

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.

HOUSE COMMITTEE ON JUDICIARY

June 14, 1991Hearing Room 357 1:00 p.m.Tape 56

MEMBERS PRESENT:Rep. Randy Miller, Chair Rep. Tom Mason, Vice Chair Rep. Ray Baum Rep. Judith Bauman Rep. Marie Bell Rep. Tom Brian Rep. Kelly Clark Rep. Jim Edmunson Rep. Rod Johnson Rep. Kevin Mannix Rep. Del Parks Rep. Ron Sunseri

STAFF PRESENT: Greg Chaimov, Committee Counsel Jeff Steve, Committee Assistant

MEASURES HEARD:HB 2363 - W.S. SB 754 - W.S. HR3 - W.S. SB 32 - W.S. HB 3589 - W.S.

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TAPE 56, SIDE A

004 CHAIR RANDY MILLER: Opens House Committee on Judiciary at 1:30 p.m.

Opens work session on HB 2363.

HGB 2363 - WORK SESSION

006 CHAIMOV: HB 2363 gives Oregon sales representatives the right to sue for unpaid commissions plus interest, punitive damages, and attorney fees from out of state manufacturers.

020 MOTION: REP. MANNIX: Moves adoption of HB 2363-1 amendments (EXHIBIT A).

VOTE: Without objection, amendments are adopted.

MOTION: REP. MANNIX: Moves HB 2363, as amended, to the floor with a do pass recommendation.

VOTE: On a roll call vote, motion passes. AYES: Reps. Baum, Bauman, Edmunson, Johnson, Mannix, Mason, Parks, Sunseri, Miller NAYS: None EXCUSED: Reps. Bell, Brian, Clark

027 CHAIR MILLER: Rep. Johnson will carry the bill on the floor.

Closes work session on HB 2363.

Opens work session on SB 754.

SB 754 - WORK SESSION

030 CHAIR MILLER: Recesses work session on SB 754 pending arrival of amendments.

Opens work session on HR3.

HR3 - WORK SESSION

027 CHAIMOV: Reviews provisions of HR3 which honors former Senate President Jason Boe and his 30 years of public service.

029 REP. MASON: Speaks about former Sen. Boe's legislative service and in favor of HR3.

050 MOTION: REP. MASON: Moves HR3 to the floor with a do pass recommendation.

055 VOTE: On a roll call vote, resolution is adopted. AYES: Baum, Bauman, Bell, Edmunson, Johnson, Mannix, Mason, Parks, Sunseri, Miller
NAYS: None EXCUSED: Reps. Brian, Clark

060 CHAIR MILLER: Rep. Mason will carry the Resolution on the floor.

Closes work session on HR3.

Opens work session on SB 32.

SB 32 - WORK SESSION

051 CHAIMOV: Committee needs to bring SB 32 back with a motion to reconsider the vote by which the committee passed it to the floor and move the bill to the Committee on Ways and Means since the bill came to the committee with a subsequent referral.

054 MOTION: REP. BAUMAN: Moves SB 32 be referred back to House Committee on Judiciary.

VOTE: Without objection, motion passes.

057 MOTION: REP. BAUMAN: Moves that SB 32 be referred to the Committee on Ways and Means.

VOTE: On a roll call vote, motion passes. AYES: Reps. Baum, Bauman, Bell, Clark, Edmunson, Johnson, Mannix, Mason, Parks, Sunseri, Miller
NAYS: None EXCUSED: Rep. Brian

078 CHAIR MILLER: Closes work session on SB 32.

Opens work session on HB 3589.

HB 3589 - WORK SESSION

067 CHAIMOV: HB 3589 prohibits contributions between candidates and

principal campaign committees and eliminates the use of tax credits for political contributions, except for ballot measures which have been certified as qualified for placement on the ballot.

070 MOTION: REP. MANNIX: Moves adoption of HB 3589-1 amendments (EXHIBIT B).

VOTE: Without objection, amendments are adopted.

072 MOTION: REP. MANNIX: Moves HB 3589 to the floor, as amended, with a do pass recommendation.

VOTE: On a roll call vote, motion passes. AYES: Reps. Baum, Bell, Clark, Johnson, Mannix, Mason, Parks, Sunseri, Miller NAYS: Reps. Bauman, Edmunson EXCUSED: Rep. Brian

089 CHAIR MILLER: I will carry the bill on the floor.

090 REP. EDMUNSON: Serves notice of possible minority report.

098 CHAIR MILLER: Reopens work session on SB 754.

SB 754 - WORK SESSION

090 CHAIMOV: Committee needs to reconsider vote by which it failed to pass SB 754.

Refers to proposed amendment from Rep. Johnson (EXHIBIT C). As a result of Rep. Johnson's work the committee has the SB 754-A5 amendments (EXHIBIT D) which no longer talk about a natural disaster, but which would permit obtaining a way of necessity across a neighbor's land only if the way of necessity will not reduce the value of the neighbor's land by more than 20%.

100 REP. JOHNSON: Speaks to intent of the amendments which was to include both 20% tests.

119 REP. MASON: Ways of necessity are as esoteric a piece of property law as you can find.

It is an incredibly complex area. Speaks of history of the issue.

Feels that amendment will cause trouble.

165 CHAIR MILLER: Amendments produced do not reflect the intent of the sponsors of the amendments. Will set the bill aside until next full committee meeting.

170 MOTION: REP. EDMUNSON: Moves to reconsider vote by which committee failed to pass SB 754.

VOTE: Without objection, motion passes.

177 REP. BAUMAN: Asks committee chair and counsel to make sure members are contacted so that they can be excused from floor session to attend committee meetings.

174 CHAIR MILLER: Serves notice of possible reconsideration of HB 3589.

Adjourns at 1:50 p.m.

Transcribed by,

Pat Zwick

EXHIBITS LOG: A:HB 2363-1 Amendment - Staff - 1 page B:HB 3589-1
Amendment - Staff - 1 page C:SB 754 Proposed Amendment - Rep. R. Johnson
- 1 page D:SB 754-A5 Amendment - Staff - 5 pages