

HOUSE JUDICIARY COMMITTEE ON CIVIL LAW

May 24, 1999 Hearing Room 357

1:00 p.m. Tapes 172 - 173

MEMBERS PRESENT: Rep. Lane Shetterly, Chair

Rep. Max Williams, Vice-Chair

Rep. Judy Uherbelau, Vice-Chair

Rep. Vic Backlund

Rep. Randall Edwards

Rep. Kathy Lowe

Rep. Vicki Walker

Rep. Larry Wells

Rep. Bill Witt

STAFF PRESENT: Aaron Felton, Counsel

Joel Parker, Extern Counsel

Nancy Richards, Administrative Support

MEASURE/ISSUES HEARD: SB 20A - Public Hearing

HB 2633 - Work Session

SB 68A - Public Hearing & 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
TAPE 172, A		

003	Chair Shetterly	Calls meeting to order at 1:33 p.m.
<u>SB 20Añ PUBLIC HEARING</u>		
017	Counsel Parker	SB 20 denominates as violations all offenses that do not provide for term of imprisonment. Presents the -A18, -A19, -A20, -A21, -A22, -A24, and the -A25 amendments (EXHIBITS A-G).
022	Bradd Swank	State Court Administratorís Office Testifies in support of SB 20A. Discusses the history and purpose of SB 20A. Discusses who was on the work group that created SB 20A. Explains that SB 20A does not change the process of how Multnomahís parking offenses are handled and does not increase the amount in fines for infractions. Discusses the -A20 amendments which are conflict amendments. Discusses the -A19 amendments which allows the bail to be rounded to the nearest dollar.
160	Charles Craig	Oregon Department of Agriculture (ODA) Testifies and submits written testimony to SB 20A (EXHIBIT H) and submits written testimony on the behalf of Richard Whitman who is neutral to SB 20A (EXHIBIT I). Refers to Mr. Whitmanís letter regarding the concerns of ODA with SB 20A.
216	Rep. Lowe	Why are third party people being able to commence violation as stated in section 11, page 5 of SB 20A?
221	Craig	Explains the ODAís concern with a third party enforcement action against the agriculture industry.
272	Chair Shetterly	Mr. Swank, do you have any comments to make concerning Mr. Whitmanís letter?
277	Swank	Explains the position of the State Administratorís Office on section 11 of SB 20A which was addressed in Mr. Whitmanís letter.
312	David Heynderickx	Legislative Counsel Testifies and submits written testimony for SB 20A (EXHIBIT J). Explains the -A20 to the -A22 amendments presented by the Oregon Association Chiefs of Police. Discusses the -A25 amendments which are conflict amendments.
356	Chair Shetterly	Closes public hearing.
<u>HB 2633 ñ WORK SESSION</u>		
419	Grant Higginson,	Oregon Health Division

	M.D.	Testifies and submits written testimony in support of HB 2633 (EXHIBIT K). Explains the -8 amendments (EXHIBIT L). Explains the fiscal impact to HB 2633.
460	Paul Snider	Association of Oregon Counties Testifies and submits written testimony on behalf of Linda Fleming in opposition to HB 2633 (EXHIBIT M).
Tape 173, A		
030	Snider	Discusses the process of the contested case proceedings. Discusses the letter from Linda Fleming concerning the fiscal impact on the Oregon Coalition of Local Health Officials with passage of HB 2633.
113	Rep. Edwards	Asks for clarification of the involvement of federal money with the passage of HB 2633.
117	Snider	Explains the funding process for federal money in the Health Department.
125	Higginson	Explains the federal provision that prohibits using federal money for purposes of abortion.
150	Rep. Edwards	How would the time line for waiver of notification work in regards to weekends?
157	Snider	That could be a problem. Who would argue in opposition against the minor in a contested notification issue?
169	Chair Shetterly	Explains that line 7, page 2 of HB 2633 which the -8 amendments deleted, tells how the review process for the exemption of notification is handled.
186	Snider	Explains why the Association of Oregon Counties is opposing the -8 amendments.
196	Higginson	Explains how the fiscal impact of HB 2633 would effect the Oregon Health Division.
238	Rick Olson	Legislative Fiscal Office Explains what the legislative fiscal impact with passage of HB 2633 would be on the State of Oregon.
270	Higginson	States that the number of teenagers that would go to another state for abortions is unknown which would effect the fiscal impact of HB 2633.

286	Rep. Witt	What percent of teenagers in Oregon would be asking for the by-pass procedure?
287	Higginson	Discusses the national statistics regarding teenage abortions.
308	Rep. Backlund	Are the 1990 and 1992 surveys used for the statistics on teenager abortions the latest?
311	Higginson	Yes.
324	Chair Shetterly	Closes work session.
<u>SB 68A n PUBLIC HEARING</u>		
330	Counsel Felton	SB 68A allows circuit and justice courts to enter intergovernmental agreement to consolidate small claims to justice court.
341	Bradd Swank	State Court Administrator's Office Testifies and submits written testimony in support of SB 68A (EXHIBIT N). Explains the situation in Baker City, Oregon where there were two small claims departments which resulted in the creation of SB 68A.
<u>SB 68A - WORK SESSION</u>		
410	Rep. Uherbelau	MOTION: Moves SB 68A to the floor with a DO PASS recommendation.
		VOTE: 8-0 AYE: 8 - Backlund, Lowe, Uherbelau, Walker, Wells, Williams, Witt, Shetterly EXCUSED: 1 - Edwards
Chair Shetterly		The motion CARRIES. REP. LOWE will lead discussion on the floor.
427	Chair Shetterly	Closes work session.
Adjourns meeting at 2:30 p.m.		

Submitted By, Reviewed By,

Nancy Richards, Sarah Watson,

Administrative Support Office Manager

EXHIBIT SUMMARY

- A - SB 20A, Proposed -A18 amendments, Counsel, p. 4**
- B - SB 20A, Proposed -A19 amendments, Counsel, p. 1**
- C - SB 20A, Proposed -A20 amendments, Counsel, p. 2**
- D - SB 20A, Proposed -A21 amendments, Counsel, p. 2**
- E - SB 20A, Proposed -A22 amendments, Counsel, p. 2**
- F - SB 20A, Proposed -A24 amendments, Counsel, p. 2**
- G - SB 20A, Proposed -A25 amendments, Counsel, p. 6**
- H - SB 20A, Written testimony, Charles Craig, p. 1**
- I - SB 20A, Written testimony, Richard Whitman, p. 2**
- J - SB 20A, Written testimony, David Heynderickx, p. 2**
- K - HB 2633, Written testimony, Grant Higginson, M.D., p. 4**
- L - HB 2633, Written testimony, Grant Higginson, M.D., p. 3**
- M - HB 2633, Written testimony, Linda Fleming, p. 1**
- N - SB 68A, Written testimony, Bradd Swank, p. 1**