

## **HOUSE COMMITTEE ON JUDICIARY**

**March 25, 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**  
                                 **Anna Braun, Committee Administrator**  
                                 **Jennifer Ranstrom-Smith, Committee Assistant**

**MEASURES/ISSUES HEARD:**    **SB 311A - Public Hearing and Work Session**  
   **HB 2304 - Work Session**  
   **HB 2478 - Work Session**

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

## HJUD

3/25/2009 1:12:21 PM

1:12:23 PM Meeting Called to Order  
1:12:32 PM SB 311 - Public Hearing  
1:12:51 PM Greg Macpherson, Oregon Tort Claims Task Force  
1:16:51 PM Chair Barker  
1:17:03 PM Steve Stadum, Executive Vice-President, Oregon Health Science University  
1:17:04 PM {Exhibit} 1: Stadum  
1:22:21 PM {Exhibit} 2: Stadum  
1:22:48 PM Bill Blair, Assistant Counsel, Washington County  
1:30:50 PM {Exhibit} 3: Blair  
1:30:58 PM Richard Lane, Attorney, Oregon Trial Lawyers Association  
1:32:48 PM Chair Barker  
1:32:52 PM Vice-Chair Whisnant  
1:33:01 PM Blair  
1:35:56 PM Chair Barker  
1:35:58 PM Rep. Olson  
1:36:25 PM Lane  
1:37:54 PM Macpherson  
1:39:42 PM Blair  
1:41:43 PM Rep. Olson  
1:42:20 PM Macpherson  
1:43:35 PM Chair Barker  
1:43:55 PM Ralph Groener, American Federation of State, County, and Municipal Employees Council 75  
1:44:59 PM Chair Barker  
1:45:01 PM Paul Snider, Association of Oregon Counties  
1:47:35 PM Chris Davie, State Accident Insurance Fund  
1:48:25 PM Chair Barker  
1:48:39 PM Kris Kautz, Deputy Director, Department of Administrative Services  
1:50:05 PM {Exhibit} 4: Kautz  
1:50:17 PM Chair Barker  
1:50:21 PM Vice-Chair Whisnant  
1:50:41 PM Kautz  
1:50:42 PM Chair Barker  
1:50:54 PM SB 311 - Work Session  
1:51:00 PM Chair Barker  
1:51:04 PM MOTION: Vice-Chair Whisnant moves -10 and -11 amendments  
1:51:12 PM Chair Barker  
1:51:18 PM VOTE: 10-0-0

**1:51:19 PM** Ayes: Barton, Cameron, Garrett, Krieger, Olson, Shields, Smith, Stiegler, Whisnant, Barker  
**1:51:20 PM** Chair Barker  
**1:51:38 PM** MOTION: Vice-Chair Whisnant moves SB 311A DO PASS as AMENDED  
**1:51:45 PM** Chair Barker  
**1:51:51 PM** VOTE: 10-0-0  
**1:51:52 PM** Ayes: Barton, Cameron, Garrett, Krieger, Olson, Shields, Smith, Stiegler, Whisnant, Barker  
**1:52:11 PM** Chair Barker  
**1:52:16 PM** CARRIER: REP. BARKER will lead discussion on the floor  
**1:52:39 PM** HB 2304 - Work Session  
**1:52:52 PM** Meeting Recessed  
**1:59:55 PM** Meeting Reconvened  
**2:00:18 PM** Shannon Sivell, Committee Counsel  
**2:00:26 PM** {Exhibit} 5: Sivell  
**2:00:33 PM** Rep. Barton  
**2:01:00 PM** Rep. Garrett  
**2:01:10 PM** Sivell  
**2:01:14 PM** Rep. Barton  
**2:01:56 PM** Chair Barker  
**2:01:58 PM** Rep. Shields  
**2:02:30 PM** Chair Barker  
**2:02:32 PM** Vice-Chair Whisnant  
**2:02:48 PM** Sivell  
**2:02:56 PM** Chair Barker  
**2:03:00 PM** Vice-Chair Whisnant  
**2:03:05 PM** Sivell  
**2:03:09 PM** Rep. Krieger  
**2:03:16 PM** MOTION: Rep. Cameron moves HB 2304 DO PASS  
**2:03:22 PM** Chair Barker  
**2:03:28 PM** Rep. Smith J.  
**2:03:33 PM** Chair Barker  
**2:03:40 PM** VOTE: 9-0-1  
**2:03:41 PM** Ayes: Barton, Cameron, Garrett, Kreiger, Olson, Smith, Stiegler, Whisnant, Barker: Nays: Shields  
**2:04:04 PM** Chair Barker  
**2:04:06 PM** CARRIER: REP. BARTON will lead discussion on the floor  
**2:04:20 PM** HB 2478 - Work Session  
**2:04:22 PM** Shannon Sivell, Committee Counsel  
**2:04:29 PM** {Exhibit} 6: Sivell  
**2:04:48 PM** Chair Barker  
**2:05:12 PM** MOTION: Vice-Chair Whisnant moves -2 amendments  
**2:05:13 PM** Chair Barker  
**2:05:19 PM** VOTE: 10-0-0  
**2:05:20 PM** Ayes: Barton, Cameron, Garrett, Krieger, Olson, Shields, Smith,

Stiegler, Whisnant, Barker

**2:05:31 PM** MOTION: Rep. Garrett moves HB 2478 DO PASS as AMENDED

**2:05:41 PM** Chair Barker

**2:05:57 PM** VOTE: 10-0-0

**2:05:58 PM** Ayes: Barton, Cameron, Garrett, Krieger, Olson, Shields, Smith,  
Stiegler, Whisnant, Barker

**2:06:06 PM** Chair Barker

**2:06:11 PM** Rep. Shields

**2:06:12 PM** Chair Barker

**2:06:15 PM** CARRIER: REP. GARRETT will lead discussion on the floor

**2:06:22 PM** Meeting Adjourned

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**HJUD**

**3/25/2009 1:12:21 PM**

**1:17:04 PM** {Exhibit} 1: SB 311A, written testimony, Steve Stadum, 2 pp

**1:22:21 PM** {Exhibit} 2: SB 311A, -10 amendments, staff, 1 p

**1:30:50 PM** {Exhibit} 3: SB 311A, -11 amendments, staff, 1 p

**1:50:05 PM** {Exhibit} 4: SB 311A, written testimony, Kris Kautz, 2 pp

**2:00:26 PM** {Exhibit} 5: HB 2304, -1 amendments, staff, 3 pp

**2:04:29 PM** {Exhibit} 6: HB 2478, -2 amendments, staff, 1 p

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