

# Special Session 2008





**Special Session**  
**Senate**



**OFFICERS OF THE SENATE**

PETER COURTNEY, President

MARGARET CARTER, President Pro Tempore

JUDY HALL, Secretary of the Senate

**SENATE CAUCUS LEADERS**

RICHARD DEVLIN, Majority Leader

TED FERRIOLI, Republican Leader

LAURIE MONNES ANDERSON, Deputy Majority Leader

JACKIE WINTERS, Deputy Republican Leader

ALAN BATES, Majority Whip

JEFF KRUSE, Minority Whip

MARK HASS, Majority Whip

BRAD AVAKIAN, Assistant Majority Leader

FLOYD PROZANSKI, Assistant Majority Leader

**SENATE DESK PERSONNEL**

BRITTON TAYLOR, Publications Coordinator

JULIE MEDINA, Assistant Journal Editor

CYNDY JOHNSTON, Calendar Composer/Journal Editor

JAMES GOULDING/JIM STEMBRIDGE, Reading Clerk

RYAN THORSON, Sergeant at Arms

---

**CERTIFICATE OF APPROVAL**

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

PETER COURTNEY  
President of the Senate

JUDY HALL  
Secretary of the Senate

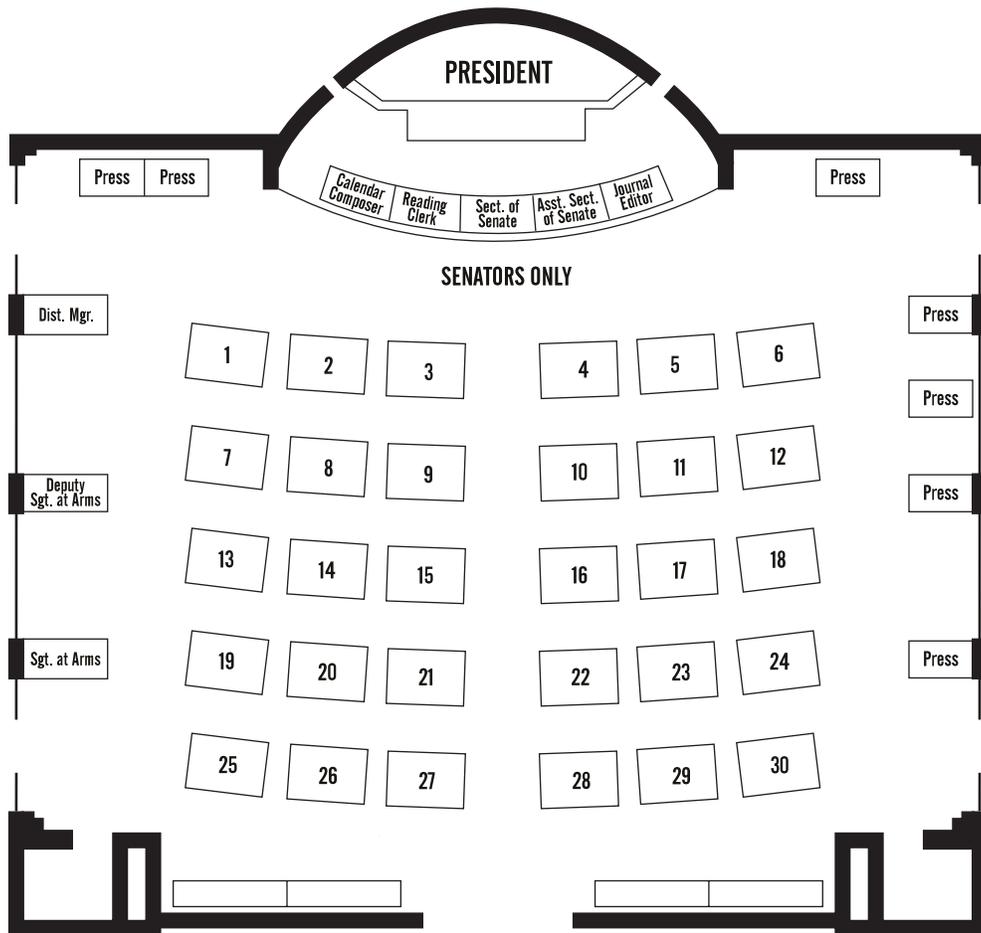


## SENATORS' ADDRESSES

Atkinson, Jason.....	P.O. Box 1704, Grants Pass, OR 97528.....	Rep .....	2
Avakian, Brad.....	17915 NW Lonerock Dr., Portland, OR.....	Dem .....	17
Bates, Alan .....	344 E. Ashland Lane, Ashland, OR, 97520 .....	Dem .....	3
Brown, Kate .....	900 Court St. NE, Salem, OR 97301 .....	Dem .....	21
Burdick, Ginny .....	4641 SW Dosch Rd., Portland, OR 97239 .....	Dem .....	18
Carter, Margaret .....	P.O. Box 3722, Portland, OR 97208 .....	Dem .....	22
Courtney, Peter .....	900 Court St. NE, Salem, OR 97301 .....	Dem .....	11
Devlin, Richard.....	10290 SW Anderson Ct., Tualatin, OR 97062 .....	Dem .....	19
Ferrioli, Ted.....	900 Court St NE, Salem, OR 97301 .....	Rep .....	30
George, Gary .....	15195 NE Ribbon Ridge Rd., Newberg, OR 97132 .....	Rep .....	12
George, Larry .....	16785 SW Parrett Mountain Road, Sherwood, OR 97410 .....	Rep .....	13
Girod, Fred.....	101 Fern Ridge Road, Stayton, OR 97383 .....	Rep .....	9
Gordly, Avel.....	10809 NE Fremont, Portland, OR 97220 .....	Ind .....	23
Hass, Mark .....	6390 SW Richey Lane, Portland, OR 97223 .....	Dem .....	14
Johnson, Betsy .....	P.O. Box R, Scappoose, OR, 97056.....	Dem .....	16
Kruse, Jeff.....	636 Wild Iris Lane, Roseburg, OR, 97470.....	Rep .....	1
Metsger, Rick .....	P.O. Box 287, Welches, OR 97067.....	Dem .....	26
Monnes Anderson, Laurie .....	P.O. Box 1531, Gresham, OR, 97030.....	Dem .....	25
Monroe, Rod.....	7802 SE 111 <sup>th</sup> Avenue, Portland, OR 97266.....	Dem .....	24
Morrisette, Bill.....	348 G Street, Springfield, OR 97477.....	Dem .....	6
Morse, Frank.....	221 NW 2 <sup>nd</sup> St., Corvallis, OR 97330 .....	Rep .....	8
Nelson, David .....	1407 NW Horn Avenue, Pendleton, OR 97801.....	Rep .....	29
Prozanski, Floyd.....	P.O. Box 11511, Eugene, OR, 97440 .....	Dem .....	4
Schrader, Kurt .....	900 Court St. NE., Salem, OR, 97301 .....	Dem .....	20
Starr, Bruce.....	22115 NW Imbrie Dr. #290, Hillsboro, OR 97124.....	Rep .....	15
Verger, Joanne .....	2285 N 13 <sup>th</sup> Ct., Coos Bay, OR, 97420 .....	Dem .....	5
Walker, Vicki.....	P.O. Box 10314, Eugene, OR 97440 .....	Dem .....	7
Westlund, Ben.....	20590 Arrowhead Drive, Bend, OR 97701 .....	Dem .....	27
Whitsett, Doug .....	23131 North Poe Valley Rd., Klamath Falls, OR, 97603.....	Rep .....	28
Winters, Jackie .....	P.O. Box 126, Salem, OR 97308 .....	Rep .....	10

Democrats	18
Republicans	11
Independent	1

SENATE SEATING CHART



- 1-Courtney
- 2-Metsger
- 3-Gordly
- 4-Verger
- 5-Johnson
- 6-Carter
- 7-Monnes Anderson
- 8-Bates
- 9-Whitsett
- 10-Winters

- 11-George, L.
- 12-Avakian
- 13-Schrader
- 14-Westlund
- 15-Prozanski
- 16-Morse
- 17-Kruse
- 18-Monroe
- 19-Hass
- 20-Walker

- 21Brown
- 22-Girod
- 23-Atkinson
- 24-Morrisette
- 25-Burdick
- 26-George, G.
- 27-Devlin
- 28-Ferrioli
- 29-Nelson
- 30-Starr

**COMMITTEE MEMBERSHIP****COMMERCE AND LABOR—**

Ben Westlund, Chair  
 Gary George, Vice-Chair  
 Richard Devlin  
 Floyd Prozanski  
 Jackie Winters

**Subcommittee on Health Care Reform—**

Frank Morse, Chair  
 Alan Bates  
 Ben Westlund

**EDUCATION AND GENERAL GOVERNMENT—**

Vicki Walker, Chair  
 Jeff Kruse, Vice-Chair  
 Mark Hass  
 Rick Metsger  
 Frank Morse

**ELECTIONS AND ETHICS —**

Kate Brown, Chair  
 Ted Ferrioli, Vice-Chair  
 Jason Atkinson (appointed 2/6/08)  
 Laurie Monnes Anderson

**ENVIRONMENT AND NATURAL RESOURCES—**

Brad Avakian, Chair  
 Fred Girod, Vice-Chair  
 Alan Bates  
 David Nelson  
 Floyd Prozanski

**FINANCE AND REVENUE—**

Ginny Burdick, Chair  
 Frank Morse, Vice-Chair  
 Jason Atkinson  
 Mark Hass  
 Rod Monroe  
 Bruce Starr  
 Ben Westlund

**HEALTH AND HUMAN SERVICES—**

Laurie Monnes Anderson, Chair  
 Avel Gordly, Vice-Chair  
 Margaret Carter  
 Jeff Kruse  
 Bill Morrisette

**JUDICIARY—**

Floyd Prozanski, Chair  
 Doug Whitsett, Vice-Chair  
 Ginny Burdick  
 Fred Girod  
 Vicki Walker

**RULES AND EXECUTIVE APPOINTMENTS—**

Richard Devlin, Chair  
 Ted Ferrioli, Vice-Chair  
 Jason Atkinson  
 Brad Avakian  
 Kate Brown

**SERVICES TO SENIORS AND PEOPLE WITH  
DISABILITIES—**

Bill Morrisette, Chair  
 Jeff Kruse, Vice-Chair  
 Peter Courtney

**TRANSPORTATION—**

Rick Metsger, Chair  
 Bruce Starr, Vice-Chair  
 Gary George  
 Larry George  
 Betsy Johnson  
 Rod Monroe  
 Joanne Verger

**OREGON STATE HOSPITAL PATIENT CARE—**

Peter Courtney, Co-Chair  
 Jackie Winters, Vice-Chair  
 Margaret Carter  
 Ted Ferrioli

**WAYS AND MEANS—**

Kurt Schrader, Co-Chair  
 Margaret Carter, Vice-Chair  
 Alan Bates  
 Avel Gordly  
 Betsy Johnson  
 Rod Monroe  
 David Nelson  
 Joanne Verger  
 Doug Whitsett  
 Jackie Winters

**COMMITTEE MEMBERSHIP**

**COMMITTEE ON CREDENTIALS—**

Senator Bill Morrisette, Chair

Senator Jason Atkinson (appointed February 4, 2008)

Senator Roger Beyer (discharged February 4, 2008)

Senator Floyd Prozanski

## COMMITTEE ASSIGNMENT BY SENATOR

**ATKINSON-**

Elections and Ethics  
Finance and Revenue  
Rules and Executive Appointments

**AVAKIAN-**

Environment and Natural Resources, Chair  
Rules and Executive Appointments

**BATES-**

Commerce and Labor  
Health Care Reform Subcommittee  
Environment and Natural Resources  
Ways and Means

**BROWN-**

Elections and Ethics, Chair  
Rules and Executive Appointments

**BURDICK-**

Finance and Revenue, Chair  
Judiciary

**CARTER-**

Health and Human Services  
Oregon State Hospital Patient Care  
Ways and Means, Vice-Chair

**COURTNEY-**

Oregon State Hospital Patient Care, Co-Chair  
Services to Seniors and People with Disabilities

**DEVLIN-**

Commerce and Labor  
Rules and Executive Appointments, Chair

**FERRIOLI-**

Elections and Ethics, Vice-Chair  
Oregon State Hospital Patient Care  
Rules and Executive Appointments, Vice-Chair

**GEORGE G. -**

Commerce and Labor, Vice-Chair  
Transportation

**GEORGE L. -**

Transportation

**GIROD-**

Environment and Natural Resources, Vice-Chair  
Judiciary

**GORDLY-**

Health and Human Services, Vice-Chair  
Ways and Means

**HASS-**

Education and General Government  
Finance and Revenue

**JOHNSON-**

Transportation  
Ways and Means

**KRUSE-**

Education and General Government, Vice-Chair  
Health and Human Services  
Services to Seniors and People with Disabilities, Vice-Chair

**METSGER-**

Education and General Government  
Transportation, Chair

**MONNES ANDERSON-**

Elections and Ethics  
Health and Human Services, Chair

**MONROE-**

Finance and Revenue  
Transportation  
Ways and Means

**COMMITTEE ASSIGNMENT BY SENATOR****MORRISETTE-**

Health and Human Services  
Services to Seniors and People with Disabilities, Chair

**MORSE-**

Commerce and Labor  
Health Care Reform Subcommittee, Chair  
Education and General Government  
Finance and Revenue, Vice-Chair

**NELSON-**

Environment and Natural Resources  
Ways and Means

**PROZANSKI-**

Commerce and Labor  
Environment and Natural Resources  
Judiciary, Chair

**SCHRADER-**

Ways and Means, Co-Chair

**STARR-**

Finance and Revenue  
Transportation, Vice-Chair

**VERGER-**

Transportation  
Ways and Means

**WALKER-**

Education and General Government, Chair  
Judiciary

**WESTLUND-**

Commerce and Labor, Chair  
Health Care Reform Subcommittee  
Finance and Revenue

**WHITSETT-**

Judiciary, Vice-Chair  
Ways and Means

**WINTERS-**

Commerce and Labor  
Oregon State Hospital Patient Care, Vice-Chair  
Ways and Means





**Special Session  
House**



---

## HOUSE OF REPRESENTATIVES

---

### HOUSE OFFICERS

JEFF MERKLEY, Speaker

DIANE ROSENBAUM, Speaker Pro Tempore

RAMONA KENADY, Chief Clerk

---

### HOUSE CAUCUS LEADERS

DAVE HUNT, Majority Leader

BRUCE HANNA, Republican Leader

PETER BUCKLEY, Majority Whip

ANDY OLSON, Deputy Republican Leader

ARNIE ROBLAN, Deputy Majority Whip

GENE WHISNANT, Deputy Republican Whip

BETTY KOMP, Assistant Majority Leader

LINDA FLORES, Deputy Republican Whip

PHIL BARNHART, Assistant Majority Leader

CHUCK BURLEY, Assistant Republican Whip

TOBIAS READ, Assistant Majority Leader

KEVIN CAMERON, Assistant Republican Whip

CHIP SHIELDS, Assistant Majority Leader

RON MAURER, Assistant Republican Whip

SARA GELSER, Assistant Majority Leader

---

### HOUSE DESK PERSONNEL

CATHY FERGUSON, Assistant Chief Clerk

TODD KENADY, Publications Coordinator

OBIE RUTLEDGE, Reading Clerk

TOM MATHEWS, Sergeant at

Arms



## 2008 SPECIAL SESSION

## REPRESENTATIVES' ADDRESSES

Representative	Address	Party	Dist.#
Barker, Jeff	PO Box 6751, Aloha, OR 97007	D	28
Barnhart, Phil	PO Box 71188-0189, Eugene, OR 97401	D	11
Bentz, Cliff	PO Box S, Ontario, OR 97914	R	60
Berger, Vicki	900 Court St. NE, Salem, OR 97301	R	20
Beyer, Elizabeth T.	PO Box 131, Springfield, OR 97477	D	12
Bonamici, Suzanne	PO Box 2146, Beaverton, OR 97075	D	34
Boone, Deborah A.	PO Box 637, Cannon Beach, OR 97110	D	32
Boquist, Brian J.	900 Court St. NE, Salem, OR 97301	R	23
Bruun, Scott	PMB 160, 1980 Willamette Falls Dr., Ste. 230, West Linn, OR 97068	R	37
Buckley, Peter	71 Dewey St., Ashland, OR 97520	D	5
Burley, Chuck	PO Box 9424, Bend, OR 97708	R	54
Cameron, Kevin	900 Court St. NE, Salem, OR 97301	R	19
Cannon, Ben	PO Box 33822, Portland, OR 97292	D	46
Clem, Brian	900 Court St. NE, Salem, OR 97301	D	21
Cowan, Jean	2710 NE Iler St., Newport, OR 97365	D	10
Dingfelder, Jackie	PO Box 13432, Portland, OR 97213	D	45
Edwards, Chris	PO Box 42082, Eugene, OR 97402	D	14
Edwards, David	22115 NW Imbrie Dr. #328, Hillsboro, OR 97124	D	30
Esquivel, Sal C.	711 Medford Center #178, Medford, OR 97504	R	6
Flores, Linda D	PO Box 55, Clackamas, OR 97015	R	51
Galizio, Larry	PO Box 231161, Tigard, OR 97281	D	35
Garrard, Bill	5845 Basin View Dr., Klamath Falls, OR 97603	R	56
Gelser, Sara	900 Court St. NE, Salem, OR 97301	D	16
Gilliam, Vic	900 Court St. NE, Salem, OR 97301	R	18
Gilman, George	3695 Dodson Dr., Medford, OR 97504	R	55
Greenlick, Mitch	712 NW Spring Ave., Portland, OR 97229	D	33
Hanna, Bruce	612 NW Cecil Ave., Roseburg, OR 97470	R	7
Holvey, Paul R.	PO Box 51048, Eugene, OR 97405	D	8
Huffman, John	PO Box 104, The Dalles, OR 97058	R	59
Hunt, Dave	PO Box 67190, Oak Grove, OR 97268	D	40
Jenson, Bob	2126 Despain Ave., Pendleton, OR 97801	R	58
Komp, Betty	885 Garfield St., Woodburn, OR 97071	D	22
Kotek, Tina	7930 N Wabash Ave., Portland, OR 97217	D	44
Krieger, Wayne	95702 Skyview Ranch Rd., Gold Beach, OR 97444	R	1
Krummel, Jerry	7544 SW Roanoke Dr., Wilsonville, OR 97070	R	26
Lim, John K.	PO Box 1616, Gresham, OR 97030	R	50
Macpherson, Greg	322 Second St., Lake Oswego, OR 97034	D	38
Maurer, Ron	PO Box 2061, Grants Pass, OR 97528	R	3
Merkley, Jeff	PO Box 33167, Portland, OR 97292-3167	D	47
Minnis, Karen	PO Box 790, Fairview, OR 97024	R	49
Morgan, Susan	PO Box 2223, Myrtle Creek, OR 97457	R	2
Nathanson, Nancy	PO Box 41895, Eugene, OR 97404	D	13
Nelson, Donna G.	2150 St. Andrews Dr., McMinnville, OR 97128	R	24
Nolan, Mary	PO Box 1686, Portland, OR 97207	D	36
Olson, Andy	PO Box 891, Albany, OR 97321	R	15
Read, Tobias	PO Box 2101, Beaverton, OR 97075	D	27
Richardson, Dennis	55 S 5 <sup>th</sup> St., Central Point, OR 97502	R	4
Riley, Chuck	250 NE Hillwood Dr., Hillsboro, OR 97214	D	29
Roblan, Arnie L.	PO Box 1410, Coos Bay, OR 97420	D	9

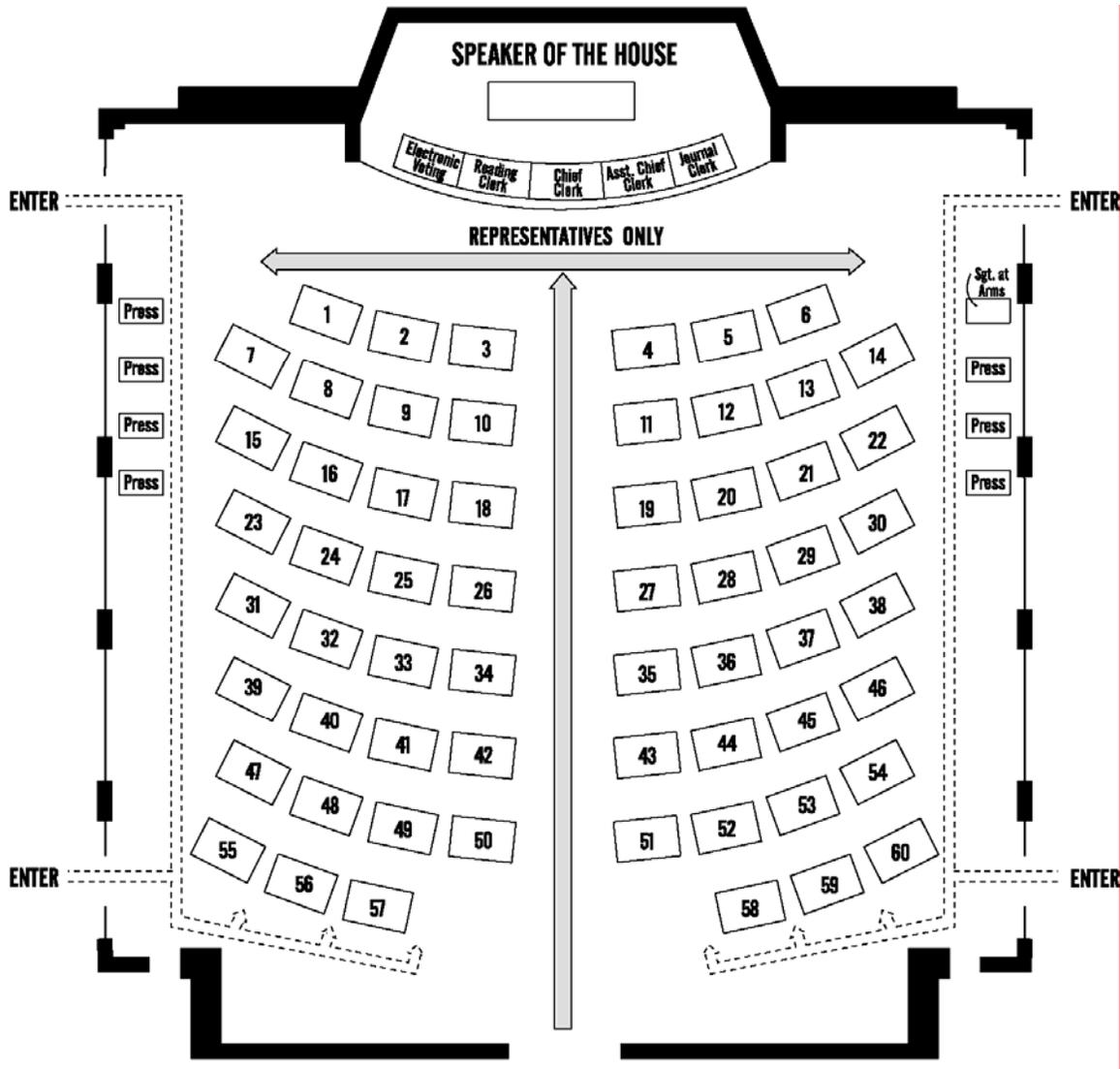
2008 SPECIAL SESSION

REPRESENTATIVES' ADDRESSES

Representative	Address	Party	Dist.#
Rosenbaum, Diane .....	1125 SE Madison St., Ste. 100-B, Portland, OR 97214.....	D.....	42
Schaufler, Mike .....	12910 SE Ridgecrest Rd., Happy Valley, OR 97236.....	D.....	48
Scott, Wayne .....	PO Box 664, Canby, OR 97013 .....	R.....	39
Shields, Chip .....	1125 SE Madison St., Ste. 100 -B, Portland, OR 97214.....	D.....	43
Smith, Greg .....	PO Box 219, Heppner, OR 97836 .....	R.....	57
Smith, Patti .....	PO Box 209, Corbett, OR 97019 .....	R.....	52
Sprenger, Sherrie.....	900 Court St. NE, Salem, OR 97301 .....	R.....	17
Thatcher, Kim .....	PO Box 9111, Salem, OR 97305 .....	R.....	25
Tomei, Carolyn.....	11907 SE 19 <sup>th</sup> Ave., Milwaukie, OR 97222 .....	D.....	41
Whisnant, Gene C.....	PO Box 3565, Sunriver, OR 97707 .....	R.....	53
Witt, Brad .....	21740 Lindberg Rd., Clatskanie, OR 97016.....	D.....	31

Democrats - 31  
 Republicans - 29

2008 SPECIAL SESSION  
HOUSE SEATING CHART



- 1 - Scott
- 2 - Komp
- 3 - Cowan
- 4 - Greenlick
- 5 - Riley
- 6 - Shields
- 7 - Macpherson
- 8 - Huffman
- 9 - Maurer
- 10 - Bonamici
- 11 - Edwards, C.
- 12 - Clem
- 13 - Olson
- 14 - Berger
- 15 - Flores

- 16 - Thatcher
- 17 - Esquivel
- 18 - Gilliam
- 19 - Barker
- 20 - Cannon
- 21 - Edwards, D.
- 22 - Cameron
- 23 - Smith, G.
- 24 - Sprenger
- 25 - Burley
- 26 - Lim
- 27 - Rosenbaum
- 28 - Nathanson
- 29 - Bruun
- 30 - Boquist

- 31 - Krummel
- 32 - Richardson
- 33 - Whisnant
- 34 - Nelson
- 35 - Galizio
- 36 - Schaufler
- 37 - Kotek
- 38 - Boone
- 39 - Garrard
- 40 - Krieger
- 41 - Gilman
- 42 - Bentz
- 43 - Holvey
- 44 - Gelser
- 45 - Read

- 46 - Buckley
- 47 - Smith, P.
- 48 - Nolan
- 49 - Minnis
- 50 - Hanna
- 51 - Hunt
- 52 - Barnhart
- 53 - Roblan
- 54 - Witt
- 55 - Merkley
- 56 - Jenson
- 57 - Morgan
- 58 - Tomei
- 59 - Beyer
- 60 - Dingfelder

## 2008 SPECIAL SESSION

## HOUSE STANDING COMMITTEE MEMBERSHIP

**AGRICULTURE AND NATURAL RESOURCES**

Rep. Arnie Roblan, Chair  
Rep. Brian Boquist, Vice-Chair  
Rep. Brian Clem, Vice-Chair  
Rep. Jackie Dingfelder  
Rep. Bill Garrard  
Rep. Greg Macpherson  
Rep. Karen Minnis

**BUSINESS AND LABOR**

Rep. Mike Schaufler, Chair  
Rep. Sal Esquivel, Vice-Chair  
Rep. Paul Holvey, Vice-Chair  
Rep. Chuck Burley  
Rep. Kevin Cameron  
Rep. Chris Edwards  
Rep. Diane Rosenbaum

**CONSUMER PROTECTION**

Rep. Paul Holvey, Chair  
Rep. Suzanne Bonamici, Vice-Chair  
Rep. Donna Nelson, Vice-Chair  
Rep. Larry Galizio  
Rep. Vic Gilliam  
Rep. Chuck Riley  
Rep. Sherrie Sprenger

**EDUCATION**

Rep. Peter Buckley, Chair  
Rep. Betty Komp, Vice-Chair  
Rep. Gene Whisnant, Vice-Chair  
Rep. Brian Clem  
Rep. Mitch Greenlick  
Rep. John E. Huffman  
Rep. Jerry Krummel  
Rep. John Lim  
Rep. Arnie Roblan

**ELECTIONS, ETHICS AND RULES**

Rep. Diane Rosenbaum, Chair  
Rep. Vicki Berger, Vice-Chair  
Rep. Peter Buckley, Vice-Chair  
Rep. Sal Esquivel  
Rep. Dave Hunt  
Rep. Chip Shields  
Rep. Kim Thatcher

**EMERGENCY PREPAREDNESS AND OCEAN POLICY**

Rep. Deborah Boone, Chair  
Rep. Jean Cowan, Vice-Chair  
Rep. Donna Nelson, Vice-Chair  
Rep. Wayne Krieger  
Rep. Mike Schaufler

**ENERGY AND THE ENVIRONMENT**

Rep. Jackie Dingfelder, Chair  
Rep. Chuck Burley, Vice-Chair  
Rep. Ben Cannon, Vice-Chair  
Rep. E. Terry Beyer  
Rep. Bill Garrard  
Rep. Tobias Read  
Rep. Greg Smith

**GOVERNMENT ACCOUNTABILITY AND INFORMATION TECHNOLOGY**

Rep. Chuck Riley, Chair  
Rep. Chris Edwards, Vice-Chair  
Rep. Dennis Richardson, Vice-Chair  
Rep. E. Terry Beyer  
Rep. Kim Thatcher

**HEALTH CARE**

Rep. Mitch Greenlick, Chair  
Rep. Tina Kotek, Vice-Chair  
Rep. Dennis Richardson, Vice-Chair  
Rep. Suzanne Bonamici  
Rep. Scott Bruun  
Rep. Ben Cannon  
Rep. Linda Flores  
Rep. Sara Gelser  
Rep. Ron Maurer

**HUMAN SERVICES AND WOMEN'S WELLNESS**

Rep. Carolyn Tomei, Chair  
Rep. Sara Gelser, Vice-Chair  
Rep. Andy Olson, Vice-Chair  
Rep. Jean Cowan  
Rep. Vic Gilliam  
Rep. Tina Kotek  
Rep. Ron Maurer

## 2008 SPECIAL SESSION

## HOUSE STANDING COMMITTEE MEMBERSHIP

**Subcommittee on Seniors and People with Disabilities**

Rep. Jean Cowan, Chair  
Rep. Sara Gelser  
Rep. Ron Maurer

**JUDICIARY**

Rep. Greg Macpherson, Chair  
Rep. Jeff Barker, Vice-Chair  
Rep. Gene Whisnant, Vice-Chair  
Rep. Suzanne Bonamici  
Rep. Kevin Cameron  
Rep. Linda Flores  
Rep. Betty Komp  
Rep. Wayne Krieger  
Rep. Chip Shields

**OREGON STATE HOSPITAL PATIENT CARE**

Rep. Diane Rosenbaum, Chair  
Rep. Bruce Hanna, Vice-Chair  
Rep. Vicki Berger  
Rep. Brian Clem  
Rep. Bob Jenson  
Rep. Carolyn Tomei

**REVENUE**

Rep. Phil Barnhart, Chair  
Rep. Vicki Berger, Vice-Chair  
Rep. Tobias Read, Vice-Chair  
Rep. Cliff Bentz  
Rep. Scott Bruun  
Rep. Sara Gelser  
Rep. Andy Olson  
Rep. Diane Rosenbaum  
Rep. Brad Witt

**RURAL POLICY**

Rep. Arnie Roblan, Chair  
Rep. Jean Cowan, Vice-Chair  
Rep. George Gilman, Vice-Chair  
Rep. Phil Barnhart  
Rep. Vic Gilliam

**TRANSPORTATION**

Rep. E. Terry Beyer, Chair  
Rep. George Gilman, Vice-Chair  
Rep. Carolyn Tomei, Vice-Chair  
Rep. Cliff Bentz  
Rep. Peter Buckley  
Rep. Tobias Read  
Rep. Greg Smith

**VETERANS' AFFAIRS**

Rep. Jeff Barker, Chair  
Rep. Mike Schaufler, Vice-Chair  
Rep. Wayne Scott, Vice-Chair  
Rep. Deborah Boone  
Rep. Brian Boquist

**WAYS AND MEANS**

Mary Nolan, Co-Chair  
Nancy Nathanson, Vice-Chair  
David Edwards  
Larry Galizio  
Bruce Hanna  
Bob Jenson  
Susan Morgan  
Chip Shields  
Patti Smith

**WORKFORCE AND ECONOMIC DEVELOPMENT**

Rep. Brad Witt, Chair  
Rep. John Lim, Vice-Chair  
Rep. Chuck Riley, Vice-Chair  
Rep. Phil Barnhart  
Rep. Paul Holvey  
Rep. John E. Huffman  
Rep. Sherrie Sprenger

## 2008 SPECIAL SESSION

## COMMITTEE ASSIGNMENT BY REPRESENTATIVE

**BARKER—**

Judiciary, Vice-Chair  
Veterans Affairs, Chair

**BARNHART—**

Revenue, Chair  
Rural Policy  
Workforce and Economic Development

**BENTZ—**

Revenue  
Transportation

**BERGER—**

Elections, Ethics, and Rules, Vice-Chair  
Oregon State Hospital Patient Care  
Revenue, Vice-Chair

**BEYER—**

Energy and the Environment  
Government Accountability and Information  
Technology  
Transportation, Chair

**BONAMICI—**

Consumer Protection, Vice-Chair  
Health Care  
Judiciary

**BOONE—**

Emergency Preparedness and Ocean Policy, Chair  
Veterans' Affairs

**BOQUIST—**

Agriculture and Natural Resources, Vice-Chair  
Veterans Affairs

**BRUUN—**

Health Care  
Revenue

**BUCKLEY—**

Education, Chair  
Elections, Ethics, and Rules, Vice-Chair  
Transportation

**BURLEY—**

Business and Labor  
Energy and the Environment, Vice-Chair

**CAMERON—**

Business and Labor  
Judiciary

**CANNON—**

Energy and the Environment, Vice-Chair  
Health Care

**CLEM—**

Agriculture and Natural Resources, Vice-Chair  
Education  
Oregon State Hospital Patient Care

**COWAN—**

Emergency Preparedness and Ocean Policy, Vice-Chair  
Human Services and Women's Wellness  
Seniors and People with Disabilities, Chair  
Rural Policy, Vice-Chair

**DINGFELDER—**

Agriculture and Natural Resources  
Energy and the Environment, Chair

**EDWARDS, C.—**

Business and Labor  
Government Accountability and Information  
Technology, Vice-Chair

**EDWARDS, D.—**

Ways and Means

## 2008 SPECIAL SESSION

## COMMITTEE ASSIGNMENT BY REPRESENTATIVE

**ESQUIVEL—**

Business and Labor, Vice-Chair  
Elections, Ethics, and Rules

**FLORES—**

Health Care  
Judiciary

**GALIZIO—**

Consumer Protection  
Ways and Means

**GARRARD—**

Agriculture and Natural Resources  
Energy and the Environment

**GELSER—**

Health Care  
Human Services and Women's Wellness, Vice-Chair  
Seniors and People with Disabilities  
Revenue

**GILLIAM—**

Consumer Protection  
Human Services and Women's Wellness  
Rural Policy

**GILMAN—**

Rural Policy, Vice-Chair  
Transportation, Vice-Chair

**GREENLICK—**

Education  
Health Care, Chair

**HANNA—**

Oregon State Hospital Patient Care, Vice-Chair  
Ways and Means

**HOLVEY—**

Business and Labor, Vice-Chair  
Consumer Protection, Chair  
Workforce and Economic Development

**HUFFMAN—**

Education  
Workforce and Economic Development

**HUNT—**

Elections, Ethics, and Rules

**JENSON—**

Oregon State Hospital Patient Care  
Ways and Means

**KOMP—**

Education, Vice-Chair  
Judiciary

**KOTEK—**

Health Care, Vice-Chair  
Human Services and Women's Wellness

**KRIEGER—**

Emergency Preparedness and Ocean Policy  
Judiciary

**KRUMMEL—**

Education

**LIM—**

Education  
Workforce and Economic Development, Vice-Chair

**MACPHERSON—**

Agriculture and Natural Resources  
Judiciary, Chair

## 2008 SPECIAL SESSION

## COMMITTEE ASSIGNMENT BY REPRESENTATIVE

**MAURER—**

Health Care  
Human Services and Women's Wellness  
Seniors and People with Disabilities

**MINNIS—**

Agriculture and Natural Resources

**MORGAN—**

Ways and Means

**NATHANSON—**

Ways and Means, Vice-Chair

**NELSON—**

Consumer Protection, Vice-Chair  
Emergency Preparedness and Ocean Policy, Vice-Chair

**NOLAN—**

Ways and Means, Co-Chair

**OLSON—**

Human Services and Women's Wellness, Vice-Chair  
Revenue

**READ—**

Energy and the Environment  
Revenue, Vice-Chair  
Transportation

**RICHARDSON—**

Government Accountability and Information  
Technology, Vice-Chair  
Health Care, Vice-Chair

**RILEY—**

Consumer Protection  
Government Accountability and Information  
Technology, Chair  
Workforce and Economic Development, Vice-Chair

**ROBLAN—**

Agriculture and Natural Resources, Chair  
Education  
Rural Policy, Chair

**ROSENBAUM—**

Business and Labor  
Elections, Ethics, and Rules, Chair  
Oregon State Hospital Patient Care, Co-Chair  
Revenue

**SCHAUFLER—**

Business and Labor, Chair  
Emergency Preparedness and Ocean Policy  
Veterans Affairs, Vice-Chair

**SCOTT—**

Veterans Affairs, Vice-Chair

**SHIELDS—**

Elections, Ethics and Rules  
Judiciary  
Ways and Means

**SMITH, G.—**

Energy and the Environment  
Transportation

**SMITH, P.—**

Ways and Means

**SPRENGER—**

Consumer Protection  
Workforce and Economic Development

**THATCHER—**

Elections, Ethics, and Rules  
Government Accountability and Information  
Technology

2008 SPECIAL SESSION

COMMITTEE ASSIGNMENT BY REPRESENTATIVE

**TOMEI—**

Human Services and Women's Wellness, Chair  
Oregon State Hospital Patient Care  
Transportation, Vice-Chair

**WITT—**

Revenue  
Workforce and Economic Development, Chair

**WHISNANT—**

Education, Vice-Chair  
Judiciary, Vice-Chair

**2008 SPECIAL SESSION**

**HOUSE SPECIAL COMMITTEES ON ORGANIZATION**

**COMMITTEE ON CREDENTIALS—**

Rep. Phil Barnhart, Chair  
Rep. Jerry Krummel  
Rep. E. Terry Beyer

**COMMITTEE ON RULES—**

Rep. Diane Rosenbaum, Chair  
Rep. Vicki Berger  
Rep. Dave Hunt

**2008 SPECIAL SESSION**  
**HOUSE COMMITTEES STAFF**

<b>Committee/Task Force</b>	<b>Staff</b>	<b>Phone</b>	<b>Location</b>
Agriculture and Natural Resources	Beth Patrino, Committee Administrator Sue Cook, Committee Assistant	503-986-1751 503-986-1763	453 453
Business and Labor	Theresa Van Winkle, Committee Administrator Sue Cook, Committee Assistant	503-986-1496 503-986-1763	453B 453
Consumer Protection	Jim Stenbridge, Committee Administrator Sue Cook, Committee Assistant	503-986-1496 503-986-1763	453B 453
Education	Dana Richardson, Committee Administrator Erin Seiler, Committee Assistant	503-986-1664 503-986-1474	453 453
Elections, Ethics and Rules	Marjorie Taylor, Committee Administrator Mike Reiley, Committee Assistant	503-986-1755 503-986-1635	453D 453
Emergency Preparedness and Ocean Policy	Sue Marshall, Committee Administrator Erin Seiler, Committee Assistant	503-986-1286 503-986-1647	453E 453
Energy and the Environment	Beth Patrino, Committee Administrator Sue Cook, Committee Assistant	503-986-1751 503-986-1763	453 453
Government Accountability & Information Technology	Dana Richardson, Committee Administrator Mike Reiley, Committee Assistant	503-986-1755 503-986-1635	453D 453
Health Care	Sandy Thiele-Cirka, Committee Administrator Erin Seiler, Committee Assistant	503-986-1286 503-986-1647	453E 453
Human Services and Women's Wellness	Rick Berkobien, Committee Administrator Erin Seiler, Committee Assistant	503-986-1485 503-986-1647	453F 453
Judiciary	Bill Taylor, Counsel Sue Cook, Executive Assistant	503-986-1694 503-986-1474	453A 453
Revenue	Paul Warner, Legislative Revenue Officer Robin Wilton, Office Manager	503-986-1266 503-986-1266	Annex Annex
Rural Policy	Marjorie Taylor, Committee Administrator Mike Reiley, Committee Assistant	503-986-1755 503-986-1635	453D 453
Transportation	Patrick Brennan, Committee Administrator Mike Reiley, Committee Assistant	503-986-1674 503-986-1635	453C 453
Veterans' Affairs	Bill Taylor, Counsel Erin Seiler, Committee Assistant	503-986-1694 503-986-1474	453A 453
Workforce and Economic Development	Patrick Brennan, Committee Administrator Mike Reiley, Committee Assistant	503-986-1674 503-986-1635	453C 453

**JOINT COMMITTEES STAFF**

<b>Committee/Task Force</b>	<b>Staff</b>	<b>Phone</b>	<b>Location</b>
Oregon State Hospital Patient Care	Rick Berkobien, Administrator Erin Seiler, Executive Assistant	503-986-1485 503-986-1647	453-F 453
Ways and Means	Ken Rocco, Legislative Fiscal Officer Gina Rumbaugh, Committee Coordinator	503-986-1828 503-986-1828	Annex Annex



**Senate Special  
Session Journal**



**Monday, February 4, 2008 -- Morning Session**

Senate convened at 8:30 a.m. President Courtney in Chair. The following members were present: Atkinson, Avakian, Brown, Burdick, Carter, Devlin, Ferrioli, George, G., George, L., Girod, Gordly, Hass, Johnson, Kruse, Metsger, Monnes Anderson, Monroe, Morrisette, Morse, Nelson, Prozanski, Schrader, Starr, Walker, Westlund, Whitsett, Winters; excused - Bates, Verger. Colors were posted by members of The Oregon National Guard Adjutant General's Select Honor Color Guard, Master Sergeant William Boyd, Staff Sergeant Fernando Fernandez, Sergeant Jose Hernandez and Specialist Jamie Kisch. The Senate pledged allegiance to the flag. Invocation by Senator Jackie Winters, Salem.

In accordance with Article IV, section 10a, of the Oregon Constitution, President Courtney announced that the requisite number of signed requests from the members of the Senate for a special session of the Seventy-fourth Legislative Assembly has been received and verified. A joint proclamation has been issued by Peter Courtney, President of the Senate and Jeff Merkley, Speaker of the House

The following proclamation from the President of the Senate and Speaker of the House was read:

**PROCLAMATION CALLING SPECIAL SESSION**

WHEREAS: the Legislative Assembly has determined that convening in February 2008 will improve the Legislative Assembly's handling of complex policy issues and fiscal matters; and

WHEREAS: the Legislative Assembly seeks to enhance predictability and certainty in the legislative process for the citizens of Oregon; and

WHEREAS: the interim committees of the Legislative Assembly have identified specific budget and policy issues that need resolution without delay; and

WHEREAS: these circumstances constitute an emergency; now, therefore,

We, Peter Courtney, President of the Senate, and Jeff Merkley, Speaker of the House of Representatives, pursuant to section 10a, Article IV of the Oregon Constitution, having received the requisite number of requests from members of the Senate and House of Representatives, do hereby proclaim that on Monday, February 4, 2008, at 8:30 a.m.,

**THE OREGON LEGISLATIVE ASSEMBLY  
SHALL CONVENE**

IN WITNESS WHEREOF, we sign this proclamation.

President of the Senate Peter Courtney

Speaker of the House of Representatives Jeff Merkley

President Courtney announced the following committee assignments effective February 4, 2008.

**SENATE COMMITTEE ON CREDENTIALS**

Discharge: Senator Roger Beyer  
Appoint: Senator Jason Atkinson

President Courtney announced that the Senate is in receipt of a copy of the following letters and ordered that they be read and placed in the journal:

October 5, 2007

The Honorable Bill Bradbury  
Oregon Secretary of State  
136 State Capitol  
Salem, OR 97301

Dear Secretary Bradbury,

"I am resigning from my seat in the Oregon State Senate, effective October 28, 2007. It has been an honor to serve the citizens of Senate District 14. I thank them for the opportunity and wish my successor well."

Sincerely,

Ryan Deckert

January 18, 2008

The Honorable Bill Bradbury  
Oregon Secretary of State  
136 State Capitol  
Salem, OR 97301

"I hereby resign as the senator from Senate District 9 effective immediately."

Sincerely,

Roger Beyer

The following report by the committee on Credentials was read at the request of the Chair. The credentials report will be placed in the original documents file and recorded in the Journal.

February 4, 2008

President Courtney:

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

That Ryan Deckert, a duly-elected Senator from the 14th Senatorial District for a term of four years beginning the second Monday in January 2005 and terminating the second Monday in January 2009, resigned on October 28, 2007.

That Mark Hass, a qualified elector from Senate District 14 was duly appointed on November 21, 2007 to the office of State Senator by the Boards of Commissioners for the County of Washington until the second Monday in January 2009. The certificate of appointment is attached.

That Mark Hass was sworn into office on November 21, 2007.

That Roger Beyer, a duly-elected Senator from the 9th Senatorial District for a term of four years beginning the second Monday in January 2005 and terminating the second Monday in January 2009, resigned on January 18, 2008.

That Fred Girod, a qualified elector from Senate District 9 was duly appointed on January 28, 2008 to the office of State Senator by the Boards of Commissioners for the Counties of Clackamas, Marion and Linn until the second Monday in January 2009. The certificate of appointment is attached.

That Fred Girod was sworn into office on January 30, 2008.

Respectfully submitted,

Senator Bill Morrisette, Chair  
 Senator Jason Atkinson  
 Senator Floyd Prozanski

Devlin moved that the 2007 Regular Session Senate Rules, as amended, be adopted as the Senate Rules for this Special Session of the Seventy-fourth Legislative Assembly. On adoption the vote was: Ayes, 26; absent, 1 – Burdick; excused, 3 – Bates, Verger, Walker. Special Session Rules adopted.

**SPECIAL SESSION RULES OF THE SENATE  
 SEVENTY-FOURTH 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.
- (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) "Legislative assistant" means a person employed to assist a member of the Senate, to assist the Senate President or to assist the majority or minority offices of the Senate.
- (9) "Printing" includes printing and other means of reproducing copy.
- (10) "Remonstrance" may be considered as a "protest" under section 26, Article IV of the Oregon Constitution.
- (11) "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.
- (12) ~~Appendix A – Interim Rules identifies specific rules governing interim period.~~ "Special Session" means the Special Session of the Seventy-fourth Legislative Assembly convening February 4, 2008.

**RULES**

**2.01 Use of Mason's Manual of Legislative Procedure.**

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

**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, 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. The amendments to the Rules of the Senate adopted for the Special Session are repealed upon the adjournment sine die of the Special Session.~~

(1) The Senate shall follow the recommendations of SCR 1 ~~if~~ adopted by the 74th Legislative Assembly to set the legislative schedule for the ~~regular~~ special session. The provisions of the concurrent resolution may be suspended by a two-thirds majority (20) of elected members.

(2) The following deadlines for committees, with the exception of Rules and Executive Appointments, Finance and Revenue, and Ways and Means, shall be observed during the Special Session:

(a) February 6, 2008 – In order to be eligible for a work session, a Senate measure must be posted on an agenda no later than today.

(b) February 12, 2008 – Last day to hold a work session on a Senate measure.

(c) February 19, 2008 – In order to be eligible for a work session, a House measure must be posted on an agenda no later than today.

(3) The last day to hold a work session on all measures in all committees is February 21, 2008. The Rules and Executive Appointments, Finance and Revenue, and Ways and Means committees may be excepted from this deadline upon approval of the President.

**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," 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 and the Senate Caucus Leaders 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 submit a written explanation in lieu of an oral explanation following announcement of the result of the vote~~make the oral explanation from the floor following completion of the roll call and announcement of the result.~~ 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 file a written explanation with the Secretary of the Senate by 5 p.m. of the day the vote was taken or at the end of a night session.

### 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 for which the Call was invoked has 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~~
- (hg) Reports from special committees
- (ih) Propositions and motions
- (ji) Action on Executive Appointments requiring Senate confirmation
- (kj) Introduction and first reading of Senate measures
- (hk) Second reading of Senate measures
- (ml) Third reading of Senate measures
- (nm) First reading of House measures
- (on) Second reading of House measures
- (po) Third reading of House measures
- (qp) Other business of the Senate
- (qr) Announcements

(2) Special performances for opening ceremonies shall be in accordance with policies developed by the President.

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

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

(5) 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.

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

(7) 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.

## 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 Undeatable 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.

~~(1) Cellphones, laptops and other electronic devices that distract from the decorum of the Senate are prohibited inside the bar of the Senate with the exception of the Senate phone booths at the back of~~

~~the chamber. State-owned laptop computers may be used by members and staff in the Senate chamber at all times. Personal laptop computers may be used inside the bar only during extended recesses and adjournments. Cellphones (muted only) may be used inside the bar only during extended recesses and adjournments. During floor sessions, they may be used on the side-aisles and in the phone booths.~~

### 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 visual aides during debate unless unanimous consent has been granted.

(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, Officers of the Senate.~~

~~(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. The officers of the Senate shall be those~~

elected by the Senate for the Seventy-fourth Legislative Assembly under Regular Session Rules 7.01, 7.05, 15.01 and Interim Rule 207.01.

**7.05 Temporary Presiding Officer.**

(1) The President may designate a member other than the President pro tempore 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 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 , Transportation and Workforce Development~~
- ~~— (b) Commerce~~
- ~~— (c) Education and General Government~~
- ~~— (d) Environment and Natural Resources~~
- ~~— (e) Finance and Revenue~~
- ~~— (f) Health and Human Services~~
- ~~— (g) Health Policy and Public Affairs~~
- ~~— (h) Judiciary~~
- ~~— (i) Legislative Operations and Reform~~
- ~~—~~
- ~~— (j) Rules~~
- ~~— (k) Joint Emergency Preparedness and Ocean Policy~~
- ~~— (l) Joint Ways and Means~~

**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.~~

(2) Members of all ~~standing and special~~ committees, and the chairs and vice-chairs thereof, shall be appointed by the President.

(3) The President shall appoint members to other committees as necessary or as required by law.

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

**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 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.

(4) Approval of an affirmative vote of a majority of the Senate members appointed to joint committees is required for final action.

**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.

~~(2) Written notice is to be posted outside the Senate Chamber and in the lobby areas of the 2nd and 3rd floor wings at least 48 hours 24 hours in advance of the meeting. In addition, notice of all committee meetings shall be emailed (or distributed) to the following areas 24 hours in advance of the meeting:~~

- ~~— (a) Members' chamber desks; and~~
- ~~— (b) Any other place reasonably designed to give notice to the public and interested persons.~~

~~Whenever possible, such meetings shall be announced on the floor while the Senate is in session.~~

(2) In the event that the committee does not complete the scheduled agenda, the items may be carried over to the next scheduled meeting with the following guidelines:

(a) The measure must have been initially scheduled with ~~a the applicable 4824-hour or one-hour~~ notice.

(b) The measure must be carried over for the same type of meeting.

(c) The chair announces in committee his/her intent to schedule the measure at the next meeting.

(d) A revised agenda listing the measures that originally received the applicable 4824-hour notice or

shall be posted as soon as possible following adjournment of the committee meeting.

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

(4) Committee meetings held at a time or place not provided for in the Joint Legislative Schedule require the advance approval of the President.

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

(5) Any meeting of a Senate committee held through the use of telephone or other electronic communication shall be conducted in accordance with SR 8.15.

### **8.16 Committee Meeting—Less Than ~~48—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-hour notice if written notice is posted outside the Senate Chamber 1 hour in advance of the meeting. In addition, notice of all committee meetings shall be emailed (or distributed) to the following areas 1 hour in advance of the meeting:

Members' chamber desks; and

Any other place reasonably designed to give notice to the public and interested persons.

Whenever possible, such meetings shall be announced on the floor while the Senate is in session.

For the purpose of expediting the Special Session of the 74th Legislative Assembly, the President may waive the public notice requirements for the Joint Committee on Ways and Means to hold an informational meeting on the first day of the Special Session. This provision sunsets upon adjournment sine die of the Special Session.

~~Notwithstanding the provision of Senate Rule 8.15 the committee chair may call a meeting of a committee with less than 48 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.~~

~~For the purpose of expediting the session of the 74th legislative assembly and implementing the provisions of SCR 1 containing recommendations of The Public Commission on the Legislature, the President may waive the public notice requirements for a committee to consider the concurrent resolution. This provision sunsets upon adoption of the concurrent resolution by the 74th Legislative Assembly.~~

### **8.20 Committee Action Required.**

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. A tape log shall be maintained to provide reference to the sound recording. The tape log 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 tape log, sufficient to serve as an index to the original sound recording.

Testimony and exhibits submitted in writing shall be attached to the tape log 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. 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 may, at any time, rescind a subsequent referral.

(2) At the request of a committee reporting on a measure, the President 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 and shall comply with the following rules:

(a) Committee reports on bills with no amendments must be submitted to the Secretary of the Senate ~~on or before the third day as soon as practicable~~ following final committee action on the measure.

(b) Committee reports with amendments must be submitted to the Legislative Fiscal Office and the Legislative Revenue Office for determination of fiscal and/or revenue impact on or before the third day following final committee action on the measure. The reports must be submitted to the Secretary of the Senate ~~on or before the fifth day~~ as soon as practicable following final committee action on the measure.

(c) 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 as soon as practicable~~ following final committee action in accordance with SR 8.50(a) and (b).

(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.

(d) A fiscal impact statement, if applicable, prepared by the Legislative Fiscal Officer for all measures except for concurrent resolutions of a congratulatory or memorial substance.

(e) A revenue impact statement, if applicable, prepared by the Legislative Revenue Officer, for all measures except for concurrent resolutions of a congratulatory or memorial substance.

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

### 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) Members of the committee wishing to file a minority report must notify the chair or committee staff before adjournment of the committee. Committee members may subscribe to a minority report only if present during the committee meeting when action was taken and at least two members must sign on to a minority report. No member shall sign on a minority report unless they dissented when the final action of the measure was taken.

(3). A minority report shall be filed jointly with the committee report in the Secretary of the Senate's office. The minority draft amendments must be requested from the legislative counsel within an hour following the adjournment of the committee where notice was given. In order for staff to complete their work in an orderly and practical manner, the draft amendments shall be submitted to committee staff within an hour after receipt from Legislative Counsel.

(4) ~~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 in accordance with the concurrent resolution if adopted by the 74th Legislative Assembly. 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 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 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 and second reading.

(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.

### ~~8.81 Third Reading and Final Passage Schedule Exceptions.~~

~~(1) Except as provided in Senate Rule 3.50 and during the period that the Senate does not meet in daily floor sessions:~~

~~— (a) After second reading, the measures shall be placed on the March 5 calendar for third reading and final passage in accordance with the concurrent resolution if adopted by the 74th Legislative Assembly.~~

~~— (b) 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. After second reading, the measure shall be placed on the calendar for third reading and final passage on the March 5 calendar in accordance with the concurrent resolution if adopted by the 74th Legislative Assembly.~~

~~(2) A motion requiring an affirmative vote of a majority of those present may be made after second reading to take a bill from the March 5 calendar and place it on a third reading calendar on another day.~~

### 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.

## 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. The motion to reconsider must be made immediately after the vote to be reconsidered was taken.~~

(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 President shall immediately put the motion for reconsideration before the Senate.~~

### 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 repass the measure, or not to concur with the House amendments, shall not be taken sooner than 1 hour before the next session day after the message from the House has been read.

(2) A motion to concur and repass 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 repass the measure, a roll call vote is required and a constitutional majority (16) is needed for concurrence and repassage, except in the case of a measure requiring an otherwise constitutionally designated majority vote.

(4) On a motion not to concur, the affirmative vote 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 repassage of the measure.

(6) If the motion to concur and repass 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 appoint a conference committee of two or more members to represent the Senate and meet with a similar committee of the House. 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 repassage of the measure is not required. When repassage is required, a motion to adopt the conference committee report and repass the measure is necessary. A motion shall not be made sooner than ~~the next session day~~ 1 hour after the conference committee report has been printed and distributed 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 enrolling~~ 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 name of the committee that reported the measure shall 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 in accordance with ORS 171.127.

(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~~enrolling~~ 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) All drafting requests and measures for introduction must be approved by the President.

~~(2)~~ 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.

~~(3)~~ 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.

~~(4)~~ 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

~~In accordance with the concurrent resolution if adopted by the 74th Legislative Assembly, no measure shall be accepted by the Secretary of the Senate for introduction in the Senate after 5 p.m. on the 50th calendar day of the session except:~~

~~(1) Measures approved by the President and so identified for introduction by a member or a committee.~~

~~(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. 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) In accordance with the concurrent resolution if adopted by the 74th Legislative Assembly, after 5 p.m. on the 22nd calendar day of the session, the Legislative Counsel shall discontinue drafting of all measures except:~~

~~(a) Member or committee proposals approved for drafting by the President.~~

~~(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.~~

~~(2) Nothing in this rule prohibits Legislative Counsel from providing drafting services for amendments to 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.~~

~~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~~ special 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.

### **14.08 Records Retention**

(1) Except as provided in section (2) of this rule, records of members of the Senate and their legislative assistants that contain information relating to the conduct of the public's business must be retained for one year after the records are created.

(2) The following subsections are exceptions to section (1) of this rule.

(a) A member of the Senate must retain notices of amounts of expenses required by ORS 244.100 (3) for five years.

(b) A member of the Senate must retain documents in support of statements of economic interest required by ORS 244.050 for five years.

(c) A member of the Senate must retain relevant documents that are in the member's possession when the member receives a public records request, or a request for discovery of records issued in a court or administrative proceeding, until the request for records is resolved.

(3) A member of the Senate or legislative assistant may, at any time, deliver records required to be retained under this rule to the Legislative Administrator. A person who ceases to be a member of the Legislative Assembly shall deliver records under subsection (2) of this rule to the Legislative Administrator within 60 days after the member ceases to be a member. Records delivered to the Legislative Administrator under this rule must identify the person delivering the records and specify the date on which the records may be destroyed.

(4) In order to ensure consistent and timely compliance with the disclosure provisions of the Public Records Law, a member of the Senate may designate the Legislative Administrator to receive public records requests on their behalf. The Legislative Administrator then will assist the member in preparing responses to requests. Regardless of whether or not a member has designated the Legislative Administrator to receive their public records requests, the member may request assistance from the Legislative Administrator or Legislative Counsel in responding to public records requests at any time.

(5) This rule applies to all records of members of the Senate and legislative assistants, whether created before, on or after the effective date of this rule.

#### 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. The following subsections explain in detail acceptable and unacceptable mailings:

(a) Press Releases: Members may issue press releases to members of the news media (as well as other legislators, Capitol staff, the lobby, etc.) during the 60-day window; however, copies may not be distributed directly to a list of constituents or be posted on members' legislative websites (or even on an external website), if the press release was produced with a state computer or by staff on state time).

(b) Legislative E-Mail: Members may not send electronic publications like electronic newsletters, press releases, town hall meeting notices, or other e-mail to a list of constituents from legislative e-mail accounts (or even from personal e-mail accounts, if the material was produced with a state computer or by staff on state time) during the 60-day window. Members may, however, respond to inquiries from individual constituents.

(c) Legislative Website: Members may not post copies of newsletters, press releases, town hall meeting notices, or other materials to legislative websites during the 60-day window. Materials posted prior to the deadline do not need to be removed; however, such materials may not be revised during the 60-day window. Members may not communicate broadly by any media (including a link on any external website) urging members of the public to visit the legislative website. It is OK, however, if the legislative website address appears on state business cards or state stationery.

(d) Town Hall Meetings & Other Meetings with Groups of Constituents: Members may not spend state funds or use staff on state time to advertise a town hall meeting or other meeting with a group of constituents that takes place during the 60-day window, even if the expenditure occurs prior to the deadline in accordance with SR 14.20(1). Members may not distribute a written handout at a town hall meeting or other meeting with a group of constituents that takes place during the 60-day window, if the handout was prepared by staff on state time, even if they completed their work on the handout prior to the deadline in accordance with SR 14.20(1). Handouts produced by other legislative offices or other government agencies are permissible. State business cards may be made available at a town hall meeting or other meeting with a group of constituents during the 60-day window.

(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) The Sergeant at Arms, assisted by the Capitol Executive Security when directed by the President/Secretary, 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/Secretary or allowed by the rules.

#### **15.04 Senate Desk and Floor Personnel.**

(1) The Secretary of the Senate, in consultation with the President 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 and in accordance with the policies and procedures as adopted by the Legislative Assembly.

(c) Each member will be allowed to have the equivalent of one full-time employee based on range 18, step 1, of the Legislative Branch compensation

plan. One full-time employee is eligible for 100% benefits, or two at 50% benefits. An employee must earn at least 50% of salary range 18, step 1, to be eligible to receive benefits,

(2) The 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 may appoint such staff as is necessary to perform the duties of the offices of the President 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 reported in the Journal.~~

#### ~~15.20 Expense Allowance.~~

~~Each member has an allowance of \$30,409 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. Monthly 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) Office supplies

- (d) Copying, facsimile charges
- (e) Newsletter printing, postage and labels
- (f) Any other service or supply authorized by the President.

~~(43) 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.~~

~~(74) 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) Staff of the Senate President's office and caucus offices; and
  - (f) One member of a Senator's personal staff or a member of the staff of a Senate committee, 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 in accordance with policies as set by the President. 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. Notes from a lobbyist are prohibited while the Senate is in daily floor session. Notes from the public, including lobby and press, may be transmitted to Senate members and staff present on the floor through the Senate chamber receptionist or other Senate staff during extended recesses and adjournment.

(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. During extended recesses, the south side-aisle doors will be open for the public, including the press and the lobby, to cross through for access to offices behind the chamber. Only Senate members and staff are allowed access to the chamber area inside the bar at all times. All public, including the press and the lobby, must go through the Senate chamber receptionist or Senate floor staff to talk with a Senate member or staff who is present on the floor during a recess and/or an adjournment.

#### **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 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 caucus 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 each 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.

(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 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 Caucus Leaders. If the person filing the complaint agrees, the 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 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 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 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 Caucus Leader, or the 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 and the 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 Caucus Leader, the obligations of that Caucus Leader under this rule shall be assumed by the President.

#### **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 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 shall consider the appointment as soon as practicable.

#### **19.20 Committee Review of Appointees.**

(1) 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.

(2) The chair of the Rules and 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.

#### **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 as soon as practicable 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 as soon as practicable 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.

The Secretary of the Senate was directed by the President to notify the Governor and the House of Representatives that the Senate has completed its organization and is ready for the business of the Special Session of the Seventy-fourth Legislative Assembly.

President Courtney announced the following Special Session Committee assignments as follows:

**SENATE COMMITTEE ON COMMERCE AND LABOR**

Senator Ben Westlund, Chair  
 Senator Gary George, Vice-Chair  
 Senator Richard Devlin  
 Senator Floyd Prozanski  
 Senator Jackie Winters

**SUBCOMMITTEE ON HEALTH CARE REFORM**

Senator Frank Morse, Chair  
 Senator Alan Bates  
 Senator Ben Westlund

**SENATE COMMITTEE ON EDUCATION AND GENERAL GOVERNMENT**

Senator Vicki Walker, Chair  
 Senator Jeff Kruse, Vice-Chair  
 Senator Mark Hass  
 Senator Rick Metsger  
 Senator Frank Morse

**SENATE COMMITTEE ON ELECTIONS AND ETHICS**

Senator Kate Brown, Chair  
 Senator Ted Ferrioli, Vice-Chair

Senator Laurie Monnes Anderson

**SENATE COMMITTEE ON ENVIRONMENT AND NATURAL RESOURCES**

Senator Brad Avakian, Chair  
 Senator Fred Girod, Vice-Chair  
 Senator Alan Bates  
 Senator David Nelson  
 Senator Floyd Prozanski

**SENATE COMMITTEE ON FINANCE AND REVENUE**

Senator Ginny Burdick, Chair  
 Senator Frank Morse, Vice-Chair  
 Senator Jason Atkinson  
 Senator Mark Hass  
 Senator Rod Monroe  
 Senator Bruce Starr  
 Senator Ben Westlund

**SENATE COMMITTEE ON HEALTH AND HUMAN SERVICES**

Senator Laurie Monnes Anderson, Chair  
 Senator Avel Gordly, Vice-Chair  
 Senator Margaret Carter  
 Senator Jeff Kruse  
 Senator Bill Morrisette

**SENATE COMMITTEE ON JUDICIARY**

Senator Floyd Prozanski, Chair  
 Senator Fred Girod, Vice-Chair  
 Senator Ginny Burdick  
 Senator Vicki Walker  
 Senator Doug Whitsett

**SENATE COMMITTEE ON RULES AND EXECUTIVE APPOINTMENTS**

Senator Richard Devlin, Chair  
 Senator Ted Ferrioli, Vice-Chair  
 Senator Jason Atkinson  
 Senator Brad Avakian  
 Senator Kate Brown

**SENATE COMMITTEE ON SERVICES TO SENIORS AND PEOPLE WITH DISABILITIES**

Senator Bill Morrisette, Chair  
 Senator Jeff Kruse, Vice-Chair  
 Senator Peter Courtney

**SENATE COMMITTEE ON TRANSPORTATION**

Senator Rick Metsger, Chair  
 Senator Bruce Starr, Vice-Chair  
 Senator Gary George  
 Senator Larry George  
 Senator Betsy Johnson  
 Senator Rod Monroe  
 Senator Joanne Verger

**JOINT COMMITTEE ON OREGON STATE HOSPITAL PATIENT CARE**

Senator Peter Courtney, Co-Chair  
 Senator Jackie Winters, Vice-Chair

Senator Margaret Carter  
 Senator Ted Ferrioli

**JOINT WAYS AND MEANS**

Senator Kurt Schrader, Co-Chair  
 Senator Margaret Carter, Vice-Chair  
 Senator Alan Bates  
 Senator Avel Gordly  
 Senator Betsy Johnson  
 Senator Rod Monroe  
 Senator David Nelson  
 Senator Joanne Verger  
 Senator Doug Whitsett  
 Senator Jackie Winters

The following messages from the Governor were read and referred to the President's desk:

February 4, 2008

TO THE HONORABLE PRESIDENT OF THE SENATE  
 OF THE 74th 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 Roberta Newhouse of Pendleton to the Oregon Board of Accountancy for a three-year term beginning February 15, 2008 and ending February 14, 2011 effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,  
 Ted Kulongoski  
 Governor

February 4, 2008

TO THE HONORABLE PRESIDENT OF THE SENATE  
 OF THE 74th 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 Robert Rogers of Portland to the State Apprenticeship and Training Council for a four-year term beginning February 1, 2008 and ending January 31, 2012 effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,  
 Ted Kulongoski  
 Governor

February 4, 2008

TO THE HONORABLE PRESIDENT OF THE SENATE  
 OF THE 74th 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 Nelda Wilson of Gladstone to the State Apprenticeship and Training Council for a four-year term beginning May 1, 2008 and ending April 30, 2012 effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,  
 Ted Kulongoski  
 Governor

February 4, 2008

TO THE HONORABLE PRESIDENT OF THE SENATE  
 OF THE 74th LEGISLATIVE ASSEMBLY

ORS 185.610 provides that the Governor shall appoint the members of the Commission on Asian Affairs, subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I appoint Patrick Sieng of Salem to the Commission on Asian Affairs for a three-year term beginning February 18, 2008 and ending February 17, 2011 effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,  
 Ted Kulongoski  
 Governor

February 4, 2008

TO THE HONORABLE PRESIDENT OF THE SENATE  
 OF THE 74th LEGISLATIVE ASSEMBLY

ORS 185.610 provides that the Governor shall appoint the members of the Commission on Asian Affairs, subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I appoint Khalid Wahab of Portland to the Commission on Asian Affairs for a three-year term beginning February 18, 2008 and ending February 17, 2011 effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,  
 Ted Kulongoski  
 Governor

February 4, 2008

TO THE HONORABLE PRESIDENT OF THE SENATE  
 OF THE 74th LEGISLATIVE ASSEMBLY

ORS 835.102 provides that the Governor shall appoint the members of the State Aviation Board, subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I reappoint Stephen Beckham of Canby to the State Aviation Board for a four-year term beginning July 1, 2007 and ending June 30, 2011 effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,  
Ted Kulongoski  
Governor

February 4, 2008

TO THE HONORABLE PRESIDENT OF THE SENATE  
OF THE 74th LEGISLATIVE ASSEMBLY

ORS 835.102 provides that the Governor shall appoint the members of the State Aviation Board, subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I appoint Nan Garnick of Redmond to the State Aviation Board for a partial four-year term beginning February 18, 2008 and ending June 30, 2011 effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,  
Ted Kulongoski  
Governor

February 4, 2008

TO THE HONORABLE PRESIDENT OF THE SENATE  
OF THE 74th LEGISLATIVE ASSEMBLY

ORS 185.420 provides that the Governor shall appoint the members of the Commission on Black Affairs, subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I appoint Frank Thompson of Salem to the Commission on Black Affairs for a three-year term beginning February 18, 2008 and ending February 17, 2011 effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,  
Ted Kulongoski  
Governor

February 4, 2008

TO THE HONORABLE PRESIDENT OF THE SENATE  
OF THE 74th LEGISLATIVE ASSEMBLY

ORS 480.535 provides that the Governor shall appoint the members of the Board of Boiler Rules, subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I appoint Mark Stenberg of Tualatin to the Board of Boiler Rules for a four-year term beginning February 15, 2008 and ending February 14, 2012 effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,

Ted Kulongoski  
Governor

February 4, 2008

TO THE HONORABLE PRESIDENT OF THE SENATE  
OF THE 74th LEGISLATIVE ASSEMBLY

ORS 455.144 provides that the Governor shall appoint the members of the Building Codes Structures Board, subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I reappoint Eric McMullen of Tualatin to the Building Codes Structures Board for a partial four-year term beginning February 18, 2008 and ending June 30, 2011 effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,  
Ted Kulongoski  
Governor

February 4, 2008

TO THE HONORABLE PRESIDENT OF THE SENATE  
OF THE 74th 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 reappoint Jean Phelps of Eugene to the State Commission on Children and Families for a four-year term beginning October 1, 2007 and ending September 30, 2011 effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,  
Ted Kulongoski  
Governor

February 4, 2008

TO THE HONORABLE PRESIDENT OF THE SENATE  
OF THE 74th 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 Joyce McClure of Portland to the State Board of Chiropractic Examiners for a three-year term beginning May 19, 2008 and ending May 18, 2011 effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,  
Ted Kulongoski  
Governor

February 4, 2008

TO THE HONORABLE PRESIDENT OF THE SENATE

## OF THE 74th 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 Michael Vissers of Canby to the Oregon State Board of Chiropractic Examiners for a three-year term beginning May 19, 2008 and ending May 18, 2011 effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,  
Ted Kulongoski  
Governor

February 4, 2008

TO THE HONORABLE PRESIDENT OF THE SENATE  
OF THE 74th 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 Rob Hernandez of White City to the Construction Contractors Board for a partial four-year term beginning February 18, 2008 and ending June 30, 2011 effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,  
Ted Kulongoski  
Governor

February 4, 2008

TO THE HONORABLE PRESIDENT OF THE SENATE  
OF THE 74th LEGISLATIVE ASSEMBLY

ORS 137.654 provides that the Governor shall appoint the members of the Oregon Criminal Justice Commission, subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I appoint Lee-Ayers Schlosser of Medford to the Oregon Criminal Justice Commission for a four-year term beginning February 18, 2008 and ending February 17, 2012 effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,  
Ted Kulongoski  
Governor

February 4, 2008

TO THE HONORABLE PRESIDENT OF THE SENATE  
OF THE 74th LEGISLATIVE ASSEMBLY

ORS 137.654 provides that the Governor shall appoint the members of the Oregon Criminal Justice Commission, subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I reappoint Mike Burton of Portland to the Oregon Criminal Justice Commission for a four-year term beginning February 1, 2008 and ending January 31, 2012 effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,  
Ted Kulongoski  
Governor

February 4, 2008

TO THE HONORABLE PRESIDENT OF THE SENATE  
OF THE 74th LEGISLATIVE ASSEMBLY

ORS 137.654 provides that the Governor shall appoint the members of the Oregon Criminal Justice Commission, subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I appoint John Mark Eddy of Eugene to the Oregon Criminal Justice Commission for a four-year term beginning February 18, 2008 and ending February 17, 2012 effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,  
Ted Kulongoski  
Governor

February 4, 2008

TO THE HONORABLE PRESIDENT OF THE SENATE  
OF THE 74th LEGISLATIVE ASSEMBLY

ORS 137.654 provides that the Governor shall appoint the members of the Oregon Criminal Justice Commission, subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I appoint Darryl Larson of Eugene to the Oregon Criminal Justice Commission for a four-year term beginning February 18, 2008 and ending February 17, 2012 effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,  
Ted Kulongoski  
Governor

February 4, 2008

TO THE HONORABLE PRESIDENT OF THE SENATE  
OF THE 74th 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 reappoint David Smyth of Wallowa to the Oregon Board of Dentistry for a four-year term beginning April 1, 2008 and ending March 31, 2012 effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,

Ted Kulongoski  
Governor

February 4, 2008

TO THE HONORABLE PRESIDENT OF THE SENATE  
OF THE 74th LEGISLATIVE ASSEMBLY

ORS 687.470 provides that the Governor shall appoint the members of the State Board of Direct Entry of Midwifery, subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I appoint Linda Glenn of Portland to the State Board of Direct Entry of Midwifery for a partial three-year term beginning February 25, 2008 and ending June 30, 2010 effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,  
Ted Kulongoski  
Governor

February 4, 2008

TO THE HONORABLE PRESIDENT OF THE SENATE  
OF THE 74th 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 reappoint Anthony Hyde of St. Helens to the Oregon Economic and Community Development Commission for a four-year term beginning July 1, 2008 and ending June 30, 2012 effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,  
Ted Kulongoski  
Governor

February 4, 2008

TO THE HONORABLE PRESIDENT OF THE SENATE  
OF THE 74th 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 Anne Root of Medford to the Oregon Economic and Community Development Commission for a partial four-year term beginning February 18, 2008 and ending June 30, 2011 effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,  
Ted Kulongoski  
Governor

February 4, 2008

TO THE HONORABLE PRESIDENT OF THE SENATE  
OF THE 74th 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 Junki Yoshida of Portland to the Oregon Economic and Community Development Commission for a partial four-year term beginning February 18, 2008 and ending June 30, 2011 effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,  
Ted Kulongoski  
Governor

February 4, 2008

TO THE HONORABLE PRESIDENT OF THE SENATE  
OF THE 74th LEGISLATIVE ASSEMBLY

ORS 657.685 provides that the Governor shall appoint the members of the Employment Appeals Board, subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I reappoint Tony Corcoran of Cottage Grove to the Employment Appeals Board for a four-year term beginning November 1, 2007 and ending October 31, 2011 effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,  
Ted Kulongoski  
Governor

February 4, 2008

TO THE HONORABLE PRESIDENT OF THE SENATE  
OF THE 74th LEGISLATIVE ASSEMBLY

ORS 469.450 provides that the Governor shall appoint the members of the Energy Facility Siting Council, subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I appoint Cheri Davis of Milton-Freewater to the Energy Facility Siting Council for a partial four-year term beginning February 18, 2008 and ending June 30, 2011, effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,  
Ted Kulongoski  
Governor

February 4, 2008

TO THE HONORABLE PRESIDENT OF THE SENATE  
OF THE 74th LEGISLATIVE ASSEMBLY

ORS 469.450 provides that the Governor shall appoint the members of the Energy Facility Siting Council, subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I appoint Michael Haglund of Portland to the Energy Facility Siting Council for a partial four-year term beginning February 18, 2008 and ending June 30, 2011, effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,  
Ted Kulongoski  
Governor

February 4, 2008

TO THE HONORABLE PRESIDENT OF THE SENATE  
OF THE 74th 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 Fred Marble of Forest Grove to the Fair Dismissal Appeals Board for a partial four-year term beginning February 18, 2008 and ending June 30, 2011 effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,  
Ted Kulongoski  
Governor

February 4, 2008

TO THE HONORABLE PRESIDENT OF THE SENATE  
OF THE 74th 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 Dan Edge of Corvallis to the State Fish and Wildlife Commission for a four-year term beginning April 15, 2008 and ending April 14, 2012 effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,  
Ted Kulongoski  
Governor

February 4, 2008

TO THE HONORABLE PRESIDENT OF THE SENATE  
OF THE 74th 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 Jon Englund of Astoria to the State Fish and Wildlife Commission for a four-year term beginning April 15, 2008 and ending April 14, 2012 effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,  
Ted Kulongoski  
Governor

February 4, 2008

TO THE HONORABLE PRESIDENT OF THE SENATE  
OF THE 74th 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 Skip Klarquist of Portland to the State Fish and Wildlife Commission for a four-year term beginning April 15, 2008 and ending April 14, 2012 effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,  
Ted Kulongoski  
Governor

February 4, 2008

TO THE HONORABLE PRESIDENT OF THE SENATE  
OF THE 74th 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 Sue Musser of Brookings to the State Parks and Recreation Commission for a four-year term beginning April 15, 2008 and ending April 14, 2012 effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,  
Ted Kulongoski  
Governor

February 4, 2008

TO THE HONORABLE PRESIDENT OF THE SENATE  
OF THE 74th LEGISLATIVE ASSEMBLY

ORS 516.080 provides that the Governor shall appoint the members of the Governing Board of State Department of Geology and Mineral Industries, subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I appoint William Givens of Pendleton to the Governing Board of State Department of Geology and Mineral Industries for a four-year term beginning February 18, 2008 and ending February 17, 2012 effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,  
Ted Kulongoski  
Governor

February 4, 2008

TO THE HONORABLE PRESIDENT OF THE SENATE  
OF THE 74th LEGISLATIVE ASSEMBLY

ORS 244.250 provides that the Governor shall appoint the members of the Oregon Government Ethics Commission, subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I appoint Joann Waller of Portland to the Oregon Government Ethics Commission for a four-year term beginning May 15, 2008 and ending May 14, 2012 effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,  
Ted Kulongoski  
Governor

February 4, 2008

TO THE HONORABLE PRESIDENT OF THE SENATE  
OF THE 74th LEGISLATIVE ASSEMBLY

ORS 414.715 provides that the Governor shall appoint the members of the Health Services Commission, subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I appoint K. Dean Gubler of Portland to the Health Services Commission for a four-year term beginning February 18, 2008 and ending February 17, 2012 effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,  
Ted Kulongoski  
Governor

February 4, 2008

TO THE HONORABLE PRESIDENT OF THE SENATE  
OF THE 74th LEGISLATIVE ASSEMBLY

ORS 414.715 provides that the Governor shall appoint the members of the Health Services Commission, subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I appoint Carla McKelvey of Coos Bay to the Health Services Commission for a four-year term beginning February 18, 2008 and ending February 17, 2012 effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,  
Ted Kulongoski  
Governor

February 4, 2008

TO THE HONORABLE PRESIDENT OF THE SENATE

OF THE 74th 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 Brain Fox of Cottage Grove to the State Board of Higher Education for a partial two-year term beginning February 18, 2008 and ending June 30, 2009 effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,  
Ted Kulongoski  
Governor

February 4, 2008

TO THE HONORABLE PRESIDENT OF THE SENATE  
OF THE 74th 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 Rosemary Powers of La Grande to the State Board of Higher Education for a partial two-year term beginning February 18, 2008 and ending June 30, 2009 effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,  
Ted Kulongoski  
Governor

February 4, 2008

TO THE HONORABLE PRESIDENT OF THE SENATE  
OF THE 74th LEGISLATIVE ASSEMBLY

ORS 185.320 provides that the Governor shall appoint the members of the Commission on Hispanic Affairs, subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I appoint Dagoberto Morales Duran of Medford to the Commission on Hispanic Affairs for a three-year term beginning February 18, 2008 and ending February 17, 2011 effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,  
Ted Kulongoski  
Governor

February 4, 2008

TO THE HONORABLE PRESIDENT OF THE SENATE  
OF THE 74th LEGISLATIVE ASSEMBLY

ORS 410.602 provides that the Governor shall appoint the members of the Home Care Commission, subject to Senate

confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I appoint Patricia Brost of Portland to the Home Care Commission for an unexpired three-year term beginning February 15, 2008 and ending April 30, 2010 effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,  
Ted Kulongoski  
Governor

February 4, 2008

TO THE HONORABLE PRESIDENT OF THE SENATE  
OF THE 74th LEGISLATIVE ASSEMBLY

ORS 410.602 provides that the Governor shall appoint the members of the Home Care Commission, subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I reappoint Donald Bruland of Central Point to the Home Care Commission for a three-year term beginning December 1, 2007 and ending November 30, 2010 effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,  
Ted Kulongoski  
Governor

February 4, 2008

TO THE HONORABLE PRESIDENT OF THE SENATE  
OF THE 74th 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 Hanley Jenkins of La Grande to the Land Conservation and Development Commission for a four-year term beginning May 1, 2008 and ending April 30, 2012 effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,  
Ted Kulongoski  
Governor

February 4, 2008

TO THE HONORABLE PRESIDENT OF THE SENATE  
OF THE 74th 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 Marilyn Worrux of McMinnville to the Land Conservation and Development Commission for a four-year

term beginning July 1, 2008 and ending June 30, 2012 effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,  
Ted Kulongoski  
Governor

February 4, 2008

TO THE HONORABLE PRESIDENT OF THE SENATE  
OF THE 74th LEGISLATIVE ASSEMBLY

ORS 267.090 provides that the Governor shall appoint the members of the Lane County Mass Transit Board, subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I appoint Edward Necker of Eugene to the Lane County Mass Transit Board for an unexpired four-year term beginning February 18, 2008 and ending December 31, 2009 effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,  
Ted Kulongoski  
Governor

February 4, 2008

TO THE HONORABLE PRESIDENT OF THE SENATE  
OF THE 74th LEGISLATIVE ASSEMBLY

ORS 441.137 provides that the Governor shall appoint the members of the Long Term Care Advisory Committee, subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I appoint M. Moray Povey of Eugene to the Long Term Care Advisory Committee for a partial four-year term beginning February 15, 2008 and ending June 30, 2011 effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,  
Ted Kulongoski  
Governor

February 4, 2008

TO THE HONORABLE PRESIDENT OF THE SENATE  
OF THE 74th 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 reappoint Pamela Fogg of Portland to the Oregon State Lottery Commission for a four-year term beginning December 20, 2007 and ending December 19, 2011 effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,  
Ted Kulongoski

Governor

February 4, 2008

TO THE HONORABLE PRESIDENT OF THE SENATE  
OF THE 74th LEGISLATIVE ASSEMBLY

ORS 830.105 provides that the Governor shall appoint the members of the State Marine Board, subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I reappoint George Tinker of Coos Bay to the State Marine Board for a four-year term beginning July 1, 2008 and ending June 30, 2012 effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,  
Ted Kulongoski  
Governor

February 4, 2008

TO THE HONORABLE PRESIDENT OF THE SENATE  
OF THE 74th 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 Amer Badawi of Portland to the Oregon Board of Maritime Pilots for a four-year term beginning April 15, 2008 and ending April 14, 2012 effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,  
Ted Kulongoski  
Governor

February 4, 2008

TO THE HONORABLE PRESIDENT OF THE SENATE  
OF THE 74th 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 Tom Markgraf of Portland to the Oregon Board of Maritime Pilots for a four-year term beginning February 18, 2008 and ending February 17, 2012 effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,  
Ted Kulongoski  
Governor

February 4, 2008

TO THE HONORABLE PRESIDENT OF THE SENATE  
OF THE 74th LEGISLATIVE ASSEMBLY

ORS 677.235 provides that the Governor shall appoint the members of the Oregon Medical Board, subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I appoint Donald Girard of Portland to the Oregon Medical Board for an unexpired three-year term beginning February 18, 2008 and ending February 28, 2010 effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,  
Ted Kulongoski  
Governor

February 4, 2008

TO THE HONORABLE PRESIDENT OF THE SENATE  
OF THE 74th LEGISLATIVE ASSEMBLY

ORS 677.235 provides that the Governor shall appoint the members of the Oregon Medical Board, subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I appoint Linda Johnson of Turner to the Oregon Medical Board for a three-year term beginning March 1, 2008 and ending February 28, 2011 effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,  
Ted Kulongoski  
Governor

February 4, 2008

TO THE HONORABLE PRESIDENT OF THE SENATE  
OF THE 74th LEGISLATIVE ASSEMBLY

ORS 677.235 provides that the Governor shall appoint the members of the Oregon Medical Board, subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I reappoint Douglas Kirkpatrick of Medford to the Oregon Medical Board for a three-year term beginning March 1, 2008 and ending February 28, 2011 effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,  
Ted Kulongoski  
Governor

February 4, 2008

TO THE HONORABLE PRESIDENT OF THE SENATE  
OF THE 74th LEGISLATIVE ASSEMBLY

ORS 677.235 provides that the Governor shall appoint the members of the Oregon Medical Board, subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I appoint Ralph Yates of Portland to the Oregon Medical Board for a three-year term beginning March 1, 2008 and

ending February 28, 2011 effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,  
Ted Kulongoski  
Governor

February 4, 2008

TO THE HONORABLE PRESIDENT OF THE SENATE  
OF THE 74th 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 Larry Davy of Tillamook to the Board of Examiners of Nursing Home Administrators for a three-year term beginning July 1, 2008 and ending June 30, 2011 effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,  
Ted Kulongoski  
Governor

February 4, 2008

TO THE HONORABLE PRESIDENT OF THE SENATE  
OF THE 74th 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 Kathleen Elias of Philomath to the Board of Examiners of Nursing Home Administrators for a three-year term beginning July 1, 2008 and ending June 30, 2011 effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,  
Ted Kulongoski  
Governor

February 4, 2008

TO THE HONORABLE PRESIDENT OF THE SENATE  
OF THE 74th 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 William Flinn of Bend to the Oregon Liquor Control Commission for a four-year term beginning April 1, 2008 and ending March 31, 2012 effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,

Ted Kulongoski  
Governor

February 4, 2008

TO THE HONORABLE PRESIDENT OF THE SENATE  
OF THE 74th 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 appoint Gregg Morgan of Roseburg to the Outdoor Youth Program Advisory Board for a four-year term beginning February 15, 2008 and ending February 14, 2012 effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,  
Ted Kulongoski  
Governor

February 4, 2008

TO THE HONORABLE PRESIDENT OF THE SENATE  
OF THE 74th LEGISLATIVE ASSEMBLY

ORS 469.805 provides that the Governor shall appoint the members of the Pacific Northwest Electric Power and Conservation Planning Council, subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I reappoint Joan Dukes of Astoria to the Pacific Northwest Electric Power and Conservation Planning Council for a three-year term beginning January 16, 2008 and ending January 15, 2011 effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,  
Ted Kulongoski  
Governor

February 4, 2008

TO THE HONORABLE PRESIDENT OF THE SENATE  
OF THE 74th LEGISLATIVE ASSEMBLY

ORS 693.115 provides that the Governor shall appoint the members of the State Plumbing Board, subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I appoint Melissa Gitt of Portland to the State Plumbing Board for a four-year term beginning February 15, 2008 and ending February 14, 2012 effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,  
Ted Kulongoski  
Governor

February 4, 2008

TO THE HONORABLE PRESIDENT OF THE SENATE  
OF THE 74th LEGISLATIVE ASSEMBLY

ORS 693.115 provides that the Governor shall appoint the members of the State Board of Plumbing, subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I appoint Michael Perry of Milwaukie to the State Board of Plumbing for a four-year term beginning February 15, 2008 and ending February 14, 2012 effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,  
Ted Kulongoski  
Governor

February 4, 2008

TO THE HONORABLE PRESIDENT OF THE SENATE  
OF THE 74th LEGISLATIVE ASSEMBLY

ORS 777.925 provides that the Governor shall appoint the members of the Board of Commissioners of the International Port of Coos Bay, subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I reappoint David Kronsteiner of North Bend to the Board of Commissioners of the International Port of Coos Bay for a four-year term beginning January 26, 2008 and ending January 25, 2012 effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,  
Ted Kulongoski  
Governor

February 4, 2008

TO THE HONORABLE PRESIDENT OF THE SENATE  
OF THE 74th LEGISLATIVE ASSEMBLY

ORS 777.925 provides that the Governor shall appoint the members of the Board of Commissioners of the International Port of Coos Bay, subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I reappoint R. Brady Scott of North Bend to the Board of Commissioners of the International Port of Coos Bay for a four-year term beginning January 26, 2008 and ending January 25, 2012 effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,  
Ted Kulongoski  
Governor

February 4, 2008

TO THE HONORABLE PRESIDENT OF THE SENATE  
OF THE 74th 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 Susana Alba of Milwaukie to the Psychiatric Security Review Board for a four-year term beginning January 2, 2008 and ending January 1, 2012 effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,  
Ted Kulongoski  
Governor

February 4, 2008

TO THE HONORABLE PRESIDENT OF THE SENATE  
OF THE 74th 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 beginning July 1, 2007 and ending June 30, 2011 effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,  
Ted Kulongoski  
Governor

February 4, 2008

TO THE HONORABLE PRESIDENT OF THE SENATE  
OF THE 74th 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 Shane Hayden of Oregon City to the State Board of Psychologist Examiners for a partial three-year term beginning February 18, 2008 and ending June 30, 2010 effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,  
Ted Kulongoski  
Governor

February 4, 2008

TO THE HONORABLE PRESIDENT OF THE SENATE  
OF THE 74th LEGISLATIVE ASSEMBLY

ORS 243.061 provides that the Governor shall appoint the members of the Public Employees Benefit Board, subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I reappoint Rocky King of Salem to the Public Employees Benefit Board for a four-year term beginning September 15, 2007 and ending September 14, 2011 effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,  
Ted Kulongoski  
Governor

February 4, 2008

TO THE HONORABLE PRESIDENT OF THE SENATE  
OF THE 74th 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 reappoint James Dalton of Milwaukie to the Public Employees Retirement Board for a three-year term beginning September 1, 2006 and ending August 31, 2009 effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,  
Ted Kulongoski  
Governor

February 4, 2008

TO THE HONORABLE PRESIDENT OF THE SENATE  
OF THE 74th 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 reappoint Eva Kripalani of Portland to the Public Employees Retirement Board for a three-year term beginning September 1, 2006 and ending August 31, 2009 effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,  
Ted Kulongoski  
Governor

February 4, 2008

TO THE HONORABLE PRESIDENT OF THE SENATE  
OF THE 74th LEGISLATIVE ASSEMBLY

ORS 181.620 provides that the Governor shall appoint the members of the Board on Public Safety Standards and Training, subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I appoint Jeff Martin of Albany to the Board on Public Safety Standards and Training for an unexpired three-year term beginning February 18, 2008 and ending June 30, 2008 effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,  
Ted Kulongoski  
Governor

February 4, 2008

TO THE HONORABLE PRESIDENT OF THE SENATE  
OF THE 74th LEGISLATIVE ASSEMBLY

ORS 181.620 provides that the Governor shall appoint the members of the Board on Public Safety Standards and Training, subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I reappoint Jeff Martin of Albany to the Board on Public Safety Standards and Training for a three-year term beginning July 1, 2008 and ending June 30, 2011 effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,  
Ted Kulongoski  
Governor

February 4, 2008

TO THE HONORABLE PRESIDENT OF THE SENATE  
OF THE 74th 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 reappoint Lee Beyer of Springfield to the Public Utility Commission for a four-year term beginning April 1, 2008 and ending March 31, 2012 effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,  
Ted Kulongoski  
Governor

February 4, 2008

TO THE HONORABLE PRESIDENT OF THE SENATE  
OF THE 74th 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 Beth Gerot of Eugene to the Quality Education Commission for a partial four-year term beginning February 15, 2008 and ending July 31, 2011 effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,  
Ted Kulongoski  
Governor

Governor

February 4, 2008

TO THE HONORABLE PRESIDENT OF THE SENATE  
OF THE 74th 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 Christopher Dudley of Salem to the Oregon Racing Commission for a four-year term beginning April 15, 2008 and ending April 14, 2012 effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,  
Ted Kulongoski  
Governor

February 4, 2008

TO THE HONORABLE PRESIDENT OF THE SENATE  
OF THE 74th 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 appoint Michael Huber of Corvallis to the Oregon Racing Commission for an unexpired four-year term beginning February 18, 2008 and ending September 7, 2008 effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,  
Ted Kulongoski  
Governor

February 4, 2008

TO THE HONORABLE PRESIDENT OF THE SENATE  
OF THE 74th 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 Michael Huber of Corvallis to the Oregon Racing Commission for a four-year term beginning September 8, 2008 and ending September 7, 2012 effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,  
Ted Kulongoski  
Governor

February 4, 2008

TO THE HONORABLE PRESIDENT OF THE SENATE  
OF THE 74th 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 Emilio Hernandez of Springfield to the Quality Education Commission for an unexpired four-year term beginning February 18, 2008 and ending July 31, 2008 effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,  
Ted Kulongoski  
Governor

February 4, 2008

TO THE HONORABLE PRESIDENT OF THE SENATE  
OF THE 74th 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 Emilio Hernandez of Springfield to the Quality Education Commission for a four-year term beginning August 1, 2008 and ending July 31, 2012 effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,  
Ted Kulongoski  
Governor

February 4, 2008

TO THE HONORABLE PRESIDENT OF THE SENATE  
OF THE 74th LEGISLATIVE ASSEMBLY

ORS 455.135 provides that the Governor shall appoint the members of the Residential Structures Board, subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I reappoint David DeHarpport of Beaverton to the Residential Structures Board for a four-year term beginning July 2, 2007 and ending July 1, 2011 effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,  
Ted Kulongoski  
Governor

February 4, 2008

TO THE HONORABLE PRESIDENT OF THE SENATE  
OF THE 74th LEGISLATIVE ASSEMBLY

ORS 455.135 provides that the Governor shall appoint the members of the Residential Structures Board, subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I reappoint Mike Goodrich of Corvallis to the Residential Structures Board for a four-year term beginning July 2, 2007 and ending July 1, 2011 effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,  
Ted Kulongoski  
Governor

February 4, 2008

TO THE HONORABLE PRESIDENT OF THE SENATE  
OF THE 74th LEGISLATIVE ASSEMBLY

HB 3233 provides that the Governor shall appoint the members of the Sex Offender Treatment Board, subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I appoint Brie Akins of Eugene to the Sex Offender Treatment Board for a partial three-year term beginning February 18, 2008 and ending January 1, 2009 effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,  
Ted Kulongoski  
Governor

February 4, 2008

TO THE HONORABLE PRESIDENT OF THE SENATE  
OF THE 74th 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 Philip Shilts of Ashland to the Oregon Student Assistance Commission for a partial two-year term beginning February 18, 2008 and ending June 30, 2009 effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,  
Ted Kulongoski  
Governor

February 4, 2008

TO THE HONORABLE PRESIDENT OF THE SENATE  
OF THE 74th 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 Dorothy Hudson of Klamath Falls to the State Board of Tax Practitioners for an unexpired three-year term beginning February 15, 2008 and ending April 9, 2009 effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,  
Ted Kulongoski  
Governor

February 4, 2008

TO THE HONORABLE PRESIDENT OF THE SENATE  
OF THE 74th LEGISLATIVE ASSEMBLY

ORS 342.350 provides that the Governor shall appoint the members of the Teachers Standards and Practices Commission, subject to Senate confirmation in the manner provided by ORS 171.562 and ORS 171.565.

I reappoint Francis Charbonnier of McMinnville to the Teacher Standards and Practices Commission for a three-year term beginning January 1, 2008 and ending December 31, 2010 effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,  
Ted Kulongoski  
Governor

February 4, 2008

TO THE HONORABLE PRESIDENT OF THE SENATE  
OF THE 74th LEGISLATIVE ASSEMBLY

ORS 342.350 provides that the Governor shall appoint the members of the Teachers Standards and Practices Commission, subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I appoint Shirley Madathil of Eugene to the Teacher Standards and Practices Commission for a three-year term beginning February 18, 2008 and ending December 31, 2010 effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,  
Ted Kulongoski  
Governor

February 4, 2008

TO THE HONORABLE PRESIDENT OF THE SENATE  
OF THE 74th LEGISLATIVE ASSEMBLY

ORS 342.350 provides that the Governor shall appoint the members of the Teachers Standards and Practices Commission, subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I appoint Nancy Olson of Phoenix to the Teacher Standards and Practices Commission for a three-year term beginning February 18, 2008 and ending December 31, 2010 effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,  
Ted Kulongoski  
Governor

February 4, 2008

TO THE HONORABLE PRESIDENT OF THE SENATE  
OF THE 74th LEGISLATIVE ASSEMBLY

ORS 342.350 provides that the Governor shall appoint the members of the Teachers Standards and Practices Commission, subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I appoint Monica Takata of Salem to the Teacher Standards and Practices Commission for a three-year term beginning February 18, 2008 and ending December 31, 2010 effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,  
Ted Kulongoski  
Governor

February 4, 2008

TO THE HONORABLE PRESIDENT OF THE SENATE  
OF THE 74th 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 reappoint Gail Achterman of Portland to the Oregon Transportation Commission for a four-year term beginning July 1, 2008 and ending June 30, 2012 effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,  
Ted Kulongoski  
Governor

February 4, 2008

TO THE HONORABLE PRESIDENT OF THE SENATE  
OF THE 74th 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 Alan Brown of Newport to the Oregon Transportation Commission for an unexpired four-year term beginning February 18, 2008 and ending June 30, 2009 effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,  
Ted Kulongoski  
Governor

February 4, 2008

TO THE HONORABLE PRESIDENT OF THE SENATE  
OF THE 74th 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 David Lohman of Medford to the Oregon Transportation Commission for an unexpired four-year term beginning February 18, 2008 and ending June 30, 2009 effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,  
Ted Kulongoski  
Governor

February 4, 2008

TO THE HONORABLE PRESIDENT OF THE SENATE  
OF THE 74th 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 reappoint Janice Wilson of Portland to the Oregon Transportation Commission for a four-year term beginning July 1, 2008 and ending June 30, 2012 effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,  
Ted Kulongoski  
Governor

February 4, 2008

TO THE HONORABLE PRESIDENT OF THE SENATE  
OF THE 74th 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 Richard Van Beveren of Hillsboro to the Tri-Met Board for a four-year term beginning February 25, 2008 and ending February 24, 2012 effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,  
Ted Kulongoski  
Governor

February 4, 2008

TO THE HONORABLE PRESIDENT OF THE SENATE  
OF THE 74th LEGISLATIVE ASSEMBLY

ORS 686.210 provides that the Governor shall appoint the members of the Oregon Veterinary Medical Examining Board, subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I reappoint Dolores Galindo of Gresham to the Oregon Veterinary Medical Examining Board for a four-year term beginning Novemeber 1, 2007 and ending October 31, 2011 effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,  
Ted Kulongoski  
Governor

February 4, 2008

TO THE HONORABLE PRESIDENT OF THE SENATE  
OF THE 74th LEGISLATIVE ASSEMBLY

ORS 458.555 provides that the Governor shall appoint the members of the Oregon Volunteers Commission for Voluntary Action and Service, subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I appoint Michael Fieldman of Roseburg to the Oregon Volunteers Commission for Voluntary Action and Service for a three-year term beginning February 18, 2008 and ending February 17, 2011 effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,  
Ted Kulongoski  
Governor

February 4, 2008

TO THE HONORABLE PRESIDENT OF THE SENATE  
OF THE 74th LEGISLATIVE ASSEMBLY

ORS 458.555 provides that the Governor shall appoint the members of the Oregon Volunteers Commission for Voluntary Action and Service, subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I reappoint Beth Fox of Junction City to the Oregon Volunteers Commission for Voluntary Action and Service for a three-year term beginning July 1, 2007 and ending June 30, 2010 effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,  
Ted Kulongoski  
Governor

February 4, 2008

TO THE HONORABLE PRESIDENT OF THE SENATE  
OF THE 74th LEGISLATIVE ASSEMBLY

ORS 458.555 provides that the Governor shall appoint the members of the Oregon Volunteers Commission for Voluntary Action and Service, subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I appoint Andy Nelson of Portland to the Oregon Volunteers Commission for Voluntary Action and Service for a three-

year term beginning February 18, 2008 and ending February 17, 2011 effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,  
Ted Kulongoski  
Governor

February 4, 2008

TO THE HONORABLE PRESIDENT OF THE SENATE  
OF THE 74th LEGISLATIVE ASSEMBLY

ORS 458.555 provides that the Governor shall appoint the members of the Oregon Volunteers Commission for Voluntary Action and Service, subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I appoint Katherine Philipson of Eugene to the Oregon Volunteers Commission for Voluntary Action and Service for a three-year term beginning February 18, 2008 and ending February 17, 2011 effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,  
Ted Kulongoski  
Governor

February 4, 2008

TO THE HONORABLE PRESIDENT OF THE SENATE  
OF THE 74th LEGISLATIVE ASSEMBLY

ORS 458.555 provides that the Governor shall appoint the members of the Oregon Volunteers Commission for Voluntary Action and Service, subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I appoint Ben Talley of Pendleton to the Oregon Volunteers Commission for Voluntary Action and Service for a three-year term beginning February 18, 2008 and ending February 17, 2011 effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,  
Ted Kulongoski  
Governor

February 4, 2008

TO THE HONORABLE PRESIDENT OF THE SENATE  
OF THE 74th LEGISLATIVE ASSEMBLY

ORS 185.520 provides that the Governor shall appoint the members of the Commission for Women, subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I appoint Susan Castner of Portland to the Commission for Women for a three-year term beginning February 15, 2008 and ending February 14, 2011 effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,  
Ted Kulongoski  
Governor

February 4, 2008

TO THE HONORABLE PRESIDENT OF THE SENATE  
OF THE 74th LEGISLATIVE ASSEMBLY

ORS 656.790 provides that the Governor shall appoint the members of the Workers' Compensation Management-Labor Advisory Committee, subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I reappoint Lon Holston of Happy Valley to the Workers' Compensation Management-Labor Advisory Committee for a two-year term beginning November 1, 2007 and ending October 31, 2009 effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,  
Ted Kulongoski  
Governor

February 4, 2008

TO THE HONORABLE PRESIDENT OF THE SENATE  
OF THE 74th LEGISLATIVE ASSEMBLY

ORS 656.790 provides that the Governor shall appoint the members of the Workers' Compensation Management-Labor Advisory Committee, subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I reappoint Mike O' Rourke of Tualatin to the Workers' Compensation Management-Labor Advisory Committee for a two-year term beginning November 1, 2007 and ending October 31, 2009 effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,  
Ted Kulongoski  
Governor

February 4, 2008

TO THE HONORABLE PRESIDENT OF THE SENATE  
OF THE 74th 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 Margaret Weddell of Portland to the Workers' Compensation Board for a four-year term beginning March 1, 2008 and ending February 29, 2012 effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,  
Ted Kulongoski  
Governor

February 4, 2008

TO THE HONORABLE PRESIDENT OF THE SENATE  
OF THE 74th LEGISLATIVE ASSEMBLY

ORS 660.321 provides that the Governor shall appoint the members of the Oregon Workforce Investment Board, subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I reappoint C. Carl Califano of Salem to the Oregon Workforce Investment Board for a three-year term beginning April 21, 2008 and ending April 20, 2011 effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,  
Ted Kulongoski  
Governor

February 4, 2008

TO THE HONORABLE PRESIDENT OF THE SENATE  
OF THE 74th LEGISLATIVE ASSEMBLY

ORS 660.321 provides that the Governor shall appoint the members of the Oregon Workforce Investment Board, subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I appoint Duane McDougall of Lake Oswego to the Oregon Workforce Investment Board for a three-year term beginning February 15, 2008 and ending February 14, 2011 effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,  
Ted Kulongoski  
Governor

February 4, 2008

TO THE HONORABLE PRESIDENT OF THE SENATE  
OF THE 74th LEGISLATIVE ASSEMBLY

ORS 660.321 provides that the Governor shall appoint the members of the Oregon Workforce Investment Board, subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I appoint Wes Melo of Roseburg to the Oregon Workforce Investment Board for a three-year term beginning February 18, 2008 and ending February 17, 2011 effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,  
Ted Kulongoski  
Governor

February 4, 2008

TO THE HONORABLE PRESIDENT OF THE SENATE  
OF THE 74th LEGISLATIVE ASSEMBLY

ORS 660.321 provides that the Governor shall appoint the members of the Oregon Workforce Investment Board, subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I reappoint James Paulson of Portland to the Oregon Workforce Investment Board for a three-year term beginning April 21, 2008 and ending April 20, 2011 effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,  
Ted Kulongoski  
Governor

February 4, 2008

TO THE HONORABLE PRESIDENT OF THE SENATE  
OF THE 74th LEGISLATIVE ASSEMBLY

ORS 660.321 provides that the Governor shall appoint the members of the Oregon Workforce Investment Board, subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I reappoint David Williams of Portland to the Oregon Workforce Investment Board for a three-year term beginning May 20, 2008 and ending May 19, 2011 effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,  
Ted Kulongoski  
Governor

Without objection, the Senate dispensed with reading the veto messages from the Governor in their entirety. Copies of the veto messages and vetoed bills together with the measure history were distributed to members' desks. Veto messages ordered placed in the original documents file. (Veto messages, in their entirety, printed in 2007 Regular Session Journal following Sine Die Adjournment.)

January 31, 2008

The Honorable Peter Courtney  
President of the Senate  
900 Court Street NE-Room 203  
Salem, OR 97301

Dear President Courtney:

The Supplemental Session of the Seventy-fourth Legislative Assembly will begin February 4, 2008.

Therefore, and as provided in Section 15b, Article V, Constitution of Oregon, we place before your honorable body the measure enacted by the Seventy-Fourth Legislative Assembly of the State of Oregon, June 27, 2007, Regular Session, which was vetoed by Governor Kulongoski following sine die, to wit:

Senate Bill 994, Sections 2 and 3

Senate Bill 994, Section 5

Senate Bill 5549, Section 8

Senate Bill 5549, Section 16, subparagraph (2)

Enclosed you will find the above bill and a copy of Governor Kulongoski's veto message.

Sincerely,  
Bill Bradbury  
Secretary of State

January 31, 2008

The Honorable Peter Courtney  
President of the Senate  
900 Court Street NE-Room 203  
Salem, OR 97301

Dear President Courtney:

The Supplemental Session of the Seventy-Fourth Legislative Assembly will begin February 4, 2008.

Therefore, and as provided in Section 15b, Article V, Constitution of Oregon, we place before your honorable body the measure enacted by the Seventy-Fourth Legislative Assembly of the State of Oregon, June 26, 2007, Regular Session, which was vetoed by Governor Kulongoski following sine die, to wit:

Enrolled Senate Bill 1039

Enclosed you will find the above bill and a copy of Governor Kulongoski's veto message.

Sincerely,  
Bill Bradbury  
Secretary of State

Vetoed SB 5549; 994, 1039 (2007 Regular Session) - Devlin moved bills, together with the Governor's messages, be laid on the table. Motion carried on voice vote.

Devlin moved that in compliance with Article IV, section 19 of the Oregon Constitution, and notwithstanding any provision of the Senate Special Session Rules for the Seventy-fourth Legislative Assembly, the requirement that on its final passage each bill shall be read section by section be suspended for the duration of this Special Session of the Seventy-fourth 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, 2 - Atkinson, Kruse; excused, 2; - Bates, Verger. Constitutional provisions suspended.

SCR 22, 23, 24, 25, 26, 27; SJM 14; SJR 40, 41, 42; SB 5555, 5556; 1059, 1060, 1061, 1062, 1063, 1064, 1065, 1066, 1067, 1068, 1069, 1070, 1071, 1072, 1073, 1074, 1075, 1076, 1077, 1078, 1079, 1080, 1081, 1082, 1083, 1084, 1085, 1086, 1087, 1088, 1089, 1090, 1091, 1092, 1093, 1094, 1095, 1096, 1097, 1098, 1099, 1100, 1101, 1102 - Introduced, read first time and referred to President's desk.

The following measures were referred to committee on February 4 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.

SCR 22 Rules and Executive Appointments  
 SCR 23 Environment and Natural Resources  
 SCR 24 Services to Seniors and People with Disabilities  
 SCR 25 Rules and Executive Appointments  
 SCR 26 Rules and Executive Appointments  
 SCR 27 Environment and Natural Resources  
 SJM 14 Environment and Natural Resources  
 SJR 40 Elections and Ethics; Ways and Means  
 SJR 41 Education and General Government; Ways and Means  
 SJR 42 Rules and Executive Appointments  
 SB 5555 Ways and Means  
 SB 5556 Ways and Means  
 SB 1059 Education and General Government  
 SB 1060 Finance and Revenue  
 SB 1061 Services to Seniors and People with Disabilities; Ways and Means  
 SB 1062 Health and Human Services  
 SB 1063 Commerce and Labor  
 SB 1064 Commerce and Labor; Ways and Means  
 SB 1065 Services to Seniors and People with Disabilities; Ways and Means  
 SB 1066 Education and General Government  
 SB 1067 Education and General Government  
 SB 1068 Education and General Government  
 SB 1069 Environment and Natural Resources; Ways and Means  
 SB 1070 Elections and Ethics; Ways and Means  
 SB 1071 Elections and Ethics  
 SB 1072 Judiciary  
 SB 1073 Ways and Means  
 SB 1074 Transportation; Ways and Means  
 SB 1075 Health and Human Services; Ways and Means  
 SB 1076 Education and General Government; Ways and Means  
 SB 1077 Services to Seniors and People with Disabilities; Finance and Revenue  
 SB 1078 Rules and Executive Appointments  
 SB 1079 Transportation  
 SB 1080 Transportation; Ways and Means  
 SB 1081 Finance and Revenue  
 SB 1082 Finance and Revenue  
 SB 1083 Elections and Ethics; Ways and Means  
 SB 1084 Transportation  
 SB 1085 Finance and Revenue  
 SB 1086 Judiciary  
 SB 1087 Judiciary; Ways and Means  
 SB 1088 Judiciary  
 SB 1089 Health and Human Services; Ways and Means  
 SB 1090 Commerce and Labor; Ways and Means  
 SB 1091 Finance and Revenue  
 SB 1092 Education and General Government

SB 1093 Health and Human Services; Ways and Means  
 SB 1094 Judiciary; Ways and Means  
 SB 1095 Judiciary  
 SB 1096 Elections and Ethics  
 SB 1097 Education and General Government; Ways and Means  
 SB 1098 Elections and Ethics; Ways and Means  
 SB 1099 Education and General Government; Ways and Means  
 SB 1100 Health and Human Services; Ways and Means  
 SB 1101 Finance and Revenue  
 SB 1102 Elections and Ethics; Ways and Means

**Oregon Board of Accountancy (ORS 673.410)**

Roberta Newhouse Rules and Executive Appointments

**State Apprenticeship and Training Council (ORS 660.110)**

Robert Rogers (r) Rules and Executive Appointments

Nelda Wilson Rules and Executive Appointments

**Commission on Asian Affairs (ORS 185.610)**

Patrick Sieng Rules and Executive Appointments

Khalid Wahab Rules and Executive Appointments

**State Aviation Board (ORS 835.102)**

Stephen Beckham (r) Rules and Executive Appointments

Nan Garnick Rules and Executive Appointments

**Commission on Black Affairs (ORS 185.420)**

Frank Thompson Rules and Executive Appointments

**Board of Boiler Rules (ORS 480.535)**

Mark Stenberg Rules and Executive Appointments

**Building Codes Structures Board (ORS 455.132)**

Eric McMullen Rules and Executive Appointments

**State Commission on Children and Families (ORS 417.730)**

Rebecca Hernandez (r) Rules and Executive Appointments

Jean Phelps (r) Rules and Executive Appointments

**State Board of Chiropractic Examiners (ORS 684.130)**

Joyce McClure (r)	Rules and Executive Appointments	Appointments
Michael Vissers (r)	Rules and Executive Appointments	<b>Governing Board of the Department of Geology and Mineral Industries (ORS 516.080)</b>
<b>Construction Contractors Board (ORS 701.205)</b>		William Givens Rules and Executive Appointments
Rob Hernandez	Rules and Executive Appointments	<b>Oregon Government Ethics Commission (ORS 244.250)</b>
<b>Oregon Criminal Justice Commission (ORS 137.654)</b>		Joann Waller Rules and Executive Appointments
Lee Ayers - Schlosser	Rules and Executive Appointments	<b>Health Services Commission (ORS 414.715)</b>
Mike Burton (r)	Rules and Executive Appointments	K. Dean Gubler Rules and Executive Appointments
John Mark Eddy	Rules and Executive Appointments	Carla McKelvey Rules and Executive Appointments
Darryl Larson	Rules and Executive Appointments	<b>State Board for Higher Education (ORS 351.020)</b>
<b>Oregon Board of Dentistry (ORS 679.230)</b>		Brian Fox Rules and Executive Appointments
David Smyth (r)	Rules and Executive Appointments	Rosemary Powers Rules and Executive Appointments
<b>State Board of Direct Entry Midwifery (ORS 687.470)</b>		<b>Commission on Hispanic Affairs (ORS 185.320)</b>
Linda Glenn	Rules and Executive Appointments	Dagoberto Morales Duran Rules and Executive Appointments
<b>Oregon Economic and Community Development Commission (ORS 285A.040)</b>		<b>Home Care Commission (ORS 410.602)</b>
Anthony Hyde (r)	Rules and Executive Appointments	Patricia Brost Rules and Executive Appointments
Anne Root	Rules and Executive Appointments	Donald Bruland Rules and Executive Appointments
Junki Yoshida	Rules and Executive Appointments	<b>Land Conservation and Development Commission (ORS 197.030)</b>
<b>Employment Appeals Board (ORS 657.685)</b>		Hanley Jenkins (r) Rules and Executive Appointments
Tony Corcoran (r)	Rules and Executive Appointments	Marilyn Worrix Rules and Executive Appointments
<b>Energy Facility Siting Council (ORS 469.450)</b>		<b>Lane County Mass Transit District Board (ORS 267.090)</b>
Cheri Davis	Rules and Executive Appointments	Edward Necker Rules and Executive Appointments
Michael Haglund	Rules and Executive Appointments	<b>Long Care Advisory Committee (ORS 441.137)</b>
<b>Fair Dismissal Appeals Board (ORS 342.930)</b>		M. Moray Povey Rules and Executive Appointments
Fred Marble	Rules and Executive Appointments	<b>Oregon State Lottery Commission (ORS 461.100)</b>
<b>State Fish and Wildlife Commission (ORS 496.090)</b>		Pamela Fogg Rules and Executive Appointments
Dan Edge (r)	Rules and Executive Appointments	<b>State Marine Board (ORS 830.105)</b>
Jon Englund (r)	Rules and Executive Appointments	George Tinker Rules and Executive Appointments
Skip Klarquist (r)	Rules and Executive	<b>Oregon Board of Maritime Pilots (ORS 776.105)</b>

Amer Badawi	Rules and Executive Appointments	Cliff Johannsen (r)	Rules and Executive Appointments
Tom Markgraf	Rules and Executive Appointments	<b>State Board of Psychologist Examiners (ORS 675.100)</b>	
<b>Board of Examiners of Nursing Home Administrators (ORS 678.800)</b>		Shane Haydon	Rules and Executive Appointments
Larry Davy	Rules and Executive Appointments	<b>Public Employees' Benefit Board (ORS 243.061)</b>	
Kathleen Elias	Rules and Executive Appointments	Rocky King (r)	Rules and Executive Appointments
<b>Oregon Liquor Control Commission (ORS 471.705)</b>		<b>Public Employees Retirement Board (ORS 238.630)</b>	
William Flinn (r)	Rules and Executive Appointments	James Dalton (r)	Rules and Executive Appointments
<b>Oregon Medical Board (ORS 677.235)</b>		Eva Kripalani (r)	Rules and Executive Appointments
Donald Girard	Rules and Executive Appointments	<b>Board on Public Safety Standards and Training (ORS 181.620)</b>	
Linda Johnson	Rules and Executive Appointments	Jeff Martin (a and r)	Rules and Executive Appointments
Douglas Kirkpatrick	Rules and Executive Appointments	<b>Public Utility Commission (ORS 756.014)</b>	
Ralph Yates	Rules and Executive Appointments	Lee Beyer (r)	Rules and Executive Appointments
<b>Outdoor Youth Program Advisory Board (ORS 418.243)</b>		<b>Quality Education Commission (ORS 327.500)</b>	
Gregg Morgan	Rules and Executive Appointments	Beth Gerot	Rules and Executive Appointments
<b>Pacific Northwest Electric Power and Conservation Planning Council (ORS 469.805)</b>		Emilio Hernandez (a and r)	Rules and Executive Appointments
Joan Dukes (r)	Rules and Executive Appointments	<b>Oregon Racing Commission (ORS 462.210)</b>	
<b>State Parks and Recreation Commission (ORS 390.114)</b>		Christopher Dudley (r)	Rules and Executive Appointments
Sue Musser (r)	Rules and Executive Appointments	Michael Huber (a and r)	Rules and Executive Appointments
<b>State Plumbing Board (ORS 693.115)</b>		<b>Residential Structures Board (ORS 455.144)</b>	
Melissa Gitt	Rules and Executive Appointments	David DeHarpport (r)	Rules and Executive Appointments
Michael Perry	Rules and Executive Appointments	Mike Goodrich (r)	Rules and Executive Appointments
<b>Board of Commissioners of the Oregon International Port of Coos Bay (ORS 777.925)</b>		<b>Sex Offender Treatment Board (HB 3233)</b>	
David Kronsteiner (r)	Rules and Executive Appointments	Brie Akins	Rules and Executive Appointments
R. Brady Scott (r)	Rules and Executive Appointments	<b>Oregon Student Assistance Commission (ORS 348.510)</b>	
<b>Psychiatric Security Review Board (ORS 161.385)</b>		Philip Shilts	Rules and Executive Appointments
Susana Alba (r)	Rules and Executive Appointments	<b>State Board of Tax Practitioners (ORS 673.725)</b>	
		Dorothy Hudson	Rules and Executive Appointments

**Teacher Standards and Practices Commission (ORS 342.350)**

Francis Charbonnier (r) Rules and Executive Appointments  
 Shirley Madathil Rules and Executive Appointments  
 Nancy Olson Rules and Executive Appointments  
 Monica Takata Rules and Executive Appointments

**Oregon Transportation Commission (ORS 184.612)**

Gail Achterman(r) Rules and Executive Appointments  
 Alan Brown Rules and Executive Appointments  
 David Lohman Rules and Executive Appointments  
 Janice Wilson (r) Rules and Executive Appointments

**Tri-Met Board (ORS 267.090)**

Richard Van Beveren (r) Rules and Executive Appointments

**Oregon State Veterinary Medical Examining Board (ORS 686.210)**

Dolores Galindo (r) Rules and Executive Appointments

**Oregon Volunteers Commission for Voluntary Action and Service (ORS 458.555)**

Michael Fieldman Rules and Executive Appointments  
 Beth Fox (r) Rules and Executive Appointments  
 Andy Nelson Rules and Executive Appointments  
 Katherine Philipson Rules and Executive Appointments  
 Ben Talley Rules and Executive Appointments

**Commission for Women (ORS 185.520)**

Susan Castner Rules and Executive Appointments

**Workers' Compensation Board (ORS 656.712)**

Margaret Weddell Rules and Executive Appointments

**Workers' Compensation Management-Labor Advisory Committee (ORS 656.790)**

Lon Holston (r) Rules and Executive Appointments  
 Mike O'Rourke (r) Rules and Executive

Appointments

**Oregon Workforce Investment Board (ORS 660.321)**

C. Carl Califano (r) Rules and Executive Appointments  
 Duane McDougall Rules and Executive Appointments  
 Wes Melo Rules and Executive Appointments  
 James Paulson Rules and Executive Appointments  
 David Williams (r) Rules and Executive Appointments

Senate adjourned until 8:30 a.m. Wednesday by unanimous consent at the request of the Chair.

**Wednesday, February 6, 2008 -- Morning Session**

Senate convened at 8:30 a.m. President Courtney in Chair. The following members were present: Atkinson, Avakian, Bates, Brown, Burdick, Carter, Devlin, Ferrioli, George, G., George, L., Girod, Gordly, Hass, Johnson, Kruse, Metsger, Monnes Anderson, Monroe, Morrisette, Morse, Nelson, Prozanski, Schrader, Starr, Walker, Westlund, Whitsett, Winters; excused – Verger. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Senator Frank Morse, Albany.

The following message from the Governor was read:

February 5, 2008

TO THE HONORABLE PRESIDENT OF THE SENATE  
 OF THE 74th LEGISLATIVE ASSEMBLY

This is to notify you that our request sent to you February 4, 2008, to consider the appointment of Duane McDougall to the Oregon Workforce Investment Board, is hereby withdrawn.

Sincerely,  
 Ted Kulongoski  
 Governor

Message from the House announcing that the House of Representatives has organized and is ready for the business of the Special Session of the Seventy-fourth Legislative Assembly.

Committee Report Summary No. 1 listing the following reports was distributed to members February 5. Summary list recorded in Journal and Status Report by order of the President.

Report by Committee on Rules and Executive Appointments recommending that the Governor's appointments of Patrick Sieng and Khalid Wahab to the Commission on Asian Affairs be confirmed en bloc.

Report by Committee on Rules and Executive Appointments recommending that the Governor's appointments of Lee Ayers-Schlosser, John Mark Eddy and Darryl Larson to the Oregon Criminal Justice Commission be confirmed en bloc.

Report by Committee on Rules and Executive Appointments recommending that the Governor's appointment of Linda Glenn to the State Board of Direct Entry Midwifery be confirmed.

Report by Committee on Rules and Executive Appointments recommending that the Governor's appointments of Anne Root and Junki Yoshida to the Oregon Economic and Community Development Commission be confirmed en bloc.

Report by Committee on Rules and Executive Appointments recommending that the Governor's reappointment of Tony Corcoran (appearance waived) to the Employment Appeals Board be confirmed.

Report by Committee on Rules and Executive Appointments recommending that the Governor's appointments of K. Dean Gubler and Carla McKelvey to the Health Services Commission be confirmed en bloc.

Report by Committee on Rules and Executive Appointments recommending that the Governor's appointment of Tom Markgraf to the Oregon Board of Maritime Pilots be confirmed.

Report by Committee on Rules and Executive Appointments recommending that the Governor's reappointment of Joan Dukes to the Pacific Northwest Electric Power and Conservation Planning Council be confirmed.

Report by Committee on Rules and Executive Appointments recommending that the Governor's appointment of Shane Haydon to the State Board of Psychologist Examiners be confirmed.

Report by Committee on Rules and Executive Appointments recommending that the Governor's reappointment of Lee Beyer to the Public Utility Commission be confirmed.

Report by Committee on Rules and Executive Appointments recommending that the Governor's appointment and reappointment of Michael Huber to the Oregon Racing Commission be confirmed.

Report by Committee on Rules and Executive Appointments recommending that the Governor's appointment of Margaret Weddell to the Workers' Compensation Board be confirmed.

Senate recessed until 9:00 a.m. by unanimous consent on motion of Ferrioli.

Senate, reconvened at 9:00 a.m. President Courtney in Chair. All present except Verger, excused.

Senate, having recessed under the Order of Action on Executive Appointments Requiring Senate Confirmation, resumed under that order by unanimous consent at the request of the Chair.

Brown moved that the Senate confirm the Governor's reappointment of Tony Corcoran to the Employment Appeals Board. On confirmation the vote was: Ayes, 29; excused 1 - Verger. Confirmed.

Atkinson moved that the Senate confirm the Governor's reappointment of Lee Beyer to the Public Utility Commission. On confirmation the vote was: Ayes, 29; excused 1 - Verger. Confirmed.

Avakian moved that the Senate confirm the Governor's reappointment of Joan Dukes to the Pacific Northwest Electric Power and Conservation Planning

Council. On confirmation the vote was: Ayes, 29; excused 1 - Verger. Confirmed.

Ferrioli moved that the Senate confirm the Governor's appointment of Margaret Weddell to the Workers' Compensation Board. On confirmation the vote was: Ayes, 29; excused 1 - Verger. Confirmed.

Rules suspended by unanimous consent and the following appointments confirmed en bloc on motion of Avakian. On confirmation the vote was: Ayes, 29; excused, 1 - Verger. Confirmed en bloc.

#### **Commission on Asian Affairs**

Patrick Sieng  
Khalid Wahab

#### **Oregon Criminal Justice Commission**

Lee Ayers-Schlosser  
John Mark Eddy  
Darryl Larson

#### **State Board of Direct Entry Midwifery**

Linda Glenn

#### **Oregon Economic and Community Development Commission**

Anne Root  
Junki Yoshida

#### **Health Services Commission**

K. Dean Gubler  
Carla McKelvey

#### **Oregon Board of Maritime Pilots**

Tom Markgraf

#### **State Board of Psychologist Examiners**

Shane Haydon

#### **Oregon Racing Commission**

Michael Huber (a and r)

Senate adjourned until 8:30 a.m. Thursday by unanimous consent at the request of the Chair.

### **Thursday, February 7, 2008 -- Morning Session**

Senate convened at 8:30 a.m. President Courtney in Chair. The following members were present: Atkinson, Avakian, Bates, Brown, Burdick, Carter, Devlin, Ferrioli, George, G., George, L., Girod, Gordly, Hass, Johnson, Kruse, Metsger, Monnes Anderson,

Monroe, Morrisette, Morse, Nelson, Prozanski, Schrader, Starr, Walker, Westlund, Whitsett, Winters; excused - Verger. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Senator Bill Morrisette, Springfield.

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

SB 1067 - Report by Committee on Education and General Government recommending passage.

Committee Report Summary No. 3 listing the following reports was distributed to members February 6. Summary list recorded in Journal and Status Report by order of the President.

SB 1080 - Report by Committee on Transportation recommending passage with amendments and referred to Committee on Ways and Means by prior reference.

SB 1067 - Read second time and passed to third reading.

Senate adjourned until 8:30 a.m. Friday by unanimous consent at the request of the Chair.

#### Friday, February 8, 2008 -- Morning Session

Senate convened at 8:30 a.m. President Courtney in Chair. The following members were present: Atkinson, Avakian, Bates, Brown, Burdick, Carter, Devlin, Ferrioli, George, G., George, L., Girod, Gordly, Hass, Johnson, Kruse, Metsger, Monnes Anderson, Monroe, Morrisette, Morse, Nelson, Prozanski, Schrader, Starr, Walker, Westlund, Whitsett, Winters; excused - Verger. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Senior Pastor John Stumbo Alliance Church, Salem.

The following message from the Governor was read.

February 7, 2007

#### TO THE HONORABLE PRESIDENT OF THE SENATE OF THE 74th LEGISLATIVE ASSEMBLY

This is to notify you that our request sent to you February 4, 2008 to consider the appointment of Joann Waller to the Oregon Government Ethics Commission, is hereby withdrawn.

Sincerely,  
Ted Kulongoski  
Governor

HB 3616, 3628 - Message from the House announcing passage.

Committee Report Summary No. 4 listing the following reports was distributed to members February 7. Summary list recorded in Journal and Status Report by order of the President.

SB 1062 - Report by Committee on Health and Human Services recommending passage with amendments.

SB 1079 - Report by Committee on Transportation recommending passage with amendments.

SB 1099 - Report by Committee on Education and General Government recommending passage with amendments and referred to Committee on Ways and Means by prior reference.

Committee Report Summary No. 5 listing the following reports was distributed to members February 7. Summary list recorded in Journal and Status Report by order of the President.

Report by Committee on Rules and Executive Appointments recommending that the Governor's reappointment of Robert Rogers (appearance waived) to the State Apprenticeship and Training Council be confirmed.

Report by Committee on Rules and Executive Appointments recommending that the Governor's appointments of Stephen Beckham (r) (appearance waived) and Nan Garnick to the State Aviation Board be confirmed en bloc.

Report by Committee on Rules and Executive Appointments recommending that the Governor's reappointments of Rebecca Hernandez (appearance waived) and Jean Phelps (appearance waived) to the State Commission on Children and Families be confirmed en bloc.

Report by Committee on Rules and Executive Appointments recommending that the Governor's reappointments of Joyce McClure (appearance waived) and Michael Vissers (appearance waived) to the State Board of Chiropractic Examiners be confirmed en bloc.

Report by Committee on Rules and Executive Appointments recommending that the Governor's reappointment of Mike Burton (appearance waived) to the Oregon Criminal Justice Commission be confirmed.

Report by Committee on Rules and Executive Appointments recommending that the Governor's reappointment of David Smyth (appearance waived) to the Oregon Board of Dentistry be confirmed.

Report by Committee on Rules and Executive Appointments recommending that the Governor's reappointment of Anthony Hyde (appearance waived) to the Oregon Economic and Community Development Commission be confirmed.

Report by Committee on Rules and Executive Appointments recommending that the Governor's reappointments of Dan Edge (appearance waived), Jon Englund (appearance waived) and Skip Klarquist (appearance waived) to the State Fish and Wildlife Commission be confirmed en bloc.

Report by Committee on Rules and Executive Appointments recommending that the Governor's appointment of Dagoberto Morales Duran to the Commission on Hispanic Affairs be confirmed.

Report by Committee on Rules and Executive Appointments recommending that the Governor's appointments of Patricia Brost and Donald Bruland (r) (appearance waived) to the Home Care Commission be confirmed en bloc.

Report by Committee on Rules and Executive Appointments recommending that the Governor's

reappointments of Hanley Jenkins (appearance waived) and Marilyn Worrix (appearance waived) to the Land Conservation and Development Commission be confirmed en bloc.

Report by Committee on Rules and Executive Appointments recommending that the Governor's appointment of M. Moray Povey to the Long Term Care Advisory Committee be confirmed.

Report by Committee on Rules and Executive Appointments recommending that the Governor's reappointment of Pamela Fogg (appearance waived) to the Oregon State Lottery Commission be confirmed.

Report by Committee on Rules and Executive Appointments recommending that the Governor's reappointment of George Tinker (appearance waived) to the State Marine Board be confirmed.

Report by Committee on Rules and Executive Appointments recommending that the Governor's reappointment of Amer Badawi (appearance waived) to the Oregon Board of Maritime Pilots be confirmed.

Report by Committee on Rules and Executive Appointments recommending that the Governor's reappointments of Larry Davy (appearance waived) and Kathleen Elias (appearance waived) to the Board of Examiners of Nursing Home Administrators be confirmed en bloc.

Report by Committee on Rules and Executive Appointments recommending that the Governor's reappointment of William Flinn (appearance waived) to the Oregon Liquor Control Commission be confirmed.

Report by Committee on Rules and Executive Appointments recommending that the Governor's appointments of Donald Girard, Linda Johnson, Douglas Kirkpatrick (r) (appearance waived) and Ralph Yates to the Oregon Medical Board be confirmed en bloc.

Report by Committee on Rules and Executive Appointments recommending that the Governor's appointment of Gregg Morgan to the Outdoor Youth Program Advisory Board be confirmed.

Report by Committee on Rules and Executive Appointments recommending that the Governor's reappointment of Sue Musser (appearance waived) to the State Parks and Recreation Commission be confirmed.

Report by Committee on Rules and Executive Appointments recommending that the Governor's reappointments of David Kronsteiner (appearance waived) and R. Brady Scott (appearance waived) to the Board of Commissioners of the Oregon International Port of Coos Bay be confirmed en bloc.

Report by Committee on Rules and Executive Appointments recommending that the Governor's reappointments of Susana Alba (appearance waived) and Cliff Johannesen (appearance waived) to the Psychiatric Security Review Board be confirmed en bloc.

Report by Committee on Rules and Executive Appointments recommending that the Governor's reappointments of James Dalton (appearance waived) and Eva Kripalani (appearance waived) to the Public Employees Retirement Board be confirmed en bloc.

Report by Committee on Rules and Executive Appointments recommending that the Governor's appointment of Rocky King (appearance waived) to the Public Employees' Benefit Board be confirmed.

Report by Committee on Rules and Executive Appointments recommending that the Governor's appointment and reappointment of Jeff Martin (appearance waived) to the Board on Public Safety Standards and Training be confirmed.

Report by Committee on Rules and Executive Appointments recommending that the Governor's reappointment of Christopher Dudley (appearance waived) to the Oregon Racing Commission be confirmed.

Report by Committee on Rules and Executive Appointments recommending that the Governor's reappointments of David DeHarpport (appearance waived) and Mike Goodrich (appearance waived) to the Residential Structures Board be confirmed en bloc.

Report by Committee on Rules and Executive Appointments recommending that the Governor's appointment of Brie Akins to the Sex Offender Treatment Board be confirmed.

Report by Committee on Rules and Executive Appointments recommending that the Governor's appointment of Philip Shilts to the Oregon Student Assistance Commission be confirmed.

Report by Committee on Rules and Executive Appointments recommending that the Governor's appointments of Francis Charbonnier (r) (appearance waived), Shirley Madathill, Nancy Olson and Monica Takata to the Teacher Standards and Practices Commission be confirmed en bloc.

Report by Committee on Rules and Executive Appointments recommending that the Governor's appointments of Glen Achterman (r) (appearance waived), Alan Brown, David Lohman and Janice Wilson (r) (appearance waived) to the Oregon Transportation Commission be confirmed en bloc.

Report by Committee on Rules and Executive Appointments recommending that the Governor's reappointment of Richard Van Beveren (appearance waived) to the Tri-Met Board be confirmed.

Report by Committee on Rules and Executive Appointments recommending that the Governor's reappointment of Dolores Galindo (appearance waived) to the Oregon State Veterinary Medical Examining Board be confirmed.

Report by Committee on Rules and Executive Appointments recommending that the Governor's appointments of Michael Fieldman, Beth Fox (r) (appearance waived), Andy Nelson, Katherine Philipson and Ben Talley to the Oregon Volunteers Commission for Voluntary Action and Service be confirmed en bloc.

Report by Committee on Rules and Executive Appointments recommending that the Governor's reappointments of Lon Holston (appearance waived) and Mike O'Rourke (appearance waived) to the Workers' Compensation Management-Labor Advisory Committee be confirmed en bloc.

Report by Committee on Rules and Executive Appointments recommending that the Governor's appointments of C. Carl Califano (r) (appearance

waived), James Paulson (r) (appearance waived), Wes Melo and David Williams (r) (appearance waived) to the Oregon Workforce Investment Board be confirmed en bloc.

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 1060 – Report by Committee on Finance and Revenue recommending passage.

SB 1080 – Report by Committee on Ways and Means recommending passage of the A-Engrossed bill.

SB 1081 – Report by Committee on Finance and Revenue recommending passage.

SB 1082 – Report by Committee on Finance and Revenue recommending passage.

Atkinson moved that the Senate confirm en bloc the Governor's appointments of Alan Brown and David Lohman to the Oregon Transportation Commission. On confirmation the vote was: Ayes, 26; excused 4 – Bates, Carter, Verger, Winters. Confirmed en bloc.

Rules suspended by unanimous consent and the following appointments confirmed en bloc on motion of Brown. On confirmation the vote was: Ayes, 26; excused, 4 – Bates, Carter, Verger, Winters. Confirmed en bloc.

#### **State Aviation Board**

Nan Garnick

#### **Commission on Hispanic Affairs**

Dagoberto Morales Duran

#### **Home Care Commission**

Patricia Brost

#### **Long Term Care Advisory Committee**

M. Moray Povey

#### **Oregon Medical Board**

Donald Girard  
Linda Johnson  
Ralph Yates

#### **Outdoor Youth Program Advisory Board**

Gregg Morgan

#### **Board on Public Safety Standards and Training**

Jeff Martin (a) and (r)

#### **Sex Offender Treatment Board**

Brie Akins

#### **Oregon Student Assistance Commission**

Philip Shilts

#### **Teacher Standards and Practices Commission**

Shirley Madathil  
Nancy Olson  
Monica Takata

#### **Oregon Volunteers Commission for Voluntary Action and Service**

Michael Fieldman  
Andy Nelson  
Katherine Philipson  
Ben Talley

#### **Oregon Workforce Investment Board**

Wes Melo

Rules suspended by unanimous consent and the following reappointments confirmed en bloc on motion of Avakian. On confirmation the vote was: Ayes, 26; excused, 4 – Bates, Carter, Verger, Winters. Confirmed en bloc.

#### **State Apprenticeship and Training Council**

Robert Rogers (r)

#### **State Aviation Board**

Stephen Beckham (r)

#### **State Commission on Children and Families**

Rebecca Hernandez (r)  
Jean Phelps (r)

#### **State Board of Chiropractic Examiners**

Joyce McClure (r)  
Michael Vissers (r)

#### **Oregon Criminal Justice Commission**

Mike Burton (r)

#### **Oregon Board of Dentistry**

David Smyth (r)

#### **Oregon Economic and Community Development Commission**

Anthony Hyde (r)

**State Fish and Wildlife Commission**

Dan Edge (r)  
Jon Englund (r)  
Skip Klarquist(r)

**Home Care Commission**

Donald Bruland (r)

**Land Conservation and Development Commission**

Hanley Jenkins (r)  
Marilyn Worrix (r)

**Oregon Liquor Control Commission**

William Flinn (r)

**Oregon State Lottery Commission**

Pamela Fogg (r)

**State Marine Board**

George Tinker (r)

**Oregon Board of Maritime Pilots**

Amer Badawi (r)

**Board of Examiners of Nursing Home Administrators**

Larry Davy (r)  
Kathleen Elias (r)

**Oregon Medical Board**

Douglas Kirkpatrick (r)

**State Parks and Recreation Commission**

Sue Musser (r)

**Board of Commissioners of the Oregon International Port of Coos Bay**

David Kronsteiner (r)  
R. Brady Scott (r)

**Psychiatric Security Review Board**

Susana Alba (r)  
Cliff Johannsen (r)

**Public Employees' Benefit Board**

Rocky King (r)

**Public Employees Retirement Board**

James Dalton (r)  
Eva Kripalani (r)

**Board on Public Safety Standards and Training**

Jeff Martin (a) and (r)

**Oregon Racing Commission**

Christopher Dudley (r)

**Residential Structures Board**

David DeHarpport (r)  
Mike Goodrich (r)

**Teacher Standards and Practices Commission**

Francis Charbonnier (r)

**Oregon Transportation Commission**

Gail Achterman (r)  
Janice Wilson (r)

**Tri-Met Board**

Richard Van Beveren (r)

**Oregon State Veterinary Medical Examining Board**

Dolores Galindo (r)

**Oregon Volunteers Commission for Voluntary Action and Service**

Beth Fox (r)

**Workers' Compensation Management-Labor Advisory Committee**

Lon Holston (r)  
Mike O'Rourke (r)

**Oregon Workforce Investment Board**

C. Carl Califano (r)  
James Paulson (r)  
David Williams (r)

SCR 28 - Introduced, read first time and referred to President's desk.

SB 1060, 1062, 1079, 1080, 1081, 1082 - Read second time and passed to third reading.

SB 1067 - Read third time. Carried by Walker. On passage of bill the vote was: Ayes, 26; excused, 4 - Bates, Carter, Verger, Winters. Bill passed.

HB 3616, 3628 - Read first time and referred to President's desk.

President Courtney announced the following committee assignments effective February 4.

#### SENATE SPECIAL COMMITTEE ON CONDUCT

Senator Roger Beyer, Discharged

Senator Frank Morse, Vice-Chair Appointed

Senate adjourned until 8:30 a.m. Monday by unanimous consent at the request of the Chair.

#### Monday, February 11, 2008 -- Morning Session

Senate convened at 8:30 a.m. President Courtney in Chair. The following members were present: Atkinson, Avakian, Bates, Brown, Burdick, Carter, Devlin, Ferrioli, George, G., George, L., Girod, Gordly, Hass, Johnson, Kruse, Metsger, Monnes Anderson, Monroe, Morrisette, Morse, Nelson, Prozanski, Schrader, Starr, Verger, Walker, Westlund, Whitsett, Winters. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Senator Gary George, Newberg.

HB 3608, 3611, 3629, 3631 - Message from the House announcing passage.

Committee Report Summary No. 7 listing the following reports was distributed to members February 8. Summary list recorded in Journal and Status Report by order of the President.

SB 1074 - Report by Committee on Transportation recommending passage with amendments and referred to Committee on Ways and Means by prior reference.

SB 1078 - Report by Committee on Rules and Executive Appointments recommending passage with amendments.

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.

SCR 22 - Report by Committee on Rules and Executive Appointments recommending adoption.

SCR 24 - Report by Committee on Services to Seniors and People with Disabilities recommending adoption.

SCR 26 - Report by Committee on Rules and Executive Appointments recommending adoption.

SJR 42 - Report by Committee on Rules and Executive Appointments recommending adoption.

SB 1063 - Report by Committee on Commerce and Labor recommending passage.

SCR 22, 24, 26; SJR 42; SB 1063, 1078 - Read second time and passed to third reading.

SB 1060 - Read third time. Carried by Monroe. On passage of bill the vote was: Ayes, 30. Bill passed.

SB 1062 A-Eng. - Read third time. Carried by Monnes Anderson. On passage of bill the vote was: Ayes, 30. Bill passed.

SB 1079 A-Eng. - Read third time. Carried by Johnson. Potential conflict of interest declared by Johnson. On passage of bill the vote was: Ayes, 30. Bill passed.

SB 1080 A-Eng. - Read third time. Carried by Metsger. On passage of bill the vote was: Ayes, 23; nays, 7 - Avakian, Bates, Brown, Burdick, Carter, Gordly, Walker. Bill passed.

SB 1080 - Avakian requested the following explanation of vote be entered into the journal:

"My no vote on SB 1080 A is based on the following:

1. "Without all drivers being examined by the DMV, the likelihood of dangerous unqualified drivers being on the road and putting our families at risk is increased.

2. "Some who are legal residents will fail to get the required documentation upon license renewal and begin driving illegally.

3. "The bill will likely have a disparate negative impact on low income, minority, homeless and older populations.

4. "The bill will not effectively curb illegal immigration.

5. "The creation of a SSN database increases the risk of identity theft and forces Oregonians to release personal information they may be reluctant to release.

6. "The driver's license allows the state to track drivers for compliance in other areas. Other legislation efforts to get uninsured and suspended drivers off the road will be undermined as tracking the increased numbers of drivers without licenses becomes difficult or impossible."

SB 1080 - Carter requested the following explanation of vote be entered into the journal:

"Senate Bill 1080-A will make it more difficult, if not impossible, for the most vulnerable to obtain driver licenses or identification cards, particularly those who are homeless, victims of theft or violence, for individuals challenged by mental health issues and disabilities, the low-income, working poor, and the elderly.

"Many citizens will not be able to locate or do not have a certified birth certificate, will not have the resources to obtain out-of-state certified documents, collect the necessary certified documents reflecting a name change (e.g., marriage certificate, divorce or adoption decree) or the particular skill to address a name or birth date discrepancy with the federal Social Security Administration (SSA) database.

"Further, this legislation does not provide sufficient administrative assistance (e.g., Ombudsman services) to help citizens to navigate the Division of Motor Vehicles (DMV) and SSA systems or ample funding.

"Without sufficient guarantees that the most vulnerable will be protected or clear identifiable safeguards to assure the increased database will be secure, I can not support this specific legislation."

SB 1080 – Prozanski requested the following explanation of vote be entered into the journal:

“I voted for SB 1080 to protect the integrity of Oregon’s Driver’s License. Currently, 42 states require proof of legal presence prior to issuing a driver’s license in those states. Oregon does not! Oregon’s failure to require proof of legal presence has compromised this form of identification for all Oregonians. Some states are now questioning the citizenship and identification of Oregonians.

“Further, organizations are now bringing individuals into Oregon for the sole purpose of obtaining a driver’s license. This government issued document is then used in other states for identification purposes, a practice that is not appropriate and has caused hardship for individual Oregonians.

“Finally, it is time for the federal government to deal with the country’s immigration issues. Many of the problems the states are experiencing about drivers’ licenses are directly tied to the federal government’s failure to do its job.”

SB 1081 – Read third time. Carried by Burdick. On passage of bill the vote was: Ayes, 30. Bill passed.

SB 1082 – Carried over to February 12 calendar by unanimous consent at the request of the Chair.

HB 3608, 3611, 3629, 3631 – Read first time and referred to President’s desk.

The following measures were referred to committee on February 8 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.

SCR 28 Rules and Executive Appointments  
 HB 3616 Health and Human Services  
 HB 3628 Environment and Natural Resources

Senate adjourned until 8:30 a.m. Tuesday by unanimous consent at the request of the Chair.

### **Tuesday, February 12, 2008 --- Morning Session**

Senate convened at 8:30 a.m. President Courtney in Chair. The following members were present: Atkinson, Avakian, Bates, Brown, Carter, Devlin, Ferrioli, George, G., George, L., Girod, Gordly, Hass, Johnson, Kruse, Metsger, Monnes Anderson, Monroe, Morrisette, Morse, Nelson, Prozanski, Schrader, Verger, Walker, Westlund, Whitsett, Winters; excused – Burdick, Starr. Colors were posted and the Senate pledged allegiance to the flag. Special presentation by Steve Holgate portraying Abraham Lincoln in commemorating Lincoln’s upcoming 200th birthday celebration on February 12, 2009.

HB 3620, 3623 – Message from the House announcing passage.

HJM 100; HJR 101 – Message from the House announcing adoption.

Committee Report Summary No. 9 listing the following reports was distributed to members February 11. Summary list recorded in Journal and Status Report by order of the President.

SB 1064 – Report by Committee on Commerce and Labor recommending passage with amendments and referred to Committee on Ways and Means by prior reference.

SB 1077 – Report by Committee on Services to Seniors and People with Disabilities recommending passage with amendments and referred to Committee on Finance and Revenue by prior reference.

SB 1101 – Report by Committee on Finance and Revenue recommending passage with amendments.

Senate at ease. Senate reassembled.

SCR 24 – Taken from today’s third reading calendar and placed on February 13 by voice vote on motion of Devlin.

SCR 22, 26 – Taken from today’s third reading calendar and placed on February 14 calendar by voice vote on motion of Devlin.

SB 1101 – Read second time and passed to third reading.

SB 1082 – Read third time. Carried by Morse. On passage of bill the vote was: Ayes, 26; nays, 1 – George, G.; excused, 3 – Burdick, Prozanski, Starr. Bill passed.

SJR 42 – Read final time. Carried by Ferrioli. On adoption of resolution, the vote was: Ayes, 26; excused, 4 – Burdick, Carter, Prozanski, Starr. Resolution adopted.

SB 1063 – Read third time. Carried by Winters. On passage of bill the vote was: Ayes, 25; nays, 1 – George, L.; excused, 4 – Burdick, Carter, Prozanski, Starr. Bill passed.

SB 1078 A-Eng. – Read third time. Carried by Metsger. On passage of bill the vote was: Ayes, 26; excused, 4 – Burdick, Carter, Prozanski, Starr. Bill passed.

HJM 100; HJR 101; HB 3620, 3623 – Read first time and referred to President’s desk.

The following measures were referred to committee on February 11 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.

HB 3608 Education and General Government  
 HB 3611 Environment and Natural Resources  
 HB 3629 Environment and Natural Resources

Senate adjourned until 8:30 a.m. Wednesday by unanimous consent at the request of the Chair.

### **Wednesday, February 13, 2008 -- Morning Session**

Senate convened at 8:30 a.m. President Courtney in Chair. The following members were present: Atkinson, Avakian, Bates, Brown, Burdick, Carter, Devlin, Ferrioli, George, L., Girod, Gordly, Hass, Johnson, Kruse, Metsger, Monnes Anderson, Monroe, Morrisette, Morse, Nelson, Prozanski, Schrader, Starr, Verger, Walker, Westlund, Whitsett, Winters; excused – George, G. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Jala Harper, Ron Russell Middle School, Portland.

HB 3600, 3613, 3622 – Message from the House announcing passage.

Committee Report Summary No. 10 listing the following reports was distributed to members February 12. Summary list recorded in Journal and Status Report by order of the President.

SB 1086 – Report by Committee on Judiciary recommending passage with amendments.

SB 1093 – Report by Committee on Health and Human Services recommending passage with amendments and referred to Committee on Ways and Means by prior reference.

SB 1102 – Report by Committee on Elections and Ethics recommending passage with amendments and requesting subsequent referral to Committee on Ways and Means be rescinded. Request denied by Order of the President. Referred to Committee on Ways and Means by prior reference.

Committee Report Summary No. 11 listing the following reports was distributed to members February 12. Summary list recorded in Journal and Status Report by order of the President.

SB 1089 – Report by Committee on Health and Human Services recommending passage with amendments and referred to Committee on Ways and Means by prior reference.

Report by Committee on Rules and Executive Appointments recommending that the Governor's appointment of Roberta Newhouse to the Oregon Board of Accountancy be confirmed.

Report by Committee on Rules and Executive Appointments recommending that the Governor's appointment of Nelda Wilson to the State Apprenticeship and Training Council be confirmed.

Report by Committee on Rules and Executive Appointments recommending that the Governor's appointment of Frank Thompson (appearance waived) to the Commission on Black Affairs be confirmed.

Report by Committee on Rules and Executive Appointments recommending that the Governor's appointment of Mark Stenberg to the Board of Boiler Rules be confirmed.

Report by Committee on Rules and Executive Appointments recommending that the Governor's appointment of Eric McMullen to the Building Codes Structures Board be confirmed.

Report by Committee on Rules and Executive Appointments recommending that the Governor's appointment of Rob Hernandez to the Construction Contractors Board be confirmed.

Report by Committee on Rules and Executive Appointments recommending that the Governor's appointments of Cheri Davis and Michael Haglund to the Energy Facility Siting Council be confirmed en bloc.

Report by Committee on Rules and Executive Appointments recommending that the Governor's appointment of Fred Marble to the Fair Dismissal Appeals Board be confirmed.

Report by Committee on Rules and Executive Appointments recommending that the Governor's appointment of William Givens to the Governing

Board of the Department of Geology and Mineral Industries be confirmed.

Report by Committee on Rules and Executive Appointments recommending that the Governor's appointments of Brian Fox and Rosemary Powers to the State Board of Higher Education be confirmed en bloc.

Report by Committee on Rules and Executive Appointments recommending that the Governor's appointment of Edward Necker to the Lane County Mass Transit District Board be confirmed.

Report by Committee on Rules and Executive Appointments recommending that the Governor's appointment of Michael Perry to the State Plumbing Board be confirmed.

Report by Committee on Rules and Executive Appointments recommending that the Governor's appointments of Beth Gerot and Emilio Hernandez (a) and (r) (appearance waived) to the Quality Education Commission be confirmed en bloc.

Report by Committee on Rules and Executive Appointments recommending that the Governor's appointment of Dorothy Hudson to the State Board of Tax Practitioners be confirmed.

Report by Committee on Rules and Executive Appointments recommending that the Governor's appointment of Susan Castner to the Commission for Women be confirmed.

Committee Report Summary No. 12 listing the following reports was distributed to members February 13. Summary list recorded in Journal and Status Report by order of the President.

SCR 23 – Report by Committee on Environment and Natural Resources recommending adoption.

SCR 27 – Report by Committee on Environment and Natural Resources recommending adoption.

SJM 14 – Report by Committee on Environment and Natural Resources recommending adoption.

Rules suspended by unanimous consent and the following appointments confirmed en bloc on motion of Atkinson. (Carter in Chair) On confirmation the vote was: Ayes, 28; excused, 2 – Burdick, George, G. Confirmed en bloc.

#### **Oregon Board of Accountancy**

Roberta Newhouse

#### **State Apprenticeship and Training Council**

Nelda Wilson

#### **Commission on Black Affairs**

Frank Thompson

#### **Board of Boiler Rules**

Mark Stenberg

#### **Building Codes Structures Board**

Eric McMullen

**Construction Contractors Board**

Rob Hernandez

**Energy Facility Siting Council**

Cheri Davis  
Michael Haglund

**Fair Dismissal Appeals Board**

Fred Marble

**Governing Board of the Department of Geology and Mineral Industries**

William Givens

**State Board of Higher Education**

Brian Fox  
Rosemary Powers

**Lane County Mass Transit District Board**

Edward Necker

**State Plumbing Board**

Michael Perry

**Quality Education Commission**

Beth Gerot  
Emilio Hernandez (a) and (r)

**State Board of Tax Practitioners**

Dorothy Hudson

**Commission for Women**

Susan Castner

SCR 23, 27; SJM 14; SB 1086 - Read second time and passed to third reading.

SCR 24 - Read final time. Carried by Courtney. On adoption of resolution, the vote was: Ayes, 29; excused, 1 - George, G. Resolution adopted.

SB 1101 A-Eng. - Read third time. Carried by Burdick. On passage of bill the vote was: Ayes, 29; excused, 1 - George, G. Bill passed.

HB 3600, 3613, 3622 - Read first time and referred to President's desk.

The following measures were referred to committee on February 12 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.

HJM 100 Education and General Government

HJR 101 Transportation

HB 3620 Finance and Revenue

HB 3623 Transportation

HB 3631 Rules and Executive Appointments

Senate at ease. Senate reassembled.

Effective immediately President Courtney announced that he is invoking the provisions of the one-hour notice rule in accordance with Senate Rule 8.16.

"Notwithstanding the provision of Senate Rule 8.15, the committee chair may call a meeting of the committee with less than 24 hours' notice if written notice is posted outside the Senate Chamber one hour in advance of the meeting. In addition, notice of all committee meetings shall be emailed (or distributed) to the following areas one hour in advance of the meeting: member's chamber desks and any other place reasonably designed to give notice to the public and interested persons. When possible, such meetings shall be announced on the floor while the Senate is in session."

Senate adjourned until 8:30 a.m. Thursday by unanimous consent at the request of the Chair.

**Thursday, February 14, 2008 -- Morning Session**

Senate convened at 8:30 a.m. President Courtney in Chair. The following members were present: Atkinson, Avakian, Bates, Brown, Devlin, Ferrioli, George, G., George, L., Girod, Gordly, Hass, Johnson, Kruse, Metsger, Monnes Anderson, Monroe, Morrisette, Morse, Nelson, Prozanski, Schrader, Starr, Verger, Walker, Westlund, Whitsett, Winters; excused - Burdick, Carter. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Rabbi David Kominsky, Temple Beth Shalom, Salem.

SB 1080 - Message from the House announcing passage.

HCR 100; HJR 100 - Message from the House announcing adoption.

Committee Report Summary No. 13 listing the following reports was distributed to members February 13. Summary list recorded in Journal and Status Report by order of the President.

SB 1068 - Report by Committee on Education and General Government recommending passage with amendments.

SB 1088 - Report by Committee on Judiciary recommending passage with amendments.

SB 1092 - Report by Committee on Education and General Government recommending passage with amendments.

Committee Report Summary No. 14 listing the following reports was distributed to members February 13. Summary list recorded in Journal and Status Report by order of the President.

SB 1061 - Report by Committee on Services to Seniors and People with Disabilities recommending passage with amendments and requesting subsequent referral to Committee on Ways and Means be

rescinded. Subsequent referral to Ways and Means rescinded by order of the President.

SB 1090 – Report by Committee on Commerce and Labor recommending passage with amendments and referred to Committee on Ways and Means by prior reference.

SB 1100 – Report by Committee on Health and Human Services recommending passage with amendments and referred to Committee on Ways and Means by prior reference.

Committee Report Summary No. 15 listing the following reports was distributed to members February 13. Summary list recorded in Journal and Status Report by order of the President.

SB 1066 – Report by Committee on Education and General Government recommending passage with amendments. Referred to Committee on Ways and Means by order of the President.

SB 1072 – Report by Committee on Judiciary recommending passage with amendments.

SB 1075 – Report by Committee on Health and Human Services recommending passage with amendments and requesting subsequent referral to Committee on Ways and Means be rescinded. Request denied by Order of the President. Referred to Committee on Ways and Means by prior reference.

Committee Report Summary No. 16 listing the following reports was distributed to members February 13. Summary list recorded in Journal and Status Report by order of the President.

SB 1065 – Report by Committee on Services to Seniors and People with Disabilities recommending passage with amendments and referred to Committee on Ways and Means by prior reference.

SB 1071 – Report by Committee on Elections and Ethics recommending passage with amendments.

SB 1084 – Report by Committee on Transportation recommending passage with amendments.

SB 1095 – Report by Committee on Judiciary recommending passage with amendments.

SB 1098 – Report by Committee on Elections and Ethics recommending passage with amendments and referred to Committee on Ways and Means by prior reference. Subsequent referral to Ways and Means rescinded by order of the President.

SB 1061, 1068, 1071, 1072, 1084, 1088, 1092, 1095, 1098 – Read second time and passed to third reading.

SJM 14 – Read final time. Carried by Avakian, Starr. On adoption of memorial, the vote was: Ayes, 29; excused, 1 – Burdick. Memorial adopted.

SB 1086 A-Eng. – Read third time. Carried by Girod. Potential conflict of interest declared by Prozanski. On passage of bill the vote was: Ayes, 29; excused, 1 – Burdick. Bill passed.

HCR 100; HJR 100 – 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. 5 which was distributed to members. Referral list recorded in the Journal and Status Report by order of the President.

HB 3600 Education and General Government

HB 3622 Transportation

The following measures were referred to committee on February 13 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.

HB 3613 Education and General Government; Ways and Means

Senate recessed until 12:00 p.m. by unanimous consent at the request of the Chair.

#### **Thursday, February 14, 2008 -- Afternoon Session**

Senate reconvened at 12:00 p.m. President Courtney in Chair. All present except Brown, Carter, excused.

Courtesies of the Senate were extended to former Governor Barbara Roberts at the request of the Chair.

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.

SCR 22 – Read final time. Carried by Walker. On adoption of resolution, the vote was: Ayes, 28; excused, 2 – Carter, Whitsett. Resolution adopted.

SCR 23 – Read final time. Carried by Bates, Kruse. On adoption of resolution, the vote was: Ayes, 29; excused, 1 – Carter. Resolution adopted.

SCR 23 – Gordly requested the following explanation of vote be entered into the journal:

“Today we celebrate Oregon’s birthday and history. Let us make sure that the record is complete today – because not all of those who came to Oregon had access to the wealth of the land and in fact were denied the right to own land. Article I Section 31. – White foreigners who are, or may hereafter become residents of this State shall enjoy the same rights in respect to the possession, enjoyment, and descent of property as native born citizens. And the Legislative Assembly shall have power to restrain, and regulate the immigration to this State of persons not qualified to become citizens of the United States. Article 1 Section 34 – There shall be neither slavery, nor involuntary servitude in the State, otherwise than as a punishment for crime, whereof the party shall have been duly convicted.

“Article I Section 35. – No free negro, or mulatto, not residing in this State at the time of the adoption of this Constitution, shall come, reside, or be within this State, or hold any real estate, or make any contracts, or maintain any suit therein; and the Legislative Assembly shall provide by penal laws, for the removal, by public officers, of all such negroes, and mulattoes, and for their effectual exclusion from the State, and for the punishment of persons who shall bring them into the state, or employ, or harbor them. (Repealed November 3, 1926.) Article II Section 6. – No

negro, Chinaman, or Mulatto shall have the right of suffrage. (Repealed June 28, 1927.)”

SCR 26 – Read final time. Carried by Winters. On adoption of resolution, the vote was: Ayes, 28; excused, 2 – Brown, Carter. Resolution adopted.

SCR 27 – Read final time. Carried by Ferrioli. On adoption of resolution, the vote was: Ayes, 28; excused, 2 – Brown, Carter. Resolution adopted.

Senate adjourned until 8:30 a.m. Friday by unanimous consent at the request of the Chair.

### **Friday, February 15, 2008 -- Morning Session**

Senate convened at 8:30 a.m. President Courtney in Chair. The following members were present: Atkinson, Avakian, Bates, Brown, Burdick, Carter, Devlin, Ferrioli, George, G., George, L., Girod, Gordly, Hass, Johnson, Kruse, Metsger, Monnes Anderson, Monroe, Morrisette, Morse, Nelson, Prozanski, Schrader, Starr, Verger, Walker, Westlund, Whitsett, Winters. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Sean Cruz, Legislative Assistant, Senator Gordly, Portland.

Senate recessed until 9:00 a.m. by unanimous consent at the request of Ferrioli.

Senate reconvened at 9:00 a.m. President Pro Tempore Carter in Chair. All present.

Senate, having recessed under the order of Courtesies, resumed under the general order of business by unanimous consent at the request of the Chair.

SB 1067; HB 3605, 3606, 3630, 3632, 3636 – Message from the House announcing passage.

HCR 103, 104 – Message from the House announcing adoption.

SB 1080 – Message from the House announcing the Speaker signed on February 14.

Committee Report Summary No. 17 listing the following reports was distributed to members February 14. Summary list recorded in Journal and Status Report by order of the President.

SB 1069 – Report by Committee on Environment and Natural Resources recommending passage and referred to Committee on Ways and Means by prior reference.

SB 1070 – Report by Committee on Elections and Ethics recommending passage with amendments and referred to Committee on Ways and Means by prior reference.

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.

SCR 28 – Report by Committee on Rules and Executive Appointments recommending adoption.

HB 3611 – Report by Committee on Environment and Natural Resources recommending passage of the A-Engrossed bill.

HB 3620 – Report by Committee on Finance and Revenue recommending passage.

HB 3628 – Report by Committee on Environment and Natural Resources recommending passage.

HB 3629 – Report by Committee on Environment and Natural Resources recommending passage of the A-Engrossed bill.

SCR 28 – Read second time and passed to third reading.

SB 1061 A-Eng. – Read third time. Carried by Morrisette. Potential conflict of interest declared by Girod. On passage of bill the vote was: Ayes, 30. Bill passed.

SB 1068 A-Eng. – Read third time. Carried by Kruse, Walker. On passage of bill the vote was: Ayes, 23; nays, 7 – Atkinson, Avakian, Bates, Gordly, Hass, Monroe, Prozanski. Bill passed.

SB 1068 – Avakian requested the following explanation of vote be entered into the journal:

“At the heart of public education is the principle that it must be free and equally accessible to every child who has the ability to learn. Tuition and fees risks segregation by wealth and denies the promise of equal opportunity. If we are to provide this service, then we must find it rather than leave it available only to those with the means to afford it.

“This is the reason for my no vote.”

SB 1068 – Gordly requested the following explanation of vote be entered into the journal:

“In January 2007, a Corvallis family raised concerns about the tuition charging practices of Corvallis Unified School District. They were especially concerned about the impact on low-income families. Corvallis sought legal counsel from the Attorney General’s Office.

“The Attorney General opinion concluded that if a school district offers more than a half-day kindergarten program, then that entire program is part of the regular school program and, therefore, the school district may not charge any students tuition to participate in the program. Senate leadership also sought guidance from Legislative Counsel (LC.) LC issued an opinion stating that school districts do not have the statutory authority to charge tuition for any kindergarten instruction provided to district residents. LC reasoned that full-day kindergarten is part of the regular school program as defined in statute even if it is considered an “extended” or “supplemental” program, and that tuition may not be charged for use of kindergarten facilities. LC found that “if any physical facilities, supplies, equipment or personnel are used for the education and training of children in the district residents. LC reasoned that full-day kindergarten is part of the regular school program as defined in statute even if it is considered an “extended” or “supplemental” program, and that tuition may not be charged for use of kindergarten facilities. LC found that “if any physical facilities, supplies, equipment or personnel are used for the education and training of children in the district who are of kindergarten safe, those resources must be provided free of charge.

“The Attorney General’s opinion is advisory to school districts, and the Superintendent of Public Instruction, Susan Castillo, has recommended that school districts seek local counsel and evaluate their programs based on local legal advice. Some districts have reported that regardless of

the outcome of their local legal advice, they may discontinue their programs for fall 2008 because of the perceived exposure to legal liability based on the AG opinion.”

SB 1068 – Prozanski requested the following explanation of vote be entered into the journal:

“I voted no on SB 1068 because I do not support allowing school districts to charge tuition for public education. I understand the current problem faced by those public school districts who currently offer full-day kindergarten, but I am not willing to see some children not being allowed to participate in full-day kindergarten because their parent(s) cannot afford the tuition. “

SB 1071 A-Eng. – Read third time. Carried by Brown. On passage of bill the vote was: Ayes, 19; nays, 11 – Atkinson, Ferrioli, George, G., George, L., Girod, Kruse, Morse, Nelson, Starr, Whitsett, Winters. Bill passed.

SB 1072 A-Eng. – Read third time. Carried by Courtney. On passage of bill the vote was: Ayes, 30. Bill passed. Metsger, excused when roll called, granted unanimous consent to vote aye.

SB 1084 A-Eng. – Read third time. Carried by Devlin. On passage of bill the vote was: Ayes, 24; nays, 6 – Burdick, George, G., Kruse, Metsger, Morse, Whitsett. Bill passed.

SB 1088 A-Eng. – Read third time. Carried by Prozanski. On passage of bill the vote was: Ayes, 29; excused, 1 – Johnson. Bill passed.

SB 1092 A-Eng. – Read third time. Carried by Hass. On passage of bill the vote was: Ayes, 28; nays, 1 – Gordly; excused, 1 – Johnson. Bill passed.

SB 1092 – Gordly requested the following explanation of vote be entered into the journal:

1. “The argument that SB 1092 will keep schools safer is not supported by research or expert analysis and is, in fact, contradicted by research in the behavioral sciences.

2. “Most stakeholders in the education and juvenile court systems had never seen or heard about SB 1092 until February 4, 2008.

3. “This bill makes profound changes in Oregon’s juvenile system that have not been fully considered or vetoed.

4. “The problems identified by proponents are largely addressed by existing law. Schools already receive notice when youth are adjudicated (convicted) of juvenile offenses or when youth are charged as adults.

5. “We cannot fix the problem that current laws are poorly understood and obeyed merely by creating new ones.

6. “Juveniles are (also) innocent until proven guilty, and they should be treated that way.”

SB 1092 – Verger requested the following explanation of vote be entered into the journal:

“I have had serious reservations about labeling a young person who has made a mistake. Also the young people who have committed the terrible crimes on out campuses have not had a past history of juvenile crime.

“I appreciate the list being limited to violent crimes because I am very concerned about the safety of teachers. I will vote aye and err on the side of caution.”

SB 1095 A-Eng. – Read third time. Carried by Whitsett. On passage of bill the vote was: Ayes, 30. Bill passed.

SB 1098 A-Eng. – Read third time. Carried by Brown. On passage of bill the vote was: Ayes, 30. Bill passed. (President Courtney in Chair)

HCR 103, 104; HB 3605, 3606, 3630, 3632, 3636 – Read first time and referred to President’s desk.

HB 3611, 3620, 3628, 3629 – Read second time and passed to third reading.

The following measures were referred to committee on February 14 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.

HCR 100 Education and General Government

SB 1080 – President Courtney signed on February 14.

Senate adjourned until 8:30 a.m. Tuesday by unanimous consent at the request of the Chair.

### **Tuesday, February 19, 2008 -- Morning Session**

Senate convened at 8:30 a.m. President Courtney in Chair. The following members were present: Atkinson, Avakian, Bates, Brown, Burdick, Carter, Devlin, Ferrioli, George, G., George, L., Girod, Gordly, Hass, Johnson, Kruse, Metsger, Monnes Anderson, Monroe, Morrisette, Morse, Nelson, Prozanski, Schrader, Starr, Verger, Walker, Westlund, Whitsett, Winters. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Father Jerry Markopoulos, Salem Greek Orthodox Mission, Salem.

SB 1080 – Message from the Governor announcing he signed on February 15.

The following messages from the Governor were read and referred to the President’s desk.

February 15, 2008

#### **TO THE HONORABLE PRESIDENT OF THE SENATE OF THE 74th LEGISLATIVE ASSEMBLY**

ORS 292.907 provides that the Governor shall appoint the members of the Public Officials Compensation Commission, subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I appoint Scott Dawson of Portland to the Public Officials Compensation Commission for a four-year term beginning February 28, 2008 and ending February 27, 2012 effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,  
Ted Kulongoski  
Governor

February 15, 2008

TO THE HONORABLE PRESIDENT OF THE SENATE  
OF THE 74th LEGISLATIVE ASSEMBLY

ORS 292.907 provides that the Governor shall appoint the members of the Public Officials Compensation Commission, subject to Senate confirmation, in the manner provided by ORS 171.562 and ORS 171.565.

I appoint MardiLyn Saathoff of Beaverton to the Public Officials Compensation Commission for a four-year term beginning February 28, 2008 and ending February 27, 2012 effective upon Senate confirmation.

This appointment is submitted for your consideration.

Sincerely,  
Ted Kulongoski  
Governor

SB 1062, 1078; HB 3612, 3618, 3619 - Message from the House announcing passage.

SJR 42; HCR 101, 102 - Message from the House announcing adoption.

Committee Report Summary No. 19 listing the following reports was distributed to members February 15. Summary list recorded in Journal and Status Report by order of the President.

SB 1087 - Report by Committee on Judiciary recommending passage with amendments and referred to Committee on Ways and Means by prior reference.

SB 1094 - Report by Committee on Judiciary recommending passage with amendments and referred to Committee on Ways and Means by prior reference.

Committee Report Summary No. 20 listing the following reports was distributed to members February 18. Summary list recorded in Journal and Status Report by order of the President.

SB 1083 - Report by Committee on Elections and Ethics recommending passage with amendments and referred to Committee on Ways and Means by prior reference.

Committee Report Summary No. 21 listing the following report was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

HB 3622 - Report by Committee on Transportation recommending passage of the A-Engrossed bill.

SCR 28 - Read final time. Carried by George, G. On adoption of resolution, the vote was: Ayes, 28; excused, 2 - Burdick, Carter. Resolution adopted.

HCR 101, 102; HB 3612, 3618, 3619 - Read first time and referred to President's desk.

HB 3622 - Read second time and passed to third reading.

HB 3611 A-Eng. - Read third time. Carried by Girod. Potential conflict of interest declared by Girod. On passage of bill the vote was: Ayes, 29; excused, 1 - Carter. Bill passed.

HB 3620 - Read third time. Carried by Morse. On passage of bill the vote was: Ayes, 30. Bill passed.

HB 3628 - Read third time. Carried by Nelson. On passage of bill the vote was: Ayes, 30. Bill passed. Brown, excused when roll called, granted unanimous consent to vote aye.

HB 3629 A-Eng. - Read third time. Carried by Bates. Potential conflict of interest declared by Bates. On passage of bill the vote was: Ayes, 30. Bill passed. Brown, excused when roll called, granted unanimous consent to vote aye.

The following measures were referred to committee on February 14 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.

HJR 100 Rules and Executive Appointments; Ways and Means

The following measures were referred to committee on February 15 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.

HCR 103 Rules and Executive Appointments  
HCR 104 Rules and Executive Appointments  
HB 3630 Commerce and Labor

The following measures were referred to committee on February 15 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.

HB 3605 Education and General Government  
HB 3606 Education and General Government  
HB 3632 Commerce and Labor  
HB 3636 Rules and Executive Appointments

SB 1067 - President Courtney signed on February 18.

Senate adjourned until 8:30 a.m. Wednesday by unanimous consent at the request of the Chair.

**Wednesday, February 20, 2008 -- Morning Session**

Senate convened at 8:30 a.m. President Courtney in Chair. The following members were present: Atkinson, Avakian, Bates, Brown, Burdick, Carter, Devlin, Ferrioli, George, G., George, L., Girod, Gordly, Hass, Johnson, Kruse, Metsger, Monnes Anderson, Monroe, Morrisette, Morse, Nelson, Prozanski, Schrader, Starr, Verger, Walker, Westlund, Whitsett, Winters. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Senator Jason Atkinson, Central Point.

SB 1060 - Message from the House announcing passage.

Committee Report Summary No. 22 listing the following report was distributed to members February 19. Summary list recorded in Journal and Status Report by order of the President.

HB 3616 - Report by Committee on Health and Human Services recommending passage with amendments.

Committee Report Summary No. 23 listing the following reports was distributed to members February 19. Summary list recorded in Journal and Status Report by order of the President.

HB 3632 - Report by Committee on Commerce and Labor recommending passage with amendments to the A-Engrossed bill.

HB 3636 - Report by Committee on Rules and Executive Appointments recommending passage with amendments to the A-Engrossed bill.

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.

HCR 100 - Report by Committee on Education and General Government recommending adoption.

HCR 103 - Report by Committee on Rules and Executive Appointments recommending adoption of the A-Engrossed resolution.

HCR 104 - Report by Committee on Rules and Executive Appointments recommending adoption.

HJM 100 - Report by Committee on Education and General Government recommending adoption.

HB 3608 - Report by Committee on Education and General Government recommending passage of the A-Engrossed bill.

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.

HB 3605 - Report by Committee on Education and General Government recommending passage of the A-Engrossed bill.

HB 3606 - Report by Committee on Education and General Government recommending passage of the A-Engrossed bill.

Senate at ease. Senate reassembled.

HCR 100, 103, 104; HJM 100; HB 3605, 3606, 3608, 3616, 3632, 3636 - Read second time and passed to third reading.

HCR 100 - Under rules suspension, made a Special Order of Business immediately by voice vote on motion of Whitsett.

HCR 100 - Under rules suspension and Special Order of Business, read final time. Carried by Whitsett. On adoption of resolution, the vote was: Ayes, 30. Resolution adopted.

HB 3622 A-Eng. - Read third time. Carried by Metsger. On passage of bill the vote was: Ayes, 30. Bill passed.

The following measures were referred to committee on February 19 and recorded on Committee Referral List No. 11 which was distributed to members. Referral list recorded in the Journal and Status Report by order of the President.

HCR 101 Rules and Executive Appointments

HCR 102 Rules and Executive Appointments

HB 3612 Environment and Natural Resources

HB 3618 Finance and Revenue

HB 3619 Finance and Revenue

**Public Officials Compensation Commission  
(ORS 292.907)**

Scott Dawson Rules and Executive  
Appointments

MardiLyn Saathoff Rules and Executive  
Appointments

Senate adjourned until 8:30 a.m. Thursday by unanimous consent at the request of the Chair.

**Thursday, February 21, 2008 -- Morning Session**

Senate convened at 8:30 a.m. President Courtney in Chair. The following members were present: Atkinson, Avakian, Bates, Brown, Burdick, Carter, Devlin, Ferrioli, George, G., George, L., Girod, Gordly, Hass, Johnson, Kruse, Metsger, Monnes Anderson, Monroe, Morrisette, Morse, Nelson, Prozanski, Schrader, Starr, Verger, Walker, Westlund, Whitsett, Winters. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Senator Avel Gordly, Portland.

SB 1063; HB 3624 - Message from the House announcing passage.

SB 1067 - Message from the House announcing the Speaker signed on February 19.

Committee Report Summary No. 26 listing the following reports was distributed to members February 20. Summary list recorded in Journal and Status Report by order of the President.

SB 1074 - Report by Committee on Ways and Means recommending passage with amendments to the A-Engrossed bill.

SB 1087 - Report by Committee on Ways and Means recommending passage with amendments to the A-Engrossed bill.

HB 3612 - Report by Committee on Environment and Natural Resources recommending passage with amendments to the A-Engrossed bill.

HB 3619 - Report by Committee on Finance and Revenue recommending passage with amendments to the A-Engrossed bill.

HB 3630 - Report by Committee on Commerce and Labor recommending passage with amendments to the A-Engrossed bill.

HB 3631 - Report by Committee on Rules and Executive Appointments recommending passage with amendments to the A-Engrossed bill.

Committee Report Summary No. 27 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

SCR 25 - Report by Committee on Rules and Executive Appointments recommending adoption.

SB 1064 - Report by Committee on Ways and Means recommending passage of the A-Engrossed bill.

SB 1066 - Report by Committee on Ways and Means recommending passage of the A-Engrossed bill.

HCR 101 - Report by Committee on Rules and Executive Appointments recommending adoption.

HCR 102 - Report by Committee on Rules and Executive Appointments recommending adoption of the A-Engrossed resolution.

HB 3618 - Report by Committee on Finance and Revenue recommending passage of the A-Engrossed bill.

HCR 103, 104 - Consideration of resolutions made a Special Order of Business immediately by unanimous consent on motion of Morse.

HCR 103 A-Eng. - Under rules suspension and Special Order of Business, read final time. Carried by Morse. (Carter in Chair) On adoption of resolution, the vote was: Ayes, 30. Resolution adopted.

HCR 104 - Under rules suspension and Special Order of Business, read final time. Carried by Morse. On adoption of resolution, the vote was: Ayes, 30. Resolution adopted.

Senate recessed until 9:20 a.m. by unanimous consent at the request of Devlin.

Senate reconvened at 9:20 a.m. President Courtney in Chair. All present.

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

HB 3616 - Monnes Anderson moved bill be referred to Rules and Executive Appointments. Motion carried on voice vote.

SB 1075 - Gordly moved bill be withdrawn from Committee on Joint Ways and Means. The Chair cited Senate Rule 8.42 regarding withdrawal procedures. Motion to withdraw bill from committee failed; the vote was: Ayes, 12; nays, 18 - Avakian, Bates, Brown, Burdick, Carter, Devlin, Hass, Johnson, Metsger, Monnes Anderson, Monroe, Morrisette, Prozanski, Schrader, Verger, Walker, Westlund, President Courtney. Motion failed.

SB 1075 - Carter requested the following explanation of vote be entered into the journal:

"Today, I voted against the motion to dislodge Senate Bill 1075 A from the Joint Legislative Committee on Ways and Means to sustain the procedural integrity on measures with fiscal impact. The budgetary impact of this bill was neither reviewed nor approved by the Interim Joint Committee on Ways and Means and is not included in the omnibus budget bill of the Committee.

"This was a procedural motion for the Senate Democratic Caucus. Under Senate Rule 8.40, the Senate President shall refer measures to appropriate committees. The standard is a measure appropriating money or requiring the expenditure of money is referred to the Joint Committee. Independent budgeting is fragmentary to a comprehensive all inclusive system. This motion would exempt Senate Bill 1075 A from accepted procedures for budget accountability, review of the staff fiscal analysis and performance measures."

SCR 25; SB 1064, 1066, 1074, 1087 - Read second time and passed to third reading.

HB 3624 - Read first time and referred to President's desk.

Senate recessed until 1:30 p.m. by unanimous consent at the request of the Chair.

#### **Thursday, February 21, 2008 -- Afternoon Session**

Senate reconvened at 1:30 p.m. President Courtney in Chair. All present except Walker, excused.

HB 3602, 3603, 3615, 3634, 3639 - Message from the House announcing passage.

SCR 22, 24, 26, 27, 28; SJM 14; HCR 105; HJM 102 - Message from the House announcing adoption.

Senate, having recessed under the order of First Reading of House Measures, resumed under that order by unanimous consent at the request of the Chair.

HCR 105; HJM 102; HB 3602, 3603, 3615, 3634, 3639 - Read first time and referred to President's desk.

HCR 101, 102; HB 3612, 3618, 3619, 3630, 3631 - Read second time and passed to third reading.

HJM 100 - Read final time. Carried by Morse. (Carter in Chair) On adoption of memorial, the vote was: Ayes, 29; excused, 1 - Walker. Memorial adopted.

HB 3605 A-Eng. - Read third time. Carried by Kruse. On passage of bill the vote was: Ayes, 29; excused, 1 - Walker. Bill passed.

HB 3606 A-Eng. - Read third time. Carried by Metsger. On passage of bill the vote was: Ayes, 29; excused, 1 - Walker. Bill passed.

HB 3608 A-Eng. - Read third time. Carried by Metsger. On passage of bill the vote was: Ayes, 29; excused, 1 - Walker. Bill passed.

HB 3632 B-Eng. - Read third time. Carried by Westlund. Westlund declared a potential conflict of interest. On passage of bill the vote was: Ayes, 29; excused, 1 - Walker. Bill passed.

HB 3636 B-Eng. - Read third time. Carried by Brown. On passage of bill the vote was: Ayes, 30. Bill passed.

SJR 42; SB 1060, 1062, 1078 - President Courtney signed on February 20.

The following measures were referred to committee on February 21 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.

HB 3624 Rules and Executive Appointments

The following measures were referred to committee on February 21 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.

HCR 105 Rules and Executive Appointments

HJM 102 Rules and Executive Appointments

HB 3602 Rules and Executive Appointments  
 HB 3603 Rules and Executive Appointments  
 HB 3615 Rules and Executive Appointments  
 HB 3634 Rules and Executive Appointments  
 HB 3639 Rules and Executive Appointments

Senate adjourned until 10:15 a.m. Friday by unanimous consent at the request of the Chair.

### Friday, February 22, 2008 -- Morning Session

Senate convened at 10:15 a.m. President Courtney in Chair. The following members were present: Atkinson, Avakian, Brown, Burdick, Carter, Devlin, Ferrioli, George, G., George, L., Girod, Gordly, Hass, Johnson, Kruse, Metsger, Monnes Anderson, Monroe, Morrisette, Morse, Nelson, Prozanski, Schrader, Starr, Verger, Walker, Westlund, Whitsett, Winters; excused - Bates. Colors were posted and the Senate pledged allegiance to the flag. Invocation by Pastor Hardy, Highland Christian Center, Portland. Musical performance by Lessie Williams Portland Opera, accompanied by Chris Turner, Portland.

Committee Report Summary No. 28 listing the following report was distributed to members February 21. Summary list recorded in Journal and Status Report by order of the President.

Report by Committee on Rules and Executive Appointments recommending that the Governor's appointments of Scott Dawson and MardiLyn Saathoff to the Public Officials Compensation Commission be confirmed en bloc.

Committee Report Summary No. 29 listing the following reports was distributed to members February 21. Summary list recorded in Journal and Status Report by order of the President.

SB 1069 - Report by Committee on Ways and Means recommending passage with amendments.

SB 1093 - Report by Committee on Ways and Means recommending passage with amendments to the A-Engrossed bill.

Committee Report Summary No. 30 listing the following report was distributed to members February 21. Summary list recorded in Journal and Status Report by order of the President.

HB 3616 - Report by Committee on Rules and Executive Appointments recommending passage with amendments to the A-Engrossed bill.

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 1099 - Report by Committee on Ways and Means recommending passage of the A-Engrossed bill.

HCR 105 - Report by Committee on Rules and Executive Appointments recommending adoption.

HJM 102 - Report by Committee on Rules and Executive Appointments recommending adoption.

HB 3600 - Report by Committee on Education and General Government recommending passage of the A-Engrossed bill.

HB 3602 - Report by Committee on Rules and Executive Appointments recommending passage of the A-Engrossed bill.

Committee Report Summary No. 32 listing the following report was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

SB 5555 - Report by Committee on Ways and Means recommending passage with amendments. (Amendments distributed February 22)

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.

HB 3624 - Report by Committee on Rules and Executive Appointments, signed by Devlin, Chair, recommending passage of the A-Engrossed bill. Minority Report, signed by Atkinson and Ferrioli recommending passage with amendments. (Amendments distributed February 22)

HB 3639 - Report by Committee on Rules and Executive Appointments, signed by Devlin, Chair, recommending passage of the A-Engrossed bill. Minority Report, signed by Atkinson and Ferrioli recommending passage with amendments. (Amendments distributed February 22)

Committee Report Summary No. 34 listing the following report was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

SB 5556 - Report by Committee on Ways and Means recommending passage with amendments. (Amendments distributed February 22)

Senate at ease. Senate reassembled.

Brown moved that the Senate confirm en bloc the Governor's appointments of Scott Dawson and MardiLyn Saathoff to the Public Officials Compensation Commission. On confirmation the vote was: Ayes, 29; excused, 1 - Bates. Confirmed en bloc.

Senate at ease. Senate reassembled.

SB 5555, 5556; 1069, 1093, 1099 - Read second time and passed to third reading.

SCR 25 - Moved to the foot of today's third reading calendar by unanimous consent at the request of the Chair.

SB 1064 A-Eng. - Read third time. Carried by Westlund. On passage of bill the vote was: Ayes, 27; nays, 2 - Atkinson, Girod; excused, 1 - Bates. Bill passed.

SB 1066 A-Eng. - Read third time. Carried by Walker. Potential conflict of interest declared by Walker. On passage of bill the vote was: Ayes, 30. Bill passed.

SB 1074 B-Eng. - Read third time. Carried by Monnes Anderson. On passage of bill the vote was: Ayes, 30. Bill passed.

SB 1087 B-Eng. - Read third time. Carried by Prozanski.

SB 1087 - Ferrioli moved that the rules be suspended in order that SB 1087 may be amended on

the floor and the current text be replaced with the text of initiative petition 40. In accordance with Senate rule 5.40, a written statement of the proposed amendment has been filed with the Secretary of the Senate. On the motion the vote was; Ayes, 12; nays, 18 - Avakian, Bates, Brown, Burdick, Carter, Devlin, Hass, Johnson, Metsger, Monnes Anderson, Monroe, Morrisette, Prozanski, Schrader, Verger, Walker, Westlund, Courtney. Motion failed.

SB 1087 - Debate resumed. Call of the Senate demanded by Prozanski joined by Devlin and Ferrioli. All present. On passage of bill the vote was: Ayes, 23; nays, 7 - Atkinson, Ferrioli, George, G., George, L., Girod, Kruse, Starr. Bill passed.

SB 1067 - Message from the Governor announcing he signed on February 22.

HB 3601, 3638 - Message from the House announcing passage.

HB 3632, 3636 - Message from the House announcing concurrence in Senate amendments and repassage.

HB 3601, 3638 - Read first time and referred to Ways and Means.

HCR 105; HJM 102; HB 3600, 3602, 3616, 3624, 3639 - Read second time and passed to third reading.

HCR 101 - Read final time. Carried by George, L. On adoption of resolution, the vote was: Ayes, 30. Resolution adopted.

Senate recessed until 1:30 p.m. by unanimous consent at the request of the Chair.

#### **Friday, February 22, 2008 -- Afternoon Session**

Senate reconvened at 1:30 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.

HCR 102 A-Eng. - Read final time. Carried by Prozanski. On adoption of resolution, the vote was: Ayes, 27; excused, 3 - Carter, Nelson, Westlund. Resolution adopted.

HB 3612 B-Eng. - Read third time. Carried by Prozanski. On passage of bill the vote was: Ayes, 29; nays, 1 - Whitsett. Bill passed.

Courtesies of the Senate were extended to former Representative Chris Beck at the request of the Chair.

HB 3618 A-Eng. - Read third time. Carried by Burdick. Potential conflict of interest declared by Bates, Ferrioli, George, G., George, L., Girod, Johnson, Kruse, Morse, Nelson, Schrader, Starr, Westlund and Whitsett. On passage of bill the vote was: Ayes, 28; nays, 2 - George, G., George, L. Bill passed.

HB 3619 B-Eng. - Read third time. Carried by Burdick, Morse. (Carter in Chair) Potential conflict of interest declared by Atkinson. On passage of bill the vote was: Ayes, 30. Bill passed.

HB 3630 B-Eng. - Read third time. Carried by Westlund. On passage of bill the vote was: Ayes, 30. Bill passed.

HB 3631 B-Eng. - Read third time. Carried by Devlin. On passage of bill the vote was: Ayes, 23; nays, 7 - Atkinson, George, G., George, L., Girod, Kruse, Starr, Whitsett. Bill passed.

HB 3631 - George, L. requested the following explanation of vote be entered into the journal:

"I wish to go on record to explain my reason for voting no on HB 3631. While I am in favor of protecting children from harmful products, this bill unfairly targets small businesses by exposing them to frivolous law suits from large litigation firms. I do not support the bill's unintended consequences that would put small companies out of business across the state of Oregon."

Senate recessed until 3:30 p.m. by unanimous consent at the request of the Chair.

Senate reconvened at 3:30 p.m. President Courtney in Chair. All present.

Senate, having recessed under the order of Third Reading of House Measures, reverted to the order of Messages from the House by unanimous consent at the request of the Chair. (Carter in Chair)

SJR 42; SB 1060, 1062, 1063, 1078; HCR 100; HB 3611, 3620, 3622, 3628, 3629 - Message from the House announcing the Speaker signed on February 22.

Senate reverted to the order of Reports from Standing Committees by unanimous consent at the request of the Chair.

Committee Report Summary No. 35 listing the following report was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

HB 3615 - Report by Committee on Rules and Executive Appointments, signed by Devlin, Chair, recommending passage of the A-Engrossed bill. Minority Report, signed by Atkinson and Ferrioli recommending passage with amendments. (Amendments distributed February 22)

Senate reverted to Second Reading of House Measures by unanimous consent at the request of the Chair.

HB 3615, 3624, 3639 - Read second time and passed to third reading.

Senate reverted to Propositions and Motions by unanimous consent at the request of the Chair.

SB 5555, 5556; 1069, 1093, 1099, HCR 105; HJM 102; HB 3600, 3602, 3615, 3616, 3624, 3639 - Rules suspended by unanimous consent in order that the Senate may take action on Supplemental Agenda #1 on motion of Devlin.

HB 3615 - Under rules suspension, committee report and minority report read. Prozanski moved that the Senate adopt the committee report. George, L. moved that the minority report be substituted for the committee report. Call of the Senate demanded by Devlin joined by Burdick and Hass. All present.

HB 3615 - Motion to substitute minority report failed. The vote was: Ayes, 12; nays, 18 - Avakian, Bates, Brown, Burdick, Carter, Devlin, Hass, Johnson, Metsger, Monnes Anderson, Monroe, Morrisette, Prozanski, Schrader, Verger, Walker, Westlund, President Courtney. Motion failed.

HB 3615 A-Eng. - Under rules suspension, bill, as amended by the committee report, read third time. Carried by Prozanski. On passage of bill the vote was: Ayes, 18; nays, 12 - Atkinson, Ferrioli, George, G., George, L., Girod, Kruse, Metsger, Morse, Nelson, Starr, Whitsett, Winters. Bill passed.

HB 3624 - Under rules suspension, committee report and minority report read. Brown moved that the Senate adopt the committee report. Winters moved that the minority report be substituted for the committee report. Call of the Senate demanded by Ferrioli joined by Starr and Winters. All present.

HB 3624 - Motion to substitute minority report failed. The vote was: Ayes, 12; nays, 18 - Avakian, Bates, Brown, Burdick, Carter, Devlin, Hass, Johnson, Metsger, Monnes Anderson, Monroe, Morrisette, Prozanski, Schrader, Verger, Walker, Westlund, President Courtney. Motion failed.

HB 3624 A-Eng. - Under rules suspension, bill, as amended by the committee report, read third time. Carried by Brown. On passage of bill the vote was: Ayes, 27; nays, 3 - George, G., Girod, Kruse. Bill passed.

HB 3639 - Under rules suspension, committee report and minority report read. Avakian moved that the Senate adopt the committee report. Atkinson moved that the minority report be substituted for the committee report.

HB 3639 - Motion to substitute minority report failed. The vote was: Ayes, 12; nays, 18 - Avakian, Bates, Brown, Burdick, Carter, Devlin, Hass, Johnson, Metsger, Monnes Anderson, Monroe, Morrisette, Prozanski, Schrader, Verger, Walker, Westlund, President Courtney. Motion failed.

HB 3639 A-Eng. - Under rules suspension, bill as amended by the committee report, read third time. Carried by Avakian. On passage of bill the vote was: Ayes, 21; nays, 9 - Atkinson, Ferrioli, George, G., George, L., Girod, Kruse, Starr, Whitsett, Winters. Bill passed. (President Courtney in Chair)

Senate reverted to the order of Third Reading of Senate Measures by unanimous consent at the request of the Chair.

SB 5555 A-Eng. - Under rules suspension, read third time. Carried by Schrader. Potential conflict of interest declared by Johnson. On passage of bill the vote was: Ayes, 22; nays, 8 - Atkinson, George, G., George, L., Girod, Gordly, Monnes Anderson, Starr, Verger. Bill passed. (Carter in Chair)

HB 5555 - Monnes Anderson requested the following explanation of vote be entered into the journal:

"I strongly support capital construction for community group homes, support for OWIN, Department of Aviation and Department of Transportation funding, OIT funding and funding for facilities at Clatsop Community College, as well as other aspects of this bill.

"I voted No on Senate Bill 5555-A solely because of the expenditure limitation for construction of a new arena at the University of Oregon. I have concerns regarding the University of Oregon's projected donations to their legacy fund and their projected higher rate of return. There is no

certainty that these projections will occur in our fluctuating economy. There is also uncertainty that the University is being realistic about the amount of money it expects the new arena to bring in.

"Finally, I need more information on the impact of this arena on other major arenas in the state."

HB 5555 - Verger requested the following explanation of vote be entered into the journal:

"I strongly support bonding for community colleges, OIT, OWIN and the e-commerce for our judiciary.

"I vote No on House Bill 5100 solely because I was not comfortable with a \$200 Million commitment for the University of Oregon basketball arena without more testimony from the students and neighbors and the vagueness of the long-term security of a \$1 Million gift that cannot be considered a contract. I object to being asked to vote on bonding of this size that is included in our regular bonding requests. It is a part of the Ways and Means process that should be changed for the good of all."

SB 5556 A-Eng. - Under rules suspension, read third time. Carried by Schrader. Potential conflict of interest declared by Johnson. On passage of bill the vote was: Ayes, 26; nays, 4 - Atkinson, George, G., George, L., Starr. Bill passed.

SB 1069 A-Eng. - Under rules suspension, read third time. Carried by Avakian. On passage of bill the vote was: Ayes, 30. Bill passed.

SB 1093 B-Eng. - Under rules suspension, read third time. Carried by Bates. On passage of bill the vote was: Ayes, 30. Bill passed.

SB 1099 A-Eng. - Under rules suspension, read third time. Carried by Morse. (Gordly in Chair) On passage of bill the vote was: Ayes, 30. Bill passed.

Senate reverted to the order of Third Reading of House Measures by unanimous consent at the request of the Chair.

HCR 105 - Under rules suspension, read final time. Carried by Bates. On adoption of resolution, the vote was: Ayes, 29; excused, 1 - Winters. Resolution adopted.

HJM 102 - Under rules suspension, read final time. Carried by Brown. On adoption of memorial, the vote was: Ayes, 30. Memorial adopted.

HB 3600 A-Eng. - Under rules suspension, read third time. Carried by Walker. On passage of bill the vote was: Ayes, 30. Bill passed.

HB 3602 A-Eng. - Under rules suspension, read third time. Carried by Ferrioli. On passage of bill the vote was: Ayes, 30. Bill passed.

HB 3616 B-Eng. - Under rules suspension, read third time. Carried by Carter. Call of the Senate demanded by Carter joined by Monroe and Westlund. All present. On passage of bill the vote was: Ayes, 16; nays, 14 - Avakian, Ferrioli, George, G., George, L., Girod, Johnson, Kruse, Metsger, Nelson, Starr, Verger, Westlund, Whitsett, Winters. Bill passed. (President Courtney in Chair)

SB 1061, 1068, 1072, 1081, 1082, 1088, 1095, 1098; HB 3607 - Message from the House announcing passage.

SB 1071, 1079, 1086, 1101 - Message from the House announcing passage as amended by the House.

Senate, reverted to the order of First Reading of House Measures by unanimous consent at the request of the Chair.

HB 3607 - Read first time and referred to Ways and Means.

Senate recessed until 6:30 p.m. by unanimous consent at the request of the Chair.

Senate reconvened at 6:30 p.m. President Courtney in Chair. All present. (Westlund in Chair)

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. 36 listing the following reports was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

HB 3601 - Report by Committee on Ways and Means recommending passage of the A-Engrossed bill.

HB 3634 - Report by Committee on Rules and Executive Appointments, signed by Devlin, Chair, recommending passage of the A-Engrossed bill. Minority Report, signed by Atkinson and Ferrioli recommending passage with amendments. (Amendments distributed February 22)

HB 3638 - Report by Committee on Ways and Means recommending passage of the B-Engrossed bill.

Senate reverted to the order of Second Reading of House Measures by unanimous consent at the request of the Chair.

SB 3601, 3634, 3638 - Read second time and passed to third reading.

Senate reverted to the order of Propositions and Motions by unanimous consent at the request of the Chair.

SB 1071, 1079, 1086, 1101; HB 3601, 3634, 3638 - Rules suspended by unanimous consent in order that the Senate may take action on Supplemental Agenda #2 on motion of Devlin.

HB 3634 A-Eng. - Under rules suspension, committee report and minority report read. Devlin moved that the Senate adopt the committee report. Ferrioli moved that the minority report be substituted for the Committee Report. Call of the Senate demanded by Ferrioli joined by Kruse and Starr. All present.

HB 3634 - Motion to substitute minority report failed. The vote was: Ayes, 12; nays, 18 - Avakian, Bates, Brown, Burdick, Carter, Devlin, Hass, Johnson, Metsger, Monnes Anderson, Monroe, Morrisette, Prozanski, Schrader, Verger, Walker, Westlund, President Courtney. Motion failed.

HB 3634 A-Eng. - Under rules suspension, bill, as amended by the committee report, read third time. Carried by Devlin. On passage of bill the vote was:

Ayes, 19; nays, 11 - Atkinson, Ferrioli, George, G., George, L., Girod, Kruse, Morse, Nelson, Starr, Whitsett, Winters. Bill passed.

SB 1084, HB 5100; 3626 - Message from the House announcing passage.

SCR 23 - Message from the House announcing adoption.

SB 1092 - Message from the House announcing passage as amended by the House.

HB 3612, 3619, 3630 - Message from the House announcing concurrence in Senate amendments and repassage.

Senate reverted to the order of First Reading of House Measures by unanimous consent at the request of the Chair.

HB 5100; 3626 - Read first time and referred to Ways and Means.

Senate reverted to the order of Propositions and Motions by unanimous consent at the request of the Chair.

SB 1071 B-Eng. - Under rules suspension, Brown moved that the Senate concur in House amendments and repass bill. On concurrence and repassage the vote was: Ayes, 20; nays, 10 - Atkinson, Ferrioli, George, G., George, L., Girod, Kruse, Morse, Starr, Whitsett, Winters. Bill repassed.

SB 1079 B-Eng. - Under rules suspension, Metsger moved that the Senate concur in House amendments and repass bill. Potential conflict of interest declared by Atkinson, Johnson and Metsger. On concurrence and repassage the vote was: Ayes, 30. Bill repassed.

SB 1086 B-Eng. - Under rules suspension, Prozanski moved that the Senate concur in House amendments and repass bill. On concurrence and repassage the vote was: Ayes, 30. Bill repassed. (Brown in Chair)

SB 1101 B-Eng. - Under rules suspension, Burdick moved that the Senate concur in House amendments and repass bill. On concurrence and repassage the vote was: Ayes, 29; nays, 1 - George, G. Bill repassed.

Senate reverted to the order of Third Reading of House Measures by unanimous consent at the request of the Chair.

HB 3601 A-Eng. - Under rules suspension, read third time. Carried by Bates. On passage of bill the vote was: Ayes, 29; excused, 1 - Carter. Bill passed.

HB 3638 B-Eng. - Under rules suspension, read third time. Carried by Prozanski. On passage of bill the vote was: Ayes, 30. Bill passed.

Senate at ease. Senate reassembled.

Senate recessed until 8:00 p.m. by unanimous consent at the request of the Chair.

Senate reconvened at 8:00 p.m. Brown in Chair. All present.

Senate reverted to the order of Reports from Standing Committees by unanimous consent at the request of the Chair.

Committee Report Summary No. 37 listing the following report was distributed to members today. Summary list recorded in Journal and Status Report by order of the President.

HB 3607 - Report by Committee on Ways and Means recommending passage of the B-Engrossed bill.

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.

HB 5100 - Report by Committee on Ways and Means recommending passage of the A-Engrossed bill.

HB 3626 - Report by Committee on Ways and Means 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 5100; 3607, 3626 - Read second time and passed to third reading.

Senate reverted to the order of Propositions and Motions by unanimous consent at the request of the Chair.

SB 1092, HB 5100; 3607, 3626 - Rules suspended by unanimous consent in order that the Senate may take final action on Supplemental Agenda #3 on motion of Devlin.

Senate at ease. Senate reassembled.

SB 1092 B-Eng. - Under rules suspension, Walker moved that the Senate concur in House amendments and re-pass bill. Call of the Senate demanded by Devlin joined by Walker and Westlund. All present. On concurrence and re-pass the vote was: Ayes, 28; nays, 2 - Gordly, Verger. Bill re-passed.

Senate reverted to the order of Third Reading of House Measures by unanimous consent at the request of the Chair.

HB 5100 A-Eng. - Under rules suspension, read third time. Carried by Schrader. On passage of bill the vote was: Ayes, 22; nays, 8 - Atkinson, George, G., George, L., Girod, Gordly, Monnes Anderson, Starr, Verger. Bill passed.

HB 5100 - Monnes Anderson requested the following explanation of vote be entered into the journal:

"I strongly support capital construction for community group homes, support for OWIN, Department of Aviation and Department of Transportation funding, OIT funding and funding for facilities at Clatsop Community College, as well as other aspects of this bill.

"I voted No on House Bill 5100 solely because of the bonding authority for construction of a new arena at the University of Oregon. I have concerns regarding the University of Oregon's projected donations to their legacy fund and their projected higher rate of return. There is no certainty that these projections will occur in our fluctuating economy. There is also uncertainty that the University is being realistic about the amount of money it expects the new arena to bring in."

"Finally, I need more information on the impact of this arena on other major arenas in the state."

HB 5100 - Verger requested the following explanation of vote be entered into the journal:

"I strongly support bonding for community colleges, OIT, OWIN and the e-commerce for our judiciary.

"I vote No on House Bill 5100 solely because I was not comfortable with a \$200 Million commitment for the University of Oregon basketball arena without more testimony from the students and neighbors and the vagueness of the long-term security of a \$1 Million gift that cannot be considered a contract. I object to being asked to vote on bonding of this size that is included in our regular bonding requests. It is a part of the Ways and Means process that should be changed for the good of all."

HB 3607 B-Eng. - Under rules suspension, read third time. Carried by Johnson. On passage of bill the vote was: Ayes, 28; nays, 2 - Girod, Kruse. Bill passed.

HB 3626 A-Eng. - Under rules suspension, read third time. Carried by Schrader. Potential conflict of interest declared by Girod. On passage of bill the vote was: Ayes, 30. Bill passed. (President Courtney in Chair)

Senate reverted to the order of Third Reading of Senate Measures by unanimous consent at the request of the Chair.

SCR 25 - Read in its entirety and placed on final adoption. Carried by Brown. On adoption of resolution, the vote was: Ayes, 30. Resolution adopted.

Senate at ease. Senate reassembled.

SB 1063 - President Courtney signed on February 21.

SCR 22, 24, 26, 27, 28; SJM 14; HCR 100; HB 3611, 3620, 3622, 3628, 3629 - President Courtney signed on February 22.

Senate adjourned sine die at 9:40 p.m. February 22, 2008.

SB 5555, 5556; 1064, 1066, 1069, 1074, 1087, 1093, 1099 - Message from the House announcing passage.

SCR 25 - Message from the House announcing adoption.

HB 3631 - Message from the House announcing concurrence in Senate amendments and re-pass.

HB 3616 - Message from the House announcing refusal to concur in Senate amendments.

SCR 23, 25; SB 5555, 5556; 1061, 1064, 1066, 1068, 1069, 1071, 1072, 1074, 1079, 1081, 1082, 1084, 1086, 1087, 1088, 1092, 1093, 1095, 1098, 1099, 1101 - President Courtney signed on February 27.

SB 1069, 1099 - Message from the House announcing the Speaker signed on February 29.

SB 1060, 1062, 1063, 1078, 1099 - Message from the Governor announcing he signed on March 3.

SCR 22, 23, 24, 25, 26, 27, 28; SJM 14; SB 5555, 5556; 1061, 1064, 1066, 1068, 1071, 1072, 1074, 1079,

1081, 1082, 1084, 1086, 1087, 1088, 1092, 1093, 1095, 1098, 1101; HCR 101, 102, 103, 104, 105; HJM 100, 102; HB 5100; 3600, 3601, 3602, 3605, 3606, 3607, 3608, 3612, 3615, 3618, 3619, 3624, 3626, 3630, 3631, 3632, 3634, 3636, 3638, 3639 - Message from the House announcing the Speaker signed on March 4.

SB 1069 - Message from the Governor announcing he signed on March 5.

HCR 101, 102, 103, 104, 105; HJM 100, 102; HB 5100; 3600, 3601, 3602, 3605, 3606, 3607, 3608, 3612, 3615, 3618, 3619, 3624, 3626, 3630, 3631, 3632, 3634, 3636, 3638, 3639 - President Courtney signed on March 6.

SB 5555, 5556; 1061, 1064, 1066, 1068, 1071, 1072, 1074, 1079, 1081, 1082, 1084, 1086, 1088, 1092, 1093, 1095, 1098, 1101 - Message from the Governor announcing he signed on March 11.