

HOUSE COMMITTEE ON JUDICIARY

**March 4, 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**
 Diane Beyer, Committee Assistant

MEASURES/ISSUES HEARD: **HB 2541 - Public Hearing**
 HB 2536 - Public Hearing and Work Session
 HB 2641 - Public Hearing
 HB 2529 - Public Hearing and Work Session
 HB 2317 – Work Session
 HB 2489 – Work Session
 HB 2490 – Work Session

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

HJUD

3/4/2009 1:05:18 PM

1:05:20 PM Meeting Called to Order
1:05:21 PM Chair Barker
1:05:33 PM HB 2541 - Public Hearing
1:06:03 PM Rep. Kim Thatcher, House District 25
1:07:27 PM {Exhibit} 1: Thatcher
1:10:01 PM Rep. Krieger
1:10:16 PM Chair Barker
1:10:17 PM Rep. Chip Shields, House District 43
1:13:01 PM Chair Barker
1:13:01 PM Craig Cox, Citizen, Newberg, Oregon
1:13:08 PM {Exhibit} 2: Cox
1:13:09 PM {Exhibit} 3: Cox
1:13:10 PM {Exhibit} 4: Cox
1:18:41 PM Vicki Peterson, Citizen, Newberg, Oregon
1:20:47 PM Chair Barker
1:21:13 PM Andrew Cox, Citizen
1:22:15 PM Chair Barker
1:22:55 PM Hugh Gray, Citizen
1:22:56 PM {Exhibit} 5: Gray
1:27:57 PM {Exhibit} 6: Gray
1:30:18 PM Chair Barker
1:31:03 PM Lana Cully, Program Services Manager, Department of Motor
Vehicles
1:31:04 PM {Exhibit} 7: Cully
1:32:51 PM Chair Barker
1:32:54 PM Vice-Chair Stiegler
1:33:17 PM Cully
1:33:20 PM Vice-Chair Stiegler
1:34:24 PM Chair Barker
1:34:32 PM Rep. Shields
1:34:48 PM Chair Barker
1:35:18 PM HB 2536 - Public Hearing
1:35:30 PM Shannon Sivell, Committee Counsel
1:36:04 PM Chair Barker
1:36:29 PM Kevin Campbell, Executive Director, Oregon Association of Chiefs
of Police
1:37:51 PM Randy Schoen, Chief of Police, Medford, OR
1:44:14 PM Cindy Robert, City of Medford
1:44:20 PM {Exhibit} 8: Sivell

1:45:30 PM Jeff Kuhns, Captain, Keizer Police Department
1:45:31 PM {Exhibit} 9: Kuhns
1:51:46 PM Chair Barker
1:51:47 PM Rep. Olson
1:52:19 PM Kuhns
1:52:57 PM Rep. Olson
1:53:18 PM Schoen
1:53:43 PM Rep. Olson
1:54:10 PM Robert
1:55:11 PM Schoen
1:55:26 PM Chair Barker
1:56:18 PM Kuhns
1:56:43 PM Chair Barker
1:56:58 PM Robert
1:58:12 PM Chair Barker
1:58:37 PM Kevin Ellis, Attorney, Juvenile Rights Project, Inc.
2:00:04 PM {Exhibit} 10: Ellis
2:02:09 PM Chair Barker
2:03:10 PM Vice-Chair Stiegler
2:04:27 PM Chair Barker
2:04:29 PM The following written testimony is submitted for the record without public testimony:
2:04:30 PM {Exhibit} 11: Gail Meyer, Oregon Criminal Defense Lawyers Association
2:04:31 PM {Exhibit} 12: Adam Walsh, Legislative Analyst
2:04:39 PM HB 2536 - Work Session
2:04:49 PM MOTION: Rep. Whisnant moves -1 amendment BE ADOPTED
2:04:50 PM Chair Barker
2:04:51 PM VOTE: 10-0-0
2:04:52 PM Ayes: Barker, Barton, Cameron, Garrett, Krieger, Olson, Shields, Smith, Stiegler, Whisnant
2:05:08 PM HB 2641 - Public Hearing
2:05:13 PM Shannon Sivell, Committee Counsel
2:05:30 PM Chair Barker
2:06:04 PM Rep. Andy Olson, House District 15
2:08:13 PM Chair Barker
2:08:17 PM Brad Berry, Yamhill County District Attorney, Chair of Oregon District Attorneys Association
2:10:11 PM Chair Barker
2:10:13 PM Rep. Krieger
2:10:37 PM Berry
2:11:42 PM Vice-Chair Stiegler
2:12:19 PM Rep. Olson
2:12:24 PM Chair Barker
2:12:51 PM HB 2529 - Public Hearing
2:12:56 PM Shannon Sivell, Committee Counsel

2:12:57 PM {Exhibit} 13: Sivell
2:13:32 PM Chair Barker
2:13:52 PM Scott Heiser, Attorney, Animal Legal Defense Fund
2:16:12 PM Sharon Harmon, Executive Director, Oregon Humane Society
2:17:56 PM {Exhibit} 14: Harmon
2:21:09 PM Chair Barker
2:21:10 PM Rep. Krieger
2:21:53 PM Harmon
2:22:09 PM Heiser
2:23:08 PM Chair Barker
2:23:43 PM Tom Buchholz, Oregon City, Oregon
2:23:44 PM {Exhibit} 15: Buchholz
2:23:45 PM {Exhibit} 16: Buchholz
2:33:09 PM Chair Barker
2:33:17 PM Buchholz
2:33:37 PM Chair Barker
2:33:48 PM Buchholz
2:34:41 PM Chair Barker
2:34:56 PM HB 2529 -Work Session
2:35:00 PM MOTION: Rep. Whisnant moves -1 amendment BE ADOPTED
2:35:06 PM Chair Barker
2:35:07 PM VOTE: 10-0-0
2:35:08 PM Ayes: Barker, Barton, Cameron, Garrett, Krieger, Olson, Shields, Smith, Stiegler, Whisnant
2:35:30 PM HB 2317 - Work Session
2:35:32 PM Shannon Sivell, Committee Counsel
2:36:01 PM Chair Barker
2:36:24 PM Bruce Miller, Senior Staff Counsel, State Court Administrator
2:36:36 PM Chair Barker
2:36:40 PM Miller
2:37:30 PM Chair Barker
2:37:46 PM MOTION: Rep. Whisnant moves HB 2317 DO PASS
2:37:54 PM Chair Barker
2:38:02 PM VOTE: 10-0-0
2:38:22 PM Ayes: Barker, Barton, Cameron, Garrett, Krieger, Olson, Shields, Smith, Stiegler, Whisnant
2:38:27 PM CARRIER: REP. GARRETT will lead discussion on the floor
2:38:44 PM HB 2489 - Work Session
2:38:51 PM Shannon Sivell, Committee Counsel
2:39:06 PM Chair Barker
2:39:20 PM Rep. Cameron
2:39:21 PM Sivell
2:39:30 PM Chair Barker
2:39:54 PM MOTION: Rep. Stiegler moves HB 2489 DO PASS
2:39:58 PM Chair Barker
2:40:04 PM VOTE: 10-0-0

2:40:21 PM Ayes: Barker, Barton, Cameron, Garrett, Krieger, Olson, Shields, Smith, Stiegler, Whisnant
2:40:24 PM CARRIER: REP. CAMERON will lead discussion on the floor
2:40:35 PM HB 2490 - Work Session
2:40:43 PM MOTION: Rep. Whisnant moves 2490 DO PASS
2:40:45 PM Chair Barker
2:41:05 PM Rep. Krieger
2:41:11 PM Chair Barker
2:41:15 PM VOTE: 10-0-0
2:41:30 PM Ayes: Barker, Barton, Cameron, Garrett, Krieger, Olson, Shields, Smith, Stiegler, Whisnant
2:41:33 PM CARRIER: REP. CAMERON will lead discussion on the floor
2:41:48 PM Meeting Adjourned

HJUD

3/4/2009 1:05:18 PM

- 1:07:27 PM** {Exhibit} 1: HB 2541, written testimony, Rep. Kim Thatcher, 23 pp
 - 1:13:08 PM** {Exhibit} 2: HB 2541, written testimony of D. Keith Swanson, Craig Cox, 2 pp
 - 1:13:09 PM** {Exhibit} 3: HB 2541, written testimony of John Peterson, Craig Cox, 2 pp
 - 1:13:10 PM** {Exhibit} 4: HB 2541, written testimony of Bradley Berry, Craig Cox, 1 p
 - 1:22:56 PM** {Exhibit} 5: HB 2541, written testimony, Hugh Gray, 1 p
 - 1:27:57 PM** {Exhibit} 6: HB 2541, written testimony of Kenny and Judy Franken, Hugh Gray, 2 pp
 - 1:31:04 PM** {Exhibit} 7: HB 2541, written testimony, Lana Cully, 2 pp
 - 1:44:20 PM** {Exhibit} 8: HB 2536, -1 amendment, staff, 1 p
 - 1:45:31 PM** {Exhibit} 9: HB 2536, written testimony, Jeff Kuhns, 2 pp
 - 2:00:04 PM** {Exhibit} 10: HB 2536, written testimony, Kevin Ellis, 2 pp
 - 2:04:30 PM** {Exhibit} 11: HB 2536, written testimony, Gail Meyer, 1 p
 - 2:04:31 PM** {Exhibit} 12: HB 2536, written testimony, Adam Walsh, 1p
 - 2:12:57 PM** {Exhibit} 13: HB 2529, -1 amendment, staff, 1 p
 - 2:17:56 PM** {Exhibit} 14: HB 2529, written testimony, Sharon Harmon, 1 p
 - 2:23:44 PM** {Exhibit} 15: HB 2529, written testimony, Tom Buchholz, 4 pp
 - 2:23:45 PM** {Exhibit} 16: HB 2529, information packet, Tom Buchholz, 46 pp
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