Fish and Wildlife Commission, subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I appoint Carter Kerns of Pendleton to the State Fish and Wildlife Commission for a four-year term, as provided by statute, beginning June 1, 2003 and ending on May 31, 2007, effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,
Ted Kulongoski
Governor

May 16, 2003

TO THE HONORABLE PRESIDENT OF THE SENATE
OF THE 72nd LEGISLATIVE ASSEMBLY

ORS 351.020 provides that the Governor shall appoint the members of the State Board of Higher Education, subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I appoint Bridget Burns of Corvallis to the State Board of Higher Education for a two-year term, as provided by statute, beginning July 1, 2003 and ending on June 30, 2005, effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,
Ted Kulongoski
Governor

May 16, 2003

TO THE HONORABLE PRESIDENT OF THE SENATE
OF THE 72nd LEGISLATIVE ASSEMBLY

ORS 351.020 provides that the Governor shall appoint the members of the State Board of Higher Education, subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I appoint Rachel Pilliod of Eugene to the State Board of Higher Education for a two-year term, as provided by statute, beginning July 1, 2003 and ending on June 30, 2005, effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,
Ted Kulongoski
Governor

May 16, 2003

TO THE HONORABLE PRESIDENT OF THE SENATE
OF THE 72nd LEGISLATIVE ASSEMBLY

ORS 471.705 provides that the Governor shall appoint the members of the Oregon Liquor Control Commission, subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I reappoint Phil Lang of Portland to the Oregon Liquor Control Commission for a four-year term, as provided by statute, beginning April 1, 2002 and ending on March 31, 2006, effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,
Ted Kulongoski
Governor

May 16, 2003

TO THE HONORABLE PRESIDENT OF THE SENATE
OF THE 72nd LEGISLATIVE ASSEMBLY

ORS 471.705 provides that the Governor shall appoint the members of the Oregon Liquor Control Commission, subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I appoint Robert Rice of Portland to the Oregon Liquor Control Commission for a four-year term, as provided by statute, beginning June 1, 2003 and ending on March 31, 2007, effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,
Ted Kulongoski
Governor

May 16, 2003

TO THE HONORABLE PRESIDENT OF THE SENATE
OF THE 72nd LEGISLATIVE ASSEMBLY

ORS 677.235 provides that the Governor shall appoint the members of the Board of Medical Examiners, subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I reappoint Suresht Bald of Salem to the Board of Medical Examiners for a three-year term, as provided by statute, beginning March 1, 2003 and ending on February 28, 2006, effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,
Ted Kulongoski
Governor

May 16, 2003

TO THE HONORABLE PRESIDENT OF THE SENATE
OF THE 72nd LEGISLATIVE ASSEMBLY

ORS 390.114 provides that the Governor shall appoint the members of the State Parks and Recreation Commission, subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I appoint David Kottkamp of Bend to the State Parks and Recreation Commission for an unexpired four-year term, as provided by statute, beginning June 1, 2003 and ending on November 16, 2004, effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,
Ted Kulongoski
Governor

May 16, 2003

TO THE HONORABLE PRESIDENT OF THE SENATE
OF THE 72nd LEGISLATIVE ASSEMBLY

ORS 688.160 provides that the Governor shall appoint the members of the Physical Therapist Licensing Board, subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I appoint Joana Freedman of Portland to the Physical Therapist Licensing Board for a four-year term, as provided by statute, beginning May 1, 2003 and ending on June 30, 2007, effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,
Ted Kulongoski
Governor

May 16, 2003

TO THE HONORABLE PRESIDENT OF THE SENATE
OF THE 72nd LEGISLATIVE ASSEMBLY

ORS 688.160 provides that the Governor shall appoint the members of the Physical Therapist Licensing Board, subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I reappoint Jerry Nickell of Baker City to the Physical Therapist Licensing Board for a four-year term, as provided by statute, beginning March 1, 2003 and ending on February 28, 2007, effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,
Ted Kulongoski
Governor

May 16, 2003

TO THE HONORABLE PRESIDENT OF THE SENATE
OF THE 72nd LEGISLATIVE ASSEMBLY

ORS 673.725 provides that the Governor shall appoint the members of the State Board of Tax Practitioners, subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I appoint Merry VanAtta of Lebanon to the State Board of Tax Practitioners for a three-year term, as provided by statute, beginning June 1, 2003 and ending on May 31, 2006, effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,
Ted Kulongoski
Governor

May 16, 2003

TO THE HONORABLE PRESIDENT OF THE SENATE
OF THE 72nd LEGISLATIVE ASSEMBLY

ORS 675.725 provides that the Governor shall appoint the members of the State Board of Tax Practitioners, subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I reappoint Gerald Zielinski of Salem to the State Board of Tax Practitioners for a three-year term, as provided by statute, beginning March 4, 2003 and ending on March 2, 2006, effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,
Ted Kulongoski
Governor

SB 137, 223, 226, 327; HB 2251 -- Message from the House announcing passage.

SB 226 -- Message from the House announcing passage as amended by the House.

HB 3068, 3194, 3224 -- Message from the House announcing concurrence in Senate amendments and repassage.

Committee Report Summary No. 83 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

SB 302 -- Report by Committee on Judiciary recommending passage with amendments and requesting referral to Committee on Ways and Means. Referred to Committee on Ways and Means by order of the President in agreement with the President Pro Tempore.

HB 2103 -- Report by Committee on Business and Labor recommending passage of the A-engrossed bill.

HB 2206 -- Report by Committee on Judiciary recommending passage of the A-engrossed bill.

HB 2209 -- Report by Committee on Ways and Means recommending passage.

HB 2233 -- Report by Committee on Business and Labor recommending passage of the A-engrossed bill.

HB 2999 -- Report by Committee on Revenue recommending passage of the A-engrossed bill.

HB 3145 -- Report by Committee on Business and Labor recommending passage of the A-engrossed bill.

HB 3218 -- Report by Committee on Business and Labor recommending passage of the A-engrossed bill.

HB 3316 -- Report by Committee on Business and Labor recommending passage.

SB 5 -- Introduced, read first time and referred to President's desk.

SB 52, 103, 808 -- Read second time and passed to third reading.

SB 621 A-Eng. -- Read third time. Carried by Brown. On passage of bill the vote was: Ayes, 27; nays, 1 -- Corcoran; excused, 1 -- Schrader; attending legislative business, 1 -- Winters. Bill passed.

SB 801 A-Eng. -- Read third time. Carried by Brown. On passage of bill the vote was: Ayes, 27; nays, 1 -- Gordly; excused, 1 -- Schrader; attending legislative business, 1 -- Winters. Bill passed.

SB 801 -- Gordly requested the following explanation of vote be entered into the journal:

"I am concerned about the provision in the bill that provides that parties are not subject to punitive contempt proceedings or criminal prosecution for violation of the orders.

I have an additional concern in that the bill states that punitive sanctions may not be sought under the measure. Of great concern is the deletion of the portion of bill that restrained parties from changing a minor's address or schedule, or from hiding the child or interfering with parenting time with the child."

HB 2251 -- Read first time and referred to President's desk.

HB 2101, 2103, 2177, 2206, 2209, 2233, 2999, 3145, 3218, 3316 -- Read second time and passed to third reading.

HB 2034 A-Eng. -- Read third time. Carried by Starr, C. On passage of bill the vote was: Ayes, 26; excused, 1 -- Schrader; attending legislative business, 3 -- Brown, Starr, B., Winters. Bill passed. (President Courtney in Chair)

HB 2111 A-Eng. -- Read third time. Carried by Ringo. On passage of bill the vote was: Ayes, 26; excused, 1 -- Schrader; attending legislative business, 3 -- Brown, Starr, B., Winters. Bill passed.

HB 2298 -- Read third time. Taken from its place on today's third reading calendar and placed on May 19 calendar by voice vote on motion of Ferrioli.

HB 2380 -- Read third time. Carried by Carter. On passage of bill the vote was: Ayes, 26; excused, 1 – Schrader; attending legislative business, 3 – Brown, Starr, B., Winters. Bill passed.

The following measures were referred to committee on May 15 and recorded on Committee Referral List No. 50 which was distributed to members. Referral list recorded in the Journal and Status Report by order of the President.

HCR 8 Rules
 HCR 9 Rules
 HB 2118 Judiciary
 HB 2167 General Government; Ways and Means
 HB 2299 Revenue
 HB 2304 General Government
 HB 2431 Water and Land Use
 HB 2459 Agriculture and Natural Resources
 HB 2468 Agriculture and Natural Resources; Ways and Means
 HB 2473 Agriculture and Natural Resources; Ways and Means
 HB 2606 Agriculture and Natural Resources
 HB 2825 Rules; Ways and Means
 HB 2909 Water and Land Use; Ways and Means
 HB 2983 Water and Land Use; Ways and Means
 HB 3006 Water and Land Use; Ways and Means
 HB 3069 Business and Labor
 HB 3136 General Government
 HB 3193 Judiciary
 HB 3220 Water and Land Use
 HB 3389 Judiciary
 HB 3519 Water and Land Use
 HB 3622 Business and Labor

HB 2240, 3063 -- President Courtney signed on May 16.

Senate adjourned until 10:30 a.m. Monday by unanimous consent at the request of the Chair.

Monday, May 19, 2003 -- Morning Session

Senate convened at 10:30 a.m. President Courtney in Chair. The following members were present: Atkinson, Beyer, Clarno, Dukes, Ferrioli, Fisher, George, Hannon, Harper, Messerle, Metsger, Minnis, Morrisette, Morse, Nelson, Ringo, Shields, Starr, B., Starr, C., Winters; absent -- Burdick, Carter, Corcoran, Devlin, Gordly, Walker; excused -- Brown, Schrader; attending legislative business -- Deckert. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Ed Ben of the Confederated Tribes of Siletz.

SB 70, 71, 72, 127, 161, 167, 241, 250, 401, 661, 663; HB 2074, 2188, 2368, 3624, 5002 -- Message from the House announcing passage.

SB 82, 191 -- Message from the House announcing passage as amended by the House.

SB 403, 404, 648; HJR 41; HB 2115, 2314, 2338, 2542, 2573, 2623, 2642, 2645, 2674, 2784, 2853, 3014, 3123, 3151, 3375, 3581 -- Message from the House announcing the Speaker signed on May 16.

Committee Report Summary No. 84 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

SB 415 -- Report by Committee on Revenue recommending passage with amendments.

SB 826 -- Report by Committee on Business and Labor recommending passage. Referred to Committee on Ways and Means by prior reference.

HB 2069 -- Report by Committee on Judiciary recommending passage.

HB 2114 -- Report by Judiciary recommending passage with amendments to the A-engrossed bill.

HB 2324 -- Report by Committee on Human Resources recommending passage.

HB 2410 -- Report by Committee on Human Resources recommending passage of the A-engrossed bill.

HB 2631 -- Report by Committee on Human Resources recommending passage with amendments to the A-engrossed bill.

HB 2717 -- Report by Committee on Business and Labor recommending passage with amendments to the A-engrossed bill.

HB 2729 -- Report by Committee on Judiciary recommending passage of the A-engrossed bill.

HB 2732 -- Report by Committee on Judiciary recommending passage.

HB 2821 -- Report by Committee on Judiciary recommending passage with amendments to the A-engrossed bill.

HB 2866 -- Report by Committee on Judiciary recommending passage.

HB 2885 -- Report by Committee on Judiciary recommending passage with amendments.

HB 3122 -- Report by Committee on Human Resources recommending passage of the A-engrossed bill.

HB 3156 -- Report by Committee on Human Resources recommending passage of the A-engrossed bill.

HB 3157 -- Report by Committee on Human Resources recommending passage with amendments to the A-engrossed bill.

HB 3184 -- Report by Committee on Revenue recommending passage with amendments to the A-engrossed bill

SB 525 B-Eng. -- Starr, C. moved that the Senate concur in House amendments and repass bill. On concurrence and repassage the vote was: Ayes, 26; excused, 2 – Brown, Schrader; attending legislative business, 2 – Corcoran, Deckert. Bill repassed.

SB 52 A-Eng -- Read third time. Carried by Minnis. On passage of bill the vote was: Ayes, 27; excused, 2 – Brown, Schrader; attending legislative business, 1 – Deckert. Bill passed. (Hannon in Chair)

SB 103 B-Eng. -- Read third time. Carried by Walker. On passage of bill the vote was: Ayes, 27; excused, 2 – Brown, Schrader; attending legislative business, 1 – Deckert. Bill passed.

SB 808 A-Eng. -- Read third time. Carried by Ferrioli. On passage of bill the vote was: Ayes, 27; excused, 2 – Brown, Schrader; attending legislative business, 1 – Deckert. Bill passed.

HB 5002, 2074, 2188, 2368, 3624 -- Read first time and referred to President's desk.

HB 2069, 2324, 2410, 2729, 2732, 2866, 3122, 3156 -- Read second time and passed to third reading.

HB 2101 A-Eng. -- Read third time. Carried by Walker. On passage of bill the vote was: Ayes, 27; excused, 2 – Brown, Schrader; attending legislative business, 1 – Deckert. Bill passed.

HB 2103 A-Eng. -- Read third time. Carried by Beyer. On passage of bill the vote was: Ayes, 27; excused, 2 – Brown, Schrader; attending legislative business, 1 – Deckert. Bill passed.

HB 2177 B-Eng. -- Read third time. Carried by Ringo. On passage of bill the vote was: Ayes, 27; excused, 2 – Brown, Schrader; attending legislative business, 1 – Deckert. Bill passed.

HB 2206 A-Eng. -- Read third time. Carried by Burdick. On passage of bill the vote was: Ayes, 27; excused, 2 – Brown, Schrader; attending legislative business, 1 – Deckert. Bill passed.

HB 2209 -- Read third time. Taken from its place on today's third reading calendar and placed on May 20 calendar by voice vote on motion of Dukes.

HB 2233 A-Eng. -- Read third time. Carried by Walker. On passage of bill the vote was: Ayes, 18; nays, 9 – Atkinson, Carter, Corcoran, Dukes, George, Gordly, Hannon, Minnis, Starr, B.; excused, 2 – Brown, Schrader; attending legislative business, 1 – Deckert. Bill passed.

HB 2298 -- Bill read. Taken from its place on today's third reading calendar and placed on May 20 calendar by voice vote on motion of Ferrioli.

HB 2999 A-Eng. -- Read third time. Carried by Starr, B. On passage of bill the vote was: Ayes, 26; excused, 2 – Brown, Schrader; attending legislative business, 2 – Deckert, Shields. Bill passed.

HB 3145 A-Eng. -- Read third time. Carried by Nelson. On passage of bill the vote was: Ayes, 24; nays, 1 – Ringo; excused, 2 – Brown, Schrader; attending legislative business, 3 – Clarno, Deckert, Shields. Bill passed.

HB 3218 A-Eng. -- Read third time. Carried by Walker. On passage of bill the vote was: Ayes, 24; excused, 2 – Brown, Schrader; attending legislative business, 4 – Clarno, Deckert, Shields, Starr, B. Bill passed.

HB 3316 -- Read third time. Carried by Beyer. On passage of bill the vote was: Ayes, 23; nays, 1 – Carter; excused, 2 – Brown, Schrader; attending legislative business, 4 – Clarno, Deckert, Shields, Starr, B. Bill passed.

The following measures were referred to committee on May 16 and recorded on Committee Referral List No. 51 which was distributed to members. Referral list recorded in the Journal and Status Report by order of the President.

State Apprenticeship and Training Council (ORS 660.110)

Michael Mc Fall Rules

State Board of Chiropractic Examiners (ORS 684.130)

Minga Guerrero Rules

Construction Contractors Board (ORS 701.205)

Walt Gamble (r) Rules

Sandra Trainor Rules

State Board of Education (ORS 326.021)

Jerry Berger Rules

Steve Bogart (r) Rules

Nikki Squire Rules

Employment Relations Board (ORS 240.060)

Paul Gamson Rules

State Fish and Wildlife Commission (ORS 496.090)

Don Denman (r) Rules

Carter Kerns Rules

State Board of Higher Education (ORS 351.020)

Bridget Burns Rules

Rachel Pilliod Rules

Board of Medical Examiners (ORS 677.235)

Suresht Bald (r) Rules

Oregon Liquor Control Commission (ORS 471.705)

Phil Lang (r) Rules

Robert Rice Rules

State Parks and Recreation Commission (ORS 390.114)

David Kottkamp Rules

Physical Therapist Licensing Board (ORS 688.160)

Joana Freedman Rules

Jerry Nickell (r) Rules

Quality Education Commission (ORS 327.500)

Yvonne Curtis Rules

Ozzie Rose Rules

Keith Thomson (r) Rules

Lynn Lundquist Rules

State Board of Tax Practitioners (ORS 673.725)

Merry VanAtta Rules

Gerald Zielinski (r) Rules

HJR 41; HB 2029, 2047, 2087, 2091, 2115, 2119, 2159, 2161, 2210, 2215, 2219, 2222, 2245, 2252, 2262, 2277, 2314, 2333, 2338, 2339, 2398, 2429, 2439, 2454, 2489, 2517, 2542, 2564, 2573, 2623, 2639, 2642, 2645, 2674, 2784, 2853, 2996, 3014, 3123, 3151, 3375, 3581 -- President Courtney signed on May 19.

Senate adjourned until 10:45 a.m. Tuesday by unanimous consent at the request of the Chair.

Tuesday, May 20, 2003 -- Morning Session

Senate convened at 10:45 a.m. President Courtney in Chair. The following members were present: Atkinson, Beyer, Clarno, Deckert, Dukes, Ferrioli, Fisher, George, Hannon, Harper, Messerle, Metsger, Minnis, Morrisette, Morse, Nelson, Ringo, Shields, Starr, B., Starr, C., Winters; absent -- Burdick, Corcoran, Devlin, Gordly, Schrader; excused -- Brown, Carter; attending legislative business -- Walker. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Bill "White Eagle" Wilson, Salem.

Courtesies of the Senate were extended to former Senator Neil Bryant at the request of Nelson.

SB 11, 14, 17, 32, 33, 38, 39, 42, 43, 45, 67, 118, 119, 136, 194, 199, 205, 216, 230, 255, 258, 292, 303, 306, 311, 315, 372, 390, 397, 434, 457, 487, 515, 575, 588, 602, 618, 641, 692, 713, 724, 739, 764, 771, 787, 803, 807, 822, 833, 876; HB 2011 -- Message from the House announcing passage.

SB 8, 34, 35, 37, 74, 154, 179, 185, 198, 200, 206, 229, 235, 245, 253, 286, 436, 711, 715, 858, 870 --

Message from the House announcing passage as amended by the House.

HB 2238 -- Message from the House announcing concurrence in Senate amendments and repassage.

Committee Report Summary No. 85 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

SB 880 -- Report by Committee on Judiciary recommending passage with amendments.

HB 2284 -- Report by Committee on Judiciary recommending passage.

HB 2670 -- Report by Committee on Business and Labor recommending passage with amendments to the A-engrossed bill.

HB 2765 -- Report by Committee on Business and Labor recommending passage with amendments to the A-engrossed bill.

HB 2873 -- Report by Committee on Judiciary recommending passage of the A-engrossed bill.

HB 3363 -- Report by Committee on Judiciary recommending passage with amendments to the A-engrossed bill.

SB 191 A-Eng. -- Morrisette moved that the Senate concur in House amendments and repass bill. On concurrence and repassage the vote was: Ayes, 28; excused, 1 -- Brown; attending legislative business, 1 -- Carter. Bill repassed.

SB 226 A-Eng. -- Deckert moved that the Senate concur in House amendments and repass bill. On concurrence and repassage the vote was: Ayes, 28; excused, 1 -- Brown; attending legislative business, 1 -- Carter. Bill repassed.

SB 415 -- Read second time and passed to third reading.

HB 2011 -- Read first time and referred to President's desk.

HB 2114, 2284, 2631, 2717, 2821, 2873, 2885, 3157, 3184 -- Read second time and passed to third reading.

HB 2069 -- Read third time. Carried by Starr, C. On passage of bill the vote was: Ayes, 28; excused, 1 -- Brown; attending legislative business, 1 -- Carter. Bill passed.

HB 2209 -- Taken from its place on today's third reading calendar and placed on May 21 calendar by voice vote on motion of Dukes.

HB 2298 -- Taken from its place on today's third reading calendar and placed on May 21 calendar by voice vote on motion of Ferrioli.

HB 2324 -- Read third time. Carried by Fisher. On passage of bill the vote was: Ayes, 27; nays, 1 --

Beyer; excused, 1 – Brown; attending legislative business, 1 – Carter. Bill passed.

HB 2410 A-Eng. -- Read third time. Carried by Morrisette. On passage of bill the vote was: Ayes, 29; excused, 1 – Brown. Bill passed.

HB 2729 A-Eng. -- Read third time. Carried by Burdick. On passage of bill the vote was: Ayes, 28; excused, 1 – Brown; attending legislative business, 1 – Starr, B. Bill passed.

HB 2732 -- Read third time. Carried by Walker. On passage of bill the vote was: Ayes, 28; excused, 1 – Brown; attending legislative business, 1 – Starr, B. Bill passed.

HB 2866 -- Read third time. Carried by Burdick. On passage of bill the vote was: Ayes, 26; nays, 2 – Gordly, Hannon; excused, 1 – Brown; attending legislative business, 1 – Starr, B. Bill passed.

HB 3122 A-Eng. -- Read third time. Carried by Morrisette. On passage of bill the vote was: Ayes, 28; excused, 1 – Brown; attending legislative business, 1 – Starr, B. Bill passed. Potential conflict of interest declared by Fisher.

HB 3156 A-Eng. -- Read third time. Carried by Morrisette. On passage of bill the vote was: Ayes, 26; nays, 2 – Ferrioli, Nelson; excused, 1 – Brown; attending legislative business, 1 – Starr, B. Bill passed.

HB 2230 -- Nelson, Walker appointed Senate conferees.

Senate adjourned until 10:45 a.m. Wednesday by unanimous consent at the request of the Chair.

Wednesday, May 21, 2003 -- Morning Session

Senate convened at 10:45 a.m. President Courtney in Chair. The following members were present: Atkinson, Beyer, Brown, Clarno, Corcoran, Deckert, Devlin, Dukes, Ferrioli, George, Gordly, Hannon, Harper, Messerle, Minnis, Morrisette, Morse, Nelson, Ringo, Schrader, Shields, Starr, C., Walker, Winters; absent -- Burdick, Carter, Fisher, Metsger, Starr, B. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Phillip Archambault, the Cultural Director of the Native American Rehabilitation Association, Portland.

SB 289, 393; HB 2080, 3281, 3298 -- Message from the House announcing passage.

HB 2186, 2191 -- Message from the House announcing concurrence in Senate amendments and repassage.

Committee Report Summary No. 86 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

SJM 6 -- Report by Committee on General Government recommending adoption.

HB 2743 -- Report by Committee on General Government recommending passage of the A-engrossed bill.

HB 3212 -- Report by Committee on General Government recommending passage of the A-engrossed bill.

HB 3601 -- Report by Committee on Business and Labor recommending passage with amendments to the A-engrossed bill.

SB 291 A-Eng. -- Shields moved that the Senate refuse to concur in House amendments. Call of the Senate demanded by Corcoran joined by Hannon and Devlin. All present.

SB 291 A-Eng. -- On the motion to refuse to concur, the vote was: Ayes, 27; nays, 3 – George, Hannon, Minnis. Motion carried.

SB 6 -- Introduced, read first time and referred to President's desk.

SJM 6; SB 880 -- Read second time and passed to third reading.

SB 415 -- Read third time. Taken from its place on today's third reading calendar and placed on May 28 calendar by voice vote on motion of Ferrioli.

HB 2080, 3281, 3298 -- Read first time and referred to President's desk.

HB 2670, 2743, 2765, 3212, 3363 -- Read second time and passed to third reading.

HB 2114 B-Eng. -- Read third time. Carried by Ferrioli. On passage of bill the vote was: Ayes, 30. Bill passed.

HB 2209 -- Bill read. Taken from its place on today's third reading calendar and placed on May 22 calendar by voice vote on motion of Dukes.

HB 2284 -- Read third time. Carried by Ringo. On passage of bill the vote was: Ayes, 27; nays, 3 – Beyer, Clarno, Fisher. Bill passed.

HB 2298 -- Bill read. Taken from its place on today's third reading calendar and placed on May 28 calendar by voice vote on motion of Ferrioli.

HB 2631 B-Eng. -- Read third time. Carried by Starr, C. On passage of bill the vote was: Ayes, 29; nays, 1 – Hannon. Bill passed.

HB 2717 B-Eng. -- Read third time. Carried by Nelson. On passage of bill the vote was: Ayes, 26; nays, 4 – Burdick, Carter, Gordly, Hannon. Bill passed.

HB 2821 B-Eng. -- Read third time. Carried by Walker. On passage of bill the vote was: Ayes, 26;

nays, 4 – Carter, Gordly, Hannon, Shields. Bill passed.

HB 2873 A-Eng. -- Read third time. Carried by Ferrioli. On passage of bill the vote was: Ayes, 29; nays, 1 – Schrader. Bill passed.

HB 2885 A-Eng. -- Read third time. Carried by Starr, C. On passage of bill the vote was: Ayes, 30. Bill passed.

HB 3157 B-Eng.-- Read third time. Carried by Starr, C. Atkinson declared a potential conflict of interest. On passage of bill the vote was: Ayes, 30. Bill passed.

HB 3184 -- Taken from its place on today's third reading calendar and placed on May 28 calendar by voice vote on motion of Corcoran.

The following measures were referred to committee on May 20 and recorded on Committee Referral List No. 52 which was distributed to members. Referral list recorded in the Journal and Status Report by order of the President.

SB 4 Rules

HB 5002 Ways and Means

HB 2074 Judiciary

HB 2165 Human Resources

HB 2188 Revenue

HB 2251 Human Resources

HB 2368 Revenue

HB 2638 Judiciary

HB 2817 Rules; Ways and Means

HB 2828 Health Policy

HB 3047 Water and Land Use

HB 3058 Rules

HB 3120 General Government

HB 3338 Judiciary

HB 3624 The Oregon Health Plan; Ways and Means

SB 878 -- President Courtney signed on May 21.

Senate adjourned until 10:45 a.m. Thursday by unanimous consent at the request of the Chair.

Thursday, May 22, 2003 -- Morning Session

Senate convened at 10:45 a.m. President Pro Tempore Hannon in Chair. The following members were present: Atkinson, Beyer, Brown, Carter, Clarno, Deckert, Devlin, Dukes, Ferrioli, Fisher, George, Gordly, Harper, Messerle, Metsger, Minnis, Morrisette, Morse, Nelson, Ringo, Starr, B., Walker, Winters, President Courtney; absent -- Burdick, Corcoran, Schrader, Shields; attending legislative business -- Starr, C. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Sue Shaffer, Chair of the Cow Creek Band of the Umpqua Tribe, Roseburg.

SB 603; HB 2617, 2900, 2901, 2967, 3329, 3385, 3426, 3631 -- Message from the House announcing passage.

SB 878 -- Message from the House announcing the Speaker signed on May 21.

Committee Report Summary No. 87 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

SB 5503 -- Report by Committee on Ways and Means recommending passage with amendments.

SB 5504 -- Report by Committee on Ways and Means recommending passage.

SB 5510 -- Report by Committee on Ways and Means recommending passage with amendments.

SB 5511 -- Report by Committee on Ways and Means recommending passage.

SB 5520 -- Report by Committee on Ways and Means recommending passage with amendments.

SB 5532 -- Report by Committee on Ways and Means recommending passage with amendments.

SB 5538 -- Report by Committee on Ways and Means recommending passage with amendments.

SB 5540 -- Report by Committee on Ways and Means recommending passage with amendments.

SB 5544 -- Report by Committee on Ways and Means recommending passage with amendments.

SB 456 -- Report by Committee on Education recommending passage of the A-engrossed bill.

SB 757 -- Report by Committee on Business and Labor recommending passage with amendments.

HB 5002 -- Report by Committee on Ways and Means recommending passage of the A-engrossed bill.

HB 2744 -- Report by Committee on Education recommending passage of the A-engrossed bill.

HB 3557 -- Report by Committee on Education recommending passage.

SB 8 A-Eng. -- Corcoran moved that the Senate concur in House amendments and repass bill. On concurrence and repassage the vote was: Ayes, 29; absent, 1 – Carter. Bill repassed.

SB 74 B-Eng. -- Morrisette moved that the Senate concur in House amendments and repass bill. On concurrence and repassage the vote was: Ayes, 30. Bill repassed.

SB 229 B-Eng. -- Deckert moved that the Senate concur in House amendments and repass bill. On concurrence and repassage the vote was: Ayes, 30. Bill repassed.

SB 898 -- Introduced, read first time and referred to President's desk.

SB 5504, 5511 -- Read second time and passed to third reading.

SJM 6 -- Read final time. Carried by Minnis. On adoption of memorial, the vote was: Ayes, 28; absent, 2 – Carter, Schrader. Memorial adopted.

SB 880 A-Eng. -- Read third time. Carried by Minnis. Call of the Senate demanded by Minnis joined by George and Atkinson. All present. On passage of bill the vote was: Ayes, 18; nays, 12 – Atkinson, Brown, Corcoran, Deckert, Devlin, Dukes, Gordly, Morrisette, Ringo, Shields, Walker, President Courtney. Bill passed.

HB 2617, 2900, 2901, 2967, 3329, 3385, 3426, 3631 -- Read first time and referred to President's desk.

HB 5002, 2744, 3557, 3601 -- Read second time and passed to third reading.

Senate recessed until 11:40 a.m. by unanimous consent on motion of Brown.

Senate reconvened at 11:40 a.m. President Pro Tempore Hannon in Chair. All present except Starr, C., attending legislative business.

Senate, having recessed under the order of Third Reading of House Measures, resumed under the general order of business by unanimous consent at the request of the Chair.

HB 2209 -- Bill read. Shields moved that bill be referred to the Committee on Agriculture and Natural Resources. Chair, in doubt of outcome on the motion considered by voice vote, ordered a roll call vote (SR3.15). Call of the Senate demanded by Brown joined by Burdick and Walker. All present except Starr, C., attending legislative business.

HB 2209 -- Motion to refer to Committee on Agriculture and Natural Resources carried, the vote was: Ayes, 15; nays, 14 – Atkinson, Beyer, Clarno, Ferrioli, Fisher, George, Hannon, Harper, Messerle, Minnis, Morse, Nelson, Starr, B., Winters; attending legislative business, 1 – Starr, C. Motion carried.

HB 2670 B-Eng. -- Read third time. Carried by Beyer. On passage of bill the vote was: Ayes, 29; attending legislative business, 1 – Starr, C. Bill passed.

HB 2743 A-Eng. -- Read third time. Carried by Corcoran, Minnis. Fisher declared potential conflict of interest. Call of the Senate demanded by Corcoran

joined by Minnis and Gordly. All members present except Starr, C., attending legislative business. On passage of bill the vote was: Ayes, 19; nays, 10 – Beyer, Burdick, Clarno, Deckert, Fisher, Hannon, Harper, Ringo, Schrader, Shields; attending legislative business, 1 – Starr, C. Bill passed.

HB 2743 -- Schrader requested the following explanation of vote be entered into the journal:

"I have always been a strong and loyal supporter of the veterans. It is extremely unfortunate when they become pawns in a game that never should have been played.

"When I first came to this body in 1997 I served in the General Government committee in the House this was an issue; a BIG issue. The state of Oregon prides itself on providing community based care for our seniors. Our veterans, any member of this great state. When this home was proposed there was a great deal of trepidation about the ability to fill it given its location away from metropolitan areas where many of our senior veterans end up living. It was well-known to that committee and this body that we have a process called Certificate of Need so nursing homes and Veterans facilities can stay financially viable. Despite that Certificate of Need playing to the sympathies of the members of this great body and the members of this great state, certain individuals came forward trying to subvert, yes, subvert, I think, good public policy that allowed senior members of this state to get quality nursing care in financially stable settings.

"As the good Senator from District 1 pointed out – We're in trouble now- we cannot sustain some of the good facilities we now have.

"It is totally inappropriate for us to even consider general fund appropriation for this bill. We had a contract; they gave us their word, and I'm not talking about the Veterans. I'm talking about the people bringing this bill forward – they gave us their word that they would not come forward for more general fund, any general fund, money for this facility.

"I think it is a direct poke in the eye of people like myself, legislators like myself and you that have consistently supported Veterans' affairs and Veteran projects; I carried many, many bills. I just attended a service on Saturday (April 19) for troops in Iraq right now. I have strong objections and I, regretfully, am going to have to vote "no" and I hope that in the future people in this body will begin to keep their word.

"I apologize to the carrier. I have nothing against the carrier. But, this is absolutely the wrong way to go. I hope members look in their hearts and souls and do what's right for the State of Oregon."

HB 2765, 3212, 3363 -- Carried over to May 23 calendar by unanimous consent at the request of the Chair.

SB 291 -- Shields, Ferrioli appointed Senate conferees.

SCR 3, 5; SB 13, 80, 94, 130, 157, 158, 162, 163, 164, 174, 181, 182, 187, 188, 192, 203, 204, 211, 212, 215, 221, 225, 233, 234 238, 244, 246, 247, 248, 251, 256, 276, 281, 310, 374, 387, 388, 425, 478, 606, 748; HB 2186 -- President Courtney signed on May 22.

Senate adjourned until 10:45 a.m. Friday by unanimous consent at the request of the Chair.

Friday, May 23, 2003 -- Morning Session

Senate convened at 10:45 a.m. Harper in Chair. The following members were present: Atkinson, Beyer, Burdick, Clarno, Corcoran, Deckert, Devlin, Dukes, Fisher, George, Gordly, Hannon, Messerle, Metsger, Minnis, Morrisette, Morse, Nelson, Schrader, Shields, Starr, B., Walker, President Courtney; absent -- Brown, Ferrioli; excused -- Carter, Ringo; attending legislative business -- Starr, C., Winters. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Air Force ROTC from Oregon State University.

SB 878 -- Message from the Governor announcing he signed on May 22.

SB 159 -- Message from the House announcing passage.

HCR 11 -- Message from the House announcing adoption.

HB 2101, 2177 -- Message from the House announcing concurrence in Senate amendments and repassage.

SB 13, 80, 94, 130, 157, 158, 162, 163, 164, 174, 181, 182, 187, 188, 192, 203, 204, 211, 212, 215, 221, 225, 233, 234, 238, 244, 246, 247, 248, 251, 256, 276, 281, 310, 387, 388, 425, 478, 606, 748; HCR 3, 4, 5, 7; HJM 5; HB 2030, 2050, 2057, 2059, 2060, 2064, 2207, 2213, 2086, 2131, 2132, 2150, 2163, 2186, 2187, 2190, 2227, 2258, 2263, 2272, 2316, 2319, 2322, 2331, 2332, 2449, 2450, 2474, 2491, 2535, 2579, 2589, 2625, 2691, 2818, 2908, 2925, 3062, 3163, 3261 -- Message from the House announcing the Speaker signed on May 22.

Committee Report Summary No. 88 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

SJR 19 -- Report by Committee on Rules recommending adoption with amendments to the A-engrossed resolution.

SB 552 -- Report by Committee on Rules recommending passage with amendments to the A-engrossed bill.

SB 897 -- Report by Committee on Education recommending passage. Referred to Committee on Ways and Means by prior reference.

HCR 8 -- Report by Committee on Rules recommending adoption.

HCR 9 -- Report by Committee on Rules recommending adoption.

HB 2893 -- Report by Committee on General Government recommending passage of the A-engrossed bill.

HB 2894 -- Report by Committee on Education recommending passage with amendments to the A-engrossed bill.

HB 3061 -- Report by Committee on General Government recommending passage of the A-engrossed bill.

Report by Committee on Rules recommending that the Governor's reappointments of James Hendry, Richard McCarthy, George Siegfried (a) and Jim Wilkens to the State Board of Chiropractic Examiners, be confirmed en bloc.

SB 37 A-Eng. -- Brown moved that the Senate concur in House amendments and repass bill. On concurrence and repassage the vote was: Ayes, 24; absent, 2 -- Corcoran, George; excused, 2 -- Carter, Ringo; attending legislative business, 2 -- Starr, B., Starr, C. Bill repassed.

SB 154 B-Eng. -- Morrisette moved that the Senate concur in House amendments and repass bill. On concurrence and repassage the vote was: Ayes, 25; absent, 1 -- Corcoran; excused, 2 -- Carter, Ringo; attending legislative business, 2 -- Starr, B., Starr, C. Bill passed. Bill repassed.

SB 5504 -- Taken from its place on today's third reading calendar and placed on May 27 calendar by voice vote on motion of Dukes.

SB 5511 -- Taken from its place on today's third reading calendar and placed on May 27 calendar by voice vote on motion of Gordly.

SB 5503, 5510, 5520, 5532, 5538, 5540, 5544; 757 -- Read second time and passed to third reading.

SB 456 A-Eng. -- Read third time. Carried by Morrisette. On passage of bill the vote was: Ayes, 16; nays, 10 -- Beyer, Brown, Corcoran, Dukes, Hannon, Metsger, Nelson, Schrader, Walker, President Courtney; excused, 2 -- Carter, Ringo; attending legislative business, 2 -- Starr, B., Starr, C. Bill passed.

HCR 11 -- Read first time and referred to President's desk.

HCR 8, 9; HB 2893, 3061 -- Read second time and passed to third reading.

HB 2765 B-Eng. -- Read third time. Carried by Walker. On passage of bill the vote was: Ayes, 26; excused, 2 -- Carter, Ringo; attending legislative business, 2 -- Starr, B., Starr, C. Bill passed.

HB 3212 -- Moved to the foot of today's third reading calendar by unanimous consent at the request of the Chair.

HB 3363 B-Eng. -- Read third time. Carried by Walker. On passage of bill the vote was: Ayes, 26; excused, 2 – Carter, Ringo; attending legislative business, 2 – Starr, B., Starr, C. Bill passed.

HB 5002 -- Read third time. Taken from its place on today's third reading calendar and placed on May 27 calendar on voice vote on motion of Winters.

HB 2744 A-Eng. -- Read third time. Carried by Deckert. On passage of bill the vote was: Ayes, 20; nays, 6 – Beyer, Corcoran, Fisher, Harper, Nelson, Schrader; excused, 2 – Carter, Ringo; attending legislative business, 2 – Starr, B., Starr, C. Bill passed.

HB 3557 -- Read third time. Carried by Deckert. On passage of bill the vote was: Ayes, 24; nays, 3 – Corcoran, Hannon, Walker; excused, 2 – Carter, Ringo; attending legislative business, 1 – Starr, C. Bill passed.

HB 3601 B-Eng. -- Read third time. Carried by Metsger. On passage of bill the vote was: Ayes, 27; excused, 2 – Carter, Ringo; attending legislative business, 1 – Starr, C. Bill passed.

HB 3212 A-Eng. -- Read third time. Carried by Starr, B. On passage of bill the vote was: Ayes, 27; excused, 2 – Carter, Ringo; attending legislative business, 1 – Starr, C. Bill passed.

The following measures were referred to committee on May 22 and recorded on Committee Referral List No. 53 which was distributed to members. Referral list recorded in the Journal and Status Report by order of the President.

SB 5 Revenue

HB 2011 Transportation and Economic Development; Ways and Means

HB 2080 Judiciary

HB 3281 Water and Land Use

HB 3298 Water and Land Use

SB 11, 32,42,70, 71, 72, 137, 167, 205, 223, 241, 243, 250, 327, 328, 401, 514, 525, 554, 584, 661, 663, 667, 795, 832; HCR 3,4,5,7; HJM 5; HB 2030, 2050, 2057, 2059, 2060, 2064, 2086, 2131, 2132, 2150, 2163, 2187, 2190, 2207, 2213, 2227, 2258, 2263, 2272, 2316, 2322, 2331, 2332, 2449, 2450, 2474, 2491, 2535, 2576, 2589, 2625, 2691, 2818, 2908, 2925, 3062, 3163, 3261, -- President Courtney signed on May 23.

Senate adjourned until 10:45 a.m. Tuesday by unanimous consent at the request of the Chair.

Tuesday, May 27, 2003 -- Morning Session

Senate convened at 10:45 a.m. President Courtney in Chair. The following members were present: Atkinson, Brown, Burdick, Carter, Clarno, Corcoran, Deckert, Devlin, Dukes, Ferrioli, Fisher, George, Gordly, Hannon, Harper, Messerle, Metsger, Minnis, Morrisette, Morse, Nelson, Ringo, Schrader, Shields, Starr, B., Starr, C., Walker, Winters; excused

-- Beyer. Colors were posted and the Senate pledged allegiance to the flag. Invocation sung as a musical performance by Pami Guerra, Salem.

The following message from the Governor was read and referred to the Committee on Rules:

May 23, 2003

TO THE HONORABLE PRESIDENT OF THE SENATE

OF THE 72nd LEGISLATIVE ASSEMBLY

ORS 184.612 provides that the Governor shall appoint the members of the Oregon Transportation Commission, subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I appoint Michael Nelson of Baker City to the Oregon Transportation Commission for a four-year term beginning July 1, 2003, and ending June 30, 2007, effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,
Ted Kulongoski
Governor

SB 68; HB 5007, 5032; 2409, 3130 -- Message from the House announcing passage.

SB 508, 596 -- Message from the House announcing passage as amended by the House.

HB 2114, 2631, 2821, 2885, 3157 -- Message from the House announcing concurrence in Senate amendments and repassage.

Committee Report Summary No. 89 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

HB 2661 -- Report by Committee on Transportation and Economic Development recommending passage with amendments to the A-engrossed bill.

HB 3187 -- Report by Committee on Transportation and Economic Development recommending passage of the A-engrossed bill. Referred to Committee on Ways and Means by prior reference.

HB 3615 -- Report by Committee on Transportation and Economic Development recommending passage

SB 34 B-Eng. -- Nelson moved that the Senate concur in House amendments and repass bill. On concurrence and repassage the vote was: Ayes, 29; excused, 1 – Beyer. Bill repassed.

SB 185 A-Eng. -- Starr, C. moved that the Senate concur in House amendments and repass bill. On concurrence and repassage the vote was: Ayes, 28;

excused, 1 – Beyer; attending legislative business, 1 – Carter. Bill repassed.

SB 198 A-Eng. -- Nelson moved that the Senate concur in House amendments and repass bill. On concurrence and repassage the vote was: Ayes, 29; excused, 1 – Beyer. Bill repassed.

SB 200 A-Eng. -- Walker moved that the Senate concur in House amendments and repass bill. On concurrence and repassage the vote was: Ayes, 28; excused, 1 – Beyer; attending legislative business, 1 – Starr, B. Bill repassed.

SB 206 B-Eng. -- Metsger moved that the Senate concur in House amendments and repass bill. On concurrence and repassage the vote was: Ayes, 28; excused, 1 – Beyer; attending legislative business, 1 – Starr, B. Bill repassed.

SB 235 B-Eng. -- Nelson moved that the Senate concur in House amendments and repass bill. On concurrence and repassage the vote was: Ayes, 28; excused, 1 – Beyer; attending legislative business, 1 – Starr, B. Bill repassed.

SB 253 B-Eng. -- Nelson moved that the Senate concur in House amendments and repass bill. On concurrence and repassage the vote was: Ayes, 28; excused, 1 – Beyer; attending legislative business, 1 – Starr, B. Bill repassed.

SB 286 B-Eng. -- Nelson moved that the Senate concur in House amendments and repass bill. On concurrence and repassage the vote was: Ayes, 28; excused, 1 – Beyer; attending legislative business, 1 – Starr, B. Bill repassed.

SB 711 B-Eng. -- Nelson moved that the Senate concur in House amendments and repass bill. On concurrence and repassage the vote was: Ayes, 28; excused, 1 – Beyer; attending legislative business, 1 – Starr, B. Bill repassed.

SB 715 B-Eng. -- Nelson moved that the Senate concur in House amendments and repass bill. On concurrence and repassage the vote was: Ayes, 28; excused, 1 – Beyer; attending legislative business, 1 – Starr, B. Bill repassed.

SB 870 A-Eng. -- Starr, C. moved that the Senate concur in House amendments and repass bill. On concurrence and repassage the vote was: Ayes, 28; excused, 1 – Beyer; attending legislative business, 1 – Starr, B. Bill repassed.

Corcoran moved that the Senate confirm en bloc the Governor's reappointments of James Hendry, Richard McCarthy, George Siegfried (a) and Jim Wilkens to the State Board of Chiropractic Examiners. On confirmation the vote was: Ayes, 27; nays, 1 –Hannon; excused, 1—Beyer; attending legislative business, 1 – Starr, B. Confirmed en bloc.

SB 5503 -- Read third time. Taken from its place on today's third reading calendar and placed on May 28 calendar by voice vote on motion of Dukes.

SB 5504 -- Read third time. Carried by Dukes. On passage of bill the vote was: Ayes, 29; excused, 1 – Beyer. Bill passed.

SB 5510 A-Eng. -- Read third time. Carried by Gordly. On passage of bill the vote was: Ayes, 29; excused, 1 – Beyer. Bill passed.

Courtesies of the Senate were extended to U.S. Senator Ron Wyden at the request of Brown.

SB 5511 -- Read third time. Carried by Gordly. On passage of bill the vote was: Ayes, 29; excused, 1 – Beyer. Bill passed.

SB 5520 -- Read third time. Taken from its place on today's third reading calendar and placed on May 28 calendar by voice vote on motion of Winters.

SB 5532 A-Eng. -- Read third time. Carried by Dukes. On passage of bill the vote was: Ayes, 29; excused, 1 – Beyer. Bill passed.

SB 5538 A-Eng. -- Read third time. Carried by Devlin. On passage of bill the vote was: Ayes, 29; excused, 1 – Beyer. Bill passed.

SB 5540 A-Eng. -- Read third time. Carried by Devlin. On passage of bill the vote was: Ayes, 29; excused, 1 – Beyer. Bill passed.

SB 5544 A-Eng. -- Read third time. Carried by Devlin. On passage of bill the vote was: Ayes, 29; excused, 1 – Beyer. Bill passed.

SB 757 -- Carried over to May 28 calendar by unanimous consent at the request of the Chair.

HB 5007, 5032; 2409, 3130 -- Read first time and referred to President's desk.

HB 2894, 3615 -- Read second time and passed to third reading.

HCR 8, 9; HB 5002; 2893, 3061 -- Carried over to May 28, calendar by unanimous consent at the request of the Chair.

Senate adjourned until 10:45 a.m. Wednesday by unanimous consent at the request of the Chair.

Wednesday, May 28, 2003 -- Morning Session

Senate convened at 10:45 a.m. President Courtney in Chair. The following members were present: Atkinson, Beyer, Brown, Burdick, Carter, Clarno, Corcoran, Deckert, Devlin, Dukes, Ferrioli, Fisher, George, Gordly, Hannon, Messerle, Metsger, Minnis, Morrisette, Morse, Nelson, Ringo, Schrader, Shields, Starr, B., Starr, C., Walker, Winters; absent - Harper. Colors were posted and the Senate pledged

allegiance to the flag. Invocation by Reverend Ed Lykens of the Church of the Nazarene, Prineville. Musical performance by Emmaline Woods.

SB 403, 404, 648 -- Message from the Governor announcing he signed on May 24.

HB 2217, 2247, 2494, 2498, 2614, 3616, 5033, 5043, 5053 -- Message from the House announcing passage.

SB 341 -- Message from the House announcing passage as amended by the House.

HB 2670, 2717 -- Message from the House announcing concurrence in Senate amendments and repassage.

SB 328, 795 -- Message from the House announcing the Speaker signed on May 28.

Committee Report Summary No. 90 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

SB 613 -- Report by Committee on Judiciary recommending passage with amendments.

HB 2592 -- Report by Committee on Judiciary recommending passage of the A-engrossed bill.

HB 3015 -- Report by Committee on Judiciary recommending passage of the A-engrossed bill.

HB 3058 -- Report by Committee on Rules recommending passage of the A-engrossed bill.

HB 3107 -- Report by Committee on Judiciary recommending passage of the A-engrossed bill.

HB 3317 -- Report by Committee on Judiciary recommending passage.

HB 3361 -- Report by Committee on Judiciary recommending passage.

HB 3366 -- Report by Committee on Judiciary recommending passage.

SB 82 B-Eng. -- Messerle moved that the Senate concur in House amendments and repass bill. On concurrence and repassage the vote was: Ayes, 29; attending legislative business, 1 – Clarno. Bill repassed.

SB 757 A-Eng. -- Read third time. Carried by Beyer. On passage of bill the vote was: Ayes, 29; attending legislative business, 1 – Clarno. Bill passed.

SJR 19 B-Eng. -- Read final time. Carried by Metsger. On adoption of resolution, the vote was: Ayes, 27; nays, 2 – Fisher, Schrader; attending legislative business, 1 – Clarno. Resolution adopted.

SB 5503 A-Eng. -- Bill read. Carried by Dukes. On passage of bill the vote was: Ayes, 25; nays, 5 – Atkinson, Beyer, Clarno, Fisher, Morse. Bill passed.

SB 5520 A-Eng. -- Bill read. Carried by Winters. Call of the Senate demanded by Winters joined by Brown and George. All present. On passage of bill the vote was: Ayes, 21; nays, 9 – Burdick, Corcoran, Deckert, Dukes, Gordly, Minnis, Morrisette, Ringo, Shields. Bill passed.

SB 415 A-Eng. -- Bill read. Carried by Ferrioli. On passage of bill the vote was: Ayes, 16; nays, 13 – Atkinson, Beyer, Burdick, Corcoran, Fisher, George, Hannon, Harper, Messerle, Minnis, Morse, Schrader, Winters; attending legislative business, 1 – Dukes. Bill passed.

SB 552 B-Eng. -- Read third time. Carried by Metsger. On passage of bill the vote was: Ayes, 27; nays, 2 – Fisher, Schrader; attending legislative business, 1 – Dukes. Bill passed.

HB 5033, 5043, 5053; 2217, 2247, 2494, 2498, 2614, 3616 -- Read first time and referred to President's desk.

HB 2592, 3015, 3058, 3107, 3317, 3361, 3366 -- Read second time and passed to third reading.

HCR 8 -- Read final time. Carried by Hannon. On adoption of resolution, the vote was: Ayes, 28; absent, 1 – Corcoran; attending legislative business, 1 – Dukes. Resolution adopted. (Hannon in Chair)

HCR 9 -- Read final time. Carried by Atkinson. On adoption of resolution, the vote was: Ayes, 28; absent, 1 – Corcoran; attending legislative business, 1 – Dukes. Resolution adopted.

HB 5002 A-Eng. -- Read third time. Carried by Winters. On passage of bill the vote was: Ayes, 27; nays, 2 – Burdick, Corcoran; attending legislative business, 1 – Atkinson. Bill passed.

HB 2893 A-Eng. -- Read third time. Carried by Minnis. On passage of bill the vote was: Ayes, 17; nays, 13 – Atkinson, Beyer, Carter, Clarno, Deckert, Devlin, Ferrioli, Fisher, George, Messerle, Metsger, Morse, Nelson. Bill passed.

HB 3061 A-Eng. -- Read third time. Carried by Starr, B. On passage of bill the vote was: Ayes, 20; nays, 10 – Burdick, Carter, Deckert, Dukes, Gordly, Metsger, Morrisette, Ringo, Schrader, Shields. Bill passed.

HB 2298 A-Eng. -- Read third time. Carried by Ferrioli. On passage of bill the vote was: Ayes, 20; nays, 9 – Burdick, Carter, Corcoran, Gordly, Ringo, Schrader, Shields, Walker, President Courtney; excused, 1 – Clarno. Bill passed.

HB 2894 B-Eng. -- Bill read. Carried by Morrisette. On passage of bill the vote was: Ayes, 18;

nays, 11 – Brown, Burdick, Carter, Corcoran, Dukes, Gordly, Metsger, Minnis, Ringo, Walker, President Courtney; excused, 1 – Clarno. Bill passed.

HB 3184 B-Eng. -- Bill read. Carried by Corcoran. On passage of bill the vote was: Ayes, 29; excused, 1 – Clarno. Bill passed.

HB 3615 -- Read third time. Carried by Starr, B. On passage of bill the vote was: Ayes, 28; nays, 1 – Schrader; excused, 1 – Clarno. Bill passed.

The following measures were referred to committee on May 27 and recorded on Committee Referral List No. 54 which was distributed to members. Referral list recorded in the Journal and Status Report by order of the President.

SB 6 Revenue; Ways and Means
 SB 898 Business and Labor
 HCR 11 Rules
 HB 2617 Rules
 HB 2900 Judiciary
 HB 2901 Judiciary; Ways and Means
 HB 2967 General Government; Ways and Means
 HB 3329 Judiciary
 HB 3385 Judiciary
 HB 3426 Judiciary
 HB 3631 Rules

Oregon Transportation Commission (ORS 184.612)

Michael Nelson Rules

Senate adjourned until 10:45 a.m. Thursday by unanimous consent at the request of the Chair.

Thursday, May 29, 2003 -- Morning Session

Senate convened at 10:45 a.m. President Courtney in Chair. The following members were present: Atkinson, Beyer, Brown, Burdick, Clarno, Corcoran, Deckert, Devlin, Dukes, Ferrioli, Fisher, George, Gordly, Hannon, Harper, Messerle, Minnis, Morrisette, Morse, Nelson, Ringo, Schrader, Shields, Starr, C., Walker, Winters; attending legislative business -- Carter, Metsger, Starr, B. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Senator Bill Fisher, Roseburg.

SB 795 -- Message from the Governor announcing he signed on May 28.

SB 104, 105, 106, 110, 111, 112, 115, 117, 122, 123, 419, 534, 714, 734, 765 -- Message from the House announcing passage.

HCR 10; HJR 55 -- Message from the House announcing adoption.

SB 227, 716 -- Message from the House announcing passage as amended by the House.

HB 2765, 3363, 3601 -- Message from the House announcing concurrence in Senate amendments and repassage.

HB 2230 -- Message from the House announcing Close, Gallegos, Schaufler appointed House conferees.

Committee Report Summary No. 91 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

SJR 2 -- Report by Committee on Judiciary without recommendation as to adoption and requesting referral to Revenue. Referred to Committee on Revenue by order of the President in agreement with the President Pro Tempore.

SB 5519 -- Report by Committee on Ways and Means recommending passage with amendments.

SB 5521 -- Report by Committee on Ways and Means recommending passage with amendments.

SB 5524 -- Report by Committee on Ways and Means recommending passage with amendments.

SB 5536 -- Report by Committee on Ways and Means recommending passage with amendments.

SB 5539 -- Report by Committee on Ways and Means recommending passage with amendments.

SB 5545 -- Report by Committee on Ways and Means recommending passage with amendments.

SB 24 -- Report by Committee on Judiciary recommending passage with amendments.

SB 385 -- Report by Committee on Agriculture and Natural Resources recommending passage with amendments.

SB 540 -- Report by Committee on Health Policy without recommendation as to passage. Requesting referral to Special Committee on The Oregon Health Plan and requesting subsequent referral to Committee on Ways and Means be rescinded. Request to rescind subsequent referral denied by order of the President in agreement with the President Pro Tempore. Referred to Special Committee on The Oregon Health Plan and then Committee on Ways and Means by prior reference.

SB 597 -- Report by Committee on Agriculture and Natural Resources without recommendation as to passage, but with amendments. Referred to Committee on Ways and Means by prior reference.

HB 2138 -- Report by Committee on Agriculture and Natural Resources recommending passage of the A-engrossed bill.

HB 2606 -- Report by Committee on Agriculture and Natural Resources recommending passage of the A-engrossed bill.

HB 3296 -- Report by Committee on Judiciary recommending passage with amendments.

SB 341 B-Eng. -- Beyer moved that the Senate concur in House amendments and repass bill. On concurrence and repassage the vote was: Ayes, 24; nays, 2 -- Corcoran, Gordly; attending legislative business, 4 -- Atkinson, Carter, Nelson, Starr, B. Bill repassed.

SB 436 A-Eng. -- Dukes moved that the Senate concur in House amendments and repass bill. On concurrence and repassage the vote was: Ayes, 25; attending legislative business, 5 -- Atkinson, Carter, Nelson, Schrader, Starr, B. Bill repassed.

SB 613 -- Read second time and passed to third reading.

HCR 10; HJR 55 -- Read first time and referred to President's desk.

HB 2138, 2606, 2661 -- Read second time and passed to third reading.

HB 2592 A-Eng. -- Read third time. Carried by Ringo. On passage of bill the vote was: Ayes, 26; attending legislative business, 4 -- Atkinson, Carter, Nelson, Starr, B. Bill passed.

HB 3015 A-Eng. -- Read third time. Carried by Starr, C. On passage of bill the vote was: Ayes, 27; attending legislative business, 3 -- Atkinson, Nelson, Starr, B. Bill passed.

HB 3058 A-Eng. -- Read third time. Carried by Dukes. On passage of bill the vote was: Ayes, 26; attending legislative business, 4 -- Metsger, Nelson, Schrader, Starr, B. Bill passed.

HB 3107 A-Eng. -- Read third time. Carried by Ferrioli. On passage of bill the vote was: Ayes, 26; attending legislative business, 4 -- Clarno, Metsger, Nelson, Starr, B. Bill passed.

HB 3317 -- Read third time. Carried by Walker. On passage of bill the vote was: Ayes, 26; attending legislative business, 4 -- Clarno, Metsger, Nelson, Starr, B. Bill passed.

HB 3361 -- Read third time. Carried by Ringo. On passage of bill the vote was: Ayes, 25; attending legislative business, 5 -- Burdick, Clarno, Metsger, Nelson, Starr, B. Bill passed.

HB 3366 -- Read third time. Carried by Ferrioli. On passage of bill the vote was: Ayes, 24; attending legislative business, 6 -- Burdick, Clarno, Metsger, Nelson, Schrader, Starr, B. Bill passed.

Senate adjourned until 10:45 a.m. Friday by

unanimous consent at the request of the Chair.

Friday, May 30, 2003 -- Morning Session

Senate convened at 10:45 a.m. President Courtney in Chair. The following members were present: Atkinson, Beyer, Brown, Burdick, Carter, Clarno, Corcoran, Deckert, Dukes, Ferrioli, Fisher, George, Hannon, Harper, Metsger, Minnis, Morrisette, Morse, Nelson, Ringo, Schrader, Shields, Starr, B., Starr, C., Walker, Winters; excused -- Devlin; attending legislative business -- Gordly, Messerle. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Alan Starr with the Wycliffe Bible Translators of the Living Hope Fellowship, Aloha.

The following messages from the Governor were read and referred to the Committee on Rules.

May 29, 2003

TO THE HONORABLE PRESIDENT OF THE SENATE OF THE 72nd LEGISLATIVE ASSEMBLY

ORS 346.130 provides that the Governor shall appoint the members of the Commission for the Blind, subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I reappoint Frank Armstrong of Newport to the Commission for the Blind for a two-year term, as provided by statute, beginning July 1, 2003 and ending on June 30, 2005, effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,
Ted Kulongoski
Governor

May 29, 2003

TO THE HONORABLE PRESIDENT OF THE SENATE OF THE 72nd LEGISLATIVE ASSEMBLY

ORS 346.130 provides that the Governor shall appoint the members of the Commission for the Blind, subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I appoint Donald Dartt of Portland to the Commission for the Blind for a two-year term as provided by statute, beginning July 1, 2003 and ending on June 30, 2005, effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,
Ted Kulongoski
Governor

May 29, 2003

TO THE HONORABLE PRESIDENT OF THE SENATE OF THE 72nd LEGISLATIVE ASSEMBLY

ORS 346.130 provides that the Governor shall appoint the members of the Commission for the Blind, subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I appoint Irvin Handelman of Portland to the Commission for the Blind for a two-year term as provided by statute, beginning July 1, 2003 and ending on June 30, 2005, effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,
Ted Kulongoski
Governor

May 29, 2003

TO THE HONORABLE PRESIDENT OF THE SENATE
OF THE 72nd LEGISLATIVE ASSEMBLY

ORS 346.130 provides that the Governor shall appoint the members of the Commission for the Blind, subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I reappoint Edward Ripplinger of Salem to the Commission for the Blind for a two-year term, as provided by statute, beginning July 1, 2003 and ending on June 30, 2005, effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,
Ted Kulongoski
Governor

May 29, 2003

TO THE HONORABLE PRESIDENT OF THE SENATE
OF THE 72nd LEGISLATIVE ASSEMBLY

ORS 346.130 provides that the Governor shall appoint the members of the Commission for the Blind, subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I reappoint Elizabeth Rousseau-Rooney of Cave Junction, to the Commission for the Blind for a two-year term, as provided by statute, beginning July 1, 2003 and ending on June 30, 2005, effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,
Ted Kulongoski
Governor

May 29, 2003

TO THE HONORABLE PRESIDENT OF THE SENATE
OF THE 72nd LEGISLATIVE ASSEMBLY

ORS 468.010 provides that the Governor shall appoint the members of the Environmental Quality Commission, subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I appoint Lynn Hampton of Pendleton to the Environmental Quality Commission for an unexpired four-year term, as provided by statute, beginning June 1, 2003 and ending on June 30, 2004, effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,
Ted Kulongoski
Governor

May 29, 2003

TO THE HONORABLE PRESIDENT OF THE SENATE
OF THE 72nd LEGISLATIVE ASSEMBLY

ORS 468.010 provides that the Governor shall appoint the members of the Environmental Quality Commission, subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I reappoint Deirdre Malarkey of Eugene to the Environmental Quality Commission for a four-year term, as provided by statute, beginning July 1, 2003 and ending on June 30, 2007, effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,
Ted Kulongoski
Governor

May 29, 2003

TO THE HONORABLE PRESIDENT OF THE SENATE
OF THE 72nd LEGISLATIVE ASSEMBLY

ORS 776.105 provides that the Governor shall appoint the members of the Oregon Board of Maritime Pilots, subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I reappoint Katy Eymann of Clackamas to the Oregon Board of Maritime Pilots for a four-year term, as provided by statute, beginning February 1, 2003 and ending on January 31, 2007, effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,
Ted Kulongoski
Governor

May 29, 2003

TO THE HONORABLE PRESIDENT OF THE SENATE
OF THE 72nd LEGISLATIVE ASSEMBLY

ORS 776.105 provides that the Governor shall appoint the members of the Oregon Board of Maritime Pilots, subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I appoint Charles Yates of Coos Bay to the Oregon Board of Maritime Pilots for a four-year term, as provided by statute, beginning June 1, 2003 and ending on May 31, 2007, effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,
Ted Kulongoski
Governor

May 29, 2003

TO THE HONORABLE PRESIDENT OF THE SENATE
OF THE 72nd LEGISLATIVE ASSEMBLY

ORS 677.235 provides that the Governor shall appoint the members of the Board of Medical Examiners, subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I appoint Clifford Deveney of Portland to the Board of Medical Examiners for a three-year term, as provided by statute, beginning June 1, 2003 and ending on February 28, 2006, effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,
Ted Kulongoski
Governor

May 29, 2003

TO THE HONORABLE PRESIDENT OF THE SENATE
OF THE 72nd LEGISLATIVE ASSEMBLY

ORS 777.925 provides that the Governor shall appoint the members of the Oregon International Board of Commissioners of Port of Coos Bay, subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I reappoint Jon Barton of Coos Bay to the Oregon International Board of Commissioners of Port of Coos Bay for a four-year term, as provided by statute, beginning July 1, 2003 and ending on June 30, 2007, effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,
Ted Kulongoski
Governor

May 29, 2003

TO THE HONORABLE PRESIDENT OF THE SENATE
OF THE 72nd LEGISLATIVE ASSEMBLY

Chapter 918, Section 2, Oregon Laws 2001 provides that the Governor shall appoint the members of the Sustainability Board, subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I appoint Darcy Hitchcock of Portland to the Sustainability Board for a four-year term, as provided by statute, beginning June 1, 2003 and ending on January 1, 2007, effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,
Ted Kulongoski
Governor

May 29, 2003

TO THE HONORABLE PRESIDENT OF THE SENATE
OF THE 72nd LEGISLATIVE ASSEMBLY

Chapter 918, Section 2, Oregon Laws 2001 provides that the Governor shall appoint the members of the Sustainability Board, subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I reappoint John Ledger of Salem to the Sustainability Board for a four-year term, as provided by statute, beginning January 2, 2003 and ending on January 1, 2007, effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,
Ted Kulongoski
Governor

May 29, 2003

TO THE HONORABLE PRESIDENT OF THE SENATE
OF THE 72nd LEGISLATIVE ASSEMBLY

Chapter 918, Section 2 Oregon Laws 2001 provides that the Governor shall appoint the members of the Sustainability Board, subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I appoint Greg Wolf of Portland to the Sustainability Board for an unexpired four-year term, as provided by statute, beginning June 1, 2003 and ending on January 1, 2004, effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,
Ted Kulongoski

Governor

SB 5549; 41, 64, 259, 611, 749 -- Message from the House announcing passage.

SB 213, 761 -- Message from the House announcing passage as amended by the House.

SB 11, 32, 42, 70, 71, 72, 137, 167, 205, 223, 241, 243, 250, 327, 401, 514, 525, 554, 584, 661, 663, 667, 832; HB 2021, 2063, 2664, 2761, 3068, 3145, 3194, 3218, 3224, 3339 -- Message from the House announcing the Speaker signed on May 29.

Committee Report Summary No. 92 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

HB 2074 -- Report by Committee on Judiciary recommending passage of the A-engrossed bill.

HB 2113 -- Report by Committee on Judiciary recommending passage of the A-engrossed bill.

HB 2118 -- Report by Committee on Judiciary recommending passage of the A-engrossed bill.

HB 2381 -- Report by Committee on Judiciary recommending passage of the A-engrossed bill.

HB 2455 -- Report by Committee on Transportation and Economic Development recommending passage with amendments to the B-engrossed bill.

HB 2521 -- Report by Committee on Agriculture and Natural Resources recommending passage of the A-engrossed bill.

HB 2638 -- Report by Committee on Judiciary recommending passage of the A-engrossed bill.

HB 2711 -- Report by Committee on Judiciary recommending passage of the A-engrossed bill.

HB 2803 -- Report by Committee on Judiciary recommending passage of the A-engrossed bill.

HB 2915 -- Report by Committee on Agriculture and Natural Resources recommending passage.

HB 3048 -- Report by Committee on Transportation and Economic Development recommending passage.

HB 3152 -- Report by Committee on Agriculture and Natural Resources recommending passage of the A-engrossed bill.

HB 3175 -- Report by Committee on Agriculture and Natural Resources recommending passage of the A-engrossed bill.

HB 3351 -- Report by Committee on Judiciary recommending passage with amendments.

SB 35 A-Eng. -- Minnis moved that the Senate concur in House amendments and repass bill. On

concurrence and repassage the vote was: Ayes, 22; nays, 1 – Schrader; absent, 1 – Carter; attending legislative business, 6 – Beyer, Clarno, Corcoran, Gordly, Harper, Messerle. Bill repassed. (Hannon in Chair)

SB 179 B-Eng. -- Metsger moved that the Senate concur in House amendments and repass bill. On concurrence and repassage the vote was: Ayes, 23; attending legislative business, 7 – Beyer, Clarno, Corcoran, Gordly, Harper, Messerle, Schrader. Bill repassed.

SB 245 A-Eng. -- Minnis moved that the Senate concur in House amendments and repass bill. On concurrence and repassage the vote was: Ayes, 24; attending legislative business, 6 – Beyer, Clarno, Gordly, Harper, Messerle, Schrader. Bill repassed.

SB 508 B-Eng. -- Metsger moved that the Senate concur in House amendments and repass bill. On concurrence and repassage the vote was: Ayes, 23; nays, 1 – Hannon; attending legislative business, 6 – Beyer, Clarno, Gordly, Harper, Messerle, Schrader. Bill repassed.

SB 596 B-Eng. -- Metsger moved that the Senate concur in House amendments and repass bill. On concurrence and repassage the vote was: Ayes, 24; attending legislative business, 6 – Beyer, Clarno, Gordly, Harper, Messerle, Schrader. Bill repassed.

SB 716 B-Eng. -- Minnis moved that the Senate concur in House amendments and repass bill. On concurrence and repassage the vote was: Ayes, 20; nays, 4 – Atkinson, Burdick, Ringo, Shields; attending legislative business, 6 – Beyer, Clarno, Gordly, Harper, Messerle, Schrader. Bill repassed.

SB 5519, 5521, 5524, 5536, 5539, 5545; 24, 385 -- Read second time and passed to third reading.

SB 613 A-Eng. -- Read third time. Carried by President Courtney. On passage of bill the vote was: Ayes, 27; attending legislative business, 3 – Clarno, Harper, Schrader. Bill passed.

HB 2074, 2113, 2118, 2381, 2521, 2638, 2711, 2803, 2915, 3048, 3152, 3175, 3296 -- Read second time and passed to third reading.

HB 2138 A-Eng. -- Read third time. Carried by Beyer. On passage of bill the vote was: Ayes, 27; attending legislative business, 3 – Clarno, Harper, Schrader. Bill passed.

HB 2606 A-Eng. -- Read third time. Carried by Beyer. On passage of bill the vote was: Ayes, 27; attending legislative business, 3 – Clarno, Harper, Schrader. Bill passed.

HB 2661 B-Eng. -- Read third time. Carried by Metsger. On passage of bill the vote was: Ayes, 21; nays, 5 – Atkinson, Carter, Dukes, George, Gordly; attending legislative business, 4 – Beyer, Clarno, Harper, Schrader. Bill passed.

SB 14, 17, 33, 37, 38, 39, 43, 45, 67, 74, 118, 119, 127, 136, 161, 191, 194, 199, 216, 226, 229, 255, 258, 289, 292, 303, 306, 311, 315, 372, 390, 393, 397, 434, 457, 487, 515, 575, 588, 602, 603, 618, 641, 692, 713,

724, 739, 764, 803, 822, 833, 876 -- President Courtney signed on May 29.

Senate adjourned until 10:45 on Monday by unanimous consent at the request of the Chair.

Monday, June 2, 2003 -- Morning Session

Senate convened at 10:45 a.m. President Courtney in Chair. The following members were present: Atkinson, Beyer, Brown, Clarno, Corcoran, Deckert, Devlin, Dukes, Ferrioli, Fisher, Gordly, Hannon, Harper, Metsger, Minnis, Morrisette, Morse, Nelson, Ringo, Shields, Starr, B., Starr, C., Winters; absent -- Burdick, Carter, George, Messerle, Walker; attending legislative business -- Schrader. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Senator Charles Starr, Hillsboro.

SB 47, 237, 304, 604, 882, 885 -- Message from the House announcing passage.

SB 69, 207, 285, 516, 673 -- Message from the House announcing passage as amended by the House.

HB 3184 -- Message from the House announcing concurrence in Senate amendments and repassage.

Committee Report Summary No. 93 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

HB 2344 -- Report by Committee on Agriculture and Natural Resources recommending passage of the A-engrossed bill.

HB 2368 -- Report by Committee on Revenue without recommendation as to passage and requesting referral to Committee on Judiciary. Referred to Committee on Judiciary by order of the President in agreement with the President Pro Tempore.

HB 2388 -- Report by Committee on Transportation and Economic Development recommending passage with amendments and requesting subsequent referral to Committee on Ways and Means be rescinded. Subsequent referral rescinded by order of the President in agreement with the President Pro Tempore.

HB 2647 -- Report by Committee on Judiciary recommending passage of the A-engrossed bill and requesting subsequent referral to Committee on Ways and Means be rescinded. Subsequent referral rescinded by order of the President in agreement with the President Pro Tempore.

HB 2887 -- Report by Committee on Agriculture and Natural Resources recommending passage of the A-engrossed bill.

HB 2933 -- Report by Committee on Transportation and Economic Development recommending passage with amendments and requesting subsequent referral to Committee on Ways and Means be rescinded. Subsequent referral rescinded by order of the President in agreement with the President Pro Tempore.

HB 2945 -- Report by Committee on Agriculture and Natural Resources recommending passage of the A-engrossed bill.

HB 3376 -- Report by Committee on Agriculture and Natural Resources recommending passage of the A-engrossed bill.

SB 213 A-Eng. -- Metsger moved that the Senate concur in House amendments and repass bill. On concurrence and repassage the vote was: Ayes, 29; attending legislative business, 1 – Schrader. Bill repassed.

SB 5519 A-Eng. -- Read third time. Carried by Devlin. On passage of bill the vote was: Ayes, 27; nays, 2 – Minnis, Shields; attending legislative business, 1 – Schrader. Bill passed.

SB 5521 A-Eng. -- Read third time. Carried by Messerle. On passage of bill the vote was: Ayes, 27; nays, 2 – Minnis, Shields; attending legislative business, 1 – Schrader. Bill passed.

SB 5524 A-Eng. -- Read third time. Carried by Devlin. On passage of bill the vote was: Ayes, 25; nays, 4 – Beyer, Fisher, Minnis, Shields; attending legislative business, 1 – Schrader. Bill passed.

SB 5536 A-Eng. -- Read third time. Carried by Messerle. On passage of bill the vote was: Ayes, 26; nays, 2 – Minnis, Shields; attending legislative business, 2 – Corcoran, Schrader. Bill passed.

SB 5539 A-Eng. -- Read third time. Carried by Carter. On passage of bill the vote was: Ayes, 28; attending legislative business, 2 – Corcoran, Schrader. Bill passed.

SB 5545 A-Eng. -- Read third time. Carried by Dukes. On passage of bill the vote was: Ayes, 27; nays, 1 – Shields; attending legislative business, 2 – Corcoran, Schrader. Bill passed.

SB 24 A-Eng. -- Read third time. Carried by Starr, C. On passage of bill the vote was: Ayes, 29; attending legislative business, 1 – Schrader. Bill passed.

SB 385 A-Eng. -- Read third time. Carried by Ferrioli. Call of the Senate demanded by Ferrioli joined by Nelson and Beyer. All present except Schrader, attending legislative business. On passage of bill the vote was: Ayes, 23; nays, 6 – Brown, Burdick, Carter, Metsger, Ringo, Walker; attending legislative business, 1 – Schrader. Bill passed.

HB 2344, 2455, 2647, 2887, 2945, 3351, 3376 -- Read second time and passed to third reading.

HB 2074 A-Eng. -- Read third time. Carried by Burdick. On passage of bill the vote was: Ayes, 29; attending legislative business, 1 – Schrader. Bill passed.

HB 2113 A-Eng. -- Read third time. Carried by Ferrioli. On passage of bill the vote was: Ayes, 29; attending legislative business, 1 – Schrader. Bill passed.

HB 2118 A-Eng. -- Read third time. Carried by Ferrioli. On passage of bill the vote was: Ayes, 29; attending legislative business, 1 – Schrader. Bill passed.

HB 2381 A-Eng. -- Read third time. Carried by Minnis. On passage of bill the vote was: Ayes, 30. Bill passed.

HB 2521 A-Eng. -- Read third time. Carried by Corcoran. On passage of bill the vote was: Ayes, 30. Bill passed.

HB 2638, 2711, 2803, 2915, 3048, 3152, 3175, 3296 -- Carried over to June 3 calendar by unanimous consent at the request of the Chair.

The following measures were referred to committee on May 30 and recorded on Committee Referral List No. 55 which was distributed to members. Referral list recorded in the Journal and Status Report by order of the President.

HCR 10 Rules

HJR 55 Rules

HB 5007 Ways and Means

HB 5032 Ways and Means

HB 5033 Ways and Means

HB 5043 Ways and Means

HB 5053 Ways and Means

HB 2247 Ways and Means

HB 2494 Judiciary

HB 2498 Judiciary

HB 2614 Rules

HB 3130 Rules

HB 3616 Revenue

Commission for the Blind (ORS 346.130)

Frank Armstrong (r) Rules

Donald Dartt Rules

Irvin Handelman Rules

Elizabeth Rousseau-Rooney (r) Rules

Edward Ripplinger (r) Rules

Environmental Quality Commission (ORS 468.010)

Lynn Hampton Rules

Deirdre Malarkey (r) Rules

Summary list recorded in Journal and Status Report by order of the President.

Oregon Board of Maritime Pilots (ORS 776.105)

Katy Eymann (r) Rules

SB 5537 -- Report by Committee on Ways and Means recommending passage with amendments.

Charles Yates Rules

HB 5007 -- Report by Committee on Ways and Means recommending passage of the A-engrossed bill.

Board of Medical Examiners (ORS 677.235)

Clifford Deveney Rules

HB 5032 -- Report by Committee on Ways and Means recommending passage of the A-engrossed bill.

Board of Commissioners Oregon International Port of Coos Bay (ORS 777.925)

Jon Barton (r) Rules

HB 5033 -- Report by Committee on Ways and Means recommending passage of the A-engrossed bill.

HB 5043 -- Report by Committee on Ways and Means recommending passage of the A-engrossed bill.

Sustainability Board (Ch 918 S 2 OR Laws 2001)

Darcy Hitchcock Rules

HB 5053 -- Report by Committee on Ways and Means recommending passage of the A-engrossed bill.

John Ledger (r) Rules

HB 2247 -- Report by Committee on Ways and Means recommending passage.

Greg Wolf Rules

HB 2407 -- Report by Committee on General Government recommending passage with amendments to the B-engrossed bill.

SCR 4; SJM 3, 5; SB 8, 68, 154, 230, 771, 787 807; HB 2021, 2063, 2664, 2761, 3068, 3145, 3194, 3218, 3224, 3339 -- President Courtney signed on June 2.

Senate adjourned until 10:45 a.m. Tuesday by unanimous consent at the request of the Chair.

HB 2694 -- Report by Committee on Judiciary recommending passage with amendments to the A-engrossed bill.

Tuesday, June 3, 2003 -- Morning Session

HB 2754 -- Report by Committee on Agriculture and Natural Resources recommending passage.

Senate convened at 10:45 a.m. President Pro Tempore Hannon in Chair. The following members were present: Atkinson, Beyer, Burdick, Carter, Clarno, Corcoran, Deckert, Dukes, Ferrioli, Fisher, George, Gordly, Harper, Messerle, Minnis, Morrisette, Morse, Nelson, Schrader, Shields, Starr, B., Starr, C., Walker, Winters, President Courtney; absent -- Brown, Devlin, Metsger, Ringo. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Reverend Trisa Kelly. Musical performance by Lorene Hood-Jack, Portland.

HB 2986 -- Report by Committee on Judiciary recommending passage with amendments to the A-engrossed bill.

HB 3094 -- Report by Committee on Agriculture and Natural Resources recommending passage of the A-engrossed bill.

SB 13, 80, 94, 130, 157, 158, 162, 163, 164, 174, 181, 182, 187, 188, 192, 203, 204, 211, 212, 215, 221, 225, 233, 234, 238, 244, 246, 247, 248, 251, 256, 276, 281, 310, 374, 387, 388, 425, 478, 606, 748 -- Message from the Governor announcing he signed on May 30.

HB 3371 -- Report by Committee on Judiciary recommending passage.

HB 3372 -- Report by Committee on Judiciary recommending passage with amendments to the A-engrossed bill.

SB 628; HB 3328 -- Message from the House announcing passage.

HB 3422 -- Report by Committee on General Government recommending passage with amendments to the A-engrossed bill.

HB 2894 -- Message from the House announcing concurrence in Senate amendments and repassage.

SB 227 A-Eng. -- Deckert moved that the Senate concur in House amendments and repass bill. On concurrence and repassage the vote was: Ayes, 30. Bill repassed.

SB 291 -- Message from the House announcing Kropf, Beyer, Gilman appointed House conferees.

SB 761 A-Eng. -- Starr, B. moved that the Senate concur in House amendments and repass bill. Call of the Senate demanded by Starr, B. joined by Gordly and Nelson. All present. On concurrence and repassage the vote was: Ayes, 21; nays, 9 -- Burdick,

Committee Report Summary No. 94 listing the following reports was distributed to members today.

Carter, Corcoran, Dukes, Hannon, Morrisette, Schrader, Shields, Walker. Bill repassed.

HB 3328 -- Read first time and referred to President's desk.

HB 5007, 5032, 5033, 5043, 5053; 2247, 2388, 2754, 2933, 3094, 3371 -- Read second time and passed to third reading.

HB 2638 A-Eng. -- Read third time. Carried by Starr, C. On passage of bill the vote was: Ayes, 30. Bill passed.

HB 2711 A-Eng. -- Read third time. Carried by Ringo. On passage of bill the vote was: Ayes, 29; nays, 1 – Hannon. Bill passed.

HB 2803 A-Eng. -- Read third time. Carried by Walker. On passage of bill the vote was: Ayes, 30. Bill passed.

HB 2915 -- Read third time. Carried by Shields. On passage of bill the vote was: Ayes, 29; attending legislative business, 1 – Starr, B. Bill passed. Without objection, Beyer declared potential conflict of interest after the vote.

HB 3048 -- Read third time. Carried by Nelson. On passage of bill the vote was: Ayes, 29; attending legislative business, 1 – Starr, B. Bill passed.

HB 3152 A-Eng. -- Read third time. Carried by Beyer. On passage of bill the vote was: Ayes, 28; nays, 1 – Schrader; attending legislative business, 1 – Starr, B. Bill passed.

HB 3175 A-Eng. -- Read third time. Carried by Shields. On passage of bill the vote was: Ayes, 29; attending legislative business, 1 – Starr, B. Bill passed.

HB 3296 A-Eng. -- Read third time. Carried by Walker. On passage of bill the vote was: Ayes, 27; nays, 2 – Carter, Schrader; attending legislative business, 1 – Starr, B. Bill passed.

HB 2344, 2455, 2647, 2887, 2945, 3351, 3376 -- Carried over to June 4 calendar by unanimous consent at the request of the Chair.

SB 34, 82, 104, 105, 106, 110, 111, 112, 115, 117, 122, 123, 159, 185, 198, 200, 235, 253, 286, 534, 711, 714, 715, 734, 765, 870 -- President Courtney signed on June 3.

Senate adjourned until 10:45 a.m. Wednesday by unanimous consent at the request of the Chair.

Wednesday, June 4, 2003 -- Morning Session

Senate convened at 10:45 a.m. President Courtney in Chair. The following members were

present: Atkinson, Beyer, Brown, Burdick, Clarno, Corcoran, Deckert, Devlin, Dukes, Ferrioli, Fisher, George, Hannon, Harper, Messerle, Minnis, Morse, Nelson, Ringo, Schrader, Starr, B., Starr, C., Walker, Winters; excused -- Morrisette; attending legislative business -- Carter, Gordly, Metsger, Shields. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Chaplain Frank Carpenter of the Capitol Ministries of Oregon, Hillsboro.

SB 331, 801; HB 5001, 5005, 5006, 5017, 5047, 5054, 5055; 2208, 2256, 2390 -- Message from the House announcing passage.

SB 18, 65 -- Message from the House announcing passage as amended by the House.

SCR 4; SJM 3, 5; SB 8, 14, 17, 33, 37, 38, 39, 43, 45, 67, 68, 74, 118, 119, 127, 136, 154, 161, 191, 194, 199, 216, 226, 229, 230, 255, 258, 289, 292, 303, 306, 311, 315, 372, 390, 393, 397, 434, 457, 487, 515, 575, 588, 602, 603, 618, 641, 692, 713, 724, 739, 764, 771, 787, 803, 807, 822, 833, 876; HB 2069, 2101, 2103, 2177, 2191, 2206, 2233, 2238, 2284, 2324, 2410, 2717, 2729, 2732, 2743, 2744, 2821, 2866, 2873, 2999, 3122, 3156, 3157, 3212, 3316, 3557 -- Message from the House announcing the Speaker signed on June 3.

Committee Report Summary No. 95 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

HB 2197 -- Report by Committee on Revenue recommending passage with amendments to the A-engrossed bill.

HB 2575 -- Report by Committee on Rules recommending passage with amendments to the A-engrossed bill.

HB 2688 -- Report by Committee on Water and Land Use recommending passage of the A-engrossed bill.

HB 2763 -- Report by Committee on Rules recommending passage with amendments.

HB 2898 -- Report by Committee on Water and Land Use recommending passage with amendments. Referred to Committee on Ways and Means by prior reference.

SB 69 B-Eng. -- Minnis moved that the Senate concur in House amendments and repass bill. On concurrence and repassage the vote was: Ayes, 22; absent, 2 – Ringo, Schrader; excused, 1 – Morrisette; attending legislative business, 5 – Carter, Corcoran, Gordly, Shields, Winters. Bill repassed.

SB 285 A-Eng. -- Nelson moved that the Senate concur in House amendments and repass bill. On concurrence and repassage the vote was: Ayes, 23; nays, 1 – Hannon; excused, 1 – Morrisette; attending

legislative business, 5 – Carter, Corcoran, Gordly, Shields, Winters. Bill repassed.

SB 207 B-Eng. -- Metsger moved that the Senate concur in House amendments and repass bill. On concurrence and repassage the vote was: Ayes, 23; nays, 2 – Hannon, Schrader; excused, 1 – Morrissette; attending legislative business, 4 – Carter, George, Gordly, Winters. Bill repassed.

SB 516 -- Ferrioli moved that the Senate concur in House amendments and repass bill. Motion failed, the vote was: Ayes, 12; nays, 14 – Brown, Burdick, Corcoran, Deckert, Devlin, Dukes, Ferrioli, Metsger, Minnis, Ringo, Schrader, Shields, Walker, President Courtney; excused, 1 – Morrissette; attending legislative business, 3 – Carter, Gordly, Winters. Senate refused to concur in House amendments. Ferrioli and Minnis, having voted on the prevailing side, served notice of possible reconsideration.

SB 858 B-Eng. -- Deckert moved that the Senate concur in House amendments and repass bill. Call of the Senate demanded by Deckert joined by Atkinson and Corcoran. All present except Morrissette, excused; Carter, Gordly, Winters, attending legislative business. Pending arrival of members subject to the Call, Senate at ease. Further proceedings under the Call terminated by unanimous consent at the request of the Chair. All present except, Morrissette, excused; Winters, attending legislative business. On concurrence and repassage the vote was: Ayes, 21; nays, 7 – Burdick, Carter, Dukes, Gordly, Ringo, Shields, Walker; excused, 1 – Morrissette; attending legislative business, 1 – Winters. Bill repassed.

Senate recessed until 11:52 a.m. by unanimous consent on motion of Clarno.

Senate reconvened at 11:52 a.m. President Courtney in Chair. All present except Morrissette, excused; Carter, Deckert, Gordly, Ringo, Shields, Winters, attending legislative business.

Senate, having recessed under the order of Propositions and Motions, resumed under the general order of business by unanimous consent at the request of the Chair.

SB 5537 -- Read second time and passed to third reading.

HB 5001, 5005, 5006, 5017, 5047, 5054, 5055; 2208, 2256, 2390 -- Read first time and referred to President's desk.

HB 2407, 2688, 2694, 2986, 3372, 3422 -- Read second time and passed to third reading.

HB 5007, 5032, 5033, 5043, 5053; 2247, 2344, 2388, 2455, 2647, 2754, 2887, 2933, 2945, 3094, 3351, 3371, 3376 -- Carried over to June 5 calendar by unanimous consent at the request of the Chair.

The following measures were referred to committee on June 3 and recorded on Committee Referral List No. 56 which was distributed to members. Referral list recorded in the Journal and Status Report by order of the President.

HB 2217 Revenue
HB 2409 Judiciary
HB 3328 Rules

HB 2069, 2101, 2103, 2177, 2191, 2206, 2233, 2238, 2284, 2324, 2410, 2717, 2729, 2732, 2743, 2744, 2821, 2866, 2873, 2999, 3122, 3156, 3157, 3212, 3316, 3557 -- President Courtney signed on June 4.

Senate adjourned until 10:45 a.m. Thursday by unanimous consent at the request of the Chair.

Thursday, June 5, 2003 -- Morning Session

Senate convened at 10:45 a.m. President Courtney in Chair. The following members were present: Atkinson, Beyer, Burdick, Corcoran, Deckert, Devlin, Ferrioli, Fisher, George, Gordly, Hannon, Harper, Messerle, Minnis, Morrissette, Morse, Nelson, Ringo, Shields, Starr, C., Walker, Winters; absent -- Brown, Carter, Dukes; excused -- Clarno; attending legislative business -- Metsger, Schrader, Starr, B. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Senator Jackie Winters, Salem.

SB 328 -- Message from the Governor announcing he signed on June 4.

HB 2661 -- Message from the House announcing refusal to concur in Senate amendments. Conferees to be appointed.

SB 5503, 5504, 5510, 5511, 5520; 470; HB 5025; 2325, 3582 -- Message from the House announcing passage.

Committee Report Summary No. 96 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

SB 578 -- Report by Committee on Judiciary recommending passage with amendments. Referred to Committee on Ways and Means by order of the President in agreement with the President Pro Tempore.

HB 2174 -- Report by Committee on Judiciary recommending passage of the A-engrossed bill.

HB 2342 -- Report by Committee on Judiciary recommending passage of the A-engrossed bill.

HB 3245 -- Report by Committee on Water and Land Use recommending passage with amendments to the A-engrossed bill.

HB 3250 -- Report by Committee on Judiciary recommending passage with amendments to the A-engrossed bill.

HB 3318 -- Report by Committee on Judiciary recommending passage of the A-engrossed bill.

HB 3349 -- Report by Committee on Judiciary recommending passage.

HB 3370 -- Report by Committee on Judiciary recommending passage with amendments.

SB 516 -- Taken from its place on today's calendar and placed on June 9 calendar by unanimous consent at the request of the chair.

SB 65 A-Eng. -- Minnis moved that the Senate concur in House amendments and repass bill. On concurrence and repassage the vote was: Ayes, 26; absent, 1 – Messerle; excused, 1 – Clarno; attending legislative business, 2 – Metsger, Schrader. Bill repassed.

SCR 6 -- Introduced, read first time and referred to President's desk.

SB 5537 A-Eng. -- Read third time. Carried by Gordly. Potential conflict of interest declared by Gordly. On passage of bill the vote was: Ayes, 26; excused, 1 – Clarno; attending legislative business, 3 – Metsger, Schrader, Starr, B. Bill passed.

HB 5025; 2325, 3582 -- Read first time and referred to President's desk.

HB 2174, 2197, 2342, 2575, 2763, 3318, 3349 -- Read second time and passed to third reading.

HB 2344 A-Eng. -- Read third time. Carried by Fisher. On passage of bill the vote was: Ayes, 26; excused, 1 – Clarno; attending legislative business, 3 – Metsger, Schrader, Starr, B. Bill passed.

HB 2455 C-Eng. -- Read third time. Carried by Deckert. On passage of bill the vote was: Ayes, 26; excused, 1 – Clarno; attending legislative business, 3 – Metsger, Schrader, Starr, B. Bill passed.

HB 2647 A-Eng. -- Read third time. Carried by Burdick. On passage of bill the vote was: Ayes, 27; excused, 1 – Clarno; attending legislative business, 2 – Schrader, Starr, B. Bill passed.

HB 2887 A-Eng. -- Read third time. Carried by Corcoran. On passage of bill the vote was: Ayes, 27; excused, 1 – Clarno; attending legislative business, 2 – Schrader, Starr, B. Bill passed. (Winters in Chair)

HB 2945 A-Eng. -- Read third time. Carried by Fisher. On passage of bill the vote was: Ayes, 27; excused, 1 – Clarno; attending legislative business, 2 – Schrader, Starr, B. Bill passed. (President Courtney in Chair)

HB 3351 A-Eng. -- Read third time. Carried by Ringo. On passage of bill the vote was: Ayes, 22; nays, 3 – Atkinson, George, Hannon; excused, 1 – Clarno; attending legislative business, 4 – Carter, Dukes, Schrader, Starr, B. Bill passed.

HB 3376 A-Eng. -- Read third time. Carried by Beyer. On passage of bill the vote was: Ayes, 24; nays, 1 – Hannon; excused, 1 – Clarno; attending legislative business, 4 – Carter, Dukes, Schrader, Starr, B. Bill passed.

HB 5007 A-Eng. -- Read third time. Carried by Gordly. On passage of bill the vote was: Ayes, 26; excused, 1 – Clarno; attending legislative business, 3 – Carter, Dukes, Starr, B. Bill passed.

HB 5032 A-Eng. -- Read third time. Carried by Devlin. On passage of bill the vote was: Ayes, 23; nays, 3 – Beyer, Hannon, Minnis; excused, 1 – Clarno; attending legislative business, 3 – Carter, Dukes, Starr, B. Bill passed.

HB 5033 A-Eng. -- Read third time. Carried by Devlin. On passage of bill the vote was: Ayes, 20; nays, 5 – Atkinson, Beyer, George, Hannon, Minnis; excused, 1 – Clarno; attending legislative business, 4 – Carter, Dukes, Harper, Starr, B. Bill passed.

HB 5043 A-Eng. -- Read third time. Carried by Devlin. On passage of bill the vote was: Ayes, 27; excused, 1 – Clarno; attending legislative business, 2 – Carter, Dukes. Bill passed.

HB 5053 A-Eng. -- Read third time. Carried by Winters. On passage of bill the vote was: Ayes, 27; excused, 1 – Clarno; attending legislative business, 2 – Carter, Dukes. Bill passed.

HB 2247 -- Moved to the foot of today's third reading calendar by unanimous consent at the request of the Chair.

HB 2388 B-Eng. -- Read third time. Carried by Starr, B. On passage of bill the vote was: Ayes, 27; excused, 1 – Clarno; attending legislative business, 2 – Carter, Dukes. Bill passed.

HB 2754 -- Read third time. Carried by Beyer. On passage of bill the vote was: Ayes, 26; nays, 1 – Hannon; excused, 1 – Clarno; attending legislative business, 2 – Carter, Dukes. Bill passed.

HB 2933 A-Eng. -- Read third time. Carried by Starr, B. On passage of bill the vote was: Ayes, 24; nays, 3 – Hannon, Ringo, Schrader; excused, 1 – Clarno; attending legislative business, 2 – Carter, Dukes. Bill passed.

HB 3094 -- Moved to the foot of today's third reading calendar by unanimous consent at the request of the Chair.

HB 3371 -- Read third time. Carried by Burdick. On passage of bill the vote was: Ayes, 27; excused, 1 – Clarno; attending legislative business, 2 – Carter, Dukes. Bill passed.

HB 2247, 2407, 2688, 2694, 2986, 3094, 3372, 3422 -- Carried over to June 6 calendar by unanimous consent at the request of the Chair.

Senate adjourned until 10:45 a.m. Friday by unanimous consent at the request of the Chair.

Friday, June 6, 2003 -- Morning Session

Senate convened at 10:45 a.m. President Pro Tempore Hannon in Chair. The following members were present: Atkinson, Beyer, Burdick, Carter, Corcoran, Deckert, Devlin, Ferrioli, Fisher, George, Gordly, Harper, Messerle, Metsger, Minnis, Morse, Nelson, Shields, Starr, B., Starr, C., Walker, Winters, President Courtney; absent -- Brown, Dukes, Ringo, Schrader; excused -- Clarno, Morrisette. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Senator Frank Morse, Corvallis.

SB 5532, 5538, 5540, 5544 -- Message from the House announcing passage.

SB 46 -- Message from the House announcing passage as amended by the House.

SB 34, 82, 104, 105, 106, 110, 111, 112, 115, 117, 122, 123, 159, 185, 198, 200, 235, 253, 286, 534, 711, 714, 715, 734, 765, 870; HCR 8, 9; HB 5002; 2114, 2298, 2592, 2631, 2670, 2765, 2885, 2893, 3015, 3058, 3061, 3107, 3317, 3361, 3363, 3366, 3601, 3615 -- Message from the House announcing the Speaker signed on June 5.

Committee Report Summary No. 97 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

SB 540 -- Report by Special Committee on The Oregon Health Plan without recommendation as to passage, but with amendments. Referred to Committee on Ways and Means by prior reference.

HCR 11 -- Report by Committee on Rules recommending adoption.

Report by Committee on Rules recommending that the Governor's appointment of Michael McFall (appearance waived) to the State Apprenticeship and Training Council be confirmed.

Report by Committee on Rules recommending that the Governor's reappointment of Walt Gamble (appearance waived) and appointment of Sandra Trainor (appearance waived) to the Construction Contractors Board be confirmed en bloc.

Report by Committee on Rules recommending that the Governor's appointment of Paul Gamson (appearance waived) to the Employment Relations Board be confirmed.

Report by Committee on Rules recommending that the Governor's appointments of Bridget Burns (appearance waived) and Rachel Pilliod (appearance waived) to the State Board of Higher Education be confirmed en bloc.

Report by Committee on Rules recommending that the Governor's reappointment of Suresht Bald (appearance waived) to the Board of Medical Examiners be confirmed.

Report by Committee on Rules recommending that the Governor's appointments of Joana Freedman (appearance waived), and Jerry Nickell (r) (appearance waived) to the Physical Therapist Licensing Board be confirmed en bloc.

HCR 11; HB 3245, 3250, 3370 -- Read second time and passed to third reading.

HB 2247 -- Read third time. Carried by Dukes. On passage of bill the vote was: Ayes, 22; nays, 5 -- Atkinson, Beyer, Hannon, Nelson, Starr, B.; excused, 3 -- Clarno, George, Morrisette. Bill passed.

HB 3094 A-Eng. -- Read third time. Carried by Dukes. On passage of bill the vote was: Ayes, 27; excused, 3 -- Clarno, George, Morrisette. Bill passed.

HB 2407 C-Eng. -- Read third time. Carried by Corcoran. Call of the Senate demanded by Brown joined by Gordly and Devlin. All present except Clarno, George, Morrisette, excused. On passage of bill the vote was: Ayes, 16; nays, 11 -- Atkinson, Beyer, Carter, Fisher, Hannon, Harper, Messerle, Morse, Nelson, Starr, C., Winters; excused, 3 -- Clarno, George, Morrisette. Bill passed.

HB 2688 A-Eng. -- Read third time. Carried by Metsger. On passage of bill the vote was: Ayes, 27; excused, 3 -- Clarno, George, Morrisette. Bill passed.

HB 2694 B-Eng. -- Read third time. Carried by Starr, C. On passage of bill the vote was: Ayes, 27; excused, 3 -- Clarno, George, Morrisette. Bill passed.

HB 2986 B-Eng. -- Read third time. Carried by Burdick. On passage of bill the vote was: Ayes, 26; nays, 1 -- Hannon; excused, 3 -- Clarno, George, Morrisette. Bill passed.

HB 3372 B-Eng. -- Read third time. Carried by Burdick. On passage of bill the vote was: Ayes, 24; nays, 3 -- Atkinson, Dukes, Schrader; excused, 3 -- Clarno, George, Morrisette. Bill passed.

HB 3422 B-Eng. -- Read third time. Carried by Corcoran. On passage of bill the vote was: Ayes, 26; nays, 1 -- Schrader; excused, 3 -- Clarno, George, Morrisette. Bill passed.

HB 2174 A-Eng. -- Read third time. Carried by Starr, C. On passage of bill the vote was: Ayes, 26; nays, 1 -- Schrader; excused, 3 -- Clarno, George, Morrisette. Bill passed.

HB 2197 B-Eng. -- Read third time. Carried by Ferrioli. Potential conflict of interest declared by Beyer, Corcoran, Ferrioli. On passage of bill the vote was: Ayes, 27; excused, 3 -- Clarno, George, Morrisette. Bill passed.

HB 2342 A-Eng. -- Read third time. Carried by Walker. On passage of bill the vote was: Ayes, 24; nays, 2 -- Nelson, Schrader; excused, 3 -- Clarno, George, Morrisette; attending legislative business, 1 -- Messerle. Bill passed.

HB 2575 B-Eng. -- Read third time. Carried by Burdick. On passage of bill the vote was: Ayes, 25; nays, 1 -- Hannon; excused, 3 -- Clarno, George, Morrisette; attending legislative business, 1 -- Messerle. Bill passed.

HB 2763 A-Eng. -- Read third time. Carried by Corcoran. On passage of bill the vote was: Ayes, 24; nays, 2 -- Hannon, Schrader; excused, 3 -- Clarno, George, Morrisette; attending legislative business, 1 -- Messerle. Bill passed.

HB 3318 A-Eng. -- Read third time. Carried by Ringo. On passage of bill the vote was: Ayes, 26; excused, 3 -- Clarno, George, Morrisette; attending legislative business, 1 -- Messerle. Bill passed.

HB 3349 -- Read third time. Carried by Ferrioli. On passage of bill the vote was: Ayes, 25; nays, 1 -- Gordly; excused, 3 -- Clarno, George, Morrisette; attending legislative business, 1 -- Messerle. Bill passed.

HB 3058 -- President Courtney signed on June 6.

Senate adjourned until 10:45 a.m. Monday by unanimous consent at the request of the Chair.

Monday, June 9, 2003 -- Morning Session

Senate convened at 10:45 a.m. President Courtney in Chair. The following members were present: Atkinson, Beyer, Brown, Burdick, Clarno, Deckert, Devlin, Dukes, Ferrioli, Fisher, George, Gordly, Hannon, Harper, Metsger, Minnis, Morrisette, Morse, Nelson, Ringo, Schrader, Starr, B., Starr, C., Walker, Winters; absent -- Carter, Messerle; excused -- Shields; attending legislative business -- Corcoran. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Senator Beverly Clarno, Bend.

HB 11, 32, 42, 70, 71, 72, 137, 167, 205, 223, 241, 243, 250, 327, 401, 514, 525, 554, 584, 661, 663, 667, 832 -- Message from the Governor announcing he signed on June 6.

SB 646, 647; HB 5010, 5024, 5026, 5037; 2308, 2747 -- Message from the House announcing passage.

SB 19, 348 -- Message from the House announcing passage as amended by the House.

Committee Report Summary No. 98 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

SB 5542 -- Report by Committee on Ways and Means recommending passage with amendments.

HB 2095 -- Report by Committee on Judiciary recommending passage with amendments. Referred to Committee on Ways and Means by prior reference.

HB 2275 -- Report by Committee on Judiciary recommending passage of the A-engrossed bill.

HB 2276 -- Report by Committee on Judiciary recommending passage of the A-engrossed bill.

HB 2425 -- Report by Committee on Judiciary recommending passage of the A-engrossed bill.

HB 2490 -- Report by Committee on Judiciary recommending passage of the A-engrossed bill.

Senate recessed until 11:10 a.m. by unanimous consent on motion of Brown.

Senate reconvened at 11:10 a.m. President Courtney in Chair. All present except Clarno, Ferrioli, attending legislative business.

Senate, having recessed under the order of Propositions and Motions, resumed under the general order of business by unanimous consent at the request of the Chair.

SB 516 C-Eng. -- Ferrioli moved that the vote whereby motion to concur and repass failed the Senate on June 4 be reconsidered. The vote was: Ayes, 15; nays, 12 -- Brown, Burdick, Carter, Deckert, Devlin, Gordly, Metsger, Morrisette, Ringo, Schrader, Walker, President Courtney; excused, 1 -- Shields; attending legislative business, 2 -- Corcoran, Dukes. Motion carried.

Parliamentary inquiry by Metsger asking the number of times a motion to reconsider can be made. The chair advised that a motion to reconsider can only be made once.

SB 516 -- Call of the Senate demanded by Beyer joined by Atkinson and Morse. All present except Shields, excused; Corcoran, Dukes, attending legislative business.

SB 516 C-Eng. -- Ferrioli moved that the Senate concur in House amendments and repass bill. Motion failed, the vote was: Ayes, 15; nays, 12 -- Brown, Burdick, Carter, Deckert, Devlin, Gordly, Metsger, Morrisette, Ringo, Schrader, Walker, President Courtney; excused, 1 -- Shields; attending legislative business, 2 -- Corcoran, Dukes. Senate refused to concur in House amendments.

SB 18 B-Eng. -- Gordly moved that the Senate concur in House amendments and repass bill. On concurrence and repassage the vote was: Ayes, 27; excused, 1 – Shields; attending legislative business, 2 – Corcoran, Dukes. Bill repassed.

SB 46 B-Eng. -- Minnis moved that the Senate concur in House amendments and repass bill. On concurrence and repassage the vote was: Ayes, 27; excused, 1 – Shields; attending legislative business, 2 – Corcoran, Dukes. Bill repassed.

Rules suspended by unanimous consent in order that the Senate may take en bloc action on the confirmation of the following appointments on motion of Burdick.

State Apprenticeship and Training Council

Michael McFall

Construction Contractors Board

Walt Gamble (r)
Sandra Trainor

Employment Relations Board

Paul Gamson

State Board of Higher Education

Bridget Burns
Rachel Pilliod

Board of Medical Examiners

Suresht Bald (r)

Physical Therapist Licensing Board

Joana Freedman
Jerry Nickell (r)

Under rules suspension, Burdick moved that the Senate confirm en bloc the Governor's appointments as listed in the motion to suspend the rules. On confirmation the vote was: Ayes, 27; excused, 1 – Shields; attending legislative business, 2 – Corcoran, Dukes. Confirmed en bloc.

SB 899 -- Introduced, read first time and referred to President's desk.

HB 5010, 5024, 5026, 5037; 2308, 2747 -- Read first time and referred to President's desk.

HB 2275, 2276, 2425, 2490 -- Read second time and passed to third reading.

HCR 11 -- Read final time. Carried by Hannon. On adoption of resolution, the vote was: Ayes, 26; excused, 1 – Shields; attending legislative business, 3 – Corcoran, Dukes, Starr, B. Resolution adopted.

HB 3245 B-Eng. -- Read third time. Carried by Atkinson. On passage of bill the vote was: Ayes, 26; excused, 1 – Shields; attending legislative business, 3 – Corcoran, Dukes, Starr, B. Bill passed.

HB 3250 B-Eng. -- Read third time. Carried by Walker. On passage of bill the vote was: Ayes, 26; excused, 1 – Shields; attending legislative business, 3 – Corcoran, Dukes, Starr, B. Bill passed.

HB 3370 A-Eng. -- Read third time. Carried by Burdick. On passage of bill the vote was: Ayes, 25; nays, 1 – Schrader; excused, 1 – Shields; attending legislative business, 3 – Corcoran, Dukes, Starr, B. Bill passed.

The following measures were referred to committee on June 8 and recorded on Committee Referral List No. 57 which was distributed to members. Referral list recorded in the Journal and Status Report by order of the President.

SCR 6 Rules

HB 5001 Ways and Means
HB 5005 Ways and Means
HB 5006 Ways and Means
HB 5017 Ways and Means
HB 5025 Ways and Means
HB 5047 Ways and Means
HB 5054 Ways and Means
HB 5055 Ways and Means
HB 2208 Ways and Means
HB 2256 Ways and Means
HB 2325 Ways and Means
HB 2390 Rules
HB 3582 Revenue

SB 5549; 35, 41, 47, 64, 69, 179, 206, 213, 227, 237, 245, 259, 304, 331, 341, 419, 436, 508, 596, 604, 611, 628, 716, 749, 761, 801, 882, 885; HCR 8, 9; HB 5002; 2114, 2298, 2592, 2631, 2670, 2765, 2784, 2885, 2893, 3015, 3061, 3107, 3307, 3317, 3363, 3361, 3366, 3370, 3601, 3615 -- President Courtney signed on June 9.

HB 2661 -- Metsger, Starr, B. appointed Senate conferees.

Senate adjourned until 10:45 a.m. Tuesday by unanimous consent at the request of the Chair.

Tuesday, June 10, 2003 -- Morning Session

Senate convened at 10:45 a.m. President Pro Tempore Hannon in Chair. The following members were present: Atkinson, Beyer, Brown, Carter, Clarno, Corcoran, Deckert, Devlin, Dukes, Ferrioli, Fisher, George, Gordly, Messerle, Metsger, Minnis, Morrisette, Morse, Nelson, Ringo, Starr, B., Starr, C., Winters, President Courtney; absent -- Burdick, Harper, Schrader, Walker; excused -- Shields. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Senator Bruce Starr, Aloha.

HB 2537 -- Message from the House announcing passage.

HB 2455, 2933, 3296, 3351 -- Message from the House announcing concurrence in Senate amendments and repassage.

HB 2388 -- Message from the House announcing refusal to concur in Senate amendments. Conferees to be appointed.

Committee Report Summary No. 99 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

SJR 2 -- Report by Committee on Revenue recommending adoption with amendments.

SB 5 -- Report by Committee on Revenue recommending passage with amendments.

SB 610 -- Report by Committee on Judiciary recommending passage with amendments.

HB 2066 -- Report by Committee on Judiciary recommending passage with amendments to the A-engrossed bill.

HB 2581 -- Report by Committee on Judiciary recommending passage with amendments to the A-engrossed bill.

HB 2682 -- Report by Committee on Judiciary recommending passage of the A-engrossed bill.

HB 2733 -- Report by Committee on Judiciary recommending passage of the A-engrossed bill.

HB 2736 -- Report by Committee on Judiciary recommending passage.

HB 3389 -- Report by Committee on Judiciary recommending passage with amendments to the A-engrossed bill.

SB 19 B-Eng. -- Minnis moved that the Senate concur in House amendments and repass bill. On concurrence and repassage the vote was: Ayes, 26; absent, 1 -- Ringo; excused, 1 -- Shields; attending legislative business, 2 -- Harper, Schrader. Bill repassed.

SB 348 B-Eng. -- Minnis moved that the Senate concur in House amendments and repass bill. On concurrence and repassage the vote was: Ayes, 27; excused, 1 -- Shields; attending legislative business, 2 -- Harper, Schrader. Bill repassed.

SB 901 -- Introduced, read first time and referred to President's desk.

SB 5542 -- Read second time and passed to third reading.

HB 2537 -- Read first time and referred to President's desk.

HB 2682, 2733, 2736 -- Read second time and passed to third reading.

HB 2275 A-Eng. -- Read third time. Carried by Starr, C. On passage of bill the vote was: Ayes, 27; excused, 1 -- Shields; attending legislative business, 2 -- Harper, Schrader. Bill passed.

HB 2276 A-Eng. -- Read third time. Carried by Starr, C. On passage of bill the vote was: Ayes, 27; excused, 1 -- Shields; attending legislative business, 2 -- Harper, Schrader. Bill passed.

HB 2425 A-Eng. -- Read third time. Carried by Ringo. On passage of bill the vote was: Ayes, 27; excused, 1 -- Shields; attending legislative business, 2 -- Harper, Schrader. Bill passed.

HB 2490 A-Eng. -- Read third time. Carried by Walker. On passage of bill the vote was: Ayes, 27; excused, 1 -- Shields; attending legislative business, 2 -- Harper, Schrader. Bill passed.

Senate adjourned until 10:45 a.m. Wednesday by unanimous consent at the request of the Chair.

Wednesday, June 11, 2003 -- Morning Session

Senate convened at 10:45 a.m. Deckert in Chair. The following members were present: Atkinson, Beyer, Brown, Burdick, Carter, Clarno, Corcoran, Devlin, Dukes, Ferrioli, Fisher, George, Hannon, Harper, Messerle, Metsger, Minnis, Morrisette, Morse, Nelson, Ringo, Starr, B., Starr, C., Winters, President Courtney; excused -- Gordly, Shields, Walker; attending legislative business -- Schrader. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Senator David Nelson, Pendleton.

SB 14, 17, 33, 37, 38, 39, 43, 45, 67, 74, 118, 119, 127, 136, 161, 191, 194, 199, 216, 226, 229, 255, 258, 289, 311, 315 -- Message from the Governor announcing he signed on June 10.

SB 5519, 5521, 5524, 5536, 5539, 5545; 103 -- Message from the House announcing passage.

SB 228, 808 -- Message from the House announcing passage as amended by the House.

HB 2197, 2575, 2694, 2763, 2986, 3372, 3422 -- Message from the House announcing concurrence in Senate amendments and repassage.

HB 2388 -- Message from the House announcing Brown, Beyer, Mabrey appointed House conferees.

HB 2661 -- Message from the House announcing Brown, Greenlick, Miller appointed House conferees.

SB 5549; 35, 41, 47, 64, 69, 179, 206, 213, 227, 237, 245, 259, 304, 331, 341, 419, 436, 508, 596, 604, 611, 628, 716, 749, 761, 801, 882, 885; HB 2074, 2111, 2113, 2118, 2138, 2381, 2521, 2606, 2638, 2711, 2803, 2894, 2915, 3152, 3175, 3184 -- Message from the House announcing the Speaker signed on June 10.

Committee Report Summary No. 100 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

SB 895 -- Report by Committee on Judiciary recommending passage with amendments.

HB 2221 -- Report by Committee on Judiciary recommending passage with amendments to the A-engrossed bill.

HB 2727 -- Report by Committee on Judiciary recommending passage.

HB 2756 -- Report by Committee on Judiciary recommending passage of the A-engrossed bill.

HB 2811 -- Report by Committee on Judiciary recommending passage with amendments to the A-engrossed bill.

HB 3093 -- Report by Committee on Judiciary recommending passage with amendments to the A-engrossed bill.

SB 902 -- Introduced, read first time and referred to President's desk.

SJR 2; SB 5, 610 -- Read second time and passed to third reading.

SB 5542 A-Eng. -- Read third time. Carried by Winters. On passage of bill the vote was: Ayes, 25; nays, 1 -- Beyer; excused, 3 -- Gordly, Shields, Walker; attending legislative business, 1 -- Schrader. Bill passed.

HB 2066, 2581, 2727, 2756, 3389 -- Read second time and passed to third reading.

HB 2682 A-Eng. -- Read third time. Carried by Ferrioli. On passage of bill the vote was: Ayes, 27; excused, 3 -- Gordly, Shields, Walker. Bill passed.

HB 2733 A-Eng. -- Read third time. Carried by Minnis. On passage of bill the vote was: Ayes, 27; excused, 3 -- Gordly, Shields, Walker. Bill passed.

HB 2736 -- Read third time. Carried by Starr, C. On passage of bill the vote was: Ayes, 27; excused, 3 -- Gordly, Shields, Walker. Bill passed.

The following measures were referred to committee on June 10 and recorded on Committee Referral List No. 58 which was distributed to

members. Referral list recorded in the Journal and Status Report by order of the President.

SB 899 Rules

SB 901 Rules

HB 5010 Ways and Means

HB 5024 Ways and Means

HB 5026 Ways and Means

HB 5037 Ways and Means

HB 2308 Judiciary

HB 2537 Rules

HB 2747 Revenue

HB 2388 -- Metsger, Starr, B. appointed Senate conferees.

SB 5503, 5504, 5510, 5511, 5520, 5532, 5538, 5540, 5544; 65, 207, 285, 470, 858; HB 2111, 2638, 2711, 2803, 2894, 2915, 3152, 3175 -- President Courtney signed on June 11.

Senate adjourned until 10:45 a.m. Thursday by unanimous consent at the request of the Chair.

Thursday, June 12, 2003 -- Morning Session

Senate convened at 10:45 a.m. President Courtney in Chair. The following members were present: Atkinson, Beyer, Brown, Burdick, Carter, Clarno, Corcoran, Deckert, Devlin, Dukes, Ferrioli, Fisher, George, Gordly, Hannon, Harper, Messerle, Metsger, Minnis, Morrisette, Morse, Ringo, Schrader, Starr, B., Starr, C., Walker, Winters; excused -- Nelson, Shields. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Pastor Steve Hopkins of Calvary Chapel, Salem.

SB 456; HB 2089, 2857, 3632 -- Message from the House announcing passage.

HB 3245, 3250, 3370 -- Message from the House announcing concurrence in Senate amendments and repassage.

HB 2407 -- Message from the House announcing refusal to concur in Senate amendments.

HB 2407 -- Message from the House announcing Knopp, Brown, Macpherson appointed House conferees.

Committee Report Summary No. 101 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

SB 5505 -- Report by Committee on Ways and Means recommending passage with amendments.

SB 5541 -- Report by Committee on Ways and Means recommending passage with amendments.

HCR 10 -- Report by Committee on Rules recommending adoption of the A-engrossed resolution.

HB 5001 -- Report by Committee on Ways and Means recommending passage of the A-engrossed bill.

HB 5005 -- Report by Committee on Ways and Means recommending passage of the A-engrossed bill.

HB 5006 -- Report by Committee on Ways and Means recommending passage of the A-engrossed bill.

HB 5017 -- Report by Committee on Ways and Means recommending passage of the A-engrossed bill.

HB 5025 -- Report by Committee on Ways and Means recommending passage.

HB 5047 -- Report by Committee on Ways and Means recommending passage of the A-engrossed bill.

HB 5054 -- Report by Committee on Ways and Means recommending passage of the A-engrossed bill.

HB 5055 -- Report by Committee on Ways and Means recommending passage.

HB 2208 -- Report by Committee on Ways and Means recommending passage of the B-engrossed bill.

HB 2256 -- Report by Committee on Ways and Means recommending passage of the B-engrossed bill.

HB 2325 -- Report by Committee on Ways and Means recommending passage of the A-engrossed bill.

HB 2422 -- Report by Committee on Judiciary recommending passage with amendments.

HB 3259 -- Report by Committee on Judiciary recommending passage with amendments to the A-engrossed bill.

SB 673 B-Eng. -- Messerle moved that the Senate concur in House amendments and repass bill. On concurrence and repassage the vote was: Ayes, 27; nays, 1 – Hannon; excused, 2 – Nelson, Shields. Bill repassed.

SCR 7 -- Introduced, read first time and referred to President's desk.

SB 895 -- Read second time and passed to third reading.

SJR 2 A-Eng. -- Read final time. Carried by Morse. Call of the Senate demanded by Morse joined by Brown and Winters. All present except Nelson, Shields, excused. On adoption of resolution, the vote was: Ayes, 21; nays, 7 – Atkinson, Beyer, Ferrioli, Fisher, George, Hannon, Starr, B.; excused, 2 – Nelson, Shields. Resolution adopted.

SB 5 A-Eng. -- Read third time. Carried by Morse. On passage of bill the vote was: Ayes, 20; nays, 8 – Atkinson, Beyer, Ferrioli, Fisher, George, Hannon, Harper, Starr, B.; excused, 2 – Nelson, Shields. Bill passed.

SB 610 A-Eng. -- Read third time. Carried by Brown. On passage of bill the vote was: Ayes, 20; nays, 8 – Beyer, Clarno, Ferrioli, Fisher, George, Hannon, Harper, Messerle; excused, 2 – Nelson, Shields. Bill passed.

HB 2089, 2857, 3632 -- Read first time and referred to President's desk.

HCR 10; HB 5001, 5005, 5006, 5017, 5025, 5047, 5054, 5055; 2208, 2221, 2256, 2325, 2811, 3093 -- Read second time and passed to third reading.

HB 2066 B-Eng. -- Read third time. Carried by Ringo. On passage of bill the vote was: Ayes, 26; nays, 1 – Schrader; excused, 2 – Nelson, Shields; attending legislative business, 1 – Morse. Bill passed.

HB 2581 -- Read third time. Carried by Starr, C. Bill failed; the vote was: Ayes, 12; nays, 15 – Carter, Corcoran, Deckert, Devlin, Dukes, Fisher, George, Gordly, Hannon, Messerle, Metsger, Minnis, Morrisette, Schrader, Walker; excused, 2 – Nelson, Shields; attending legislative business, 1 – Morse. Bill failed. Minnis, having voted on the prevailing side, served notice of possible reconsideration.

HB 2727, 2756, 3389 -- Carried over to June 13 calendar by unanimous consent at the request of the Chair.

Senate adjourned until 10:45 a.m. Friday by unanimous consent at the request of the Chair.

Friday, June 13, 2003 -- Morning Session

Senate convened at 10:45 a.m. President Pro Tempore Hannon in Chair. The following members were present: Atkinson, Beyer, Brown, Burdick, Carter, Corcoran, Devlin, Dukes, Ferrioli, Fisher, Gordly, Harper, Messerle, Metsger, Minnis, Morrisette, Ringo, Schrader, Shields, Starr, B., Starr, C., Winters, President Courtney; excused -- Clarno, George, Morse, Nelson, Walker; attending legislative business -- Deckert. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Pastor Gordon Bergman of the Kingwood Bible Church, Salem.

SB 8, 68, 154, 230, 292, 303, 306, 372, 390, 393, 397, 434, 457, 487, 515, 575, 588, 602, 603, 618, 641, 692, 713, 724, 739, 764, 771, 787, 803, 807, 822, 876 -- Message from the Governor announcing he signed on June 12.

The following messages from the Governor were read and referred to the Committee on Rules.

June 12, 2003

TO THE HONORABLE PRESIDENT OF THE SENATE
OF THE 72nd LEGISLATIVE ASSEMBLY

ORS 417.730 provides that the Governor shall appoint the members of the State Commission on Children and Families subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I appoint Samuel Henry of Troutdale to the State Commission on Children and Families for an unexpired four-year term, as provided by statute, beginning June 1, 2003, and ending September 30, 2005, effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,
Ted Kulongoski
Governor

June 12, 2003

TO THE HONORABLE PRESIDENT OF THE SENATE
OF THE 72nd LEGISLATIVE ASSEMBLY

ORS 240.060 provides that the Governor shall appoint the members of the Employment Relations Board subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I appoint Luella Nelson of Portland to the Employment Relations Board for a four-year term, as provided by statute, beginning September 1, 2003, and ending June 30, 2007, effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,
Ted Kulongoski
Governor

June 12, 2003

TO THE HONORABLE PRESIDENT OF THE SENATE
OF THE 72nd LEGISLATIVE ASSEMBLY

ORS 678.800 provides that the Governor shall appoint the members of the Board of Examiners of Nursing Home Administrators subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I appoint Rob Hays of Milton-Freewater to the Board of Examiners of Nursing Home Administrators for a three-year term, as provided by statute, beginning July 1, 2003, and ending June 30, 2006, effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,
Ted Kulongoski
Governor

June 12, 2003

TO THE HONORABLE PRESIDENT OF THE SENATE
OF THE 72nd LEGISLATIVE ASSEMBLY

ORS 678.800 provides that the Governor shall appoint the members of the Board of Examiners of Nursing Home Administrators subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I reappoint Dolores Hubert of Portland to the Board of Examiners of Nursing Home Administrators for a three-year term, as provided by statute, beginning July 1, 2003,

and ending June 30, 2006, effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,
Ted Kulongoski
Governor

Committee Report Summary No. 102 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

SB 751 -- Report by Committee on Transportation and Economic Development recommending passage with amendments and requesting subsequent referral to Committee on Ways and Means be rescinded. Subsequent referral rescinded by order of the President in agreement with the President Pro Tempore.

HB 5010 -- Report by Committee on Ways and Means recommending passage of the A-engrossed bill.

HB 5024 -- Report by Committee on Ways and Means recommending passage of the A-engrossed bill.

HB 5026 -- Report by Committee on Ways and Means recommending passage of the A-engrossed bill.

HB 5037 -- Report by Committee on Ways and Means recommending passage of the A-engrossed bill.

HB 2581 -- Action on reconsideration of vote. Taken from its place on today's calendar and placed on June 16 calendar by voice vote on motion of Minnis.

SB 5505, 5541 -- Read second time and passed to third reading.

SB 895 A-Eng. -- Read third time. Carried by Ferrioli. On passage of bill the vote was: Ayes, 19; nays, 2 – Beyer, Hannon; absent, 1 – Dukes; excused, 5 – Clarno, George, Morse, Nelson, Walker; attending legislative business, 3 – Carter, Deckert, President Courtney. Bill passed.

HB 5010, 5024, 5026, 5037; 2422, 3259 -- Read second time and passed to third reading.

HCR 10 A-Eng. -- Read final time. Carried by Minnis. On adoption of resolution, the vote was: Ayes, 21; nays, 1 – Schrader; excused, 5 – Clarno, George, Morse, Nelson, Walker; attending legislative business, 3 – Carter, Deckert, President Courtney. Resolution adopted.

HB 2727 -- Read third time. Carried by Minnis. On passage of bill the vote was: Ayes, 22; excused, 5 – Clarno, George, Morse, Nelson, Walker; attending legislative business, 3 – Carter, Deckert, President Courtney. Bill passed.

HB 2756 A-Eng. -- Read third time. Carried by Starr, C. On passage of bill the vote was: Ayes, 20;

nays, 2 – Devlin, Schrader; excused, 5 – Clarno, George, Morse, Nelson, Walker; attending legislative business, 3 – Carter, Deckert, President Courtney. Bill passed.

HB 3389 B-Eng. -- Read third time. Carried by Minnis. On passage of bill the vote was: Ayes, 21; nays, 1 – Hannon; excused, 5 – Clarno, George, Morse, Nelson, Walker; attending legislative business, 3 – Carter, Deckert, President Courtney. Bill passed.

HB 5001 A-Eng. -- Read third time. Carried by Devlin. On passage of bill the vote was: Ayes, 21; nays, 1 – Minnis; excused, 5 – Clarno, George, Morse, Nelson, Walker; attending legislative business, 3 – Carter, Deckert, President Courtney. Bill passed.

HB 5005 A-Eng. -- Read third time. Carried by Gordly. On passage of bill the vote was: Ayes, 18; nays, 6 – Atkinson, Beyer, Ferrioli, Fisher, Hannon, Minnis; excused, 5 – Clarno, George, Morse, Nelson, Walker; attending legislative business, 1 – Deckert. Bill passed.

HB 5006 A-Eng. -- Read third time. Carried by Gordly. On passage of bill the vote was: Ayes, 19; nays, 6 – Atkinson, Beyer, Ferrioli, Fisher, Hannon, Minnis; excused, 5 – Clarno, George, Morse, Nelson, Walker. Bill passed.

HB 5017 A-Eng. -- Read third time. Carried by Dukes. On passage of bill the vote was: Ayes, 23; nays, 2 – Hannon, Minnis; excused, 5 – Clarno, George, Morse, Nelson, Walker. Bill passed.

HB 5025 -- Read third time. Carried by Gordly. On passage of bill the vote was: Ayes, 20; nays, 5 – Atkinson, Beyer, Hannon, Minnis, Starr, B.; excused, 5 – Clarno, George, Morse, Nelson, Walker. Bill passed.

HB 5047 A-Eng. -- Read third time. Carried by Gordly. On passage of bill the vote was: Ayes, 22; nays, 3 – Beyer, Fisher, Minnis; excused, 5 – Clarno, George, Morse, Nelson, Walker. Bill passed.

HB 5054 A-Eng. -- Read third time. Carried by Gordly. On passage of bill the vote was: Ayes, 22; nays, 3 – Beyer, Hannon, Minnis; excused, 5 – Clarno, George, Morse, Nelson, Walker. Bill passed.

Courtesies of the Senate were extended to former Governor and U.S. Senator Mark O. Hatfield at the request of the Gordly.

HB 5055 -- Read third time. Carried by Gordly. On passage of bill the vote was: Ayes, 21; nays, 4 – Atkinson, Beyer, Hannon, Minnis; excused, 5 – Clarno, George, Morse, Nelson, Walker. Bill passed.

HB 2208 B-Eng. -- Read third time. Carried by Dukes. On passage of bill the vote was: Ayes, 24; nays, 1 – Hannon; excused, 5 – Clarno, George, Morse, Nelson, Walker. Bill passed.

HB 2221, 2256, 2325, 2811, 3093 -- Carried over to June 16 calendar by unanimous consent at the request of the Chair.

The Chair announced that President Courtney made the following committee assignments effective April 2.

OREGON LAW COMMISSION (ORS 173.315)

Senator Kate Brown

Senator Vicki Walker

HB 2407 -- Corcoran, Minnis appointed Senate conferees.

SB 646, 647 -- President Courtney signed on June 13.

Senate adjourned until 10:45 a.m. Monday by unanimous consent at the request of the Chair.

Monday, June 16, 2003 -- Morning Session

Senate convened at 10:45 a.m. President Courtney in Chair. The following members were present: Atkinson, Beyer, Brown, Burdick, Carter, Clarno, Corcoran, Deckert, Devlin, Dukes, Ferrioli, Fisher, George, Gordly, Hannon, Harper, Messerle, Metsger, Minnis, Morrisette, Morse, Schrader, Shields, Starr, B., Starr, C., Winters; absent -- Nelson, Ringo, Walker. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Senator Gary George, Newberg.

SB 34, 82, 104, 105, 106, 110, 111, 112, 115, 117, 122, 123, 159, 185, 198, 200, 235, 253, 286, 534, 711, 714, 715, 734, 765, 870 -- Message from the Governor announcing he signed on June 13.

SB 564 -- Message from the House announcing passage as amended by the House.

Committee Report Summary No. 103 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

SB 6 -- Report by Committee on Revenue recommending passage with amendments. Referred to Committee on Ways and Means by prior reference.

SB 899 -- Report by Committee on Rules recommending passage.

HB 2671 -- Report by Committee on Revenue recommending passage with amendments to the A-engrossed bill.

HB 3616 -- Report by Committee on Revenue recommending passage of the B-engrossed bill.

Report by Committee on Rules recommending that the Governor's appointment of Minga Guerrero (appearance waived) to the State Board of Chiropractic Examiners be confirmed.

Report by Committee on Rules recommending that the Governor's appointment of Jerry Berger (r) (appearance waived), Steve Bogart (appearance waived), and Nikki Squire (appearance waived) to the State Board of Education be confirmed en bloc.

Report by Committee on Rules recommending that the Governor's appointment of Merry VanAtta (appearance waived), Gerald Zielinski (r) (appearance waived) to the State Board of Tax Practitioners be confirmed en bloc.

Report by Committee on Rules recommending that the Governor's appointment of Michael Nelson (appearance waived) to the Oregon Transportation Commission be confirmed.

HB 2581 B-Eng. -- Pursuant to notice given June 12, Minnis moved that the vote whereby bill failed to pass the Senate be reconsidered. Motion to reconsider carried. Ayes, 23; nays, 7 – Deckert, Devlin, Dukes, Hannon, Schrader, Walker, President Courtney. Vote reconsidered.

HB 2581 B-Eng. -- Bill read. Carried by Minnis. On passage of bill the vote was: Ayes, 18; nays, 12 – Beyer, Carter, Devlin, Dukes, Gordly, Hannon, Harper, Metsger, Schrader, Shields, Walker, President Courtney. Bill passed.

SB 228 -- Taken from today's calendar and placed on June 17 calendar by unanimous consent at the request of the Chair.

SB 808 B-Eng. -- Minnis moved that the Senate concur in House amendments and repass bill. On concurrence and repassage the vote was: Ayes, 30. Bill repassed.

SB 751, 899 -- Read second time and passed to third reading.

SB 5505 A-Eng. -- Read third time. Carried by Winters. On passage of bill the vote was: Ayes, 29; attending legislative business, 1 – Atkinson. Bill passed.

SB 5541 A-Eng. -- Read third time. Carried by Morse. On passage of bill the vote was: Ayes, 28; absent, 1 – Corcoran; attending legislative business, 1 – Atkinson. Bill passed.

HB 3616 -- Read second time and passed to third reading.

HB 2221 B-Eng. -- Read third time. Carried by Minnis. On passage of bill the vote was: Ayes, 27; nays, 2 – Beyer, Hannon; attending legislative business, 1 – Atkinson. Bill passed.

HB 2256 B-Eng. -- Read third time. Carried by Messerle. On passage of bill the vote was: Ayes, 27; nays, 2 – Hannon, Nelson; attending legislative business, 1 – Atkinson. Bill passed.

HB 2325 -- Read third time. Taken from its place on today's third reading calendar and placed on June 17 calendar by voice vote on motion of Gordly.

HB 2811 B-Eng. -- Read third time. Carried by Minnis. On passage of bill the vote was: Ayes, 25; nays, 5 – Carter, Hannon, Morrisette, Nelson, Shields. Bill passed.

HB 3093 B-Eng. -- Read third time. Carried by Burdick. On passage of bill the vote was: Ayes, 20; nays, 10 – Brown, Corcoran, George, Gordly, Hannon, Metsger, Morrisette, Shields, Walker, President Courtney. Bill passed.

HB 5010, 5024, 5026, 5037; 2422, 3259 -- Carried over to June 17 calendar by unanimous consent at the request of the Chair.

The following measures were referred to committee on June 13 and recorded on Committee Referral List No. 60 which was distributed to members. Referral list recorded in the Journal and Status Report by order of the President.

State Commission on Children and Families (ORS 417.730)

Samuel Henry Rules

Employment Relations Board (ORS 240.065)

Luella Nelson Rules

Board of Examiners of Nursing Home Administrators (ORS 678.800)

Rob Hays Rules

Dolores Hubert (r) Rules

SB 18, 19, 46, 348; HB 2074, 2113, 2118, 2138, 2381, 2521, 2606, 3184 -- President Courtney signed on June 16.

Senate adjourned until 10:45 a.m. Tuesday by unanimous consent at the request of the Chair.

Tuesday, June 17, 2003 -- Morning Session

Senate convened at 10:45 a.m. President Pro Tempore Hannon in Chair. The following members were present: Atkinson, Beyer, Brown, Burdick, Carter, Clarno, Corcoran, Deckert, Devlin, Ferrioli, Fisher, George, Gordly, Harper, Messerle, Metsger, Minnis, Morrisette, Morse, Nelson, Ringo, Shields, Starr, B., Starr, C., Walker, Winters; President Courtney; excused -- Dukes; attending legislative business -- Schrader. Colors were posted and the Senate pledged allegiance to the flag. Invocation by

Pastor Herman Boes of West Salem Baptist Church, Salem.

SB 761 -- Message from the Governor announcing he vetoed on June 16.

June 16, 2003

The Honorable Peter Courtney
President of the Senate
Oregon State Senate
900 Court Street NE, S-203
Salem, OR 97301

Dear President Courtney:

I am returning Enrolled Senate Bill 761, unsigned and disapproved, for the reasons below.

First, I want to express my support for the rights of parents to raise and educate their children according to the dictates of their beliefs and conscience. The decision to veto Senate Bill 761 is not a statement about home-schooling or about parental rights. I agree with this principle and I salute parents who choose to undertake themselves the very serious responsibility for educating their children.

But I also believe that society is responsible to our children. Particularly, society must ensure that a child's basic needs are met, including the need for a basic education. To fulfill that responsibility, society must require a minimal level of accountability from parents who provide for their children's education. I know that the vast majority of parents who home-school their children are motivated by a sincere desire to provide the best and most appropriate education for their children and that they do an admirable job of providing that education. However, I am deeply concerned that a system with no monitoring or accountability will allow a small number of children to fall through the cracks and to reach adulthood without receiving the minimal education that is the right of every child to receive and the responsibility of society to ensure is provided.

In 1999, supporters of home-schooling and the Legislature reached a compromise between restrictive home-schooling regulation and complete deregulation. That compromise is embodied in current law, which requires that parents of home-schooled children notify the local public school district in writing when a child is being home-schooled or is withdrawn from the public school system. The law also requires that home-schooled children be tested in grades 3, 5, 8 and 10. Parents choose the test to be administered to their home-schooled child from a list of tests adopted by the State Board of Education. If the child's test score is within the bottom fifteen percent according to national norms, then another test must be administered within a year. If the subsequent test reveals a declining score, then the superintendent of the local school district can require that the child be taught by a private teacher with a teaching license, or at the parent's option, be returned to the public schools. If test scores continue to decline, even with a private teacher, the superintendent can require the child be returned to the public schools.

Senate Bill 761 would eliminate these testing requirements entirely. Under Senate Bill 761, the state would have no ability to determine that children were receiving even a minimal education. If Senate Bill 761 became law, Oregon would be one of just a handful of states with no oversight of home-schooling.

I do not believe that the requirements imposed by current law are unduly burdensome on parents or home-schooled children. In fact, these testing requirements are

considerably less stringent than the requirements of the No Child Left Behind Act, which requires testing in public schools in grade 3 through 8 in addition to annual statewide progress objectives to ensure that public school students attain proficiency within 12 years.

I also recognize that current law does not impose the same requirements on private schools students in Oregon as it imposes on home-schooled students. While it is true that we do not regulate private schools in this way under the current legal structure, I believe that market forces do regulate private schools in ways that it does not regulate home-schooling. Private schools are not merely opting out of public education; they are competing with public education. To be a competitive alternative to public education, private schools must meet or exceed the scope of instruction, quality in instruction and curriculum found in the public schools. Most importantly, private schools must utilize performance measures and standards to demonstrate their success and competitiveness—all with a corresponding cost. Indeed, if a private school does not produce students that can successfully compete with students from a public school, it seems likely that the private school will not remain in the education market as a costly but viable option to parents. Given market forces, I believe private schools voluntarily submit to national and standardized testing or other performance measures in order to ensure and demonstrate that privately schooled students receive not only basic education instruction but education that is intended to give such students a competitive edge. As I have stated, I respectfully disagree with the removal of all testing requirements for home-schooled children.

Since taking office I have stated many times, 'Putting Children First' is a cornerstone of my administration. I have vetoed Senate Bill 761 because I not believe that it is consistent with that principle.

Sincerely,
Theodore R. Kulongoski
Governor

HB 3630 -- Message from the House announcing passage.

SB 880 -- Message from the House announcing passage as amended by the House.

HB 2066 -- Message from the House announcing concurrence in Senate amendments and repassage.

SB 5503, 5504, 5510, 5511, 5520, 5532, 5538, 5540, 5544; 65, 207, 285, 470, 858; HB 5007, 5032, 5033, 5043, 5053; 2034, 2174, 2247, 2344, 2380, 2647, 2668, 2754, 2887, 2945, 3048, 3094, 3318, 3349, 3371, 3376 -- Message from the House announcing the Speaker signed on June 16.

Committee Report Summary No. 104 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

SB 5508 -- Report by Committee on Ways and Means recommending passage with amendments.

SB 5518 -- Report by Committee on Ways and Means recommending passage with amendments.

SB 5529 -- Report by Committee on Ways and Means recommending passage with amendments.

SB 5531 -- Report by Committee on Ways and Means recommending passage with amendments.

SB 5546 -- Report by Committee on Ways and Means recommending passage with amendments.

SB 12 -- Report by Committee on Ways and Means recommending passage.

SB 50 -- Report by Committee on General Government without recommendation as to passage. Referred to Committee on Ways and Means by prior reference.

SB 190 -- Report by Committee on Ways and Means recommending passage of the A-engrossed bill.

SB 644 -- Report by Committee on Education without recommendation as to passage and requesting referral to Committee on Revenue. Referred to Committee on Revenue by order of the President in agreement with the President Pro Tempore and then Committee on Ways and Means by prior reference.

HB 2167 -- Report by Committee on General Government recommending passage with amendments to the A-engrossed bill. Referred to Committee on Ways and Means by prior reference.

HB 2235 -- Report by Committee on Judiciary recommending passage of the A-engrossed bill.

HB 2409 -- Report by Committee on Judiciary recommending passage of the A-engrossed bill.

HB 2865 -- Report by Committee on Judiciary recommending passage with amendments to the A-engrossed bill.

HB 3330 -- Report by Committee on Judiciary recommending passage with amendments to the A-engrossed bill.

SB 228 B-Eng. -- Deckert moved that the Senate concur in House amendments and repass bill. Call of the Senate demanded by Deckert joined by Brown and Walker. All members present. On concurrence and repassage the vote was: Ayes, 17; nays, 13 – Atkinson, Beyer, Clarno, Fisher, George, Harper, Messerle, Minnis, Morse, Nelson, Starr, B., Starr, C., Winters. Bill repassed.

SB 564 B-Eng. -- Minnis moved that the Senate concur in House amendments and repass bill. On concurrence and repassage the vote was: Ayes, 29; attending legislative business, 1 – Beyer. Bill repassed.

Corcoran moved that the Senate confirm the Governor's appointment of Minga Guerrero to the State Board of Chiropractic Examiners. Ayes, 23;

nays, 4 – Fisher, George, Hannon, Starr, C.; attending legislative business, 3 – Beyer, Schrader, Shields. Confirmed.

Rules suspended by unanimous consent in order that the Senate may take en bloc action on the confirmation of the following appointments on motion of Atkinson.

State Board of Education

Jerry Berger
Steve Bogart (r)
Nikki Squire

State Board of Tax Practitioners

Merry VanAtta
Gerald Zielinski (r)

Oregon Transportation Commission

Michael Nelson

Under rules suspension, Atkinson moved that the Senate confirm en bloc the Governor's appointments as listed in the motion to suspend the rules. On confirmation the vote was: Ayes, 26; attending legislative business, 4 – Beyer, Schrader, Shields, Starr, B. Confirmed en bloc.

SB 12, 190 -- Read second time and passed to third reading.

SB 751 A-Eng. -- Read third time. Carried by Metsger. Call of the Senate demanded by Metsger joined by Brown and Burdick. All members present. On passage of bill the vote was: Ayes, 22; nays, 8 – Carter, Devlin, Dukes, Gordly, Hannon, Morrisette, Shields, Walker. Bill passed.

SB 899 -- Read third time. Carried by Brown. On passage of bill the vote was: Ayes, 28; nays, 2 – Dukes, Walker. Bill passed.

HB 3630 -- Read first time and referred to President's desk.

HB 2235, 2409, 2671 -- Read second time and passed to third reading.

HB 5010, 5024, 5026, 5037; 2325, 2422, 3259, 3616 -- Carried over to June 18 calendar by unanimous consent at the request of the Chair.

SB 5519, 5521, 5524, 5539, 5545; 103, 456, 673; HB 5007, 5032, 5033, 5043, 5053; 2034, 2174, 2247, 2344, 2380, 2647, 2688, 2754, 2887, 2945, 3048, 3094, 3318, 3349, 3371, 3376 -- President Courtney signed on June 17.

Senate adjourned until 10:45 a.m. Wednesday by unanimous consent at the request of the Chair.

Wednesday, June 18, 2003 -- Morning Session

Senate convened at 10:45 a.m. President Courtney in Chair. The following members were present: Atkinson, Beyer, Brown, Burdick, Clarno, Corcoran, Deckert, Dukes, Ferrioli, Fisher, George, Gordly, Hannon, Harper, Messerle, Metsger, Minnis, Morrisette, Morse, Nelson, Ringo, Schrader, Shields, Starr, B., Starr, C., Walker; excused -- Devlin; attending legislative business -- Carter, Winters. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Senator Frank Shields, Portland.

SB 5549; 35, 41, 47, 64, 69, 179, 206, 213, 227, 237, 245, 259, 304, 331, 341, 419, 436, 508, 596, 604, 611, 628, 716, 749, 801, 882, 885 -- Message from the Governor announcing he signed on June 17.

SB 5537; 129, 552; HB, 5011, 5019, 5035, 5059, 5062; 2254, 3177 -- Message from the House announcing passage.

SJM 6; SJR 19 -- Message from the House announcing adoption.

SB 189 -- Message from the House announcing passage as amended by the House.

HB 3389 -- Message from the House announcing concurrence in Senate amendments and repassage.

SB 18, 19, 46, 348, 646, 647; HCR 11; HB 2197, 2455, 2490, 2694, 2763, 2986, 3245, 3372 -- Message from the House announcing the Speaker signed on June 17.

Committee Report Summary No. 105 listing the following reports was distributed to members. Summary list recorded in Journal and Status Report by order of the President.

SB 132 -- Report by Committee on Rules recommending passage with amendments.

SB 494 -- Report by Committee on General Government recommending passage with amendments.

SB 891 -- Report by Committee on Human Resources recommending passage with amendments.

HB 2043 -- Report by Committee on Revenue recommending passage of the A-engrossed bill.

HB 2049 -- Report by Committee on Judiciary recommending passage with amendments to the A-engrossed bill.

HB 2165 -- Report by Committee on Human Resources recommending passage with amendments to the A-engrossed bill.

HB 3508 -- Report by Committee on Human Resources recommending passage.

HB 3548 -- Report by Committee on Transportation and Economic Development recommending passage of the A-engrossed bill.

HB 3609 -- Report by Committee on Human Resources recommending passage with amendments. Referred to Committee on Ways and Means by prior reference.

SB 5508, 5518, 5529, 5531, 5546 -- Read second time and passed to third reading.

SB 12 -- Read third time. Carried by Gordly. On passage of bill the vote was: Ayes, 26; excused, 1 -- Devlin; attending legislative business, 3 -- Brown, Carter, Winters. Bill passed.

SB 190 A-Eng. -- Read third time. Carried by Dukes. On passage of bill the vote was: Ayes, 27; excused, 1 -- Devlin; attending legislative business, 2 -- Carter, Winters. Bill passed.

HB 5011, 5019, 5035, 5059, 5062; 2254, 3177 -- Read first time and referred to President's desk.

HB 2043, 2865, 3330, 3508, 3548 -- Read second time and passed to third reading.

HB 5010 A-Eng. -- Read third time. Carried by Schrader. On passage of bill the vote was: Ayes, 24; nays, 2 -- Dukes, Hannon; excused, 1 -- Devlin; attending legislative business, 3 -- Carter, Starr, B., Winters. Bill passed.

HB 5024 A-Eng. -- Read third time. Carried by Gordly. On passage of bill the vote was: Ayes, 23; nays, 1 -- Hannon; excused, 1 -- Devlin; attending legislative business, 5 -- Carter, George, Schrader, Starr, B., Winters. Bill passed.

HB 5026 A-Eng. -- Read third time. Carried by Gordly. On passage of bill the vote was: Ayes, 23; nays, 1 -- Hannon; excused, 1 -- Devlin; attending legislative business, 5 -- Carter, George, Schrader, Starr, B., Winters. Bill passed.

HB 5037 A-Eng. -- Read third time. Carried by Morse. On passage of bill the vote was: Ayes, 24; nays, 1 -- Hannon; excused, 1 -- Devlin; attending legislative business, 4 -- Carter, George, Schrader, Winters. Bill passed.

HB 2422 A-Eng. -- Read third time. Carried by Ringo. On passage of bill the vote was: Ayes, 24; absent, 1 -- Corcoran; excused, 1 -- Devlin; attending legislative business, 4 -- Carter, George, Schrader, Winters. Bill passed.

HB 3259 B-Eng. -- Read third time. Carried by Minnis. On passage of bill the vote was: Ayes, 25; excused, 1 -- Devlin; attending legislative business, 4 -- Carter, George, Schrader, Winters. Bill passed.

HB 2325 A-Eng. -- Read third time. Carried by Gordly. On passage of bill the vote was: Ayes, 23; nays, 2 -- Hannon, Starr, B.; excused, 1 -- Devlin;

attending legislative business, 4 – Carter, George, Schrader, Winters. Bill passed.

HB 3616 B-Eng. -- Read third time. Carried by Ringo. On passage of bill the vote was: Ayes, 23; absent, 1 – Burdick; excused, 1 – Devlin; attending legislative business, 5 – Carter, Clarno, George, Schrader, Winters. Bill passed.

HB 2235 A-Eng. -- Read third time. Carried by Starr, C. On passage of bill the vote was: Ayes, 22; nays, 1 – Hannon; absent, 1 – Corcoran; excused, 1 – Devlin; attending legislative business, 5 – Carter, Clarno, George, Schrader, Winters. Bill passed.

HB 2409 A-Eng. -- Read third time. Carried by Minnis. On passage of bill the vote was: Ayes, 25; excused, 1 – Devlin; attending legislative business, 4 – Carter, Clarno, George, Winters. Bill passed.

HB 2671 B-Eng. -- Read third time. Carried by Ferrioli. On passage of bill the vote was: Ayes, 23; nays, 3 – Corcoran, Dukes, Hannon; excused, 1 – Devlin; attending legislative business, 3 – Carter, Clarno, Winters. Bill passed.

HB 5064 -- Message from the House announcing passage.

Senate reverted to the order of First Reading of House Measures by unanimous consent at the request of the Chair.

HB 5046 -- Read first time and referred to Committee on Ways and Means.

SB 5536; HCR 11; HB 2197, 2455, 2490, 2694, 2763, 2986, 3245, 3372 -- President Courtney signed on June 18.

Senate adjourned until 10:45 a.m. Thursday by unanimous consent at the request of the Chair.

Thursday, June 19, 2003 -- Morning Session

Senate convened at 10:45 a.m. President Courtney in Chair. The following members were present: Atkinson, Beyer, Brown, Burdick, Clarno, Corcoran, Deckert, Devlin, Dukes, Ferrioli, Fisher, George, Gordly, Hannon, Harper, Messerle, Metsger, Minnis, Morrisette, Morse, Nelson, Ringo, Schrader, Shields, Starr, B., Starr, C., Walker; attending legislative business -- Carter, Winters. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Bill White, Portland. (Hannon in Chair)

SB 391 -- Message from the House announcing passage as amended by the House.

HB 2221, 3093 -- Message from the House announcing refusal to concur in Senate amendments. Conferees to be announced.

Committee Report Summary No. 106 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

SB 297 -- Report by Committee on Judiciary recommending passage with amendments.

SB 620 -- Report by Committee on Judiciary recommending passage with amendments and requesting subsequent referral to Committee on Ways and Means be rescinded. Subsequent referral rescinded by order of the President in agreement with the President Pro Tempore.

HB 5064 -- Report by Committee on Ways and Means recommending passage of the A-engrossed bill.

HB 2120 -- Report by Human Resources recommending passage of the A-engrossed bill and requesting subsequent referral to Committee on Ways and Means be rescinded. Subsequent referral rescinded by order of the President in agreement with the President Pro Tempore.

HB 2209 -- Report by Committee on Agriculture and Natural Resources recommending passage with amendments.

HB 2251 -- Report by Committee on Human Resources recommending passage of the A-engrossed bill.

HB 2304 -- Report by Committee on General Government recommending passage of the A-engrossed bill.

HB 2696 -- Report by Committee on Judiciary recommending passage with amendments and requesting subsequent referral to Committee on Ways and Means be rescinded. Subsequent referral rescinded by order of the President in agreement with the President Pro Tempore.

HB 3136 -- Report by Committee on General Government recommending passage of the A-engrossed bill.

HB 3476 -- Report by Committee on General Government recommending passage.

HB 3624 -- Report by Special Committee on The Oregon Health Plan recommending passage with amendments. Referred to Committee on Ways and Means by prior reference.

HB 5064 -- Rules suspended by unanimous consent to immediately read second and third time under Special Order of Business on motion of Gordly.

HB 5064 -- Under rules suspension and Special Order of Business, read second time.

HB 5064 A-Eng. -- Under rules suspension and Special Order of Business, read third time. Carried

by Gordly. On passage of bill the vote was: Ayes, 27; attending legislative business, 3 – Carter, Messerle, Winters. Bill passed.

SB 903 -- Introduced, read first time and referred to President's desk.

SB 132, 494, 891 -- Read second time and passed to third reading.

SB 5508 A-Eng. -- Read third time. Carried by Dukes. On passage of bill the vote was: Ayes, 20; nays, 5 – Beyer, George, Hannon, Morrisette, Shields; attending legislative business, 5 – Atkinson, Carter, Deckert, Messerle, Winters. Bill passed.

SB 5518 A-Eng. -- Read third time. Carried by Morse. On passage of bill the vote was: Ayes, 23; nays, 3 – Hannon, Morrisette, Shields; attending legislative business, 4 – Carter, Deckert, Messerle, Winters. Bill passed.

SB 5529 A-Eng. -- Read third time. Carried by Gordly. On passage of bill the vote was: Ayes, 24; nays, 3 – Hannon, Morrisette, Shields; attending legislative business, 3 – Carter, Messerle, Winters. Bill passed.

SB 5531 A-Eng. -- Read third time. Carried by Gordly. On passage of bill the vote was: Ayes, 25; nays, 1 – Hannon; absent, 1 – Corcoran; attending legislative business, 3 – Carter, Messerle, Winters. Bill passed.

SB 5546 A-Eng. -- Read third time. Carried by Dukes. On passage of bill the vote was: Ayes, 22; nays, 4 – George, Hannon, Morrisette, Shields; attending legislative business, 4 – Carter, Clarno, Messerle, Winters. Bill passed.

HB 2049, 2120, 2165, 2251, 2304, 3136, 3476 -- Read second time and passed to third reading.

HB 2043 A-Eng. -- Read third time. Carried by Ringo. Call of the Senate demanded by Ringo joined by Starr, B. and Brown. All members present except Carter, Winters, attending legislative business. Hannon declared possible conflict of interest. On passage of bill the vote was: Ayes, 16; nays, 12 – Beyer, Clarno, Corcoran, Dukes, Ferrioli, Fisher, Hannon, Harper, Messerle, Minnis, Morse, Nelson; attending legislative business, 2 – Carter, Winters. Bill passed.

HB 3508 -- Read third time. Carried by Fisher. Taken from its place on today's third reading calendar and placed on June 23 calendar by voice vote on motion of Fisher.

HB 2865, 3330, 3548 -- Carried over to Friday, June 20 calendar by unanimous consent at the request of the Chair.

The following measures were referred to committee on June 18 and recorded on Committee

Referral List No. 61 which was distributed to members. Referral list recorded in the Journal and Status Report by order of the President.

SCR 7 Rules

SB 902 Rules

HB 5011 Ways and Means

HB 5019 Ways and Means

HB 5035 Ways and Means

HB 5059 Ways and Means

HB 5062 Ways and Means

HB 5064 Ways and Means

HB 2089 Judiciary

HB 2254 Ways and Means

HB 2857 Rules

HB 3177 Ways and Means

HB 3630 Judiciary; Ways and Means

HB 3632 Rules

Senate adjourned until 10:45 a.m. Friday by unanimous consent at the request of the Chair.

Friday, June 20, 2003 -- Morning Session

Senate convened at 10:45 a.m. President Courtney in Chair. The following members were present: Atkinson, Beyer, Brown, Burdick, Clarno, Corcoran, Deckert, Devlin, Dukes, Ferrioli, Fisher, George, Gordly, Hannon, Harper, Messerle, Metsger, Minnis, Morrisette, Morse, Nelson, Ringo, Schrader, Shields, Starr, B., Starr, C., Walker; attending legislative business -- Carter, Winters. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Senator Bill Fisher, Roseburg.

The following messages from the Governor were read and referred to the Committee on Rules.

June 19, 2003

TO THE HONORABLE PRESIDENT OF THE SENATE OF THE 72nd LEGISLATIVE ASSEMBLY

ORS 357.010 provides that the Governor shall appoint the members of the Trustees of the State Library subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I appoint Douglas Henrichs of Milton-Freewater to the Trustees of the State Library for an unexpired four-year term, as provided by statute, beginning July 1, 2003, and ending June 30, 2006, effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,
Ted Kulongoski
Governor

June 19, 2003

TO THE HONORABLE PRESIDENT OF THE SENATE OF THE 72nd LEGISLATIVE ASSEMBLY

ORS 357.010 provides that the Governor shall appoint the members of the Trustees of the State Library subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I reappoint Freda Vars of Corvallis to the Trustees of the State Library for a four-year term, as provided by statute, beginning July 1, 2003, and ending June 30, 2007, effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,
Ted Kulongoski
Governor

SB 5542; HB 5040; 2153, 2193, 2522, 3522 --
Message from the House announcing passage.

SB 287 -- Message from the House announcing
passage as amended by the House.

HB 2581, 2811 -- Message from the House
announcing concurrence in Senate amendments and
repassage.

HB 5064 -- Message from the House announcing
the Speaker signed on June 20.

Committee Report Summary No. 107 listing the
following reports was distributed to members today.
Summary list recorded in Journal and Status Report
by order of the President.

SB 356 -- Report by Committee on Judiciary
recommending passage with amendments to the A-
engrossed bill.

HB 3013 -- Report by Committee on Agriculture
and Natural Resources recommending passage with
amendments.

HB 3329 -- Report by Committee on Judiciary
recommending passage with amendments to the B-
engrossed bill.

HB 3346 -- Report by Committee on Judiciary
recommending passage.

HB 3385 -- Report by Committee on Judiciary
recommending passage with amendments to the A-
engrossed bill.

Report by Committee on Rules recommending
that the Governor's reappointments of Frank
Armstrong (appearance waived), Donald Dartt
(appearance waived), Irvin Handelman (a)
(appearance waived), Edward Ripplinger (a)
(appearance waived) and Elizabeth Rousseau-Rooney
(appearance waived) to the Commission for the Blind
be confirmed en bloc.

Report by Committee on Rules recommending
that the Governor's appointments of Katy Eymann (r)
(appearance waived) and Charles Yates (appearance
waived) to the Oregon Board of Maritime Pilots be
confirmed en bloc.

Report by Committee on Rules recommending
that the Governor's appointment of Clifford Deveney
(appearance waived) to the Board of Medical
Examiners be confirmed.

SB 189 B-Eng. -- Minnis moved that the Senate
concur in House amendments and repass bill. On
concurrence and repassage the vote was: Ayes, 26;
nays, 1 – Schrader; absent, 1 – Ringo; attending
legislative business, 2 – Carter, Winters. Bill
repassed.

SB 880 B-Eng. -- Minnis moved that the Senate
concur in House amendments and repass bill. Call of
the Senate demanded by Minnis joined by Nelson and
Gordly. All present except Ringo, absent; Carter,
Winters, attending legislative business. All members
subject to the Call present. On concurrence and
repassage the vote was: Ayes, 17; nays, 10 –
Atkinson, Brown, Corcoran, Deckert, Devlin, Dukes,
Gordly, Shields, Walker, President Courtney; absent,
1 – Ringo; attending legislative business, 2 – Carter,
Winters. Bill repassed.

SB 297, 620 -- Read second time and passed to
third reading.

SB 132 -- Read third time. Carried by Beyer.
Bill failed; the vote was: Ayes, 13; nays, 15 – Brown,
Burdick, Corcoran, Deckert, Devlin, Dukes, Gordly,
Metsger, Morrisette, Ringo, Schrader, Shields, Starr,
B., Walker, President Courtney; attending legislative
business, 2 – Carter, Winters. Bill failed.

SB 494 -- Read third time. Carried by Corcoran.
Taken from its place on today's third reading
calendar and placed on June 23 calendar by voice vote
on motion of Corcoran.

SB 891 A-Eng. -- Read third time. Carried by
Fisher. On passage of bill the vote was: Ayes, 24;
nays, 4 – Burdick, Corcoran, Hannon, Metsger;
attending legislative business, 2 – Carter, Winters.
Bill passed.

HB 5040; 2153, 2193, 2522, 3522 -- Read first
time and referred to President's desk.

HB 2696, 3346 -- Read second time and passed to
third reading.

HB 2865 B-Eng. -- Read third time. Carried by
Ringo. On passage of bill the vote was: Ayes, 26;
nays, 2 – Devlin, Hannon; attending legislative
business, 2 – Carter, Winters. Bill passed.

HB 3330 B-Eng. -- Read third time. Carried by
Ferrioli. On passage of bill the vote was: Ayes, 28;
attending legislative business, 2 – Carter, Winters.
Bill passed.

HB 3548 A-Eng. -- Read third time. Carried by
Starr, B. On passage of bill the vote was: Ayes, 25;
nays, 3 – Gordly, Hannon, Schrader; attending
legislative business, 2 – Carter, Winters. Bill passed.
Gordly granted unanimous consent to change vote
from aye to nay.

HB 2049 B-Eng. -- Read third time. Carried by
Ringo. On passage of bill the vote was: Ayes, 19;

nays, 9 – Brown, Burdick, Clarno, Corcoran, Devlin, Dukes, George, Gordly, Shields; attending legislative business, 2 – Carter, Winters. Bill passed.

HB 2120 A-Eng. -- Read third time. Carried by Morrisette. On passage of bill the vote was: Ayes, 28; attending legislative business, 2 – Carter, Winters. Bill passed.

HB 2165 B-Eng. -- Read third time. Carried by Burdick. On passage of bill the vote was: Ayes, 27; nays, 1 – Nelson; attending legislative business, 2 – Carter, Winters. Bill passed.

HB 2251 A-Eng. -- Read third time. Carried by Starr, C. On passage of bill the vote was: Ayes, 27; nays, 1 – Nelson; attending legislative business, 2 – Carter, Winters. Bill passed.

HB 2304 A-Eng. -- Read third time. Carried by Corcoran. On passage of bill the vote was: Ayes, 28; attending legislative business, 2 – Carter, Winters. Bill passed.

HB 3136 -- Read third time. Carried by Corcoran. Taken from its place on today's third reading calendar and placed on June 23 calendar by voice vote on motion of Corcoran.

HB 3476 -- Read third time. Carried by Walker. On passage of bill the vote was: Ayes, 21; nays, 6 – Beyer, Dukes, George, Metsger, Morrisette, Nelson; attending legislative business, 3 – Carter, Ringo, Winters. Bill passed.

Senate adjourned until 10:45 a.m. Monday by unanimous consent at the request of the Chair.

Monday, June 23, 2003 -- Morning Session

Senate convened at 10:45 a.m. President Pro Tempore Hannon in Chair. The following members were present: Atkinson, Beyer, Burdick, Corcoran, Deckert, Devlin, Dukes, Ferrioli, Fisher, George, Gordly, Messerle, Metsger, Minnis, Morrisette, Morse, Nelson, Ringo, Shields, Starr, B., Starr, C., Walker, Winters; attending legislative business – Brown, Carter, Clarno, Harper, Schrader, President Courtney. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Senator Charles Starr, Hillsboro.

HB 5039; 3642 -- Message from the House announcing passage.

HB 2422, 2671, 3259 -- Message from the House announcing concurrence in Senate amendments and repassage.

SB 5519, 5521, 5524, 5536, 5539, 5545; 103, 456, 673; HCR 10; HB 5001, 5005, 5006, 5017, 5025, 5047, 5054, 5055; 2066, 2208, 2256, 2275, 2276, 2342, 2425, 2575, 2682, 2727, 2733, 2736, 2756, 2933, 3250, 3296,

3351, 3370, 3422 -- Message from the House announcing the Speaker signed on June 20.

Committee Report Summary No. 108 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

SB 763 -- Report by Committee on General Government recommending passage with amendments.

SB 875 -- Report by Committee on Health Policy recommending passage with amendments. Referred to Committee on Ways and Means by order of the President in agreement with the President Pro Tempore.

HB 2237 -- Report by Committee on General Government recommending passage with amendments to the A-engrossed bill.

HB 2279 -- Report by Committee on Judiciary recommending passage with amendments to the A-engrossed bill.

HB 2299 -- Report by Committee on Revenue signed by Deckert, Chair, recommending passage with amendments to the B-engrossed bill. Minority Report, signed by Ferrioli and Starr, B., recommending passage with different amendments to the B-engrossed bill.

HB 2594 -- Report by Committee on Judiciary recommending passage with amendments.

HB 2770 -- Report by Committee on Judiciary recommending passage with amendments to the A-engrossed bill and requesting subsequent referral to Committee on Ways and Means be rescinded. Subsequent referral rescinded by order of the President in agreement with the President Pro Tempore.

HB 3010 -- Report by Committee on Rules recommending passage with amendments.

HB 3051 -- Report by Committee on Revenue recommending passage of the A-engrossed bill.

HB 3130 -- Report by Committee on Rules recommending passage of the A-engrossed bill.

HB 3431 -- Report by Committee on Health Policy recommending passage with amendments to the A-engrossed bill.

SB 287 A-Eng. -- Deckert moved that the Senate concur in House amendments and repass bill. On concurrence and repassage the vote was: Ayes, 23; nays, 1 – Hannon; absent, 1 – Gordly; attending legislative business, 5 – Carter, Harper, Schrader, Winters, President Courtney. Bill repassed.

Rules suspended by unanimous consent in order that the Senate may take en bloc action on the confirmation of the following appointments on motion of Atkinson.

Commission for the Blind

Frank Armstrong (r)
Donald Dartt
Irvin Handelman
Edward Ripplinger (r)
Elizabeth Rousseau-Rooney (r)

Oregon Board of Maritime Pilots

Katy Eymann (r)
Charles Yates

Board of Medical Examiners

Clifford Deveney

Under rules suspension, Atkinson moved that the Senate confirm en bloc the Governor's appointments as listed in the motion to suspend the rules. On confirmation the vote was: Ayes, 25; attending legislative business, 5 – Carter, Harper, Schrader, Winters, President Courtney. Confirmed en bloc.

HB 3136 -- Taken from its place on today's third reading calendar and rereferred to Committee on General Government by voice vote on motion of Corcoran.

SB 904 -- Introduced, read first time and referred to President's desk.

SB 297 A-Eng. -- Read third time. Carried by Minnis. Call of the Senate demanded by Minnis joined by Corcoran and Gordly. All present except Harper, Schrader, Courtney, attending legislative business. Pending arrival of members subject to the Call, Senate at ease. Further proceedings under the Call terminated by unanimous consent at the request of Minnis. Senate reassembled. On passage of bill the vote was: Ayes, 27; nays, 3 – George, Hannon, Nelson. Bill passed.

SB 494 A-Eng. -- Read third time. Carried by Corcoran. On passage of bill the vote was: Ayes, 17; nays, 13 – Atkinson, Beyer, Clarno, Ferrioli, Fisher, George, Harper, Messerle, Morse, Nelson, Starr, B., Starr, C., Winters. Bill passed.

SB 620 A-Eng. -- Read third time. Carried by Walker. On passage of bill the vote was: Ayes, 25; nays, 2 – Hannon, Schrader; attending legislative business, 3 – Brown, Metsger, Starr, B. Bill passed. Schrader granted unanimous consent to change vote from aye to nay.

HB 5039; 3642 -- Read first time and referred to President's desk.

HB 3013, 3051, 3130, 3329, 3385 -- Read second time and passed to third reading.

HB 2209 A-Eng. -- Read third time. Carried by Shields. On passage of bill the vote was: Ayes, 26; nays, 1 – Burdick; attending legislative business, 3 – Brown, Metsger, Starr, B. Bill passed.

HB 2696 B-Eng. -- Read third time. Carried by Burdick. On passage of bill the vote was: Ayes, 27; attending legislative business, 3 – Brown, Metsger, Starr, B. Bill passed.

HB 3346 -- Read third time. Carried by Burdick. On passage of bill the vote was: Ayes, 24; nays, 3 – Dukes, Hannon, Schrader; attending legislative business, 3 – Brown, Metsger, Starr, B. Bill passed.

HB 3508 -- Bill read. Carried by Fisher. On passage of bill the vote was: Ayes, 21; nays, 8 – Brown, Burdick, Carter, Dukes, Hannon, Ringo, Schrader, Shields; attending legislative business, 1 – Starr, B. Bill passed.

The following measures were referred to committee on June 20 and recorded on Committee Referral List No. 62 which was distributed to members. Referral list recorded in the Journal and Status Report by order of the President.

SB 903 Rules

HB 5040 Ways and Means

HB 2153 Ways and Means

HB 2193 Ways and Means

HB 2522 Ways and Means

HB 3522 Ways and Means

Trustees of the State Library (ORS 357.010)

Douglas Henrichs Rules

Freda Vars (r) Rules

SB 516 -- Atkinson, Metsger appointed Senate conferees.

HB 2221 -- Minnis, Burdick appointed Senate conferees.

HB 3093 -- Minnis, Ringo appointed Senate conferees.

HB 5064 -- President Courtney signed on June 20.

Senate adjourned until 10:45 a.m. Tuesday by unanimous consent at the request of the Chair.

Tuesday, June 24, 2003 -- Morning Session

Senate convened at 10:45 a.m. President Courtney in Chair. The following members were present: Atkinson, Beyer, Burdick, Corcoran, Devlin, Dukes, Ferrioli, Fisher, George, Hannon, Messerle,

Metsger, Morrisette, Morse, Nelson, Ringo, Shields, Starr, B., Starr, C., Walker; attending legislative business -- Brown, Carter, Clarno, Deckert, Gordly, Harper, Minnis, Schrader, Winters. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Frank Carpenter of Capitol Ministries of Oregon, Hillsboro.

SB 5503, 5504, 5510, 5511, 5520, 5532, 5538, 5540, 5544; 65, 207, 285, 470, 833, 858 -- Message from the Governor announcing he signed on June 23.

SB 18, 19, 46, 348, 646, 647 -- Message from the Governor announcing he signed on June 24.

HB 2041, 2244, 2268, 2783, 3231 -- Message from the House announcing passage.

SB 886 -- Message from the House announcing passage as amended by the House.

Committee Report Summary No. 109 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

SB 666 -- Report by Committee on Judiciary recommending passage with amendments.

SB 854 -- Report by Committee on Agriculture and Natural Resources recommending passage with amendments and requesting subsequent referral to Committee on Ways and Means be rescinded. Subsequent referral rescinded by order of the President in agreement with the President Pro Tempore.

SB 901 -- Report by Committee on Rules recommending passage with amendments and requesting referral to Committee on Ways and Means. Referred to Committee on Ways and Means by order of the President in agreement with the President Pro Tempore.

HB 5011 -- Report by Committee on Ways and Means recommending passage of the A-engrossed bill.

HB 5019 -- Report by Committee on Ways and Means recommending passage of the A-engrossed bill.

HB 5035 -- Report by Committee on Ways and Means recommending passage of the A-engrossed bill.

HB 5059 -- Report by Committee on Ways and Means recommending passage of the A-engrossed bill.

HB 5062 -- Report by Committee on Ways and Means recommending passage of the A-engrossed bill.

HB 2166 -- Report by Committee on Revenue recommending passage with amendments to the A-engrossed bill.

HB 2217 -- Report by Committee on Revenue recommending passage with amendments to the A-engrossed bill.

HB 2254 -- Report by Committee on Ways and Means recommending passage.

HB 2739 -- Report by Committee on General Government recommending passage with amendments to the A-engrossed bill. Referred to Committee on Ways and Means by prior reference.

HB 2828 -- Report by Committee on Health Policy recommending passage with amendments to the A-engrossed bill.

HB 3177 -- Report by Committee on Ways and Means recommending passage.

SB 763 -- Read second time and passed to third reading.

SB 356 B-Eng. -- Read third time. Carried by Corcoran. On passage of bill the vote was: Ayes, 22; nays, 3 -- Brown, Burdick, Shields; attending legislative business, 5 -- Carter, Clarno, Gordly, Minnis, Schrader. Bill passed.

HB 2041, 2244, 2268, 2783, 3231 -- Read first time and referred to President's desk.

HB 5011, 5019, 5035, 5059, 5062; 2237, 2254, 2279, 2299, 2594, 2770, 3010, 3177, 3431 -- Read second time and passed to third reading.

HB 3013 A-Eng. -- Read third time. Carried by Shields. On passage of bill the vote was: Ayes, 17; nays, 9 -- Burdick, Carter, Corcoran, Devlin, Dukes, Metsger, Morrisette, Ringo, Walker; attending legislative business, 4 -- Clarno, Gordly, Minnis, Schrader. Bill passed.

HB 3051 -- Read third time. Carried by Ringo. Bill failed, the vote was: Ayes, 17; nays, 9 -- Atkinson, Beyer, Fisher, George, Hannon, Harper, Messerle, Nelson, Starr, B.; attending legislative business, 4 -- Clarno, Gordly, Minnis, Schrader. Bill failed to receive constitutional three-fifths majority. Ringo requested unanimous consent to change vote from aye to nay for the purpose of serving notice of possible reconsideration. Fisher objected.

Senate recessed until 11:25 a.m. by unanimous consent on motion of Beyer.

Senate reconvened at 11:25 a.m. President Courtney in Chair. All present except Clarno, Gordly, Minnis, Schrader, attending legislative business.

Senate, having recessed under the order of Third Reading of House Measures, resumed under the general order of business by unanimous consent at the request of the Chair.

HB 3130 A-Eng. -- Read third time. Carried by Atkinson. On passage of bill the vote was: Ayes, 22; nays, 4 – Dukes, Fisher, Hannon, Shields; attending legislative business, 4 – Clarno, Gordly, Minnis, Schrader. Bill passed.

HB 3329 C-Eng. -- Read third time. Carried by Burdick. Call of the Senate demanded by Burdick joined by Brown and Carter. All present except Clarno, attending legislative business. Potential conflict of interest declared by Nelson. On passage of bill the vote was: Ayes, 19; nays, 10 – Atkinson, Beyer, Fisher, George, Hannon, Messerle, Morse, Nelson, Starr, B., Starr, C.; attending legislative business, 1 – Clarno. Bill passed.

HB 3385 B-Eng. -- Read third time. Carried by Minnis. On passage of bill the vote was: Ayes, 28; nays, 1 – George; attending legislative business, 1 – Clarno. Bill passed.

HB 3051 -- Beyer, having voted on the prevailing side, served notice of possible reconsideration.

SJM 6; SJR 19; SB 5537; 129, 228, 552, 564, 808; HCR 10; HB 5001, 5005, 5006, 5017, 5025, 5047, 5054, 5055; 2066, 2208, 2256, 2275, 2276, 2342, 2425, 2575, 2682, 2727, 2733, 2736, 2756, 2933, 3250, 3296, 3351, 3370, 3422 -- President Courtney signed on June 24.

Senate adjourned until 10:45 a.m. Wednesday by unanimous consent at the request of the Chair.

Wednesday, June 25, 2003 -- Morning Session

Senate convened at 10:45 a.m. President Courtney in Chair. The following members were present: Atkinson, Beyer, Brown, Burdick, Corcoran, Deckert, Devlin, Dukes, Ferrioli, Fisher, George, Gordly, Hannon, Messerle, Metsger, Morrisette, Morse, Nelson, Ringo, Shields, Starr, B., Starr, C., Walker; attending legislative business -- Carter, Clarno, Harper, Minnis, Schrader, Winters. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Senator Charles Starr, Hillsboro.

SB 5505, 5541 -- Message from the House announcing passage.

SB 267 -- Message from the House announcing passage as amended by the House.

HB 2049, 2165, 3330 -- Message from the House announcing concurrence in Senate amendments and repassage.

HB 2865 -- Message from the House announcing refusal to concur in Senate amendments. Conferees to be appointed.

HB 5010, 5037; 2409, 3389, 3616 -- Message from the House announcing the Speaker signed on June 24.

Committee Report Summary No. 110 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

HB 2110 -- Report by Committee on Judiciary recommending passage with amendments to the A-engrossed bill.

HB 2646 -- Report by Committee on Judiciary recommending passage with amendments to the A-engrossed bill.

HB 3338 -- Report by Committee on Judiciary recommending passage with amendments to the A-engrossed bill to resolve conflicts.

HB 3344 -- Report by Committee on Judiciary recommending passage of the A-engrossed bill.

HB 3051 A-Eng. -- Pursuant to notice given June 24, Beyer moved that the vote whereby bill failed to pass the Senate be reconsidered. Call of the Senate demanded by Beyer joined by Brown and Gordly. All present except Clarno, Minnis, Winters, attending legislative business. Pending arrival of members subject to the Call, Senate at ease. Further proceedings under the Call terminated by unanimous consent at the request of Beyer. All present except Clarno, Winters, attending legislative business.

HB 3051 -- Motion to reconsider vote carried; the vote was: Ayes, 25; nays, 3 – Corcoran, George, Hannon; attending legislative business, 2 – Clarno, Winters. Vote reconsidered.

HB 3051 A-Eng. -- Read third time. Carried by Ringo. Call of the Senate demanded by Brown joined by Devlin and Starr, C. All members present. On passage of bill the vote was: Ayes, 25; nays, 5 – Atkinson, Beyer, Corcoran, George, Hannon. Bill passed.

SB 886 B-Eng. -- Shields moved that the Senate concur in House amendments and repass bill. On concurrence and repassage the vote was: Ayes, 29; nays, 1 – Corcoran. Bill repassed.

HB 2299 B-Eng. -- Ferrioli moved Minority Report be substituted for the Committee Report. Call of the Senate demanded by Ferrioli joined by Beyer and Winters. All present. Motion failed; the vote was: Ayes, 14; nays, 16 – Brown, Burdick, Carter, Corcoran, Deckert, Devlin, Dukes, Gordly, Hannon, Metsger, Morrisette, Ringo, Schrader, Shields, Walker, President Courtney. Motion failed.

HB 2299 C-Eng -- Read third time. Carried by Hannon. Hannon changed vote from Aye to Nay before the gavel. Bill failed; the vote was: Ayes, 13; nays, 17 – Atkinson, Beyer, Clarno, Dukes, Ferrioli, Fisher, George, Hannon, Harper, Messerle, Minnis, Morse, Nelson, Schrader, Starr, B., Starr, C., Winters. Bill failed. Hannon, Starr, B., having voted on the

prevailing side, served notice of possible reconsideration.

Senate recessed until 12:05 p.m. by unanimous consent on motion of Clarno, Brown.

Senate reconvened at 12:05 p.m. President Courtney in Chair. All present.

Senate, having recessed under the order of Propositions and Motions, resumed under the general order of business by unanimous consent at the request of the Chair.

SB 905 -- Introduced, read first time and referred to President's desk.

SB 666, 854 -- Read second time and passed to third reading.

SB 763 -- Carried over to June 26 calendar by unanimous consent at the request of the Chair.

HB 2166, 2217, 2828, 3344 -- Read second time and passed to third reading.

HB 5011, 5019, 5035, 5059, 5062; 2237, 2254, 2279, 2594, 2770, 3010, 3177, 3431 -- Carried over to June 26 calendar by unanimous consent at the request of the Chair.

The following measures were referred to committee on June 24 and recorded on Committee Referral List No. 63 which was distributed to members. Referral list recorded in the Journal and Status Report by order of the President.

SB 904 Judiciary; Ways and Means
 HB 5039 Ways and Means
 HB 2041 Transportation and Economic Development;
 Revenue
 HB 3642 Revenue

SB 5542; 189, 287, 880; HB 5010, 5037; 2409, 3389, 3616 -- President Courtney signed on June 25.

Senate adjourned until 10:45 a.m. Thursday by unanimous consent at the request of the Chair.

Thursday, June 26, 2003 -- Morning Session

Senate convened at 10:45 a.m. President Courtney in Chair. The following members were present: Atkinson, Beyer, Brown, Burdick, Carter, Clarno, Corcoran, Deckert, Devlin, Dukes, Ferrioli, Fisher, George, Gordly, Hannon, Harper, Messerle, Metsger, Minnis, Morrisette, Morse, Nelson, Ringo, Shields, Starr, B., Starr, C., Walker, Winters; attending legislative business -- Schrader. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Denyse Peterson of Emmanuel Pentecostal Church, Portland.

HB 3329 -- Message from the House announcing refusal to concur in Senate amendments.

HB 2209, 2696 -- Message from the House announcing concurrence in Senate amendments and repassage.

SB 516 -- Message from the House announcing Garrard, Ackerman, Richardson appointed House conferees.

HB 2221 -- Message from the House announcing Brown, Greenlick, Mabrey appointed House conferees.

HB 2865 -- Message from the House announcing Williams, Anderson, Ackerman appointed House conferees.

HB 3093 -- Message from the House announcing Doyle, Flores, Schaufler appointed House conferees.

Committee Report Summary No. 111 listing the following reports was distributed to members June 25. Summary list recorded in Journal and Status Report by order of the President.

HB 2041 -- Report by Committee on Transportation and Economic Development recommending passage of the B-engrossed bill. Referred to Committee on Revenue by prior reference.

Committee Report Summary No. 112 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

HB 5040 -- Report by Committee on Ways and Means recommending passage.

HB 2153 -- Report by Committee on Ways and Means recommending passage.

HB 2193 -- Report by Committee on Ways and Means recommending passage.

HB 2473 -- Report by Committee on Agriculture and Natural Resources recommending passage with amendments to the A-engrossed bill and requesting subsequent referral to Committee on Ways and Means be rescinded. Request denied by order of the President in agreement with the President Pro Tempore. Referred to Committee on Ways and Means by prior reference.

HB 2501 -- Report by Committee on Transportation and Economic Development recommending passage with amendments to the A-engrossed bill to resolve conflicts and requesting subsequent referral to Committee on Ways and Means be rescinded. Request denied by order of the President in agreement with the President Pro Tempore. Referred to Committee on Ways and Means by prior reference.

HB 2522 -- Report by Committee on Ways and Means recommending passage of the A-engrossed bill.

HB 2987 A-Eng. -- Report by Committee on Health Policy recommending passage with amendments to the A-engrossed bill and requesting subsequent referral to Committee on Ways and Means be rescinded. Subsequent referral rescinded by order of the President in agreement with the President Pro Tempore.

HB 2299 C-Eng. -- Pursuant to notice given June 25, Starr, B. moved that the vote whereby bill failed to pass the Senate be reconsidered. Motion carried. The vote was: Ayes, 26; nays, 1 – George; absent, 1 – Dukes; attending legislative business, 2 – Harper, Schrader. Vote reconsidered.

HB 2299 C-Eng. -- Bill read. Carried by Hannon. On passage of bill the vote was: Ayes, 20; nays, 8 – Atkinson, Beyer, Clarno, Fisher, George, Messerle, Starr, B., Starr, C.; attending legislative business, 2 – Harper, Schrader. Bill passed.

SB 391 B-Eng. -- Shields moved that the Senate concur in House amendments and repass bill. On concurrence and repassage the vote was: Ayes, 27; attending legislative business, 3 – Harper, Minnis, Schrader. Bill repassed.

SB 763 -- Read third time. Carried by Starr, B. Taken from its place on today's third reading calendar and placed on July 2 calendar by voice vote on motion of Starr, B.

SB 666 A-Eng. -- Read third time. Carried by Dukes. On passage of bill the vote was: Ayes, 24; nays, 2 – George, Hannon; attending legislative business, 4 – Brown, Harper, Minnis, Schrader. Bill passed.

SB 854 A-Eng. -- Read third time. Carried by Beyer. On passage of bill the vote was: Ayes, 19; nays, 7 – Burdick, Carter, Corcoran, Gordly, Morrisette, Nelson, Shields; attending legislative business, 4 – Brown, Harper, Ringo, Schrader. Bill passed. Potential conflicts of interest declared by Beyer, George, Nelson.

HB 5065; 3644 -- Message from the House announcing passage.

HB 5065; 3644 -- Read first time and referred to Committee on Ways and Means.

HB 5040; 2110, 2153, 2193, 2522, 2646, 3338 -- Read second time and passed to third reading.

HB 5011 A-Eng. -- Read third time. Carried by Carter. Hannon declared a potential conflict of interest. On passage of bill the vote was: Ayes, 24; nays, 3 – Hannon, Morrisette, Starr, B.; attending legislative business, 3 – Harper, Schrader, Shields. Bill passed.

HB 5019 A-Eng. -- Read third time. Carried by Gordly. On passage of bill the vote was: Ayes, 24; nays, 3 – George, Hannon, Starr, B.; absent, 1 – Corcoran; attending legislative business, 2 – Schrader, Shields. Bill passed.

HB 5035 A-Eng. -- Read third time. Carried by Dukes. On passage of bill the vote was: Ayes, 25; nays, 3 – Ferrioli, George, Hannon; attending legislative business, 2 – Schrader, Shields. Bill passed.

HB 5059 A-Eng. -- Read third time. Carried by Morse. On passage of bill the vote was: Ayes, 25; nays, 3 – Beyer, Hannon, Starr, B.; attending legislative business, 2 – Schrader, Shields. Bill passed.

HB 5062 A-Eng. -- Read third time. Carried by Messerle. On passage of bill the vote was: Ayes, 27; nays, 1 – Hannon; attending legislative business, 2 – Schrader, Shields. Bill passed.

HB 2237 -- Read third time. Carried by Minnis. Call of the Senate demanded by Minnis joined by Nelson and Starr, B. All present except Burdick, Gordly, absent; Shields, excused; Brown, Clarno, Hannon, attending legislative business. Pending arrival of members subject to the Call, Senate at ease. Further proceedings under the Call terminated by unanimous consent at the request of the Chair. All present except Burdick, Gordly, absent; Shields, excused; Brown, Clarno, Hannon, attending legislative business. Senate reassembled.

HB 2237 -- Bill failed; the vote was: Ayes, 14; nays, 16 – Atkinson, Beyer, Clarno, Dukes, Ferrioli, Fisher, George, Harper, Messerle, Minnis, Morse, Nelson, Schrader, Starr, B., Starr, C., Winters. Bill failed. Minnis, having voted on the prevailing side, served notice of possible reconsideration.

HB 2237 -- Minnis moved for immediate reconsideration. Motion carried on voice vote.

HB 2237 -- Rereferred to Committee on Judiciary by voice vote on motion of Minnis.

HB 2166, 2217, 2254, 2279, 2594, 2770, 2828, 3010, 3177, 3344, 3431 -- Carried over to June 27 calendar by unanimous consent at the request of the Chair.

HB 2865 -- Minnis, Burdick appointed Senate conferees.

SB 5505, 5541 -- President Courtney signed on June 26.

Senate adjourned until 10:45 a.m. Friday by unanimous consent at the request of the Chair.

Friday, June 27, 2003 -- Morning Session

Senate convened at 10:45 a.m. President Courtney in Chair. The following members were present: Beyer, Brown, Burdick, Carter, Clarno, Corcoran, Deckert, Devlin, Dukes, Ferrioli, Fisher, George, Gordly, Hannon, Harper, Messerle, Metsger, Morrisette, Morse, Nelson, Ringo, Shields, Starr, B., Starr, C., Walker, Winters; attending legislative business -- Atkinson, Minnis, Schrader. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Father George Wolf from Queen of Peace Catholic Church, Salem.

President Courtney announced that he is invoking the provisions of the one-hour notice rule in accordance with Senate Rule 8.16. The committee chair may call a meeting of the committee with less than 24 hours' notice if, at least one hour prior to the meeting, notice is given to the Secretary of the Senate's office, posted outside the Senate Chamber, in the press room, and in any other place reasonably designed to give notice to the public and interested persons.

Written notice must also be delivered to all committee members' offices who have not been excused from attendance pursuant to Senate Rule 3.10. Whenever possible, such meetings shall be announced on the floor while the Senate is in session.

The following messages from the Governor were read and referred to the Committee on Rules.

June 26, 2003

TO THE HONORABLE PRESIDENT OF THE SENATE
OF THE 72nd LEGISLATIVE ASSEMBLY

ORS 456.567 provides that the Governor shall appoint the members of the State Housing Council, subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I appoint Marguerite LaMont of LaGrande to the State Housing Council for a four-year term, as provided by statute, beginning July 1, 2003, and ending on June 30, 2007, effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,
Ted Kulongoski
Governor

June 26, 2003

TO THE HONORABLE PRESIDENT OF THE SENATE
OF THE 72nd LEGISLATIVE ASSEMBLY

ORS 456.567 provides that the Governor shall appoint the members of the State Housing Council, subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I reappoint Bud Oritz of Sandy to the State Housing Council for a four-year term, as provided by statute, beginning July 1, 2003, and ending on June 30, 2007, effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,
Ted Kulongoski
Governor

June 26, 2003

TO THE HONORABLE PRESIDENT OF THE SENATE
OF THE 72nd LEGISLATIVE ASSEMBLY

ORS 689.115 provides that the Governor shall appoint the members of the State Board of Pharmacy, subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I appoint Linda Howrey of Portland to the State Board of Pharmacy for a four-year term as provided by statute, beginning July 1, 2003, and ending on June 30, 2007, effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,
Ted Kulongoski
Governor

June 26, 2003

TO THE HONORABLE PRESIDENT OF THE SENATE
OF THE 72nd LEGISLATIVE ASSEMBLY

ORS 418.243 provides that the Governor shall appoint the members of the Outdoor Youth Program Advisory Board, subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I reappoint Margaret Wolf of Portland to the Outdoor Youth Program Advisory Board for a four-year term, as provided by statute, beginning July 1, 2003, and ending on June 30, 2007, effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,
Ted Kulongoski
Governor

SB 5519, 5521, 5524, 5536, 5539, 5545; 103, 456, 673 -- Message from the Governor announcing he signed on June 26.

HB 5020; 2151, 2341, 2644, 2652, 3232 -- Message from the House announcing passage.

HB 3385 -- Message from the House announcing concurrence in Senate amendments and repassage.

SJM 6; SJR 19; SB 5537; 129, 228, 552, 564, 808; HB 5024, 5026; 2043, 2235, 2325, 2581 2811-- Message from the House announcing the Speaker signed on June 26.

Committee Report Summary No. 113 listing the following reports was distributed to members. Summary list recorded in Journal and Status Report by order of the President.

HB 5065 -- Report by Committee on Ways and Means recommending passage of the A-engrossed bill.

HB 2246 -- Report by Committee on General Government recommending passage with amendments to the A-engrossed bill.

HB 3644 -- Report by Committee on Ways and Means recommending passage.

HB 5065; 3644 -- Devlin moved that the rules be suspended in order to consider bills under a Special Order of Business at 11:45 am. Minnis objected.

HB 3644 -- Devlin moved that the rules be suspended in order to consider bill under a Special Order of Business at 11:45 a.m. Motion carried by unanimous consent.

SB 906, 907, 908, 909 -- Introduced, read first time and referred to President's desk.

HB 5020; 2151, 2341, 2644, 2652, 3232 -- Read first time and referred to President's desk.

HB 5065; 2987, 3644 -- Read second time and passed to third reading.

HB 2254 -- Read third time. Carried by Messerle. Potential conflict of interest declared by Beyer. On passage of bill the vote was: Ayes, 19; nays, 6 -- Beyer, George, Hannon, Minnis, Starr, B., Walker; absent, 1 -- Corcoran; excused, 3 -- Clarno, Harper, Winters; attending legislative business, 1 -- Atkinson. Bill passed.

HB 2279 B-Eng. -- Read third time. Carried by Ringo. On passage of bill the vote was: Ayes, 26; excused, 3 -- Clarno, Harper, Winters; attending legislative business, 1 -- Atkinson. Bill passed.

HB 2594 A-Eng. -- Read third time. Carried by Ringo. On passage of bill the vote was: Ayes, 24; nays, 1 -- Schrader; absent, 1 -- Fisher; excused, 3 -- Clarno, Harper, Winters; attending legislative business, 1 -- Atkinson. Bill passed.

HB 2770 B-Eng. -- Read third time. Carried by Minnis. On passage of bill the vote was: Ayes, 26; excused, 3 -- Clarno, Harper, Winters; attending legislative business, 1 -- Atkinson. Bill passed.

HB 3010 -- Read third time. Carried by Corcoran. Taken from its place on today's third reading calendar and placed on June 30 calendar by unanimous consent on motion of Corcoran.

HB 3177 -- Read third time. Carried by Morse. On passage of bill the vote was: Ayes, 27; excused, 2 -- Harper, Winters; attending legislative business, 1 -- Atkinson. Bill passed.

HB 3431 B-Eng. -- Read third time. Carried by Walker. Hannon declared a potential conflict of interest. On passage of bill the vote was: Ayes, 27; excused, 2 -- Harper, Winters; attending legislative business, 1 -- Atkinson. Bill passed.

HB 2166 C-Eng. -- Read third time. Carried by Ferrioli. On passage of bill the vote was: Ayes, 27; excused, 2 -- Harper, Winters; attending legislative business, 1 -- Atkinson. Bill passed.

HB 2217 B-Eng. -- Read third time. Carried by Hannon. On passage of bill the vote was: Ayes, 27; excused, 2 -- Harper, Winters; attending legislative business, 1 -- Atkinson. Bill passed.

HB 2828 -- Read third time. Carried by Morrisette. Taken from its place on today's third reading calendar and placed on June 30 calendar by unanimous consent on motion of Morrisette.

HB 3344 A-Eng. -- Read third time. Carried by Walker. On passage of bill the vote was: Ayes, 26; nays, 1 -- Schrader; excused, 2 -- Harper, Winters; attending legislative business, 1 -- Atkinson. Bill passed.

HB 5040 -- Read third time. Carried by Carter. On passage of bill the vote was: Ayes, 27; excused, 2 -- Harper, Winters; attending legislative business, 1 -- Atkinson. Bill passed.

HB 2110 B-Eng. -- Read third time. Carried by Ringo. On passage of bill the vote was: Ayes, 27; excused, 2 -- Harper, Winters; attending legislative business, 1 -- Atkinson. Bill passed.

Senate proceeded to the Special Order of Business at 11:45 a.m. by unanimous consent at the request of the Chair.

HB 5065 -- Rules suspended by unanimous consent in order to consider bill under third reading immediately on motion of Devlin.

HB 5065 -- Under rules suspension and Special Order of Business, read third time. Carried by Schrader. On passage of bill the vote was: Ayes, 22; nays, 4 -- Carter, Gordly, Hannon, Morrisette; excused, 3 -- Clarno, Harper, Winters; attending legislative business, 1 -- Atkinson. Bill passed.

HB 3644 -- Under rules suspension and Special Order of Business, read third time. Carried by Devlin. On passage of bill the vote was: Ayes, 21; nays, 4 -- Carter, Gordly, Hannon, Minnis; excused, 4 -- Clarno, Harper, Morse, Winters; attending legislative business, 1 -- Atkinson. Bill passed.

HB 2153 -- Read third time. Carried by Gordly. On passage of bill the vote was: Ayes, 25; excused, 4 -- Clarno, Harper, Morse, Winters; attending legislative business, 1 -- Atkinson. Bill passed.

HB 2193 -- Read third time. Carried by Messerle. On passage of bill the vote was: Ayes, 25; excused, 4 -- Clarno, Harper, Morse, Winters; attending legislative business, 1 -- Atkinson. Bill passed.

HB 2522 A-Eng. -- Read third time. Carried by Gordly. On passage of bill the vote was: Ayes, 24; nays, 1 -- Beyer; excused, 4 -- Clarno, Harper, Morse, Winters; attending legislative business, 1 -- Atkinson. Bill passed.

HB 2646 B-Eng. -- Read third time. Carried by Minnis. On passage of bill the vote was: Ayes, 25; excused, 4 – Clarno, Harper, Morse, Winters; attending legislative business, 1 – Atkinson. Bill passed.

HB 3338 B-Eng. -- Read third time. Carried by Starr, C. On passage of bill the vote was: Ayes, 26; excused, 3 – Harper, Morse, Winters; attending legislative business, 1 – Atkinson. Bill passed.

The following measures were referred to committee on June 26 and recorded on Committee Referral List No. 64 which was distributed to members. Referral list recorded in the Journal and Status Report by order of the President.

SB 905 Rules
 HB 5065 Ways and Means
 HB 2244 Ways and Means
 HB 2268 Ways and Means
 HB 2783 Judiciary
 HB 3231 Ways and Means
 HB 3644 Ways and Means

HB 5024, 5026; 2043, 2235, 2325, 2581, 2811 -- President Courtney signed on June 27.

Senate adjourned until 10:45 a.m. Monday by unanimous consent at the request of the Chair.

Monday, June 30, 2003 -- Morning Session

Senate convened at 10:45 a.m. President Courtney in Chair. The following members were present: Atkinson, Beyer, Brown, Burdick, Clarno, Corcoran, Deckert, Devlin, Dukes, Ferrioli, Fisher, George, Gordly, Hannon, Messerle, Metsger, Minnis, Morrisette, Morse, Nelson, Ringo, Schrader, Shields, Starr, B., Starr, C., Walker; excused -- Harper; attending legislative business -- Carter, Winters. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Senator Bill Fisher, Roseburg. Courtesies of the Senate were extended to former state Senator Bill Dwyer at the request of Morrisette.

SB 5505, 5541, 5542; 189, 287, 880 -- Message from the House announcing Speaker signed on June 27.

Committee Report Summary No. 114 listing the following reports was distributed to members June 27. Summary list recorded in Journal and Status Report by order of the President.

SB 903 -- Report by Committee on Rules recommending passage with amendments.

Committee Report Summary No. 115 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

HB 2089 -- Report by Committee on Judiciary recommending passage of the A-engrossed bill.

HB 3642 -- Report by Committee on Revenue recommending passage.

SB 903 -- Rules suspended by unanimous consent in order to second and third read immediately under a Special Order of Business on motion of Brown.

SB 903 -- Under rules suspension and Special Order of Business, read second time.

SB 903 -- Under rules suspension and Special Order of Business, read third time. Carried by Brown. On passage of bill the vote was: Ayes, 27; absent, 1 – Schrader; excused, 2 – Harper, Winters. Bill passed.

SB 910 -- Introduced, read first time and referred to President's desk.

HB 3642 -- Rules suspended by unanimous consent in order to second and third read immediately under a Special Order of Business on motion of Deckert.

HB 3642 -- Under rules suspension and Special Order of Business, read second time.

HB 3642 -- Under rules suspension and Special Order of Business, read third time. Carried by Deckert. On passage of bill the vote was: Ayes, 21; nays, 7 – Burdick, Corcoran, Hannon, Metsger, Morrisette, Ringo, Shields; excused, 2 – Harper, Winters. Bill passed.

HB 2089, 2246 -- Read second time and passed to third reading.

HB 2828 B-Eng. -- Bill read. Carried by Morrisette. On passage of bill the vote was: Ayes, 19; nays, 9 – Atkinson, Beyer, Clarno, Fisher, George, Hannon, Messerle, Morse, Starr, C.; excused, 2 – Harper, Winters. Bill passed.

HB 2987 B-Eng. -- Read third time. Carried by Fisher. On passage of bill the vote was: Ayes, 25; nays, 2 – Dukes, Hannon; excused, 2 – Harper, Winters; attending legislative business, 1 – Carter. Bill passed.

HB 3010 A-Eng. -- Bill read. Carried by Corcoran. Call of the Senate demanded by Corcoran joined by Gordly and Beyer. All present except Carter, Harper, Winters, Gordly, excused. Pending arrival of members subject to the Call, Senate at ease. Further proceedings under the Call terminated by unanimous consent at the request of the Chair. All present except Carter, Harper, Winters, excused. Senate reassembled.

HB 3010 -- On passage of bill the vote was: Ayes, 21; nays, 6 – Beyer, Burdick, Deckert, Fisher, Morse,

Nelson; excused, 3 – Carter, Harper, Winters. Bill passed.

The following measures were referred to committee on June 29 and recorded on Committee Referral List No. 65 which was distributed to members. Referral list recorded in the Journal and Status Report by order of the President.

State Housing Council (ORS 456.567)

Marguerite LaMont Rules
Buz Ortiz (r) Rules

Outdoor Youth Program Advisory Board (ORS 418.243)

Margaret Wolf Rules

State Board of Pharmacy (ORS 689.115)

Linda Howrey Rules

HB 5065; 3642, 3644 -- President Courtney signed on June 30.

Senate adjourned until 10:45 a.m. Tuesday by unanimous consent at the request of the Chair.

Tuesday, July 1, 2003 -- Morning Session

Senate convened at 10:45 a.m. President Courtney in Chair. The following members were present: Atkinson, Beyer, Brown, Burdick, Carter, Clarno, Corcoran, Deckert, Devlin, Dukes, Ferrioli, Fisher, George, Gordly, Hannon, Harper, Messerle, Metsger, Minnis, Morrisette, Morse, Nelson, Ringo, Schrader, Shields, Starr, B., Starr, C., Walker, Winters. Colors were posted and the Senate pledged allegiance to the flag. Invocation was observed with a moment of silence.

SB 5505, 5537, 5541, 5542 -- Message from the Governor announcing he signed on June 30.

SB 5508, 5518; HB 3154 -- Message from the House announcing passage.

HB 2299 -- Message from the House announcing refusal to concur in Senate amendments.

HB 5011, 5019, 5035, 5059, 5062, 5065; 2049, 2120, 2165, 2251, 2304, 2422, 2671, 3130, 3259, 3330, 3346, 3476, 3508, 3548, 3642, 3644 -- Message from the House announcing the Speaker signed on June 30.

Committee Report Summary No. 116 listing the following reports was distributed to members June 30. Summary list recorded in Journal and Status Report by order of the President.

SB 655 -- Report by Committee on Judiciary recommending passage with amendments.

HB 3120 -- Report by Committee on General Government recommending passage with amendments to the A-engrossed bill.

Committee Report Summary No. 117 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

HB 2388 -- Report by Conference Committee, signed by Senators Metsger, Starr, B. and Representatives Brown, Beyer, Mabrey, recommending that the House concur in Senate amendments dated June 2 and that the B-engrossed bill be further amended and repassed.

HB 3304 -- Report by Committee on Rules recommending passage with amendments to the A-engrossed bill.

Report by Committee on Rules recommending that the Governor's appointment of Samuel Henry (appearance waived) to the State Commission on Children and Families be confirmed.

Report by Committee on Rules recommending that the Governor's appointment of Luella Nelson (appearance waived) to the Employment Relations Board be confirmed.

Report by Committee on Rules recommending that the Governor's appointments of Rob Hays (appearance waived) and Dolores Hubert (r) (appearance waived) to the Board of Examiners of Nursing Home Administrators be confirmed en bloc.

Report by Committee on Rules recommending that the Governor's appointments of John Ledger (r) (appearance waived) and Greg Wolf (appearance waived) to the Sustainability Board be confirmed en bloc.

Committee Report Summary No. 118 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

HB 2041 -- Report by Committee on Revenue recommending passage of the C-engrossed bill.

SM 4; SB 911 -- Introduced, read first time and referred to President's desk.

SB 655 -- Read second time and passed to third reading.

HB 3154 -- Read first time and referred to President's desk.

HB 2041, 3120 -- Read second time and passed to third reading.

HB 2089 A-Eng. -- Read third time. Carried by Starr, C. On passage of bill the vote was: Ayes, 30. Bill passed.

HB 2246 B-Eng. -- Read third time. Carried by Minnis. On passage of bill the vote was: Ayes, 30. Bill passed.

President Courtney announced the following committee assignments effective June 30.

**OREGON YOUTH CONSERVATION CORPS
(ORS 418.653)**

Senator Vicki Walker

SB 267 -- Deckert, Starr, B. appointed Senate conferees.

SB 391, 886; HB 2049, 2120, 2165, 2251, 2304, 2422, 2671, 3130, 3259, 3330, 3346, 3476, 3508, 3548 - President Courtney signed on July 1.

Senate adjourned until 10:45 a.m. Wednesday by unanimous consent at the request of the Chair.

Wednesday, July 2, 2003 -- Morning Session

Senate convened at 10:45 a.m. President Courtney in Chair. The following members were present: Atkinson, Beyer, Brown, Burdick, Carter, Clarno, Corcoran, Deckert, Devlin, Dukes, Ferrioli, Fisher, George, Gordly, Hannon, Messerle, Metsger, Minnis, Morrisette, Morse, Nelson, Ringo, Schrader, Shields, Starr, B., Starr, C., Walker, Winters; absent - Harper. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Pastor Jim Bull of the First Baptist Church, Salem.

SB 5529, 5531, 5546; 12, 903 -- Message from the House announcing passage.

HB 2110, 2166, 2217, 2279, 2646, 2770, 3338, 3431 -- Message from the House announcing concurrence in Senate amendments and repassage.

HB 2594, 3013 -- Message from the House announcing refusal to concur in Senate amendments. House conferees to be appointed.

HB 2299 -- Message from the House announcing Smith, P., Shetterly, Verger appointed House conferees.

HB 2209, 2696, 3051, 3385 -- Message from the House announcing the Speaker signed on July 1.

Committee Report Summary No. 119 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

HB 2020 -- Report by Committee on General Government recommending passage with amendments to the A-engrossed bill.

HB 3020 -- Report by Committee on General Government recommending passage with amendments to the A-engrossed bill.

HB 3613 -- Report by Committee on Rules recommending passage with amendments.

Report by Committee on Rules recommending that the Governor's appointments of Phil Lang (r) (appearance waived) and Robert Rice (appearance waived) to the Oregon Liquor Control Commission be confirmed en bloc.

Rules suspended by unanimous consent in order that the Senate may take en bloc action on the confirmation of the following appointments on motion of Burdick.

State Commission on Children and Families

Samuel Henry

Employment Relations Board

Luella Nelson

Board of Examiners of Nursing Home Administrators

Rob Hays

Dolores Hubert (r)

Sustainability Board

John Ledger (r)

Greg Wolf

Under rules suspension, Burdick moved that the Senate confirm en bloc the Governor's appointments as listed in the motion to suspend the rules. On confirmation the vote was: Ayes, 29; absent, 1 - Harper. Confirmed en bloc.

SCR 8; SB 912, 913, 914, 915, 916, 917 -- Introduced, read first time and referred to President's desk.

SB 655 A-Eng. -- Read third time. Carried by Walker. On passage of bill the vote was: Ayes, 26; nays, 3 - Beyer, Fisher, Hannon; excused, 1 - Harper. Bill passed.

SB 763 A-Eng. -- Read third time. Carried by Starr, B. Call of the Senate demanded by Starr, B. joined by Starr, C. and Beyer. All present except Harper, excused. On passage of bill the vote was: Ayes, 16; nays, 13 - Brown, Burdick, Carter, Corcoran, Devlin, Dukes, Gordly, Hannon, Metsger, Morrisette, Schrader, Shields, Walker; excused, 1 - Harper. Bill passed.

HB 3304 -- Read second time and passed to third reading.

HB 2041 -- Read third time. Carried by Starr, B. Taken from its place on today's third reading calendar and placed on July 7 calendar by voice vote on motion of Starr, B.

HB 3120 -- Third reading. Carried by Minnis. Taken from its place on today's third reading calendar and placed on July 3 calendar by voice vote on motion of Minnis.

The following measures were referred to committee on July 1 and recorded on Committee Referral List No. 66 which was distributed to members. Referral list recorded in the Journal and Status Report by order of the President.

SB 906 Rules; Ways and Means
 SB 907 Rules
 SB 908 Judiciary
 SB 909 Judiciary
 SB 910 Judiciary
 HB 5020 Ways and Means
 HB 2151 Ways and Means
 HB 2341 Rules
 HB 2644 Ways and Means
 HB 2652 Revenue
 HB 3232 Ways and Means

Senate adjourned until 10:45 a.m. Thursday by unanimous consent at the request of the Chair.

Thursday, July 3, 2003 -- Morning Session

Senate convened at 10:45 a.m. President Courtney in Chair. The following members were present: Atkinson, Beyer, Brown, Burdick, Clarno, Corcoran, Deckert, Devlin, Ferrioli, Fisher, George, Gordly, Hannon, Harper, Messerle, Metsger, Minnis, Morrisette, Morse, Nelson, Ringo, Schrader, Shields, Starr, C., Walker; excused -- Carter, Starr, B.; attending legislative business -- Dukes, Winters. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Senator Charles Starr.

Courtesies of the Senate were extended to former State Representative Bill Grannell at the request of Messerle.

SB 129, 228, 552, 564, 808, 903 -- Message from the Governor announcing he signed on July 3.

SB 903 -- Message from the House announcing the Speaker signed on July 3.

Committee Report Summary No. 120 listing the following reports was distributed to members July 3. Summary list recorded in Journal and Status Report by order of the President.

SB 5506 -- Report by Committee on Ways and Means recommending passage with amendments.

SB 5514 -- Report by Committee on Ways and Means recommending passage with amendments.

SB 5516 -- Report by Committee on Ways and Means recommending passage with amendments.

SB 5533 -- Report by Committee on Ways and Means recommending passage with amendments.

SB 184 -- Report by Committee on Ways and Means recommending passage with amendments.

SB 500 -- Report by Committee on Ways and Means recommending passage.

SB 501 -- Report by Committee on Ways and Means recommending passage.

HB 5039 -- Report by Committee on Ways and Means recommending passage of the A-engrossed bill.

HB 2244 -- Report by Committee on Ways and Means recommending passage of the B-engrossed bill.

HB 2268 -- Report by Committee on Ways and Means recommending passage of the B-engrossed bill.

HB 3231 -- Report by Committee on Ways and Means recommending passage of the A-engrossed bill.

HB 3522 -- Report by Committee on Ways and Means recommending passage with amendments to resolve conflicts.

Report by Committee on Rules recommending that the Governor's appointment of David Kottkamp to the State Parks and Recreation Commission be confirmed.

Atkinson moved that the Senate confirm the Governor's appointments of Phil Lang (r) and Robert Rice to the Oregon Liquor Control Commission. On confirmation the vote was: Ayes, 24; excused, 2 -- Carter, Starr, B.; attending legislative business, 4 -- Beyer, Dukes, Ferrioli, Winters. Confirmed en bloc. (Hannon in Chair)

SB 918, 919, 920 -- Introduced, read first time and referred to President's desk. (President Courtney in Chair)

SB 500, 501 -- Read second time and passed to third reading. (Hannon in Chair)

HB 5039; 2020, 2244, 2268, 3020, 3231, 3613 -- Read second time and passed to third reading.

HB 3120 B-Eng. -- Read third time. Carried by Minnis. On passage of bill the vote was: Ayes, 24; nays, 2 -- George, Hannon; excused, 2 -- Carter, Starr, B.; attending legislative business, 2 -- Dukes, Winters. Bill passed.

HB 3304 B-Eng. -- Read third time. Carried by Atkinson. On passage of bill the vote was: Ayes, 25; nays, 1 -- Hannon; excused, 2 -- Carter, Starr, B.;

attending legislative business, 2 – Dukes, Winters. Bill passed.

HB 2594 -- Minnis, Walker appointed Senate conferees.

HB 3013 -- Shields, Morse appointed Senate conferees.

HB 3329 -- Minnis, Burdick appointed Senate conferees.

SB 903; HB 2209, 2696, 3051, 3385 -- President Courtney signed on July 3.

Senate adjourned until 10:45 a.m. Monday by unanimous consent at the request of the Chair.

Monday, July 7, 2003 -- Morning Session

Senate convened at 10:45 a.m. President Courtney in Chair. The following members were present: Atkinson, Beyer, Brown, Burdick, Carter, Clarno, Corcoran, Deckert, Devlin, Dukes, Ferrioli, Fisher, George, Gordly, Hannon, Harper, Messerle, Metsger, Minnis, Morrisette, Morse, Nelson, Ringo, Shields, Starr, B., Starr, C., Walker Winters -- attending legislative business -- Schrader. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Pastor Don Brandt of Our Savior's Lutheran Church, Salem.

Ferrioli questioned whether a quorum was present.

Senate at ease pending arrival of members necessary to meet quorum requirements. All members present except Schrader attending legislative business. Senate reassembled.

SB 189 -- Message from the Governor announcing he signed on July 3.

SB 880 -- Vetoed by the Governor on July 3 with the following message:

July 3, 2003

The Honorable Peter Courtney
President of the Senate
Oregon State Senate
900 Court Street NE, S-203
Salem, OR 97301

Dear President Courtney:

I have returned Enrolled Senate Bill 880 unsigned and disapproved for the reasons below.

Senate Bill 880 would create a \$100 million cap on the amount of an appeal bond that could be required from a tobacco company in any litigation against a tobacco company that is a party to the Master Settlement Agreement with the states. Proponents of Senate Bill 880 assert that such legislation is necessary to protect the tobacco companies from large verdicts before such verdicts

can be appealed. The proponents assert that a firm limit on appeal bonds would help protect the Master Settlement Agreement payments owed to the State by the tobacco companies.

I have vetoed Senate Bill 880 because I agree with Attorney General Hardy Myer's position that Senate Bill 880 is a flawed response to this issue. The Attorney General, together with the Department of Human Services and numerous public health organizations, has urged me to veto this bill. The Attorney General supported the Minority Report, which was also supported by 24 members of the House of Representatives. Rather than establish a firm cap on the bond amount that can be required from a tobacco company, the Minority Report would have created a presumptive cap. A presumptive cap is a better solution and would address the desire to provide greater stability to the Master Settlement Agreement. Such an approach would allow the trial judge discretion to require a larger bond only if all of the circumstances--including the financial condition of the tobacco company and the company's ability to make scheduled payments under the Master Settlement Agreement--warranted such a bond. I would support the Minority Report if it were adopted by the Legislative Assembly.

In addition, I would like to mention the public health concerns that I have with Senate Bill 880 or any legislation so clearly intended to benefit selected tobacco companies. By establishing a firm cap on appeal bonds, legislation such as Senate Bill 880 would provide tobacco companies with greater financial security and greater ability to market their products in Oregon and elsewhere. According to a report recently released by the Federal Trade Commission, in 2001 the major tobacco companies increased their advertising budgets by 17% from the previous year. The tobacco companies now spend over \$11 billion annually on advertising and promotions. These figures belie the argument that tobacco companies are in need of financial protection in the form of a firm cap on appeal bonds.

Sincerely,

Theodore R. Kulongoski
Governor

HB 2246, 2987 -- Message from the House announcing concurrence in Senate amendments and repassage.

HB 2388 -- Message from the House announcing adoption of conference committee report and repassage.

Atkinson moved that the Senate confirm the Governor's appointment of David Kottkamp to the State Parks and Recreation Commission. On confirmation the vote was: Ayes, 30. Confirmed.

Senate reverted to the order of Propositions and Motions by unanimous consent at the request of the Chair.

HB 2388 -- Conference Committee report adopted and bill repassed on motion of Metsger. The vote was: Ayes, 28; nays, 1 -- George; attending legislative business, 1 -- Schrader.

Senate resumed under the general order of business by implied consent.

SB 921, 922 -- Introduced, read first time and referred to President's desk.

SB 5506, 5514, 5516, 5533; 184 -- Read second time and passed to third reading.

SB 500 -- Read third time. Carried by Winters. On passage of bill the vote was: Ayes, 29; attending legislative business, 1 – Schrader. Bill passed.

SB 501 -- Read third time. Carried by Winters. On passage of bill the vote was: Ayes, 29; attending legislative business, 1 – Schrader. Bill passed.

HB 3522 -- Read second time and passed to third reading.

HB 5039 A-Eng. -- Read third time. Carried by Carter. On passage of bill the vote was: Ayes, 29; attending legislative business, 1 – Schrader. Bill passed.

HB 2020 B-Eng. -- Read third time. Carried by Corcoran, Minnis. Call of the Senate demanded by Corcoran joined by Minnis and Brown. All members subject to the Call present. On passage of bill the vote was: Ayes, 16; nays, 14 – Atkinson, Beyer, Clarno, Dukes, Ferrioli, Fisher, George, Harper, Messerle, Morse, Nelson, Starr, B., Starr, C., Winters. Bill passed.

HB 2041 -- Bill read. Carried by Metsger. Rereferred to Committee on Revenue by voice vote on motion of Metsger.

HB 2244 B-Eng. -- Read third time. Carried by Winters. On passage of bill the vote was: Ayes, 29; nays, 1 – Hannon. Bill passed.

HB 2268 B-Eng. -- Read third time. Carried by Dukes. On passage of bill the vote was: Ayes, 24; nays, 6 – Atkinson, Beyer, George, Hannon, Minnis, Starr, B. Bill passed.

HB 3020 B-Eng. -- Read third time. Carried by Corcoran. On passage of bill the vote was: Ayes, 28; nays, 2 – Gordly, Hannon. Bill passed.

HB 3231, 3613 -- Carried over to July 8 calendar by unanimous consent at the request of the Chair.

The following measures were referred to committee on July 3 and recorded on Committee Referral List No. 67 which was distributed to members. Referral list recorded in the Journal and Status Report by order of the President.

SCR 8 Rules
 SM 4 Rules
 SB 911 Rules
 SB 912 Rules
 SB 913 Rules; Ways and Means
 SB 914 Rules
 SB 915 Rules
 SB 916 Rules

SB 917 Rules
 SB 918 Rules
 SB 919 Rules
 SB 920 Rules
 HB 3154 Rules

HB 2041 -- The Chair announced the following assignments added to committee for consideration of bill.

REVENUE

Senator Metsger
 Senator Nelson

Senate adjourned until 10:45 a.m. Tuesday by unanimous consent at the request of the Chair.

Tuesday, July 8, 2003 -- Morning Session

Senate convened at 10:45 a.m. President Pro Tempore Hannon in Chair. The following members were present: Atkinson, Beyer, Brown, Burdick, Clarno, Corcoran, Deckert, Devlin, Dukes, Ferrioli, Fisher, George, Gordly, Harper, Messerle, Metsger, Minnis, Morrisette, Morse, Nelson, Ringo, Schrader, Shields, Starr, B., Starr, C., Walker, Winters, President Courtney; excused -- Carter. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Senator Frank Morse.

SB 272 -- Message from the House announcing passage as amended by the House.

HB 2828 -- Message from the House announcing concurrence in Senate amendments and repassage.

HB 2594 -- Message from the House announcing Williams, Ackerman, Krummel appointed House conferees.

HB 3013 -- Message from the House announcing Garrard, Morgan, Schaufler appointed House conferees.

Committee Report Summary No. 121 listing the following reports was distributed to members July 7. Summary list recorded in Journal and Status Report by order of the President.

HB 2188 -- Report by Committee on Revenue recommending passage with amendments.

HB 3272 -- Report by Committee on Rules recommending passage with amendments to the A-engrossed bill.

Committee Report Summary No. 122 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

SCR 7 -- Report by Committee on Rules recommending adoption.

SB 909 -- Report by Committee on Judiciary recommending passage.

HB 5020 -- Report by Committee on Ways and Means recommending passage of the A-engrossed bill.

HB 2151 -- Report by Committee on Ways and Means recommending passage.

HB 2644 -- Report by Committee on Ways and Means recommending passage of the B-engrossed bill.

HB 3232 -- Report by Committee on Ways and Means recommending passage.

SB 267 -- Senate refused to concur in House amendments by voice vote on motion of Corcoran.

SB 5514 -- Taken from its place on today's third reading calendar and placed on July 9 calendar by voice vote on motion of Winters.

SCR 7; SB 909 -- Read second time and passed to third reading.

SB 5506 A-Eng. -- Read third time. Carried by Schrader. On passage of bill the vote was: Ayes, 19; nays, 9 -- Atkinson, Brown, Corcoran, Gordly, Hannon, Metsger, Morrisette, Ringo, Shields; excused, 1 -- Carter; attending legislative business, 1 -- Winters. Bill passed.

SB 5516 A-Eng. -- Read third time. Carried by Devlin. On passage of bill the vote was: Ayes, 25; nays, 2 -- Gordly, Hannon; excused, 1 -- Carter; attending legislative business, 2 -- Atkinson, Winters. Bill passed.

SB 5533 A-Eng. -- Read third time. Carried by George. On passage of bill the vote was: Ayes, 27; nays, 1 -- Hannon; excused, 1 -- Carter; attending legislative business, 1 -- Winters. Bill passed.

SB 184 A-Eng. -- Read third time. Carried by Gordly. On passage of bill the vote was: Ayes, 27; nays, 1 -- Corcoran; excused, 1 -- Carter; attending legislative business, 1 -- Winters. Bill passed.

HB 5020; 2151, 2188, 2644, 3232, 3272 -- Read second time and passed to third reading.

HB 3231 A-Eng. -- Read third time. Carried by Dukes. On passage of bill the vote was: Ayes, 26; nays, 1 -- Hannon; excused, 2 -- Carter, Gordly; attending legislative business, 1 -- Winters. Bill passed.

HB 3613 A-Eng. -- Read third time. Carried by Brown. On passage of bill the vote was: Ayes, 27; nays, 1 -- Hannon; excused, 1 -- Carter; attending legislative business, 1 -- Winters. Bill passed.

HB 3522 A-Eng. -- Read third time. Carried by Dukes. On passage of bill the vote was: Ayes, 27;

nays, 1 -- Hannon; excused, 1 -- Carter; attending legislative business, 1 -- Winters. Bill passed.

SB 267 -- Corcoran, Minnis appointed Senate conferees.

Senate adjourned until 10:45 a.m. Wednesday by unanimous consent at the request of the Chair.

Wednesday, July 9, 2003 -- Morning Session

Senate convened at 10:45 a.m. President Pro Tempore Hannon in Chair. The following members were present: Atkinson, Beyer, Brown, Burdick, Carter, Clarno, Devlin, Dukes, Ferrioli, Fisher, George, Gordly, Harper, Messerle, Minnis, Morrisette, Morse, Ringo, Schrader, Shields, Starr, C., Walker, Winters, President Courtney; attending legislative business -- Corcoran, Deckert, Metsger, Nelson, Starr, B. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Pastor Stephen P. Lewis of the Evergreen Presbyterian Church, Salem.

SB 287 -- Message from the Governor announcing he signed on July 8.

HB 2259, 2458 -- Message from the House announcing passage.

SB 610, 617 -- Message from the House announcing passage as amended by the House.

HB 3010, 3304 -- Message from the House announcing concurrence in Senate amendments and repassage.

HB 3120 -- Message from the House announcing House refusal to concur in Senate amendments. Conferees to be appointed.

Committee Report Summary No. 123 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

HJR 55 -- Report by Committee on Rules recommending adoption of the A-engrossed resolution.

HB 2783 -- Report by Committee on Judiciary recommending passage of the B-engrossed bill.

HB 2857 -- Report by Committee on Rules recommending passage of the B-engrossed bill.

HB 2900 -- Report by Committee on Judiciary recommending passage of the A-engrossed bill.

SCR 7 -- Taken from its place on today's third reading calendar and placed on July 14 calendar by voice vote on motion of Gordly.

SB 923, 924, 925 -- Introduced, read first time and referred to President's desk.

SB 5514 A-Eng. -- Read third time. Carried by Winters. Call of the Senate demanded by Winters joined by Gordly and Minnis. All present except Metsger, Nelson, Starr, B., attending legislative business. Pending arrival of members subject to the Call, Senate at ease. All members present. Senate reassembled. On passage of bill the vote was: Ayes, 19; nays, 11 -- Brown, Corcoran, Dukes, Gordly, Hannon, Metsger, Minnis, Morrisette, Ringo, Shields, Walker. Bill passed.

SB 909 -- Read third time. Carried by Ringo. On passage of bill the vote was: Ayes, 30. Bill passed.

HB 2259, 2458 -- Read first time and referred to President's desk.

HJR 55; HB 2783, 2857, 2900 -- Read second time and passed to third reading.

HB 5020 A-Eng. -- Read third time. Carried by Dukes. On passage of bill the vote was: Ayes, 18; nays, 12 -- Brown, Burdick, Carter, Corcoran, Deckert, Devlin, Gordly, Hannon, Morrisette, Ringo, Shields, Walker. Bill passed.

HB 2151, 2188, 2644, 3232, 3272 -- Carried over to July 10 calendar by unanimous consent at the request of the Chair.

SB 5508, 5518, 5529, 5531, 5546; 12 -- President Courtney signed on July 9.

Senate adjourned until 10:45 a.m. Thursday by unanimous consent at the request of the Chair.

Thursday, July 10, 2003 -- Morning Session

Senate convened at 10:45 a.m. Atkinson in Chair. The following members were present: Beyer, Brown, Burdick, Carter, Clarno, Corcoran, Devlin, Dukes, Ferrioli, Fisher, George, Gordly, Hannon, Harper, Metsger, Minnis, Morrisette, Morse, Nelson, Ringo, Shields, Starr, B., Starr, C., Walker, Winters, President Courtney; attending legislative business -- Deckert, Messerle, Schrader. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Pastor Tim Wenzig of the Rosedale Friends Church, Salem.

HB 2020, 3020 -- Message from the House announcing refusal to concur in Senate amendments.

HB 3120 -- Message from the House announcing Garrard, Zauner, Greenlick, appointed House conferees.

HB, 5048, 5058; 2260 -- Message from the House announcing passage.

SB 391, 886; HB 5040; 2089, 2110, 2153, 2193, 2254, 2522, 2646, 2770, 3177, 3338, 3344 -- Message from the House announcing Speaker signed on July 9.

Committee Report Summary No. 124 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

SB 291 -- Report by Conference Committee signed by Senators Ferrioli, Shields and Representatives Beyer, Gilman, Kropf recommending that the Senate concur in House amendments dated May 7 and that the A-engrossed bill be further amended and repassed.

SCR 8 -- Report by Committee on Rules recommending adoption.

SB 610 B-Eng. -- Minnis moved that the Senate concur in House amendments and repass bill. On concurrence and repassage the vote was: Ayes, 23; nays, 5 -- Beyer, Clarno, George, Hannon, Harper; attending legislative business, 2 -- Messerle, Schrader. Bill repassed.

SB 617 -- Senate refused to concur in House amendments by voice vote on motion of Minnis.

SB 926, 927, 928 -- Introduced, read first time and referred to President's desk.

SCR 8 -- Read second time and passed to third reading.

HB 5048, 5058; 2260 -- Read first time and referred to President's desk.

HB 2151 -- Read third time. Carried by Winters. On passage of bill the vote was: Ayes, 27; nays, 2 -- Corcoran, Hannon; attending legislative business, 1 -- Messerle. Bill passed.

HB 2188 A-Eng. -- Read third time. Carried by Ferrioli. On passage of bill the vote was: Ayes, 27; attending legislative business, 3 -- Deckert, Messerle, Schrader. Bill passed.

HB 2644 B-Eng. -- Read third time. Carried by Dukes. On passage of bill the vote was: Ayes, 26; attending legislative business, 4 -- Deckert, Messerle, Ringo, Schrader. Bill passed.

HB 3232 -- Read third time. Carried by Dukes. On passage of bill the vote was: Ayes, 25; attending legislative business, 5 -- Corcoran, Deckert, Messerle, Ringo, Schrader. Bill passed.

HB 3272 B-Eng. -- Read third time. Carried by Beyer. Morse declared potential conflict of interest. On passage of bill the vote was: Ayes, 25; attending legislative business, 5 -- Corcoran, Deckert, Messerle, Ringo, Schrader. Bill passed.

HJR 55 A-Eng. -- Read final time. Carried by Ferrioli, Metsger. On adoption of resolution, the vote was: Ayes, 24; nays, 1 – Hannon; attending legislative business, 5 – Corcoran, Deckert, Messerle, Ringo, Schrader. Resolution adopted.

HB 2783 B-Eng. -- Read third time. Carried by Walker. On passage of bill the vote was: Ayes, 23; nays, 2 – Dukes, Hannon; attending legislative business, 5 – Corcoran, Deckert, Messerle, Ringo, Schrader. Bill passed.

HB 2857 B-Eng. -- Read third time. Carried by Beyer. On passage of bill the vote was: Ayes, 22; nays, 3 – Dukes, Gordly, Hannon; attending legislative business, 5 – Corcoran, Deckert, Messerle, Ringo, Schrader. Bill passed.

HB 2900 A-Eng. -- Read third time. Carried by Starr, C. On passage of bill the vote was: Ayes, 25; attending legislative business, 5 – Corcoran, Deckert, Messerle, Ringo, Schrader. Bill passed.

The following measures were referred to committee on July 10 recorded on Committee Referral List No. 68 which was distributed to members. Referral list recorded in the Journal and Status Report by order of the President.

SB 921 Rules
 SB 922 Rules
 SB 923 Rules
 SB 924 Rules
 SB 925 Rules; Ways and Means
 HB 2259 Ways and Means
 HB 2458 Rules

SB 617 -- Minnis, Burdick appointed Senate conferees.

HB 2020 -- Corcoran, Minnis appointed Senate conferees.

HB 3020 -- Corcoran, Minnis appointed Senate conferees.

HB 3120 -- Corcoran, Starr, B. appointed Senate conferees.

Senate adjourned until 10:45 a.m. Friday by unanimous consent at the request of the Chair.

Friday, July 11, 2003 -- Morning Session

Senate convened at 10:45 a.m. President Courtney in Chair. The following members were present: Atkinson, Beyer, Brown, Burdick, Carter, Clarno, Corcoran, Deckert, Devlin, Dukes, Ferrioli, Fisher, George, Gordly, Hannon, Harper, Messerle, Metsger, Minnis, Morrisette, Morse, Nelson, Schrader, Starr, B., Starr, C., Walker, Winters; excused -- Ringo, Shields. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Senator Gary George, Newberg.

The following message from the Governor was read and referred to the Committee on Rules:

July 10, 2003

TO THE HONORABLE PRESIDENT OF THE SENATE
 OF THE 72nd LEGISLATIVE ASSEMBLY

ORS 243.315 provides that the Governor shall appoint the Director of Affirmative Action, subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I appoint Peggy Ross of Portland as the Director of Affirmative Action for a term beginning August 4, 2003, and serving at the pleasure of the Governor, effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,
 Ted Kulongoski
 Governor

SB 854 -- Message from the House announcing passage.

SB 59, 708 -- Message from the House announcing passage as amended by the House.

HB 3522, 3613 -- Message from the House announcing concurrence in Senate amendments and repassage.

Committee Report Summary No. 125 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

SB 450 -- Report by Committee on Rules recommending passage with amendments.

SB 908 -- Report by Committee on Judiciary recommending passage.

HB 2378 -- Report by Committee on Rules recommending passage with amendments.

SB 929, 930 -- Introduced, read first time and referred to President's desk.

SB 908 -- Read second time and passed to third reading.

SCR 8 -- Read final time. Carried by Devlin. On adoption of resolution, the vote was: Ayes, 28; excused, 2 – Ringo, Shields. Resolution adopted.

HB 5057; 2156, 2194, 3629 -- Read first time and referred to President's desk.

Senate adjourned until 10:45 a.m. Monday by unanimous consent at the request of the Chair.

Monday, July 14, 2003 -- Morning Session

Senate convened at 10:45 a.m. President Courtney in Chair. The following members were present: Atkinson, Beyer, Brown, Burdick, Carter, Clarno, Corcoran, Deckert, Devlin, Dukes, Ferrioli, Fisher, George, Gordly, Hannon, Harper, Messerle, Metsger, Minnis, Morrisette, Morse, Nelson, Ringo, Shields, Starr, B., Walker, Winters; excused -- Schrader; attending legislative business -- Starr, C. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Reverend Ed Lykens of the Church of the Nazarene, Prineville.

SB 5508, 5518, 5529, 5546; 12; HB 2166, 2217, 2279, 3431 -- Message from the House announcing the Speaker signed on July 11.

SB 5531 -- Message from the House announcing the Speaker signed on July 14.

Committee Report Summary No. 126 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

Report by Committee on Rules recommending that the Governor's appointments of Marguerite LaMont (appearance waived) and Buz Ortiz (r) (appearance waived) to the State Housing Council be confirmed en bloc.

Report by Committee on Rules recommending that the Governor's appointments of Douglas Henrichs (appearance waived) and Freda Vars (r) (appearance waived) to the Trustees of the State Library be confirmed en bloc.

Report by Committee on Rules recommending that the Governor's reappointment of Margaret Wolf (appearance waived) to the Outdoor Youth Program Advisory Board be confirmed.

Report by Committee on Rules recommending that the Governor's appointment of Linda Howrey (appearance waived) to the State Board of Pharmacy be confirmed.

SB 59 B-Eng. -- Minnis moved that the Senate concur in House amendments and repass bill. On concurrence and repassage the vote was: Ayes, 28; excused, 1 -- Schrader; attending legislative business, 1 -- Starr, C. Bill repassed.

SB 708 B-Eng. -- Morrisette moved that the Senate concur in House amendments and repass bill. On concurrence and repassage the vote was: Ayes, 27; nays, 1 -- Hannon; excused, 1 -- Schrader; attending legislative business, 1 -- Starr, C. Bill repassed.

SB 291 -- Conference Committee report adopted and bill repassed on motion of Shields. Nelson declared a potential conflict of interest. The vote was: Ayes, 20; nays, 7 -- Burdick, Carter, Dukes, George, Hannon, Nelson, Walker; excused, 1 -- Schrader;

attending legislative business, 2 -- Corcoran, Starr, C. Bill repassed. Devlin granted unanimous consent to change from nay to aye.

SB 450 -- Read second time and passed to third reading.

SCR 7 -- Read final time. Carried by Gordly. On adoption of resolution, the vote was: Ayes, 27; excused, 2 -- George, Schrader; attending legislative business, 1 -- Starr, C. Resolution adopted.

SB 908 -- Read third time. Carried by Walker. On passage of bill the vote was: Ayes, 25; nays, 1 -- Hannon; absent, 1 -- Deckert; excused, 2 -- George, Schrader; attending legislative business, 1 -- Starr, C. Bill passed.

HJR 18; HB 2651 -- Message from the House announcing passage.

HJR 18; HB 2651 -- Read first time and referred to President's desk.

HB 2378 -- Read second time and passed to third reading.

The following measures were referred to committee on July 11 and recorded on Committee Referral List No. 69 which was distributed to members. Referral list recorded in the Journal and Status Report by order of the President.

Director of Affirmative Action (ORS 243.315)

Peggy Ross Rules

HB 2166, 2217, 2279, 3432 -- President Courtney signed on July 14.

Senate adjourned until 10:45 a.m. Tuesday by unanimous consent at the request of the Chair.

Tuesday, July 15, 2003 -- Morning Session

Senate convened at 10:45 a.m. President Courtney in Chair. The following members were present: Atkinson, Beyer, Brown, Burdick, Carter, Clarno, Corcoran, Deckert, Devlin, Dukes, Ferrioli, Fisher, George, Gordly, Hannon, Harper, Messerle, Metsger, Minnis, Morrisette, Morse, Nelson, Ringo, Starr, B., Walker, Winters; excused -- Schrader, Shields; attending legislative business -- Starr, C. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Chaplin Bryan McKelvey of the Washington County Sheriff's office. (Hannon in Chair)

SB 391 -- Message announcing Governor signed on July 14.

HB 2188, 3272 -- Message from the House announcing concurrence in Senate amendments and repassage.

HB 5004; 2797 -- Message from the House announcing passage.

SB 108 -- Message from the House announcing passage as amended by the House.

HB 5039; 2244, 2246, 2268, 2388, 2828, 2987, 3010, 3231, 3304 -- Message from the House announcing the Speaker signed on July 14.

Committee Report Summary No. 127 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

SB 910 -- Report by Committee on Judiciary recommending passage.

Rules suspended by unanimous consent in order that the Senate may take en bloc action on the following appointments on motion of Beyer.

State Housing Council

Marguerite LaMont
Buz Ortiz (r)

Trustees of the State Library

Douglas Henrichs
Freda Vars (r)

Outdoor Youth Program Advisory Board

Margaret Wolf (r)

State Board of Pharmacy

Linda Howrey

Under rules suspension, Beyer moved that the Senate confirm en bloc the Governor's appointments as listed in the motion to suspend the rules. On confirmation the vote was: Ayes, 24; absent, 1 – Minnis; excused, 2 – Schrader, Shields; attending legislative business, 3 – Corcoran, Harper, Starr, C. Confirmed en bloc.

SB 931, 932 -- Introduced, read first time and referred to President's desk.

SB 910 -- Read second time and passed to third reading.

SB 450 A-Eng. -- Read third time. Carried by Burdick. On passage of bill the vote was: Ayes, 26; excused, 2 – Schrader, Shields; attending legislative business, 2 – Corcoran, Starr, C. Bill passed.

HB 5004; 2797 -- Read first time and referred to President's desk.

HB 2378 A-Eng. -- Read third time. Carried by Walker. On passage of bill the vote was: Ayes, 26;

excused, 2 – Schrader, Shields; attending legislative business, 2 – Corcoran, Starr, C. Bill passed.

The following measures were referred to committee on July 14 and recorded on Committee Referral List No. 70 which was distributed to members. Referral list recorded in the Journal and Status Report by order of the President.

SB 926 Rules
SB 927 Rules
SB 928 Rules; Ways and Means
SB 929 Rules
SB 930 Rules
HJR 18 Rules
HB 5048 Ways and Means
HB 5057 Ways and Means
HB 5058 Ways and Means
HB 2156 Ways and Means
HB 2194 Ways and Means
HB 2260 Ways and Means
HB 2651 Rules
HB 3629 Ways and Means

SB 242, 610, 854; HB 5039; 2244, 2246, 2268, 2388, 2828, 2987, 3010, 3231, 3304 -- President Courtney signed on July 15.

Senate adjourned until 10:45 a.m. Wednesday by unanimous consent at the request of the Chair.

Wednesday, July 16, 2003 -- Morning Session

Senate convened at 10:45 a.m. President Courtney in Chair. The following members were present: Atkinson, Brown, Burdick, Clarno, Corcoran, Deckert, Devlin, Dukes, Ferrioli, Fisher, George, Gordly, Hannon, Metsger, Morrisette, Morse, Ringo, Shields, Starr, B., Walker, Winters; excused -- Beyer, Carter, Nelson, Schrader; attending legislative business -- Harper, Messerle, Minnis, Starr, C. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Missionary John Koski of Dearborn, Michigan. (Hannon in Chair)

SB 190, 613, 820 -- Message from the House announcing passage as amended by the House.

Committee Report Summary No. 128 listing the following reports was distributed to members July 15. Summary list recorded in Journal and Status Report by order of the President.

HB 2041 -- Report by Committee on Revenue recommending passage with amendments to the B-engrossed bill.

Committee Report Summary No. 129 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

SB 904 -- Report by Committee on Judiciary recommending passage with amendments. Referred to Committee on Ways and Means by prior reference.

SB 108 A-Eng. -- Minnis moved that the Senate concur in House amendments and repass bill. On concurrence and repassage the vote was: Ayes, 22; excused, 4 -- Beyer, Carter, Nelson, Schrader; attending legislative business, 4 -- Corcoran, Harper, Messerle, Starr, C. Bill repassed.

SB 910 -- Read third time. Carried by Walker. On passage of bill the vote was: Ayes, 21; nays, 1 -- Hannon; excused, 4 -- Beyer, Carter, Nelson, Schrader; attending legislative business, 4 -- Corcoran, Harper, Messerle, Starr, C. Bill passed.

Senate adjourned until 10:45 a.m. Thursday by unanimous consent at the request of the Chair.

Thursday, July 17, 2003 -- Morning Session

Senate convened at 10:45 a.m. President Courtney in Chair. The following members were present: Atkinson, Beyer, Brown, Burdick, Clarno, Corcoran, Deckert, Devlin, Dukes, Ferrioli, Fisher, George, Gordly, Harper, Messerle, Metsger, Minnis, Morse, Nelson, Ringo, Schrader, Shields, Starr, B., Starr, C., Walker, Winters; excused -- Carter, Hannon, Morrisette. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Senator Bill Fisher, Roseburg.

SB 886 -- Message from the Governor announcing he signed on July 16.

SB 886 -- The following message from the Governor was read.

July 16, 2003

The Honorable Peter Courtney
President of the Senate
Oregon State Senate
900 Court Street NE, S-203
Salem, OR 97301

Dear President Courtney:

"I have signed Enrolled Senate Bill 886, which instructs the Department of Human Services to develop a pilot program to facilitate access to available assistance from community and faith-based organizations for all Oregonians. It is my understanding that the pilot program will enable DHS to take a systemic view of the entire pool of community resources, including the existing strengths available through community and faith-based organizations, in addition to those offered by the state, in order to assist its clients with accessing all appropriate and available resources. Such organizations can provide invaluable assistance to needy Oregonians who are unaware of the availability of such aid. I strongly support this endeavor.

"Senate Bill 886 is an innovative private-public approach to addressing our citizens' needs, but its creativity will need careful administration. With that in mind, it is important to clarify what this bill does not do. This bill

does not take, nor does it require the taking of, a position on any belief system or any particular faith-based or community organization; this bill does not appropriate any money to any religious or theological institution; this bill does not require any client of DHS to disclose or discuss religious beliefs or practices; this bill does not require any client of DHS to participate in, or accept services from, faith-based or community organizations; this bill has a secular purpose and will not result in excessive entanglement between the state and religion.

"I have instructed DHS to ensure that the pilot program mandated by Senate Bill 886 is indeed consistent with the Establishment and Equal Protection clauses of the United States and Oregon constitutions. DHS must remain mindful of the protections found in the bill; it must avoid excessive entanglement between the state and religion; it must ensure that its pilot program provides information about, and facilitates services through, organizations in a way that does not draw distinctions between clients based on religious affiliation; and it must ensure that any organization that impermissibly discriminates in its beneficence is not involved in the pilot program in any way.

"I thank members of the Legislative Assembly who worked on this important legislation."

Sincerely,

Ted Kulongoski
Governor

HB 3645 -- Message from the House announcing passage.

SB 232, 609 -- Message from the House announcing passage as amended by the House.

SB 291 -- Message from the House announcing adoption of conference committee report and repassage.

SB 242, 610, 854; HJR 55; HB 5020; 2151, 2644, 2783, 2857, 2900, 3232, 3522, 3613 -- Message from the House announcing the Speaker signed on July 16.

Committee Report Summary No. 130 listing the following reports was distributed to members July 16. Summary list recorded in Journal and Status Report by order of the President.

HJR 18 -- Report by Committee on Rules recommending adoption with amendments to the B-engrossed resolution. (Amendments distributed July 17)

HB 2651 -- Report by Committee on Rules recommending passage with amendments to the A-engrossed bill. (Amendments distributed July 17)

Committee Report Summary No. 131 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

HB 2094 -- Report by Committee on Judiciary recommending passage with amendments to the A-engrossed bill to resolve conflicts.

HJR 18; HB 2651 -- Rules suspended by unanimous consent to second and third read immediately under a Special Order of Business on motion of Beyer.

HJR 18; HB 2651 -- Under rules suspension and Special Order of Business, read second time.

HJR 18 C-Eng. -- Under rules suspension and Special Order of Business, read final time. Carried by Beyer. On adoption of resolution, the vote was: Ayes, 23; nays, 1 – George; excused, 3 – Carter, Hannon, Morrisette; attending legislative business, 3 – Deckert, Metsger, Schrader. Resolution adopted.

HB 2651 B-Eng -- Under rules suspension and Special Order of Business, read third time. Carried by Beyer. On passage of bill the vote was: Ayes, 25; excused, 3 – Carter, Hannon, Morrisette; attending legislative business, 2 – Brown, Schrader. Bill passed.

HB 2041 -- Made a Special Order of Business and moved to the head of the calendar by unanimous consent at the request Metsger.

HB 2041 C-Eng. -- Under Special Order of Business, bill read. Carried by Metsger, Starr, B. Morse declared potential conflict of interest. Call of the Senate demanded by Metsger joined by Gordly and Starr, B. All present except Carter, Hannon, Morrisette, excused. All members subject to the Call present. On passage of bill the vote was: Ayes, 23; nays, 4 – Atkinson, Beyer, Fisher, George; excused, 3 – Carter, Hannon, Morrisette. Bill passed.

SB 190 B-Eng. -- Metsger moved that the Senate concur in House amendments and repass bill. On concurrence and repassage the vote was: Ayes, 26; excused, 3 – Carter, Hannon, Morrisette; attending legislative business, 1 – Brown. Bill repassed.

SB 820 -- Senate refused to concur in House amendments by voice vote on motion of Ferrioli.

SB 933, 934, 935 -- Introduced, read first time and referred to President's desk.

HB 3645 -- Read first time and referred to President's desk.

HJR 18; HB 2651 -- President Courtney signed on July 17.

Senate adjourned until 10:45 a.m. Monday by unanimous consent at the request of the Chair.

Monday, July 21, 2003 -- Morning Session

Senate convened at 10:45 a.m. President Pro Tempore Hannon in Chair. The following members were present: Atkinson, Beyer, Brown, Burdick, Carter, Clarno, Corcoran, Devlin, Dukes, Ferrioli, Fisher, Gordly, Harper, Messerle, Metsger, Minnis,

Morrisette, Morse, Nelson, Ringo, Schrader, Starr, B., Walker, President Courtney; excused -- Deckert, George, Shields, Starr, C., Winters. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Pastor Melvin Bailey of Bethesda Christian Church, Portland.

SB 5508, 5518, 5529, 5531, 5546; 12 -- Message from the Governor announcing he signed on July 17.

The following messages from the Governor were read and referred to the Committee on Rules.

July 17, 2003

TO THE HONORABLE PRESIDENT OF THE SENATE OF THE 72nd LEGISLATIVE ASSEMBLY

ORS 185.130 provides that the Governor shall appoint the members of the Oregon Disabilities Commission, subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I appoint Michael James of Portland to the Oregon Disabilities Commission for a three-year term, as provided by statute, beginning August 1, 2003, and ending on July 31, 2006, effective upon Senate confirmation. This appointment is submitted for your consideration.

Sincerely,
Ted Kulongoski
Governor

July 17, 2003

TO THE HONORABLE PRESIDENT OF THE SENATE OF THE 72nd LEGISLATIVE ASSEMBLY

ORS 185.130 provides that the Governor shall appoint the members of the Oregon Disabilities Commission, subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I appoint Robert Pope of Salem to the Oregon Disabilities Commission for a three-year term, as provided by statute, beginning August 1, 2003, and ending on July 31, 2006, effective upon Senate confirmation. This appointment is submitted for your consideration.

Sincerely,
Ted Kulongoski
Governor

July 17, 2003

TO THE HONORABLE PRESIDENT OF THE SENATE OF THE 72nd LEGISLATIVE ASSEMBLY

ORS 516.080 provides that the Governor shall appoint the members of the Governing Board of the Department of Geology and Mineral Industries, subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I reappoint Vera Simonton of Pendleton to the Governing Board of the Department of Geology and Mineral Industries for a four-year term, as provided by statute, beginning October 16, 2003, and ending on October 15, 2007, effective upon Senate confirmation. This appointment is submitted for your consideration.

Sincerely,
Ted Kulongoski

Governor

July 17, 2003

TO THE HONORABLE PRESIDENT OF THE SENATE
OF THE 72nd LEGISLATIVE ASSEMBLY

ORS 351.020 provides that the Governor shall appoint the members of the State Board of Higher Education, subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I appoint Henry Lorenzen of Pendleton to the State Board of Higher Education for a four-year term, as provided by statute, beginning August 1, 2003, and ending on June 30, 2007, effective upon Senate confirmation. This appointment is submitted for your consideration.

Sincerely,
Ted Kulongoski
Governor

July 17, 2003

TO THE HONORABLE PRESIDENT OF THE SENATE
OF THE 72nd LEGISLATIVE ASSEMBLY

ORS 541.360 provides that the Governor shall appoint the members of the Oregon Watershed Enhancement Board, subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I appoint Daniel Heagerty of Portland to the Oregon Watershed Enhancement Board for a four-year term, as provided by statute, beginning August 1, 2003, and ending on July 31, 2007, effective upon Senate confirmation. This appointment is submitted for your consideration.

Sincerely,
Ted Kulongoski
Governor

July 17, 2003

TO THE HONORABLE PRESIDENT OF THE SENATE
OF THE 72nd LEGISLATIVE ASSEMBLY

ORS 541.360 provides that the Governor shall appoint the members of the Oregon Watershed Enhancement Board, subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I reappoint Jan O'Keeffe of Adel to the Oregon Watershed Enhancement Board for a four-year term, as provided by statute, beginning July 1, 2003, and ending on June 30, 2007, effective upon Senate confirmation. This appointment is submitted for your consideration.

Sincerely,
Ted Kulongoski
Governor

SB 5516, 5533; HB 2172, 2179, 3322 3646 --
Message from the House announcing passage.

SB 155, 752 -- Message from the House
announcing passage as amended by the House.

HJR 18; HB 2651 -- Message from the House
announcing concurrence in Senate amendments and
repassage.

HB 2378 -- Message from the House announcing
refusal to concur in Senate amendments.

SB 617 -- Message from the House announcing
Williams, Anderson, Ackerman appointed House
conferees.

HB 2020 -- Message from the House announcing
Knopp, Brown, Macpherson appointed House
conferees.

HJR 18; HB 2651 -- Message from the House
announcing the Speaker signed on July 17.

Committee Report Summary No. 132 listing the
following reports was distributed to members July 18.
Summary list recorded in Journal and Status Report
by order of the President.

SB 5512 -- Report by Committee on Ways and
Means recommending passage with amendments.

SB 5525 -- Report by Committee on Ways and
Means recommending passage with amendments.

HB 3631 -- Report by Committee on Rules
recommending passage with amendments to the A-
engrossed bill.

Committee Report Summary No. 133 listing the
following reports was distributed to members today.
Summary list recorded in Journal and Status Report
by order of the President.

HB 2865 -- Report by Conference Committee,
signed by Senators Burdick, Minnis and
Representatives Ackerman, Anderson, Williams,
recommending the House concur in Senate
amendments dated June 17 and that the bill be
further amended and repassed.

SB 302 -- Report by Committee on Ways and
Means recommending passage of the A-engrossed bill.

SB 918 -- Report by Committee on Rules
recommending passage.

SB 919 -- Report by Committee on Rules
recommending passage.

SB 923 -- Report by Committee on Rules
recommending passage.

SB 927 -- Report by Committee on Rules
recommending passage.

HB 5048 -- Report by Committee on Ways and
Means recommending passage of the A-engrossed bill.

HB 5057 -- Report by Committee on Ways and
Means recommending passage.

HB 5058 -- Report by Committee on Ways and
Means recommending passage of the A-engrossed bill.

HB 2095 -- Report by Committee on Ways and Means recommending passage of the B-engrossed bill.

HB 2156 -- Report by Committee on Ways and Means recommending passage of the A-engrossed bill.

HB 2194 -- Report by Committee on Ways and Means recommending passage.

HB 2259 -- Report by Committee on Ways and Means recommending passage.

HB 2260 -- Report by Committee on Ways and Means recommending passage of the A-engrossed bill.

HB 3154 -- Report by Committee on Rules recommending passage of the A-engrossed bill.

HB 3629 -- Report by Committee on Ways and Means recommending passage.

SB 272 -- Senate refused to concur in House amendments by voice vote on motion of Beyer.

SB 936 -- Introduced, read first time and referred to President's desk.

SB 5512, 5525; 302, 918, 919, 923, 927 -- Read second time and passed to third reading.

HB 2172, 2179, 3322, 3646 -- Read first time and referred to President's desk.

HB 5048, 5057, 5058; 2095, 2156, 2194, 2259, 2260, 3154, 3629, 3631 -- Read second time and passed to third reading.

HB 2094 -- Read second and passed to third reading.

SB 59, 708; HJR 55; HB 5020; 2151, 2644, 2783, 2857, 2900, 3232, 3522, 3613 -- President Courtney signed on July 17.

SB 291 -- President Courtney signed on July 21.

Senate adjourned until 10:45 a.m. Tuesday by unanimous consent at the request of the Chair.

Tuesday, July 22, 2003 -- Morning Session

Senate convened at 10:45 a.m. President Courtney in Chair. The following members were present: Atkinson, Beyer, Brown, Burdick, Carter, Clarno, Corcoran, Devlin, Dukes, Ferrioli, Fisher, George, Gordly, Hannon, Harper, Messerle, Metsger, Minnis, Morrisette, Morse, Nelson, Ringo, Schrader, Shields, Starr, C., Winters; excused -- Walker; attending legislative business -- Deckert, Starr, B. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Senator Frank Shields, Portland.

SB 5506, 5514; HB 2399 -- Message from the House announcing passage.

HB 2188, 3272 -- Message from the House announcing the Speaker signed on July 18.

SB 59, 291, 708 -- Message from the House announcing the Speaker signed on July 21.

Committee Report Summary No. 134 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

SB 267 -- Report by Conference Committee, signed by Senators Corcoran, Minnis and Representatives Ackerman, Patridge, Williams, recommending the Senate concur in House amendments dated June 17 and that the bill be further amended and repassed.

HB 2221 -- Report by Conference Committee, signed by Senators Burdick, Minnis and Representatives Brown, Greenlick, Mabrey, recommending the House concur in Senate amendments dated June 11 and that the bill be further amended and repassed.

HB 3020 -- Report by Conference Committee, signed by Senators Corcoran, Minnis and Representatives Brown, Knopp, Barker, recommending the House concur in Senate amendments dated July 2 and that the bill be further amended and repassed.

SB 911 -- Report by Committee on Rules recommending passage with amendments.

SB 912 -- Report by Committee on Rules recommending passage with amendments.

HB 5004 -- Report by Committee on Ways and Means recommending passage of the A-engrossed bill.

SB 609 B-Eng. -- Nelson moved that the Senate concur in House amendments and repass bill. On concurrence and repassage the vote was: Ayes, 24; absent, 2 -- Burdick, Schrader; excused, 2 -- Carter, Walker; attending legislative business, 2 -- Deckert, Starr, B. Bill repassed.

SB 613 B-Eng. -- Minnis moved that the Senate concur in House amendments and repass bill. On concurrence and repassage the vote was: Ayes, 24; nays, 1 -- Gordly; absent, 1 -- Schrader; excused, 2 -- Carter, Walker; attending legislative business, 2 -- Deckert, Starr, B. Bill repassed.

SB 5512 A-Eng. -- Read third time. Carried by Devlin. On passage of bill the vote was: Ayes, 24; nays, 2 -- Hannon, Shields; excused, 2 -- Carter, Walker; attending legislative business, 2 -- Deckert, Starr, B. Bill passed.

SB 5525 A-Eng. -- Read third time. Carried by Devlin. On passage of bill the vote was: Ayes, 24; nays, 3 – Gordly, Hannon, Morrisette; excused, 1 – Walker; attending legislative business, 2 – Deckert, Starr, B. Bill passed.

SB 302 A-Eng. -- Read third time. Carried by Devlin. On passage of bill the vote was: Ayes, 26; nays, 1 – Hannon; excused, 1 – Walker; attending legislative business, 2 – Deckert, Starr, B. Bill passed.

SB 918 -- Read third time. Carried by Burdick. On passage of bill the vote was: Ayes, 17; nays, 10 – Atkinson, Ferrioli, Fisher, George, Hannon, Harper, Minnis, Morse, Nelson, Starr C.; excused, 1 – Walker; attending legislative business, 2 – Deckert, Starr, B. Bill passed.

SB 919 -- Read third time. Carried by Atkinson. On passage of bill the vote was: Ayes, 20; nays, 7 – Carter, Corcoran, George, Hannon, Ringo, Schrader, Shields; excused, 1 – Walker; attending legislative business, 2 – Deckert, Starr, B. Bill passed.

SB 923 -- Read third time. Carried by Burdick. On passage of bill the vote was: Ayes, 27; excused, 1 – Walker; attending legislative business, 2 – Deckert, Starr, B. Bill passed.

SB 927 -- Read third time. Carried by Atkinson. On passage of bill the vote was: Ayes, 26; excused, 2 – Minnis, Walker; attending legislative business, 2 – Deckert, Starr, B. Bill passed. (Atkinson in Chair)

HB 2399 -- Read first time and referred to President's desk.

HB 5004 -- Read second time and passed to third reading.

HB 5048 A-Eng. -- Read third time. Carried by Devlin. On passage of bill the vote was: Ayes, 23; nays, 3 – Gordly, Hannon, Morrisette; excused, 1 – Walker; attending legislative business, 3 – Brown, Deckert, Starr, B. Bill passed.

HB 5048 -- Gordly requested the following explanation of vote be entered into the journal.

“The Public Defense Services Commission has been created as a new agency without performance measures for direct and contract public defense services. These should have been put in place prior to action on the budget. Performance measures are due for presentation in draft form to the Joint Legislative Audit Committee for review and approval by no later than July 2004.”

HB 5057 -- Read third time. Carried by Carter. On passage of bill the vote was: Ayes, 25; nays, 2 – Fisher, Hannon; excused, 1 – Walker; attending legislative business, 2 – Deckert, Starr, B. Bill passed.

HB 5058 A-Eng. -- Read third time. Carried by Devlin. On passage of bill the vote was: Ayes, 26; nays, 1 – Hannon; excused, 1 – Walker; attending legislative business, 2 – Deckert, Starr, B. Bill passed.

HB 2094 B-Eng. -- Read third time. Carried by Minnis. On passage of bill the vote was: Ayes, 25; nays, 1 – Brown; excused, 1 – Walker; attending legislative business, 3 – Deckert, Schrader, Starr, B. Bill passed.

HB 2095 B-Eng. -- Read third time. Carried by Devlin. On passage of bill the vote was: Ayes, 27; excused, 1 – Walker; attending legislative business, 2 – Deckert, Starr, B. Bill passed.

HB 2156 A-Eng. -- Read third time. Carried by Carter. On passage of bill the vote was: Ayes, 27; excused, 1 – Walker; attending legislative business, 2 – Deckert, Starr, B. Bill passed.

HB 2194, 2259, 2260, 3154, 3629, 3631 -- Carried over to July 23 calendar by unanimous consent at the request of the Chair.

The following measures were referred to committee on July 21 and recorded on Committee Referral List No. 71 which was distributed to members. Referral list recorded in the Journal and Status Report by order of the President.

SB 931 Rules; Ways and Means
 SB 932 Rules
 SB 933 Rules
 SB 934 Rules
 SB 935 Rules
 HB 5004 Ways and Means
 HB 2797 Judiciary
 HB 3645 Rules

Oregon Disabilities Commission (ORS 185.130)

Michael James Rules
 Robert Pope Rules

Governing Board of the Department of Geology and Mineral Industries (ORS 351.020)

Vera Simonton (r) Rules

State Board of Higher Education(ORS 351.020)

Henry Lorenzen Rules

Oregon Watershed Enhancement Board(ORS 541.360)

Daniel Heagerty Rules
 Jane O'Keeffe (r) Rules

HB 2378 -- Walker, Atkinson appointed Senate conferees.

SB 5516, 5533; 108, 190; HB 2188, 3272 -- President Courtney signed July 22.

Senate adjourned until 10:45 a.m. Wednesday by unanimous consent at the request of the Chair.

Wednesday, July 23, 2003 -- Morning Session

Senate convened at 10:45 a.m. Metsger in Chair. The following members were present: Atkinson, Beyer, Brown, Burdick, Carter, Clarno, Corcoran, Deckert, Devlin, Dukes, Ferrioli, Fisher, George, Gordly, Hannon, Harper, Messerle, Minnis, Morrisette, Morse, Nelson, Ringo, Schrader, Shields, Starr, B., Starr, C., Walker, Winters, President Courtney. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Steve Hopkins of Calvary Chapel, Salem.

SB 242, 610, 854 -- Message from the Governor announcing he signed on July 22.

SB 5516, 5533; 108, 190 -- Message from the House announcing the Speaker signed on July 22.

Committee Report Summary No. 135 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

SB 516 C-Eng. -- Report by Conference Committee signed by Senators Atkinson, Metsger and Representatives Ackerman, Garrard, Richardson recommending that the Senate concur in House amendments dated May 9 and May 27 and that the C-engrossed bill be further amended and repassed.

SB 63 -- Report by Committee on Ways and Means recommending passage of the A-engrossed bill.

SB 906 -- Report by Committee on Rules recommending passage with amendments and requesting subsequent referral to Committee on Ways and Means be rescinded. Subsequent referral rescinded by order of the President in agreement with President Pro Tempore.

SB 914 -- Report by Committee on Rules recommending passage.

SB 916 -- Report by Committee on Rules recommending passage.

HB 2167 -- Report by Committee on Ways and Means recommending passage with amendments to the A-engrossed bill.

HB 2898 -- Report by Committee on Ways and Means recommending passage with amendments to the A-engrossed bill.

SB 155 A-Eng. -- Fisher moved that the Senate concur in House amendments and repass bill. On concurrence and repassage the vote was: Ayes, 29; excused, 1 – Shields. Bill repassed.

Senate at ease. Senate reassembled.

SB 232 -- Senate refused to concur in House amendments by voice vote on motion of Deckert.

SB 63, 911, 912, 914, 916 -- Read second time and passed to third reading.

HB 2194 -- Read third time. Carried by Messerle. On passage of bill the vote was: Ayes, 27; excused, 1 – Shields; attending legislative business, 2 – Atkinson, Starr, B. Bill passed.

HB 2259 -- Read third time. Carried by Dukes. On passage of bill the vote was: Ayes, 25; nays, 2 – Hannon, Minnis; excused, 1 – Shields; attending legislative business, 2 – Atkinson, Starr, B. Bill passed.

HB 2260 A-Eng. -- Read third time. Carried by Messerle. On passage of bill the vote was: Ayes, 25; nays, 2 – George, Hannon; excused, 1 – Shields; attending legislative business, 2 – Atkinson, Starr, B. Bill passed.

HB 3154 A-Eng. -- Read third time. Carried by Corcoran. On passage of bill the vote was: Ayes, 19; nays, 8 – Dukes, Ferrioli, Hannon, Metsger, Minnis, Morrisette, Morse, Ringo; excused, 1 – Shields; attending legislative business, 2 – Atkinson, Starr, B. Bill passed.

HB 3629 -- Read third time. Carried by Gordly. On passage of bill the vote was: Ayes, 29; excused, 1 – Shields. Bill passed.

HB 3631 B-Eng. -- Read third time. Carried by Ringo. Call of the Senate demanded by Beyer joined by Gordly and Atkinson. All present except Shields, excused. On passage of bill the vote was: Ayes, 20; nays, 9 – Brown, Burdick, Devlin, Dukes, Gordly, Metsger, Morrisette, Walker, President Courtney; excused, 1 – Shields. Bill passed.

HB 5004 A-Eng. -- Read third time. Carried by Winters. On passage of bill the vote was: Ayes, 27; nays, 1 – Hannon; excused, 1 – Shields; attending legislative business, 1 – Nelson. Bill passed.

The following measures were referred to committee on July 22 and recorded on Committee Referral List No. 72 which was distributed to members. Referral list recorded in the Journal and Status Report by order of the President.

SB 936 Rules
 HB 2172 Ways and Means
 HB 2179 Ways and Means
 HB 2399 Revenue
 HB 3322 Ways and Means
 HB 3646 Rules

Senate adjourned until 10:45 a.m. Thursday by unanimous consent at the request of the Chair.

Thursday, July 24, 2003 -- Morning Session

Senate convened at 10:45 a.m. President Pro Tempore Hannon in Chair. The following members were present: Beyer, Brown, Burdick, Carter,

Corcoran, Deckert, Dukes, Ferrioli, Fisher, George, Gordly, Harper, Metsger, Minnis, Morrisette, Morse, Nelson, Ringo, Shields, Starr, B., Starr, C., Walker, Winters, President Courtney; excused -- Atkinson, Devlin; attending legislative business -- Clarno, Messerle, Schrader. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Senator Bruce Starr, Aloha.

The following messages from the Governor were read and referred to the Committee on Rules.

July 23, 2003

TO THE HONORABLE PRESIDENT OF THE SENATE
OF THE 72nd LEGISLATIVE ASSEMBLY

ORS 778.215 provides that the Governor shall appoint the members of the Board of Commissioners of the Port of Portland, subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I appoint Steve Corey of Pendleton to the Board of Commissioners of the Port of Portland for an unexpired four-year term, as provided by statute, beginning August 1, 2003 and ending on March 31, 2005, effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,
Ted Kulongoski
Governor

July 23, 2003

TO THE HONORABLE PRESIDENT OF THE SENATE
OF THE 72nd LEGISLATIVE ASSEMBLY

ORS 778.215 provides that the Governor shall appoint the members of the Board of Commissioners of the Port of Portland, subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I appoint Thomas Imeson of Portland to the Board of Commissioners of the Port of Portland for a four-year term, as provided by statute, beginning August 1, 2003, and ending on July 31, 2007, effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,
Ted Kulongoski
Governor

July 23, 2003

TO THE HONORABLE PRESIDENT OF THE SENATE
OF THE 72nd LEGISLATIVE ASSEMBLY

ORS 778.215 provides that the Governor shall appoint the members of the Board of Commissioners of the Port of Portland, subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I reappoint Jay Waldron of Portland to the Board of Commissioners of the Port of Portland for a four-year term, as provided by statute, beginning March 20, 2003, and ending on March 19, 2007, effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,
Ted Kulongoski
Governor

HB 5045, 5046, 5049, 5078 -- Message from the House announcing passage.

HB 2041 -- Message from the House announcing concurrence in Senate amendments and repassage.

HB 2865 -- Message from the House announcing Conference Committee Report adopted and bill repassed.

HB 2221 -- Message from the House announcing Conference Committee Report failed. Conference Committee No. 2 conferees to be appointed.

Committee Report Summary No. 136 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

HB 2368 -- Report by Committee on Judiciary recommending passage with amendments to the B-engrossed bill.

In accordance with SR 2.05, Metsger moved that the proposed amendment to Senate Rule 3.05, (3) and (4), to the Rules of the Senate for the Seventy-second Legislative Assembly, be adopted. Corcoran moved that the motion to adopt the proposed amendments be laid on the table. Motion carried by voice vote.

SB 267 -- Conference Committee report adopted and bill repassed on motion of Minnis. The vote was: Ayes, 24; excused, 2 -- Atkinson, Devlin; attending legislative business, 4 -- Clarno, Messerle, Ringo, Schrader. Bill repassed.

SB 911 -- Taken from its place on today's third reading calendar and rereferred to Committee on Rules by voice vote on motion of Corcoran.

SB 937 -- Introduced, read first time and referred to President's desk.

SB 906 -- Read second time and passed to third reading.

SB 63 A-Eng. -- Read third time. Carried by Morse. On passage of bill the vote was: Ayes, 24; excused, 2 -- Atkinson, Devlin; attending legislative business, 4 -- Clarno, Messerle, Ringo, Schrader. Bill passed.

SB 912 A-Eng. -- Read third time. Carried by Burdick. On passage of bill the vote was: Ayes, 20; nays, 3 -- Dukes, Hannon, Shields; excused, 2 -- Atkinson, Devlin; attending legislative business, 5 -- Carter, Clarno, Messerle, Ringo, Schrader. Bill passed.

SB 914 -- Read third time. Carried by Corcoran. On passage of bill the vote was: Ayes, 24; excused, 2 -- Atkinson, Devlin; attending legislative business, 4 -- Clarno, Messerle, Ringo, Schrader. Bill passed.

SB 916 -- Read third time. Carried by Morse. On passage of bill the vote was: Ayes, 24; excused, 2 --

Atkinson, Devlin; attending legislative business, 4 – Clarno, Messerle, Ringo, Schrader. Bill passed.

HB 5045, 5046, 5049, 5078 -- Read first time and referred to President's desk.

HB 2167, 2898 -- Read second time and passed to third reading.

Parliamentary inquiry by Burdick requesting clarification of the rules regarding voice vote and roll call vote. The Chair cited SR 3.15 (2) "Upon demand of two members, a roll call shall be taken and recorded on any question" and SR 3.15 (3) "If the presiding officer is in doubt on any motion considered on voice vote, the presiding officer shall order a roll call vote."

SB 232 -- Deckert, Ferrioli appointed Senate conferees.

SB 820 -- Ferrioli, Ringo appointed Senate conferees.

Senate adjourned until 10:45 a.m. Friday by unanimous consent at the request of the Chair.

Friday, July 25, 2003 -- Morning Session

Senate convened at 10:45 a.m. President Courtney in Chair. The following members were present: Brown, Burdick, Carter, Clarno, Corcoran, Deckert, Devlin, Dukes, Fisher, George, Gordly, Hannon, Harper, Messerle, Metsger, Minnis, Morrisette, Morse, Nelson, Ringo, Schrader, Shields, Starr, B., Starr, C., Walker, Winters; excused -- Atkinson, Beyer; attending legislative business -- Ferrioli. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Pastor Michael Harrington of the Calvary Chapel, Salem.

HB 2248, 3597 -- Message from the House announcing passage.

HJM 10 -- Message from the House announcing adoption.

SB 297, 342 -- Message from the House announcing passage as amended by the House.

HB 2095 -- Message from the House announcing concurrence in Senate amendments and repassage.

SB 272 -- Message from the House announcing Close, Smith, T., Monnes Anderson appointed House conferees.

HB 2378 -- Message from the House announcing Doyle, Flores, Verger appointed House conferees.

Committee Report Summary No. 137 listing the following reports was distributed to members today.

Summary list recorded in Journal and Status Report by order of the President.

SJR 14 -- Report by Committee on Ways and Means recommending adoption.

SB 5530 -- Report by Committee on Ways and Means recommending passage with amendments.

SB 196 -- Report by Committee on Ways and Means recommending passage with amendments to the A-engrossed bill.

SB 468 -- Report by Committee on Ways and Means recommending passage with amendments to the A-engrossed bill.

SB 597 -- Report by Committee on Ways and Means recommending passage with amendments to the A-engrossed bill.

HB 3187 -- Report by Committee on Ways and Means recommending passage of the A-engrossed bill.

Report by Committee on Rules recommending that the Governor's appointment of Lynn Hampton and reappointment of Deirdre Malarkey to the Environmental Quality Commission be confirmed en bloc.

SB 516 C-Eng.* -- Conference Committee report adopted and bill repassed on motion of Metsger. The vote was: Ayes, 26; absent, 1 – Schrader; excused, 2 – Atkinson, Beyer; attending legislative business, 1 – Ferrioli. Bill repassed.

HB 2865 B-Eng.* -- Conference Committee report adopted and bill repassed on motion of Burdick. The vote was: Ayes, 23; nays, 3 – Carter, Devlin, Hannon; absent, 1 – Schrader; excused, 2 – Atkinson, Beyer; attending legislative business, 1 – Ferrioli. Bill repassed.

SJR 14 -- Read second time and passed to third reading.

SB 906 A-Eng. -- Read third time. Carried by Nelson. On passage of bill the vote was: Ayes, 25; nays, 1 – Hannon; absent, 1 – Schrader; excused, 2 – Atkinson, Beyer; attending legislative business, 1 – Ferrioli. Bill passed.

HJM 10; HB 2248, 3597 -- Read first time and referred to President's desk.

HB 2368, 3187 -- Read second time and passed to third reading.

HB 2167 C-Eng. -- Read third time. Carried by Morse. On passage of bill the vote was: Ayes, 25; nays, 1 – Hannon; excused, 3 – Atkinson, Beyer, Schrader; attending legislative business, 1 – Ferrioli. Bill passed.

HB 2898 B-Eng. -- Read third time. Carried by Messerle. On passage of bill the vote was: Ayes, 25; nays, 1 – Hannon; excused, 3 – Atkinson, Beyer, Schrader; attending legislative business, 1 – Ferrioli. Bill passed.

President Courtney announced the following committee assignments effective July 25.

SPECIAL COMMITTEE ON BUDGET

Senator Kurt Schrader, Chair
 Senator Steve Harper, Vice-Chair
 Senator Margaret Carter
 Senator Richard Devlin
 Senator Joan Dukes
 Senator Gary George
 Senator Avel Gordly
 Senator Ken Messerle
 Senator Frank Morse
 Senator Jackie Winters

President Courtney announced the following committee assignments effective July 28.

SENATE COMMITTEE ON RULES

Senator Roger Beyer, Co-Chair
 Senator Kate Brown, Co-Chair
 Senator Jason Atkinson, Vice-Chair
 Senator Ginny Burdick, Vice-Chair
 Senator Beverly Clarno
 Senator Tony Corcoran

The following measures were referred to committee on July 24 and recorded on Committee Referral List No. 73 which was distributed to members. Referral list recorded in the Journal and Status Report by order of the President.

Board of Commissioners of the Port of Portland (ORS 778.215)

Steve Corey	Rules
Thomas Imeson	Rules
Jay Waldron (r)	Rules

SB 272 -- Starr, C., Morrisette appointed Senate conferees.

SB 5506, 5514; 609, 613; HB 5048, 5051, 5058; 2041, 2056 -- President Courtney signed on July 25.

Senate adjourned until 10:45 a.m. Monday by unanimous consent at the request of the Chair.

Monday, July 28, 2003 -- Morning Session

Senate convened at 10:45 a.m. President Pro Tempore Hannon in Chair. The following members were present: Atkinson, Beyer, Brown, Burdick, Carter, Clarno, Corcoran, Deckert, Devlin, Ferrioli, Fisher, George, Gordly, Harper, Messerle, Metsger, Minnis, Morrisette, Morse, Ringo, Schrader, Shields,

Starr, B., Starr, C., Winters, President Courtney; excused -- Nelson, Walker; attending legislative business -- Dukes. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Senator Jackie Winters, Salem.

HB 5077 -- Message from the House announcing passage.

HB 3020 -- Message from the House announcing Conference Committee Report adopted and bill repassed.

HB 5048, 5057, 5058; 2041, 2156 -- Message from the House announcing Speaker signed on July 25.

Committee Report Summary No. 138 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

SB 922 -- Report by Committee on Rules recommending passage.

HB 2172 -- Report by Committee on Ways and Means recommending passage.

HB 2179 -- Report by Committee on Ways and Means recommending passage of the A-grossed bill.

HB 3322 -- Report by Committee on Ways and Means recommending passage.

HB 3645 -- Report by Committee on Rules recommending passage.

HB 3020 B-Eng.* -- Conference Committee report adopted and bill repassed on motion of Corcoran. The vote was: Ayes, 27; excused, 2 – Nelson, Walker; attending legislative business, 1 – Dukes. Bill repassed.

Corcoran moved that the Senate confirm en bloc the Governor's appointment of Lynn Hampton and reappointment of Deirdre Malarkey to the Environmental Quality Commission. On confirmation the vote was: Ayes, 28; excused, 1 – Nelson; attending legislative business, 1 – Dukes. Confirmed en bloc.

SB 5530; 196, 468, 597, 922 -- Read second time and passed to third reading.

SJR 14 -- Read final time. Carried by Carter. On adoption of resolution, the vote was: Ayes, 28; excused, 1 – Nelson; attending legislative business, 1 – Dukes. Resolution adopted.

HB 5077 -- Read first time and referred to President's desk.

HB 2172, 2179, 3322, 3645 -- Read second time and passed to third reading.

HB 2368 C-Eng. -- Read third time. Carried by Ringo. On passage of bill the vote was: Ayes, 26; nays, 2 – Hannon, Morrisette; excused, 1 – Nelson; attending legislative business, 1 – Dukes. Bill passed.

HB 3187 A-Eng. -- Read third time. Carried by Carter. On passage of bill the vote was: Ayes, 28; excused, 1 – Nelson; attending legislative business, 1 – Dukes. Bill passed.

The following measures were referred to committee on July 25 and recorded on Committee Referral List No. 74 which was distributed to members. Referral list recorded in the Journal and Status Report by order of the President.

HJM 10 Rules

HB 5045 Ways and Means

HB 5046 Ways and Means

HB 5049 Ways and Means

HB 5078 Budget

HB 2248 Ways and Means

HB 5004 -- President Courtney signed on July 28.

Senate adjourned until 10:45 a.m. Tuesday by unanimous consent at the request of the Chair.

Tuesday, July 29, 2003 -- Morning Session

Senate convened at 10:45 a.m. President Courtney in Chair. The following members were present: Atkinson, Beyer, Brown, Burdick, Carter, Clarno, Corcoran, Deckert, Devlin, Dukes, Ferrioli, Fisher, George, Gordly, Hannon, Harper, Messerle, Metsger, Minnis, Morrisette, Morse, Nelson, Ringo, Schrader, Shields, Starr, B., Starr, C., Walker, Winters. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Pastor Greg Allen of the Bethany Bible Church, Portland.

SB 59, 108, 291, 708 -- Message from the Governor announcing he signed on July 28.

HB 5029, 5031; 2160, 2301, 3044, 3201, 3648 -- Message from the House announcing passage.

HB 2230 -- Message from the House announcing passage as amended by the House.

HB 2299 -- Message from the House announcing Conference Committee Report adopted and bill repassed.

SB 232 -- Message from the House announcing Shetterly, Verger, Williams appointed House conferees.

SB 820 -- Message from the House announcing Jenson, Dingfelder, Westlund appointed House conferees.

SB 5506, 5514; 609, 613 -- Message from the House announcing Speaker signed on July 25.

HB 5004 -- Message from the House announcing Speaker signed July 28.

Committee Report Summary No. 139 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

SB 5502 -- Report by Committee on Ways and Means recommending passage with amendments.

SB 5550 -- Report by Committee on Ways and Means recommending passage with amendments.

HB 5078 -- Report by Committee on Budget recommending passage of the A-engrossed bill.

SB 938 -- Introduced, read first time and referred to President's desk.

SB 5530 A-Eng. -- Read third time. Carried by Winters. Call of the Senate demanded by Winters joined by Minnis and Beyer. All present except Carter, absent. Pending arrival of members subject to the Call, Senate at ease. All members subject to the Call present. Senate reassembled. On passage of bill the vote was: Ayes, 23; nays, 7 – Brown, Carter, Fisher, George, Hannon, Shields, Walker. Bill passed.

SB 196 B-Eng. -- Read third time. Carried by Messerle. On passage of bill the vote was: Ayes, 28; nays, 2 – George, Hannon. Bill passed.

SB 468 B-Eng. -- Read third time. Carried by Carter. On passage of bill the vote was: Ayes, 30. Bill passed.

SB 597 B-Eng. -- Read third time. Carried by Dukes. On passage of bill the vote was: Ayes, 21; nays, 8 – Atkinson, Ferrioli, Fisher, George, Hannon, Nelson, Ringo, Starr, B.; attending legislative business, 1 – Schrader. Bill passed.

SB 922 -- Read third time. Carried by Clarno. On passage of bill the vote was: Ayes, 29; attending legislative business, 1 – Schrader. Bill passed.

HB 5029, 5031; 2160, 2301, 3044, 3201, 3648 -- Read first time and referred to President's desk.

HB 5078 -- Read second time and passed to third reading.

HB 2172 -- Read third time. Carried by Devlin. On passage of bill the vote was: Ayes, 29; attending legislative business, 1 – Schrader. Bill passed.

HB 2179 A-Eng. -- Read third time. Carried by Messerle. On passage of bill the vote was: Ayes, 28;

nays, 1 – Hannon; attending legislative business, 1 – Schrader. Bill passed.

HB 3322 -- Read third time. Carried by George. Taken from its place on today's third reading calendar and placed on July 30 calendar by voice vote on motion of George.

HB 3645 -- Read third time. Carried by Clarno. On passage of bill the vote was: Ayes, 29; attending legislative business, 1 – Schrader. Bill passed.

The following measures were referred to committee on July 28 and recorded on Committee Referral List No. 75 which was distributed to members. Referral list recorded in the Journal and Status Report by order of the President.

SB 937 Judiciary
HB 5077 Budget

President Courtney announced the following committee assignments effective July 29.

SENATE REVENUE COMMITTEE

Senator Rick Metsger
Senator David Nelson

HB 2221 -- Minnis, Burdick appointed Senate conferees No. 2.

SB 155; HB 3020, 3154 -- President Courtney signed on July 29.

Senate adjourned until 10:45 a.m. Wednesday by unanimous consent at the request of the Chair.

Wednesday, July 30, 2003 -- Morning Session

Senate convened at 10:45 a.m. President Pro Tempore Hannon in Chair. The following members were present: Atkinson, Beyer, Brown, Burdick, Carter, Clarno, Corcoran, Deckert, Devlin, Dukes, Ferrioli, Fisher, George, Gordly, Harper, Messerle, Metsger, Minnis, Morrisette, Morse, Nelson, Ringo, Schrader, Shields, Starr, B., Starr, C., Walker, Winters, President Courtney. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Senator Kate Brown, Portland.

SB 5516, 5533; 190 -- Message from the Governor announcing he signed on July 29.

SB 267, 516 -- Message from the House announcing Conference Committee Report adopted and bill repassed.

HB 2167, 2898 -- Message from the House announcing concurrence in Senate amendments and repassage.

HB 3020, 3154 -- Message from the House announcing Speaker signed on July 29.

Committee Report Summary No. 140 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

SB 917 -- Report by Committee on Rules recommending passage with amendments.

SB 924 -- Report by Committee on Rules recommending passage.

HB 5045 -- Report by Committee on Ways and Means recommending passage of the A-engrossed bill.

HB 5046 -- Report by Committee on Ways and Means recommending passage of the A-engrossed bill.

HB 5049 -- Report by Committee on Ways and Means recommending passage of the A-engrossed bill.

HB 2248 -- Report by Committee on Ways and Means recommending passage of the B-engrossed bill.

HB 2318 -- Report by Committee on Judiciary recommending passage with amendments to resolve conflicts.

HB 2379 -- Report by Committee on Revenue recommending passage with amendments to the B-engrossed bill.

HB 2399 -- Report by Committee on Revenue recommending passage of the A-engrossed bill.

Report by Committee on Rules recommending that the Governor's appointment of Peggy Ross as the Director of Affirmative Action be confirmed.

Report by Committee on Rules recommending that the Governor's appointments of Michael James and Robert Pope to the Oregon Disabilities Commission be confirmed en bloc.

Report by Committee on Rules recommending that the Governor's reappointment of Vera Simonton to the Governing Board of the Department of Geology and Mineral Industries be confirmed.

Report by Committee on Rules recommending that the Governor's appointment of Henry Lorenzen to the State Board of Higher Education be confirmed.

HB 2299 -- Conference Committee report adopted and bill repassed on motion of Deckert. The vote was: Ayes, 25; nays, 2 – Hannon, Shields; absent, 1 – Ferrioli; excused, 1 – George; attending legislative business, 1 – Dukes. Bill repassed.

SB 5502 5550; 924 -- Read second time and passed to third reading.

HB 5045, 5046, 5049; 2248, 2399 -- Read second time and passed to third reading.

HB 3322 -- Bill read. Carried by Beyer. Rereferred to Committee on Ways and Means by voice vote on motion of Beyer.

HB 5078 A-Eng. -- Read third time. Carried by Schrader. On passage of bill the vote was: Ayes, 27; nays, 1 – Hannon; excused, 1 – George; attending legislative business, 1 – Dukes. Bill passed.

HB 5078 -- President Courtney signed on July 30.

Senate adjourned until 10:45 a.m. Thursday by unanimous consent at the request of the Chair.

Thursday, July 31, 2003 -- Morning Session

Senate convened at 10:45 a.m. President Courtney in Chair. The following members were present: Atkinson, Beyer, Brown, Burdick, Carter, Clarno, Corcoran, Deckert, Devlin, Dukes, Ferrioli, Fisher, George, Gordly, Hannon, Harper, Messerle, Metsger, Minnis, Morrisette, Morse, Nelson, Ringo, Schrader, Shields, Starr, B., Starr, C., Walker, Winters. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Pastor Doug Snow of the Calvary Chapel, Milwaukie.

HB 5061; 2189, 2195, 2349, 2899, 3023, 3276, 3620, 3628, -- Message from the House announcing passage.

HB 2368 -- Message from the House announcing refusal to concur in Senate amendments.

SB 155; HB 5078 -- Message from the House announcing Speaker signed on July 30.

Committee Report Summary No. 141 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

SB 437 -- Report by Committee on Ways and Means recommending passage with amendments to the A-engrossed bill.

SB 800 -- Report by Committee on Ways and Means recommending passage with amendments to the A-engrossed bill.

SB 911 -- Report by Committee on Rules recommending passage with amendments to the A-engrossed bill.

SB 926 -- Report by Committee on Rules recommending passage with amendments.

SB 931 -- Report by Committee on Rules recommending passage with amendments. Referred to Committee on Ways and Means by prior reference.

SB 932 -- Report by Committee on Rules recommending passage.

Rules suspended by unanimous consent in order that the Senate may take en bloc action on the confirmation of the following appointments on motion of Clarno.

Director of Affirmative Action

Peggy Ross

Oregon Disabilities Commission

Michael James
Robert Pope

Governing Board of the Department of Geology and Mineral Industries

Vera Simonton (r)

State Board of Higher Education

Henry Lorenzen

Under rules suspension, Clarno moved that the Senate confirm en bloc the Governor's appointments as listed in the motion to suspend the rules. On confirmation the vote was: Ayes, 29; absent, 1 – Minnis. Confirmed en bloc.

SB 917, 932 -- Read second time and passed to third reading.

SB 5502 A-Eng. -- Read third time. Carried by Messerle. Beyer declared potential conflict of interest. On passage of bill the vote was: Ayes, 24; nays, 4 – Atkinson, Hannon, Nelson, Shields; absent, 1 – Minnis; attending legislative business, 1 – Clarno. Bill passed.

SB 5550; 924 -- Carried over to August 1 calendar by unanimous consent at the request of the Chair.

HB 5061; 2189, 2195, 2349, 2899, 3023, 3276, 3620, 3628 -- Read first time and referred to President's desk.

HB 2318, 2379 -- Read second time and passed to third reading.

HB 5045, 5046, 5049; 2248, 2399 -- Carried over to August 1 calendar by unanimous consent at the request of the Chair.

President Courtney announced that the Senate is in receipt of a copy of the following letter and ordered that it be placed in the Journal:

July 22,

The Honorable Bill Bradbury
Secretary of State

136 State Capitol Building
Salem, OR

Secretary Bradbury,

This letter is formal notification of my resignation from my State Senate seat, district 27, effective August 1, 2003.

I have accepted a Bush Administration appointment as the Department of Health and Human Services', Region X Representative in Seattle.

Sincerely,

Beverly Clarno
Senate Republican Leader

President Courtney announced the following committee assignment effective July 31.

SENATE COMMITTEE ON RULES

Senator Bill Fisher

Senate adjourned until 10:45 a.m. Friday by unanimous consent at the request of the Chair.

Friday, August 1, 2003 -- Morning Session

Senate convened at 10:45 a.m. President Courtney in Chair. The following members were present: Atkinson, Beyer, Brown, Burdick, Corcoran, Deckert, Devlin, Ferrioli, Fisher, George, Gordly, Hannon, Harper, Metsger, Minnis, Morrisette, Morse, Nelson, Ringo, Shields, Starr, B., Starr, C., Walker, Winters; excused -- Carter; attending legislative business -- Dukes, Messerle, Schrader. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Senator Charles Starr, Hillsboro. (Metsger in Chair)

SB 5512, 5525; 63; HB 5060; 3651 -- Message from the House announcing passage.

HB 2095, 2194, 2259, 2260, 2865, 3629 -- Message from the House announcing Speaker signed on August 1.

HCR 13 -- Message from the House announcing adoption.

Committee Report Summary No. 142 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

HB 2594 A-Eng. -- Report by Conference Committee, signed by Senators Minnis, Walker and Representatives Ackerman, Krummel, Williams, recommending the House concur in Senate amendments dated June 23 and that the bill be further amended and repassed.

SB 913 -- Report by Committee on Rules recommending passage with amendments and requesting subsequent referral to Committee on Ways and Means be rescinded. Subsequent referral

rescinded by order of the President in agreement with the President Pro Tempore.

SB 5550 -- Taken from its place on today's third reading calendar and placed on August 4 calendar by voice vote on motion of Harper.

SB 939 -- Introduced, read first time and referred to President's desk.

SB 437, 800, 926 -- Read second time and passed to third reading.

SB 924 -- Read third time. Carried by Corcoran. On passage of bill the vote was: Ayes, 24; ; excused, 2 -- Carter, Shields; attending legislative business, 3 -- Dukes, Schrader, President Courtney. Bill passed.

SB 917 -- Read third time. Carried by Brown. Taken from its place on today's third reading calendar and placed on August 4 calendar by voice vote on motion of Brown.

SB 932 -- Read third time. Carried by Beyer. On passage of bill the vote was: Ayes, 24; excused, 2 -- Carter, Shields; attending legislative business, 3 -- Dukes, Schrader, President Courtney. Bill passed.

HCR 13; HB 5060; 3651 -- Read first time and referred to President's desk.

HB 2379 -- Read third time. Carried by Deckert. Taken from its place on today's third reading calendar and placed on August 4 calendar by voice vote on motion of Deckert.

HB 5045 A-Eng. -- Read third time. Carried by Devlin. On passage of bill the vote was: Ayes, 24; nays, 1 -- Hannon; excused, 2 -- Carter, Shields; attending legislative business, 2 -- Dukes, Schrader. Bill passed.

HB 5046 A-Eng. -- Read third time. Carried by Devlin. On passage of bill the vote was: Ayes, 24; nays, 1 -- Hannon; excused, 2 -- Carter, Shields; attending legislative business, 2 -- Dukes, Schrader. Bill passed.

HB 5049 A-Eng. -- Read third time. Carried by Devlin. On passage of bill the vote was: Ayes, 21; nays, 4 -- Brown, Gordly, Hannon, Metsger; excused, 2 -- Carter, Shields; attending legislative business, 2 -- Dukes, Schrader. Bill passed.

HB 2248 B-Eng. -- Read third time. Carried by Devlin. On passage of bill the vote was: Ayes, 25; excused, 2 -- Carter, Shields; attending legislative business, 2 -- Dukes, Schrader. Bill passed.

HB 2399 A-Eng. -- Read third time. Carried by Hannon. On passage of bill the vote was: Ayes, 25; excused, 2 -- Carter, Shields; attending legislative business, 2 -- Dukes, Schrader. Bill passed.

HB 2318 -- Read third time. Carried by Minnis. Rereferred to Committee on Judiciary by voice vote on motion of Minnis.

The following measures were referred to committee on July 31 and recorded on Committee Referral List No. 76 which was distributed to members. Referral list recorded in the Journal and Status Report by order of the President.

SB 938 Rules
 HB 5029 Ways and Means
 HB 5031 Ways and Means
 HB 5061 Ways and Means
 HB 2160 Ways and Means
 HB 2189 Ways and Means
 HB 2301 Ways and Means
 HB 2349 Ways and Means
 HB 3044 Ways and Means
 HB 3201 Ways and Means
 HB 3597 Rules
 HB 3620 Ways and Means
 HB 3628 Ways and Means

Senate adjourned until 10:45 a.m. Monday by unanimous consent at the request of the Chair.

Monday, August 4, 2003 -- Morning Session

Senate convened at 10:45 a.m. President Pro Tempore Hannon in Chair. The following members were present: Atkinson, Beyer, Brown, Burdick, Corcoran, Deckert, Devlin, Dukes, Ferrioli, Fisher, George, Gordly, Harper, Messerle, Metsger, Minnis, Morrisette, Morse, Nelson, Ringo, Shields, Starr, B., Starr, C., Walker, Winters; attending legislative business -- Carter, Schrader, President Courtney. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Senator Frank Morse, Corvallis.

Committee Report Summary No. 143 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

SB 5551 -- Report by Committee on Ways and Means recommending passage with amendments.

SB 929 -- Report by Committee on Rules recommending passage with amendments.

SB 940, 941 -- Introduced, read first time and referred to President's desk.

SB 913 -- Read second time and passed to third reading.

SB 5550 A-Eng. -- Read third time. Carried by Dukes. On passage of bill the vote was: Ayes, 27; absent, 1 -- Ringo; attending legislative business, 1 -- Carter. Bill passed.

SB 437 B-Eng. -- Read third time. Carried by Gordly. On passage of bill the vote was: Ayes, 27; absent, 1 -- Ringo; attending legislative business, 1 -- Carter. Bill passed.

SB 800 B-Eng. -- Read third time. Carried by Gordly. On passage of bill the vote was: Ayes, 27; absent, 1 -- Ringo; attending legislative business, 1 -- Carter. Bill passed.

SB 911 -- Read third time. Carried by Brown. Taken from its place on today's third reading calendar and placed on August 8 calendar by voice vote on motion of Brown.

SB 917 -- Bill read. Carried by Beyer. Rereferred to Committee on Rules by voice vote on motion of Beyer.

SB 926 A-Eng. -- Read third time. Carried by Atkinson. On passage of bill the vote was: Ayes, 25; absent, 1 -- Ringo; attending legislative business, 3 -- Carter, Schrader, President Courtney. Bill passed.

HB 2379 C-Eng. -- Bill read. Carried by Deckert. On passage of bill the vote was: Ayes, 23; nays, 1 -- Morrisette; absent, 1 -- Ringo; attending legislative business, 4 -- Carter, Harper, Schrader, President Courtney. Bill passed.

Senate adjourned until 10:45 a.m. Tuesday by unanimous consent at the request of the Chair.

Tuesday, August 5, 2003 -- Morning Session

Senate convened at 10:45 a.m. President Courtney in Chair. The following members were present: Atkinson, Beyer, Brown, Burdick, Corcoran, Deckert, Devlin, Ferrioli, Fisher, George, Gordly, Hannon, Harper, Messerle, Metsger, Minnis, Morrisette, Morse, Nelson, Shields, Starr, C., Walker, Winters, absent -- Ringo; excused -- Carter, Dukes, Starr, B.; attending legislative business -- Schrader. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Senator Bill Fisher, Roseburg.

SB 5506, 5514; 155, 613 -- Message from the Governor announcing he signed on August 4.

HB 5018, 5022, 5030, 5034, 5066; 3108, 3534 -- Message from the House announcing passage.

HB 2167, 2172, 2230, 2898, 3187, 3645 -- Message from the House announcing Speaker signed August 4.

Committee Report Summary No. 144 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

SB 820 D-Eng. -- Report by Conference Committee, signed by Senators Ferrioli, Ringo and

Representatives Dingfelder, Jenson, Westlund, recommending that the Senate concur in House amendments dated May 20, July 1, July 11 and that the D-engrossed bill be further amended and repassed.

SB 5501 -- Report by Committee on Ways and Means recommending passage with amendments.

SB 5527 -- Report by Committee on Ways and Means recommending passage with amendments.

SB 139 -- Report by Committee on Rules recommending passage with amendments. Referred to Committee on Ways and Means by prior reference.

SB 933 -- Report by Committee on Rules recommending passage.

SB 934 -- Report by Committee on Rules recommending passage.

HB 5029 -- Report by Committee on Ways and Means recommending passage of the A-engrossed bill.

HB 5031 -- Report by Committee on Ways and Means recommending passage of the A-engrossed bill.

HB 2160 -- Report by Committee on Ways and Means recommending passage of the A-engrossed bill.

HB 2189 -- Report by Committee on Ways and Means recommending passage of the B-engrossed bill.

HB 2301 -- Report by Committee on Ways and Means recommending passage of the A-engrossed bill.

HB 2349 -- Report by Committee on Ways and Means recommending passage of the B-engrossed bill.

HB 2537 -- Report by Committee on Rules recommending passage with amendments.

HB 2614 -- Report by Committee on Rules recommending passage with amendments to the A-engrossed bill.

HB 3044 -- Report by Committee on Ways and Means recommending passage of the B-engrossed bill.

HB 3201 -- Report by Committee on Ways and Means recommending passage of the A-engrossed bill.

HB 3620 -- Report by Committee on Ways and Means recommending passage of the B-engrossed bill.

HB 3628 -- Report by Committee on Ways and Means recommending passage of the A-engrossed bill.

SB 5551; 929, 933, 934 -- Read second time and passed to third reading.

SB 913 A-Eng. -- Read third time. Carried by Brown. On passage of bill the vote was: Ayes, 22;

absent, 1 – Ringo; excused, 3 – Carter, Dukes, Starr, B.; attending legislative business, 3 – Deckert, Harper, Schrader. Bill passed.

HB 5018, 5022, 5030, 5034, 5066; 3108, 3534 -- Read first time and referred to President's desk.

HB 5029, 5031; 2160, 2189, 2301, 2349, 3044, 3201, 3620, 3628 -- Read second time and passed to third reading.

The following measures were referred to committee on August 4 and recorded on Committee Referral List No. 77 which was distributed to members. Referral list recorded in the Journal and Status Report by order of the President.

SB 939 Rules

SB 940 Judiciary

SB 941 Rules

HCR 13 Rules

HB 5060 Ways and Means

HB 2195 Ways and Means

HB 2899 Rules

HB 3023 Rules

HB 3276 Ways and Means

HB 3648 Rules

SB 5512, 5525; 63, 267, 516; HB 2095, 2167, 2172, 2179, 2194, 2230, 2259, 2260, 2299, 2865, 2898, 3187, 3629, 3645 -- President Courtney signed on August 5.

Senate adjourned until 10:45 a.m. Wednesday by unanimous consent at the request of the Chair.

Wednesday, August 6, 2003 -- Morning Session

Senate convened at 10:45 a.m. President Pro Tempore Hannon in Chair. The following members were present: Atkinson, Beyer, Brown, Burdick, Carter, Deckert, Devlin, Dukes, Ferrioli, Fisher, George, Gordly, Harper, Messerle, Metsger, Minnis, Morrisette, Morse, Nelson, Shields, Starr B., Starr C., Walker, Winters, President Courtney; absent -- Ringo; attending legislative business -- Corcoran, Schrader. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Reverend Ed Lykens of Church of the Nazarene, Prineville.

The following messages from the Governor were read and referred to the President's desk.

August 5, 2003

TO THE HONORABLE PRESIDENT OF THE SENATE

OF THE 72nd LEGISLATIVE ASSEMBLY

ORS 673.410 provides that the Governor shall appoint the members of the Oregon Board of Accountancy subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I appoint Anastasia Meisner of Lake Oswego to the Oregon Board of Accountancy for a three-year term, as provided by

statute, beginning September 1, 2003, and ending August 31, 2006, effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,
Ted Kulongoski
Governor

August 5, 2003

TO THE HONORABLE PRESIDENT OF THE SENATE
OF THE 72nd LEGISLATIVE ASSEMBLY

ORS 674.305 provides that the Governor shall appoint the members of the Appraiser Certification and Licensure Board subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I reappoint Terry Bernhardt of Portland to the Appraiser Certification and Licensure Board for a four-year term, as provided by statute, beginning July 1, 2003, and ending June 30, 2007, effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,
Ted Kulongoski
Governor

August 5, 2003

TO THE HONORABLE PRESIDENT OF THE SENATE
OF THE 72nd LEGISLATIVE ASSEMBLY

ORS 455.138 and 144 provides that the Governor shall appoint the members of the Electrical and Elevator Board subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I appoint Lowell Arno of Portland to the Electrical and Elevator Board for a four-year term, as provided by statute, beginning September 2, 2003, and ending June 30, 2007, effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,
Ted Kulongoski
Governor

August 5, 2003

TO THE HONORABLE PRESIDENT OF THE SENATE
OF THE 72nd LEGISLATIVE ASSEMBLY

ORS 455.138 and 144 provides that the Governor shall appoint the members of the Electrical and Elevator Board subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I reappoint Sara Medlock of Salem to the Electrical and Elevator Board for a four-year term, as provided by statute, beginning July 1, 2003, and ending June 30, 2007, effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,
Ted Kulongoski
Governor

August 5, 2003

TO THE HONORABLE PRESIDENT OF THE SENATE
OF THE 72nd LEGISLATIVE ASSEMBLY

ORS 455.138 and 144 provides that the Governor shall appoint the members of the Electrical and Elevator Board subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I appoint Bruce Sohr of Portland to the Electrical and Elevator Board for a four-year term, as provided by statute, beginning September 2, 2003, and ending June 30, 2007, effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,
Ted Kulongoski
Governor

August 5, 2003

TO THE HONORABLE PRESIDENT OF THE SENATE
OF THE 72nd LEGISLATIVE ASSEMBLY

ORS 461.100 provides that the Governor shall appoint the members of the Oregon State Lottery Commission subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I appoint Stan Robson of Sisters to the Oregon State Lottery Commission for an unexpired four-year term, as provided by statute, beginning September 2, 2003, and ending March 1, 2005, effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,
Ted Kulongoski
Governor

August 5, 2003

TO THE HONORABLE PRESIDENT OF THE SENATE
OF THE 72nd LEGISLATIVE ASSEMBLY

ORS 685.160 provides that the Governor shall appoint the members of the Board of Naturopathic Examiners subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I reappoint Gregory Garcia of Portland to the Board of Naturopathic Examiners for a three-year term, as provided by statute, beginning July 1, 2003, and ending June 30, 2006, effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,
Ted Kulongoski
Governor

August 5, 2003

TO THE HONORABLE PRESIDENT OF THE SENATE
OF THE 72nd LEGISLATIVE ASSEMBLY

ORS 685.160 provides that the Governor shall appoint the members of the Board of Naturopathic Examiners subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I appoint Rick Marinelli of Portland to the Board of Naturopathic Examiners for a three-year term, as provided by statute, beginning September 1, 2003, and ending June 30, 2006, effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,
Ted Kulongoski
Governor

August 5, 2003

TO THE HONORABLE PRESIDENT OF THE SENATE
OF THE 72nd LEGISLATIVE ASSEMBLY

ORS 685.160 provides that the Governor shall appoint the members of the Board of Naturopathic Examiners subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I reappoint Michael Reed of Milwaukie to the Board of Naturopathic Examiners for a three-year term, as provided by statute, beginning July 1, 2003, and ending June 30, 2006, effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,
Ted Kulongoski
Governor

August 5, 2003

TO THE HONORABLE PRESIDENT OF THE SENATE
OF THE 72nd LEGISLATIVE ASSEMBLY

ORS 678.800 provides that the Governor shall appoint the members of the Board of Examiners of Nursing Home Administrators subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I appoint George Gerding of Portland to the Board of Examiners of Nursing Home Administrators for three-year term, as provided by statute, beginning September 2, 2003, and ending June 30, 2006, effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,
Ted Kulongoski
Governor

August 5, 2003

TO THE HONORABLE PRESIDENT OF THE SENATE
OF THE 72nd LEGISLATIVE ASSEMBLY

ORS 161.385 provides that the Governor shall appoint the members of the Psychiatric Security Review Board subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I reappoint Cliff Johannsen of Lake Oswego to the Psychiatric Security Review Board for a four-year term, as provided by statute, beginning July 1, 2003, and ending June 30, 2007, effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,
Ted Kulongoski
Governor

August 5, 2003

TO THE HONORABLE PRESIDENT OF THE SENATE
OF THE 72nd LEGISLATIVE ASSEMBLY

ORS 675.100 provides that the Governor shall appoint the members of the State Board of Psychologist Examiners subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I appoint James Peterson of Portland to the State Board of Psychologist Examiners for a three-year term, as provided by statute, beginning September 2, 2003, and ending June 30, 2006, effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,
Ted Kulongoski
Governor

August 5, 2003

TO THE HONORABLE PRESIDENT OF THE SENATE
OF THE 72nd LEGISLATIVE ASSEMBLY

ORS 675.100 provides that the Governor shall appoint the members of the State Board of Psychologist Examiners subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I appoint Benson Schaeffer of Portland to the State Board of Psychologist Examiners for a three-year term, as provided by statute, beginning September 2, 2003, and ending June 30, 2006, effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,
Ted Kulongoski
Governor

August 5, 2003

TO THE HONORABLE PRESIDENT OF THE SENATE
OF THE 72nd LEGISLATIVE ASSEMBLY

ORS 675.100 provides that the Governor shall appoint the members of the State Board of Psychologist Examiners subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I appoint Terrel Templeman of Pendleton to the State Board of Psychologist Examiners for a three-year term, as provided by statute, beginning September 2, 2003, and ending June 30, 2006, effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,
Ted Kulongoski
Governor

August 5, 2003

TO THE HONORABLE PRESIDENT OF THE SENATE
OF THE 72nd LEGISLATIVE ASSEMBLY

ORS 675.100 provides that the Governor shall appoint the members of the State Board of Psychologist Examiners subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I appoint Maryann Yelnosky of Portland to the State Board of Psychologist Examiners for a three-year term, as provided by statute, beginning September 2, 2003, and ending June 30, 2006, effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,
Ted Kulongoski
Governor

August 5, 2003

TO THE HONORABLE PRESIDENT OF THE SENATE
OF THE 72nd LEGISLATIVE ASSEMBLY

ORS 756.014 provides that the Governor shall appoint the members of the Public Utility Commission subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I appoint Ray Baum of La Grande to the Public Utility Commission for a four-year term, as provided by statute, beginning September 1, 2003, and ending August 31, 2007, effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,
Ted Kulongoski
Governor

August 5, 2003

TO THE HONORABLE PRESIDENT OF THE SENATE
OF THE 72nd LEGISLATIVE ASSEMBLY

ORS 756.014 provides that the Governor shall appoint the members of the Public Utility Commission subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I appoint John Savage of Salem to the Public Utility Commission for an unexpired four-year term, as provided by statute, beginning September 1, 2003, and ending March 31, 2005, effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,
Ted Kulongoski
Governor

August 5, 2003

TO THE HONORABLE PRESIDENT OF THE SENATE
OF THE 72nd LEGISLATIVE ASSEMBLY

ORS 348.510 provides that the Governor shall appoint the members of the Oregon Student Assistance Commission subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I appoint Patrick Edvalson of La Grande to the Oregon Student Assistance Commission for an unexpired four-year term, as provided by statute, beginning August 15, 2003, and ending June 30, 2006, effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,
Ted Kulongoski
Governor

August 5, 2003

TO THE HONORABLE PRESIDENT OF THE SENATE
OF THE 72nd LEGISLATIVE ASSEMBLY

ORS 348.510 provides that the Governor shall appoint the members of the Oregon Student Assistance Commission subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I appoint Jesse Lohrke of Scappoose to the Oregon Student Assistance Commission for a two-year term, as provided by statute, beginning August 15, 2003, and ending June 30, 2005, effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,
Ted Kulongoski
Governor

August 5, 2003

TO THE HONORABLE PRESIDENT OF THE SENATE
OF THE 72nd LEGISLATIVE ASSEMBLY

ORS 348.510 provides that the Governor shall appoint the members of the Oregon Student Assistance Commission subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I reappoint Caspar Sharples of North Bend to the Oregon Student Assistance Commission for a four-year term, as provided by statute, beginning July 1, 2003, and ending June 30, 2007, effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,
Ted Kulongoski
Governor

August 5, 2003

TO THE HONORABLE PRESIDENT OF THE SENATE
OF THE 72nd LEGISLATIVE ASSEMBLY

ORS Ch 918 S2 OL 01 provides that the Governor shall appoint the members of the Sustainability Board subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I appoint Deborah Kane of Portland to the Sustainability Board for a four-year term, as provided by statute, beginning September 2, 2003, and ending January 1, 2007, effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,
Ted Kulongoski
Governor

August 5, 2003

TO THE HONORABLE PRESIDENT OF THE SENATE
OF THE 72nd LEGISLATIVE ASSEMBLY

ORS 267.090 provides that the Governor shall appoint the members of the Tri-Met Board subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I reappoint Bob Williams of Clackamas to the Tri-Met Board for a four-year term, as provided by statute, beginning August 1, 2003, and ending July 31, 2007, effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,
Ted Kulongoski
Governor

August 5, 2003

TO THE HONORABLE PRESIDENT OF THE SENATE
OF THE 72nd LEGISLATIVE ASSEMBLY

ORS 656.712 provides that the Governor shall appoint the members of the Workers' Compensation Board subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I appoint Mustafa Kasubhai of Eugene to the Workers' Compensation Board for a four-year term, as provided by statute, beginning October 15, 2003, and ending October 14, 2007, effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,
Ted Kulongoski
Governor

SB 609 -- Message from the Governor announcing he signed on August 5.

SB 196, 468, 597, 757, 908, 909, 919; HB 5067 -- Message from the House announcing passage.

SJR 14 -- Message from the House announcing adoption.

HB 2594 -- Message from the House announcing adoption of conference committee report and repassage.

HB 2179, 2299 -- Message from the House announcing Speaker signed on August 5.

Committee Report Summary No. 145 listing the following reports was distributed to members August 5. Summary list recorded in Journal and Status Report by order of the President.

SB 617 B-Eng. -- Report by Conference Committee, signed by Senators Burdick, Minnis and Representatives Ackerman, Anderson, Williams, recommending that the Senate concur in House amendments dated July 2 and that the bill be repassed.

SB 5547 -- Report by Committee on Ways and Means recommending passage with amendments.

Committee Report Summary No. 146 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

HB 3120 B-Eng. -- Report by Conference Committee, signed by Senators Corcoran, Starr, B. and Representatives Garrard, Greenlick, Zauner, recommending the House concur in Senate amendments dated June 30 and that the bill be further amended and repassed.

SB 5501, 5527, 5547 -- Read second time and passed to third reading.

SB 5551 A-Eng. -- Read third time. Carried by Devlin. On passage of bill the vote was: Ayes, 20; nays, 1 – Hannon; absent, 1 – Ringo; attending legislative business, 7 – Atkinson, Beyer, Brown, Corcoran, Deckert, Harper, Schrader. Bill passed.

SB 929, 933, 934 -- Moved to the foot of today's third reading calendar.

HB 5067 -- Read first time and referred to President's desk.

HB 2537, 2614 -- Read second time and passed to third reading.

HB 5029 A-Eng. -- Read third time. Carried by Carter. On passage of bill the vote was: Ayes, 20; nays, 1 – Hannon; absent, 1 – Ringo; attending

legislative business, 7 – Atkinson, Beyer, Brown, Corcoran, Deckert, Harper, Schrader. Bill passed.

HB 5031 A-Eng. -- Read third time. Carried by Morse. On passage of bill the vote was: Ayes, 18; nays, 3 – Hannon, Metsger, Shields; absent, 1 – Ringo; attending legislative business, 7 – Atkinson, Beyer, Brown, Corcoran, Deckert, Harper, Schrader. Bill passed.

HB 2160 A-Eng. -- Read third time. Carried by Carter. On passage of bill the vote was: Ayes, 21; absent, 1 – Ringo; attending legislative business, 7 – Atkinson, Beyer, Brown, Corcoran, Deckert, Harper, Schrader. Bill passed.

HB 2189 B-Eng. -- Read third time. Carried by Winters. On passage of bill the vote was: Ayes, 20; nays, 1 – Hannon; absent, 1 – Ringo; attending legislative business, 7 – Atkinson, Beyer, Brown, Corcoran, Deckert, Harper, Schrader. Bill passed.

HB 2301 A-Eng. -- Read third time. Carried by Messerle. On passage of bill the vote was: Ayes, 21; absent, 1 – Ringo; attending legislative business, 7 – Atkinson, Beyer, Brown, Corcoran, Deckert, Harper, Schrader. Bill passed.

HB 2349 B-Eng. -- Read third time. Carried by Winters. On passage of bill the vote was: Ayes, 20; nays, 1 – Hannon; absent, 1 – Ringo; attending legislative business, 7 – Atkinson, Beyer, Brown, Corcoran, Deckert, Harper, Schrader. Bill passed.

HB 3044 B-Eng. -- Read third time. Carried by Gordly. On passage of bill the vote was: Ayes, 20; nays, 1 – Hannon; absent, 1 – Ringo; attending legislative business, 7 – Atkinson, Beyer, Brown, Corcoran, Deckert, Harper, Schrader. Bill passed.

HB 3201 A-Eng. -- Read third time. Carried by Dukes. On passage of bill the vote was: Ayes, 22; absent, 1 – Ringo; attending legislative business, 6 – Atkinson, Beyer, Brown, Corcoran, Deckert, Schrader. Bill passed.

HB 3620 B-Eng. -- Read third time. Carried by Dukes. On passage of bill the vote was: Ayes, 21; nays, 1 – Hannon; absent, 1 – Ringo; attending legislative business, 6 – Atkinson, Beyer, Brown, Corcoran, Deckert, Schrader. Bill passed.

HB 3628 A-Eng. -- Read third time. Carried by Dukes. On passage of bill the vote was: Ayes, 22; nays, 1 – Hannon; absent, 1 – Ringo; attending legislative business, 5 – Beyer, Brown, Corcoran, Deckert, Schrader. Bill passed.

SB 933 -- Read third time. Carried by Atkinson. On passage of bill the vote was: Ayes, 21; nays, 5 – Burdick, Carter, Gordly, Hannon, Walker; absent, 1 – Ringo; attending legislative business, 2 – Corcoran, Schrader. Bill passed.

SB 934 -- Read third time. Carried by Atkinson. On passage of bill the vote was: Ayes, 25; nays, 2 – Gordly, Hannon; absent, 1 – Ringo; attending legislative business, 1 – Corcoran. Bill passed.

SB 929 A-Eng. -- Read third time. Carried by Beyer. On passage of bill the vote was: Ayes, 24; nays, 3 – Carter, Gordly, Hannon; absent, 1 – Ringo; attending legislative business, 1 – Corcoran. Bill passed.

Senate adjourned until 10:45 a.m. Thursday by unanimous consent at the request of the Chair.

Thursday, August 7, 2003 -- Morning Session

Senate convened at 10:45 a.m. President Courtney in Chair. The following members were present: Atkinson, Beyer, Brown, Burdick, Corcoran, Deckert, Devlin, Dukes, Ferrioli, Fisher, George, Gordly, Hannon, Harper, Messerle, Metsger, Minnis, Morrisette, Morse, Nelson, Shields, Starr, B., Starr, C., Walker, Winters; absent -- Ringo; attending legislative business -- Carter, Schrader. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Reverend Becca Shields, Methodist Minister, Salem.

HB 5009, 5052; 3654 -- Message from the House announcing passage.

HB 3631 -- Message from the House announcing concurrence in Senate amendments and repassage.

Committee Report Summary No. 147 listing the following reports was distributed to members August 6. Summary list recorded in Journal and Status Report by order of the President.

SB 232 A-Eng. -- Report by Conference Committee, signed by Senators Deckert, Ferrioli and Representatives Shetterly, Verger, Williams, recommending that the Senate concur in House amendments dated July 9 and that the A-engrossed bill be further amended and repassed.

SB 5522 -- Report by Committee on Ways and Means recommending passage with amendments.

SB 867 -- Report by Committee on Ways and Means recommending passage with amendments to the A-engrossed bill.

SB 920 -- Report by Committee on Rules recommending passage with amendments.

HB 5061 -- Report by Committee on Ways and Means recommending passage with amendments to the A-engrossed bill.

Committee Report Summary No. 148 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

HB 5060 -- Report by Committee on Ways and Means recommending passage of the A-engrossed bill.

HB 2195 -- Report by Committee on Ways and Means recommending passage of the A-engrossed bill.

HB 3276 -- Report by Committee on Ways and Means recommending passage of the A-engrossed bill.

Committee Report Summary No. 149 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

HB 5018 -- Report by Committee on Ways and Means recommending passage of the A-engrossed bill.

HB 5022 -- Report by Committee on Ways and Means recommending passage of the A-engrossed bill.

HB 5034 -- Report by Committee on Ways and Means recommending passage of the A-engrossed bill.

HB 3534 -- Report by Committee on Ways and Means recommending passage of the B-engrossed bill.

SB 617 B-Eng. -- Conference Committee report adopted and bill repassed on motion of Minnis. The vote was: Ayes, 27; absent, 1 – Ringo; attending legislative business, 1 – Carter. Bill repassed.

SB 820 D-Eng.*-- Conference Committee report adopted and bill repassed on motion of Ferrioli. The vote was: Ayes, 26; nays, 1 – Hannon; absent, 1 – Ringo; attending legislative business, 1 – Carter. Bill repassed. Gordly granted unanimous consent to change from nay to aye.

HB 2594 -- Conference Committee report adopted and bill repassed on motion of Walker. The vote was: Ayes, 27; absent, 1 – Ringo; attending legislative business, 1 – Carter. Bill repassed.

SB 942 -- Introduced, read first time and referred to President's desk.

SB 5522; 867, 920 -- Read second time and passed to third reading.

SB 5501 A-Eng. -- Read third time. Carried by Messerle. Call of the Senate demanded by Messerle joined by Beyer and Brown. All present except, Ringo, absent; Carter, Deckert, Starr, B., attending legislative business. Pending arrival of members subject to the Call, Senate at ease. Further proceedings under the Call terminated by unanimous consent at the request of the Chair. All present except, Ringo, absent, Carter attending legislative business. Senate reassembled. On passage of bill the vote was: Ayes, 16; nays, 11 – Burdick, Corcoran, Deckert, Devlin, Dukes, Gordly, Hannon, Metsger, Morrisette, Shields, Walker; absent, 1 – Ringo; attending legislative business, 1 – Carter. Bill passed.

SB 5527 A-Eng. -- Read third time. Carried by Messerle. On passage of bill the vote was: Ayes, 23; nays, 4 – Ferrioli, Fisher, George, Hannon; absent, 1 – Ringo; attending legislative business, 1 – Carter. Bill passed.

SB 5547 A-Eng. -- Read third time. Carried by Messerle. On passage of bill the vote was: Ayes, 22; nays, 5 – Ferrioli, George, Hannon, Shields, Walker; absent, 1 – Ringo; attending legislative business, 1 – Carter. Bill passed.

HB 5009, 5052; 3654 -- Read first time and referred to President's desk.

HB 5018, 5022, 5034, 5060, 5061; 2195, 3276, 3534 -- Read second time and passed to third reading.

HB 2537 A-Eng. -- Read third time. Carried by Brown. On passage of bill the vote was: Ayes, 20; nays, 7 – Burdick, Corcoran, Devlin, Hannon, Metsger, Morrisette, Shields; absent, 1 – Ringo; attending legislative business, 1 – Carter. Bill passed.

HB 2614 B-Eng. -- Read third time. Carried by Metsger. On passage of bill the vote was: Ayes, 25; nays, 2 – Brown, Burdick; absent, 1 – Ringo; attending legislative business, 1 – Carter. Bill passed.

The following measures were referred to committee on August 6 and recorded on Committee Referral List No. 78 which was distributed to members. Referral list recorded in the Journal and Status Report by order of the President.

HB 5018 Ways and Means
 HB 5022 Ways and Means
 HB 5030 Budget
 HB 5034 Ways and Means
 HB 5066 Budget
 HB 5067 Budget
 HB 3108 Ways and Means
 HB 3534 Ways and Means
 HB 3651 Rules

Oregon Board of Accountancy (ORS 673.410)

Anastasia Meisner Rules

Appraiser Certification and Licensure Board (ORS 674.305)

Terry Bernhardt (r) Rules

Electrical and Elevator Board (ORS 455.138 & 144)

Lowell Arno Rules
 Bruce Soihl Rules
 Sara Medlock (r) Rules

Oregon State Lottery Commission (ORS 461.100)

Stan Robson Rules

Board of Naturopathic Examiners (ORS 685.160)

Gregory Garcia (r) Rules
 Rick Marinelli Rules
 Michael Reed (r) Rules

Board of Examiners of Nursing Home Administrators (ORS 678.800)

George Gerding Rules

Psychiatric Security Review Board (ORS 161.385)

Cliff Johannsen (r) Rules

State Board of Psychologist Examiners (ORS 675.100)

James Peterson Rules
 Terrel Templeman Rules
 Maryann Yelnosky Rules
 Benson Schaeffer Rules

Public Utility Commission (ORS 756.014)

Ray Baum Rules
 John Savage Rules

Oregon Student Assistance Commission (ORS 348.510)

Patrick Edvalson Rules
 Jesse Lohrke Rules
 Caspar Sharples (r) Rules

Sustainability Board (ORS Ch 918, S2 OR Laws 2001)

Deborah Kane Rules

Tri-Met Board (ORS 267.090)

Bob Williams (r) Rules

Workers' Compensation Board (ORS 656.712)

Mustafa Kasubhai Rules

HB 2368 -- Minnis, Brown appointed Senate conferees.

President Courtney announced the following committee assignments effective August 7.

WAYS AND MEANS

Subcommittee on Capital Construction Bonding

Senator Kurt Schrader, Co-Chair
 Senator Steve Harper

SJR 14; SB 196, 468, 597, 757, 908, 909, 919 -- President Courtney signed on August 7.

Senate adjourned until 10:45 a.m. Friday by unanimous consent at the request of the Chair.

Friday, August 8, 2003 -- Morning Session

Senate convened at 10:45 a.m. President Courtney in Chair. The following members were present: Atkinson, Beyer, Brown, Burdick, Carter, Corcoran, Deckert, Devlin, Dukes, Ferrioli, Fisher, George, Gordly, Hannon, Harper, Messerle, Metsger, Minnis, Morrisette, Morse, Ringo, Schrader, Shields, Starr, B., Starr, C., Walker, Winters; excused -- Nelson. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Imam Muhammad Najieb, Director of the Muslim Community Center, Portland.

SB 912, 918; HB 2356, 2759, 3442, 3638 -- Message from the House announcing passage.

HB 3120 -- Message from the House announcing Conference committee report adopted and repassed.

HB 5045, 5046, 5049; 2248, 2399 -- Message from the House announcing the Speaker signed on August 7.

Senate at ease. Senate reassembled.

Committee Report Summary No. 150 listing the following reports was distributed to members August 7. Summary list recorded in Journal and Status Report by order of the President.

HB 2797 -- Report by Committee on Judiciary recommending passage with amendments to the A-engrossed bill.

Committee Report Summary No. 151 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

SB 5513 -- Report by Committee on Ways and Means recommending passage with amendments.

SB 421 -- Report by Committee on Ways and Means recommending passage of the A-engrossed bill.

SB 474 -- Report by Committee on Ways and Means recommending passage of the bill.

HCR 13 -- Report by Committee on Rules recommending adoption.

HB 3648 -- Report by Committee on Rules recommending passage of the A-engrossed bill.

HB 2797 -- Rules suspended by unanimous consent in order to second and third read under Special Order of Business on motion of Minnis.

HB 2797 -- Under rules suspension and Special Order of Business, read second time.

HB 2797 B-Eng. -- Under rules suspension and Special Order of Business, read third time. Carried by Minnis. On passage of bill the vote was: Ayes, 20; nays, 2 -- Corcoran, Hannon; absent, 1 -- Ringo; excused, 1 -- Nelson; attending legislative business, 5 -- Atkinson, Beyer, Brown, Deckert, Harper. Bill passed.

SB 911; HB 3534 -- Taken from their places on today's third reading calendar and placed on August 13 calendar by voice vote on motion of Burdick.

SB 232 -- Conference Committee report adopted and bill repassed on motion of Walker. Walker declared potential conflict of interest. The vote was: Ayes, 17; nays, 6 -- Burdick, Carter, Corcoran, Devlin, Hannon, Shields; absent, 1 -- Ringo; excused, 1 -- Nelson; attending legislative business, 4 -- Atkinson, Beyer, Brown, Deckert. Bill repassed. Morrisette, absent when roll called, granted unanimous consent to vote aye.

HB 3120 -- Starr, B. moved that the Senate adopt the Conference Committee report and repass bill. Parliamentary inquiry by Hannon questioning the process of conference committees when considering amendments. The chair responded that because the Senate and House Rules differ regarding the adoption of amendments outside the scope of the issue, the custom is to comply with the chamber rules where the bill originated. In this case, the Conference Committee complied with House rules.

HB 3120 -- Debate resumed. Motion carried. The vote was: Ayes, 21; nays, 2 -- Gordly, Hannon; absent, 1 -- Ringo; excused, 1 -- Nelson; attending legislative business, 4 -- Atkinson, Beyer, Brown, Deckert. Bill repassed.

SB 421, 474 -- Read second time and passed to third reading.

SB 5522 A-Eng. -- Read third time. Carried by Devlin. Call of the Senate demanded by Devlin joined by Metsger and Dukes. All members subject to the Call present except Ringo, absent; Nelson, excused. On passage of bill the vote was: Ayes, 19; nays, 8 -- Carter, Corcoran, Gordly, Hannon, Morrisette, Shields, Walker, Winters; absent, 1 -- Ringo; excused, 1 -- Nelson. Bill passed.

SB 5522 -- Gordly requested the following explanation of vote be entered into the journal.

"I voted no because of the elimination of investigator support and the reduction of staff support which affects a female employee. Oregon needs a strong effective, independent ethics commission."

Avel L. Gordly

SB 867 B-Eng. -- Read third time. Carried by Dukes. On passage of bill the vote was: Ayes, 23; absent, 1 -- Ringo; excused, 1 -- Nelson; attending

legislative business, 4 – Atkinson, Beyer, Brown, Deckert. Bill passed.

SB 920 A-Eng. -- Read third time. Carried by Burdick. On passage of bill the vote was: Ayes, 22; absent, 1 – Ringo; excused, 2 – Corcoran, Nelson; attending legislative business, 4 – Atkinson, Beyer, Brown, Deckert. Bill passed.

HB 2356, 2759, 3442, 3638 -- Read first time and referred to President's desk.

HCR 13; HB 3648 -- Read second time and passed to third reading.

HB 5018 A-Eng. -- Read third time. Carried by Messerle. On passage of bill the vote was: Ayes, 20; nays, 2 – Hannon, Shields; absent, 1 – Ringo; excused, 2 – Corcoran, Nelson; attending legislative business, 4 – Atkinson, Beyer, Brown, Deckert. Bill passed.

HB 5022 A-Eng. -- Read third time. Carried by Messerle. On passage of bill the vote was: Ayes, 21; nays, 1 – Hannon; absent, 1 – Ringo; excused, 2 – Corcoran, Nelson; attending legislative business, 4 – Atkinson, Beyer, Brown, Deckert. Bill passed.

HB 5034 A-Eng. -- Read third time. Carried by Messerle. On passage of bill the vote was: Ayes, 21; nays, 2 – Hannon, Shields; absent, 1 – Ringo; excused, 1 – Nelson; attending legislative business, 4 – Atkinson, Beyer, Brown, Deckert. Bill passed.

HB 5060 A-Eng. -- Read third time. Carried by Messerle. On passage of bill the vote was: Ayes, 21; nays, 2 – George, Hannon; absent, 1 – Ringo; excused, 1 – Nelson; attending legislative business, 4 – Atkinson, Beyer, Brown, Deckert. Bill passed.

HB 5061 B-Eng. -- Read third time. Carried by Winters. On passage of bill the vote was: Ayes, 22; nays, 1 – Hannon; absent, 1 – Ringo; excused, 1 – Nelson; attending legislative business, 4 – Atkinson, Beyer, Brown, Deckert. Bill passed.

HB 2195 A-Eng. -- Read third time. Carried by Messerle. Fisher declared potential conflict of interest. Call of the Senate demanded by Messerle joined by Fisher and Walker. All present except Ringo, absent; Nelson, excused; Atkinson, Beyer, Brown, Deckert, attending legislative business. Pending arrival of members subject to the Call, Senate at ease. Further proceedings under the Call terminated by unanimous consent at the request of the Chair. All present except Ringo, absent; Nelson, excused. Senate reassembled.

HB 2195 -- On passage of bill the vote was: Ayes, 23; nays, 4 – Carter, Gordly, Hannon, Shields; absent, 1 – Ringo; excused, 1 – Nelson. Bill passed.

HB 3276 A-Eng. -- Read third time. Carried by Dukes. On passage of bill the vote was: Ayes, 24; nays, 1 – Hannon; absent, 1 – Ringo; excused, 2 –

Corcoran, Nelson; attending legislative business, 1 – Atkinson. Bill passed.

HB 5045, 5046, 5049; 2248, 2399 -- President Courtney signed August 8.

Senate adjourned until 10:45 a.m. Monday by unanimous consent at the request of the Chair.

Monday, August 11, 2003 -- Morning Session

Senate convened at 10:45 a.m. President Pro Tempore Hannon in Chair. The following members were present: Atkinson, Beyer, Brown, Burdick, Carter, Corcoran, Deckert, Devlin, Dukes, Ferrioli, Fisher, George, Gordly, Harper, Messerle, Metsger, Minnis, Morrisette, Morse, Nelson, Ringo, Schrader, Shields, Starr, B., Starr, C., Walker, Winters, President Courtney. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Pastor Michael Harrington of the Calvary Chapel, Salem. (President Courtney in Chair)

SB 5502, 5550; 437, 800, 906, 923, 924, 932; HB 5042; 2577, 3653, 3659 -- Message from the House announcing passage.

SCR 8 -- Message from the House announcing adoption.

SB 666, 751 -- Message from the House announcing passage as amended by the House.

SJR 14; SB 196, 468, 597, 757, 908, 909, 919 -- Message from the House announcing the Speaker signed on August 8.

Committee Report Summary No. 152 listing the following reports was distributed to members August 8. Summary list recorded in Journal and Status Report by order of the President

HB 2011 -- Report by Committee on Transportation and Economic Development recommending passage with amendments to the A-engrossed bill and requesting subsequent referral to Committee on Ways and Means be rescinded. Subsequent referral rescinded by order of the President in agreement with the President Pro Tempore.

Committee Report Summary No. 153 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

HJM 10 -- Report by Committee on Rules recommending adoption with amendments.

HB 3646 -- Report by Committee on Rules recommending passage with amendments.

Beyer moved that the swearing-in of newly-appointed Senator Ben Westlund be made a Special

Order of Business at 11:45 a.m. today. Motion carried by unanimous consent.

SB 5513 -- Read second time and passed to third reading.

SB 421 A-Eng. -- Read third time. Carried by Devlin, Minnis. On passage of bill the vote was: Ayes, 29. Bill passed.

SB 474 -- Read third time. Carried by Devlin. On passage of bill the vote was: Ayes, 28; attending legislative business, 1 – Harper. Bill passed.

HB 5042; 2577, 3653, 3659 -- Read first time and referred to President's desk.

HB 2011 -- Read second time and passed to third reading.

HCR 13 -- Read final time. Carried by Brown. On adoption of resolution, the vote was: Ayes, 27; attending legislative business, 2 – Harper, Schrader. Resolution adopted.

HB 3648 A-Eng. -- Read third time. Carried by Corcoran. On passage of bill the vote was: Ayes, 27; attending legislative business, 2 – Harper, Schrader. Bill passed.

The following measures were referred to committee on August 8 and recorded on Committee Referral List No. 79 which was distributed to members. Referral list recorded in the Journal and Status Report by order of the President.

SB 942 Rules; Ways and Means
 HB 5009 Ways and Means
 HB 5052 Ways and Means
 HB 2356 Rules
 HB 2759 Ways and Means
 HB 3442 Rules
 HB 3638 Rules
 HB 3654 Rules

Senate recessed until 11:45 a.m. by unanimous consent at the request of the Chair.

Senate reconvened at 11:45 a.m. President Courtney in Chair. All members present.

The Senate, having recessed under the order of Announcements, proceeded to the Special Order of Business by unanimous consent at the request of the Chair.

The following report by the Committee on Credentials was read and adopted by voice vote on motion of Beyer.

August 11, 2003

President Courtney:

We, your Committee on Credentials, after inspecting the official certificate from the Secretary of State, respectfully submit the following report:

That Beverly Clarno, a duly-elected Senator from the 27th Senatorial District for a term of four years beginning the second Monday in January 2001 and terminating the second Monday in January 2005, resigned on August 1, 2003.

That Ben Westlund, a qualified elector from Senate District 27 was duly appointed on August 6, 2003 to the office of State Senator by the Board of Commissioners for the County of Deschutes until the second Monday in January 2005. The certificate of appointment is attached.

That Ben Westlund will be sworn into office on August 11, 2003.

Respectfully submitted,
 Senator Roger Beyer, Chair
 Senator Ginny Burdick
 Senator Gary George
 Senator Frank Shields

(Certificate of appointment included in Original Documents File)

Beyer and Brown were appointed to escort the Honorable Theodore R. Kulongoski, Governor of Oregon, to the rostrum to administer the oath of office. (Dukes in Chair)

President Courtney and President Pro Tempore Hannon were appointed to escort the newly-appointed senator to the rostrum. Governor Kulongoski administered the oath of office to the newly-appointed Senator Ben Westlund. (President Courtney in Chair)

Senate resumed under the order of Announcements by unanimous consent at the request of the Chair.

SB 617, 917, 918; HB 3631-- President Courtney signed on August 11.

Senate adjourned until 10:45 a.m. Tuesday by unanimous consent at the request of the Chair.

Tuesday, August 12, 2003 -- Morning Session

Senate convened at 10:45 a.m. President Courtney in Chair. The following members were present: Atkinson, Beyer, Brown, Burdick, Carter, Corcoran, Deckert, Devlin, Dukes, Ferrioli, Fisher, George, Gordly, Hannon, Harper, Messerle, Metsger, Minnis, Morrisette, Morse, Nelson, Ringo, Schrader, Shields, Starr, B., Starr, C., Walker, Westlund, Winters. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Senator Charles Starr, Hillsboro.

HB 5061; 2614, 2797 -- Message from the House announcing concurrence in Senate amendments and repassage.

SB 232, 820 -- Message from the House announcing Conference committee reports adopted and repassed.

SB 5512, 5525; 63, 267, 516; HB 3631 -- Message from the House announcing Speaker signed on August 11.

Committee Report Summary No. 154 listing the following reports was distributed to members August 11. Summary list recorded in Journal and Status Report by order of the President.

SB 272 B-Eng. -- Report by Conference Committee, signed by Senators Starr, C., Morrisette and Representatives Close, Monnes Anderson, Smith, recommending that the Senate concur in House amendments dated June 30 and that the B-engrossed bill be further amended and repassed.

Committee Report Summary No. 155 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

HB 5009 -- Report by Committee on Ways and Means recommending passage of the A-engrossed bill.

HB 5052 -- Report by Committee on Ways and Means recommending passage of the A-engrossed bill.

Committee Report Summary No. 156 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

SB 5509 -- Report by Committee on Ways and Means recommending passage with amendments.

SB 5523 -- Report by Committee on Ways and Means recommending passage with amendments.

SB 5553 -- Report by Committee on Ways and Means recommending passage with amendments.

SB 139 -- Report by Committee on Ways and Means recommending passage with amendments to the A-engrossed bill.

SB 467 -- Report by Committee on Ways and Means recommending passage with amendments to the A-engrossed bill.

HB 3108 -- Report by Committee on Ways and Means recommending passage with amendments to the B-engrossed bill.

SB 297 -- Senate refused to concur in House amendments by voice vote on motion of Minnis.

SB 342 A-Eng. -- Minnis moved that the Senate concur in House amendments and repass bill. On concurrence and repassage the vote was: Ayes, 22;

nays, 8 -- Carter, Deckert, Dukes, Hannon, Morrisette, Ringo, Shields, Walker. Bill repassed.

SB 751 B-Eng. -- Metsger moved that the Senate concur in House amendments and repass bill. On concurrence and repassage the vote was: Ayes, 21; nays, 9 -- Carter, Corcoran, Devlin, Dukes, Gordly, Hannon, Morrisette, Shields, Walker. Bill repassed.

SB 943 -- Introduced, read first time and referred to President's desk.

SB 5513 A-Eng. -- Read third time. Carried by Devlin. On passage of bill the vote was: Ayes, 29; nays, 1 -- Hannon. Bill passed.

HJM 10; HB 5009, 5052; 3646 -- Read second time and passed to third reading.

HB 2011 -- Read third time. Carried by Metsger. Taken from its place on today's third reading calendar and placed on August 15 calendar by voice vote on motion of Metsger.

Senate adjourned until 10:45 a.m. Wednesday by unanimous consent at the request of the Chair.

Wednesday, August 13, 2003 -- Morning Session

Senate convened at 10:45 a.m. President Courtney in Chair. The following members were present: Atkinson, Beyer, Brown, Carter, Corcoran, Deckert, Devlin, Dukes, Ferrioli, Fisher, George, Gordly, Hannon, Harper, Messerle, Metsger, Minnis, Morrisette, Morse, Nelson, Ringo, Schrader, Shields, Starr B., Starr C., Walker, Winters; excused -- Burdick, Westlund. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Chaplain Frank Carpenter, Capitol Ministries of Oregon, Hillsboro.

SB 5501; HB 5013, 5014; 2532, 2551 -- Message from the House announcing passage.

SCR 7 -- Message from the House announcing adoption.

HB 2379 -- Message from the House announcing refusal to concur in Senate amendments.

HB 2368 -- Message from the House announcing Close, Verger, Patridge appointed House conferees.

SB 617, 912, 918 -- Message from the House announcing Speaker signed August 12.

Committee Report Summary No. 157 listing the following reports was distributed to members August 12. Summary list recorded in Journal and Status Report by order of the President.

SJR 18 -- Report by Committee on Revenue recommending adoption with amendments.

SB 915 -- Report by Committee on Rules recommending passage with amendments.

SB 939 -- Report by Committee on Rules recommending passage with amendments.

HB 2372 -- Report by Committee on Revenue recommending passage with amendments to the A-engrossed bill.

HB 3328 -- Report by Committee on Rules recommending passage with amendments to the A-engrossed bill.

Committee Report Summary No. 158 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

HB 2341 -- Report by Committee on Rules recommending passage with amendments to the A-engrossed bill.

Committee Report Summary No. 159 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

Report by Committee on Rules recommending that the Governor's appointments of Steve Corey (appearance waived), Thomas Imeson (appearance waived) and Jay Waldron (r) (appearance waived) to the Board of Commissioners of the Port of Portland be confirmed en bloc.

Report by Committee on Rules recommending that the Governor's appointments of Daniel Heagerty (appearance waived) and Jane O'Keeffe (r) (appearance waived) to the Oregon Watershed Enhancement Board be confirmed en bloc.

Senate recessed until 11:30 a.m. by unanimous consent on motion of Bayer.

Senate reconvened at 11:30 a.m. President Courtney in Chair. All present except, Burdick, Westlund, excused.

Senate, having recessed following the order of Reports from Special Committees, resumed under the general order of business by unanimous consent at the request of the Chair.

SB 272 B-Eng.* -- Conference Committee report adopted and bill repassed on motion of Starr, C. The vote was: Ayes, 23; nays, 4 -- Gordly, Hannon, Metsger, Schrader; excused, 3 -- Burdick, Westlund, George. Bill repassed.

SJR 34; SB 944, 945 -- Introduced, read first time and referred to President's desk.

SJR 18; SB 5509, 5523, 5553; 139, 467, 915, 939 -
- Read second time and passed to third reading.

SB 911 -- Moved to the foot of today's third reading calendar by unanimous consent at the request of the Chair.

HB 5013, 5014; 2532, 2551 -- Read first time and referred to President's desk.

HB 2372, 3108, 3328 -- Read second time and passed to third reading.

HJM 10 A-Eng. -- Read final time. Carried by Dukes. On adoption of memorial, the vote was: Ayes, 26; nays, 1 -- Minnis; excused, 3 -- Burdick, George, Westlund. Memorial adopted.

HB 5009 A-Eng. -- Read third time. Carried by Messerle. On passage of bill the vote was: Ayes, 24; nays, 3 -- Corcoran, Hannon, Shields; excused, 3 -- Burdick, George, Westlund. Bill passed.

HB 5052 A-Eng. -- Read third time. Carried by Gordly. On passage of bill the vote was: Ayes, 23; nays, 2 -- Corcoran, Hannon, ; excused, 3 -- Burdick, George, Westlund; attending legislative business, 2 -- Harper, Winters. Bill passed.

HB 3646 A-Eng. -- Read third time. Carried by Brown. On passage of bill the vote was: Ayes, 17; nays, 3 -- Hannon, Ringo, Shields; excused, 3 -- Burdick, George, Westlund; attending legislative business, 7 -- Carter, Devlin, Dukes, Gordly, Harper, Schrader, Winters. Bill passed.

HB 3534 -- Moved to the foot of today's third reading calendar by unanimous consent at the request of the Chair.

The following measures were referred to committee on August 12 and recorded on Committee Referral List No. 80 which was distributed to members. Referral list recorded in the Journal and Status Report by order of the President.

SB 943 Rules

HB 5042 Ways and Means

HB 2577 Rules

HB 3653 Rules; Ways and Means

HB 3659 Ways and Means

SB 297 -- Minnis, Ringo appointed Senate conferees.

Senate recessed until 5:00 p.m. by unanimous consent at the request of the Chair.

Wednesday, August 13, 2003 -- Afternoon Session

Recess extended until 6:00 p.m. by unanimous consent at the request of the Chair.

Senate reconvened at 6:00 p.m. President Courtney in Chair. All present except, Burdick, excused.

The following messages from the Governor were read and referred to the Committee on Rules.

August 13, 2003

TO THE HONORABLE PRESIDENT OF THE SENATE
OF THE 72nd LEGISLATIVE ASSEMBLY

ORS 238.630 provides that the Governor shall appoint the members of the Public Employees Retirement Board subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I appoint James Dalton of Beaverton to the Public Employees Retirement Board for a three-year term, as provided by statute, beginning September 1, 2003 and ending August 31, 2006, effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,
Ted Kulongoski
Governor

August 13, 2003

TO THE HONORABLE PRESIDENT OF THE SENATE
OF THE 72nd LEGISLATIVE ASSEMBLY

ORS 238.630 provides that the Governor shall appoint the members of the Public Employees Retirement Board subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I appoint Thomas Grimsley of Eugene to the Public Employees Retirement Board for a three-year term, as provided by statute, beginning September 1, 2003 and ending August 31, 2006, effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,
Ted Kulongoski
Governor

August 13, 2003

TO THE HONORABLE PRESIDENT OF THE SENATE
OF THE 72nd LEGISLATIVE ASSEMBLY

ORS 238.630 provides that the Governor shall appoint the members of the Public Employees Retirement Board subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I appoint Michael Pittman of Portland to the Public Employees Retirement Board for a three-year term, as provided by statute, beginning September 1, 2003 and ending August 31, 2006, effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,
Ted Kulongoski
Governor

August 13, 2003

TO THE HONORABLE PRESIDENT OF THE SENATE
OF THE 72nd LEGISLATIVE ASSEMBLY

ORS 238.630 provides that the Governor shall appoint the members of the Public Employees Retirement Board subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I appoint Brenda Rocklin of Salem to the Public Employees Retirement Board for a three-year term, as provided by statute, beginning September 1, 2003 and ending August 31, 2006, effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,
Ted Kulongoski
Governor

August 13, 2003

TO THE HONORABLE PRESIDENT OF THE SENATE
OF THE 72nd LEGISLATIVE ASSEMBLY

ORS 238.630 provides that the Governor shall appoint the members of the Public Employees Retirement Board subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I appoint Eva Kripalani of Portland to the Public Employees Retirement Board for a three-year term, as provided by statute, beginning September 1, 2003 and ending August 31, 2006, effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,
Ted Kulongoski
Governor

HB 5021, 5028; 2288; SB 5522, 5527, 5547, 5551; 867 -- Message from the House announcing passage.

SB 7 -- Message from the House announcing passage as amended by the House.

HB 2537 -- Message from the House announcing concurrence in Senate amendments and repassage.

Senate, having recessed under the order of Announcements, reverted to order of Reports from Standing Committees by unanimous consent at the request of the Chair.

Committee Report Summary No. 160 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

HB 5042 -- Report by Committee on Ways and Means recommending passage of the A-grossed bill.

HB 2168 -- Report by Committee on Revenue recommending passage with amendments to the A-grossed bill.

HB 3659 -- Report by Committee on Ways and Means recommending passage of the A-grossed bill.

Committee Report Summary No. 161 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

HB 5013 -- Report by Committee on Ways and Means recommending passage of the A-grossed bill.

HB 5014 -- Report by Committee on Ways and Means recommending passage of the A-engrossed bill.

HB 2532 -- Report by Committee on Ways and Means recommending passage of the A-engrossed bill.

HB 2551 -- Report by Committee on Ways and Means recommending passage of the B-engrossed bill.

Committee Report Summary No. 162 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

HB 5030 -- Report by Special Committee on Budget recommending passage with amendments to the A-engrossed bill. (Amendments distributed August 13)

HB 5066 -- Report by Special Committee on Budget recommending passage of the A-engrossed bill.

Senate reverted to the order of First Reading of House Measures by unanimous consent at the request of the Chair.

HB 5021, 5028; 2288 -- Read first time and referred to President's desk.

Senate reverted to the order of Second Reading of House Measures by unanimous consent at the request of the Chair.

HB 5013, 5014, 5042; 2532, 2551, 3659 -- Read second time and passed to third reading.

HB 5030, 5066 -- Rules suspended by unanimous consent at the request of the Chair in order that the Senate may consider bills under second and third reading immediately.

HB 5030, 5066 -- Under rules suspension, read second time and passed to third reading.

HB 5030 B-Eng. -- Under rules suspension, read third time. Carried by Winters. Fisher declared potential conflict of interest. Call of the Senate demanded by Winters joined by Brown and Minnis. All members present except Burdick, excused. On passage of bill the vote was: Ayes, 25; nays, 4 – Beyer, Harper, Morrisette, Starr, B.; excused, 1 – Burdick. Bill passed.

HB 5066 A-Eng. -- Under rules suspension, read third time. Carried by Carter. On passage of bill the vote was: Ayes, 25; nays, 4 – Atkinson, Beyer, Hannon, Morrisette; excused, 1 – Burdick. Bill passed.

HB 3534 B-Eng. -- Read third time. Carried by Messerle. On passage of bill the vote was: Ayes, 20; nays, 9 – Brown, Carter, Devlin, Dukes, Gordly, Metsger, Morrisette, Ringo, Shields; excused, 1 – Burdick. Bill passed.

SB 911 -- Bill read. Carried by Atkinson. On passage of bill the vote was: Ayes, 18; nays, 11—Brown, Carter, Devlin, Dukes, Gordly, Hannon, Metsger, Ringo, Shields, Walker, President Courtney; excused, 1—Burdick.

SB 5550; 437, 906, 923, 924 -- President Courtney signed on August 13.

Senate adjourned until 10:45 a.m. Thursday by unanimous consent at the request of the Chair.

Thursday, August 14, 2003 -- Morning Session

Senate convened at 10:45 a.m. President Courtney in Chair. The following members were present: Atkinson, Beyer, Brown, Corcoran, Deckert, Ferrioli, Fisher, Hannon, Metsger, Minnis, Nelson, Ringo, Shields, Starr, B., Starr, C., Westlund; Burdick, Carter, Devlin, Dukes, George, Gordly, Harper, Messerle, Morrisette, Morse, Schrader, Winters, absent; excused -- Walker.

Call of the Senate demanded by Minnis joined by Corcoran and Shields. All present except Burdick, Carter, Devlin, Dukes, George, Gordly, Harper, Messerle, Morrisette, Morse, Schrader, Winters, absent; Walker, excused. Pending arrival of members subject to the Call, Senate at ease. Further proceedings under the Call terminated by unanimous consent at the request of the Chair. All present except Walker, excused. Senate reassembled. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Mary Ann Googins, Minister of Discipleship at the First United Methodist Church, Salem.

HB 5029, 5031; 2160, 2189, 2301, 2349, 2594, 3044, 3201, 3620, 3628 -- Message from the House announcing Speaker signed August 14.

Committee Report Summary No. 163 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

HB 3654 -- Report by Committee on Rules recommending passage.

Rules suspended by unanimous consent in order that the Senate may take en bloc action on the confirmation of the following appointments on motion of Atkinson.

Board of Commissioners of the Port of Portland

Steve Corey
Thomas Imeson
Jay Waldron (r)

Oregon Watershed Enhancement Board

Daniel Heagerty
Jane O'Keeffe (r)

Under rules suspension, Atkinson moved that the Senate confirm en bloc the Governor's appointments as listed in the motion to suspend the rules. On confirmation the vote was: Ayes, 28; excused, 1 – Walker; attending legislative business, 1 – Beyer. Confirmed en bloc.

SJR 18 A-Eng. -- Read final time. Carried by Morse. Call of the Senate demanded by Metsger joined by Brown and Devlin. All members subject to the Call present except Walker, excused. On adoption of resolution, the vote was: Ayes, 17; nays, 12 – Atkinson, Beyer, Ferrioli, Fisher, George, Hannon, Harper, Minnis, Nelson, Starr, B., Westlund, Winters; excused, 1 – Walker. Resolution adopted.

SB 5509 A-Eng. -- Read third time. Carried by Devlin. On passage of bill the vote was: Ayes, 28; nays, 1 – Hannon; excused, 1 – Walker. Bill passed. (Hannon in Chair)

SB 5523 A-Eng. -- Read third time. Carried by Devlin. On passage of bill the vote was: Ayes, 27; nays, 2 – Hannon, Ringo; excused, 1 – Walker. Bill passed.

SB 5553 A-Eng. -- Read third time. Carried by George. On passage of bill the vote was: Ayes, 26; nays, 2 – Hannon, Westlund; excused, 1 – Walker; attending legislative business, 1 – Brown. Bill passed.

SB 139 B-Eng. -- Read third time. Carried by Schrader. Call of the Senate demanded by Schrader joined by Nelson and Gordly. All present except Walker, excused. On passage of bill the vote was: Ayes, 18; nays, 11 – Atkinson, Beyer, Dukes, Ferrioli, Fisher, George, Gordly, Morrisette, Ringo, Starr, B., Starr, C.; excused, 1 – Walker. Bill passed.

Senate proceeded to Second Reading of House Measures by unanimous consent at the request of the Chair.

HB 2168, 2341, 3654 -- Read second time and passed to third reading.

The following measures were referred to committee on August 13 and recorded on Committee Referral List No. 81 which was distributed to members August 13. Referral list recorded in the Journal and Status Report by order of the President.

SJR 34 Budget
SB 944 Revenue
SB 945 Budget
HB 5013 Ways and Means
HB 5014 Ways and Means
HB 2532 Ways and Means
HB 2551 Ways and Means

The following measures were referred to committee on August 13 and recorded on Committee Referral List No. 82 which was distributed to members today. Referral list recorded in the Journal and Status Report by order of the President.

Public Employees Retirement Board (ORS 238.630)

James Dalton	Rules
Thomas Grimsley	Rules
Eva Kripalani	Rules
Michael Pittman	Rules
Brenda Rocklin	Rules

The Senate recessed until 1:30 p.m. by unanimous consent at the request of the Chair.

Thursday, August 14, 2003 -- Afternoon Session

Senate reconvened at 1:30 p.m. President Courtney in Chair. The following members were present: Beyer, Burdick, Ferrioli, Metsger, Minnis, Morse, Nelson, Westlund; absent -- Atkinson, Brown, Carter, Corcoran, Deckert, Devlin, Dukes, Fisher, George, Gordly, Hannon, Harper, Messerle, Morrisette, Ringo, Schrader, Shields, Starr, B., Starr, C. Winters; excused -- Walker.

Call of the Senate demanded by Minnis joined by Burdick and Beyer. All present except Atkinson, Brown, Carter, Corcoran, Deckert, Devlin, Dukes, Fisher, George, Gordly, Hannon, Harper, Messerle, Morrisette, Ringo, Schrader, Shields, Starr, B., Starr, C. Winters, absent; Walker, excused. Pending arrival of members subject to the Call, Senate at ease. Further proceedings under the Call terminated by unanimous consent at the request of the Chair. All present except Walker, excused. Senate reassembled.

Senate, having recessed under the order of Announcements, reverted to the order of Third Reading of Senate Measures by unanimous consent at the request of the Chair.

SB 467 B-Eng. -- Read third time. Carried by Morse. On passage of bill the vote was: Ayes, 26; absent, 3 – Deckert, George, Winters; excused, 1 – Walker. Bill passed.

SB 915 A-Eng. -- Read third time. Carried by Beyer. On passage of bill the vote was: Ayes, 23; nays, 4 – Carter, Hannon, Schrader, Shields; absent, 2 – George, Winters; excused, 1 – Walker. Bill passed.

SB 939 A-Eng. -- Read third time. Carried by Corcoran. On passage of bill the vote was: Ayes, 27; nays, 2 – Hannon, Schrader; excused, 1 – Walker. Bill passed.

Senate reverted to the order of Third Reading of House Measures by unanimous consent at the request of the Chair.

HB 5013 A-Eng. -- Read third time. Carried by Carter. On passage of bill the vote was: Ayes, 28; nays, 1 – Hannon; excused, 1 – Walker. Bill passed. (Dukes in Chair)

HB 5014 A-Eng. -- Read third time. Carried by Messerle. Call of the Senate demanded by Beyer joined by Gordly and George. All present except, Walker, excused. On passage of bill the vote was: Ayes, 19; nays, 10 – Brown, Carter, Corcoran, Deckert, Hannon, Metsger, Morrisette, Ringo, Shields, Starr, B.; excused, 1 – Walker. Bill passed.

HB 5042 A-Eng. -- Read third time. Carried by Gordly. On passage of bill the vote was: Ayes, 27; nays, 2 – Beyer, Hannon; excused, 1 – Walker. Bill passed.

HB 2372 B-Eng. -- Read third time. Carried by Starr, B. On passage of bill the vote was: Ayes, 26; nays, 3 – Carter, Morrisette, Ringo; excused, 1 – Walker. Bill passed.

HB 2532 A-Eng. -- Read third time. Carried by Harper. On passage of bill the vote was: Ayes, 23; nays, 6 – Corcoran, Dukes, Gordly, Hannon, Morrisette, Shields; excused, 1 – Walker. Bill passed.

HB 2551 B-Eng. -- Read third time. Carried by Messerle. On passage of bill the vote was: Ayes, 22; nays, 7 – Carter, George, Gordly, Hannon, Morrisette, Ringo, Shields; excused 1 – Walker. Bill passed.

HB 3108 -- Moved to the foot of today's third reading calendar by unanimous consent at the request of the Chair.

HB 3328 B-Eng. -- Read third time. Carried by Beyer. On passage of bill the vote was: Ayes, 24; nays, 5 – Carter, George, Gordly, Hannon, Morrisette; excused, 1 – Walker. Bill passed.

HB 3659 A-Eng. -- Read third time. Carried by Devlin. Hannon declared potential conflict of interest. On passage of bill the vote was: Ayes, 27; nays, 2 – George, Hannon; excused, 1 – Walker. Bill passed. (President Courtney in Chair)

HB 3108 C-Eng. -- Read third time. Carried by Dukes. On passage of bill the vote was: Ayes, 22; nays, 7 – Beyer, Gordly, Harper, Minnis, Ringo, Shields, Starr, B.; excused, 1 – Walker. Bill passed.

Senate reverted to the order of Other Business of the Senate by unanimous consent at the request of the Chair.

HB 2379 -- Carter, Hannon appointed Senate conferees.

Senate adjourned until 10:45 a.m. on Friday by unanimous consent at the request of the Chair.

Friday, August 15, 2003 -- Morning Session

Senate convened at 10:45 a.m. President Courtney in Chair. The following members were present: Atkinson, Brown, Corcoran, Devlin, Gordly, Harper, Messerle, Metsger, Minnis, Shields, Walker; absent -- Beyer, Burdick, Carter, Deckert, Dukes, Ferrioli, Fisher, George, Hannon, Morrisette, Morse, Nelson, Ringo, Schrader, Westlund, Winters; excused -- Starr, C.; attending legislative business -- Starr, B.

Call of the Senate demanded by Corcoran joined by Minnis and Gordly. All present except, Beyer, Burdick, Carter, Deckert, Dukes, Ferrioli, Fisher, George, Hannon, Morrisette, Morse, Nelson, Ringo, Schrader, Westlund, Winters, absent; Starr, C., excused; Starr, B., attending legislative business. Pending arrival of members subject to the Call, Senate at ease. Further proceedings under the Call terminated by unanimous consent at the request of the Chair. All present except Starr, C., excused; Starr, B., attending legislative business. Senate reassembled. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Emily Broussard, Associate Pastor at Pauline Memorial AME Zion Church, Salem.

SB 5512, 5525; 196, 468, 757, 908, 909, 919 -- Message from the Governor announcing he signed on August 14.

SB 5513; 421, 899 -- Message from the House announcing passage.

SB 5550; 437, 906, 923, 924; HCR 13; HB 5022, 5034, 5060; 2614, 2797, 3648 -- Message from the House announcing Speaker signed on August 14.

Committee Report Summary No. 164 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

SB 772 -- Report by Committee on Ways and Means recommending passage with amendments to the A-engrossed bill.

SB 931 -- Report by Committee on Ways and Means recommending passage with amendments to the A-engrossed bill.

HB 2759 -- Report by Committee on Ways and Means recommending passage with amendments to the B-engrossed bill to resolve conflicts.

HB 2011 -- Taken from its place on today's third reading calendar and placed on August 19 calendar by voice vote on motion of Metsger.

HB 2168 B-Eng. -- Read third time. Carried by Morse. On passage of bill the vote was: Ayes, 19; nays, 9 – Atkinson, Beyer, Ferrioli, Fisher, George, Hannon, Harper, Minnis, Nelson; attending legislative business, 2 – Schrader, Starr, B. Bill passed.

HB 2341 B-Eng. -- Read third time. Carried by Atkinson. On passage of bill the vote was: Ayes, 29; attending legislative business, 1 – Starr, B. Bill passed.

HB 2341 -- Fisher requested the following explanation of vote be entered into the journal.

"I appreciate all the work that has gone into this rewrite of the state's public contracting laws.

"As we all know, this public contracting bill repeals almost all of ORS Chapter 279. It completely rewrites the public contracting code for Oregon. This covers all local governments and public entities in the state. This is one of the most important bills we will pass this session.

"House Bill 2341-B makes it impossible to compare existing statute with proposed new law. It is unfortunate that the Department of Administrative Services and the attorneys from the Department of Justice did not give us a side-by-side comparison of old law and new law. Without that we are being asked today to support a major revision of the state's public contracting code without being able to determine exactly what changes are being made to existing law.

"I am going on record to say, that the Senate Rules Committee, we are assured by the proponents of this bill that there is no intention to make substantive policy changes in the existing contracting law of Oregon.

"As the policy statement says, the intention of House Bill 2341 is to 'Simplify, clarify and modernize procurement practices' (page 11, line 43), and 'Allow impartial and open competition, protecting... the competitive nature of public procurement.' (Page 12, line 7)

"These are fancy words and noble statements. We need to be sure that the fairness and competitiveness of public contracting in Oregon will be maintained.

"There are several aspects of this contracting bill that I believe need clarification.

"In the past several years we have heard more and more about the problems with public contracts held by non-profit groups employing the disabled. DAS has not provided adequate oversight of these contracts.

"In 1977 the Legislature put into law an exemption from competitive bidding on public contracts for non-profits employing the disabled. This was to create jobs for severely disabled individuals, as defined in the statute, working in sheltered workshops and activity centers.

"We need to be clear that:

"There is no intention in House Bill 2341 to make any change in the existing products of disabled individuals law (ORS 279.835 to 279.855).

"There are no changes or language in House Bill 2341 that would change the interpretation of the original 1977 legislation to assist in employing severely disabled people on public contracts.

"This bill does not give DAS authority to delegate it's statutory obligations. DAS must still meet requirements

such as price setting for Qualified Rehabilitation Facilities contracts.

"Several courts in the state are reviewing legal issues concerning DAS contracting procedures with Qualified Rehabilitation Facilities. Without favoring one side or the other, until judicial clarification is achieved I think it is important that we not change the statutes.

"Hopefully, court review will result in some clarity in the interpretation of the products of Disabled Qualified Rehabilitation Facility laws.

"The reason I am belaboring these points is that this is a very complex 206-page bill. Although I am voting yes on this bill today, it is very important that as legislators we maintain our power to determine the public contracting laws of our state."

HB 3654 -- Read third time. Carried by Walker. On passage of bill the vote was: Ayes, 29; attending legislative business, 1 – Starr, B. Bill passed.

SCR 7; SB 5501; 342, 751, 800; HCR 13; HB 5022, 5029, 5031, 5034, 5060; 2160, 2189, 2301, 2349, 2594, 2614, 2797, 3044, 3201, 3620, 3628, 3648 -- President Courtney signed on August 15.

Senate adjourned until 10:45 a.m. Monday by unanimous consent at the request of the Chair.

Monday, August 18, 2003 -- Morning Session

Senate convened at 10:45 a.m. President Courtney in Chair. The following members were present: Atkinson, Beyer, Brown, Burdick, Carter, Corcoran, Deckert, Devlin, Dukes, Ferrioli, George, Gordly, Hannon, Harper, Messerle, Metsger, Minnis, Morrisette, Morse, Nelson, Ringo, Schrader, Shields, Starr, B., Starr, C., Walker, Winters; excused -- Fisher; attending legislative business -- Westlund. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Senator Frank Morse, Corvallis.

SB 474 -- Message from the House announcing passage.

SB 260 -- Message from the House announcing passage as amended by the House.

HJM 10; HB 3646 -- Message from the House announcing concurrence in Senate amendments and repassage.

SB 272 -- Message from the House announcing adoption of conference committee report and repassage.

SB 297 -- Message from the House announcing Williams, Anderson, Barker appointed House conferees.

Committee Report Summary No. 165 listing the following reports was distributed to members today.

Summary list recorded in Journal and Status Report by order of the President.

HB 2661 B-Eng. -- Report by Conference Committee, signed by Senators Metsger, Starr, B. and Representatives Brown, Greenlick, Miller, recommending the House concur in Senate amendments dated May 28 and that the bill be further amended and repassed.

SB 7 -- Corcoran moved that the Senate refuse to concur in House amendments. Motion carried; the vote was: Ayes, 16; nays, 7 -- Atkinson, Beyer, Corcoran, Minnis, Morrisette, Starr, B., Starr, C.; absent, 1 -- George; excused, 1 -- Fisher; attending legislative business, 5 -- Carter, Deckert, Schrader, Westlund, Winters. Senate refused to concur in House amendments.

SB 752 C-Eng. -- Minnis moved that the Senate concur in House amendments and repass bill. Call of the Senate demanded by Brown joined by Devlin and Metsger. All members subject to the Call present except George, absent; Fisher, excused; Winters, attending legislative business. On concurrence and repassage the vote was: Ayes, 23; nays, 4 -- Atkinson, Beyer, Starr, B., Starr, C.; absent, 1 -- George; excused, 1 -- Fisher; attending legislative business, 1 -- Winters. Bill repassed.

SCR 9; SJM 7 -- Introduced, read first time and referred to President's desk.

SB 772, 931 -- Read second time and passed to third reading.

HB 2759 -- Read second time and passed to third reading.

Senate adjourned until 10:45 a.m. Tuesday by unanimous consent at the request of the Chair.

Tuesday, August 19, 2003 -- Morning Session

Senate convened at 10:45 a.m. President Courtney in Chair. The following members were present: Atkinson, Beyer, Brown, Burdick, Carter, Corcoran, Deckert, Devlin, Dukes, Ferrioli, Fisher, George, Gordly, Hannon, Harper, Messerle, Metsger, Minnis, Morrisette, Morse, Nelson, Ringo, Schrader, Shields, Starr, B., Starr, C., Walker, Westlund, Winters. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Pastor Steve Knox of the First Christian Church, Silverton.

SB 5550; 63, 267, 516, 617, 912, 918 -- Message from the Governor announcing he signed August 18.

SB 914, 926, 933 -- Message from the House announcing passage.

HM 11 -- Message from the House announcing adoption.

HB 2372, 3108 -- Message from the House announcing concurrence in Senate amendments and repassage.

Committee Report Summary No. 166 listing the following reports was distributed to members August 18. Summary list recorded in Journal and Status Report by order of the President.

HB 2318 -- Report by Committee on Judiciary recommending passage with amendments to the A-grossed bill.

Committee Report Summary No. 167 listing the following reports was distributed to members August 18. Summary list recorded in Journal and Status Report by order of the President.

HB 2148 -- Report by Committee on General Government without recommendation as to passage. Requesting subsequent referral to Ways and Means be rescinded and bill be referred to Special Committee on Budget. Subsequent referral rescinded and referred to Special Committee on Budget by order of the President in agreement with the President Pro Tempore.

HB 3446 -- Report by Committee on General Government without recommendation as to passage. Requesting subsequent referral to Ways and Means be rescinded and bill be referred to Special Committee on Budget. Subsequent referral rescinded and referred to Special Committee on Budget by order of the President in agreement with the President Pro Tempore.

Committee Report Summary No. 168 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

HB 5028 -- Report by Committee on Ways and Means recommending passage of the A-grossed bill.

HB 2152 -- Report by Committee on Revenue recommending passage with amendments to the A-grossed bill. (Amendments distributed August 19)

HB 2288 -- Report by Committee on Ways and Means recommending passage of the A-grossed bill.

HB 2152 -- Deckert moved that the rules be suspended in order that bill may be read second and third time under a Special Order of Business immediately. Fisher objected. The Chair ordered a roll call on the motion to suspend the rules. The vote was: Ayes, 26; nays, 4 -- Ferrioli, Fisher, George, Minnis. Motion carried.

HB 2152 -- Under rules suspension and Special Order of Business, read second time.

HB 2152 B-Eng. -- Under rules suspension and Special Order of business, read third time. Carried by Deckert. Parliamentary inquiry by Ferrioli

questioning the germaneness of the amendments to the bill and requesting a ruling from the chair. The chair ruled that the amendments are proper and comply with the Oregon Constitution, Rules of the Senate and *Mason's Manual of Legislative Procedure*.

The chair gave the following statement in reference to his ruling:

“Art. IV, sec. 17, Oregon Constitution: “Each house shall have all the power necessary for a branch of the legislative department of a free and independent state.” That is followed by section 18 where bills are to originate. Bills may originate in either house that may be amended or rejected in the other, except that bills for raising revenue shall originate in the House of Representatives.”

“The title of HB 2152 is “relating to taxation.” The House vote on this measure was 51 ayes, 5 nays, and 4 excused. So, clearly the measure before us originated in the House of Representatives, in compliance with the Oregon Constitution, and it passed by more than a three-fifths vote.

“Now to the issue of germaneness. The good senator is correct, in that all questions of germaneness are decided by the President or the presiding officer, and we are directed to *Mason's*. My interpretation in viewing this is that the amendments (-19 and -20) that were adopted yesterday related to taxation, as did the original bill which came from the House. To quote *Mason's*, to determine if an amendment is germane the question to be answered is whether the amendment is relevant, appropriate, and the in the natural and logical sequence to the subject matter of the original proposal.

“The subject of the original proposal is clearly one of taxation, whether it is the measure before you or the one that came from the House, the sum and substance, the four corners of the legislation, the spirit, intent, involved in the legislation.

“*Mason's* sec. 402 (3) states that to be germane, the amendment is required only to relate to the same subject. It may entirely change the effect of or be in conflict with the spirit of the original motion or measure and still be germane to the subject. It is clear that *Mason's* is empowering the presiding officer to have broad authority in making decisions regarding germaneness.

“The final point is that an entirely new proposal may be substituted by amendment as long as it is germane to the main purpose of the original proposal. It is my opinion and my decision that the measure before you today is proper. It complies with the Oregon Constitution, the Rules of the Senate and with *Mason's Manual of legislative Procedure*. The amendments are germane to the subject and title of the bill.

Debate resumed. Call of the Senate demanded by Deckert joined by Brown and Walker. All members present. On passage of bill the vote was: Ayes, 19;

nays, 11 – Atkinson, Beyer, Corcoran, Ferrioli, Fisher, George, Hannon, Harper, Messerle, Minnis, Starr, B. Bill passed.

Senate, having completed action under Special Order of Business, resumed under the general order of business by unanimous consent at the request of the Chair.

SB 260 -- Taken from today's calendar and placed on August 20 by unanimous consent on motion of Minnis.

SB 946, 947 -- Introduced, read first time and referred to President's desk.

SB 772 B-Eng. -- Read third time. Carried by George, Starr, B. Morse declared a potential conflict of interest. On passage of bill the vote was: Ayes, 21; nays, 9 – Burdick, Carter, Corcoran, Dukes, Gordly, Hannon, Morrisette, Ringo, Shields. Bill passed.

SB 931 B-Eng. -- Read third time. Carried by Dukes. On passage of bill the vote was: Ayes, 29; excused, 1 – Brown. Bill passed.

HB 5028; 2288 -- Read second time and passed to third reading.

HB 2011 -- Read third time. Carried by Metsger. Referred to Special Committee on Budget by voice vote on motion of Metsger.

HB 2759 C-Eng. -- Read third time. Carried by Devlin. On passage of bill the vote was: Ayes, 23; nays, 7 – Atkinson, Beyer, Corcoran, Dukes, George, Hannon, Starr, B. Bill passed.

The following measures were referred to committee on August 18 and recorded on Committee Referral List No. 83 which was distributed to members. Referral list recorded in the Journal and Status Report by order of the President.

SCR 9 Rules

SJM 7 Rules

HB 5021 Budget

HB 5028 Ways and Means

HB 2288 Ways and Means

President Courtney announced the following committee assignments effective August 15.

OREGON COUNCIL FOR KNOWLEDGE AND ECONOMIC DEVELOPMENT (SB 273, Chapter 519, Oregon Laws 2001)

Senator Frank Morse

SB 7 -- Winters, Walker appointed Senate conferees.

SCR 8; SB 5502, 5513, 5522, 5527, 5547, 5551; 232, 820, 867, 932 -- President Courtney signed on August 19.

Senate adjourned until 10:45 a.m. Wednesday by unanimous consent at the request of the Chair.

Wednesday, August 20, 2003 -- Morning Session

Senate convened at 10:45 a.m. President Courtney in Chair. The following members were present: Atkinson, Beyer, Brown, Burdick, Carter, Corcoran, Deckert, Devlin, Dukes, Ferrioli, Fisher, Gordly, Hannon, Harper, Messerle, Minnis, Morrisette, Morse, Nelson, Ringo, Schrader, Shields, Starr, B., Starr, C., Walker, Winters; excused -- George, Westlund; attending legislative business -- Metsger. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Pastor C.T. Wells of Emmanuel Temple Church, Portland.

Courtesies of the Senate were extended to former Senate President Gene Derfler at the request of Nelson.

The following messages from the Governor were read and referred to the Committee on Rules.

August 19, 2003

TO THE HONORABLE PRESIDENT OF THE SENATE
OF THE 72nd LEGISLATIVE ASSEMBLY

ORS 778.215 provides that the Governor shall appoint the members of the Board of Commissioners of the Port of Portland, subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I appoint Judith Johansen of Lake Oswego to the Board of Commissioners of the Port of Portland for an unexpired four-year term, as provided by statute, beginning September 1, 2003 and ending on September 14, 2005, effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,
Ted Kulongoski
Governor

August 19, 2003

TO THE HONORABLE PRESIDENT OF THE SENATE
OF THE 72nd LEGISLATIVE ASSEMBLY

ORS 778.215 provides that the Governor shall appoint the members of the Board of Commissioners of the Port of Portland, subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I reappoint Mary Olson of Portland to the Board of Commissioners of the Port of Portland for a four-year term, as provided by statute, beginning March 20, 2003 and ending on March 19, 2007, effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,
Ted Kulongoski
Governor

SB 180, 471; HB 2267, 3666 -- Message from the House announcing passage.

HB 2661 -- Message from the House announcing Conference Committee Report adopted and bill repassed.

HB 3328 -- Message from the House announcing concurrence in Senate amendments and repassage.

SCR 7, 8; SB 5501, 5502, 5513, 5522, 5527, 5547, 5551; 232, 342, 751, 800, 820, 867, 932; HB 5009, 5013, 5018, 5052, 5061, 5066; 2195, 2537, 3120, 3276, 3534 -- Message from the House announcing Speaker signed on August 19.

HB 5014 5042; 2532, 2551, 3659 -- Message from the House announcing Speaker signed on August 20.

Committee Report Summary No. 170 listing the following reports was distributed to members August 19. Summary list recorded in Journal and Status Report by order of the President.

SB 469 -- Report by Committee on Revenue recommending passage with amendments.

Committee Report Summary No. 171 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

SB 943 -- Report by Committee on Rules recommending passage with amendments.

HB 2283 -- Report by Committee on Revenue recommending passage.

HB 2577 -- Report by Committee on Rules recommending passage of the B-engrossed bill.

Committee Report Summary No. 172 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

HB 5067 -- Report by Special Committee on Budget recommending passage with amendments to the A-engrossed bill.

HB 3446 -- Report by Special Committee on Budget recommending passage with amendments.

HB 5067; 3446 -- Rules suspended by unanimous consent to consider bills under second and third reading under a Special Order of Business immediately on motion of Carter.

HB 5067; 3446 -- Under rules suspension and Special Order of Business, read second time.

HB 5067 B-Eng. -- Under rules suspension and Special Order of Business, read third time. Carried by Carter. On passage of bill the vote was: Ayes, 23; absent, 1 – Corcoran; excused, 2 – George, Westlund; attending legislative business, 4 – Metsger, Morse, Nelson, Shields. Bill passed.

HB 3446 A-Eng. -- Under rules suspension and Special Order of Business, read third time. Carried by Devlin. On passage of bill the vote was: Ayes, 23; absent, 1 – Corcoran; excused, 2 – George, Westlund; attending legislative business, 4 – Metsger, Morse, Nelson, Shields. Bill passed.

Senate, having completed action under Special Order of Business, resumed under the general order of business by unanimous consent at the request of Chair.

SB 260 C-Eng. -- Minnis moved that the Senate concur in House amendments and repass bill. On concurrence and repassage the vote was: Ayes, 24; absent, 1 – Corcoran; excused, 2 – George, Westlund; attending legislative business, 3 – Metsger, Morse, Shields. Bill repassed.

SB 469 -- Read second time and passed to third reading.

HB 2267, 3666 -- Read first time and referred to President's desk.

HB 2577 -- Read second time and passed to third reading.

HB 5028 A-Eng. -- Read third time. Carried by Messerle. On passage of bill the vote was: Ayes, 23; absent, 1 – Corcoran; excused, 2 – George, Westlund; attending legislative business, 4 – Metsger, Morse, Nelson, Shields. Bill passed.

HB 2288 A-Eng. -- Read third time. Carried by Winters. On passage of bill the vote was: Ayes, 23; absent, 1 – Corcoran; excused, 2 – George, Westlund; attending legislative business, 4 – Metsger, Morse, Nelson, Shields. Bill passed.

HB 2318 B-Eng. -- Bill read. Carried by Walker. On passage of bill the vote was: Ayes, 23; absent, 1 – Corcoran; excused, 2 – George, Westlund; attending legislative business, 4 – Metsger, Morse, Nelson, Shields. Bill passed.

Senate adjourned until 10:45 a.m. Thursday by unanimous consent at the request of the Chair.

Thursday, August 21, 2003 -- Morning Session

Senate convened at 10:45 a.m. President Courtney in Chair. The following members were present: Atkinson, Beyer, Brown, Carter, Corcoran, Deckert, Devlin, Dukes, Fisher, George, Gordly, Hannon, Harper, Messerle, Metsger, Morrisette, Morse, Nelson, Ringo, Schrader, Shields, Starr, B., Starr, C., Walker; excused -- Burdick; attending legislative business -- Ferrioli, Minnis, Westlund, Winters. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Pastor Gail Schoepflin of Seventh Day Adventist Church, Corvallis.

SB 437, 906, 923, 924 -- Message from the Governor announcing he signed on August 21.

SB 5 -- Message from the House announcing passage as amended by the House.

HB 2094, 2152, 2318 -- Message from the House announcing concurrence in Senate amendments and repassage.

HB 2168 -- Message from the House announcing refusal to concur in Senate amendments.

HB 3654 -- Message from the House announcing Speaker signed on August 20.

Committee Report Summary No. 173 listing the following reports was distributed to members August 20. Summary list recorded in Journal and Status Report by order of the President.

HB 3183 -- Report by Committee on Revenue recommending passage with amendments.

HB 3630 -- Report by Committee on Judiciary recommending passage with amendments to the A-engrossed bill and requesting subsequent referral to Committee on Ways and Means be rescinded. Subsequent referral rescinded by order of the President in agreement with the President Pro Tempore.

Committee Report Summary No. 174 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

SCR 9 -- Report by Committee on Rules recommending adoption.

Committee Report Summary No. 175 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

HB 2825 -- Report by Committee on Rules recommending passage with amendments to the A-engrossed bill and requesting subsequent referral to Committee on Ways and Means be rescinded. Subsequent referral rescinded by order of the President in agreement with the President Pro Tempore.

HB 3159 -- Report by Committee on Business and Labor without recommendation as to passage and requesting it be returned to President's desk for referral to another committee. Referred to Special Committee on Budget by order of the President in agreement with the President Pro Tempore.

HB 3539 -- Report by Committee on Judiciary recommending passage with amendments to the A-engrossed bill.

SB 666 -- Senate refused to concur in House amendments by voice vote on motion of Beyer.

HB 2661 -- Taken from its place on today's third reading calendar and placed on August 22 calendar by voice vote on motion of Metsger.

SCR 9; SB 943 -- Read second time and passed to third reading.

SB 469 A-Eng. -- Read third time. Carried by Starr, B. On passage of bill the vote was: Ayes, 22; nays, 2 – Schrader, Shields; excused, 1 – Burdick; attending legislative business, 5 – Carter, Ferrioli, Minnis, Westlund, Winters. Bill passed.

HB 3183, 3630 -- Read second time and passed to third reading.

HB 2283 -- Bill read. Carried by Fisher. Call of the Senate demanded by Fisher joined by Beyer and Brown. All members present except Burdick excused; Ferrioli, Minnis, Westlund, Winters, attending legislative business. On passage of bill the vote was: Ayes, 22; nays, 3 – Ringo, Shields, Walker; excused, 1 – Burdick; attending legislative business, 4 – Ferrioli, Minnis, Westlund, Winters. Bill passed.

HB 2577 B-Eng. -- Read third time. Carried by Nelson. On passage of bill the vote was: Ayes, 24; excused, 1 – Burdick; attending legislative business, 5 – Ferrioli, Minnis, Schrader, Westlund, Winters. Bill passed.

The following measures were referred to committee on August 20 and recorded on Committee Referral List No. 84 which was distributed to members. Referral list recorded in the Journal and Status Report by order of the President.

SB 946 Judiciary
SB 947 Budget
HB 2267 Revenue
HB 3666 Rules

Board of Commissioners of the Port of Portland (ORS 778.215)

Judith Johansen	Rules
Mary Olson (r)	Rules

Senate adjourned until 10:45 a.m. Friday by unanimous consent at the request of the Chair.

Friday, August 22, 2003 -- Morning Session

Senate convened at 10:45 a.m. President Courtney in Chair. The following members were present: Atkinson, Beyer, Brown, Burdick, Carter, Corcoran, Deckert, Devlin, Dukes, Ferrioli, Fisher, George, Gordly, Hannon, Harper, Messerle, Metsger, Minnis, Morrisette, Morse, Nelson, Ringo, Schrader, Shields, Starr, B., Starr, C., Walker, Westlund,

Winters. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Senator Frank Shields, Portland.

The following messages from the Governor were read and referred to the Committee on Rules.

August 21, 2003

TO THE HONORABLE PRESIDENT OF THE SENATE
OF THE 72nd LEGISLATIVE ASSEMBLY

ORS 342.930 provides that the Governor shall appoint the members of the Fair Dismissal Appeals Board subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I reappoint Frank Brawner of Neskowin to the Fair Dismissal Appeals Board for a four-year term, as provided by statute, beginning July 1, 2003, and ending June 30, 2007, effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,
Ted Kulongoski
Governor

August 21, 2003

TO THE HONORABLE PRESIDENT OF THE SENATE
OF THE 72nd LEGISLATIVE ASSEMBLY

ORS 660.110 provides that the Governor shall appoint the members of the State Apprenticeship and Training Council subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I appoint Kenneth Fry of Portland to the State Apprenticeship and Training Council for a four-year term, as provided by statute, beginning September 1, 2003, and ending August 31, 2007, effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,
Ted Kulongoski
Governor

August 21, 2003

TO THE HONORABLE PRESIDENT OF THE SENATE
OF THE 72nd LEGISLATIVE ASSEMBLY

ORS 660.110 provides that the Governor shall appoint the members of the State Apprenticeship and Training Council subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I appoint John Howard of LaGrande to the State Apprenticeship and Training Council for a four-year term, as provided by statute, beginning September 1, 2003, and ending August 31, 2007, effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,
Ted Kulongoski
Governor

August 21, 2003

TO THE HONORABLE PRESIDENT OF THE SENATE
OF THE 72nd LEGISLATIVE ASSEMBLY

ORS 660.110 provides that the Governor shall appoint the members of the State Apprenticeship and Training Council subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I reappoint Kathryn Mattimore of Portland to the State Apprenticeship and Training Council for a four-year term, as provided by statute, beginning August 20, 2003, and ending August 19, 2007, effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,
Ted Kulongoski
Governor

August 21, 2003

TO THE HONORABLE PRESIDENT OF THE SENATE
OF THE 72nd LEGISLATIVE ASSEMBLY

ORS 342.930 provides that the Governor shall appoint the members of the Fair Dismissal Appeals Board subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I reappoint Mark Davalos of Salem to the Fair Dismissal Appeals Board for a four-year term, as provided by statute, beginning July 1, 2003, and ending June 30, 2007, effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,
Ted Kulongoski
Governor

August 21, 2003

TO THE HONORABLE PRESIDENT OF THE SENATE
OF THE 72nd LEGISLATIVE ASSEMBLY

ORS 342.930 provides that the Governor shall appoint the members of the Fair Dismissal Appeals Board subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I reappoint Paul Duchin of Eugene to the Fair Dismissal Appeals Board for a four-year term, as provided by statute, beginning July 1, 2003, and ending June 30, 2007, effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,
Ted Kulongoski
Governor

August 21, 2003

TO THE HONORABLE PRESIDENT OF THE SENATE
OF THE 72nd LEGISLATIVE ASSEMBLY

ORS 342.930 provides that the Governor shall appoint the members of the Fair Dismissal Appeals Board subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I reappoint Patrick Neill of Eugene to the Fair Dismissal Appeals Board for a four-year term, as provided by statute, beginning July 1, 2003, and ending June 30, 2007, effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,
Ted Kulongoski
Governor

Committee Report Summary No. 176 listing the following reports was distributed to members August 21. Summary list recorded in Journal and Status Report by order of the President.

HB 3264 -- Report by Committee on Rules recommending passage with amendments to the A-engrossed bill.

Committee Report Summary No. 177 listing the following reports was distributed to members August 21. Summary list recorded in Journal and Status Report by order of the President.

SB 938 -- Report by Committee on Rules recommending passage with amendments.

HB 3442 -- Report by Committee on Rules recommending passage with amendments to the B-engrossed bill.

Committee Report Summary No. 178 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

SB 946 -- Report by Committee on Judiciary recommending passage.

HB 2011 -- Report by Committee on Budget recommending passage with amendments to the B-engrossed bill.

HB 2267 -- Report by Committee on Revenue recommending passage with amendments to the A-engrossed bill.

HB 3582 -- Report by Committee on Revenue recommending passage.

HB 3597 -- Report by Committee on Rules recommending passage of the B-engrossed bill.

HB 3638 -- Report by Committee on Rules recommending passage of the A-engrossed bill.

HB 3653 -- Report by Committee on Rules recommending passage with amendments to the A-engrossed bill.

HB 3666 -- Report by Committee on Rules recommending passage with amendments.

Report by Committee on Rules recommending that the Governor's appointments of Sara Medlock (r), Bruce Sohr and Lowell Arno to the Electrical and Elevator Board be confirmed en bloc.

Report by Committee on Rules recommending that the Governor's appointment of Anastasia Meisner to the Oregon Board of Accountancy be confirmed.

Report by Committee on Rules recommending that the Governor's appointment of Terry Bernhardt to the Appraiser Certification and Licensure Board be confirmed.

Report by Committee on Rules recommending that the Governor's appointment of Stan Robson to the Oregon State Lottery Commission be confirmed.

Report by Committee on Rules recommending that the Governor's appointments of Gregory Garcia (r), Rick Marinelli and Michael Reed (r) to the Board of Naturopathic Examiners be confirmed en bloc.

Report by Committee on Rules recommending that the Governor's appointment of George Gerding to the Board of Examiners of Nursing Home Administrators be confirmed.

Report by Committee on Rules recommending that the Governor's appointments of Ray Baum and John Savage to the Public Utility Commission be confirmed en bloc.

Report by Committee on Rules recommending that the Governor's appointment of Cliff Johannsen to the Psychiatric Security Review Board be confirmed.

Report by Committee on Rules recommending that the Governor's appointments of James Peterson, Benson Schaeffer, Terrel Templeman and Maryann Yelnosky to the State Board of Psychologist Examiners be confirmed en bloc.

Report by Committee on Rules recommending that the Governor's appointments of Patrick Edvalson, Jesse Lohrke and Caspar Sharples (r) to the Oregon Student Assistance Commission be confirmed en bloc.

Report by Committee on Rules recommending that the Governor's appointment of Deborah Kane to the Sustainability Board be confirmed.

Report by Committee on Rules recommending that the Governor's appointment of Bob Williams to the Tri-Met Board be confirmed.

Report by Committee on Rules recommending that the Governor's appointment of Carter Kerns to the State Fish and Wildlife Commission be confirmed.

SB 5 -- Deckert moved that the Senate concur in House amendments and repass bill. Call of the Senate demanded by Deckert joined by Minnis and Brown. All members present. Motion failed; the vote was: Ayes, 11; nays, 19—Atkinson, Beyer, Brown, Burdick, Corcoran, Deckert, Dukes, Ferrioli, Fisher, George, Gordly, Hannon, Harper, Messerle, Metsger, Morrisette, Ringo, Schrader, President Courtney. Deckert granted unanimous consent to change from aye to nay and served notice of possible reconsideration.

SB 5 -- Parliamentary inquiry by Metsger asking for clarification of the timelines associated with the motion to reconsider and the appointment of conferees. The chair responded that in accordance with SR 10.01(4), the Senate may reconsider the vote today or tomorrow. If after the vote on

reconsideration, the Senate has refused to concur in the House amendments, conferees may be appointed.

Senate proceeded to the order of Third Reading of Senate Measures by unanimous consent at the request of the Chair.

SCR 9 -- Read final time. Carried by Winters. On adoption of resolution, the vote was: Ayes, 30. Resolution adopted.

Senate resumed under the general order of business by unanimous consent at the request of the Chair.

SB 946 -- Read second time and passed to third reading.

HB 3669 -- Message from the House announcing passage.

HB 3669 -- Read first time and referred to President's desk.

HB 2825, 3264, 3442, 3539, 3582, 3597, 3638 -- Read second time and passed to third reading.

SB 5509, 5523, 5553; 500, 501, 920, 931, 934; HB 3510, 3656, 3668 -- Message from the House announcing passage.

SB 5530; 550, 910 -- Message from the House announcing passage as amended by the House.

HB 2759 -- Message from the House announcing concurrence in Senate amendments.

SB 666 -- Minnis, Dukes appointed Senate conferees.

President Courtney announced the following committee assignments.

Oregon Commemorative Coin Commission

Senator Dukes
Senator Starr, C.

Senate recessed until 2:30 p.m. by unanimous consent at the request of the Chair.

Friday, August 22, 2003 -- Afternoon Session

Senate reconvened at 2:30 p.m. President Courtney in Chair. All present except Winters, attending legislative business.

SB 5502, 5513, 5522, 5527, 5547, 5551; 232, 342, 751, 800, 820, 867, 932 -- Message from the Governor announcing he signed on August 22.

HB 2152 -- Message from the House announcing the Speaker signed in August 21.

Senate, having recessed under the order of Propositions and Motions, reverted to the order of First Reading of House Measures by unanimous consent at the request of the Chair.

HB 3510, 3656, 3668 -- Read first time and referred to President's desk.

Senate reverted to the order of Propositions and Motions by unanimous consent at the request of the Chair.

HB 2661 B-Eng.* -- Metsger moved that the Senate adopt the Conference Committee report and repass the bill. Call of the Senate demanded by Metsger joined by Nelson and Starr, C. All members present. Motion carried. The vote was: Ayes, 16; nays, 14 -- Brown, Burdick, Corcoran, Devlin, Dukes, Gordly, Hannon, Minnis, Morrisette, Ringo, Schrader, Shields, Walker, President Courtney. Bill repassed.

Senate reverted to the order of Third Reading of Senate Measures by unanimous consent at the request of the Chair.

SB 943 A-Eng. -- Read third time. Carried by Atkinson. On passage of bill the vote was: Ayes, 28; nays, 1 -- Hannon; attending legislative business, 1 -- Burdick. Bill passed.

SB 938 -- Rules suspended by unanimous consent in order that the Senate may take action on second and third reading immediately on motion of Fisher.

SB 938 -- Under rules suspension, read second time and passed to third reading.

SB 938 A-Eng. -- Under rules suspension, read third time. Carried by Fisher. On passage of bill the vote was: Ayes, 25; nays, 3 -- Gordly, Schrader, Shields; attending legislative business, 2 -- Burdick, Corcoran. Bill passed. (Hannon in Chair)

Senate resumed under the general order of business by unanimous consent at the request of the Chair.

HB 3183 -- Read third time. Carried by Deckert. Rereferred to Committee on Revenue by voice vote on motion of Deckert.

HB 3630 B-Eng. -- Read third time. Carried by Minnis. Call of the Senate demanded by Minnis joined by Ferrioli and Winters. All members present. On passage of bill the vote was: Ayes, 24; nays, 6 -- Beyer, Fisher, George, Morse, Schrader, Shields. Bill passed

HB 2825, 3264, 3442, 3539 -- Rules suspended by unanimous consent in order that the Senate may take action on third reading immediately on motion of Brown.

HB 2825 -- Under rules suspension, read third time. Carried by Brown. On passage of bill the vote was: Ayes, 23; nays, 7--Atkinson, Burdick, Corcoran, Ferrioli, Fisher, George, Shields. Bill passed.

HB 3264 B-Eng. -- Under rules suspension, read third time. Carried by Beyer. On passage of bill the vote was: Ayes, 20; nays, 10--Brown, Burdick, Carter, Deckert, Devlin, Gordly, Morrisette, Ringo, Shields, Walker. Bill passed.

HB 3442 C-Eng. -- Under rules suspension, read third time. Carried by Atkinson. On passage of bill the vote was: Ayes, 28; nays, 2--Gordly, Schrader. Bill passed.

HB 3539 B-Eng. -- Under rules suspension, read third time. Carried by Starr, C. On passage of bill the vote was: Ayes, 30. Bill passed.

Senate recessed until 4:00 p.m. by unanimous consent at the request of the Chair.

Senate reconvened at 4:00 p.m. President Courtney in Chair. All present except Shields, attending legislative business.

SB 550, 946; HB 2011, 2267, 3582, 3597, 3638, 3653, 3666 -- Rules suspended by unanimous consent in order that the Senate may take final action on Supplemental Agenda No. 1 on motion of Westlund.

SB 550 B-Eng. -- Under rules suspension, Deckert moved that the Senate concur in House amendments and repass bill. On concurrence and repassage the vote was: Ayes, 29; attending legislative business, 1 -- Shields. Bill repassed.

Senate reverted to Third Reading of Senate Measures by unanimous consent at the request of the Chair.

SB 946 -- Under rules suspension, read third time. Carried by Westlund. On passage of bill the vote was: Ayes, 27; attending legislative business, 3 -- Brown, Burdick, Shields. Bill passed.

Senate reverted to Second Reading of House Measures by unanimous consent at the request of the Chair.

HB 2267, 3653, 3666 -- Under rules suspension, read second time and passed to third reading.

Senate reverted to Third Reading of House Measures by unanimous consent at the request of the Chair.

HB 2011 C-Eng. -- Under rules suspension, read third time. Carried by Schrader. On passage of bill the vote was: Ayes, 25; attending legislative business, 5--Atkinson, Beyer, Brown, Burdick, Fisher. Bill passed

HB 2267 B-Eng. -- Under rules suspension, read third time. Carried by Metsger. Call of the Senate demanded by Metsger joined by Starr, B. and Shields. All present. On passage of bill the vote was: Ayes, 23; nays, 7--Dukes, Ferrioli, Fisher, George, Harper, Schrader, Starr, C. Bill passed.

HB 3582 A-Eng. -- Under rules suspension, read third time. Carried by Starr, B. On passage of bill the vote was: Ayes, 27; nays, 2--Gordly, Hannon; attending legislative business, 1--Atkinson. Bill passed.

HB 3597 B-Eng. -- Under rules suspension, read third time. Carried by Beyer. Parliamentary inquiry by Ferrioli questioning the germaneness of the amendments to the bill. Senate at ease. Senate reassembled. The Chair ruled that the amendments are germane and the bill is properly before the Senate. On passage of bill the vote was: Ayes, 18; nays, 8--Devlin, Ferrioli, Gordly, Hannon, Morrisette, Shields, Walker, Winters; attending legislative business, 4--Atkinson, Burdick, Carter, Corcoran. Bill passed.

HB 3638 B-Eng. -- Under rules suspension, read third time. Carried by Brown. On passage of bill the vote was: Ayes, 22; nays, 3--Gordly, Ringo, Schrader; attending legislative business, 5--Atkinson, Burdick, Carter, Corcoran, Fisher. Bill passed.

Senate recessed until 7:00 p.m. by unanimous consent at the request of the Chair. Senate reconvened at 7:00 p.m. President Courtney in Chair. All present.

Senate, having recessed under the order of Third Reading of House Measures, resumed under the general order of business by unanimous consent at the request of the Chair.

HB 3653 B-Eng. -- Under rules suspension, read third time. Carried by Brown. On passage of bill the vote was: Ayes, 26; nays, 4 -- Corcoran, Deckert, Gordly, Hannon. Bill passed.

HB 3666 A-Eng. -- Under rules suspension, read third time. Carried by Brown. On passage of bill the vote was: Ayes, 27; nays, 3 -- Deckert, Gordly, Metsger. Bill passed.

Senate reverted to the order of Reports from Standing Committees by unanimous consent at the request of the Chair.

Committee Report Summary No. 179 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

SB 947 -- Report by Special Committee on Budget recommending passage with amendments. (Amendments distributed August 22)

HB 2148 -- Report by Special Committee on Budget recommending passage with amendments to the A-engrossed bill. (Amendments distributed August 22)

Committee Report Summary No. 180 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

HB 3656 -- Report by Special Committee on Budget without recommendation as to passage and be returned to President's desk for referral to another committee. Referred to Revenue by order of the President in agreement with the President Pro Tempore.

Committee Report Summary No. 181 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

SB 360 -- Report by Committee on Ways and Means recommending passage with amendments. (Amendments distributed August 22)

SB 875 -- Report by Committee on Ways and Means recommending passage with amendments to the B-engrossed bill. (Amendments distributed August 22)

SB 904 -- Report by Committee on Ways and Means recommending passage with amendments to the B-engrossed bill.

HB 3624 -- Report by Committee on Ways and Means recommending passage with amendments to the B-engrossed bill.

Committee Report Summary No. 182 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

HB 3159 -- Report by Special Committee on Budget recommending passage with amendments to the A-engrossed bill. (Amendments distributed August 22)

Senate reverted to the order of Propositions and Motions by unanimous consent at the request of the Chair.

SB 360, 875, 904, 910, 947; HB 2148, 3624 -- Rules suspended by unanimous consent in order that the Senate may take final action on Supplemental Agenda No. 2 on motion of Minnis.

SB 910 A-Eng. -- Under rules suspension. Minnis moved that the Senate concur in House amendments and repass bill. On concurrence and repassage the vote was: Ayes, 29; absent, 1 -- Burdick. Bill repassed.

Senate reverted to the order of Second Reading of Senate Measures by unanimous consent at the request of the Chair.

SB 360, 875, 904, 947 -- Under rules suspension, read second time and passed to third reading.

Senate reverted to the order of Second Reading of House Measures by unanimous consent at the request of the Chair.

HB 2148, 3624 -- Under rules suspension, read second time and passed to third reading.

Senate reverted to the order of Third Reading of Senate Measures by unanimous consent at the request of the Chair.

SB 360 A-Eng. -- Under rules suspension, read third time. Carried by Gordly. On passage of bill the vote was: Ayes, 29; excused, 1 – Carter. Bill passed.

SB 875 B-Eng. -- Under rules suspension, read third time. Carried by Winters. On passage of bill the vote was: Ayes, 30. Bill passed. Carter, excused when roll called, granted unanimous consent to vote aye.

SB 904 B-Eng. -- Under rules suspension, read third time. Carried by Schrader. On passage of bill the vote was: Ayes, 29; excused, 1 – Carter. Bill passed.

SB 947 A-Eng. -- Under rules suspension, read third time. Carried by Morse. On passage of bill the vote was: Ayes, 29; nays, 1 – Corcoran. Bill passed.

Senate reverted to the order of Third Reading of House Measures by unanimous consent at the request of the Chair.

HB 3624 C-Eng. -- Under rules suspension, read third time. Carried by Winters. On passage of bill the vote was: Ayes, 30. Bill passed.

Senate reverted to the order of Reports from Standing Committees by unanimous consent at the request of the Chair.

Committee Report Summary No. 183 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

HB 3656 -- Report by Committee on Revenue recommending passage of the A-engrossed bill.

Senate reverted to the order of Second Reading of House Measures by unanimous consent at the request of the Chair.

HB 3159, 3656 -- Under rules suspension, read second time and passed to third reading.

Senate adjourned until 2:00 p.m. Saturday by unanimous consent at the request of the Chair.

Saturday, August 23, 2003 -- Afternoon Session

Senate convened at 2:00 p.m. President Courtney in Chair. The following members were present: Atkinson, Beyer, Brown, Burdick, Carter, Corcoran, Deckert, Devlin, Dukes, Ferrioli, George, Gordly, Hannon, Harper, Messerle, Metsger, Minnis, Morrisette, Morse, Nelson, Ringo, Schrader, Shields, Starr, B., Starr, C., Walker, Westlund, Winters; excused -- Fisher. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Senator Jackie Winters, Salem. (Hannon in Chair)

SB 302; HB 2300, 2511 -- Message from the House announcing passage.

SB 939 -- Message from the House announcing passage as amended by the House.

HB 5030, 5067; 3446 -- Message from the House announcing concurrence in Senate amendments and repassage.

HB 3654 -- Message from the House announcing Speaker signed on August 23.

Senate proceeded to the order of First Reading of House Measures by unanimous consent at the request of the Chair.

HB 2300, 2511 -- Read first time and referred to President's desk.

Committee Report Summary No. 184 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

SJM 7 -- Report by Committee on Rules recommending adoption.

SJR 34 -- Report by Committee on Budget recommending adoption with amendments.

HB 3668 -- Report by Committee on Rules recommending passage with amendments to the A-engrossed bill.

HB 3669 -- Report by Committee on Rules recommending passage with amendments.

Committee Report Summary No. 185 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

HB 5077 -- Report by Special Committee on Budget recommending passage with amendments to the A-engrossed bill.

SB 5 -- The Chair announced Senator Deckert has given notification that he does not intend to make the motion to reconsider the vote whereby the Senate failed to concur in the House amendments. The Chair stated that in accordance with SR 11.01(6), "if the motion to concur and repass is defeated, the President shall appoint a conference committee". Deckert and Starr, B. appointed as Senate conferees.

Rules suspended by unanimous consent in order that the Senate may take en bloc action on the confirmation of the following appointments on motion of Burdick.

Oregon Board of Accountancy

Anastasia Meisner

Appraiser Certification and Licensure Board

Terry Bernhardt (r)

Electrical and Elevator Board

Lowell Arno
Sara Medlock (r)
Bruce Soihr

State Fish and Wildlife Commission

Carter Kerns

Oregon State Lottery Commission

Stan Robson

Board of Naturopathic Examiners

Gregory Garcia (r)
Rick Marinelli
Michael Reed (r)

Board of Examiners of Nursing Home Administrators

George Gerding

Psychiatric Security Review Board

Cliff Johannsen (r)

State Board of Psychologist Examiners

James Peterson
Benson Schaeffer
Terrel Templeman
Maryann Yelnosky

Oregon Student Assistance Commission

Patrick Edvalson
Jesse Lohrke
Caspar Sharples (r)

Sustainability Board

Deborah Kane

Tri-Met Board

Bob Williams (r)

Public Utility Commission

Ray Baum
John Savage

Under rules suspension, Burdick moved that the Senate confirm en bloc the Governor's appointments as listed in the motion to suspend the rules. On confirmation the vote was: Ayes, 24; absent, 2 – Carter, George; excused, 2 – Fisher, Metsger; attending legislative business, 2 – Schrader, Starr, B. Confirmed en bloc.

SJM 7; SJR 34 -- Read second time and passed to third reading.

HB 5077; 3668, 3669 -- Under rules suspension, read second time and passed to third reading.

HB 2148 -- Read third time. Carried by Schrader. Rereferred to Special Committee on Budget by unanimous consent on motion of Schrader. (Hannon in Chair)

Senate at ease. Senate reassembled. (President Courtney in Chair)

HB 3159 B-Eng. -- Read third time. Carried by Schrader. Call of the Senate demanded by Schrader joined by Shields and Walker. All members subject to the Call present. On passage of bill the vote was: Ayes, 18; nays, 9 – Atkinson, Corcoran, Dukes, Minnis, Shields, Starr, B., Starr, C., Walker, Westlund; absent, 1 – George; excused, 2 – Fisher, Metsger. Bill passed.

HB 3656 A-Eng. -- Read third time. Carried by Hannon. Call of the Senate demanded by Hannon joined by Nelson and Walker. All members subject to the Call present. On passage of bill the vote was: Ayes, 22; nays, 4 – Atkinson, Minnis, Starr, B., Winters; absent, 1 – George; excused, 3 – Beyer, Fisher, Metsger. Bill passed.

Senate recessed until 8:00 p.m. by unanimous consent at the request of the Chair.

Saturday, August 23, 2003 -- Evening Session

Senate reconvened at 8:00 p.m. President Courtney in Chair. All present except George, absent; Fisher, Winters, excused.

HB 2011, 2267, 2825, 3264, 3442, 3539, 3624, 3630, 3653, 3666 -- Message from the House announcing concurrence in Senate amendments and repassage.

SB 297 -- Message from the House announcing Barker removed and Macpherson appointed House conferee.

SB 5 -- Message from the House announcing Doyle, Backlund, Schaufler appointed House conferees.

Senate, having recessed under the order of Announcements, reverted to the order of Reports from Standing Committees by unanimous consent at the request of the Chair.

Committee Report Summary No. 186 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

SB 937 -- Report by Committee on Judiciary recommending passage with amendments. (Amendments distributed August 23)

HB 2237 -- Report by Committee on Judiciary recommending passage with amendments to the A-engrossed bill. (Amendments distributed August 23)

HB 2899 -- Report by Committee on Rules recommending passage with amendments to the A-engrossed bill.

Committee Report Summary No. 187 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

SJM 4 -- Report by Committee on Rules recommending adoption with amendments. (Amendments distributed August 23)

SB 928 -- Report by Committee on Rules recommending passage with amendments and requesting subsequent referral to Committee on Ways and Means be rescinded. Subsequent referral rescinded by order of the President in agreement with the President Pro Tempore. (Amendments distributed August 23)

HB 2148 -- Report by Special Committee on Budget recommending passage with amendments to the B-engrossed bill. (Amendments distributed August 23)

HB 2300 -- Report by Committee on Rules recommending passage with amendments to the B-engrossed bill to resolve conflicts. (Amendments distributed August 23)

HB 3426 -- Report by Committee on Judiciary recommending passage with amendments and requesting referral to Committee on Ways and Means. Referred to Committee on Ways and Means by order of the President in agreement with the President Pro Tempore.

Committee Report Summary No. 188 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

SB 5 -- Report by Conference Committee, signed by Senators Deckert, Starr, B. and Representatives Doyle, Backlund, Schaufler, recommending that the Senate concur in House amendments dated August 12 and that the bill be further amended and repassed. (Amendments distributed August 23)

Senate reverted to the order of Propositions and Motions by unanimous consent at the request of the Chair.

Senate at ease. Senate reassembled.

SB 5530 B-Eng. -- Schrader moved that the Senate concur in House amendments and repass bill. On concurrence and repassage the vote was: Ayes, 26; nays, 1—Beyer; absent, 1—George; excused, 2—Fisher, Winters.

SB 5 -- Rules suspended by unanimous consent in order to take final action immediately on motion of Deckert.

SB 5 -- Under rules suspension, Deckert moved that the Senate adopt the Conference Committee report and repass the bill. Call of the Senate demanded by Deckert joined by Nelson and Minnis. All members subject to the Call present. Motion carried. The vote was: Ayes, 16; nays, 11 – Beyer, Corcoran, Dukes, Ferrioli, Hannon, Harper, Messerle, Morrisette, Ringo, Schrader, President Courtney; absent, 1 – George; excused, 2 – Fisher, Winters. Bill repassed.

Senate reverted to the order of Second Reading of Senate Measures by unanimous consent at the request of the Chair.

SJM 4; SB 928, 937 -- Under rules suspension, read second time and passed to third reading.

Senate reverted to the order of Second Reading of House Measures by unanimous consent at the request of the Chair.

HB 2237, 2300, 2899 -- Under rules suspension, read second time and passed to third reading.

Senate reverted to the order of Third Reading of House Measures by unanimous consent at the request of the Chair.

HB 2148 -- Under rules suspension, bill read. Carried by Schrader. On passage of bill the vote was: Ayes, 16; nays, 11—Atkinson, Beyer, Corcoran, Dukes, Ferrioli, Gordly, Hannon, Harper, Metsger, Minnis, Starr, B.; absent, 1—George; excused, 2—Fisher, Winters.

Senate adjourned until 10:45 a.m. Monday by unanimous consent at the request of the Chair.

Monday, August 25, 2003 -- Morning Session

Senate convened at 10:45 a.m. President Courtney in Chair. The following members were present: Atkinson, Beyer, Brown, Burdick, Carter, Corcoran, Deckert, Devlin, Dukes, Ferrioli, Fisher, George, Gordly, Hannon, Harper, Messerle, Metsger, Minnis, Morrisette, Morse, Nelson, Ringo, Schrader, Shields, Starr, B., Starr, C., Walker, Westlund, Winters. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Senator Bill Fisher, Roseburg.

Committee Report Summary No. 189 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

HB 3093 B-Eng.* -- Report by Conference Committee, signed by Senators Minnis, Ringo and Representatives Doyle, Flores, Schaufler, recommending the House concur in Senate amendments dated June 11 and that the bill be further amended and repassed.

HB 2725 -- Report by Committee on Judiciary recommending passage with amendments to the A-engrossed bill.

HB 3544 -- Report by Committee on Judiciary recommending passage with amendments to the A-engrossed bill.

SB 939 B-Eng. -- Brown moved that the Senate concur in House amendments and repass bill. On concurrence and repassage the vote was: Ayes, 21; excused, 1 – Starr, C.; attending legislative business, 8 – Carter, George, Gordly, Harper, Messerle, Morse, Schrader, Winters. Bill repassed.

SJM 4 A-Eng. -- Read final time. Carried by Atkinson. On adoption of memorial, the vote was: Ayes, 26; excused, 1 – Starr C.; attending legislative business, 3 – Carter, Gordly, Schrader. Memorial adopted.

SJM 7 -- Read final time. Carried by Corcoran. On adoption of memorial, the vote was: Ayes, 23; nays, 2 – Harper, Messerle; absent, 1 – Beyer;

excused, 1 – Starr C.; attending legislative business, 3 – Deckert, Devlin, Starr, B. Memorial adopted.

SJR 34 -- Moved to the foot of today's third reading calendar by unanimous consent at the request of the Chair.

SB 928 A-Eng. -- Read third time. Carried by Ferrioli. Call of the Senate demanded by Ferrioli joined by George and Atkinson. All members subject to the Call present except Starr, C., excused. On passage of bill the vote was: Ayes, 25; nays, 4 – Beyer, Devlin, George, Hannon; excused, 1 – Starr, C. Bill passed.

SB 937 A-Eng. -- Read third time. Carried by Ferrioli. On passage of bill the vote was: Ayes, 28; absent, 1 – Westlund; excused, 1 – Starr, C. Bill passed.

HB 2725, 3544 -- Under rules suspension, read second time and passed to third reading.

HB 5077 B-Eng. -- Read third time. Carried by Schrader. Call of the Senate demanded by Schrader joined by Ferrioli and Gordly. All present except Starr, C., excused. On passage of bill the vote was: Ayes, 19; nays, 10 – Atkinson, Beyer, Corcoran, Ferrioli, Fisher, George, Harper, Messerle, Minnis, Starr, B.; excused, 1 – Starr, C. Bill passed.

Senate recessed until 1:15 p.m. by unanimous consent at the request of the Chair.

Monday, August 25, 2003 -- Afternoon Session

Senate reconvened at 1:15 p.m. President Courtney in Chair. All members present except Starr, C., excused.

The following messages from the Governor were read and referred to the Committee on Rules.

August 25, 2003

TO THE HONORABLE PRESIDENT OF THE SENATE OF THE 72nd LEGISLATIVE ASSEMBLY

ORS 285A.040 provides that the Governor shall appoint the members of the Oregon Economic and Community Development Commission subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I appoint Pamela Hulse Andrews of Bend to the Oregon Economic and Community Development Commission for an unexpired four-year term, as provided by statute, beginning September 1, 2003, and ending June 30, 2005, effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,
Ted Kulongoski
Governor

August 25, 2003

TO THE HONORABLE PRESIDENT OF THE SENATE
OF THE 72nd LEGISLATIVE ASSEMBLY

ORS 285A.040 provides that the Governor shall appoint the members of the Oregon Economic and Community Development Commission subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I appoint Walter Van Valkenburg of Portland to the Oregon Economic and Community Development Commission an unexpired four-year term, as provided by statute, beginning September 1, 2003, and ending June 30, 2005, effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,
Ted Kulongoski
Governor

August 25, 2003

TO THE HONORABLE PRESIDENT OF THE SENATE
OF THE 72nd LEGISLATIVE ASSEMBLY

ORS 342.930 provides that the Governor shall appoint the members of the Fair Dismissal Appeals Board subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I appoint Peggy Penland of Medford to the Fair Dismissal Appeals Board for an unexpired four-year term, as provided by statute, beginning September 1, 2003, and ending June 30, 2006, effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,
Ted Kulongoski
Governor

August 25, 2003

TO THE HONORABLE PRESIDENT OF THE SENATE
OF THE 72nd LEGISLATIVE ASSEMBLY

ORS 342.930 provides that the Governor shall appoint the members of the Fair Dismissal Appeals Board subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I appoint Karen Watters of Roseburg to the Fair Dismissal Appeals Board for a four-year term, as provided by statute, beginning September 1, 2003, and ending June 30, 2007, effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,
Ted Kulongoski
Governor

Senate, having recessed under the order of Third Reading of House Measures, reverted to the order of Reports from Standing Committees by unanimous consent at the request of the Chair.

Committee Report Summary No. 190 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

HJR 42 -- Committee report, signed by Brown, Co-Chair, recommending adoption with amendments to the A-engrossed resolution. (Amendments distributed August 25) Minority Report, signed by Atkinson, Beyer, recommending adoption with

different amendments to the A-engrossed resolution. (Amendments distributed August 25)

HB 2511 -- Report by Committee on Ways and Means recommending passage with amendments to the B-engrossed bill to resolve conflicts.

Senate reverted to the order of Second Reading of House Measures by unanimous consent at the request of the Chair.

HJR 42; HB 2511 -- Under rules suspension, read second time and passed to third reading.

Senate reverted to the order of Third Reading of House Measures by unanimous consent at the request of the Chair.

Senate recessed until 8:00 p.m. by unanimous consent at the request of the Chair.

Monday, August 25, 2003 -- Evening Session

Senate reconvened at 8:00 p.m. President Courtney in Chair. All members present except Burdick, Dukes, Ferrioli, Messerle, Metsger, Ringo, absent; Corcoran, Deckert, Minnis attending legislative business.

Call of the Senate demanded by Brown joined by Devlin and Shields. All members present except Burdick, Dukes, Ferrioli, Messerle, Metsger, Ringo, absent; Corcoran, Deckert, Minnis attending legislative business. Pending arrival of members subject to the Call, Senate at ease. Further proceedings under the Call terminated at the request of the Chair. All present except Corcoran, Deckert, Minnis attending legislative business. Senate reassembled.

SB 943; HB 2666 -- Message from the House announcing passage.

SB 231, 590, 772, 913, 916 -- Message from the House announcing passage as amended by the House.

HB 2341, 3159 -- Message from the House announcing concurrence in Senate amendments and repassage.

SB 5; HB 2368, 3093 -- Message from the House announcing Conference Committee Report adopted and bill repassed.

Senate, having recessed under the order of Third Reading of House Measures, reverted to the order of Reports from Standing Committees by unanimous consent at the request of the Chair.

Committee Report Summary No. 191 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

HB 2368 C-Eng.* -- Report by Conference Committee, signed by Senators Brown and Minnis and Representatives Patridge, Verger, Close, recommending the House concur in Senate amendments dated July 24 and that the bill be further amended and repassed. (Amendments distributed August 25)

SB 5554 -- Report by Committee on Ways and Means recommending passage with amendments. (Amendments distributed August 25)

HB 2278 -- Report by Committee on Judiciary recommending passage with amendments to the B-engrossed bill. (Amendments distributed August 25)

HB 2658 -- Report by Committee on Judiciary recommending passage with amendments to the A-engrossed bill. (Amendments distributed August 25)

Committee Report Summary No. 192 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

SB 737 -- Report by Committee on Judiciary recommending passage.

HB 2080 -- Report by Committee on Judiciary recommending passage of the A-Engrossed bill.

Report by Committee on Rules recommending that the Governor's appointments of Pamela Hulse Andrews (appearance waived) and Walter Van Valkenburg (appearance waived) to the Oregon Economic and Community Development Commission be confirmed en bloc.

Report by Committee on Rules recommending that the Governor's appointments of Frank Brawner (r) (appearance waived), Mark Davalos (r) (appearance waived), Paul Duchin (r) (appearance waived), Patrick Neill (r) (appearance waived), Peggy Penland (appearance waived), and Karen Watters (appearance waived) to the Fair Dismissal Appeals Board be confirmed en bloc.

Report by Committee on Rules recommending that the Governor's appointments of James Dalton (appearance waived), Thomas Grimsley (appearance waived), Eva Kripalani (appearance waived), Michael Pittman (appearance waived), and Brenda Rocklin (appearance waived) to the Public Employees Retirement Board be confirmed en bloc.

Report by Committee on Rules recommending that the Governor's appointment of Mustafa Kasubhai to the Workers' Compensation Board be confirmed.

Senate reverted to the order of First Reading of House Measures by unanimous consent at the request of the Chair.

HB 2666 -- Read first time and referred to President's desk.

Senate reverted to the order of Second Reading of Senate Measures by unanimous consent at the request of the Chair.

SB 5554; 737 -- Under rules suspension, read second time and passed to third reading.

Senate reverted to the order of Second Reading of House Measures by unanimous consent at the request of the Chair.

HB 2080, 2278, 2658 -- Under rules suspension, read second time and passed to third reading.

Senate resumed under the order of Third Reading of House Measures by unanimous consent at the request of the Chair.

HB 2237 C-Eng. -- Read third time. Carried by Minnis. On passage of bill the vote was: Ayes, 26; nays, 3 – Hannon, Nelson, Schrader; attending legislative business, 1 – Deckert. Bill passed.

HB 2300 C-Eng. -- Read third time. Carried by Brown. On passage of bill the vote was: Ayes, 27; attending legislative business, 3 – Corcoran, Deckert, Minnis. Bill passed.

HB 3668 B-Eng. -- Read third time. Carried by Atkinson. On passage of bill the vote was: Ayes, 26; nays, 1 – Schrader; attending legislative business, 3 – Corcoran, Deckert, Minnis. Bill passed.

HB 3669 A-Eng. -- Read third time. Carried by Brown. On passage of bill the vote was: Ayes, 27; attending legislative business, 3 – Corcoran, Deckert, Minnis. Bill passed.

HB 2899 -- Read third time. Carried by Brown. Rereferred to Committee on Rules by voice vote on motion of Brown.

Senate reverted to the order of Reports from Standing Committees by unanimous consent at the request of the Chair.

Committee Report Summary No. 193 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

SCR 6 -- Report by Committee on Rules recommending adoption with amendments.

SJR 12 -- Report by Committee on Rules recommending adoption with amendments.

Committee Report Summary No. 194 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

HB 2747 -- Report by Committee on Revenue recommending passage with amendments to the A-engrossed bill.

HB 3183 -- Report by Committee on Revenue recommending passage with amendments to the A-engrossed bill.

Senate reverted to the order of Second Reading of Senate Measures by unanimous consent at the request of the Chair.

SCR 6; SJR 12 -- Under rules suspension, read second time and passed to third reading.

Senate reverted to the order of Second Reading of House Measures by unanimous consent at the request of the Chair.

HB 2747 -- Under rules suspension, read second time and passed to third reading.

SJR 34 -- Carried over to August 26 calendar by unanimous consent at the request of the Chair.

Senate adjourned until 9:00 a.m. Tuesday by unanimous consent at the request of the Chair.

Tuesday, August 26, 2003 -- Morning Session

Senate convened at 9:00 a.m. President Courtney in Chair. The following members were present: Atkinson, Beyer, Fisher, Hannon, Harper, Metsger, Morse, Shields, Starr, B., Starr, C., Westlund, Winters; absent -- Brown, Burdick, Carter, Corcoran, Deckert, Devlin, Dukes, Ferrioli, George, Gordly, Messerle, Minnis, Morrisette, Nelson, Ringo, Schrader Walker.

Call of the Senate demanded by Westlund joined by Winters and Messerle. All present except Brown, Burdick, Carter, Corcoran, Deckert, Devlin, Dukes, Ferrioli, George, Gordly, Messerle, Minnis, Morrisette, Nelson, Ringo, Schrader, Walker, absent. Pending arrival of members subject to the Call, Senate at ease. Call terminated by implied consent. All members present except George, absent. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Senator Charles Starr, Hillsboro.

Committee Report Summary No. 195 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

SB 297 B-Eng.* -- Report by Conference Committee, signed by Senators Minnis and Ringo and Representatives Ackerman, Anderson, Williams, recommending the Senate concur in House amendments dated July 16 and that the bill be further amended and repassed.

HB 2020 B-Eng.* -- Report by Conference Committee, signed by Senators Corcoran and Minnis

and Representatives Knopp, Brown, Macpherson, recommending the House concur in Senate amendments dated July 2 and that the bill be further amended and repassed.

HB 2498 -- Report by Committee on Judiciary recommending passage with amendments to the B-engrossed bill. (Amendments distributed August 26)

HB 3023 -- Report by Committee on Rules recommending passage with amendments to the A-engrossed bill. (Amendments distributed August 26)

Senate in recess until 9:25 a.m. by unanimous consent at the request of the Chair.

Senate reconvened at 9:25 a.m. President Courtney in Chair. All members present except George, absent.

Senate, having recessed following the order of Reports from Special Committees and resumed under the general order of business by unanimous consent at the request of the Chair.

HB 2747 -- Taken from its place on today's calendar and rereferred to Committee on Revenue by voice vote on motion of Deckert.

SB 231 -- Moved to the foot of today's calendar by voice vote on motion of Deckert.

SB 772 C-Eng. -- Metsger moved that the Senate concur in House amendments and repass bill. On concurrence and repassage the vote was: Ayes, 27; nays, 2 -- Carter, Dukes; absent, 1 -- George. Bill repassed.

SB 913 B-Eng. -- Brown moved that the Senate concur in House amendments and repass bill. On concurrence and repassage the vote was: Ayes, 28; nays, 1 -- Shields; absent, 1 -- George. Bill repassed.

SB 916 A-Eng. -- Beyer moved that the Senate concur in House amendments and repass bill. On concurrence and repassage the vote was: Ayes, 29; absent, 1 -- George. Bill repassed. Westlund, granted unanimous consent to change his vote from nay to aye.

HB 2368 C-Eng.* -- Conference Committee report adopted and bill repassed on motion of Minnis. The vote was: Ayes, 27; nays, 2 -- Devlin, Hannon; absent, 1 -- George. Bill repassed.

HB 3093 B-Eng.* -- Conference Committee report adopted and bill repassed on motion of Ringo. The vote was: Ayes, 24; nays, 5 -- Atkinson, Gordly, Hannon, Metsger, Walker; absent, 1 -- George. Bill repassed.

HJR 42 -- Schrader moved that the committee report be adopted. Atkinson moved that the minority report be substituted for the committee report. Motion failed; the vote was: Ayes, 9; nays, 20 --

Brown, Burdick, Carter, Corcoran, Deckert, Devlin, Dukes, Gordly, Hannon, Metsger, Morrisette, Morse, Nelson, Ringo, Schrader, Shields, Walker, Westlund, Winters, President Courtney; absent, 1 – George.

HJR 42 B-Eng. -- Resolution, as amended by committee report, read final time. Carried by Schrader. Parliamentary inquiry by Minnis questioning the constitutionality of this resolution in reference to the legislative assembly calling itself into a special session. The Chair responded that the resolution is in compliance with the Constitution and properly before the Senate. Minnis appealed the ruling of the chair. Call of the Senate demanded by Brown joined by Devlin and Morrisette. All members subject to the Call present. Minnis withdrew his appeal. On adoption of resolution, the vote was: Ayes, 21; nays, 8 – Atkinson, Beyer, Ferrioli, Fisher, Harper, Messerle, Minnis, Nelson; absent, 1 – George. Resolution adopted.

Rules suspended by unanimous consent in order that the Senate may take en bloc action on the confirmation of the following appointments on motion of Atkinson.

Oregon Economic & Community Development Commission

Pamela Hulse Andrews
Walter Van Valkenburg

Fair Dismissal Appeals Board

Frank Brawner (r)
Mark Davalos (r)
Paul Duchin (r)
Patrick Neill (r)
Peggy Penland
Karen Watters

Public Employees Retirement Board

James Dalton
Thomas Grimsley
Eva Kripalani
Michael Pittman
Brenda Rocklin

Under rules suspension, Atkinson moved that the Senate confirm en bloc the Governor's appointments as listed in the motion to suspend the rules. On confirmation the vote was: Ayes, 27; absent, 1 – George; attending legislative business, 2 – Carter, Starr, B. Confirmed en bloc.

Brown moved that the governor's appointment of Mustafa Kasubhai to the Workers' Compensation Board be confirmed. On confirmation the vote was: Ayes, 21; nays, 5 – Atkinson, Beyer, Harper, Minnis, Starr, C.; absent, 2 – George, Winters; attending legislative business, 2 – Carter, Starr, B. Confirmed.

SJR 34 -- Schrader moved that bill be laid on the table. Motion carried by voice vote.

Senate in recess until 2:00 p.m. by unanimous consent at the request of the Chair.

Tuesday, August 26, 2003 -- Afternoon Session

Senate reconvened at 2:00 p.m. President Courtney in Chair. All present except Brown, Burdick, Carter, Corcoran, Deckert, Devlin, Dukes, Ferrioli, Fisher, George, Gordly, Messerle, Metsger, Minnis, Morrisette, Morse, Ringo, Schrader, Shields, Walker, Westlund, Winters, absent.

Call of the Senate demanded by Harper joined by Starr, C. and Atkinson. All present except Brown, Burdick, Carter, Corcoran, Deckert, Devlin, Dukes, Ferrioli, Fisher, George, Gordly, Messerle, Metsger, Minnis, Morrisette, Morse, Ringo, Schrader, Shields, Walker, Westlund, Winters, absent. Pending arrival of members subject to the call, Senate at ease. Further proceedings under the Call terminated by implied consent. All present except Fisher, attending legislative business. Senate reassembled.

SB 5501 -- Message from the Governor that bill became law without his signature on August 26.

August 26, 2003

The Honorable Peter Courtney
President of the Senate
900 Court Street NE – 203
Salem, OR 97301

Dear President Courtney:

I am returning Enrolled Senate Bill 5501 unsigned, but not disapproved, because of the failure of the Legislative Assembly to adequately fund the Pesticide User Reporting System (PURS).

The PURS program is important to the public health of the people of the Oregon and to the health of our environment. Oregonians are entitled to know about pesticides that may be in use in their neighborhoods and environs. Both my Recommended Budget and my Balanced Budget contained full funding for PURS. However, Senate Bill 5501 eliminates six of the seven authorized PURS positions. This level of funding is not sufficient to carry on a meaningful PURS program. At best, a skeletal program will be maintained through the 2003-05 biennium in the hope that general fund dollars can be restored in the 2005-07 biennium. In the meantime, the Department of Agriculture will be required to adopt administrative rules that waive the statutory requirements for landowners to report their pesticide use. This is not in the best interests of Oregonians.

I am disappointed that the Assembly did not reach an agreement regarding pesticide reporting requirements and an adequate appropriation. I encourage the relevant stakeholders to work during the interim towards a solution that implements PURS and that restores full funding to the program in the 2005-07 biennium. My staff is ready to assist the Department of Agriculture and the other stakeholders in that effort.

Sincerely,
Theodore R. Kulongoski
Governor

SB 911 -- Message from the House announcing passage.

SB 469 -- Message from the House announcing passage as amended by the House.

HB 5077; 2237, 2300, 3668, 3669 -- Message from the House announcing concurrence in Senate amendments and repassage.

Senate, having recessed under the order of Third Reading of Senate Measures, reverted to the order of First Reading of Senate Measures by unanimous consent at the request of the Chair.

SB 948 -- Introduced, read first time and referred to President's desk.

Senate resumed under the order of Third Reading of Senate Measures by unanimous consent at the request of the Chair.

SCR 6 -- Moved to the foot of today's third reading calendar by unanimous consent at the request of the Chair.

SJR 12 A-Eng. -- Read final time. Carried by Atkinson. On adoption of resolution, the vote was: Ayes, 27; nays, 2 – George, Hannon; attending legislative business, 1 – Fisher. Resolution adopted. Corcoran, absent when roll called, granted unanimous consent to be recorded as voting aye. (Hannon in Chair)

SB 5554 A-Eng. -- Read third time. Carried by Gordly. On passage of bill the vote was: Ayes, 26; nays, 2 – Beyer, Messerle; absent, 1 – Corcoran; attending legislative business, 1 – Fisher. Bill passed.

SB 737 -- Read third time. Carried by Minnis. On passage of bill the vote was: Ayes, 29; attending legislative business, 1 – Fisher. Bill passed.

HB 2498, 3023 -- Read second time and passed to third reading.

HB 2080 A-Eng. -- Read third time. Carried by Minnis. On passage of bill the vote was: Ayes, 29; attending legislative business, 1 – Fisher. Bill passed.

HB 2278 C-Eng. -- Read third time. Carried by Ferrioli, Walker. On passage of bill the vote was: Ayes, 27; nays, 1 – Nelson; absent, 1 – Corcoran; attending legislative business, 1 – Fisher. Bill passed.

HB 2511 C-Eng. -- Read third time. Carried by Winters. On passage of bill the vote was: Ayes, 28;

absent, 1 – Corcoran; attending legislative business, 1 – Fisher. Bill passed.

HB 2658 B-Eng. -- Read third time. Carried by Walker. On passage of bill the vote was: Ayes, 29; attending legislative business, 1 – Fisher. Bill passed.

HB 2725 B-Eng. -- Read third time. Carried by Starr, C. On passage of bill the vote was: Ayes, 27; nays, 1 – Hannon; absent, 1 – George; attending legislative business, 1 – Fisher. Bill passed.

HB 3183 B-Eng. -- Bill read. Carried by Deckert. Call of the Senate demanded by Deckert joined by Atkinson and Starr, C. Call terminated by unanimous consent on motion of Deckert. All present. On passage of bill the vote was: Ayes, 21; nays, 9 – Corcoran, Fisher, Gordly, Hannon, Morrisette, Schrader, Shields, Walker, Westlund. Bill passed.

HB 3183 -- Gordly requested the following explanation of vote be entered into the journal.

"The tens of millions of dollars Oregon will lose in the 2005-07 biennium pales in comparison to the revenue impact in 2007-09: \$107 million. While that may seem small compared to the overwhelming funding problems you have coped with already, consider that the money Oregonians will forgo would fund every one of the following items:

- 10 days of school for 51,000 children
- summer school for 14,000 students not reaching benchmarks
- special education staffing for four middle schools
- access to higher education for 1000 students
- two years in prison for 190 inmates
- a year of incarceration for 90 youth
- seventy State Troopers on the job for two years
- in-home care for 770 seniors for one year
- the services of 47 health care providers in long-term care facilities
- crisis services for 1,637 persons battling mental illness
- two years of medical care for 1290 Oregonians
- general assistance and health care for one year for 530 persons with disabilities who live in poverty

"\$107 million would buy all of that and more. But would the alleged inducements to business development be able to net an equal share of revenue to provide the same dollars? Not even close."

HB 3544 B-Eng. -- Read third time. Carried by Ringo. On passage of bill the vote was: Ayes, 29; nays, 1 – Hannon. Bill passed.

Senate reverted to the order of Propositions and Motions by unanimous consent at the request of the Chair.

SB 297 -- Ringo moved that the rules be suspended in order that the Senate may take final action immediately.

SB 297 -- Under rules suspension, Conference Committee report adopted and bill repassed on motion of Ringo. The vote was: Ayes, 26; nays, 4 – Beyer, George, Hannon, Nelson. Bill repassed.

HB 2020 -- Corcoran moved that the rules be suspended in order that the Senate may take final action immediately.

HB 2020 -- Under rules suspension, Conference Committee report adopted and bill repassed on motion of Corcoran. The vote was: Ayes, 25; nays, 3 – Atkinson, Dukes, Hannon; attending legislative business, 2 – Beyer, Harper. Bill repassed.

Senate recessed until 3:45 p.m. by unanimous consent at the request of the Chair. (President Courtney in Chair)

Recess extended until 4:30 p.m. by implied consent at the request of the Chair.

Senate reconvened at 4:30 p.m. President Pro Tempore Hannon in Chair. All present except Corcoran, Minnis, absent.

Senate, having recessed following the order of Propositions and Motions, resumed under the general order of business by unanimous consent at the request of the Chair.

HB 2498, 3023 -- Ringo moved that the rules be suspended in order that the Senate may take final action immediately.

Senate reverted to the order of Third Reading of House Measures by unanimous consent at the request of the Chair.

HB 2498 B-Eng. -- Under rules suspension, read third time. Carried by Ringo. On passage of bill the vote was: Ayes, 28; absent, 2 – Corcoran, Minnis. Bill passed.

HB 3023 C-Eng. -- Under rules suspension, read third time. Carried by Beyer. On passage of bill the vote was: Ayes, 21; nays, 8 – Brown, Dukes, Gordly, Hannon, Metsger, Morrisette, Shields, President Courtney; absent, 1 – Corcoran. Bill passed.

Senate, recessed until 5:00 p.m. by unanimous consent at the request of the Chair.

Senate reconvened at 5:00 p.m. President Pro Tempore Hannon in Chair. All present.

Senate, having recessed under the order of Third Reading of House Measures, reverted to the order of Reports from Standing Committees by unanimous consent at the request of the Chair.

Committee Report Summary No. 196 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

HB 2747 -- Report by Committee on Revenue recommending passage with amendments to the A-engrossed bill. (Amendments distributed August 26)

HB 2899 -- Report by Committee on Rules recommending passage with amendments to the C-engrossed bill. (Amendments distributed August 26)

Senate reverted to the order of Propositions and Motions by unanimous consent at the request of the Chair.

SB 7, 469, 666 -- Rules suspended by unanimous consent in order that the Senate may take final action on Supplemental Agenda No. 1. on motion of Deckert.

SB 469 B-Eng. -- Under rules suspension, Deckert moved that the Senate concur in House amendments and repass bill. On concurrence and repassage the vote was: Ayes, 24; nays, 6 – Atkinson, Beyer, Fisher, Harper, Messerle, Minnis. Bill repassed. George, Morse, granted unanimous consent to change vote from nay to aye.

SB 590 -- Senate refused to concur in House amendments by voice vote on motion of Ferrioli.

SB 7 -- Winters moved that the rules be suspended to allow reconsideration of the vote whereby the Senate refused to concur in the House amendments on August 18. Motion carried by unanimous consent.

SB 7 -- Under rules suspension, Winters moved that the vote whereby the Senate refused to concur in the House amendments be reconsidered. Motion carried by voice vote. Vote reconsidered.

SB 7 B-Eng. -- Under rules suspension, Winters moved that the Senate concur in House amendments and repass bill. On concurrence and repassage the vote was: Ayes, 30. Bill repassed.

SB 666 -- Under rules suspension, Minnis moved that the rules be suspended to allow reconsideration of the vote whereby the Senate refused to concur in the House amendments on August 21. Motion carried by unanimous consent.

SB 666 -- Under rules suspension, Minnis moved that the vote whereby the Senate refused to concur in

the House amendments be reconsidered by voice vote. Motion carried by voice vote. Vote reconsidered.

SB 666 B-Eng. -- Under rules suspension, Minnis moved that the Senate concur in House amendments and repass bill. On concurrence and repassage the vote was: Ayes, 28; nays, 1 – Gordly; attending legislative business, 1 – Brown. Bill repassed.

Senate reverted to the order of Third Reading of House Measures by unanimous consent at the request of the Chair.

HB 2747 C-Eng. -- Under rules suspension, read third time. Carried by Winters. Fisher declared a potential conflict of interest. Call of the Senate demanded by Winters joined by Carter and Hannon. All members present. On passage of bill the vote was: Ayes, 25; nays, 5 – Atkinson, Beyer, George, Hannon, Minnis. Bill passed. Atkinson granted unanimous consent to change from aye to nay.

HB 2899 D-Eng. -- Under rules suspension, read third time. Carried by Dukes. On passage of bill the vote was: Ayes, 28; nays, 2 – Carter, Hannon. Bill passed.

Senate recessed until 8:00 p.m. by unanimous consent at the request of the Chair.

Senate reconvened at 8:00 p.m. President Courtney in Chair. All present. (Hannon in Chair)

HB 2020 -- Message from the House announcing adoption of conference committee report.

Senate, having recessed under the order of Announcements, reverted to the order of Reports from Standing Committees by unanimous consent at the request of the Chair.

Committee Report Summary No. 197 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

SB 719 -- Report by Committee on Judiciary recommending passage with amendments. (Amendments distributed August 26)

HB 3072 -- Report by Committee on Revenue recommending passage with amendments to the A-engrossed bill. (Amendments distributed August 26)

Senate reverted to the order of Propositions and Motions by unanimous consent at the request of the Chair.

SB 719; HB 3072 -- Rules suspended by unanimous consent in order that the Senate may take final action on Supplemental Agenda No. 3 on motion of Minnis.

Senate reverted to the order of First Reading of Senate Measures by unanimous consent at the request of the Chair.

SB 949 -- Introduced, read first time and referred to President's desk.

Senate reverted to the order of Second Reading of Senate Measures by unanimous consent at the request of the Chair.

SB 719 -- Under rules suspension, read second time and passed to third reading.

Senate reverted to the order of Second Reading of House Measures by unanimous consent at the request of the Chair.

HB 3072 -- Under rules suspension, read second time and passed to third reading.

Senate reverted to the order of Third Reading of Senate Measures by unanimous consent at the request of the Chair.

SB 719 A-Eng. -- Under rules suspension, read third time. Carried by Ferrioli. On passage of bill the vote was: Ayes, 27; attending legislative business, 3 – Gordly, Messerle, Morrisette. Bill passed.

Senate reverted to the order of Third Reading of House Measures by unanimous consent at the request of the Chair. (President Courtney in Chair)

HB 3072 B-Eng. -- Under rules suspension, read third time. Carried by Deckert. On passage of bill the vote was: Ayes, 26; nays, 2 – Morrisette, Shields; attending legislative business, 2 – Gordly, Messerle. Bill passed. Westlund, absent when roll called, granted unanimous consent to vote aye.

Senate recessed until 10:30 p.m. by unanimous consent at the request of the Chair. Senate reconvened at 10:30 p.m. President Courtney in Chair. All present except Minnis, absent.

Senate, having recessed under the order of Announcements, reverted to the order of Reports from Standing Committees by unanimous consent at the request of the Chair.

Committee Report Summary No. 198 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

SB 141 -- Report by Committee on Rules recommending passage with amendments.

HB 2308 -- Report by Committee on Judiciary recommending passage with amendments to the A-engrossed bill.

HB 3520 -- Report by Committee on Judiciary recommending passage with amendments to the A-engrossed bill.

Senate reverted to the order of Other Business of the Senate by unanimous consent at the request of the Chair.

In accordance with the provisions of ORS 291.330, President Courtney announced the following appointments to the Emergency Board:

EMERGENCY BOARD

Senator Peter Courtney, Co-Chair

Senator Joan Dukes

Senator Avel Gordly

Senator Steve Harper

Senator Ken Messerle

Senator Frank Morse

Senator Kurt Schrader

Senator Jackie Winters

Senate reverted to the order of Propositions and Motions by unanimous consent at the request of the Chair.

Brown moved that the Senate confirm en bloc the President's appointments to the Emergency Board. Motion carried; the vote was: Ayes, 29; absent, 1 – Minnis. Appointments confirmed.

Senate reverted to the order of Third Reading of Senate Measures by unanimous consent at the request of the Chair.

SCR 6 A-Eng. -- Read in its entirety and placed on final adoption. Carried by Brown. On adoption of resolution, the vote was: Ayes, 25; nays, 4 – Atkinson, Gordly, Messerle, Starr, B.; absent, 1 – Minnis. Resolution adopted.

SB 180, 471, 500, 501, 752, 914, 926, 933; HB 2152, 2532, 2537, 2551, 3120, 3276, 3534, 3654, 3659 - President Courtney signed on August 26.

Senate adjourned sine die at 10:40 p.m. August 26, 2003.

SB 5554; 450, 620, 875, 904, 937, 946; HB 2683 -- Message from the House announcing passage on August 27.

SCR 6, 9 -- Message from the House announcing adoption on August 27.

SB 355, 467, 655, 763 -- Message from the House announcing passage as amended by the House on August 27.

SJR 2 -- Message from the House announcing adoption as amended by the House on August 27.

HB 2148, 2278, 2498, 2511, 2658, 2725, 2747, 2899, 3023, 3072, 3183, 3544 -- Message from the House announcing concurrence in Senate amendments and repassage on August 27.

HJR 42 -- Message from the House announcing concurrence in Senate amendments and re-adoption on August 27.

SB 297 -- Message from the House announcing adoption of conference committee report and repassage on August 27.

SB 915; HB 3528 -- Message from the House announcing failure on August 27.

SB 5509, 5523, 5553; 272, 421, 474, 899, 931, 934; HB 5009, 5013, 5014, 5018, 5042, 5052, 5061, 5066; 2195 -- President Courtney signed on August 27.

HB 5028, 5030, 5067, 5077; 500, 501 -- Message from the House announcing the Speaker signed on August 28.

SB 5530, 5554; 7, 260, 302, 469, 550, 666, 772, 875, 910, 911, 913, 916, 920, 939, 943 -- President Courtney signed on August 28.

SB 5509, 5523, 5530, 5553, 5554; 500, 501, 550, 875, 931 -- Message from the Governor announcing he signed on August 29.

SB 5509, 5523, 5530, 5553, 5554; 7, 180, 260, 272, 302, 421, 469, 471, 474, 550, 666, 752, 772, 875, 899, 910, 911, 913, 914, 916, 920, 926, 931, 933, 934, 939, 943; HJM 10; HB 2011, 2020, 2080, 2094, 2148, 2195, 2237, 2267, 2283, 2288, 2318, 2341, 2368, 2372, 2511, 2577, 2661, 2747, 2759, 2825, 2899, 3093, 3108, 3159, 3183, 3264, 3328, 3442, 3446, 3539, 3582, 3597, 3624, 3630, 3638, 3646, 3653, 3656, 3666 -- Message from the House announcing the Speaker signed on August 29.

HB 5028, 5030, 5067, 5077; 2020, 2148, 2511, 2747, 2759, 2825, 2899, 3183, 3264, 3446 -- President Courtney signed on August 29.

HJR 42; HB 2278, 2300, 2498, 2658, 2725, 3023, 3072, 3544, 3668, 3669 -- Message from the House announcing the Speaker signed on September 2.

SCR 6, 9; SB 297, 450, 620, 904, 937, 946; HJM 10; HJR 42; HB 2011, 2080, 2094, 2195, 2237, 2267, 2278, 2288, 2300, 2318, 2341, 2368, 2372, 2498, 2577, 2658, 2661, 2725, 3023, 3072, 3093, 3108, 3159, 3328, 3442, 3539, 3544, 3582, 3597, 3624, 3630, 3638, 3646, 3653, 3656, 3666, 3668, 3669 -- President Courtney signed on September 8.

HB 2283 -- President Courtney signed on September 11.

SCR 6, 9; SB 297, 450, 620, 904, 937, 946 -- Message from the House announcing the Speaker signed on September 12.

SB 7, 180, 450, 469, 471, 474, 620, 666, 899, 910, 914, 926, 933, 934, 937, 939, 943, 946 -- Message from the Governor announcing he signed on September 17.

SB 260, 752, 772, 904, 916, 920 -- Message from the Governor announcing he signed on September 22.

SB 5 -- Message from the House announcing the Speaker signed on September 23.

SB 5, 272, 297, 911 -- Message from the Governor announcing he signed on September 24.

September 24, 2003

The Honorable Bill Bradbury
Secretary of State
136 State Capitol
Salem, OR 97301

Dear Secretary Bradbury:

I have signed Enrolled Senate Bill 911. However, I am writing to express my concerns with a portion of the bill.

The intent of Senate Bill 911 is to provide greater flexibility in the requirements for siting and developing destination resorts in Eastern Oregon while retaining the main purpose of the original legislation: the creation of destination resorts for tourism. Particularly, the provisions that modify the definition of qualifying "rental units" and that allow for staged development of rental units over a ten-year period are sensible revisions of a limited scope and are consistent with my goal of promoting the tourism industry in Oregon.

However, the bill also alters the allowed ratio of rental homes to non-rental homes in Eastern Oregon destination resorts. Under current law, a destination resort may have up to two residential (non-rental) units for every rental unit in the resort. This bill expands that ratio to allow up to 2.5 residential (non-rental) units for every rental unit. Effectively, this will allow a greater number of permanent residences within Eastern Oregon destination resorts. I find this provision somewhat problematic. This provision is focused on increasing the number of non-rented residential homes allowed in destination resorts; it is not focused on tourism. Land use advocates have expressed strong opposition to this provision because they fear that it could lead to increased development of rural subdivisions. Ultimately, I am not persuaded that this provision will significantly alter the important balance between promoting tourism while allowing residential homes to exist in these developments. Nonetheless, I will ask my staff and the Department of Land Conservation and Development to carefully monitor the impacts of the bill and to seek changes in the law if this revision to the law is abused.

Sincerely,

Theodore R. Kulongoski,
Governor

SB 302, 421 -- Message from the Governor announcing he signed on September 25.

SB 913 -- Message from the Governor that bill became law without his signature on September 26.

September 25, 2003

The Honorable Bill Bradbury

Secretary of State
900 Court Street NE
Room 136 State Capitol
Salem, OR 97301

Dear Secretary Bradbury:

I am returning Enrolled Senate Bill 913 unsigned, but not disapproved, for the reasons below:

Senate Bill 913 would allow the Board of Higher Education (or Oregon University System institutions to whom such authority is delegated) to expand health service delivery at university student health centers to dependents of students, faculty and staff. Currently, ORS 351.070 permits university health centers to provide services only to students. Health coverage for University faculty and staff is provided through the Public Employees Benefit Board (PEBB) health plans.

I am supportive of Senate Bill 913 in that it may result in increased access to basic health care for university student dependents, faculty and staff. However, several unresolved issues remain that concern me:

Senate Bill 913 does not define which "health services" will be provided. What medical services, treatments, procedures or consultation would be offered and who would provide them? Medical professionals at the health centers are not specialists, nor are the centers equipped to provide services in specialty areas. Although it may be logical to assume that health centers would provide only primary or preventative health care services to faculty and staff, lack of clarity on this issue could make it difficult to manage or mitigate legal claims of negligence.

Do university student health centers have the physical capacity to handle additional patients? Are there an adequate number of properly equipped examination rooms? Is the billing and accounts receivable system sufficient to support the increased number of patients?

Who will pay for the expanded health services? Although supporters of the bill state that the intent of the legislation is for health service recipients to pay for services received on a fee-for-service basis, that is not clear from the bill's text. Neither is it clear how faculty and staff currently covered through PEBB will pay for services received. Assuming the Oregon University System continues to provide coverage through PEBB, PEBB health contractors are under no obligation to contract with the health centers or reimburse the clinics for any services they may provide.

Before this legislation can be implemented, the Board of Higher Education will need to resolve these outstanding issues through administrative rule. In addition, as the Department of Administrative Services indicated in its testimony on this bill, if the Board chooses to expand service delivery at the student health clinics, the Department will require the Oregon University System to purchase medical malpractice insurance coverage through the Risk Management Division to protect state resources from the increased risk exposure.

My office will continue to monitor the resolution of these issues as the Board moves forward with implementation of this legislation. If issues go unresolved or additional problems develop, we will revisit the issue during the next legislative session.

Sincerely,

Theodore R. Kulongoski,
Governor