

SENATE COMMITTEE ON JUDICIARY

July 17, 1999 Hearing Room C

3:55 p.m. Tape 274

MEMBERS PRESENT: Sen. Bryant, Chair

Sen. Courtney, Vice-Chair

Sen. Brown

Sen. Burdick

Sen. Duncan

MEMBER EXCUSED: Sen. Nelson

Sen. Tarno

STAFF PRESENT: Anne Tweedt, Counsel

Judith Minnich, Administrative Support

MEASURE/ISSUES HEARD: Possible Measure Introduction

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 274, A		
003	Chair Bryant	Calls the meeting to order at 4:02 p.m. A recent Supreme Court decision held ORS 18.560 (1) unconstitutional. This statute limits non-economic damages that may be awarded against a defendant in a civil case to \$500,000. This statute was enacted in 1987 as a result of tort reform legislation. The court held that the legislature did not have statutory authority to enact this measure in light of Article I, Section 17 of the Constitution which says in all civil cases the right to

		trial by jury is inviolate.
041	Sen. Bryant	MOTION: Moves LC 4330 BE INTRODUCED as a committee bill.
		VOTE: 4-1 AYE: 4 - Burdick, Courtney, Duncan, Bryant NAY: 1 - Brown EXCUSED: 2 - Nelson, Tarno
	Chair Bryant	The motion CARRIES.
044	Chair Bryant	Indicates that this bill is introduced as a priority bill from Sen. Miller (EXHIBIT A). Indicates that HJR 2, as amended, will also be considered by the committee at the next hearing (EXHIBIT B).
065	Chair Bryant	Adjourns hearing at 4:15 p.m.

Submitted By, Reviewed By,

Judith Minnich, Anne Tweedt,

Administrative Support Counsel

EXHIBIT SUMMARY

A ñ LC 4330, dated 7/17/99, 2 pp

B ñ HJR 2A, hand engrossed with the ñA7 amendments, 1 pp