

HOUSE COMMITTEE ON JUDICIARY
SUBCOMMITTEE ON CIVIL LAW

May 14, 2001
8:00 a.m.

Hearing Room 357
Tapes 94 - 95

MEMBERS PRESENT: **Rep. Cherryl Walker, Chair**
 Rep. Vic Backlund
 Rep. Kathy Lowe
 Rep. Charlie Ringo
 Rep. Lane Shetterly

STAFF PRESENT: **Andrea Shartel, Counsel**
 Ann Martin, Committee Assistant

MEASURE/ISSUES HEARD: **HB 2335 Work Session**
 HB 2771 Work Session
 SB 713A Public Hearing
 SB 704A Public Hearing
 SB 773A Public Hearing
 SB 925A Public Hearing
 HB 2551 Public Hearing

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 94, A		
003	Chair Walker	Calls the meeting to order at 8:25 a.m. and opens a work session on HB 2335.
<u>HB 2335 WORK SESSION</u>		
020	Bradd Swank	State Court Administrator's Office Testifies in support of HB 2335 that splits eighteenth judicial district into two districts, one district containing Clatsop County and one district containing Tillamook County. Discusses the -1 amendments (EXHIBIT A).
090	Chair Walker	Closes the work session on HB 2335 and opens a work session on HB 2771.
<u>HB 2771 WORK SESSION</u>		
096	Counsel Shartel	Introduces HB 2771 that creates Protective Proceedings and the Fiduciary Services Task Force. Explains the -2 amendments (EXHIBIT B).
116	Rep. Shetterly	MOTION: Moves to ADOPT HB 2771-2 amendments dated 04/17/01.
		VOTE: 5-0
117	Chair Walker	Hearing no objection, declares the motion CARRIED.
128	Rep. Shetterly	MOTION: Moves HB 2771 to the full committee with a DO

PASS AS AMENDED recommendation.

VOTE: 5-0

Hearing no objection, declares the motion CARRIED.

128 Chair Walker

137 Chair Walker

Closes the work session on HB 2771 and opens a public hearing on SB 713A.

SB 713A PUBLIC HEARING

148 Todd Kwapisz

Holt International Children's Services

Testifies in support of SB 713A that exempts international adoptions from restrictions on disclosure of confidential information when requested by adult adoptee. Submits testimony **(EXHIBIT C)**.

230 Kathy Ledesma

Department of Human Services (DHS), Services to Children and Families (SCF)

Testifies in support of SB 713A and submits testimony **(EXHIBIT D)**.

279 Chair Walker

Closes the work session on SB 713A and opens a public hearing on SB 704A.

SB 704A PUBLIC HEARING

289 Charles Stern

Yamhill County Clerk

Testifies in support of SB 704A that requires a clergyperson who solemnizes marriage to identify on certificate the religious congregation or organization that authorized the clergyperson to solemnize marriages.

306 Chair Walker

Closes the public hearing on SB 704A and opens a public hearing on SB 773A.

SB 773A PUBLIC HEARING

300 Counsel Shartel

Introduces SB 773A that provides that notice requirements of Oregon Tort Claims Act do not apply if claimant was under age of 18 years when claim arose, claim is against State Office for Services to Children and Families, or Oregon Youth Authority and claimant was in custody pursuant to specified statutes when claim arose.

323 Kathy Osborn

Juvenile Rights Project

Testifies in support of SB 773A.

410 Chair Walker

Closes the public hearing on SB 773A and opens a public hearing on SB 925A.

SB 925A PUBLIC HEARING

412 Counsel Shartel

Introduces SB 925A that provides that patrons or guest who voluntarily consumes alcoholic beverages served by Oregon Liquor Control Commission licensee or permittee, or by social host, does not have cause of action against server based on statute or common law even though alcoholic beverages are served to patron or guest while patron or guest is visibly intoxicated.

424 Bill Perry

Oregon Restaurant Association

Testifies in support of SB 925A and submits testimony **(EXHIBIT E)**.

472 Chair Walker

Closes the public hearing on SB 925A and opens a public hearing on HB 2551.

HB 2551 PUBLIC HEARING

TAPE 95, A

013 Counsel Shartel

Introduces HB 2551 that requires that and agency official who

either alone or with other officials will render final order in contested case proceeding must report ex parte communications and provide opportunity to parties for rebuttal. Discusses the -2 amendments (**EXHIBIT F**).

033	Ginny Lang	Qwest, Director of Governmental Relations Testifies in support of HB 2551 and the -2 amendments (EXHIBIT G).
064	Janice Krem	Oregon State Bar Testifies in support of HB 2551 and submits testimony (EXHIBIT H).
133	Schelly Jensen	Verizon Testifies in support of HB 2551 and the -2 amendments.
146	Kathleen Haley	The Board of Medical Examiners (BME), Executive Director Testifies in opposition to HB 2551. States that the BME has no objection to the -2 amendments and submits testimony (EXHIBIT I).
173	Christine Chute	Oregon Department of Justice, Assistant Attorney General Testifies in opposition to HB 2551.
239	Chair Walker	Closes the public hearing on HB 2551 and adjourns the meeting at 9:10 a.m.

Submitted By,

Reviewed By,

Ann Martin,
Committee Assistant

Andrea Shartel,
Counsel

EXHIBIT SUMMARY

A – HB 2335, -1 amendments, submitted by staff, dated 5/4/01, 6 pgs.

B – HB 2771, -2 amendments, submitted by staff, dated 4/17/01, 1 p.

C – SB 713A, written testimony of Susan Soon-keum Cox, submitted by Todd Kwapisz, Holt International Children’s Services, dated 5/14/01, 2 pgs.

D – SB 713A, written testimony submitted by Kathy Ledesma, SCF, dated 5/14/01, 2 pgs.

E – SB 925, written testimony submitted by Bill Perry, Oregon Restaurant Association, 23 pgs.

F – HB 2551, -2 amendments, submitted by staff, dated 4/6/01, 3 pgs.

G – HB 2551, written testimony submitted by Ginny Lang, Qwest, dated 5/14/01, 1 p.

H – HB 2551, written testimony submitted by Janice Krem, Oregon State Bar, dated 5/14/01, 2 pgs.

I – HB 2551, written testimony submitted by Kathleen Haley, BME, dated 5/14/01, 2 pgs.

**J – SB 925, written testimony of Peter Glazer, Attorney, submitted by staff, dated 5/2/01, 2 pgs.
(Submitted post meeting)**