

## SENATE COMMITTEE ON JUDICIARY

June 19, 2003  
8:00 a.m.

Hearing Room 343  
Tapes 171 - 172

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

**MEMBER EXCUSED:**     **Sen. Ted Ferrioli**

**STAFF PRESENT:**       **Bill Joseph**  
                                  **Ann Martin, Committee Assistant**

**MEASURE/ISSUES HEARD:**     **HB 3346 Public Hearing and Work Session**  
                                  **SB 666 Public Hearing and Work Session**  
                                  **HB 3338A Public Hearing and Work Session**  
                                  **HB 3544A Work Session**

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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.

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<u>TAPE/#</u>	<u>Speaker</u>	<u>Comments</u>
<b>TAPE 171, A</b>		
004	Chair Minnis	Calls the meeting to order at 9:40 a.m. Opens a public hearing on HB 3346.
<b><u>HB 3346 PUBLIC HEARING</u></b>		
013	Bill Joseph	Committee Counsel. Introduces HB 3346 which authorizes Metro to record final order assessing civil penalty with county clerk.
019	Doug Riggs	Metro. Submits testimony and testifies in support of HB 3346 <b>(EXHIBITS A &amp; B)</b> .
045	Paul Garrahan	Assistant Metro Attorney. Testifies in support of HB 3346.
083	Sen. Walker	Asks what happens when their lien is collected in the county clerk lien record. Asks how they collect.
088	Garrahan	Answers that it is the equivalent of a court judgment and that gives them the authority to put a lien on the property.
096	Sen. Minnis	Closes the public hearing on HB 3346 and opens a work session.
<b><u>HB 3346 WORK SESSION</u></b>		
<b>100</b>	<b>Vice Chair Burdick</b>	<b>MOTION: Moves HB 3346 to the floor with a DO PASS recommendation.</b> <b>VOTE: 5-0-1</b> <b>EXCUSED: 1 - Ferrioli</b>
<b>102</b>	<b>Chair Minnis</b>	<b>Hearing no objection, declares the motion CARRIED.</b> <b>SEN. BURDICK will lead discussion on the floor.</b>
110	Sen. Minnis	Closes the work session on HB 3346 and opens a public hearing on SB 666.
<b><u>SB 666 PUBLIC HEARING</u></b>		
112	Sen. Dukes	Senate District 16. Testifies in support of SB 666 which creates offense of distracted driving. Discusses the -1 amendments <b>(EXHIBIT C)</b> .

145	Vice Chair Burdick	Asks if the driver wanted studded tires.
148	Sen. Dukes	Answers yes, the organization that transports them made that request because of the conditions on that highway.
151	Sen. Ringo	Asks about the language “regular schedule” in the bill.
158	Sen. Dukes	Says that that means with some frequency or a set schedule.
164	Vice Chair Burdick	Asks about the use of the transport vehicles.
167	Sen. Dukes	Says that this exemption is for the transport of people that need medical help.
194	Chair Minnis	Asks if medical transport services are defined somewhere.
196	Sen. Dukes	Says that she does not know and that Legislative Counsel provided the language.
200	Sen. Walker	Asks if the people that get an exemption have to apply.
204	Sen. Dukes	Answers that they will get the exemption by being on the list.
206	Sen. Walker	Wonders if they have to prove that they are a medical transport vehicle.
218	Doug Tindall	Oregon Department of Transportation (ODOT). Testifies in support of SB 666. Talks about how to define a regularly scheduled medical transport vehicle.
232	Sen. Walker	Says that she likes the idea of defining what a medical transport vehicle is. Adds she has a disdain for studded tires and thinks that we should charge people to use them.
242	Vice Chair Burdick	Asks if it is the Department’s intention to do rulemaking around this issue.
244	Tindall	Says, yes. Comments that this is just a small amendment to the existing rule.
253	Sen. Ringo	Asks if this is intended just for mass transit vehicles.
257	Sen. Dukes	Responds that she anticipated that this would be for more than one individual at a time.
276	Sen. Dukes	Says that ODOT will likely define “services” to narrow the bill.
281	Chair Minnis	Closes the public hearing on SB 666 and opens a work session.
<b><u>SB 666 WORK SESSION</u></b>		
307	Sen. Ringo	<b>MOTION: Moves to ADOPT SB 666-1 amendments dated 06/16/03.</b>
		<b>VOTE: 5-0-1</b>
		<b>EXCUSED: 1 - Ferrioli</b>
308	Chair Minnis	<b>Hearing no objection, declares the motion CARRIED.</b>
313	Vice Chair Burdick	<b>MOTION: Moves SB 666 to the floor with a DO PASS AS AMENDED recommendation.</b>
		<b>VOTE: 5-0-1</b>
		<b>EXCUSED: 1 - Ferrioli</b>
317	Chair Minnis	<b>Hearing no objection, declares the motion CARRIED.</b>
		<b>SEN. DUKES will lead discussion on the floor.</b>
326	Chair Minnis	Closes the work session on SB 666 and opens a public hearing on HB 3338A.
<b><u>HB 3338A PUBLIC HEARING</u></b>		
328	Bill Joseph	Committee Counsel. Introduces HB 3338A which modifies provisions relating to desertion by parent in adoption proceedings.
344	Robin Pope	Attorney and chairperson for the Oregon State Bar Standing Committee on Adoption. Submits testimony and testifies in support of HB 3338A ( <b>EXHIBIT D</b> ).
450	Vice Chair Burdick	Asks about an adult adoption.

456	Pope	Answers that if you are adopted by another person then that would terminate the parental rights of your living parent.
<b>TAPE 172, A</b>		
010	Pope	Describes an adult adoption.
028	Sen. Walker	Asks about women in prison and how this bill would impact them.
039	Pope	Thinks that this bill will help women in prison. Says that it strengthens the law.
050	Kathy Ledesma	Program Manager of Adoption Services at the Oregon Department of Human Services (DHS). Submits testimony and testifies in support of HB 3338A ( <b>EXHIBIT E</b> ).
078	Chair Minnis	Asks about parental abduction and how that situation relates to this bill.
089	Pope	Explains that this bill would not prevent that.
102	Chair Minnis	Closes the public hearing on HB 3338A and opens a work session.
<b><u>HB 3338A WORK SESSION</u></b>		
107	Vice Chair Burdick	<b>MOTION: Moves HB 3338A to the floor with a DO PASS recommendation.</b>
109	Sen. Walker	Says that she likes the bill.
111	Chair Minnis	Asks if this applies retroactively.
113	Pope	Answers no.
119		<b>VOTE: 5-0-1</b>
		<b>EXCUSED: 1 - Ferrioli</b>
120	Chair Minnis	<b>Hearing no objection, declares the motion CARRIED. SEN. STARR will lead discussion on the floor.</b>
121	Sen. Minnis	Closes the work session on HB 3338 and opens a work session on HB 3544A.
<b><u>HB 3544A WORK SESSION</u></b>		
124	Bill Joseph	Committee Counsel. Introduces HB 3544A which modifies limitations on penalty wages for failure to pay wages on termination. Discusses the -A2, -A3, and -A5 amendments ( <b>EXHIBITS F-H</b> ).
146	Vice Chair Burdick	Talks about the -A5 amendments and what they do.
194	Joseph	Comments on the -A2 amendments.
235	Julie Brandis	Associated Oregon Industries. Testifies on HB 3544A. Discusses their concerns about the -A5 amendments.
354	Sen. Minnis	Asks Ms. Brandis if she can provide written testimony to the committee regarding their concerns with the amendments. Closes the work session on HB 3544A. Adjourns the meeting at 9:30 a.m.

## **EXHIBIT SUMMARY**

- A – HB 3346, written testimony, submitted by Doug Riggs, 2 pgs.**
- B – HB 3346, written testimony, submitted by Doug Riggs, 2 pgs.**
- C – SB 666, -1 amendments, submitted by staff, dated 6/16/03, 2 pgs.**
- D – HB 3338A, written testimony, submitted by Robin Pope, 1 pg.**
- E – HB 3338A, written testimony, submitted by Kathy Ledesma, 2 pgs.**
- F - HB 3544A, -A2 amendments, submitted by staff, dated 5/20/03, 1 pg.**
- G – HB 3544A, -A3 amendments, submitted by staff, dated 5/27/03, 1 pg.**

**H – HB 3544A, -A5 amendments, submitted by staff, dated 6/19/03, 2 pgs.**