

HOUSE COMMITTEE ON JUDICIARY

SUBCOMMITTEE ON CIVIL LAW

February 7, 2005 Hearing Room 357

8:30 AM Tape 12

MEMBERS PRESENT: Rep. Bob Ackerman, Chair

Rep. Linda Flores

Rep. Bill Garrard

Rep. Kelley Wirth

STAFF PRESENT: Sam Sears, Counsel

Louann Rahmig, Committee Assistant

MEASURES/ISSUES HEARD & WITNESSES:

HB 2280 Public Hearing and Work Session

Nancy Miller, Oregon Judicial Department

HB 2281 Public Hearing and Work Session

Bradd Swank, Oregon Judicial Department

HB 2279 Public Hearing and Work Session

Nancy Miller, Oregon Judicial Department

HB 2289 Work Session

These minutes are in compliance with Senate and House Rules. Only text enclosed in quotation marks reports a speaker's exact words. For complete contents, please refer to the tapes.

TAPE/#	Speaker	Comments
TAPE 12, A		
004	Chair Ackerman	Calls the meeting to order at 8:35 a.m. and opens a public hearing on HB 2280, which provides that certain moneys paid by persons who apply for and are appointed counsel at state expense are to be deposited into Judicial Department Operating Account.

HB 2280 – PUBLIC HEARING

018	Nancy Miller	Deputy State Court Administrator for Program Operations, Judicial Department. Submits testimony and testifies in support of HB 2280 (EXHIBIT A) . Explains that HB 2280 is a housekeeping bill to streamline accounting.
044	Chair Ackerman	Closes the public hearing and opens a work session on HB 2280.

HB 2280 – WORK SESSION

048	Rep. Flores	MOTION: Moves HB 2280 to the full committee with a DO PASS recommendation.
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VOTE: 4-0-0

AYE: In a roll call vote, all members present vote Aye.

055	Chair Ackerman	The motion CARRIES.
		REP. FLORES will lead discussion in the full committee.

057	Chair Ackerman	Closes the work session on HB 2280 and opens a public hearing on HB 2281, which modifies laws governing circuit courts and appellate courts.
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HB 2281 – PUBLIC HEARING

052	Bradd Swank	
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Special Counsel for Government Relations, Oregon Judicial Department. Submits testimony and testifies in support of HB 2281 **(EXHIBIT B)**. Clarifies the proposed changes in HB 2281.

- 093 Swank States that HB 2281 puts the court more in charge of the use of interpreters.
- 108 Swank Concludes with information on the selection of jurors.
- 134 Rep. Macpherson Asks what category of person is permanently excused from jury service.
- 139 Swank Responds, he doesn't recall, but there aren't many categories.
- 157 Chair Ackerman Closes the public hearing and opens a work session on HB 2281.

HB 2281 – WORK SESSION

- 161 Rep. Garrard **MOTION: Moves HB 2281 to the full committee with a DO PASS recommendation.**

VOTE: 4-0-0

AYE: In a roll call vote, all members present vote Aye.

- 168 Chair Ackerman **The motion CARRIES.**
REP. GARRARD will lead discussion in the full committee.

- 169 Chair Ackerman Closes the work session on HB 2281 and opens a public hearing on HB 2279.

HB 2279 – PUBLIC HEARING

- 173 Sam Sears Counsel. Explains that HB 2279 allows the court to conduct review of guardianship.
- 185 Nancy Miller Deputy State Court Administrator, Oregon Judicial Department. Submits testimony and testifies in support of HB 2279 **(EXHIBIT C)**. Explains HB 2279 is a housekeeping bill.

194 Chair Ackerman Closes the public hearing and opens a work session on HB 2279.

HB 2279 – WORK SESSION

197 Rep. Flores **MOTION: Moves HB 2279 to the full committee with a DO PASS recommendation.**

VOTE: 4-0-0

AYE: In a roll call vote, all members present vote Aye.

205 Chair Ackerman **The motion CARRIES.**

REP. WIRTH will lead discussion in the full committee.

206 Chair Ackerman Closes the work session on HB 2279 and opens the work session on HB 2289.

HB 2289 –WORK SESSION

228 Chair Ackerman Explains the amendments that were requested to broaden the scope of HB 2289 (**EXHIBIT D**).

247 Chair Ackerman **MOTION: Moves to ADOPT HB 2289-1 amendments dated 02/02/05.**

257 Rep. Garrard Asks if Mr. Deras, who spoke in opposition of HB 2289, agrees with the amendments.

263 Sam Sears Counsel. Explains that Mr. Deras' concerns were that the original language was too broad, so assume his opposition still stands.

283 **VOTE: 4-0-0**

AYE: In a roll call vote, all members present vote Aye.

285 Chair Ackerman **The motion CARRIES.**

287 Rep. Garrard **MOTION: Moves HB 2289 AS AMENDED to the full committee with a DO PASS recommendation.**

VOTE: 4-0-0

AYE: In a roll call vote, all members present vote Aye.

294 Chair Ackerman The motion CARRIES.

CHAIR ACKERMAN will lead discussion in the full committee.

297 Chair Ackerman Closes the work session on HB 2289 and adjourns the meeting at 8:57 a.m.

EXHIBIT SUMMARY

- A. HB 2280, written testimony, Nancy Miller, 2 pp**
- B. HB 2281, written testimony, Bradd Swank, 3 pp**
- C. HB 2279, written testimony, Nancy Miller, 1 p**
- D. HB 2289, proposed amendments, staff, 1 p**