

HOUSE COMMITTEE ON JUDICIARY

**February 17, 2009
1:00 P.M.**

Hearing Room 357

MEMBERS PRESENT: **Rep. Jeff Barker, Chair**
 Rep. Judy Stiegler, Vice-Chair
 Rep. Gene Whisnant, Vice-Chair
 Rep. Brent Barton
 Rep. Kevin Cameron
 Rep. Chris Garrett
 Rep. Wayne Krieger
 Rep. Andy Olson
 Rep. Chip Shields
 Rep. Jefferson Smith

STAFF PRESENT: **Shannon Sivell, Committee Administrator**
 Jennifer Ranstrom-Smith, Committee Assistant

MEASURES/ISSUES HEARD: **HB 2400 - Public Hearing**
 HB 2401 - Public Hearing
 HB 2403 - Public Hearing
 HB 2311 - Work Session

This recording log is in compliance with Senate and House Rules. For complete contents, refer to the digital audio recording.

HJUD

2/17/2009 1:09:36 PM

1:09:37 PM Meeting Called to Order
1:09:43 PM Chair Barker
1:10:19 PM HB 2400 - Public Hearing
1:10:20 PM Shannon Sivell, Committee Counsel
1:10:40 PM Chair Barker
1:10:46 PM Brian DeLashmutt, Oregon Council of Police Associations
1:17:38 PM Vice-Chair Stiegler
1:17:52 PM DeLashmutt
1:18:05 PM Vice-Chair Stiegler
1:18:18 PM DeLashmutt
1:19:02 PM Chair Barker
1:19:31 PM DeLashmutt
1:20:34 PM Rep. Krieger
1:20:58 PM DeLashmutt
1:21:01 PM Rep. Krieger
1:21:37 PM DeLashmutt
1:22:28 PM Rep. Garrett
1:22:42 PM DeLashmutt
1:23:22 PM Rep. Shields
1:23:33 PM DeLashmutt
1:23:47 PM Rep. Shields
1:23:54 PM DeLashmutt
1:24:11 PM Vice-Chair Stiegler
1:24:46 PM DeLashmutt
1:24:53 PM Vice-Chair Stiegler
1:24:55 PM DeLashmutt
1:25:44 PM Rep. Barton
1:25:54 PM Chair Barker
1:26:00 PM Rep. Barton
1:26:05 PM Rep. Garrett
1:26:21 PM Chair Barker
1:26:26 PM Rep. Cameron
1:26:53 PM DeLashmutt
1:27:40 PM Rep. Krieger
1:28:04 PM DeLashmutt
1:28:35 PM Chair Barker
1:28:48 PM Rep. Krieger
1:28:52 PM Chair Barker
1:29:17 PM Marc Adams, Keizer Chief of Police

1:29:18 PM {Exhibit} 1: Adams
1:31:43 PM Chair Barker
1:31:56 PM Adams
1:32:17 PM Chair Barker
1:32:22 PM Vice-Chair Stiegler
1:32:29 PM Adams
1:32:46 PM Rep. Garrett
1:32:55 PM Adams
1:32:59 PM Chair Barker
1:33:02 PM Rep. Smith, J.
1:33:57 PM John Powell, Oregon State Sheriffs' Association
1:35:23 PM Chair Barker
1:35:34 PM Powell
1:35:42 PM Chair Barker
1:35:51 PM Powell
1:36:08 PM Chair Barker
1:36:12 PM Scott Winkels, League of Oregon Cities
1:37:10 PM Chair Barker
1:37:49 PM Winkels
1:38:23 PM Chair Barker
1:38:28 PM Winkels
1:38:36 PM Chair Barker
1:38:39 PM Vice-Chair Stiegler
1:39:19 PM Adams
1:39:32 PM Vice-Chair Stiegler
1:39:54 PM Adams
1:40:00 PM Chair Barker
1:40:14 PM The following written testimony was submitted for the record
without public testimony;
1:40:19 PM {Exhibit} 2: Adam Walsh, City of Eugene
1:40:29 PM HB 2401 - Public Hearing
1:40:39 PM Shannon Sivell, Committee Counsel
1:41:02 PM {Exhibit} 3: DeLashmutt
1:41:02 PM Brian DeLashmutt, Oregon Council of Police Associations
1:50:37 PM Rep. Cameron
1:50:48 PM DeLashmutt
1:51:42 PM Jeff Leighty, Oregon State Police Officers Association
1:53:32 PM Chair Barker
1:53:47 PM Leighty
1:53:56 PM Chair Barker
1:54:04 PM Vice-Chair Stiegler
1:54:26 PM DeLashmutt
1:54:34 PM Vice-Chair Stiegler
1:54:45 PM DeLashmutt
1:55:52 PM Rep. Smith J.
1:56:47 PM DeLashmutt

1:58:54 PM Rep. Smith J.
2:00:29 PM DeLashmutt
2:00:31 PM Chair Barker
2:00:50 PM Rep. Krieger
2:00:51 PM Chair Barker
2:01:09 PM Katie Suver, Oregon District Attorneys Association
2:03:24 PM {Exhibit} 4: Suver
2:04:12 PM Scott Winkels, Oregon League of Cities
2:04:45 PM Marc Adams, Keizer Chief of Police
2:05:04 PM {Exhibit} 5: Adams
2:05:28 PM Chair Barker
2:05:53 PM Adams
2:06:16 PM Rep. Krieger
2:06:37 PM Suver
2:07:35 PM Chair Barker
2:07:56 PM Bob Livingston, Oregon Firefighters Council
2:10:51 PM Chair Barker
2:11:02 PM Livingston
2:11:13 PM Chair Barker
2:11:46 PM Livingston
2:13:03 PM Chair Barker
2:13:13 PM Gail Meyer, Oregon Criminal Defense Lawyers Association
2:16:18 PM Chair Barker
2:16:34 PM Vice-Chair Whisnant
2:16:58 PM Vice-Chair Stiegler
2:17:33 PM Chair Barker
2:17:34 PM Rep. Cameron
2:17:58 PM Chair Barker
2:18:14 PM Vice-Chair Stiegler
2:19:30 PM Meyer
2:20:21 PM Chair Barker
2:20:22 PM Rep. Smith J.
2:20:58 PM Chair Barker
2:20:58 PM The following written testimony was submitted for the record
without public testimony;
2:20:59 PM {Exhibit} 6: Adam Walsh, City of Eugene
2:21:06 PM HB 2403 - Public Hearing
2:21:23 PM Shannon Sivell, Committee Counsel
2:21:47 PM Mike Dingeman, Oregon State Police
2:23:09 PM {Exhibit} 7: Dingeman
2:26:31 PM Chair Barker
2:26:33 PM Sivell
2:27:06 PM Dingeman
2:27:47 PM Sivell
2:28:19 PM Dingeman
2:29:18 PM Rep. Krieger

2:30:15 PM Dingeman
2:31:11 PM Chair Barker
2:31:14 PM Rep. Krieger
2:32:39 PM Rep. Shields
2:32:47 PM Dingeman
2:33:41 PM Chair Barker
2:33:44 PM Rep. Barton
2:34:32 PM Dingeman
2:36:23 PM Rep. Barton
2:36:30 PM Dingeman
2:36:33 PM Chair Barker
2:37:09 PM Dingeman
2:37:33 PM Chair Barker
2:37:40 PM Sivell
2:38:26 PM Dingeman
2:39:16 PM Chair Barker
2:39:28 PM HB 2311 - Work Session
2:39:40 PM Shannon Sivell, Committee Counsel
2:40:05 PM Chair Barker
2:40:13 PM Sivell
2:40:19 PM Vice-Chair Stiegler
2:40:33 PM Sivell
2:40:42 PM Chair Barker
2:40:48 PM MOTION: Vice-Chair Whisnant moves HB 2311 DO PASS and placed on the CONSENT CALENDAR
2:40:52 PM Chair Barker
2:41:04 PM VOTE: 10-0-0
2:41:04 PM Ayes: Barton, Cameron, Garrett, Krieger, Olson, Shields, Smith, Stiegler, Whisnant, Barker
2:41:22 PM Chair Barker
2:41:31 PM LC 2872, LC 3007, LC 3069 - Measure Introduction
2:41:32 PM {Exhibit} 8: Chair Barker
2:41:32 PM {Exhibit} 9: Chair Barker
2:41:32 PM {Exhibit} 10: Chair Barker
2:42:08 PM MOTION: Vice-Chair Whisnant moves LC 2872 BE INTRODUCED as a Committee Bill
2:42:12 PM Chair Barker
2:42:16 PM VOTE: 10-0-0
2:42:16 PM Ayes: Barton, Cameron, Garrett, Krieger, Olson, Shields, Smith, Stiegler, Smith, Barker
2:42:17 PM Chair Barker
2:42:23 PM MOTION: Vice-Chair Stiegler moves LC 3007 BE INTRODUCED as a Committee Bill
2:42:25 PM Chair Barker
2:42:31 PM VOTE: 10-0-0
2:42:31 PM Ayes: Barton, Cameron, Garrett, Krieger, Olson, Shields, Smith,

Stiegler, Smith, Barker
2:42:33 PM Chair Barker
2:42:39 PM MOTION: Vice-Chair Whisnant moves LC 3069 BE INTRODUCED
as a Committee Bill
2:42:43 PM Chair Barker
2:42:46 PM VOTE: 10-0-0
2:42:46 PM Ayes: Barton, Cameron, Garrett, Krieger, Olson, Shields, Smith,
Stiegler, Smith, Barker
2:42:52 PM Rep. Krieger
2:43:12 PM Rep. Olson
2:43:16 PM Chair Barker
2:43:21 PM Meeting Adjourned

HJUD

2/17/2009 1:09:36 PM

- 1:29:18 PM** {Exhibit} 1: HB 2400, written testimony, Marc Adams, 1 p
 - 1:40:19 PM** {Exhibit} 2: HB 2400, written testimony, Adam Walsh, 1 p
 - 1:41:02 PM** {Exhibit} 3: HB 2401, written testimony, Brian DeLashmutt, 5 pp
 - 2:03:24 PM** {Exhibit} 4: HB 2401, written testimony, Katie Suver, 1 p
 - 2:05:04 PM** {Exhibit} 5: HB 2401, written testimony, Marc Adams, 1 p
 - 2:20:59 PM** {Exhibit} 6: HB 2401, written testimony, Adam Walsh, 1 p
 - 2:23:09 PM** {Exhibit} 7: HB 2403, written testimony, Mike Dingeman, 1 p
 - 2:41:32 PM** {Exhibit} 8: LC 2872, measure introduction, staff, 5 pp
 - 2:41:32 PM** {Exhibit} 9: LC 3007, measure introduction, staff, 5 pp
 - 2:41:32 PM** {Exhibit} 10: LC 3069, measure introduction, staff, 2 pp
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