

HOUSE COMMITTEE ON JUDICIARY

**February 23, 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. Wayne Krieger
 Rep. Chip Shields
 Rep. Jefferson Smith

MEMBERS EXCUSED: **Rep. Chris Garrett**
 Rep. Andy Olson

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

MEASURES/ISSUES HEARD: **HB 2425 - Public Hearing**
 HB 2426 - Public Hearing and Work Session
 HB 2427 - Public Hearing and Work Session
 HB 2428 - Public Hearing
 LC 2826 - Measure Introduction
 LC 2982 - Measure Introduction

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

HJUD

2/23/2009 1:10:54 PM

1:10:56 PM Meeting Called to Order
1:11:04 PM HB 2425 - Public Hearing
1:11:06 PM Chair Barker
1:12:10 PM Anne Pratt, Governor's Advisory Committee on Driving Under the Influence of Intoxicants
1:12:11 PM {Exhibit} 1: Pratt
1:14:36 PM Chair Barker
1:14:40 PM Doug Harclerod, Oregon District Attorneys Association
1:15:34 PM Chair Barker
1:15:34 PM The following written testimony was submitted for the record without public testimony;
1:15:35 PM {Exhibit} 2: Chuck Hayes, Governor's Advisory Committee on Driving Under the Influence of Intoxicants
1:15:36 PM {Exhibit} 3: Adam Walsh, City of Eugene
1:15:51 PM Leeland Berger, Oregon Criminal Defense Lawyers Association
1:19:30 PM Chair Barker
1:19:47 PM Berger
1:20:22 PM Chair Barker
1:21:00 PM Berger
1:22:55 PM Chair Barker
1:23:24 PM Berger
1:23:54 PM Chair Barker
1:23:56 PM Rep. Barton
1:24:53 PM Berger
1:25:20 PM Chair Barker
1:25:40 PM Berger
1:25:54 PM Rep. Barton
1:26:08 PM Berger
1:26:14 PM Rep. Barton
1:26:15 PM Chair Barker
1:26:18 PM Vice-Chair Stiegler
1:27:51 PM Berger
1:28:56 PM Chair Barker
1:29:00 PM Rep. Smith J.
1:29:27 PM Berger
1:29:51 PM Rep. Smith J.
1:30:07 PM Berger
1:30:14 PM Chair Barker
1:30:33 PM Berger

1:31:42 PM Chair Barker
1:31:58 PM Berger
1:32:11 PM Chair Barker
1:32:16 PM HB 2426 - Public Hearing
1:32:26 PM Shannon Sivell, Committee Counsel
1:32:37 PM {Exhibit} 4: Sivell
1:32:58 PM Rep. Barton
1:33:26 PM Chair Barker
1:33:45 PM Rep. Barton
1:33:57 PM Sivell
1:34:29 PM Chair Barker
1:35:01 PM Leeland Berger, Oregon Criminal Defense Lawyers Association
1:35:17 PM Sivell
1:35:39 PM Andrea Meyer, American Civil Liberties Union Oregon
1:36:08 PM Chair Barker
1:36:13 PM Berger
1:38:45 PM Chair Barker
1:38:46 PM Vice-Chair Stiegler
1:38:56 PM Berger
1:39:01 PM Vice-Chair Stiegler
1:39:16 PM Berger
1:39:23 PM Vice-Chair Stiegler
1:39:40 PM Berger
1:40:01 PM Vice-Chair Stiegler
1:40:49 PM Berger
1:41:06 PM Vice-Chair Stiegler
1:41:08 PM Berger
1:41:15 PM Meyer
1:41:23 PM Chair Barker
1:42:10 PM Berger
1:42:35 PM Chair Barker
1:42:35 PM The following written testimony was submitted for the record
without public testimony;
1:42:36 PM {Exhibit} 5: Chuck Hayes, Governor's Advisory Committee on
Driving Under the Influence of Intoxicants
1:43:08 PM Doug Harclerod, Oregon District Attorneys Association
1:45:24 PM Chair Barker
1:45:31 PM Paul Snider, Association of Oregon Counties
1:45:52 PM Chair Barker
1:46:04 PM Rep. Shields
1:46:35 PM Sivell
1:47:13 PM Rep. Shields
1:47:21 PM Sivell
1:48:16 PM Rep. Shields
1:48:20 PM Chair Barker
1:48:27 PM HB 2426 - Work Session

1:48:32 PM MOTION: Rep. Shields moves -1 amendment BE ADOPTED
1:48:33 PM VOTE: 8-0-2
1:48:34 PM Ayes: Barton, Cameron, Krieger, Shields, Smith, Stiegler, Whisnant, Barker; Excused: Garrett, Olson
1:48:39 PM Chair Barker
1:48:51 PM HB 2427 - Public Hearing
1:49:00 PM Shannon Sivell, Committee Counsel
1:49:25 PM Chair Barker
1:49:29 PM The following written testimony was submitted for the record without public testimony;
1:49:30 PM {Exhibit} 6: Chuck Hayes, Governor's Advisory Committee on Driving Under the Influence of Intoxicants
1:49:38 PM Andrea Meyer, American Civil Liberties Union Oregon
1:52:50 PM Chair Barker
1:52:59 PM Meyer
1:53:31 PM Leeland Berger, Oregon Criminal Defense Lawyers Association
1:56:35 PM Chair Barker
1:57:15 PM Anne Pratt, Governor's Advisory Committee on Driving Under the Influence of Intoxicants
1:57:16 PM {Exhibit} 7: Pratt
1:58:54 PM Chair Barker
1:59:00 PM Michael Iwai, Oregon State Police
2:00:00 PM {Exhibit} 8: Iwai
2:03:02 PM Doug Harcleroad, Oregon District Attorneys Association
2:04:18 PM Chair Barker
2:05:05 PM Iwai
2:05:56 PM Chair Barker
2:06:00 PM Vice-Chair Stiegler
2:06:22 PM Harcleroad
2:06:38 PM Chair Barker
2:06:42 PM Rep. Smith J.
2:07:16 PM Harcleroad
2:07:28 PM Chair Barker
2:07:59 PM HB 2427 - Work Session
2:08:07 PM Rep. Barton
2:08:14 PM MOTION: Rep. Barton moves HB 2427 DO PASS
2:08:17 PM Chair Barker
2:08:23 PM VOTE: 8-0-2
2:08:23 PM Ayes: Barton, Cameron, Krieger, Shields, Smith, Stiegler, Whisnant, Barker; Excused: Garrett, Olson
2:08:45 PM Chair Barker
2:08:55 PM CARRIER: REP. BARTON will lead discussion on the floor
2:08:59 PM Rep. Barton
2:09:08 PM Chair Barker
2:09:12 PM HB 2428 - Public Hearing
2:09:36 PM Shannon Sivell, Committee Counsel

2:10:00 PM Vice-Chair Whisnant
2:10:32 PM Michael Iwai, Oregon State Police
2:10:33 PM {Exhibit} 9: Iwai
2:13:04 PM Chair Barker
2:13:35 PM Chuck Sparks, Multnomah County District Attorney
2:13:36 PM {Exhibit} 10: Sparks
2:13:43 PM Anne Pratt, Governor's Advisory Committee on Driving Under the Influence of Intoxicants
2:20:30 PM {Exhibit} 11: Pratt
2:23:43 PM Marie Armstrong, Mothers Against Drunk Driving
2:23:45 PM {Exhibit} 12: Armstrong
2:29:12 PM Chair Barker
2:29:22 PM The following written testimony was submitted for the record without public testimony;
2:29:22 PM {Exhibit} 13: Sara Edwards, Victim
2:29:22 PM {Exhibit} 14: Bonnie Edwards, Citizen
2:30:41 PM Leeland Berger, Oregon Criminal Defense Lawyers Association
2:36:43 PM Chair Barker
2:37:19 PM Berger
2:37:52 PM Chair Barker
2:38:07 PM Doug Harclerod, Oregon Anti-Crime Alliance
2:39:51 PM Chair Barker
2:39:58 PM Rep. Krieger
2:40:31 PM Chair Barker
2:40:59 PM {Exhibit} 15: Chair Barker
2:40:59 PM {Exhibit} 16: Chair Barker
2:41:01 PM MOTION: Vice-Chair Whisnant moves LC 2826 BE INTRODUCED as a Committee Bill
2:41:16 PM Chair Barker
2:41:16 PM VOTE: 8-0-2
2:41:16 PM Ayes: Barton, Cameron, Krieger, Shields, Smith, Stiegler, Whisnant, Barker; Excused: Garrett, Olson
2:41:24 PM Chair Barker
2:41:27 PM MOTION: Vice-Chair Whisnant moves LC 2982 BE INTRODUCED as a Committee Bill
2:41:32 PM Chair Barker
2:41:39 PM VOTE: 8-0-2
2:41:39 PM Ayes: Barton, Cameron, Krieger, Shields, Smith, Stiegler, Whisnant, Barker; Excused: Garrett, Olson
2:41:40 PM Chair Barker
2:41:45 PM Meeting Adjourned

HJUD

2/23/2009 1:10:54 PM

- 1:12:11 PM** {Exhibit} 1: HB 2425, written testimony, Anne Pratt, 1 p
 - 1:15:35 PM** {Exhibit} 2: HB 2425, written testimony, Chuck Hayes, 1 p
 - 1:15:36 PM** {Exhibit} 3: HB 2425, written testimony, Adam Walsh, 1 p
 - 1:32:37 PM** {Exhibit} 4: HB 2426, -1 amendments, staff, 1 p
 - 1:42:36 PM** {Exhibit} 5: HB 2426, written testimony, Chuck Hayes, 2 pp
 - 1:49:30 PM** {Exhibit} 6: HB 2427, written testimony, Chuck Hayes, 2 pp
 - 1:57:16 PM** {Exhibit} 7: HB 2427, written testimony, Anne Pratt, 1 p
 - 2:00:00 PM** {Exhibit} 8: HB 2427, written testimony, Michael Iwai, 1 p
 - 2:10:33 PM** {Exhibit} 9: HB 2428, written testimony, Michael Iwai, 1 p
 - 2:13:36 PM** {Exhibit} 10: HB 2428, written testimony, Chuck Sparks, 2 pp
 - 2:20:30 PM** {Exhibit} 11: HB 2428, written testimony, Anne Pratt, 1 p
 - 2:23:45 PM** {Exhibit} 12: HB 2428, written testimony, Marie Armstrong, 2 pp
 - 2:29:22 PM** {Exhibit} 13: HB 2428, written testimony, Sara Edwards, 1 p
 - 2:29:22 PM** {Exhibit} 14: HB 2428, written testimony, Bonnie Edwards, 1 p
 - 2:40:59 PM** {Exhibit} 15: LC 2826, measure introduction, staff, 2 pp
 - 2:40:59 PM** {Exhibit} 16: LC 2982, measure introduction, staff, 3 pp
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