

HOUSE COMMITTEE ON JUDICIARY

**March 03, 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**
 Bill Taylor, Committee Administrator
 Jennifer Ranstrom-Smith, Committee Assistant

MEASURES/ISSUES HEARD: **HB 2453 - Public Hearing**
 HB 2498 - Public Hearing
 HB 2393 - Work Session
 HB 2263 - Work Session
 HB 2269 - Work Session
 HB 2173 - Work Session
 HB 2331 - Work Session

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

HJUD

3/3/2009 1:12:59 PM

1:13:01 PM Meeting Called to Order
1:13:06 PM HB 2453 - Public Hearing
1:13:10 PM Bill Taylor, Committee Counsel
1:13:44 PM Vice-Chair Stiegler
1:13:51 PM Rep. Brent Barton, House District 51
1:14:27 PM {Exhibit} 1: Rep. Barton
1:17:44 PM Chair Barker
1:17:52 PM Rep. Barton
1:18:31 PM Vice-Chair Whisnant
1:18:45 PM Rep. Barton
1:19:53 PM Rep. Shields
1:20:35 PM Rep. Barton
1:21:20 PM Rep. Shields
1:21:45 PM Rep. Barton
1:22:51 PM Chair Barker
1:22:52 PM Vice-Chair Stiegler
1:23:26 PM Rep. Barton
1:24:27 PM Vice-Chair Stiegler
1:25:21 PM Rep. Barton
1:25:26 PM Rep. Smith J.
1:26:03 PM Rep. Barton
1:26:24 PM Rep. Smith J.
1:26:38 PM Rep. Barton
1:27:11 PM Rep. Smith J.
1:27:27 PM Chair Barker
1:27:31 PM Rep. Garrett
1:27:40 PM Rep. Barton
1:28:58 PM Rep. Garrett
1:29:23 PM Rep. Barton
1:30:03 PM Chair Barker
1:30:12 PM Taylor
1:30:55 PM Rep. Barton
1:32:28 PM Taylor
1:32:41 PM Rep. Barton
1:33:04 PM Vice-Chair Stiegler
1:33:25 PM Rep. Barton
1:33:38 PM Chair Barker
1:34:06 PM Richard Yugler, Partner, Landye Bennett Blumstein
1:34:39 PM David Bennett, Partner, Landye Bennett Blumstein

1:34:40 PM {Exhibit} 2: Bennett
1:36:15 PM The following written testimony was submitted for the record without public testimony:
1:36:38 PM {Exhibit} 3: Adam Walsh, Legislative Analyst, City of Eugene
1:37:36 PM Chair Barker
1:37:37 PM Yugler
1:48:57 PM Rep. Barton
1:49:01 PM Rep. Smith J.
1:49:36 PM Yugler
1:49:48 PM Chair Barker
1:49:49 PM Vice-Chair Stiegler
1:49:58 PM Yugler
1:50:42 PM Gail Meyer, Oregon Criminal Defense Lawyers Association
1:51:08 PM Chair Barker
1:51:20 PM Meyer
1:52:15 PM Chair Barker
1:52:20 PM Taylor
1:52:31 PM Yugler
1:53:40 PM Taylor
1:53:48 PM Yugler
1:54:31 PM Chair Barker
1:54:35 PM Rep. Shields
1:55:02 PM Yugler
1:56:47 PM Rep. Shields
1:57:14 PM Yugler
1:58:21 PM Rep. Shields
1:58:31 PM Yugler
1:58:58 PM Rep. Smith J.
1:59:01 PM Chair Shields
1:59:22 PM HB 2498 - Public Hearing
1:59:59 PM Shannon Sivell, Committee Counsel
2:00:15 PM Dave Fiskum, Legislative Representative, Port of Portland
2:01:44 PM Phil Klahn, Chief of Police, Port of Portland
2:01:46 PM {Exhibit} 4: Klahn
2:04:00 PM The following written testimony was submitted for the record without public testimony;
2:04:20 PM {Exhibit} 5: Kevin Campbell, Executive Director, Oregon Association Chiefs of Police
2:04:40 PM {Exhibit} 6: Adam Walsh, Legislative Analyst, City of Eugene
2:11:06 PM Joel Buchanon, Police Officer, Port of Portland Police Department
2:11:06 PM {Exhibit} 7: Buchanan
2:14:24 PM Chair Barker
2:15:08 PM Rep. Smith J.
2:15:59 PM Klahn
2:17:50 PM Rep. Smith J.
2:18:10 PM Chair Barker

2:18:14 PM Rep. Krieger
2:19:35 PM {Exhibit} 8: Rep. Krieger
2:19:54 PM Klahn
2:20:10 PM Fiskum
2:20:12 PM Rep. Krieger
2:22:34 PM Fiskum
2:23:02 PM Chair Barker
2:23:06 PM Fiskum
2:25:05 PM Chair Barker
2:25:34 PM Rod Harder, Lobbyist, National Rifle Association
2:27:03 PM Chair Barker
2:27:14 PM Harder
2:27:20 PM Kevin Starrett, Lobbyist, Oregon Firearms Federation
2:28:36 PM Chair Barker
2:28:59 PM Vice-Chair Stiegler
2:29:46 PM Chair Barker
2:29:57 PM Vice-Chair Stiegler
2:30:10 PM Chair Barker
2:30:18 PM Rep. Barton
2:30:44 PM HB 2393 - Work Session
2:30:50 PM Bill Taylor, Committee Counsel
2:30:51 PM The following written testimony was submitted for the record without public testimony;
2:30:51 PM {Exhibit} 9: Matt Klien, President, Oregon Association of Process Servers
2:33:51 PM Vice-Chair Stiegler
2:34:00 PM Taylor
2:34:44 PM Rep. Shields
2:35:18 PM Vice-Chair Stiegler
2:35:47 PM Chair Barker
2:35:48 PM Rep. Shields
2:36:07 PM Taylor
2:36:16 PM Rep. Shields
2:36:17 PM Taylor
2:36:27 PM Rep. Shields
2:36:35 PM Chair Barker
2:37:47 PM Jim Markee, Legislative Representative, Oregon Collectors Association
2:37:55 PM John Powell, Legislative Representative, Oregon State Sheriffs Association
2:38:59 PM Chair Barker
2:39:24 PM MOTION: Vice-Chair Whisnant moves -2 and -3 amendments
2:39:31 PM VOTE: 10-0-0
2:39:31 PM Ayes: Barton, Cameron, Garrett, Krieger, Olson, Shields, J. Smith, Stiegler, Whisnant, Barker
2:39:51 PM MOTION: Vice-Chair Whisnant moves HB 2393A DO PASS as

AMENDED and REFER to Revenue

2:40:01 PM Chair Barker

2:40:09 PM VOTE: 10-0-0

2:40:16 PM Ayes: Barton, Cameron, Garrett, Krieger, Olson, Shields, Smith, Stiegler, Whisnant, Barker

2:40:32 PM Chair Barker

2:40:44 PM HB 2263 - Work Session

2:40:56 PM Shannon Sivell, Committee Counsel

2:41:18 PM Chair Barker

2:41:27 PM MOTION: Vice-Chair Whisnant moves HB 2263 DO PASS and REFER to Ways and Means

2:41:37 PM Chair Barker

2:41:46 PM VOTE: 10-0-0

2:41:46 PM Ayes: Barton, Cameron, Garrett, Krieger, Olson, Shields, Smith, Stiegler, Whisnant, Barker

2:42:06 PM Chair Barker

2:42:18 PM HB 2269 - Work Session

2:42:19 PM Shannon Sivell, Committee Counsel

2:42:37 PM Chair Barker

2:42:45 PM MOTION: Vice-Chair Whisnant moves HB 2269 DO PASS and placed on the CONSENT CALENDAR

2:42:56 PM Chair Barker

2:43:06 PM VOTE: 10-0-0

2:43:06 PM Ayes: Barton, Cameron, Garrett, Krieger, Olson, Shields, Smith, Stiegler, Whisnant, Barker

2:43:27 PM Chair Barker

2:43:50 PM HB 2173 - Work Session

2:43:55 PM Shannon Sivell, Committee Counsel

2:44:19 PM Chair Barker

2:44:30 PM Vice-Chair Stiegler

2:44:36 PM Rep. Barton

2:44:45 PM MOTION: Vice-Chair Whisnant moves -1 amendments

2:44:53 PM Rep. Shields

2:45:24 PM Chair Barker

2:45:46 PM VOTE: 10-0-0

2:45:46 PM Ayes: Barton, Cameron, Garrett, Krieger, Olson, Shields, Smith, Stiegler, Whisnant, Barker

2:45:47 PM MOTION: Vice-Chair Whisnant moves HB 2173 DO PASS as AMENDED

2:45:54 PM Chair Barker

2:45:59 PM VOTE: 10-0-0

2:45:59 PM Ayes: Barton, Cameron, Garrett, Krieger, Olson, Shields, Smith, Stiegler, Whisnant, Barker

2:46:18 PM Chair Barker

2:46:25 PM CARRIER: REP STIEGLER will lead discussion on the floor

2:46:27 PM Chair Barker

2:46:34 PM HB 2331 - Work Session
2:46:35 PM Shannon Sivell, Committee Counsel
2:47:05 PM Chair Barker
2:47:13 PM MOTION: Vice-Chair Whisnant moves -1 amendments
2:47:16 PM VOTE: 10-0-0
2:47:16 PM Ayes: Barton, Cameron, Garrett, Krieger, Olson, J. Smith, Shields, Stiegler, Whisnant, Barton
2:47:34 PM MOTION: Vice-Chair Whisnant moves HB 2331 DO PASS as AMENDED
2:47:39 PM Chair Barker
2:47:46 PM Rep. Shields
2:47:54 PM Rep. Smith J.
2:48:06 PM Rep. Barton
2:49:08 PM Chair Barker
2:49:10 PM VOTE: 9-1-0
2:49:13 PM Ayes: Barton, Cameron, Garrett, Krieger, Olson, Smith, Stiegler, Whisnant, Barker; Nays: Shields
2:49:30 PM Chair Barker
2:49:35 PM CARRIER: CHAIR BARKER will lead discussion on the floor
2:49:37 PM Chair Barker
2:49:42 PM Sivell
2:49:57 PM Rep. Shields
2:50:09 PM Sivell
2:50:11 PM Chair Barker
2:50:15 PM Meeting Adjourned

HJUD

3/3/2009 1:12:59 PM

- 1:14:27 PM** {Exhibit} 1: HB 2453, -2 amendments, staff, 1 p
 - 1:34:40 PM** {Exhibit} 2: HB 2453, written testimony, David Bennett, 2 pp
 - 1:36:38 PM** {Exhibit} 3: HB 2453, written testimony, Adam Walsh, 1 p
 - 2:01:46 PM** {Exhibit} 4: HB 2498, written testimony, Phil Klahn, 6 pp
 - 2:04:20 PM** {Exhibit} 5: HB 2498, written testimony, Kevin Campbell, 1 p
 - 2:04:40 PM** {Exhibit} 6: HB 2498, written testimony, Adam Walsh, 1 p
 - 2:11:06 PM** {Exhibit} 7: HB 2498, written testimony, Joel Buchanan, 1 p
 - 2:19:35 PM** {Exhibit} 8: HB 2498, -1 amendments, staff, 1 p
 - 2:30:51 PM** {Exhibit} 9: HB 2393, written testimony, Matt Klien, 3 pp
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