

HOUSE COMMITTEE ON JUDICIARY

**March 09, 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: **SB 403 - Public Hearing and Work Session**
 HB 2491 - Public Hearing
 HB 2426 - Work Session
 HB 2246 - Work Session
 HB 2171 - Work Session

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3/9/2009 1:11:22 PM

1:11:23 PM Meeting Called to Order
1:11:23 PM Chair Barker
1:11:50 PM SB 403 - Public Hearing
1:12:04 PM Shannon Sivell, Committee Counsel
1:12:17 PM Senator Suzanne Bonamici, Senate District 17
1:12:17 PM {Exhibit} 1: Bonamici
1:14:14 PM Chuck Tauman, Attorney, private practice
1:14:33 PM {Exhibit} 2: Tauman
1:16:22 PM Chair Barker
1:16:31 PM Tauman
1:16:52 PM Chair Barker
1:16:57 PM Rep. Smith J.
1:17:37 PM Tauman
1:18:12 PM Bonamici
1:18:34 PM Rep. Smith J.
1:18:35 PM Chair Barker
1:18:41 PM SB 403 - Work Session
1:18:52 PM MOTION: Rep. Barton moves SB 403 DO PASS
1:18:55 PM Chair Barker
1:19:00 PM VOTE: 10-0-0
1:19:01 PM Ayes: Barton, Cameron, Garrett, Krieger, Olson, Shields, Smith, Stiegler, Whisnant, Barker
1:19:21 PM Chair Barker
1:19:23 PM CARRIER: REP BARTON will lead discussion on the floor
1:19:28 PM HB 2491 - Public Hearing
1:19:37 PM Shannon Sivell, Committee Counsel
1:20:28 PM Chuck Hayes, Governor's Advisory Committee on Driving Under the Influence of Intoxicants
1:20:28 PM {Exhibit} 3: Hayes
1:34:09 PM Chair Barker
1:34:15 PM Roger Craddock, Chief of Police, Coos Bay, Oregon/Representative, Oregon Association of Chiefs of Police
1:34:45 PM {Exhibit} 4: Craddock
1:37:52 PM Chair Barker
1:38:09 PM Hayes
1:39:12 PM Vice-Chair Whisnant
1:39:53 PM Hayes
1:40:11 PM Vice-Chair Whisnant
1:40:19 PM Hayes

1:41:22 PM Rep. Garrett
1:41:54 PM Hayes
1:42:41 PM Chair Barker
1:42:48 PM Rep. Shields
1:43:12 PM Hayes
1:43:55 PM Chair Barker
1:44:25 PM Hayes - DVD Started
1:47:33 PM Hayes - DVD Ended
1:48:14 PM Chair Barker
1:48:39 PM Hayes
1:49:21 PM Rep. Smith J.
1:50:54 PM Hayes
1:52:40 PM Rep. Smith J.
1:53:51 PM Hayes
1:53:54 PM Chair Barker
1:54:25 PM Bob Russell, President, Oregon Trucking Associations
1:56:54 PM Vice-Chair Stiegler
1:57:09 PM Russell
1:57:31 PM Vice-Chair Stiegler
1:58:31 PM Russell
1:59:40 PM Vice-Chair Stiegler
2:00:24 PM Russell
2:01:09 PM Chair Barker
2:01:12 PM Michael Iwai, Senior Trooper, Oregon State Police
2:01:13 PM {Exhibit} 5: Iwai
2:07:13 PM Chair Barker
2:07:16 PM Rep. Krieger
2:07:28 PM Chair Barker
2:07:41 PM Rep. Olson
2:08:11 PM Iwai
2:09:01 PM Chair Barker
2:09:04 PM Gail Meyer, Legislative Director, Oregon Criminal Defense Lawyers
Association
2:11:53 PM Andrea Meyer, Legislative Director, America Civil Liberties Union
Oregon
2:14:02 PM Megan Caughey, Vice-President, Mental Health America of Oregon
2:14:28 PM {Exhibit} 6: Caughey
2:19:59 PM Chair Barker
2:20:44 PM Meyer
2:21:35 PM Chair Barker
2:21:39 PM Meyer
2:21:49 PM Chair Barker
2:21:51 PM Rep. Smith J.
2:23:28 PM Meyer
2:24:27 PM Rep. Olson
2:26:02 PM Meyer

2:27:01 PM Rep. Cameron
2:27:58 PM Meyer
2:28:28 PM Rep. Cameron
2:28:33 PM Meyer
2:28:39 PM Rep. Cameron
2:29:09 PM Meyer
2:29:18 PM Chair Barker
2:29:19 PM Rep. Shields
2:29:49 PM Sivell
2:29:52 PM Chair Barker
2:30:23 PM Jody Vaughn, member, Governor's Advisory Committee on Driving Under the Influence of Intoxicants
2:31:00 PM {Exhibit} 7: Vaughn
2:36:32 PM Chair Barker
2:36:38 PM Rep. Shields
2:36:48 PM Vaughn
2:37:18 PM Rep. Shields
2:37:31 PM Vaughn
2:38:12 PM Vice-Chair Stiegler
2:38:26 PM Vaughn
2:38:42 PM Rep. Smith J.
2:39:33 PM Vaughn
2:40:46 PM Chair Barker
2:40:53 PM HB 2426 - Work Session
2:41:14 PM Shannon Sivell, Committee Counsel
2:41:54 PM MOTION: Rep. Whisnant moves HB 2426 DO PASS as AMENDED
2:41:57 PM Chair Barker
2:42:07 PM Rep. Shields
2:42:14 PM Sivell
2:42:38 PM Rep. Shields
2:42:48 PM Sivell
2:42:54 PM VOTE: 10-0-0
2:42:54 PM Ayes: Barton, Cameron, Garrett, Krieger, Olson, Shields, Smith, Stiegler, Whisnant, Barker
2:43:14 PM Chair Barker
2:43:17 PM Rep. Shields
2:43:28 PM CARRIER: REP. BARKER will lead discussion on the floor
2:43:33 PM HB 2246 - Work Session
2:43:37 PM Shannon Sivell, Committee Counsel
2:43:51 PM {Exhibit} 8: Sivell
2:44:01 PM MOTION: Vice-Chair Whisnant moves -1 amendment
2:44:05 PM Chair Barker
2:44:10 PM VOTE: 10-0-0
2:44:11 PM Ayes: Barton, Cameron, Garrett, Krieger, Olson, Shields, Smith, Stiegler, Whisnant, Barker
2:44:13 PM Chair Barker

2:44:19 PM MOTION: Vice-Chair Whisnant moves HB 2246 DO PASS as AMENDED

2:44:25 PM Chair Barker

2:44:50 PM VOTE: 10-0-0

2:44:50 PM Ayes: Barton, Cameron, Garrett, Krieger, Olson, Shields, Smith, Stiegler, Whisnant, Barker

2:44:51 PM Chair Barker

2:44:54 PM CARRIER: REP. SMITH will lead discussion on the floor

2:44:59 PM HB 2171 - Work Session

2:45:01 PM Chair Barker

2:45:03 PM Shannon Sivell, Committee Counsel

2:45:24 PM {Exhibit} 9: Sivell

2:45:45 PM Chair Barker

2:45:48 PM Renae Bryant, Legislative Liason, Oregon State Police

2:46:42 PM MOTION: Vice-Chair Whisnant moves -2 amendments

2:46:46 PM Chair Barker

2:46:50 PM VOTE: 10-0-0

2:46:51 PM Ayes: Barton, Cameron, Garrett, Krieger, Olson, Shields, Smith, Stiegler, Whisnant, Barker

2:46:53 PM Chair Barker

2:46:54 PM SB 403 - Work Session

2:46:59 PM MOTION: Chair Barker moves that the RULES BE SUSPENDED to allow Rep. Shields to VOTE: AYE on SB 403

2:47:00 PM VOTE: 10-0-0

2:47:01 PM Ayes: Barton, Cameron, Garrett, Krieger, Olson, Shields, Smith, Stiegler, Whisnant, Barker

2:47:03 PM MOTION: Chair Barker moves that the RULES BE SUSPENDED to allow Rep. Krieger to VOTE: AYE on SB 403

2:47:04 PM VOTE: 10-0-0

2:47:05 PM Ayes: Barton, Cameron, Garrett, Krieger, Olson, Shields, Smith, Stiegler, Whisnant, Barker

2:47:12 PM Meeting Adjourned

HJUD

3/9/2009 1:11:22 PM

- 1:12:17 PM** {Exhibit} 1: SB 403, written testimony, Sen.Bonamici, 1 p
 - 1:14:33 PM** {Exhibit} 2: SB 403, written testimony, Chuck Tauman, 1 p
 - 1:20:28 PM** {Exhibit} 3: HB 2491, written testimony, Chuck Hayes, 6 pp
 - 1:34:45 PM** {Exhibit} 4: HB 2491, written testimony, Roger Craddock, 2 pp
 - 2:01:13 PM** {Exhibit} 5: HB 2491, written testimony, Michael Iwai, 2 pp
 - 2:14:28 PM** {Exhibit} 6: HB 2491, written testimony, Meghan Caughey, 1 p
 - 2:31:00 PM** {Exhibit} 7: HB 2491, written testimony Jody Vaughn, 5 pp
 - 2:43:51 PM** {Exhibit} 8: HB 2246, -1 amendments, staff, 1 p
 - 2:45:24 PM** {Exhibit} 9: HB 2171, -2 amendments, staff, 2 pp
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