

HOUSE COMMITTEE ON JUDICIARY

April 20, 2007 Hearing Room 357
8:00 AM Tapes 141-144

MEMBERS PRESENT: Rep. Greg Macpherson, Chair
 Rep. Jeff Barker, Vice-Chair
 Rep. Gene Whisnant, Vice-Chair
 Rep. Suzanne Bonamici
 Rep. Kevin Cameron
 Rep. Linda Flores
 Rep. Betty Komp
 Rep. Tobias Read

MEMBER EXCUSED: Rep. Wayne Krieger

STAFF PRESENT: Darian Stanford, Counsel
 Matt Kalmanson, Counsel
 Jennifer Black, Committee Assistant

MEASURES OR ISSUES HEARD: **HB 3026-Public Hearing**
 HB 2153-Public Hearing and Work Session
 HB 2799-Public Hearing and Work Session
 HB 3443-Public Hearing
 HB 2153- Work Session
 HB 2131- Work Session
 HB 2708- Work Session
 HB 2822- Work Session

This tape log is in compliance with Senate and House Rules. For complete contents, please refer to the cassette tapes.

TAPE #	COUNTER	BRIEF DESCRIPTION OF SUBJECT MATTER
AND SIDE	NUMBER	OR CHANGE IN SPEAKER
141A	003	Chair Macpherson calls the meeting order at 8:06 AM
<u>HB 3026-PUBLIC HEARING</u>		
	018	Darian Stanford, Counsel (EXHIBIT A)
	054	Chair Macpherson
	060	Rep. Scott Bruun, HD 37 (EXHIBIT B)
	114	Rep. Andy Olson, HD 15
	132	Rep. Mike Schaufler, HD 48
	148	Chair Macpherson
	158	Kevin Klupenger, Oregon Association of Nurseries (EXHIBIT C, D)
	217	Mark Hopkins, EC Company
141A	300	Rep. Barker
	305	Hopkins
	309	Gary Berndt, PacifiCorp (EXHIBIT E, F, G)
142A	011	Chair Macpherson
	022	Larry Campbell, PacifiCorp and Oregon Chief's of Police
	036	Stanford

	048	Chair Macpherson
	052	Stanford
	063	Jeff Stone
	075	Stanford
	089	Jeff Stone
	093	Chair Macpherson
	102	Rep. Komp
	111	Campbell
	114	Chair Macpherson
	116	Stanford
	136	Jeff Stone
	142	Rep. Bonamici
	146	Stanford
	150	Chair Macpherson
	153	Jeff Stone
	157	Campbell
	161	Stanford
	167	Chair Macpherson
	174	Rep. Barker
	180	Jeff Stone
	181	Rep. Flores
	191	Campbell
	197	Rep. Cameron
	200	Campbell
	212	Rep. Cameron
	219	Chair Macpherson
	228	Raul Ramirez, Marion County Sheriff (EXHIBIT H)
	283	Chair Macpherson
	285	Ramirez
	290	Tim Leahy, Calbag Metals
	317	Chair Macpherson
	326	Greg Miller
142A	336	Nick Scoville
	376	Chair Macpherson
	386	Rob Bovett, Governor's Meth Task Force
	390	Anna Peterson, Governor's Meth Task Force
	399	Chair Macpherson

The following prepared testimony is submitted for the record without public testimony:

Rep. Deborah Boone **(EXHIBIT I)**
 Brenda Wilson **(EXHIBIT J)**
 Rep. Dave Hunt **(EXHIBIT K)**

HB 2153-PUBLIC HEARING

	416	Darian Stanford, Counsel (EXHIBIT L)
141B	012	Chair Macpherson
	017	Heather Huhtanen, Attorney General's Sexual Assault Task Force (EXHIBIT M)
	062	Scott Healy, Clackamas County District Attorney
	107	Susan Hormann, Oregon State Police Forensic Services Division (EXHIBIT N)

	156	Rep. Cameron
	160	Hormann
	172	Rep. Cameron
	175	Hormann
	188	Rep. Cameron
	201	Hormann
	206	Rep. Cameron
	208	Hormann
	217	Rep. Bonamici
	225	Hormann
	241	Rep. Bonamici
	245	Hormann
	251	Rep. Bonamici
	253	Hormann
	260	Rep. Barker
	263	Hormann
	265	Rep. Whisnant
	268	Hormann
	278	Chair Macpherson
	284	Andrea Meyer, American Civil Liberties Union Oregon
142B	037	Chair Macpherson
142B	053	Meyer
	085	Rep. Bonamici
	087	Meyer
	197	Chair Macpherson
	110	Rep. Bonamici
	111	Rep. Barker
	130	Chair Macpherson
	136	Rep. Barker
	142	Stanford
	152	Chair Macpherson
	158	Rep. Cameron
	173	Rep. Barker
	179	Chair Macpherson
	184	Rep. Barker
	189	Stanford
	203	Chair Macpherson
	206	Ann Christian, Oregon Criminal Defense Lawyer's Association
	231	Chair Macpherson
	246	Christian
	250	Rep. Barker
	255	Rep. Flores

**The following prepared testimony is submitted for the record without public testimony:
James Loennig (EXHIBIT O)**

HB 2153-WORK SESSION

**MOTION: Rep. Barker moves to ADOPT HB 2153
amendments dated 03/05/07.**

VOTE: 6-0-3

EXCUSED: 3 - Whisnant, Krieger, Read

Chair hearing no objection, declares the motion CARRIED.

MOTION: Sen. Barker moves HB 2153 to the floor with a DO PASS AS AMENDED recommendation and BE REFERRED to the committee on Ways and Means by prior reference.

VOTE: 6-0-3

EXCUSED: 3 - Whisnant, Krieger, Read

Chair hearing no objection, declares the motion CARRIED.

HB 2799-PUBLIC HEARING

	292	Darian Stanford, Counsel
	313	Chair Macpherson
142B	319	Kevin Neely, Oregon District Attorneys Association (EXHIBIT P)
	382	Chair Macpherson
	394	Neely
143A	002	Rep. Cameron
	009	Neely
	021	Chair Macpherson
	023	Rep. Cameron
	031	Neely
	043	Rep. Komp
	048	Neely
	057	Rep. Komp
	062	Chair Macpherson
	064	Rep. Komp
	066	Chair Macpherson

HB 2799-WORK SESSION

MOTION: Rep. Barker moves HB 2799 to the floor with a DO PASS recommendation.

VOTE: 7-0-2

EXCUSED: 2 - Krieger, Read

Chair hearing no objection, declares the motion CARRIED.

REP. BARKER will lead discussion on the floor.

HB 3443-PUBLIC HEARING

082	Darian Stanford, Counsel
102	Rep. Whisnant
125	Rep. Barker
136	Rep. Whisnant
148	Chair Macpherson
154	Rep. Whisnant
163	Rep. Bonamici
184	Chair Macpherson
192	Rep. Whisnant
200	Rep. Flores
204	Chair Macpherson
210	Rep. Whisnant
220	Andrea Meyer, American Civil Liberties Union Oregon

	336	Rep. Whisnant
	337	Meyer
	343	Rep. Whisnant
143A	348	Meyer
	354	Rep. Bonamici
	367	Rep. Barker
	372	Chair Macpherson
144A	005	Herb Colam
	019	Rep. Bonamici
	025	Rep. Flores
	028	Chair Macpherson

HB 2153-WORK SESSION

MOTION: Rep. Macpherson requests unanimous consent that the rules be SUSPENDED to allow REP. WHISNANT and REP. READ to BE RECORDED as voting AYE on the motion to move HB 2153 to the floor with a DO PASS AS AMENDED recommendation and BE REFERRED to the committee on Ways and Means.

VOTE: 8-0-1

EXCUSED: 1 -Krieger

Chair hearing no objection, declares the motion CARRIED.

HB 2131-WORK SESSION

042

Matt Kalmanson, Counsel (EXHIBIT Q)

The following prepared testimony is submitted for the record without public testimony:

Jan Coleman (EXHIBIT R)

MOTION: Rep. Whisnant moves to ADOPT HB 2131-1 amendments dated 04/04/07.

VOTE: 8-0-1

EXCUSED: 1 - Krieger

Chair hearing no objection, declares the motion CARRIED.

MOTION: Rep. Whisnant moves HB 2131 to the floor with a DO PASS AS AMENDED recommendation.

VOTE: 8-0-1

EXCUSED: 1 - Krieger

Chair hearing no objection, declares the motion CARRIED.

REP. WHISNANT will lead discussion on the floor.

HB 2708-WORK SESSION

050

Matt Kalmanson, Counsel

087

Chair Macpherson

MOTION: Rep. Cameron moves HB 2708 to the floor with a DO PASS recommendation.

VOTE: 7-0-2

EXCUSED: 2 - Krieger, Whisnant

Chair hearing no objection, declares the motion CARRIED.

REP. CAMERON will lead discussion on the floor.

144A

HB 2822-WORK SESSION

112
120
125

Matt Kalmanson, Counsel (**EXHIBIT S**)
Chair Macpherson
Kalmanson

MOTION: Rep. Komp moves to ADOPT HB 2822-1 amendments dated 03/15/07.

VOTE: 7-0-2

EXCUSED: 2 - Krieger, Whisnant

Chair hearing no objection, declares the motion CARRIED.

MOTION: Rep. Komp moves HB 2822 to the floor with a DO PASS AS AMENDED recommendation and the SUBSEQUENT REFERRAL to the committee on Ways and Means BE RESCINDED.

VOTE: 7-0-2

EXCUSED: 2 - Krieger, Whisnant

Chair hearing no objection, declares the motion CARRIED.

REP. RICHARDSON will lead discussion on the floor.

Chair Macpherson adjourns the meeting at 10:49 AM

EXHIBIT SUMMARY

- A. **HB 3026, -2 amendment, Staff, 7 pp**
- B. **HB 3026, Written Testimony, Scott Bruun, 1 p**
- C. **HB 3026, Letter in Support, Kevin Klupenger, 1 p**
- D. **HB 3026, Written Testimony, Kevin Klupenger, 10 pp**
- E. **HB 3026, Letter in Support, Gary Berndt, 1 p**
- F. **HB 3026, Letter in Support, Gary Berndt, 1 p**
- G. **HB 3026, Letter in Support, Gary Berndt, 1 p**
- H. **HB 3026, Written Testimony, Raul Ramirez, 1 p**
- I. **HB 3026, Written Testimony, Deborah Boone, 1 p**
- J. **HB 3026, Written Testimony, Brenda Wilson, 1 p**
- K. **HB 3026, Written Testimony, Dave Hunt, 2 pp**
- L. **HB 2153, -1 amendment, Staff, 1 p**
- M. **HB 2153, Written Testimony, Heather Huhtanen, 2 pp**
- N. **HB 2153, Written Testimony, Susan Hormann, 2 pp**
- O. **HB 2153, Written Testimony, James Loennig, 1 p**
- P. **HB 2799, Written Testimony, Kevin Neely, 4 pp**
- Q. **HB 2131, -1 amendment, Staff, 5 pp**
- R. **HB 2131, Written Testimony, Jane Coleman, 1 p**
- S. **HB 2822, -1 amendment, Staff, 1 p**