

## **HOUSE COMMITTEE ON JUDICIARY**

**March 17, 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 2529 - Work Session**  
                                     **HB 2536 - Work Session**  
                                     **HB 2641 - Work Session**  
                                     **HB 2308 - Work Session**  
                                     **HB 2331 - Work Session**  
                                     **HB 2623 - Work Session**  
                                     **HB 2803 - Work Session**

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

## HJUD

3/17/2009 1:10:21 PM

1:10:23 PM Meeting Called to Order  
1:10:29 PM HB 2529 - Work Session  
1:10:34 PM Shannon Sivell, Committee Counsel  
1:11:01 PM {Exhibit} 1: Sivell  
1:11:17 PM Chair Barker  
1:11:30 PM MOTION: Rep. Olson moves HB 2529 DO PASS as AMENDED  
1:11:39 PM Chair Barker  
1:11:47 PM VOTE: 10-0-0  
1:11:48 PM Ayes: Barton, Cameron, Garrett, Krieger, Olson, Shields, Smith, Stiegler, Whisnant, Barker  
1:12:10 PM Chair Barker  
1:12:14 PM Rep. Barton  
1:12:24 PM Chair Barker  
1:12:29 PM Rep. Barton  
1:12:37 PM CARRIER: REP. SMITH will lead discussion on the floor  
1:12:48 PM HB 2536 - Work Session  
1:12:50 PM Shannon Sivell, Committee Counsel  
1:13:05 PM {Exhibit} 2: Sivell  
1:13:35 PM Chair Barker  
1:13:38 PM MOTION: Rep. Garrett moves -2 amendments  
1:13:45 PM Chair Barker  
1:13:55 PM Rep. Olson  
1:14:24 PM Chair Barker  
1:15:04 PM Rep. Garrett  
1:15:31 PM Rep. Smith J.  
1:16:42 PM Rep. Krieger  
1:17:03 PM Chair Barker  
1:17:05 PM Rep. Krieger  
1:17:20 PM Chair Barker  
1:17:38 PM Rep. Olson  
1:18:09 PM Rep. Smith J.  
1:18:32 PM Chair Barker  
1:18:47 PM VOTE: 10-0-0  
1:18:48 PM Ayes: Barton, Cameron, Garrett, Krieger, Olson, Shields, Smith, Stiegler, Whisnant, Barker  
1:18:53 PM Cindy Roberts, City of Medford  
1:19:03 PM Sivell  
1:19:21 PM Chair Barker  
1:19:22 PM HB 2641 - Work Session

**1:19:27 PM** Shannon Sivell, Committee Counsel  
**1:19:37 PM** {Exhibit} 3: Sivell  
**1:20:11 PM** Chair Barker  
**1:20:33 PM** Rep. Olson  
**1:20:43 PM** Vice-Chair Stiegler  
**1:20:53 PM** Chair Barker  
**1:20:56 PM** MOTION: Rep. Olson moves -1 amendments  
**1:21:03 PM** Chair Barker  
**1:21:12 PM** VOTE: 10-0-0  
**1:21:13 PM** Ayes: Barton, Cameron, Garrett, Krieger, Olson, Shields, Smith, Stiegler, Whisnant, Barker  
**1:21:18 PM** MOTION: Rep. Olson moves HB 2641 DO PASS as AMENDED  
**1:21:22 PM** Chair Barker  
**1:21:32 PM** Rep. Shields  
**1:21:40 PM** Sivell  
**1:21:43 PM** Chair Barker  
**1:22:03 PM** VOTE: 10-0-0  
**1:22:04 PM** Chair Barker  
**1:22:04 PM** Ayes: Barton, Cameron, Garrett, Krieger, Olson, Shields, Smith, Stiegler, Whisnant, Barker  
**1:22:08 PM** CARRIER: REP. OLSON will lead discussion on the floor  
**1:22:16 PM** Rep. Olson  
**1:22:17 PM** Chair Barker  
**1:22:47 PM** Rep. Smith J.  
**1:22:57 PM** Rep. Barton  
**1:23:00 PM** Chair Barker  
**1:23:04 PM** Rep. Smith J.  
**1:23:05 PM** Chair Barker  
**1:23:27 PM** HB 2308 - Work Session  
**1:23:28 PM** Shannon Sivell, Committee Counsel  
**1:23:47 PM** Chair Barker  
**1:23:49 PM** MOTION: Chair Barker moves that the RULES BE SUSPENDED to allow reconsideration of the VOTE by which HB 2308 was sent to the floor DO PASS  
**1:24:00 PM** Chair Barker  
**1:24:00 PM** VOTE: 10-0-0  
**1:24:01 PM** Ayes: Barton, Cameron, Garrett, Krieger, Olson, Shields, Smith, Stiegler, Whisnant, Barker  
**1:24:02 PM** MOTION: Chair Barker moves RECONSIDERATION of HB 2308  
**1:24:11 PM** VOTE: 10-0-0  
**1:24:12 PM** Ayes: Barton, Cameron, Garrett, Krieger, Olson, Shields, Smith, Stiegler, Whisnant, Barker  
**1:24:14 PM** MOTION: Vice-Chair Whisnant moves HB 2308 DO PASS and REFER to Revenue  
**1:24:21 PM** Chair Barker  
**1:24:31 PM** VOTE: 10-0-0

**1:24:32 PM** Ayes: Barton, Cameron, Garrett, Krieger, Olson, Shields, Smith, Stiegler, Whisnant, Barker

**1:24:50 PM** Chair Barker

**1:25:02 PM** HB 2331 - Work Session

**1:25:03 PM** Shannon Sivell, Committee Counsel

**1:25:20 PM** Brad Berry, District Attorney, Yamhill County

**1:25:41 PM** {Exhibit} 4: Berry

**1:26:09 PM** Chair Barker

**1:26:11 PM** MOTION: Chair Barker moves that the RULES BE SUSPENDED to allow reconsideration of the VOTE by which HB 2331 was sent to the floor DO PASS

**1:26:21 PM** Rep. Shields

**1:26:32 PM** Rep. Smith J.

**1:26:50 PM** Rep. Shields

**1:27:05 PM** Chair Barker

**1:27:06 PM** VOTE: 10-0-0

**1:27:07 PM** Ayes: Barton, Cameron, Garrett, Krieger, Olson, Shields, Smith, Stiegler, Whisnant, Barker

**1:27:09 PM** MOTION: Chair Barker moves RECONSIDERATION of HB 2331

**1:27:10 PM** VOTE: 10-0-0

**1:27:10 PM** Ayes: Barton, Cameron, Garrett, Krieger, Olson, Shields, Smith, Stiegler, Whisnant, Barker

**1:27:14 PM** MOTION: Chair Barker moves RECONSIDERATION of -1 amendments

**1:27:16 PM** VOTE: 10-0-0

**1:27:16 PM** Ayes: Barton, Cameron, Garrett, Krieger, Olson, Shields, Smith, Stiegler, Whisnant, Barker

**1:27:19 PM** MOTION: Chair Barker moves RECONSIDERATION of HB 2331

**1:27:27 PM** VOTE: 10-0-0

**1:27:27 PM** Ayes: Barton, Cameron, Garrett, Krieger, Olson, Shields, Smith, Stiegler, Whisnant, Barker

**1:27:32 PM** MOTION: Vice-Chair Whisnant moves -2 amendments

**1:27:36 PM** Chair Barker

**1:27:42 PM** VOTE: 10-0-0

**1:27:42 PM** Ayes: Barton, Cameron, Garrett, Krieger, Olson, Shields, Smith, Stiegler, Whisnant, Barker

**1:27:45 PM** MOTION: Vice-Chair Whisnant moves HB 2331 DO PASS as AMENDED

**1:27:48 PM** Chair Barker

**1:27:56 PM** VOTE: 10-0-0

**1:27:57 PM** Ayes: Barton, Cameron, Garrett, Krieger, Olson, Shields, Smith, Stiegler, Whisnant, Barker

**1:28:16 PM** Chair Barker

**1:28:26 PM** CARRIER: CHAIR BARKER will lead discussion on the floor

**1:28:30 PM** Chair Barker

**1:29:52 PM** Rep. Cameron

**1:30:02 PM** Sivell  
**1:30:20 PM** Chair Barker  
**1:30:25 PM** Meeting Recessed  
**1:36:25 PM** Meeting Reconvened  
**1:36:30 PM** Chair Barker  
**1:36:31 PM** HB 2623 - Work Session  
**1:36:33 PM** Chair Barker  
**1:36:39 PM** Shannon Sivell, Committee Counsel  
**1:36:40 PM** {Exhibit} 5: Sivell  
**1:36:43 PM** MOTION: Rep. Cameron moves -1 amendments  
**1:36:51 PM** Chair Barker  
**1:36:56 PM** VOTE: 10-0-0  
**1:36:57 PM** Ayes: Barton, Cameron, Garrett, Krieger, Olson, Shields, Smith, Stiegler, Whisnant, Barker  
**1:37:00 PM** MOTION: Rep. Cameron moves HB 2623 DO PASS as AMENDED  
**1:37:10 PM** Chair Barker  
**1:37:17 PM** Rep. Shields  
**1:37:43 PM** Sivell  
**1:38:35 PM** Rep. Shields  
**1:39:10 PM** Sivell  
**1:39:23 PM** Rep. Shields  
**1:39:46 PM** Sivell  
**1:40:05 PM** Rep. Shields  
**1:40:17 PM** Chair Barker  
**1:40:39 PM** Jennifer Ranstrom-Smith, Committee Assistant  
**1:40:47 PM** Rep. Barton  
**1:40:55 PM** Meeting Recessed  
**1:44:03 PM** Meeting Reconvened  
**1:44:10 PM** Chair Barker  
**1:44:15 PM** Sivell  
**1:44:40 PM** Rep. Shields  
**1:44:43 PM** Chair Barker  
**1:44:56 PM** Rep. Cameron  
**1:45:10 PM** Chair Barker  
**1:45:28 PM** HB 2803 - Work Session  
**1:45:30 PM** Shannon Sivell, Committee Counsel  
**1:45:31 PM** {Exhibit} 6: Sivell  
**1:45:58 PM** Chair Barker  
**1:46:07 PM** Vice-Chair Stiegler  
**1:46:11 PM** Rep. Cameron  
**1:46:22 PM** MOTION: Rep. Cameron moves HB 2803 DO PASS  
**1:46:38 PM** Chair Barker  
**1:46:48 PM** Vice-Chair Stiegler  
**1:46:54 PM** Chair Barker  
**1:46:57 PM** Vice-Chair Stiegler  
**1:47:06 PM** Rep. Barton

**1:47:15 PM** Chair Barker  
**1:47:22 PM** Rep. Cameron  
**1:47:28 PM** Rep. Shields  
**1:48:13 PM** Chair Barker  
**1:48:21 PM** Rep. Shields  
**1:48:23 PM** Chair Barker  
**1:48:30 PM** Rep. Barton  
**1:48:47 PM** Rep. Smith J.  
**1:49:30 PM** Rep. Cameron WITHDRAWS motion  
**1:49:36 PM** Chair Barker  
**1:49:44 PM** Meeting Adjourned

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**HJUD**

**3/17/2009 1:10:21 PM**

- 1:11:01 PM** {Exhibit} 1: HB 2529, -1 amendments, staff, 1 p
  - 1:13:05 PM** {Exhibit} 2: HB 2536, -2 amendments, staff, 1 p
  - 1:19:37 PM** {Exhibit} 3: HB 2641, -1 amendments, staff, 1 p
  - 1:25:41 PM** {Exhibit} 4: HB 2331, -2 amendments, staff, 3 pp
  - 1:36:40 PM** {Exhibit} 5: HB 2623, -1 amendments, staff, 1 p
  - 1:45:31 PM** {Exhibit} 6: HB 2803, -1 amendments, staff, 1 p
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