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**SENATE COMMITTEE ON BUSINESS, LAW, AND GOVERNMENT**

**April 1, 1997 Hearing Room A**

**1:00pm Tapes 127 - 128**

**MEMBERS PRESENT:**

**Sen. Neil Bryant, Chair**

**Sen. Randy Miller, Vice-Chair**

**Sen. Kate Brown**

**Sen. Gene Derfler**

**Sen. Randy Leonard**

**Sen. David Nelson**

**MEMBER EXCUSED:**

**STAFF PRESENT:**

**David J. Amesbury, Counsel**

**Andrea Terry, Administrative Support**

**MEASURE/ISSUES HEARD:**

**SB 601**

SB 602

SB 604

SB 660

**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.**

<b>Tape/#</b>	<b>Speaker</b>	<b>Comments</b>
<b>Tape 127, A</b>		
006	Chair Bryant	opens meeting at 1:12pm
<b><u>SB 660--PUBLIC HEARING AND WORK SESSION</u></b>		
010	Bryant	open public hearing on SB 660
021	Frank Yraguen	Judge
023	Yraguen	EXHIBIT A
051	Yraguen	still discussing EXHIBIT A
090	Yraguen	we as a society should say to parents that they are responsible for their own children
111	Bryant	in the proposed amendments 6b should be \$750 not \$200
135	Bryant	Section 1 of the bill states "custodial parent" is the responsible party
140	Yraguen	we have not explored the area of "custodial parent" or "noncustodial parent"
143	Bryant	would you want to include guardians that have legal custody
145	Yraguen	yes, only because I am in favor of victim's rights since the child cannot pay, someone has to be responsible
166	Sen. Brown	are intending subsection five to apply to foster parents
170	Yraguen	no I have no intent for this
178	Sen. Leonard	kids from broken homes, single parents often become victims in this situation I have a hard time punishing the parent who is trying so hard

214	Yraguen	there are situations where the single parent is trying so hard and the teen is running wild, but there are still victims that need to be helped
230	Leonard	I believe the child should somehow be held accountable
259	Bryant	this would allow the victim to be
264	Leonard	I would rather see us do something
269	Brown	wouldn't this be a way of having a non-involved parent responsible (like one who is not paying child support)
308	Yraguen	I believe it still comes down to the parent I think we are in serious trouble in the juvenile area in terms of making juveniles responsible for their actions
350	Leonard	this teaches the kids that they are not responsible for their actions; that Mom and Dad will handle everything
372	Bryant	it holds the kids responsible because restitution can be imposed
380	Brown	where is the non-custodial parent in these cases; shouldn't this person be included
Tape 128, A		
002	Yraguen	most of the time we can not find or get the non-custodial the bottom line is victims rights from my perspective we are not doing everything for victims rights
018	Paul Snider	Association of Oregon Counties
020	Snider	we have not taken a position on SB 660, but it is in line with positions we have held in the past
024	Bryant	close public hearing on SB 660
026	Bryant	open work session on SB 660
031	Bryant	conceptual amendments discussion these will come back at a later date for the committee to vote on
055	Sen. Miller	do the courts get involved at this point in terms of custodial and non-custodial parents
066	Brown	if the child is in a great deal of trouble isn't this grounds for a change in circumstance, couldn't the non-custodial step in and argue for custody
093	Leonard	the non-custodial parent is not off the hook just because he/she is 5,000 miles away
107	Bryant	close work session on SB 660

**SB 601--PUBLIC  
HEARING AND WORK  
SESSION**

108	Bryant	open public hearing on SB 601
113	Mike Mills	Attorney from Salem
121	Mills	our bill does not change the statute of limitations this affects anyone who sells alcohol OLCC licensees are the only businesses that are held responsible for actions that occur on their premises away from their premises
161	Mills	OLCC licensees are required to have insurance we think with the deletion of the 90 day language it is still a good bill
179	Chair Bryant	is this the same bill that the Senate passed in 1995
185	Bill Perry	Oregon Restaurant Association
186	Perry	yes, to my recollection it is the same bill that was passed in 1995
187	Brown	this is not statute of limitations
189	Mills	the notice needs to be filed within six months
211	Brown	other than ski operators are there other groups that are under the six month limitation
213	Mills	I have not done exhaustive research, at this time the only group I can find that is affected by this are the ski operators
216	Brown	has this cut down on drunk driving problems; will this have fewer claims under the Dramshop Act
218	Mills	I believe it has cut down on drunk driving
220	Judy Hudson	Attorney representing injured persons
222	Hudson	EXHIBIT B
294	Bryant	the drunk driver often pleads the fifth amendment so as not to get the proprietor of the bar/tavern in trouble
300	Hudson	correct finishes discussing EXHIBIT B
321	Leonard	is there some way that we can add an amendment that would make "discovery" easy
345	Hudson	not without violating the person's rights
360	Brown	assuming we could deal with the problem of discovery, why should we be treating victims of drunk drivers differently

		than other victims
365	Hudson	I don't think we should go ahead with SB 601
Tape 127, B		
004	Bryant	close public hearing on SB 601 asks David Amesbury to work with LC to prepare an amendment
016	Bryant	open work session on SB 601
018	Bryant	conceptual amendment discussion
026	Bryant	no discussion; no objection to the conceptual amendments we will bring the bill back for a vote
<b><u>SB 602--PUBLIC HEARING</u></b>		
030	Bryant	open public hearing on SB 602
035	Staff	EXHIBIT C EXHIBIT D
040	Bill Perry	Oregon Restaurant Association
043	Bill Perry	EXHIBIT E
100	Gary Conkling	represent American Society of Composers, Authors and Publishers
118	Gary Conkling	EXHIBIT F
152	Mr. Reemer	Attorney
154	Reemer	further explanation of SB 602
179	Bryant	by exempting these companies what have you done
183	Reemer	these companies are under federal guidelines
197	Chuck Bennett	representing BMI
201	Bennett	EXHIBIT G
213	Bryant	close public hearing on SB 602
<b><u>SB 604--PUBLIC HEARING AND WORK SESSION</u></b>		
221	Bryant	open public hearing on SB 604
230	Genoa Ingram-Read	Oregon Association of Realtors
	Genoa	EXHIBIT H

240	Ingram-Read	one small change: we would like the bill to state "seven business days" rather than "five business days" for this transaction to take place
290	Scott Taylor	Oregon Real Estate Commissioner
295	Scott Taylor	EXHIBIT I
348	Bryant	close public hearing on SB 604
350	Bryant	open work session on SB 604
352	Sen. Miller	<b>MOTION: Moves SB 604 to the floor with a DO PASS AS AMENDED recommendation.</b>
355	Bryant	no objection; no discussion Sen. Miller will carry
356	Bryant	close work session on SB 604
358	Bryant	open work session on SB 602
360	Sen. Brown	<b>MOTION: Moves to ADOPT the amendments offered by Bill Perry to SB 602.</b>
361	Bryant	no discussion; no objection
362	Sen. Brown	<b>MOTION: Moves SB 602 to the floor with a DO PASS AS AMENDED recommendation.</b>
365	Bryant	no discussion; no objection Sen. Brown will carry
367	Bryant	adjourns meeting at 2:40pm

**Submitted By, Reviewed By,**

**Andrea Terry, David J. Amesbury,**

**Administrative Support Counsel**

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**EXHIBIT SUMMARY**

**A - Memo from Frank Yraguen - introduced by Frank Yraguen - 1 page**

**B - Letter from Judy Hudson - introduced by Judy Hudson - 8 pages**

**C - -2 amendments for SB 602 - introduced by Legislative Counsel - 4 pages**

**D - -3 amendments for SB 602 - introduced by Legislative Counsel - 4 pages**

**E - Memo from Oregon Restaurant Association - introduced from Bill Perry - 9 pages**

**F - The facts on SB 602 - introduced by Gary Conkling - 2 pages**

**G - Memo from Chuck Bennett on SB 602 - introduced by Chuck Bennett - 4 pages**

**H - Testimony of Genoa Ingram-Read in support of SB 604 - introduced by Genoa Ingram-Read - 1 page**

**I - Testimony on SB 604 - introduced by Scott Taylor**

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