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SENATE COMMITTEE ON JUDICIARY

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AGENDA

REVISION #11 ISSUED 04-19-2011

WEDNESDAY

Date : April 20, 2011
Time : 8:30 A.M.
Room: 343

****This meeting will begin at 8:30 AM****

POSSIBLE MEASURE INTRODUCTION

Public Hearing and Possible Work Session

SB 215

Requires that administrative law judges assigned from Office of Administrative Hearings to conduct hearing involving health issues arising out of provision or denial of medical assistance must have proven expertise in medical issues, in laws governing state's medical assistance program and in prioritized list of health services established by Health Services Commission.

SB 393

Provides that offenders sentenced to mandatory minimum terms of imprisonment for certain crimes committed when they were 15, 16 or 17 years of age are eligible for conditional release hearing after having served one-half of sentence imposed.

SB 394

Provides that offenders sentenced to mandatory minimum terms of imprisonment for certain crimes committed when they were 15, 16 or 17 years of age are eligible for conditional release hearing after having served one-half of sentence imposed.

SB 432

Modifies jurisdiction of Psychiatric Security Review Board.

SB 868

Prohibits application of certain criminal sentences to person who is tried as adult for crime committed before person was 15 years of age.

SB 875

Makes strikes or recognition of picket line of labor organization by assistant attorneys general unlawful.

Work Session

SB 369

Creates Death Penalty Review Panel.

**SENATE COMMITTEE ON
JUDICIARY
AGENDA (Cont.)
April 20, 2011**

- SB 395
Modifies obligation of Oregon Criminal Justice Commission to classify driving while under the influence of intoxicants as crime category 6.
- SB 416 ** **Subsequent Referral(s) to Ways and Means
Authorizes court to impose probation with intensive supervision under certain circumstances when person convicted of certain drug or property crimes.
- SB 420
CARRIED OVER FROM 4/19/2011 AGENDA - Calculates maximum period of jurisdiction of Psychiatric Security Review Board over person found guilty except for insanity of offense based on sentence person would have received had person been convicted of crime.
- SB 677
Creates partial defense to certain sex offenses for certain juveniles and persons less than three years older than victim.
- SB 678
Creates partial defense to certain sex offenses for certain juveniles and persons less than three years older than victim.
- SB 729
Eliminates sunset of provision authorizing reduction in period of active probation for certain felony offenders.
- SB 730
Eliminates sunset of provision that limits length of incarceration that court may impose when certain probationary sentences are revoked.
- SB 961
CARRIED OVER FROM 4/19/2011 AGENDA -Voids construction agreement provisions that require waiver of right to seek indemnity, contribution or reimbursement for damages incurred due to negligence of another party.
- SB 963
CARRIED OVER FROM 4/19/2011 AGENDA -Modifies laws relating to transfers of structured settlement payment rights.
- SB 608 ** **Subsequent Referral(s) to Ways and Means
CARRIED OVER FROM 4/19/2011 AGENDA -Establishes program to provide subsidies for medical professional liability insurance premiums paid by health practitioners located in underserved rural communities.
- SB 819
CARRIED OVER FROM 4/19/2011 AGENDA -Prohibits recording of notice of pending action for inverse condemnation action.
- SB 186
CARRIED OVER FROM 4/19/2011 AGENDA -Requires that person seeking to appeal land use decision or limited land use decision to Land Use Board of Appeals must own, or have ownership interest in, real property within ___ miles of real property affected by decision.
- SB 346
CARRIED OVER FROM 4/19/2011 AGENDA -Exempts from disclosure under public records law audio recording of voice of caller to 9-1-1 emergency reporting system unless public interest requires disclosure.
- SB 378
CARRIED OVER FROM 4/19/2011 AGENDA -Modifies period of time within which state must notify criminal defendant of intention to rely on enhancement fact.
- SB 408
CARRIED OVER FROM 4/19/2011 AGENDA -Modifies provisions related to juvenile sex offenders.

**SENATE COMMITTEE ON
JUDICIARY
AGENDA (Cont.)
April 20, 2011**

- SB 616
CARRIED OVER FROM 4/19/2011 AGENDA -Authorizes court to include order providing for safety and welfare of parties' animals in restraining order under Family Abuse Prevention Act.
- SB 734
CARRIED OVER FROM 4/19/2011 AGENDA -Prohibits state from indemnifying person in exempt service, unclassified service or management service position for costs of counsel and other costs of defense when judgment is entered against person based on determination that person has engaged in civil rights violation or other unlawful employment practice.
- SB 783
CARRIED OVER FROM 4/19/2011 AGENDA -Provides that business primarily engaged in sale of tobacco products and smoking instruments on December 31, 2008, qualifies as smoke shop for purposes of Oregon Indoor Clean Air Act.
- SB 926
CARRIED OVER FROM 4/19/2011 AGENDA -Clarifies that provision of law making certain amounts in debtor's account not subject to garnishment does not affect ability of debtor to claim exemption provided by law for other amounts deposited in account.
- SB 934
CARRIED OVER FROM 4/19/2011 AGENDA -Removes Department of State Police as designated state point of contact for purposes of National Instant Criminal Background Check System.
- SB 69 A
CARRIED OVER FROM 4/19/2011 AGENDA -Revises provisions regulating sale, possession, use and explosion of fireworks.
- SB 376
CARRIED OVER FROM 4/19/2011 AGENDA -Authorizes trial court to consider defendant's fitness to proceed by reason of incapacity at any stage of criminal proceeding.
- SB 382
CARRIED OVER FROM 4/19/2011 AGENDA -Requires lien claimants to send required notice of lien claim only to mortgagees that comply with requirement to record name and address with county clerk.
- SB 401
CARRIED OVER FROM 4/19/2011 AGENDA -Modifies definition of "previous conviction" and "prior conviction" for certain criminal statutes.
- SB 406
CARRIED OVER FROM 4/19/2011 AGENDA -Modifies period of time after which person may petition for restoration of driving privileges when privileges are revoked following certain criminal conduct.
- SB 414
CARRIED OVER FROM 4/19/2011 AGENDA -Provides that upon delivery of small estate affidavit to person that controls access to personal property belonging to estate of decedent, including financial institution with safe deposit box, access must be provided to property and affiant must be allowed to take possession of property, unless it is apparent that value of property exceeds amount subject to administration under small estate affidavit.
- SB 415
CARRIED OVER FROM 4/19/2011 AGENDA -Increases penalty for offense of violation driving while suspended or revoked if commission of offense contributed to serious physical injury or death of vulnerable user of public way.
- SB 424
CARRIED OVER FROM 4/19/2011 AGENDA -Clarifies that pedestrian is crossing roadway when any part or extension of pedestrian's body moves onto roadway with intent to proceed.

**SENATE COMMITTEE ON
JUDICIARY
AGENDA (Cont.)
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SB 504

CARRIED OVER FROM 4/19/2011 AGENDA -Extends suspension of driving privileges beyond end of suspension period if person fails to submit proof of installation of required ignition interlock device.

SB 516

CARRIED OVER FROM 4/19/2011 AGENDA -Provides that nine percent rate of interest applies to judgments for payment of money, to awards in arbitration proceedings that court mandates and to mediated agreements that are subject to judgment for failure to comply with agreement.

SB 524

CARRIED OVER FROM 4/19/2011 AGENDA -Exempts from disqualification based on specified criminal offenses individuals who provide mental health treatment or services and individuals who provide substance use disorder treatment or services.

SB 761

CARRIED OVER FROM 4/19/2011 AGENDA -Modifies statutory provision authorizing release of inmates who successfully complete alternative incarceration program.

SB 763

CARRIED OVER FROM 4/19/2011 AGENDA -Authorizes setting aside conviction for certain sex crimes and expungement of juvenile records related to adjudication for certain sex crimes under certain circumstances.

Staff respectfully requests that you submit 15 collated copies of written materials at the time of your testimony and, if possible, an electronic copy of materials provided to staff 24 hours prior to the meeting.

Persons making presentations including the use of video, DVD, PowerPoint or overhead projection equipment are asked to contact committee staff 24 hours prior to the meeting.

ADA accommodation requests should be directed to Karen Hupp, or Juliene Poppinga, ADA Coordinators, at employee.services@state.or.us or by telephone at 1-800-332-2313. Requests for accommodation should be made at least 72 hours in advance.