

HOUSE COMMITTEE ON JUDICIARY

**March 05, 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: **Bill Taylor, Committee Administrator**
 Jennifer Ranstrom-Smith, Committee Assistant

MEASURES/ISSUES HEARD: **HB 2303 - Work Session**
 SB 86 - Public Hearing and Work Session
 SB 235 - Public Hearing
 SB 237 - Public Hearing and Work Session
 SB 268 - Public Hearing and Work Session
 SB 271 - Public Hearing and Work Session

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

HJUD

3/5/2009 1:10:50 PM

- 1:10:51 PM Meeting Called to Order
- 1:11:02 PM HB 2303 - Work Session
- 1:11:04 PM Bill Taylor, Committee Counsel
- 1:11:05 PM {Exhibit} 1: Taylor
- 1:12:51 PM Chair Barker
- 1:12:56 PM MOTION: Rep. Cameron moves -4 amendments
- 1:13:14 PM Chair Barker
- 1:13:23 PM VOTE: 10-0-0
- 1:13:23 PM Ayes: Barton, Cameron, Garrett, Krieger, Olson, Shields, Smith, Stiegler, Whisnant, Barker
- 1:13:27 PM Rep. Cameron
- 1:13:31 PM MOTION: Rep. Cameron moves HB 2303 DO PASS as AMENDED
- 1:13:35 PM Chair Barker
- 1:13:42 PM VOTE: 10-0-0
- 1:13:42 PM Ayes: Barton, Cameron, Garrett, Krieger, Olson, Shields, Smith, Stiegler, Whisnant, Barker
- 1:14:01 PM Chair Barker
- 1:14:06 PM CARRIER: VICE-CHAIR WHISNANT will lead discussion on the floor
- 1:14:30 PM Chair Barker
- 1:15:00 PM SB 86 - Public Hearing
- 1:15:01 PM Bill Taylor, Committee Counsel
- 1:15:16 PM Chair Barker
- 1:15:37 PM Glenn Chastain, Lieutenant, Oregon State Police
- 1:15:37 PM {Exhibit} 2: Chastain
- 1:16:38 PM Chair Barker
- 1:16:54 PM SB 86 - Work Session
- 1:16:57 PM MOTION: Rep. Cameron moves SB 86 DO PASS and placed on the CONSENT CALENDAR
- 1:17:02 PM Chair Barker
- 1:17:30 PM VOTE: 10-0-0
- 1:17:30 PM Ayes: Barton, Cameron, Garrett, Krieger, Olson, Shields, Smith, Stiegler, Whisnant, Barker
- 1:18:11 PM SB 235 - Public Hearing
- 1:18:13 PM Bill Taylor, Committee Counsel
- 1:18:25 PM {Exhibit} 3: Taylor
- 1:18:39 PM Chair Barker
- 1:18:55 PM Penny Serrurier, Attorney, Oregon State Bar
- 1:18:55 PM {Exhibit} 4: Serrurier

1:20:59 PM Chair Barker
1:21:04 PM Vice-Chair Stiegler
1:21:23 PM Serrurier
1:21:32 PM Vice-Chair Stiegler
1:21:50 PM Rep. Barton
1:22:21 PM Serrurier
1:23:46 PM Vice-Chair Stiegler
1:24:19 PM Serrurier
1:25:00 PM Vice-Chair Stiegler
1:25:23 PM Serrurier
1:25:56 PM Vice-Chair Stiegler
1:26:34 PM Serrurier
1:26:43 PM Vice-Chair Stiegler
1:26:52 PM Rep. Garrett
1:26:59 PM Serrurier
1:27:10 PM Rep. Smith J.
1:27:36 PM Serrurier
1:28:16 PM Rep. Smith J.
1:28:33 PM Chair Barker
1:28:35 PM Vice-Chair Whisnant
1:28:48 PM Serrurier
1:29:08 PM Vice-Chair Whisnant
1:29:16 PM Serrurier
1:30:25 PM Vice-Chair Whisnant
1:30:36 PM Serrurier
1:30:54 PM Rep. Garrett
1:31:04 PM Serrurier
1:31:22 PM Vice-Chair Stiegler
1:32:11 PM Serrurier
1:33:57 PM Taylor
1:34:19 PM Serrurier
1:36:21 PM Chair Barker
1:36:23 PM Rep. Smith J.
1:36:33 PM Chair Barker
1:36:48 PM Bob Casey, Attorney, Private Practice
1:36:48 PM {Exhibit} 5: Casey
1:48:13 PM Chair Barker
1:48:18 PM Rep. Garrett
1:48:42 PM Casey
1:49:34 PM Taylor
1:50:08 PM Casey
1:50:43 PM Rep. Krieger
1:52:39 PM Casey
1:54:10 PM Chair Barker
1:54:12 PM Rep. Cameron
1:55:04 PM Rep. Smith J.

1:56:13 PM Casey
1:58:15 PM Chair Barker
1:58:48 PM Casey
1:59:26 PM SB 237 - Public Hearing
1:59:26 PM Bill Taylor, Committee Counsel
2:00:05 PM Penny Serrurier, Attorney, Oregon State Bar
2:00:05 PM {Exhibit} 6: Serrurier
2:02:00 PM Chair Barker
2:02:06 PM Vice-Chair Stiegler
2:02:29 PM Chair Barker
2:02:33 PM SB 237 - Work Session
2:02:45 PM MOTION: Rep. Barton moves SB 237 DO PASS and placed on the
CONSENT CALENDAR
2:02:53 PM Chair Barker
2:03:00 PM VOTE: 10-0-0
2:03:00 PM Ayes: Barton, Cameron, Garrett, Krieger, Olson, Shields, Smith,
Stiegler, Whisnant, Barker
2:03:18 PM Chair Barker
2:03:30 PM SB 268 - Public Hearing
2:03:36 PM Bill Taylor, Committee Counsel
2:03:55 PM Chair Barker
2:04:11 PM Bruce Miller, Senior Staff Counsel, Oregon Department of Justice
2:04:15 PM The following written testimony was submitted for the record
without public testimony:
2:04:16 PM {Exhibit} 7: Michael Marcus, Judge, Multnomah County
2:05:53 PM Chair Barker
2:05:55 PM Vice-Chair Stiegler
2:06:32 PM Miller
2:06:37 PM Rep. Krieger
2:07:13 PM Chair Barker
2:07:14 PM Rep. Shields
2:07:42 PM Miller
2:08:24 PM Chair Barker
2:08:33 PM SB 268 - Work Session
2:08:37 PM MOTION: Rep. Cameron moves SB 268 DO PASS and placed on
CONSENT CALENDAR
2:08:39 PM Chair Barker
2:08:44 PM VOTE: 10-0-0
2:08:44 PM Ayes: Barton, Cameron, Garrett, Krieger, Olson, Shields, Smith,
Stiegler, Whisnant, Barker
2:09:03 PM Chair Barker
2:09:25 PM SB 271 - Public Hearing
2:09:28 PM Bill Taylor, Committee Counsel
2:09:50 PM Chair Barker
2:10:12 PM Bruce Miller, Senior Staff Counsel, Oregon Department of Justice
2:10:50 PM {Exhibit} 8: Miller

2:11:55 PM Chair Barker
2:12:01 PM SB 271 - Work Session
2:12:06 PM MOTION: Rep. Cameron moves SB 271 DO PASS and placed on CONSENT CALENDAR
2:12:10 PM Chair Barker
2:12:15 PM VOTE: 10-0-0
2:12:15 PM Ayes: Barton, Cameron, Garrett, Krieger, Olson, Shields, Smith, Stiegler, Whisnant, Barker
2:12:43 PM Taylor
2:13:05 PM HB 2303 - Work Session
2:13:08 PM MOTION: Chair Barker moves that the RULES BE SUSPENDED to allow Rep. Shields to VOTE: AYE on HB 2303
2:13:08 PM VOTE: 10-0-0
2:13:09 PM Ayes: Barton, Cameron, Garrett, Krieger, Olson, Shields, Smith, Stiegler, Whisnant, Barker
2:13:13 PM SB 86 - Work Session
2:13:18 PM MOTION: Chair Barker moves that the RULES BE SUSPENDED to allow Rep. Shields to VOTE: AYE on SB 86
2:13:18 PM VOTE: 10-0-0
2:13:19 PM Ayes: Barton, Cameron, Garrett, Krieger, Olson, Shields, Smith, Stiegler, Whisnant, Barker
2:13:23 PM Meeting Adjourned

HJUD

3/5/2009 1:10:50 PM

- 1:11:05 PM** {Exhibit} 1: HB 2303, -4 amendments, staff, 3 pp
 - 1:15:37 PM** {Exhibit} 2: SB 86, written testimony, David Chastain, 1 p
 - 1:18:25 PM** {Exhibit} 3: SB 235, -1 amendments, staff, 1 p
 - 1:18:55 PM** {Exhibit} 4: SB 235, written testimony, Penny Serrurier 2 pp
 - 1:36:48 PM** {Exhibit} 5: SB 235, written testimony, Bob Casey, 1 p
 - 2:00:05 PM** {Exhibit} 6: SB 237, written testimony, Penny Serrurier, 1 p
 - 2:04:16 PM** {Exhibit} 7: SB 268, written testimony, Michael Marcus, 1 p
 - 2:10:50 PM** {Exhibit} 8: SB 271, written testimony, Bruce Miller, 1 p
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