

HOUSE COMMITTEE ON JUDICIARY

April 26, 2007 Hearing Room 357

8:00 Tapes 154-156

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. Wayne Krieger
Rep. Tobias Read

VISITING MEMBERS: Rep. Jerry Krummel

STAFF PRESENT: Matt Kalmanson, Counsel
Darian Stanford, Counsel
Bill Taylor, Counsel
Sara Campbell, Committee Assistant

Measures or Issues Heard: HB 2553 Public Hearing
HB 2553 Work Session
HB 2325 Public Hearing
HB 2325 Work Session
HJR 49 Work Session
HJR 50 Work Session
HB 2014 Work Session
HB 2329 Work Session
HB 2667 Work Session
HB 2833 Work Session
HB 3084 Work Session
HB 2774 Work Session
HB 2448 Work Session
HB 2310 Work Session
HB 2909 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
154A	004	Chair Macpherson calls the meeting into order at 8:07 a.m.
<u>HB 2553- PUBLIC HEARING</u>		
	015	Bill Taylor, Counsel (EXHIBIT A)
154A	024	Rep. Jerry Krummel, House District 26
	063	Taylor
	070	Rep. Krummel
	079	Taylor
	080	Rep. Krummel

093	Ramona Foley, Department of Human Services
112	Chair Macpherson
114	Foley
116	Chair Macpherson

HB 2553- WORK SESSION

120	Rep. Krieger
121	Chair Macpherson
123	Rep. Krieger
124	Chair Macpherson

Rep. Krieger

MOTION: Moves to ADOPT HB 2553 -1 amendments dated 4/26/07.

VOTE: 8-0-1

AYE: 8 - Barker, Bonamici, Cameron, Komp, Krieger, Read, Whisnant, Macpherson

EXCUSED: 1 - Flores

Chair Macpherson

The motion CARRIES.

Rep. Krieger

MOTION: Moves HB 2553 to the floor with a DO PASS AS AMENDED recommendation.

VOTE: 8-0-1

AYE: 8 - Barker, Bonamici, Cameron, Komp, Krieger, Read, Whisnant, Macpherson

EXCUSED: 1 - Flores

Chair Macpherson

The motion CARRIES.

REP. KRUMMEL will lead discussion on the floor.

HB 2325- PUBLIC HEARING

	140	Bill Taylor, Counsel (EXHIBIT B)
	156	Paul Snider, Association of Oregon Counties
	193	Scott Taylor, Department of Corrections
	197	Chair Macpherson
	202	John Powell, Oregon State Sheriff's Association
154A	206	Troy Clausen, Department of Corrections
	212	Rep. Bonamici
	215	Snider
	226	Chair Macpherson

HB 2325- WORK SESSION

227	Chair Macpherson
230	Rep. Barker
231	Chair Macpherson
232	Rep. Barker
234	Chair Macpherson

Rep. Barker

MOTION: Moves to ADOPT HB 2325-2 amendments dated

4/25/07.

Chair Macpherson

Hearing no objection, declares the motion CARRIED.

Rep. Barker

MOTION: Moves HB 2325 to the floor with a DO PASS AS AMENDED recommendation and be placed on the CONSENT CALENDAR.

VOTE: 9-0-0

Chair Macpherson

Hearing no objection, declares the motion CARRIED.

HJR 49 & HJR 50- WORK SESSION

240

Bill Taylor, Counsel (EXHIBIT C & D)

263

Chair Macpherson

264

Taylor

265

Pete Sheperd, Department of Justice

355

Andrea Meyer, ACLU

366

Chair Macpherson

367

Rep. Barker

368

Chair Macpherson

369

Rep. Barker

370

Chair Macpherson

371

Rep. Barker

372

Chair Macpherson

373

MOTION: Rep. Barker moves to ADOPT HJR 49-3 amendments dated 4/24/07.

VOTE: 9-0-0

375

Chair Macpherson hearing no objection, declares the motion CARRIED.

380

MOTION: Rep. Barker moves HJR 49 be sent to the floor with a BE ADOPTED AS AMENDED recommendation.

VOTE: 9-0-0

155A

004

Chair Macpherson hearing no objection, declares the motion CARRIED.

REP. MACPHERSON will lead discussion on the floor.

005

MOTION: Rep. Barker moves to ADOPT HJR 50-4 amendments dated 04/24/07.

VOTE: 9-0-0

008

Chair Macpherson hearing no objection, declares the motion CARRIED.

Rep. Barker

MOTION: Moves HJR 50 be sent to the floor with a BE ADOPTED AS AMENDED recommendation.

VOTE: 9-0-0

012

Chair Macpherson hearing no objection, declares the motion CARRIED.

REP. MACPHERSON will lead discussion on the floor.

HB 2014- WORK SESSION

155A

016

Bill Taylor, Counsel (EXHIBIT E)

022

Chair Macpherson

044	Rep. Cameron
051	Rep. Flores
060	Chair Macpherson
066	Rep. Flores
071	Rep. Bonamici
076	Chair Macpherson

HB 2329- WORK SESSION

	088	Bill Taylor, Counsel (EXHIBIT F & G)
	098	Brad Berry, Oregon District Attorney's Association
	109	Scott Taylor, Department of Corrections
	112	Rep. Bonamici
	117	Chair Macpherson
	121	Rep. Krieger
	130	Rep. Whisnant
	140	Rep. Flores
	144	Chair Macpherson
	145	Rep. Flores
	146	Chair Macpherson
	156	Rep. Cameron
	157	Chair Macpherson
	167	Rep. Cameron
	168	Chair Macpherson
	171	Rep. Whisnant
	176	Rep. Cameron
	183	Chair Macpherson
	189	Rep. Whisnant
155A	193	Rep. Komp
	206	Chair Macpherson
	214	Rep. Whisnant
	217	Joe O'Leary, Senior Policy Advisor for Governor Kulongoski
	229	Rep. Cameron
	230	Chair Macpherson
	236	Rep. Cameron
	238	Rep. Whisnant
	241	Rep. Cameron
	245	Chair Macpherson
	250	Rep. Bonamici
	262	Rep. Flores
	276	Chair Macpherson

Rep. Cameron

MOTION: Moves to ADOPT HB 2329-4 amendments dated 4/5/07.

VOTE: 9-0-0

Chair Macpherson

Hearing no objection, declares the motion CARRIED.

Rep. Cameron

MOTION: Moves HB 2329 to the floor with a DO PASS

recommendation AS AMENDED and BE REFERRED to the committee on Ways and Means by prior reference.

VOTE: 9-0-0

Chair Macpherson

Hearing no objection, declares the motion CARRIED.

HB 2667- WORK SESSION

	290	Bill Taylor, Counsel (EXHIBIT H)
	301	Becky Duncan, Office of Defense Services
	322	Chair Macpherson
	328	Rep. Whisnant
	330	Chair Macpherson
	333	Rep. Barker
	336	Duncan
	363	Chair Macpherson
	370	Rep. Barker
	371	Chair Macpherson
	374	Rep. Barker
	375	Chair Macpherson
155A	391	Rep. Flores
	392	Chair Macpherson

Rep. Barker

MOTION: Moves to ADOPT HB 2667-1 amendments dated 4/23/07.

VOTE: 9-0-0

Chair Macpherson

Hearing no objection, declares the motion CARRIED.

Rep. Barker

MOTION: Moves HB 2667 to the floor with a DO PASS AS AMENDED recommendation.

VOTE: 9-0-0

Chair Macpherson

Hearing no objection, declares the motion CARRIED.

REP. FLORES will lead discussion on the floor.

HB 2833- WORK SESSION

	404	Bill Taylor, Counsel (EXHIBIT I)
	428	Rep. Barker
154B	009	Chair Macpherson
	010	Rep. Barker
	014	Brian DeLashmutt, Oregon Council of Police Association
	035	Rep. Cameron
	037	DeLashmutt
	039	Rep. Cameron
	040	Chair Macpherson
	048	DeLashmutt
	056	Chair Macpherson
	060	DeLashmutt
	073	Marilyn Lorange, Division of State Lands

084 Chair Macpherson
088 Lorange
096 Rep. Cameron
099 Rep. Barker
104 DeLashmutt
116 Rep. Flores
121 Rep. Barker
122 Chair Macpherson
124 Rep. Barker
125 Chair Macpherson

Rep. Barker

MOTION: Moves to ADOPT HB 2833-2 amendments dated 4/23/07.

VOTE: 9-0-0

Chair Macpherson

Hearing no objection, declares the motion CARRIED.

Rep. Barker

MOTION: Moves HB 2833 to the floor with a DO PASS AS AMENDED recommendation.

VOTE: 9-0-0

Chair Macpherson

Hearing no objection, declares the motion CARRIED.

REP. BARKER will lead discussion on the floor.

HB 3084- WORK SESSION

137 Matt Kalmanson, Counsel
179 Chair Macpherson
209 Rep. Bonamici
225 Rep. Krieger
231 Rep. Barker
237 Chair Macpherson

HB 2774- WORK SESSION

248 Darian Stanford, Counsel (**EXHIBIT J**)
298 Chair Macpherson
301 Stanford
308 Rep. Barker
313 Rep. Whisnant
321 Stanford
327 Rep. Bonamici
328 Chair Macpherson
332 Rep. Komp
334 Stanford
344 Chair Macpherson
345 Rep. Bonamici
364 Chair Macpherson
366 Rep. Bonamici
367 Chair Macpherson
Rep. Bonamici

MOTION: Moves to ADOPT HB 2774-2 amendments dated 4/23/07.

VOTE: 9-0-0

Chair Macpherson

Hearing no objection, declares the motion CARRIED.

Rep. Bonamici

MOTION: Moves HB 2774 to the floor with a DO PASS AS AMENDED recommendation.

VOTE: 9-0-0

Chair Macpherson

Hearing no objection, declares the motion CARRIED.

REP. SHIELDS will lead discussion on the floor.

HB 2448-WORK SESSION

155B 006
 019
 022
 024

Matt Kalmanson, Counsel (**EXHIBIT K**)

Chair Macpherson

Rep. Flores

Chair Macpherson

Rep. Flores

MOTION: Moves to SUSPEND the rules for the purpose of reconsidering HB 2448.

Chair Macpherson

Hearing no objection, declares the motion CARRIED.

028

Rep. Barker

032

Rep. Bonamici

037

Rep. Flores

042

Chair Macpherson

043

Rep. Barker

044

Chair Macpherson

045

Rep. Barker

048

Chair Macpherson

051

Rep. Barker

052

Chair Macpherson

Rep. Barker

MOTION: Moves to ADOPT HB 2448-1 amendments dated 4/24/07.

VOTE: 9-0-0

Chair Macpherson

Hearing no objection, declares the motion CARRIED.

Rep. Barker

MOTION: Moves HB 2448 to the floor with a DO PASS AS AMENDED recommendation.

VOTE: 9-0-0

Chair Macpherson

Hearing no objection, declares the motion CARRIED.

REP. SMITH AND REP. JENSEN will lead discussion on the floor.

HB 2310- WORK SESSION

155B 064
 075

Matt Kalmanson, Counsel (**EXHIBIT L**)

Chair Macpherson

081	Rep. Barker
082	Chair Macpherson
084	Rep. Barker
	Rep. Barker
	MOTION: Moves to ADOPT HB 2310-2 amendments dated 4/23/07.
	VOTE: 9-0-0
	Chair Macpherson
	Hearing no objection, declares the motion CARRIED.
	Rep. Barker
	MOTION: Moves HB 2310 to the floor with a DO PASS AS AMENDED recommendation.
	VOTE: 8-1-0
	AYE: 8 - Barker, Bonamici, Flores, Komp, Krieger, Read, Whisnant, Macpherson
	NAY: 1 - Cameron
	Chair Macpherson
	The motion CARRIES.
	REP. KOMP will lead discussion on the floor.
085	Chair Macpherson
098	Rep. Cameron suspend rules to change his vote to nay
	Rep. Cameron
	MOTION: Requests unanimous consent that the rules be SUSPENDED to allow REP. CAMERON to CHANGE vote from NAY to AYE on the previous vote.
	VOTE: 9-0-0
	Chair Macpherson
	Hearing no objection, declares the motion CARRIED.
107	Chair Macpherson

HB 2909- WORK SESSION

155B	118	Matt Kalmanson, Counsel (EXHIBIT M, N, O, P)
	164	Chair Macpherson
	182	Rep. Barker
	187	Rep. Bonamici
	192	Kalmanson
	194	Rep. Whisnant
	209	Rep. Komp
	219	Rep. Flores
155B	226	Chair Macpherson
	230	Rep. Bonamici
	235	Chair Macpherson
	249	Rep. Whisnant
	251	Chair Macpherson
	254	Rep. Komp
	261	Rep. Read
	264	Alan Tressider, The Tressider Company
	301	Rep. Cameron
	311	Tressider

	319	Rep. Cameron
	324	Tressider
	331	Rep. Komp
	350	Chair Macpherson
	359	Rep. Read
	362	Chair Macpherson
	364	Tressider
	378	Rep. Flores
	394	Tressider
	402	Chair Macpherson
	404	Tressider
	418	Rep. Flores
156A	003	Tressider
	008	Rep. Flores
	015	Tressider
	024	Rep. Flores
	026	Tressider
	044	Rep. Flores
	051	Tressider
	055	Chair Macpherson
	056	Rep. Barker
	057	Chair Macpherson
	066	Rep. Krieger
	068	Tressider
	074	Jim Gardner, Association of American Publishers (EXHIBIT Q)
	095	Jim Markee, Markee & Associates
	099	Rep. Read
	101	Gardner
156A	127	Rep. Flores
	132	Tressider
	138	Gardner
	142	Kalmanson
	150	Rep. Bonamici
	157	Gardner
	160	Rep. Bonamici
	162	Gardner
	167	Rep. Bonamici
	168	Gardner
	170	Rep. Bonamici
	175	Chair Macpherson
156A	188	Chair Macpherson adjourns the meeting at 10:15 a.m.

EXHIBIT SUMMARY

- A. HB 2553, -1 amendments, Staff, 3pp**
- B. HB 2325, -2 amendments, Staff, 1p**
- C. HJR 49, -3 amendments, Staff, 2pp**
- D. HJR 50, -4 amendments, Staff, 2pp**

- E. **HB 2014, -3 amendments, Staff, 4pp**
- F. **HB 2329, -4 amendments, Staff, 19pp**
- G. **HB 2329, -5 amendments, Staff, 2pp**
- H. **HB 2667, -1 amendments, Staff, 1p**
- I. **HB 2833, -2 amendments, Staff, 8pp**
- J. **HB 2774, -2 amendments, Staff, 3pp**
- K. **HB 2448, -1 amendments, Staff, 1p**
- L. **HB 2310, -2 amendments, Staff, 1p**
- M. **HB 2909, -2 amendments, Staff, 2pp**
- N. **HB 2909, -3 amendments, Staff, 2pp**
- O. **HB 2909, -5 amendments, Staff, 6pp**
- P. **HB 2909, -7 amendments, Staff, 6pp**
- Q. **HB 2909, Written Testimony, Jim Gardner, 3pp**