

SENATE COMMITTEE ON JUDICIARY

March 17, 2003
8:00 a.m.

Hearing Room HR 343
Tape 59

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

MEMBER EXCUSED: **Sen. Charlie Ringo**

STAFF PRESENT: **Bill Joseph, Counsel**
 Craig Prins, Counsel
 Jane Bodenweiser, Committee Assistant

MEASURE/ISSUES HEARD: **SB 19 Work Session**
 SB 32 Work Session
 SB 33 Work Session
 SB 46 Work Session
 SB 101 Work Session
 SB 112 Work Session
 SB 303 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 59, A		
003	Chair Minnis	Calls the meeting to order at 8:10 a.m. and opens a work session on SB 19.
<u>SB 19 WORK SESSION</u>		
005	Craig Prins	Committee counsel. Introduces SB 19 that establishes when youth offenders and persons alleged to be within jurisdiction of juvenile court may be detained in place where adults are detained.
026	Carl Myers	Oregon Juvenile Department Directors Association. Discusses the group that worked on the -1 amendments and explains what the amendments do (EXHIBIT A).
041	Timothy Travis	Judicial Department. Talks about what the bill, as amended, will do.
120	Vice Chair Burdick	MOTION: Moves to ADOPT SB 19-1 amendments dated 03/05/03.
		VOTE: 4-0-2
122	Chair Minnis	EXCUSED: 2 - Sen. Ringo, Sen. Walker Hearing no objection, declares the motion CARRIED.

124	Vice Chair Burdick	MOTION: Moves SB 19 to the floor with a DO PASS AS AMENDED recommendation.
		VOTE: 4-0-2
126	Chair Minnis	EXCUSED: 2 - Sen. Ringo, Sen. Walker
		Hearing no objection, declares the motion CARRIED.
		SEN. FERRIOLI will lead discussion on the floor.
128	Chair Minnis	Closes the work session on SB 19 and opens a work session on SB 32.
<u>SB 32 WORK SESSION</u>		
135	Bill Joseph	Committee Counsel. Introduces SB 32 that modifies role and responsibilities of court visitors in protective proceedings, and the -1 amendments (EXHIBIT B).
149	Vice Chair Burdick	MOTION: Moves to ADOPT SB 32-1 amendments dated 03/05/03.
		VOTE: 4-0-2
		EXCUSED: 2 - Sen. Ringo, Sen. Walker
151	Chair Minnis	Hearing no objection, declares the motion CARRIED.
152	Vice Chair Burdick	MOTION: Moves SB 32 to the floor with a DO PASS AS AMENDED recommendation.
		VOTE: 4-0-2
		EXCUSED: 2 - Sen. Ringo, Sen. Walker
154	Chair Minnis	Hearing no objection, declares the motion CARRIED.
		SEN. STARR will lead discussion on the floor.
156	Chair Minnis	Closes the work session on SB 32 and opens a work session on SB 33.
<u>SB 33 WORK SESSION</u>		
160	Bill Joseph	Committee Counsel. Introduces SB 33 that creates rebuttable presumption that sums remaining on deposit in joint account at death of one party belong to surviving party or parties, and the -1 amendments (EXHIBIT C).
166	Vice Chair Burdick	MOTION: Moves to ADOPT SB 33-1 amendments dated 01/27/03.
		VOTE: 4-0-2
		EXCUSED: 2 - Sen. Ringo, Sen. Walker
168	Chair Minnis	Hearing no objection, declares the motion CARRIED.
170	Vice Chair Burdick	MOTION: Moves SB 33 to the floor with a DO PASS AS AMENDED recommendation.
		VOTE: 4-0-2
		EXCUSED: 2 - Sen. Ringo, Sen. Walker
173	Chair Minnis	Hearing no objection, declares the motion CARRIED.
		SEN. BURDICK will lead discussion on the floor.
175	Chair Minnis	Closes the work session on SB 33 and opens a work session on SB 46.
<u>SB 46 WORK SESSION</u>		
180	Craig Prins	Committee Counsel. Introduces SB 46 that expands definition of enter or remain unlawfully for purposes of burglary and criminal trespass, and the -1 amendments (EXHIBIT D).

188 Vice Chair Burdick **MOTION: Moves to ADOPT SB 46-1 amendments dated 02/03/03.**
VOTE: 5-0-1
EXCUSED: 1 - Sen. Ringo

206 Chair Minnis **Hearing no objection, declares the motion CARRIED.**

208 Vice Chair Burdick **MOTION: Moves SB 46 to the floor with a DO PASS AS AMENDED recommendation.**
VOTE: 5-0-1
EXCUSED: 1 - Sen. Ringo
Hearing no objection, declares the motion CARRIED.
SEN. WALKER will lead discussion on the floor.

210 Chair Minnis **Hearing no objection, declares the motion CARRIED.**

215 Chair Minnis Closes the work session on SB 46 and opens a work session on SB 101.

SB 101 WORK SESSION

222 Bill Joseph Committee Counsel. Introduces SB 101 that allows public servant or public servant's employer to seek injunction against person engaging in conduct constituting specified crimes, and the -1 amendments (**EXHIBIT E**).

231 Vice Chair Burdick **MOTION: Moves to ADOPT SB 101-1 amendments dated 03/04/03.**
VOTE: 5-0-1
EXCUSED: 1 - Sen. Ringo
Hearing no objection, declares the motion CARRIED.

233 Chair Minnis **MOTION: Moves SB 101 to the floor with a DO PASS AS AMENDED recommendation.**

234 Vice Chair Burdick **VOTE: 5-0-1**
EXCUSED: 1 - Sen. Ringo
Hearing no objection, declares the motion CARRIED.
SEN. WALKER will lead discussion on the floor.

235 Chair Minnis Closes the work session on SB 101 and opens a work session on SB 112.

237 Chair Minnis

SB 112 WORK SESSION

249 Craig Prins Committee Counsel. Introduces SB 112 that modifies requirements for submitting child abuse multidisciplinary intervention plan, and the -1 amendments (**EXHIBIT F**).

263 Connie Gallagher Department of Justice. Explains the bill and what the -1 amendments will do.

276 Vice Chair Burdick **MOTION: Moves to ADOPT SB 112-1 amendments dated 01/29/03.**
VOTE: 5-0-1
EXCUSED: 1 - Sen. Ringo
Hearing no objection, declares the motion CARRIED.

278 Chair Minnis **MOTION: Moves SB 112 to the floor with a DO PASS AS AMENDED recommendation.**

280 Vice Chair Burdick **VOTE: 5-0-1**
EXCUSED: 1 - Sen. Ringo

282	Chair Minnis	Hearing no objection, declares the motion CARRIED. SEN. BURDICK will lead discussion on the floor.
284	Chair Minnis	Closes the work session on SB 112 and opens a work session on SB 303.
<u>SB 303 WORK SESSION</u>		
289	Craig Prins	Committee Counsel. Introduces SB 303 that allows domestic violence to be pleaded and proved as element of crime involving domestic violence.
314	Vice Chair Burdick	MOTION: Moves SB 303 to the floor with a DO PASS recommendation. VOTE: 5-0-1 EXCUSED: 1 - Sen. Ringo
318	Chair Minnis	Hearing no objection, declares the motion CARRIED. SEN. WALKER will lead discussion on the floor.
323	Chair Minnis	Closes the work session on SB 303 and adjourns the meeting at 8:40 a.m.

EXHIBIT SUMMARY

- A – SB 19, -1 amendments dated 3/5/03 submitted by staff, 4 pp**
- B – SB 32, -1 amendments dated 3/5/03 submitted by staff, 2 pp**
- C – SB 33, -1 amendments dated 1/27/03 submitted by staff, 1 p**
- D – SB 46, -1 amendments dated 2/3/03 submitted by staff, 1 p**
- E – SB 101, -1 amendments dated 3/4/03 submitted by staff, 1 p**
- F – SB 112, -1 amendments dated 1/29/03 submitted by staff, 1 p**