

HOUSE COMMITTEE ON
JUDICIARY

Hearing Room
Tapes - 11

MEMBERS PRESENT:

Rep. Del Parks, Chair
Rep. Kate Brown, Vice-Chair
Rep. Chuck Carpenter
Rep. Peter Courtney
Rep. Jerry Grisham
Rep. Bryan Johnston
Rep. Leslie Lewis
Rep. Lisa Naito
Rep. Floyd Prozanski
Rep. Eileen Qutub
Rep. Veral Tarno
Rep. Bob Tiernan

STAFF PRESENT:

Holly Robinson, Committee Counsel
Milt Jones, Committee Counsel
Janet Ellingsworth, Committee Assistant

MEASURES HEARD:

Work session on HB 2493
Work session on HB 2031
Work session on HB 2161
Work session on HB 2572
Work session on HB 2699
Work session on HB 2883
Work session on HB 2912

These minutes contain materials which paraphrase and/or summarize
statements made during this session. Only text enclosed in quotation marks

report a speaker's exact words. For complete contents of the proceedings,
please refer to the tapes.

TAPE , A

004 CHAIR PARKS: Convenes meeting at 10:00 A.M.

OPENS the WORK SESSION on HB 2493

006 sent MOTION: REP. BROWN: Moves to
to the Floor with a do pass recommendation.

008 CHAIR PARKS: Hearing no objections the
motion is ADOPTED.

015 MOTION: REP. BROWN: Moves to adopt
the -7 amendments to HB 2493.

020 JONES: Gives brief overview of HB 2493. [EXHIBIT D]

025 REP. GRISHAM: Does the bill have 120 days confidentiality in it?

026 CHAIR PARKS: It has 60 days for certain and another 60 if the board
believes it is necessary
for investigation purposes.

028 REP. GRISHAM: For the first 60 days?

030 CHAIR PARKS: Absolutely.

032 CHAIR PARKS: Hearing no objections
the -7 amendments are ADOPTED.

034 MOTION: REP. BROWN: Moves HB 2493
to the Floor with a do pass recommendation.

036 VOTE: In a roll call vote all REPS. BROWN
CARPENTER, GRISHAM, PROZANSKI,
QUTUB, TARNO and CHAIR PARKS vote
AYE. REPS. COURTNEY, JOHNSTON,
LEWIS, NAITO and TIERNAN are ABSENT.

040 CHAIR PARKS: The motion CARRIES.

042 REP. JOHNSTON: I wasn't called.

043 CHAIR PARKS: Rep. Johnston asks that he and Rep. Tiernan and Rep.
Naito be allowed to vote.

045
047

VOTE: In a roll call vote REPS.
REPS. PARKS and JOHNSTON will lead
discussion on the Floor.

CLOSES the WORK SESSION on HB 2493
OPENS the WORK SESSION on HB 2031

060 ROBINSON: Gives brief overview of HB 2031. The crime subcommittee
took action on this
bill and then moved that it be referred to Ways and Means.

070 CHAIR PARKS: Is that with or without recommendation?

071 ROBINSON: The committee did recommend a do pass recommendation.

072 REP. TARNO: In subcommittee we dealt with two issues pertaining to
unitary assessment fees.

098 CHAIR PARKS: I have the same kind of questions that you have. One
thing we don't do as a legislature is prioritize things.

114 REP. NAITO: The children's trust fund is one of the most important
things we have. Expresses
concerns. I suggest we delete the subsequent referral and send this to the

Floor with a do pass
recommendation.

128 CHAIR PARKS: I won't allow you to do that. There is too much money
involved.

135 REP. TARNO: I'm glad the issue was raised in front of the full
committee so that maybe all of
the members could get a better handle on the issue of using unitary
assessment fees.

150 REP. TIERNAN: There has been a number of issues raised about the
unitary assessment. (Inaudible)

157 CHAIR PARKS: The subtle issue is should this money go to the general
fund. Discusses other
similar bills.

170 REP. TIERNAN: The Department of Transportation has 2 percent or \$1.3
million for administrative expenses connected with driving motor vehicles.

178 REP. TARNO: The DUII cases that Department of Motor Vehicles has
hearings officer's for, I believe their total package is \$4.5 million.
This line item in the unitary assessment simply augments that budget
package.

186 CHAIR PARKS: Maybe this would benefit from a fresh look and then we
could take it back to
the civil subcommittee.

190 REP. BROWN: The money that Department of Transportation uses is for
clearing snow from recreational parking lots, which can be covered by the
snow park permit system and to repair
roads damaged by truck, which can be covered by permits trucker's purchase.

I agree with Rep.
Naito that this should go directly to the Floor.

206

MOTION: REP. COURTNEY: Moves HB
a do pass recommendation.

213 REP. COURTNEY: That is the motion I made in the subcommittee.

218 REP. TIERNAN: I'm going to vote no on this because I think we should
send to whoever has
the patience to look at it to consider this bill with all of the other
unitary attacks measures.

226 REP. QUTUB: If we move this to Ways & Means does that keep us from
doing what the chair
of the subcommittee wanted to do?

230 CHAIR PARKS: Yes. It goes to the Ways & Means with a single
recommendation only to this
one designated purpose.

232 REP. QUTUB: If it went back to subcommittee then they could take a
closer look at it?

234 CHAIR PARKS: That is correct.

237 REP. TARNO: If this goes to Ways & Means we can still deal with HB
2161 and the totality of
the unitary assessment issue.

241 CHAIR PARKS: If it went to Ways and Means?

243 REP. TARNO: If HB 2031 did.

245 CHAIR PARKS: They would be dealing with a major segment and we
wouldn't deal with it.

248 VOTE: In a roll call vote REPS.
PROZANSKI and QUTUB vote
AYE. REPS. CARPENTER,
TARNO, TIERNAN and CHAIR
PARKS vote NAY.

256 CHAIR PARKS: The motion FAILS.

258 MOTION: REP. GRISHAM: Moves
HB 2031 back to the civil subcommittee.

260 CHAIR PARKS: Hearing no objection
HB 2031 is re referred to the civil
subcommittee.

CLOSES the WORK SESSION on HB 2031
OPENS the WORK SESSION on HB 2061

276 MOTION: REP. TARNO: Moves HB 2161
be re referred to the civil subcommittee.

280 REP. QUTUB: Referring to HB 2031, does Rep. Grisham realize what he
just did? You just
moved this bill to civil and it was not in civil.

283 CHAIR PARKS: We thought a new crew would give a fresh perspective.

299 REP. COURTNEY: I object, I happen to think the subcommittee on crime
and corrections has some degree of expertise. These kinds of measures have
got to go to Ways & Means.

326 CHAIR PARKS: There are many ways to handle these bills and one of the
ways Rep. Courtney
suggested that perhaps a meeting of the leadership could happen and we
could get some general
direction.

330 CHAIR PARKS: Hearing no objection the
CLOSES the WORK SESSION on HB 2161
OPENS the WORK SESSION on HB 2572

351 JONES: Brief overview of HB 2572. [EXHIBIT A]

360 CHAIR PARKS: The president of the Oregon Justice of the Peace
Association, talked to me this morning and wanted to be assured that this
bill does not propose that the state takes over the justice courts or in
any way interferes. That is not the purpose of this bill.

375 MOTION: REP. BROWN: Moves HB 2572
to the Floor with a do pass recommendation.

377 REP. PROZANSKI: Could we get some type of background as to the
necessity of the bill?

382 CHAIR PARKS: Explains background of the bill.

397 MOTION: REP. BROWN: Moves HB 2572
as amended to the Floor with do pass
recommendation.

400 VOTE: In a roll call vote all members are
AYE.

410 CHAIR PARKS: The motion CARRIES.

414 REP. BROWN will lead discussion on the

CLOSES the WORK SESSION on HB 2572
OPENS the WORK SESSION on HB 2699

431 ROBINSON: Brief overview of HB 2699. [EXHIBIT B]

436 MOTION: REP. TIERNAN: Moves HB 2699
to Children and Families committee.

443 CHAIR PARKS: Rep. Meek came here and testified and I think he's the one
who had it referred
here.

TAPE 11, A

023 REP. TIERNAN: I will withdraw my motion.

025 REP. BROWN: This bill is critical, it limits children's services
authority. Gives example.

036 MOTION: REP TARNO: Moves the -1

040 CHAIR PARKS: Hearing no objections the
motion CARRIES.

042 MOTION: REP. TARNO: Moves HB 2699

as amended to the Floor with a do pass recommendation.

045 VOTE: In a roll call vote all member are present and vote AYE.

047 REP. QUTUB will lead discussion on the Floor.

CLOSES the WORK SESSION on HB 2699
OPENS the WORK SESSION on HB 2883

050 ROBINSON: Brief overview of HB 2883. [EXHIBIT C].

066 MOTION: REP. NAITO: Moves the -1 amendments.

068 CHAIR PARKS: Hearing no objections the motion CARRIES.

068 REP. JOHNSTON: We also have a copy of a letter from Rep. Piercy.
[EXHIBIT E]

076 REP. NAITO: I disagree that this measure would effect poor people. Any one could have a child who comes within the jurisdiction of the court and in a way this would allow an evenhanded method of working with the parents.

085 MOTION: REP. JOHNSTON: Moves HB 2883 to the floor as amended with a do pass recommendation.

088 VOTE: In a roll call vote all members are present and vote AYE.

092 CHAIR PARKS: The motion CARRIES.

094 REP. JOHNSTON will lead discussion on the Floor.

097 REP. LEWIS: On the staff measure summary, I would like to point out that I am not on that subcommittee on Juvenile Justice.

105 ROBINSON: I will clarify the record and make it accurate.

CLOSES the WORK SESSION on HB 2883
OPENS the WORK SESSION on HB 2912

113 ROBINSON: Gives brief overview of HB 2912.

121 MOTION: REP. BROWN: Moves HB 2912 recommendation.

124 VOTE: In a roll call vote all members are present and vote AYE.

127 CHAIR PARKS: The motion CARRIES.

129 REP. NAITO will lead discussion on the Floor.

131 REP. COURTNEY: I would like to show support for all the good work the civil subcommittee did on HB 2493, and would like to record a yes vote.

134 CHAIR PARKS: Hearing no objections allows Rep. Courtney to cast his vote.

135 VOTE: In a roll call vote REP. COURTNEY votes AYE on HB 2493.

138 CHAIR PARKS: With nothing further from the committee the meeting is adjourned at 10:45 A.M.

Submitted by, Reviewed by,

Janet Ellingsworth Debra Johnson
Committee Clerk Committee Coordinator

EXHIBIT SUMMARY:

A - Proposed amendments to HB 2572 - Staff - 1 page
B - Proposed amendments to HB 2699 - Staff - 1 page
C - Proposed amendments to HB 2883 - Staff - 1 page

D - Proposed amendments to HB 2493 - Staff - 7 pages

E - Testimony on HB 2833 - Rep. Piercy - 1 page