

SENATE COMMITTEE ON
JUDICIARY

Hearing Room
Tapes -20

MEMBERS PRESENT:

SEN. NEIL BRYANT, Chair
SEN. RANDY MILLER, Vice-Chair
SEN. KEN BAKER
SEN. JEANNETTE HAMBY
SEN. PETER SORENSON
SEN. DICK SPRINGER
SEN. SHIRLEY STULL

STAFF PRESENT:

M. MAX WILLIAMS II, Committee Counsel
DIANE DUSSLER, Committee Assistant

MEASURES HEARD:

INTRODUCTION of LC DRAFTS 1892
INTRODUCTION of LC DRAFT 1896
PUBLIC HEARING - SB 85
PUBLIC HEARING - SB 86
PUBLIC HEARING - SB 192
WORK SESSION - SB 85
WORK SESSION - SB 86

WORK SESSION - SB 62

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

005 CHAIR BRYANT: Calls the meeting to order at 3:00 p.m.

BILL INTRODUCTION: Introduction of LC 1892.

008 WILLIAMS: Gives summary of LC 1892.

035 SEN. SPRINGER: Request no vote on LC 1892 if it is part of tort reform
package.

045 SEN. SORENSON: Not comfortable introducing this as committee bill.

051 CHAIR BRYANT: LC drafts introduced by committee do not indicate support
or opposition to the measure by membership.

MOTION: CHAIR BRYANT: Moves to introduce LC 1892.

VOTE: In a roll call vote, SENS. STULL, BAKER, MILLER, BRYANT vote AYE.
SENS. SPRINGER, SORENSON vote NAY. SEN. HAMBY is EXCUSED.

075 WILLIAMS: Summarizes LC 1896.

MOTION: CHAIR BRYANT: Moves to introduce LC 1896 as a committee bill.

VOTE: In a roll call vote, SENS. STULL, BAKER, MILLER, SORENSON, BRYANT
vote AYE. SEN. SPRINGER votes NAY. SEN. HAMBY is EXCUSED.

089 Opens PUBLIC HEARING on SB 85

Witness: Frank Brawner, Oregon Banker's Association

093 FRANK BRAWNER: Testifies in favor of SB 85 [EXHIBIT G - personal
testimony].

100 Closes PUBLIC HEARING on SB 85

110 Opens WORK SESSION on SB 85

MOTION: SEN. MILLER: Moves SB 85 be sent to floor with a DO PASS recommendation.

VOTE: Hearing no objection the motion CARRIES. All members are present.
SEN. MILLER will carry the bill to the Floor.

Opens PUBLIC HEARING on SB 86

Witness: Mark Hays, Vice President/Trust Officer, Commercial Bank

145 MARK HAYS, Vice President/Trust Officer, Commercial Bank: Testifies in
favor of SB 86 [EXHIBIT H - personal testimony].

196 HAYS: Believes an amendment is needed so claims by decedents can be
paid to living trusts.

239 SEN. MILLER: Has there been an attempt to change the \$1,000 amount?

242 BRAUNER: There was an attempt in 1993, with the same bill.

290 BRAUNER: Continues describing past attempts to pass bill.

Closes PUBLIC HEARING on SB 86

Opens WORK SESSION on SB 86

312 MOTION: CHAIR BRYANT: Moves SB 86 be sent to the Floor with a DO
PASS recommendation.

VOTE: Hearing no objection the motion CARRIES. All members are present
except SEN. SPRINGER who is EXCUSED. SEN. MILLER will carry the bill to
the Floor.

Opens WORK SESSION ON SB 62

Witness: Neale Creamer, Oregon State Bar, Business Section

333 NEALE CREAMER, Oregon State Bar, Business Section: Testifies in favor of
SB [EXHIBIT I - testimony with proposed amendments] [EXHIBIT J - proposed
amendment].

366 CHAIR BRYANT: Section 16 is additional amendment?

380 CREAMER: Yes, it was overlooked before.

MOTION: CHAIR BRYANT: Moves the ADOPTION of amendments as outlined in
SB 61-7 dated January 18, 1995, for LC 953 [EXHIBIT M].

VOTE: Hearing no objections the motion CARRIES. All members are
present.

MOTION: CHAIR BRYANT: Moves the ADOPTION of additional amendment to SB
62 section 16, subparagraph 6.

VOTE: Hearing no objection the motion CARRIES. All members are present.

TAPE 20, A

008 SEN. MILLER: Is it correct that Mr. Brauner's organization has no
opposition to this bill?

009 BRAUNER: Yes.

MOTION: SEN. MILLER: Moves SB 62, AS AMENDED, be sent to the Floor with a
DO PASS recommendation.

VOTE: Hearing no objection the motion CARRIES. All members are present.

SEN. HAMBY will carry bill to the Floor.

Opens PUBLIC HEARING on SB 192

Witnesses: Kingsley Click, Acting State Court Administrator
Karen Hightower, Assistant Legal Counsel, State Court Administrator's
Office

Alice Phalan, Executive Director, Oregon Dispute Resolution Commission
Annabelle Jaramillo, Executive Director, Oregon Commission on Hispanic
Affairs.

033 KINGSLEY CLICK, Acting State Court Administrator: Testifies in favor of
SB 192 [EXHIBIT K - personal testimony with amendments].

074 CHAIR BRYANT: Staff has summarized changes.

120 CLICK: Continues with testimony.

167 SEN. MILLER: Questions whether there is fiscal impact with the

translators.

224 SEN. MILLER: Questions reason for providing translators.

310 ALICE PHALAN, Executive Director, Oregon Dispute Resolution Commission:
Provides testimony in favor of SB 192 [EXHIBIT L - personal testimony].

340 ANNABELLE JARAMILLO, Executive Director, Oregon Commission on Hispanic
Affairs: Provides testimony in favor of SB 192 [EXHIBIT N] - personal
testimony].

Closes PUBLIC HEARING on SB 192

350 CHAIR BRYANT: We will bring bill back with amendments. SB 195 has
been withdrawn.

355 CHAIR BRYANT: Meeting adjourns at 4:02 p.m.

Submitted by, Reviewed by,

DIANE DUSSLER MAX WILLIAMS
Committee Assistant Committee Counsel

EXHIBIT SUMMARY:

(There are no exhibits A-F. Exhibits begin with G.)

G-- Testimony on SB 85 - Frank Brawner - 2 pages
H-- Testimony on SB 86 - Mark Hays - 4 pages
I-- Testimony with Amendments on SB 62 - Neale Creamer - 5 pages
J-- Proposed Amendment to SB 62 - Neale Creamer - 1 page
K-- Testimony with Amendments on SB 192 - Kingsley Click - 10 pages
L-- Testimony on SB 192 - Alice Phalan - 1 page
M-- Proposed Amendments to SB 62-1 - 2 pages
N-- Testimony on SB 192 - 1 page