

## **HOUSE COMMITTEE ON JUDICIARY**

**March 16, 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:**   **HB 2554 - Public Hearing**  
   **HB 2285 - Public Hearing and Work Session**  
   **HB 2738 - Public Hearing**  
   **HB 2751 - Public Hearing**  
   **HB 2169 - Work Session**

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

## HJUD

3/16/2009 1:05:50 PM

1:05:52 PM Meeting Called to Order  
1:05:57 PM Vice-Chair Whisnant  
1:06:02 PM HB 2554 - Public Hearing  
1:06:10 PM Shannon Sivell, Committee Counsel  
1:06:22 PM Rep. Sherrie Sprenger, House District 17  
1:11:06 PM Vice-Chair Whisnant  
1:11:31 PM Bob Russell, Oregon Trucking Associations  
1:12:03 PM Vice-Chair Whisnant  
1:12:04 PM Shawn Cleave, Oregon Farm Bureau  
1:13:37 PM Chair Barker  
1:13:51 PM Sivell  
1:13:56 PM Chair Barker  
1:14:07 PM HB 2285 - Public Hearing  
1:14:09 PM Shannon Sivell, Committee Counsel  
1:14:25 PM {Exhibit} 1: Sivell  
1:14:30 PM Chair Barker  
1:14:37 PM Mark McDonnell, District Attorney, Multnomah County  
1:16:20 PM Chair Barker  
1:16:26 PM Rep. Shields  
1:16:30 PM McDonnell  
1:16:41 PM Chair Barker  
1:16:48 PM Sivell  
1:16:54 PM McDonnell  
1:17:02 PM Sivell  
1:17:12 PM McDonnell  
1:17:21 PM Chair Barker  
1:17:33 PM HB 2285 - Work Session  
1:17:36 PM MOTION: Vice-Chair Whisnant moves -2 amendments  
1:17:45 PM Chair Barker  
1:17:53 PM VOTE: 10-0-0  
1:17:54 PM Ayes: Barton, Cameron, Garrett, Krieger, Olson, Shields, Smith,  
Stiegler, Whisnant, Barker  
1:18:10 PM HB 2738 - Public Hearing  
1:18:14 PM Shannon Sivell, Committee Counsel  
1:18:34 PM Chair Barker  
1:18:46 PM John Powell, Oregon Sheriffs Association  
1:19:19 PM Brian Wallace, Chief Civil Deputy, Marion County Sheriffs Office  
1:19:20 PM {Exhibit} 2: Wallace  
1:21:15 PM The following written testimony was submitted for the record

without public testimony:

**1:21:16 PM** {Exhibit} 3: Timothy Leader, Chief Civil Deputy, Washington County Sheriff's Office

**1:21:52 PM** Chair Barker

**1:21:57 PM** Rep. Barton

**1:23:34 PM** Wallace

**1:24:59 PM** Rep. Barton

**1:25:22 PM** Wallace

**1:26:16 PM** Rep. Barton

**1:26:29 PM** Wallace

**1:26:34 PM** Rep. Barton

**1:26:36 PM** Chair Barker

**1:26:55 PM** Wallace

**1:26:58 PM** Vice-Chair Stiegler

**1:27:46 PM** Wallace

**1:28:36 PM** Powell

**1:29:14 PM** Rep. Barton

**1:29:28 PM** Chair Barker

**1:29:32 PM** Rep. Olson

**1:29:46 PM** Kristi Meister, Lincoln County Sheriff's Office

**1:31:11 PM** Rep. Olson

**1:31:14 PM** Chair Barker

**1:31:16 PM** Vice-Chair Whisnant

**1:31:39 PM** Rep. Olson

**1:31:53 PM** Vice-Chair Whisnant

**1:32:03 PM** Rep. Olson

**1:32:12 PM** Chair Barker

**1:32:20 PM** Powell

**1:32:37 PM** Al Elkins, Oregon Tow Truck Association

**1:33:58 PM** Mike Wagner, Oregon Tow Truck Association

**1:34:12 PM** Vice-Chair Whisnant

**1:34:20 PM** Wagner

**1:34:25 PM** Vice-Chair Stiegler

**1:34:31 PM** Chair Barker

**1:34:38 PM** HB 2751 - Public Hearing

**1:34:40 PM** Shannon Sivell, Committee Counsel

**1:34:58 PM** Chair Barker

**1:35:26 PM** Mary Botkin, American Federation of State, County, and Municipal Employees

**1:38:32 PM** Roger Ware, Corrections Officer, Shutter Creek Correctional Facility, North Bend, Oregon

**1:44:58 PM** Chair Barker

**1:45:13 PM** Rep. Shields

**1:45:33 PM** Ware

**1:46:04 PM** Chair Barker

**1:46:07 PM** Rep. Olson

1:46:19 PM Botkin  
1:46:26 PM Rep. Olson  
1:46:38 PM Botkin  
1:48:16 PM Rep. Olson  
1:48:17 PM Chair Barker  
1:48:18 PM Vice-Chair Whisnant  
1:48:30 PM Ware  
1:48:43 PM Vice-Chair Whisnant  
1:48:49 PM The following written testimony was submitted for the record  
without public testimony:  
1:48:50 PM {Exhibit} 4: Tim Wood, Director, Oregon Parks and Recreation  
Department  
1:48:56 PM Ware  
1:49:38 PM Chair Barker  
1:49:42 PM Ware  
1:49:44 PM Chair Barker  
1:49:56 PM Michael Gower, Assistant Director of Operations, Department of  
Corrections  
1:51:09 PM {Exhibit} 5: Gower  
1:55:50 PM Chair Barker  
1:56:10 PM Gower  
1:56:45 PM Rep. Olson  
1:57:07 PM Gower  
1:58:52 PM Chair Barker  
1:58:55 PM Vice-Chair Whisnant  
1:59:23 PM Gower  
1:59:55 PM Vice-Chair Whisnant  
2:00:42 PM Vice-Chair Stiegler  
2:00:54 PM Gower  
2:01:42 PM Vice-Chair Stiegler  
2:01:59 PM Gower  
2:02:25 PM Vice-Chair Stiegler  
2:02:45 PM Gower  
2:02:56 PM Vice-Chair Stiegler  
2:03:18 PM Gower  
2:03:47 PM Rep. Cameron  
2:03:50 PM Gower  
2:03:56 PM Chair Barker  
2:04:28 PM Gower  
2:04:30 PM Rep. Olson  
2:05:04 PM Chair Barker  
2:05:13 PM Rep. Krieger  
2:05:25 PM Chair Barker  
2:06:11 PM Paul Bell, Chief, Fire Protection Division, Oregon Department of  
Forestry  
2:06:12 PM {Exhibit} 6: Bell

**2:09:01 PM** Chair Barker  
**2:09:03 PM** Rep. Krieger  
**2:09:12 PM** Bell  
**2:09:18 PM** Gordon Dana, Manager, Southfork Forrest Camp, Tillamook,  
Oregon  
**2:10:15 PM** Chair Barker  
**2:10:19 PM** Mike Dykzeul, Director, Forest Protection, Oregon Forest Industries  
Council  
**2:10:20 PM** {Exhibit} 7: Dykzeul  
**2:11:08 PM** Chair Barker  
**2:11:24 PM** Bell  
**2:11:49 PM** Chair Barker  
**2:11:57 PM** Vice-Chair Whisnant  
**2:12:25 PM** Bell  
**2:13:02 PM** Chair Barker  
**2:13:08 PM** Rep. Smith J.  
**2:13:33 PM** Chair Barker  
**2:14:19 PM** HB 2169 - Work Session  
**2:14:45 PM** Shannon Sivell, Committee Counsel  
**2:15:21 PM** MOTION: Vice-Chair Whisnant moves HB 2169 DO PASS as  
AMENDED  
**2:15:29 PM** Chair Barker  
**2:15:36 PM** Rep. Shields  
**2:15:47 PM** Sivell  
**2:16:25 PM** Chair Barker  
**2:16:26 PM** Rep. Cameron  
**2:16:43 PM** Sivell  
**2:16:59 PM** Rep. Shields  
**2:17:11 PM** Jennifer Ranstrom-Smith, Committee Assistant  
**2:17:35 PM** Vice-Chair Whisnant  
**2:17:39 PM** Chair Barker  
**2:17:46 PM** Vice-Chair Whisnant  
**2:17:50 PM** Chair Barker  
**2:17:53 PM** Rep. Garrett  
**2:18:07 PM** Chair Barker  
**2:18:12 PM** Rep. Barton  
**2:18:22 PM** Sivell  
**2:18:30 PM** Rep. Garrett  
**2:18:35 PM** Vice-Chair Stiegler  
**2:18:43 PM** VOTE: 10-0-0  
**2:18:44 PM** Ayes: Barton, Cameron, Garrett, Krieger, Olson, Shields, Smith,  
Stiegler, Whisnant, Barker  
**2:19:03 PM** Chair Barker  
**2:19:08 PM** Rep. Cameron  
**2:19:18 PM** CARRIER: REP. OLSON will lead discussion on the floor  
**2:19:29 PM** Chair Barker

**2:19:31 PM** Vice-Chair Stiegler  
**2:19:36 PM** Chair Barker  
**2:19:38 PM** Vice-Chair Stiegler  
**2:19:39 PM** Meeting Adjourned

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**HJUD**

**3/16/2009 1:05:50 PM**

**1:14:25 PM** {Exhibit} 1: HB 2285, -2 amendments, staff, 2 pp

**1:19:20 PM** {Exhibit} 2: HB 2738, written testimony, Brian Wallace, 1 p

**1:21:16 PM** {Exhibit} 3: HB 2738, written testimony, Timothy Leader, 2 pp

**1:48:50 PM** {Exhibit} 4: HB 2751, written testimony, Tim Wood, 1 p

**1:51:09 PM** {Exhibit} 5: HB 2751, written testimony, Michael Gower, 2 pp

**2:06:12 PM** {Exhibit} 6: HB 2751, written testimony, Paul Bell, 2 pp

**2:10:20 PM** {Exhibit} 7: HB 2751, written testimony, Mike Dykzeul, 1 p

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