

## SENATE COMMITTEE ON JUDICIARY

March 27, 2001 Hearing Room 343  
1:00 p.m. Tapes 73 - 74

**MEMBERS PRESENT:** Sen. John Minnis, Chair  
Sen. Peter Courtney, Vice Chair  
Sen. Roger Beyer  
Sen. Verne Duncan  
Sen. Steve Harper  
Sen. Rick Metsger

**MEMBER EXCUSED:** Sen. Ginny Burdick

**STAFF PRESENT:** Craig Prins, Counsel  
Annola DeJong, Committee Assistant

**MEASURE/ISSUES HEARD:** SB 625 Work Session  
SB 661 Public Hearing  
SB 663 Public Hearing  
SB 166 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.

---

TAPE/#	Speaker	Comments
<b>TAPE 73, A</b>		
004	Chair Minnis	Calls the meeting to order at 1:15 p.m. and opens a work session on SB 625.
<b><u>SB 625 - WORK SESSION</u></b>		
007	Counsel Prins	Introduces SB 625 relating to expanding the crime of invasion of personal privacy to include nonconsensual observation of nude person for the purpose of arousing or gratifying sexual desire. Talks about the -1 amendments ( <b>EXHIBIT A</b> ).
037	Chair Minnis	Wonders how SB 625 would apply to nudist colonies.
040	Counsel Prins	Discusses the issues surrounding that situation.
<b>049</b>	<b>Vice Chair Courtney</b>	<b>MOTION: Moves to ADOPT SB 625-1 amendments dated 3/13/01.</b> <b>VOTE: 6-0-1</b> <b>EXCUSED: 1 - Sen. Burdick</b>
<b>052</b>	<b>Chair Minnis</b>	<b>Hearing no objection, declares the motion CARRIED.</b>
<b>053</b>	<b>Vice Chair Courtney</b>	<b>MOTION: Moves SB 625 to the floor with a DO PASS AS AMENDED recommendation.</b> <b>VOTE: 6-0-1</b> <b>EXCUSED: 1 - Sen. Burdick</b>
<b>065</b>	<b>Chair Minnis</b>	<b>Hearing no objection, declares the motion CARRIED.</b> <b>SEN. HANNON will lead discussion on the floor.</b>
069	Chair Minnis	Closes the work session on SB 625 and opens a public hearing on

SB 661.

**SB 661- PUBLIC HEARING**

080                    **Kathie Osborn**

**Juvenile Rights Project**

Testifies in opposition to SB 661 which would require that both the chief of police and county sheriff be notified when sex offender is being released from custody.

200                    Sen. Duncan

Inquires if a youth who has gone through treatment would still register as a sex offender for the remainder of their life.

202                    Osborn

Replies, yes.

208                    Chair Minnis

Talks about the meeting scheduled on April 3. Clarifies that federal law does not require sex offender registration.

224                    Osborn

Agrees.

235                    Chair Minnis

Discusses his intent for the committee on sex offender registration regulation.

278                    **Karen Brazeau**

**Director, Oregon Youth Authority (OYA)**

Testifies in opposition to SB 661.

299                    Vice Chair Courtney

Asks if school districts are notified of enrolling juvenile sex offenders in all cases or just some cases.

311                    Brazeau

States in all cases. Talks about the notification process and notes that it “still is not working the way it should.”

385                    Sen. Duncan

Concurs with the OYA’s decision to notify the superintendent.

402                    Chair Minnis

Asks Ms. Brazeau to talk about the research in respect to identifying dangerous juvenile sex offenders.

422                    Brazeau

Discusses several avenues of juvenile sex offender research. Reports that there is no “standardized instrument” for determining juvenile recidivism in the country. Points out that the small group of offenders who will always be dangerous are manageable with proper supervision.

**TAPE 74, A**

056                    Sen. Beyer

Inquires about lines 27 – 31, on page 6.

062                    Counsel Prins

Clarifies the intent of this section.

086                    Chair Minnis

Closes the public hearing on SB 661 and opens a public hearing on SB 663.

**SB 663 - PUBLIC HEARING**

087                    Chair Minnis

Introduces SB 663 which would require the Governor to demand the return of certain sex offenders from other jurisdictions. Talks about the –1 amendments and submitted testimony from Steve Marks of the Governor’s Office. **(EXHIBIT B & C)**.

116                    Sen. Harper

Observes that Sen. Minnis describes SB 663 quite differently than the Governor’s office **(EXHIBIT C)**.

120                    Counsel Prins

Clarifies the difference between SB 663 and the –1 amendments. Notes that EXHIBIT C does not address the –1 amendments.

134                    Chair Minnis

Closes the public hearing on SB 663 and opens a work session on SB 166.

**SB 166 – WORK SESSION**

137                    Vice Chair Courtney

Talks about SB 166 which would create a civil cause of action for killing of a companion animal. Introduces the –2 amendments **(EXHIBIT D)**.

152                    Sen. Beyer

Describes a situation in Washington County in which a dog viciously bit someone and the county animal control claimed that, due to changes in statute by the 1999 legislature, they had no authority to “do anything about it anymore.” Asks if the –2 amendments will “fix the issue” concerning local jurisdictions’

175	Counsel Odell	authority. Relates her understanding of what should happen to a dog in this situation.
181	Sen. Beyer	Says he supports the –2 amendments.
193	Vice Chair	Discusses some of the confusing elements of SB 166. Explains how the –2 amendments attempt to resolve them.
225	Sen. Beyer	Explains that the 1999 legislature changed the statutes dealing with dog bites. Discusses the different issues the work group considered over the interim.
255	Chair Minnis	Cites Subsection 7, on page 4. States that he believes that SB 166 addresses Sen. Beyer’s concerns.
277	Counsel Odell	Mentions that a copy of the –2 amendments were sent to Washington County Animal Control.
291	<b>Emilio DeBess</b>	<b>Public Health Veterinarian</b> Testifies neutral on SB 166. States that he is here to answer any questions the committee has about dog bites and rabies.
320	Sen. Beyer	Inquires if the new language in SB 166 will allow counties to better deal with a dog that bites someone.
328	DeBess	Replies that the language already exists. Points out that animal control agencies work with the public health office in accordance with Division 19 of the Oregon Administrative Rules.
349	<b>Vice Chair Courtney</b>	<b>MOTION: Moves to ADOPT SB 166-2 amendments dated 03/26/01.</b> <b>VOTE: 6-0-1</b> <b>EXCUSED: 1 - Sen. Burdick</b>
372	<b>Chair Minnis</b>	<b>Hearing no objection, declares the motion CARRIED.</b>
373	<b>Vice Chair Courtney</b>	<b>MOTION: Moves SB 166 to the floor with a DO PASS AS AMENDED recommendation.</b>
379	Chair Minnis	Recesses the work session on SB 166 at 1:55 p.m.
409	Chair Minnis	Resumes the work session on SB 166 at 2:05 p.m.
412		<b>VOTE: 6-0-1</b> <b>EXCUSED: 1 - Sen. Burdick</b>
413	<b>Chair Minnis</b>	<b>Hearing no objection, declares the motion CARRIED.</b> <b>SEN. COURTNEY will lead discussion on the floor.</b>
419	Chair Minnis	Closes the public hearing on SB 166 and adjourns the meeting at 2:05 p.m.

Submitted By,

Reviewed By,

Annola DeJong,  
Committee Assistant

Craig Prins,  
Counsel

**EXHIBIT SUMMARY**

**A – SB 625, -1 amendments submitted by staff, dated 3/13/01, 1 p.**

**B – SB 663, -1 amendments submitted by staff, dated 3/19/01, 1 p.**

**C – SB 663, written testimony submitted by Steve Marks, Governor’s Senior Policy Advisor, dated 3/27/01, 1 p.**

**D – SB 166, -2 amendments submitted by staff, dated 3/26/01, 2 pp.**

**E – SB 166, written testimony submitted by Phil Lewellyn, dated 3/27/01, 1 p.**