

## **HOUSE COMMITTEE ON JUDICIARY**

**March 19, 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 2789 – Public Hearing and Work Session**  
                                     **HB 2857 – Public Hearing**  
                                     **HB 2796– Public Hearing**  
                                     **HB 2827 – Public Hearing and Work Session**  
                                     **HB 2623 – Work Session**

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

**HJUD**

**3/19/2009 1:08:35 PM**

**1:08:35 PM** Meeting Called to Order  
**1:08:36 PM** Chair Barker  
**1:08:40 PM** HB 2789 - Public Hearing  
**1:08:45 PM** Shannon Sivell, Committee Counsel  
**1:08:46 PM** {Exhibit} 1: Sivell  
**1:09:04 PM** Chair Barker  
**1:09:16 PM** Brian DeLashmutt, Federation of Oregon Parole and Probation  
Officers and Oregon Council of Police Associations  
**1:13:24 PM** Jess Anders, Parole and Probation Officer, Deschutes County  
**1:13:25 PM** {Exhibit} 2: Anders  
**1:16:39 PM** Chair Barker  
**1:16:43 PM** William Brotten, Parole and Probation Officer, Marion County  
**1:16:44 PM** {Exhibit} 3: Brotten  
**1:20:37 PM** Chair Barker  
**1:20:42 PM** Lisa Settell, Parole and Probation Officer, Yamhill County  
**1:20:43 PM** {Exhibit} 4: Settell  
**1:24:18 PM** Chair Barker  
**1:24:19 PM** Vice-Chair Stiegler  
**1:24:46 PM** Chair Barker  
**1:24:49 PM** Rep. Shields  
**1:25:03 PM** Settell  
**1:25:33 PM** Rep. Shields  
**1:25:52 PM** DeLashmutt  
**1:27:03 PM** Rep. Shields  
**1:27:18 PM** DeLashmutt  
**1:27:33 PM** Rep. Shields  
**1:27:51 PM** Chair Barker  
**1:27:52 PM** Vice-Chair Stiegler  
**1:28:24 PM** Anders  
**1:30:08 PM** Chair Barker  
**1:30:09 PM** Rep. Olson  
**1:30:23 PM** DeLashmutt  
**1:30:50 PM** Chair Barker  
**1:30:51 PM** Rep. Shields  
**1:31:28 PM** DeLashmutt  
**1:31:52 PM** Chair Barker  
**1:32:19 PM** DeLashmutt  
**1:32:34 PM** Chair Barker  
**1:33:00 PM** HB 2789 - Work Session

**1:33:01 PM** MOTION: Vice-Chair Whisnant moves -1 amendments  
**1:33:04 PM** Chair Barker  
**1:33:19 PM** VOTE: 10-0-0  
**1:33:20 PM** Ayes: Barker, Barton, Cameron, Garrett, Krieger, Olson, Shields, Smith, Stiegler, Whisnant  
**1:33:24 PM** HB 2857 - Public Hearing  
**1:33:32 PM** Shannon Sivell, Committee Counsel  
**1:33:33 PM** {Exhibit} 5: Sivell  
**1:34:20 PM** Chair Barker  
**1:34:25 PM** Sivell  
**1:35:06 PM** Chair Barker  
**1:35:16 PM** Sean Riddell, Deputy District Attorney, Multnomah County District Attorney's Office  
**1:35:17 PM** {Exhibit} 6: Riddell  
**1:39:08 PM** Chair Barker  
**1:39:10 PM** Rep. Olson  
**1:39:40 PM** Riddell  
**1:39:47 PM** Rep. Olson  
**1:39:49 PM** Riddell  
**1:40:16 PM** Rep. Olson  
**1:40:17 PM** Chair Barker  
**1:40:30 PM** Riddell  
**1:41:17 PM** Chair Barker  
**1:41:33 PM** HB 2796 - Public Hearing  
**1:41:51 PM** Shannon Sivell, Committee Counsel  
**1:42:02 PM** Chair Barker  
**1:46:38 PM** Anne Pratt, Member, Mothers Against Drunk Driving, Crime Victims United, Parents of Murdered Children, Governor's Advisory Committee  
**1:46:39 PM** {Exhibit} 7: Pratt  
**1:48:27 PM** The following written testimony is submitted for the record without public testimony:  
**1:48:28 PM** {Exhibit} 8: Marie Armstrong, Member, Mothers Against Drunk Driving, Crime Victims United, Parents of Murdered Children  
**1:48:33 PM** Janet Lovelace, Member, Mothers Against Drunk Driving and Crime Victims United  
**1:48:34 PM** {Exhibit} 9: Lovelace  
**1:52:10 PM** Doug Harcleroad, Retired District Attorney, Oregon Anti-crime Alliance  
**1:56:36 PM** Chair Barker  
**1:57:26 PM** HB 2827 - Public Hearing  
**1:57:35 PM** Rep. Shields  
**1:57:52 PM** Chair Barker  
**1:57:56 PM** Shannon Sivell, Committee Counsel  
**1:58:49 PM** Rep. Andy Olson, House District 15  
**1:58:50 PM** {Exhibit} 10: Olson

**2:02:15 PM** Rep. Chris Garrett, House District 38  
**2:03:50 PM** Chair Barker  
**2:03:53 PM** Rep. Shields  
**2:04:03 PM** Rep. Olson  
**2:04:08 PM** Chair Barker  
**2:04:11 PM** Rep. Barton  
**2:04:44 PM** Chair Barker  
**2:05:01 PM** Roger Martin, Oregon Catholic Conference  
**2:09:22 PM** Chair Barker  
**2:09:23 PM** Rep. Smith J.  
**2:10:20 PM** Vice-Chair Stiegler  
**2:11:38 PM** Chair Barker  
**2:11:41 PM** Martin  
**2:12:35 PM** Rep. Barton  
**2:12:55 PM** Chair Barker  
**2:12:56 PM** Rep. Smith J.  
**2:13:15 PM** Chair Barker  
**2:13:19 PM** Martin  
**2:13:24 PM** Chair Barker  
**2:13:28 PM** HB 2827 - Work Session  
**2:13:33 PM** MOTION: Vice-Chair Stiegler moves HB 2827 DO PASS  
**2:13:38 PM** Chair Barker  
**2:13:44 PM** Rep. Shields  
**2:13:49 PM** Sivell  
**2:13:56 PM** Chair Barker  
**2:13:58 PM** VOTE: 10-0-0  
**2:14:01 PM** Ayes: Barker, Barton, Cameron, Garrett, Krieger, Olson, Shields, Smith, Stiegler, Whisnant  
**2:14:17 PM** CARRIER: REP. OLSON will lead discussion on the floor  
**2:14:27 PM** HB 2623 - Work Session  
**2:14:30 PM** Shannon Sivell, Committee Counsel  
**2:15:28 PM** Chair Barker  
**2:15:32 PM** Vice-Chair Stiegler  
**2:15:35 PM** Rep. Cameron  
**2:16:16 PM** Chair Barker  
**2:16:25 PM** Rep. Shields  
**2:16:34 PM** Sivell  
**2:16:40 PM** Rep. Shields  
**2:17:21 PM** Chair Barker  
**2:17:26 PM** Vice-Chair Stiegler  
**2:17:49 PM** Chair Barker  
**2:17:55 PM** MOTION: Rep. Cameron moves HB 2623 DO PASS as AMENDED  
**2:18:07 PM** Chair Barker  
**2:18:15 PM** VOTE: 10-0-0  
**2:18:16 PM** Ayes: Barker, Barton, Cameron, Garrett, Krieger, Olson, Shields, Smith, Stiegler, Whisnant

**2:18:33 PM** CARRIER: REP. CAMERON will lead discussion on the floor

**2:18:44 PM** Meeting Adjourned

---

**HJUD**

**3/19/2009 1:08:35 PM**

- 1:08:46 PM** {Exhibit} 1: HB 2789, -1 amendments, staff, 2 pp
  - 1:13:25 PM** {Exhibit} 2: HB 2789, written testimony, Jess Anders, 7 pp
  - 1:16:44 PM** {Exhibit} 3: HB 2789, written testimony, William Brotten, 2 pp
  - 1:20:43 PM** {Exhibit} 4: HB 2789, written testimony, Lisa Settell, 2 pp
  - 1:33:33 PM** {Exhibit} 5: HB 2857, -1 amendments, staff, 1 p
  - 1:35:17 PM** {Exhibit} 6: HB 2857, fact sheet, Sean Riddell, 1 p
  - 1:46:39 PM** {Exhibit} 7: HB 2796, written testimony, Anne Pratt, 2 pp
  - 1:48:28 PM** {Exhibit} 8: HB 2796, written testimony, Marie Armstrong, 1 p
  - 1:48:34 PM** {Exhibit} 9: HB 2796, written testimony, Janet Lovelace, 1 p
  - 1:58:50 PM** {Exhibit} 10: HB 2827, written testimony, Rep. Andy Olson, 2 pp
-