

SENATE COMMITTEE ON JUDICIARY

February 18, 2003 Hearing Room 343
8:00 A.M. Tape 32

MEMBERS PRESENT: Sen. John Minnis, Chair
Sen. Ginny Burdick, Vice-Chair
Sen. Ted Ferrioli
Sen. Charlie Ringo
Sen. Charles Starr
Sen. Vicki Walker

STAFF PRESENT: Bill Taylor, Counsel
Jane Bodenweiser, Committee Assistant

MEASURE/ISSUES HEARD: SB 167 Public Hearing and Work Session
SB 71 Work Session
SB 72 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 32, A		
004	Chair Minnis	Calls the meeting to order at 8:10 a.m. and opens a public hearing on SB 167.
<u>SB 167 PUBLIC HEARING</u>		
005	Karen Brazeau	Director, Oregon Youth Authority (OYA). Submits testimony and testifies in support of SB 167 which provides that Oregon Youth Authority is liable for damages to third parties resulting from intentional torts of youth offender who is residing in youth offender foster home certified by authority (EXHIBIT A).
024	Chair Minnis	Asks if the existing statutory structure has created any problems.
025	Brazeau	Says, no.
036	Bill Taylor	Committee Counsel. Explains the content of the bill.
059	Vice Chair Burdick	Believes that this legislation clarifies the statute.
080	Sen. Ringo	Agrees that this legislation clarifies an ambiguity.
090	Chair Minnis	Closes the public hearing on SB 167 and opens a work session.

SB 167 WORK SESSION

- 092 Vice Chair Burdick **MOTION: Moves SB 167 to the floor with a DO PASS recommendation.**
VOTE: 6-0
- 095 Chair Minnis **Hearing no objection, declares the motion CARRIED. SEN. BURDICK will lead discussion on the floor.**
- 101 Chair Minnis Closes the work session on SB 167 and opens a work session on SB 71.

SB 71 WORK SESSION

- 102 Bill Taylor Committee Counsel. Explains SB 71 authorizes service of summons by mail in juvenile dependency proceedings.
- 110 Sen. Ringo Discusses allowing service by mail, says it is probably less reliable than a process server.
- 141 Ted Neese Oregon Law Commission. Explains that this bill will bring the service requirements into line with what is permitted by Oregon Rules of Civil Procedure.
- 184 Sen. Ringo **MOTION: Moves SB 71 to the floor with a DO PASS recommendation.**
VOTE: 6-0
- 187 Chair Minnis **Hearing no objection, declares the motion CARRIED. SEN. RINGO will lead discussion on the floor.**
- 191 Chair Minnis Closes the work session on SB 71 and opens a work session on SB 72.

SB 72 WORK SESSION

- 192 Taylor Introduces SB 72 that modifies provisions dealing with intervention and rights of limited participation in juvenile dependency proceedings. Says there are -1 amendments (EXHIBIT B).
- 209 Vice Chair Burdick **MOTION: Moves to ADOPT SB 72-1 amendments dated 01/30/03.**
VOTE: 5-0-1
EXCUSED: 1 - Sen. Ringo
- 212 Chair Minnis **Hearing no objection, declares the motion CARRIED.**
- 214 Vice Chair Burdick **MOTION: Moves SB 72 to the floor with a DO PASS AS AMENDED recommendation.**
VOTE: 5-0-1
EXCUSED: 1 - Sen. Ringo
- 218 Chair Minnis **Hearing no objection, declares the motion CARRIED. SEN. WALKER will lead discussion on the floor.**
- 223 Chair Minnis Closes the work session on SB 72 and adjourns the meeting at 8:25 a.m.

EXHIBIT SUMMARY

- A – SB 167, written testimony submitted by Karen Brazeau, 1 p
B – SB 72, -1 amendments submitted by staff, 1 p