

HOUSE COMMITTEE ON JUDICIARY

**April 03, 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 3399 - Public Hearing**
 HB 3271 - Public Hearing
 HB 3194 - Public Hearing
 HB 3295 - Public Hearing and Work Session
 HB 2349 - Public Hearing and Work Session
 HB 2972 - Work Session
 HB 2968 - Work Session
 HB 2428 - Work Session
 HB 2796 - Work Session
 HB 2554 - Work Session
 HB 2857 - Work Session

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

HJUD

4/3/2009 1:03:46 PM

1:03:48 PM Meeting Called to Order
1:04:40 PM HB 3399 - Public Hearing
1:04:46 PM Shannon Sivell, Committee Counsel
1:05:14 PM James Bombardier, citizen, Multnomah County
1:06:43 PM Chair Barker
1:06:49 PM Lana Cully, Program Services Manager, Oregon Department of Transportation
1:06:50 PM {Exhibit} 1: Cully
1:08:33 PM Chair Barker
1:08:37 PM John Elrod, citizen, Clackamas County
1:09:40 PM Chair Barker
1:09:55 PM Rep. Tobias Read, House District 27
1:11:17 PM Chair Barker
1:11:41 PM Scott Bricker, Executive Director, Bicycle Transportation Alliance
1:12:59 PM {Exhibit} 2: Bricker
1:13:38 PM Chair Barker
1:13:44 PM Mary O'Donnell, citizen, Aloha, OR
1:15:47 PM Chair Barker
1:15:51 PM Ray Thomas, Bicycle Transportation Alliance
1:19:27 PM Chair Barker
1:20:07 PM Gail Meyer, Oregon Criminal Defense Lawyers Association
1:20:15 PM {Exhibit} 3: Meyer
1:23:05 PM Rankin Johnson, Attorney, Oregon Criminal Defense Lawyers Association
1:24:50 PM Rep. Cameron
1:25:09 PM Johnson
1:25:49 PM Rep. Cameron
1:26:09 PM Martha Spinhirre, Public Defender, Oregon Criminal Defense Lawyers Association
1:29:59 PM Chair Barker
1:30:01 PM Rep. Olson
1:30:02 PM Chair Barker
1:30:21 PM Dick Schouten, Commissioner, Washington County
1:31:53 PM Chair Barker
1:32:41 PM HB 3271 - Public Hearing
1:32:48 PM Shannon Sivell, Committee Counsel
1:33:01 PM {Exhibit} 4: Sivell
1:33:10 PM Rep. Judy Stiegler, House District 54
1:38:18 PM Chair Barker

1:38:21 PM Rep. Cameron
1:38:47 PM Vice-Chair Stiegler
1:39:22 PM Chair Barker
1:39:24 PM Vice-Chair Stiegler
1:39:33 PM HB 3194 & HB 3295 - Public Hearing
1:39:42 PM Shannon Sivell, Committee Counsel
1:40:10 PM Chair Barker
1:40:30 PM Vice-Chair Whisnant
1:40:32 PM Jim Bernard, Commissioner, Clackamas County
1:40:33 PM {Exhibit} 5: Bernard
1:40:35 PM Allison Butterfield, Clackamas County Juvenile Department
1:40:39 PM John Wentworth, District Attorney, Clackamas County
1:40:43 PM Bernard
1:43:01 PM Butterfield
1:46:19 PM Chair Barker
1:46:26 PM Wentworth
1:48:43 PM Rep. Barton
1:49:08 PM Chair Barker
1:49:11 PM Vice-Chair Stiegler
1:49:56 PM Chair Barker
1:50:04 PM HB 3295 - Work Session
1:50:08 PM MOTION: Vice-Chair Whisnant moves HB 3295 DO PASS
1:50:11 PM Chair Barker
1:50:17 PM VOTE: 10-0-0
1:50:18 PM Ayes: Barton, Cameron, Garrett, Krieger, Olson, Shields, Smith, Stiegler, Whisnant, Barker

1:50:36 PM Chair Barker
1:50:38 PM CARRIER: REP. BARTON will lead discussion on the floor
1:50:43 PM HB 2349 - Public Hearing
1:50:46 PM Shannon Sivell, Committee Counsel
1:51:01 PM {Exhibit} 6: Sivell
1:51:11 PM {Exhibit} 7: Sivell
1:51:22 PM Chair Barker
1:52:02 PM Shelby Rihala, Public Affairs Manager, Washington County
1:53:27 PM Dan Olsen, Counsel, Washington County
1:55:49 PM Laurie Steele, Treasurer, Marion County
1:57:47 PM Chair Barker
1:58:12 PM Alex Cuyler, Intergovernmental Relations Manager, Lane County
1:59:16 PM {Exhibit} 8: Cuyler
1:59:27 PM Ann Hanus, Association of Oregon Counties
1:59:28 PM {Exhibit} 9: Hanus
1:59:48 PM Chair Barker
1:59:57 PM HB 2349 - Work Session
2:00:00 PM MOTION: Vice-Chair Whisnant moves -2 amendments
2:00:16 PM Chair Barker
2:00:21 PM VOTE: 10-0-0

2:00:22 PM Ayes: Barton, Cameron, Garrett, Krieger, Olson, Shields, Smith, Stiegler, Whisnant, Barker
2:00:58 PM HB 2972 - Work Session
2:01:07 PM Shannon Sivell, Committee Counsel
2:01:23 PM Chair Barker
2:01:30 PM MOTION: Vice-Chair Whisnant moves HB 2972 DO PASS
2:01:36 PM Chair Barker
2:01:44 PM VOTE: 10-0-0
2:01:45 PM Ayes: Barton, Cameron, Garrett, Krieger, Olson, Shields, Smith, Stiegler, Whisnant, Barker
2:02:07 PM Chair Barker
2:02:11 PM CARRIER: REP. BARTON will lead discussion on the floor
2:02:16 PM HB 2968 - Work Session
2:02:19 PM Shannon Sivell, Committee Counsel
2:02:20 PM {Exhibit} 10: Sivell
2:02:49 PM Vice-Chair Stiegler
2:02:58 PM MOTION: Vice-Chair Whisnant moves HB 2968 DO PASS as AMENDED and placed on CONSENT CALENDAR
2:03:03 PM Chair Barker
2:03:32 PM VOTE: 10-0-0
2:03:33 PM Ayes: Barton, Cameron, Garrett, Krieger, Olson, Shields, Smith, Stiegler, Whisnant, Barker
2:03:35 PM Rep. Barton
2:03:53 PM Chair Barker
2:04:02 PM HB 2428 - Work Session
2:04:04 PM Shannon Sivell, Committee Counsel
2:04:05 PM {Exhibit} 11: Sivell
2:05:00 PM MOTION: Vice-Chair Whisnant moves -1 amendments
2:05:10 PM Chair Barker
2:05:17 PM Rep. Smith J.
2:05:31 PM Sivell
2:05:36 PM Chair Barker
2:05:38 PM VOTE: 10-0-0
2:05:39 PM Ayes: Barton, Cameron, Garrett, Krieger, Olson, Shields, Smith, Stiegler, Whisnant, Barker
2:05:43 PM MOTION: Vice-Chair Whisnant DO PASS and REFER to Ways & Means by prior reference
2:05:52 PM Chair Barker
2:06:19 PM VOTE: 10-0-0
2:06:20 PM Ayes: Barton, Cameron, Garrett, Krieger, Olson, Shields, Smith, Stiegler, Whisnant, Barker
2:06:24 PM HB 2796 - Work Session
2:06:27 PM Shannon Sivell, Committee Counsel
2:06:28 PM {Exhibit} 12: Sivell
2:07:07 PM Chair Barker
2:07:11 PM MOTION: Rep. Cameron moves -1 amendments

2:07:17 PM Chair Barker
2:07:21 PM VOTE: 10-0-0
2:07:22 PM Ayes: Barton, Cameron, Garrett, Krieger, Olson, Shields, Smith, Stiegler, Whisnant, Barker
2:07:28 PM MOTION: Rep. Cameron moves HB 2796 DO PASS as AMENDED
2:07:31 PM Chair Barker
2:07:40 PM VOTE: 10-0-0
2:07:41 PM Ayes: Barton, Cameron, Garrett, Krieger, Olson, Shields, Smith, Stiegler, Whisnant, Barker
2:07:58 PM Chair Barker
2:08:03 PM CARRIER: REP. CAMERON will lead discussion on the floor
2:08:18 PM HB 2554 - Work Session
2:08:22 PM Shannon Sivell, Committee Counsel
2:08:33 PM {Exhibit} 13: Sivell
2:08:51 PM MOTION: Vice-Chair Whisnant moves -1 amendments
2:08:52 PM Chair Barker
2:08:59 PM Rep. Cameron
2:09:04 PM Chair Barker
2:09:12 PM Rep. Olson
2:09:33 PM Chair Barker
2:09:35 PM VOTE: 10-0-0
2:09:36 PM Ayes: Barton, Cameron, Garrett, Krieger, Olson, Shields, Smith, Stiegler, Whisnant, Barker
2:09:39 PM MOTION: Vice-Chair Whisnant moves HB 2554 DO PASS as AMENDED
2:09:42 PM Chair Barker
2:09:49 PM VOTE: 10-0-0
2:09:50 PM Ayes: Barton, Cameron, Garrett, Krieger, Olson, Shields, Smith, Stiegler, Whisnant, Barker
2:10:07 PM Chair Barker
2:10:10 PM CARRIER: REP. SPRENGER will lead discussion on the floor
2:10:16 PM HB 2857 - Work Session
2:10:19 PM Shannon Sivell, Committee Counsel
2:10:20 PM {Exhibit} 14: Sivell
2:10:55 PM Chair Barker
2:10:59 PM Vice-Chair Whisnant
2:11:04 PM Sivell
2:11:06 PM MOTION: Vice-Chair Whisnant moves -2 amendments
2:11:10 PM Chair Barker
2:11:19 PM VOTE: 10-0-0
2:11:20 PM Ayes: Barton, Cameron, Garrett, Krieger, Olson, Shields, Smith, Stiegler, Whisnant, Barker
2:11:21 PM MOTION: Vice-Chair Whisnant moves HB 2857 DO PASS and REFER to Ways & Means by prior reference
2:11:28 PM Chair Barker
2:11:46 PM VOTE: 10-0-0

2:11:47 PM Ayes: Barton, Cameron, Garrett, Krieger, Olson, Shields, Smith,
Stiegler, Whisnant, Barker
2:12:06 PM Vice-Chair Whisnant
2:12:16 PM Chair Barker
2:12:26 PM Vice-Chair Whisnant
2:12:35 PM Chair Barker
2:12:43 PM Meeting Adjourned

HJUD

4/3/2009 1:03:46 PM

- 1:06:50 PM** {Exhibit} 1: HB 3399, written testimony, Lana Cully, 2 pp
 - 1:12:59 PM** {Exhibit} 2: HB 3399, written testimony, Scott Bricker, 13 pp
 - 1:20:15 PM** {Exhibit} 3: HB 3399, written testimony, Gail Meyer, 8 pp
 - 1:33:01 PM** {Exhibit} 4: HB 3271, -1 amendments, staff, 1 p
 - 1:40:33 PM** {Exhibit} 5: HB 3194, written testimony, Jim Bernard, 2 pp
 - 1:51:01 PM** {Exhibit} 6: HB 2349, -1 amendments, staff, 5 pp
 - 1:51:11 PM** {Exhibit} 7: HB 2349, -2 amendments, staff, 5 pp
 - 1:59:16 PM** {Exhibit} 8: HB 2349, written testimony, Alex Cuyler, 1 p
 - 1:59:28 PM** {Exhibit} 9: HB 2349, written testimony, Ann Hanus, 1 p
 - 2:02:20 PM** {Exhibit} 10: HB 2968, -1 amendments, staff, 1 p
 - 2:04:05 PM** {Exhibit} 11: HB 2428, -1 amendments, staff, 1 p
 - 2:06:28 PM** {Exhibit} 12: HB 2796, -1 amendments, staff, 1 p
 - 2:08:33 PM** {Exhibit} 13: HB 2554, -1 amendments, staff, 1 p
 - 2:10:20 PM** {Exhibit} 14: HB 2857, -2 amendments, staff, 1 p
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