

HOUSE COMMITTEE ON JUDICIARY

May 29, 2003 Hearing Room 357
1:00 pm Tapes 209-210

MEMBERS PRESENT: Rep. Max Williams, Chair
 Rep. Robert Ackerman, Vice-Chair
 Rep. Gordon Anderson, Vice-Chair
 Rep. Jeff Barker
 Rep. Bob Jenson
 Rep. Jerry Krummel
 Rep. Greg Macpherson
 Rep. Floyd Prozanski
 Rep. Lane Shetterly

STAFF PRESENT: Craig Prins, Counsel
 Nancy Masee, Committee Assistant

MEASURE/ISSUES HEARD: **SB 808A Public Hearing and Work Session**
 SB 19A 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.

<u>TAPE/#</u>	<u>Speaker</u>	<u>Comments</u>
TAPE 209, A		
004	Chair Williams	Opens meeting at 1:20 pm. Opens public hearing on SB 808A.
<u>SB 808A PUBLIC HEARING</u>		
020	Julie McFarlane	Juvenile Rights Project, Inc. Testifies in support of SB 808A which requires court to include review of child's comprehensive plan for transition to independent living at certain permanency hearings, and submits testimony (EXHIBIT A). Explains the -3 amendments (EXHIBIT B). Asks to amend age limitations.
045	Kevin George	Department of Human Services (DHS). Testifies in support of SB 808A with the amendments. Projects a transition time of six months for the bill.
061	Chair Williams	Affirms the -3 amendments. Asks what planning is currently taking place.
072	George	Explains the independent living programs for 16 years-old or older.
080	McFarlane	Explains how the courts and Citizens Review Boards (CRB) review the permanency cases every six months and annually.
090	Chair Williams	Closes the public hearing on SB 808A. Opens work session on SB 808A.
<u>SB 808A WORK SESSION</u>		
091	Rep. Shetterly	MOTION: Moves to ADOPT SB 808A-3 amendments dated 5/28/03. VOTE: 8-0-1 EXCUSED: 1 - Jenson
092	Chair Williams	Hearing no objection, declares the motion CARRIED.
093	Rep. Shetterly	MOTION: Moves SB 808A to the floor with a DO PASS AS AMENDED recommendation.

		VOTE: 9-0
094	Chair Williams	Hearing no objection, declares the motion CARRIED.
		REP. ACKERMAN will lead discussion on the floor.
095	Chair Williams	Closes work session on SB 808A. Opens work session on SB 19A.
<u>SB 19A WORK SESSION</u>		
120	Craig Prins	Committee Counsel. Explains SB 19A which establishes when youth offenders and persons alleged to be within jurisdiction of juvenile court may be detained in place where adults are detained, and the amendments -A4 and - A5 (EXHIBITS C and D) Discusses the <i>Tewksbury</i> decision. Says the - A3 amendments are withdrawn.
224	Carl Myers	Oregon Juvenile Department Directors Association. Testifies in support of SB 19A with the -A4 and -A5 amendments. Clarifies SB 19A as a tool to handle special cases that arise in juvenile court matters where the person subject of jurisdiction court becomes an adult. Discusses how constitutional issues will be met in application of SB 19A.
345	Larry Oglesby	Oregon Juvenile Department Directors Association Testifies in support of SB 19A. Explains situations that the bill addresses. Emphasizes this problem needs to be addressed.
364	Vice Chair Anderson	Asks if a crime is committed before age 18, but the person is tried after age 18, is the accused tried in juvenile system.
370	Oglesby	Replies he would be tried in the juvenile system.
375	Nancy Miller	Director, Court Programs and Services, State Court Administrator's Office. Testifies in support of SB 19A and explains the - A4 amendments are housekeeping for Citizens Review Board. Says the -A4 clarifies SB 19.
428	Prins	Clarifies the -A5 amendments. Concern is with the - A5, lines 14 and 15, the phrase "eligible for release."
TAPE 210, A		
062	Rep. Prozanski	States he is comfortable with the - A5 amendments.
067	Rep. Jenson	MOTION: Moves to ADOPT SB 19A-A5 amendments dated 5/29/03.
		VOTE: 9-0
068	Chair Williams	Hearing no objection, declares the motion CARRIED.
069	Rep. Jenson	MOTION: Moves to ADOPT SB 19A-A4 amendments dated 5/15/03.
		VOTE: 9-0
070	Chair Williams	Hearing no objection, declares the motion CARRIED.
071	Rep. Jenson	MOTION: Moves SB 19A to the floor with a DO PASS AS AMENDED recommendation.
		VOTE: 9-0
074	Chair Williams	Hearing no objection, declares the motion CARRIED.
		REP. PROZANSKI will lead discussion on the floor.
080	Chair Williams	Closes work session on SB 19A. Adjourns meeting at 1:55 pm.

EXHIBIT SUMMARY

- A – SB 808A, written testimony, Julie McFarlane, 5 pp**
- B – SB 808-A3 amendments, staff, 2 pp**
- C – SB 19-A5 amendments, staff, 1 p**

D – SB 19-A4 amendments, staff, 3 pp