

HOUSE COMMITTEE ON JUDICIARY

**April 13, 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: **Anna Braun, Committee Administrator**
 Jennifer Ranstrom-Smith, Committee Assistant

MEASURES/ISSUES HEARD: **HB 3111 - Work Session**
 HB 2687 - Public Hearing and Work Session
 HB 2584 - Work Session
 HB 2299 - Public Hearing and Work Session
 HB 3220 - Public Hearing
 HB 2664 - 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

4/13/2009 1:05:53 PM

- 1:05:55 PM Meeting Called to Order
- 1:06:04 PM HB 3111 - Work Session
- 1:06:07 PM Anna Braun, Committee Counsel
- 1:06:18 PM {Exhibit} 1: Braun
- 1:06:44 PM Rep. Nick Kahl, House District 49
- 1:08:05 PM Chair Barker
- 1:08:16 PM MOTION: Rep. Cameron moves -2 amendments
- 1:08:30 PM Chair Barker
- 1:08:34 PM VOTE: 9-0-1
- 1:08:35 PM Ayes: Barton, Cameron, Garrett, Krieger, Olson, Smith, Stiegler, Whisnant, Barker; Excused: Shields
- 1:08:39 PM MOTION: Rep. Cameron moves HB 3111 DO PASS as AMENDED
- 1:08:42 PM Chair Barker
- 1:08:50 PM Vice-Chair Whisnant
- 1:08:56 PM Chair Barker
- 1:08:56 PM VOTE: 9-0-1
- 1:08:57 PM Ayes: Barton, Cameron, Garrett, Krieger, Olson, Smith, Stiegler, Whisnant, Barker; Excused: Shields
- 1:09:17 PM Rep. Barton
- 1:09:22 PM CARRIER: REP. KAHL & REP. RICHARDSON will lead discussion on the floor
- 1:09:31 PM HB 2687 - Public Hearing
- 1:09:36 PM Anna Braun, Committee Counsel
- 1:09:49 PM {Exhibit} 2: Braun
- 1:10:00 PM Chair Barker
- 1:10:20 PM Neil Jackson, Oregon Trial Lawyers Association
- 1:10:21 PM {Exhibit} 3: Jackson
- 1:12:10 PM Steve Murrell, Claim Attorney, State Farm Insurance
- 1:13:39 PM Chair Barker
- 1:13:46 PM HB 2687 - Work Session
- 1:13:51 PM Vice-Chair Whisnant
- 1:13:53 PM Chair Barker
- 1:13:59 PM MOTION: Vice-Chair Whisnant moves -2 amendments
- 1:14:03 PM Chair Barker
- 1:14:08 PM VOTE: 10-0-0
- 1:14:09 PM Ayes: Barton, Cameron, Garrett, Krieger, Olson, Shields, Smith, Stiegler, Whisnant, Barker
- 1:14:19 PM MOTION: Vice-Chair Whisnant moves HB 2687 DO PASS as AMENDED

1:14:21 PM Chair Barker
1:14:37 PM VOTE: 10-0-0
1:14:38 PM Ayes: Barton, Cameron, Garrett, Krieger, Olson, Shields, Smith, Stiegler, Whisnant, Barker
1:14:53 PM Chair Barker
1:14:57 PM CARRIER: REP. KRIEGER will lead discussion on the floor
1:15:07 PM HB 3111 - Work Session
1:15:10 PM MOTION: Chair Barker moves that the RULES BE SUSPENDED to allow Rep. Shields to VOTE: AYE on HB 3111
1:15:11 PM Rep. Shields
1:15:12 PM VOTE: 10-0-0
1:15:13 PM Ayes: Barton, Cameron, Garrett, Krieger, Olson, Shields, Smith, Stiegler, Whisnant, Barker
1:15:25 PM HB 2584 - Work Session
1:15:27 PM Anna Braun, Committee Counsel
1:15:47 PM Chair Barker
1:15:55 PM Braun
1:15:59 PM MOTION: Rep. Garrett moves HB 2584 DO PASS as AMENDED
1:16:04 PM Chair Barker
1:16:12 PM VOTE: 8-0-2
1:16:13 PM Ayes: Barton, Garrett, Krieger, Olson, Shields, Smith, Stiegler, Barker; Nays: Cameron, Whisnant
1:16:32 PM Chair Barker
1:16:33 PM CARRIER: REP. GARRETT will lead discussion on the floor
1:16:45 PM HB 2299 - Public Hearing
1:16:56 PM Anna Braun, Committee Counsel
1:17:10 PM Chair Barker
1:17:13 PM David Koch, President, Oregon Juvenile Department Director's Association
1:17:14 PM {Exhibit} 4: Koch
1:18:03 PM Chair Barker
1:18:30 PM Vice-Chair Whisnant
1:18:31 PM Chair Barker
1:18:39 PM HB 2299 - Work Session
1:18:45 PM MOTION: Vice-Chair Whisnant moves -1 amendments
1:18:48 PM Chair Barker
1:18:55 PM VOTE: 10-0-0
1:18:56 PM Ayes: Barton, Cameron, Garrett, Krieger, Olson, Shields, Smith, Stiegler, Whisnant, Barker
1:18:59 PM MOTION: Vice-Chair Whisnant moves HB 2299 DO PASS as AMENDED
1:19:02 PM Chair Barker
1:19:10 PM VOTE: 10-0-0
1:19:11 PM Ayes: Barton, Cameron, Garrett, Krieger, Olson, Shields, Smith, Stiegler, Whisnant, Barker
1:19:31 PM Chair Barker

1:19:34 PM CARRIER: VICE-CHAIR WHISNANT will lead discussion on the floor

1:19:44 PM Vice-Chair Stiegler

1:19:45 PM Chair Barker

1:20:13 PM HB 3220 - Public Hearing

1:20:14 PM Anna Braun, Committee Counsel

1:20:32 PM Chair Barker

1:20:55 PM Julie McFarlane, Supervising Attorney, Juvenile Rights Project

1:23:15 PM Chair Barker

1:23:18 PM Wendy Johnson, Deputy Director/General Counsel, Oregon Law Commission

1:23:19 PM {Exhibit} 5: Johnson

1:26:16 PM Kristy Neilsen, Staff Attorney, Oregon Law Commission

1:30:17 PM Chair Barker

1:30:26 PM Rep. Krieger

1:30:35 PM McFarlene

1:31:21 PM Chair Barker

1:31:24 PM Vice-Chair Stiegler

1:32:31 PM McFarlene

1:32:55 PM Vice-Chair Stiegler

1:32:58 PM McFarlene

1:34:07 PM Johnson

1:34:13 PM Vice-Chair Stiegler

1:34:21 PM Chair Barker

1:34:44 PM Jane-ellen Weidanz, Governmental Affairs Manager, Department of Human Services

1:35:46 PM {Exhibit} 6: Weidanz

1:36:28 PM Chair Barker

1:36:29 PM Vice-Chair Stiegler

1:37:22 PM Chair Barker

1:37:40 PM HB 2664 - Work Session

1:37:42 PM Anna Braun, Committee Counsel

1:38:08 PM {Exhibit} 7: Braun

1:38:22 PM Chair Barker

1:38:26 PM MOTION: Rep. Krieger moves -1 amendments

1:38:30 PM Chair Barker

1:38:35 PM VOTE: 9-0-1

1:38:36 PM Ayes: Barton, Cameron, Garrett, Krieger, Olson, Shields, Smith, Stiegler, Barker; Excused: Whisnant

1:38:40 PM MOTION: Rep. Krieger moves HB 2664 DO PASS as AMENDED and placed on the CONSENT CALENDAR

1:38:44 PM Chair Barker

1:38:51 PM VOTE: 9-0-1

1:38:52 PM Ayes: Barton, Cameron, Garrett, Krieger, Olson, Shields, Smith, Stiegler, Barker; Excused: Whisnant

1:39:10 PM Chair Barker

1:39:23 PM Braun
1:39:30 PM HB 2803 - Work Session
1:39:32 PM Anna Braun, Committee Counsel
1:39:45 PM Chair Barker
1:40:02 PM Rep. Cameron
1:40:03 PM {Exhibit} 8: Cameron
1:40:04 PM Braun
1:40:06 PM Rep. Cameron
1:41:24 PM Chair Barker
1:41:29 PM Rep. Cameron
1:41:31 PM Rep. Smith J.
1:42:34 PM Chair Barker
1:42:38 PM MOTION: Rep. Cameron moves -1 amendments
1:42:43 PM Chair Barker
1:42:50 PM VOTE: 9-0-1
1:42:51 PM Ayes: Barton, Cameron, Garrett, Krieger, Olson, Shields, Smith, Stiegler, Barker; Excused: Whisnant
1:42:54 PM MOTION: Rep. Cameron moves HB 2803 DO PASS as AMENDED & REFER to Revenue by prior reference
1:43:06 PM Chair Barker
1:43:18 PM Rep. Barton
1:43:29 PM Chair Barker
1:43:33 PM Rep. Krieger
1:44:39 PM Chair Barker
1:44:42 PM Vice-Chair Stiegler
1:45:03 PM Rep. Smith J.
1:45:33 PM Chair Barker
1:45:38 PM VOTE: 6-3-1
1:45:39 PM Ayes: Cameron, Garrett, Krieger, Olson, Shields, Barker; Nays: Barton, Smith, Stiegler; Excused: Whisnant
1:46:28 PM Meeting Recessed
1:46:56 PM Meeting Reconvened
1:46:58 PM Vice-Chair Stiegler
1:47:00 PM Rep. Shields
1:47:06 PM Chair Barker
1:47:20 PM Meeting Adjourned

HJUD

4/13/2009 1:05:53 PM

- 1:06:18 PM** {Exhibit} 1: HB 3111, -2 amendments, staff, 1 p
 - 1:09:49 PM** {Exhibit} 2: HB 2687, -2 amendments, staff, 2 pp
 - 1:10:21 PM** {Exhibit} 3: HB 2687, written testimony, Neil Jackson, 2 pp
 - 1:17:14 PM** {Exhibit} 4: HB 2299, -1 amendments, David Koch, 1 p
 - 1:23:19 PM** {Exhibit} 5: HB 3220, written testimony, Wendy Johnson, 9 pp
 - 1:35:46 PM** {Exhibit} 6: HB 3220, written testimony, Jane-ellen Weidanz, 1 p
 - 1:38:08 PM** {Exhibit} 7: HB 2664, -1 amendments, staff, 1 p
 - 1:40:03 PM** {Exhibit} 8: HB 2803, -1 amendments, Rep. Cameron, 1 p
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