

HOUSE COMMITTEE ON JUDICIARY

**April 09, 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 3218 - Public Hearing and Work Session**
 HB 3299 - Public Hearing
 HB 2659 - Public Hearing
 HB 2349 - Work Session
 HB 3071 - Work Session
 HB 3194 - Work Session
 HB 3263 - Work Session

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

HJUD

4/9/2009 1:09:03 PM

1:09:04 PM Meeting Called to Order
1:09:15 PM HB 3218 - Public Hearing
1:09:18 PM Shannon Sivell, Committee Counsel
1:09:47 PM Chair Barker
1:10:03 PM Janet Carlson, Commissioner, Marion County
1:15:03 PM Chair Barker
1:15:06 PM Chris Marfin, Chemeketa Community College
1:15:07 PM {Exhibit} 1: Marfin
1:19:20 PM Chair Barker
1:19:22 PM Rep. Shields
1:20:03 PM Marfin
1:20:42 PM Rep. Shields
1:20:52 PM Marfin
1:20:54 PM Rep. Shields
1:20:56 PM Chair Barker
1:20:58 PM Vice-Chair Stiegler
1:21:57 PM Carlson
1:23:37 PM Vice-Chair Stiegler
1:24:24 PM Carlson
1:24:26 PM Marfin
1:26:02 PM Vice-Chair Stiegler
1:26:27 PM Marfin
1:26:55 PM Vice-Chair Stiegler
1:27:14 PM Marfin
1:27:35 PM Vice-Chair Stiegler
1:27:45 PM Marfin
1:27:49 PM Vice-Chair Stiegler
1:27:55 PM Rep. Krieger
1:28:47 PM Marfin
1:29:02 PM Chair Barker
1:29:05 PM Rep. Cameron
1:31:07 PM Chair Barker
1:31:23 PM Marfin
1:31:28 PM The following written testimony was submitted for the record
without public testimony:
1:31:29 PM {Exhibit} 2: Jeff Wood, Commander, Parole & Probation Division,
Marion County
1:31:38 PM Rep. Shields
1:32:40 PM Chair Barker

1:32:47 PM HB 3218 - Work Session
1:32:51 PM MOTION: Rep. Cameron moves HB 3218 DO PASS and REFER to Ways & Means by prior reference
1:33:00 PM Vice-Chair Stiegler
1:33:06 PM Chair Barker
1:33:15 PM Rep. Barton
1:33:54 PM Chair Barker
1:34:01 PM Rep. Barton
1:34:10 PM Rep. Smith J.
1:35:07 PM Chair Barker
1:35:09 PM Rep. Cameron
1:35:16 PM Chair Barker
1:35:18 PM Rep. Shields
1:35:36 PM Rep. Smith J.
1:36:03 PM Rep. Krieger
1:36:35 PM VOTE: 9-0-1
1:36:36 PM Ayes: Cameron, Garrett, Krieger, Olson, Shields, Smith, Stiegler, Whisnant, Barker; Nays: Barton
1:36:37 PM Chair Barker
1:36:54 PM HB 3299 - Public Hearing
1:36:58 PM Shannon Sivell, Committee Counsel
1:37:14 PM Chair Barker
1:37:44 PM Jeff Stone, Director, Oregon Association of Nurseries
1:39:58 PM {Exhibit} 3: Stone
1:41:36 PM Chair Barker
1:41:38 PM Shawn Cleave, Oregon Farm Bureau
1:42:08 PM {Exhibit} 4: Cleave
1:43:41 PM Chair Barker
1:43:46 PM Dan Norris, President, Oregon District Attorneys Association
1:44:15 PM The following written testimony was submitted for the record without public testimony:
1:44:16 PM {Exhibit} 5: Gail Meyer, Oregon Criminal Defense Lawyers Association
1:46:56 PM Chair Barker
1:46:57 PM Rep. Krieger
1:48:00 PM Chair Barker
1:48:02 PM Rep. Smith J.
1:50:27 PM Chair Barker
1:51:12 PM Rep. Krieger
1:51:28 PM Chair Barker
1:51:58 PM HB 2659 - Public Hearing
1:52:01 PM Shannon Sivell, Committee Counsel
1:52:23 PM Chair Barker
1:52:48 PM Rep. Andy Olson, House District 15
1:54:37 PM Annabelle Jaramillo, Commissioner, Benton County
1:55:23 PM {Exhibit} 6: Jaramillo

1:56:14 PM Chair Barker
1:56:17 PM Vice-Chair Stiegler
1:56:26 PM Jaramillo
1:56:28 PM Vice-Chair Stiegler
1:56:35 PM Chair Barker
1:56:59 PM HB 2349 - Work Session
1:57:04 PM Shannon Sivell, Committee Counsel
1:57:33 PM Chair Barker
1:57:38 PM MOTION: Vice-Chair Stiegler moves HB 2349 DO PASS as AMENDED and be placed on CONSENT CALENDAR
1:57:56 PM Chair Barker
1:58:05 PM VOTE: 10-0-0
1:58:06 PM Ayes: Barton, Cameron, Garrett, Krieger, Olson, Shields, Smith, Stiegler, Whisnant, Barker
1:58:25 PM Chair Barker
1:58:44 PM Meeting Recessed
1:59:26 PM Meeting Reconvened
1:59:30 PM HB 3218 - Work Session
1:59:35 PM MOTION: Chair Barker moves that the RULES BE SUSPENDED to allow Vice-Chair Stiegler to VOTE: NAY on HB 3218
1:59:36 PM VOTE: 10-0-0
1:59:37 PM Ayes: Barton, Cameron, Garrett, Krieger, Olson, Shields, Smith, Stiegler, Whisnant, Barker
1:59:39 PM Vice-Chair Stiegler
1:59:45 PM Chair Barker
1:59:50 PM Meeting Recessed
2:04:28 PM Meeting Reconvened
2:04:31 PM HB 3071 - Work Session
2:04:33 PM Rep. Kim Thatcher, House District 25
2:04:35 PM {Exhibit} 7: Thatcher
2:05:53 PM Chair Barker
2:05:57 PM Rep. Thatcher
2:06:07 PM Rep. Olson
2:06:17 PM Rep. Thatcher
2:06:42 PM Chair Barker
2:06:44 PM Rep. Smith J.
2:07:08 PM Rep. Thatcher
2:07:32 PM Mike Silver, Service Employees International Union
2:07:59 PM Rep. Smith J.
2:08:07 PM Silver
2:08:37 PM Chair Barker
2:08:39 PM Vice-Chair Stiegler
2:08:59 PM Silver
2:09:08 PM Rep. Thatcher
2:09:19 PM Chair Barker
2:09:27 PM Silver

2:09:44 PM Chair Barker
2:10:02 PM MOTION: Vice-Chair Whisnant moves -2 amendments
2:10:05 PM Chair Barker
2:10:11 PM VOTE: 10-0-0
2:10:12 PM Ayes: Barton, Cameron, Garrett, Krieger, Olson, Shields, Smith, Stiegler, Whisnant, Barker
2:10:22 PM Chair Barker
2:10:42 PM HB 3194 - Work Session
2:10:50 PM Shannon Sivell, Committee Counsel
2:11:12 PM Chair Barker
2:11:13 PM Rep. Shields
2:11:37 PM Sivell
2:12:13 PM Chair Barker
2:12:25 PM Rep. Shields
2:12:39 PM Chair Barker
2:12:47 PM Rep. Shields
2:12:52 PM Chair Barker
2:12:56 PM Rep. Barton
2:12:59 PM MOTION: Rep. Barton moves HB 3194 DO PASS
2:13:02 PM Chair Barker
2:13:06 PM VOTE: 10-0-0
2:13:07 PM Ayes: Barton, Cameron, Garrett, Krieger, Olson, Shields, Smith, Stiegler, Whisnant, Barker
2:13:25 PM Chair Barker
2:13:28 PM CARRIER: REP. BARTON will lead discussion on the floor
2:13:29 PM Rep. Barton
2:13:39 PM Chair Barker
2:13:41 PM HB 3263 - Work Session
2:13:45 PM Shannon Sivell, Committee Counsel
2:14:31 PM Chair Barker
2:15:03 PM Rep. Shields
2:15:46 PM Sivell
2:16:03 PM Rep. Shields
2:16:11 PM Chair Barker
2:16:37 PM Rep. Shields
2:16:59 PM Sivell
2:17:14 PM Chair Barker
2:17:45 PM Vice-Chair Stiegler
2:17:46 PM Chair Barker
2:18:03 PM Meeting Adjourned

HJUD

4/9/2009 1:09:03 PM

- 1:15:07 PM** {Exhibit} 1: HB 3218, written testimony, Chris Marfin, 1 p
 - 1:31:29 PM** {Exhibit} 2: HB 3218, written testimony, Jeff Wood, 1 p
 - 1:39:58 PM** {Exhibit} 3: HB 3299, written testimony, Jeff Stone, 2 pp
 - 1:42:08 PM** {Exhibit} 4: HB 3299, written testimony, Shawn Cleave, 1 p
 - 1:44:16 PM** {Exhibit} 5: HB 3299, written testimony, Gail Meyer, 1 p
 - 1:55:23 PM** {Exhibit} 6: HB 2659, written testimony, Annabelle Jaramillo, 2 pp
 - 2:04:35 PM** {Exhibit} 7: HB 3071, -2 amendments, Rep. Thatcher, 2 pp
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