

## **HOUSE COMMITTEE ON JUDICIARY**

**April 23, 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**
- Bill Taylor, Committee Administrator**
- Jennifer Ranstrom-Smith, Committee Assistant**

**MEASURES/ISSUES HEARD:**

- HB 2477 - Work Session**
- HB 3474 – Public Hearing and Work Session**
- HB 2463 - Work Session**
- HB 3348 - Work Session**
- HB 2790 - Work Session**
- HB 3220 - Work Session**
- HB 2447 - Work Session**
- HB 2874 - Work Session**
- HB 2991 - Work Session**
- HB 3343 - Work Session**

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

## HJUD

4/23/2009 1:08:40 PM

- 1:08:42 PM Meeting Called to Order
- 1:09:01 PM HB 2477 - Work Session
- 1:09:03 PM Rep. John Huffman, House District 59
- 1:09:25 PM {Exhibit} 1: Huffman
- 1:09:55 PM Rep. Judy Stiegler, House District 54
- 1:10:20 PM Chair Barker
- 1:10:21 PM Vice-Chair Stiegler
- 1:14:29 PM Chair Barker
- 1:14:36 PM Vice-Chair Whisnant
- 1:14:43 PM Vice-Chair Stiegler
- 1:15:55 PM Chair Barker
- 1:15:59 PM Andrea Meyer, Legislative Director, American Civil Liberties Union  
Oregon
- 1:20:37 PM Chair Barker
- 1:20:46 PM MOTION: Vice-Chair Whisnant moves -5 amendments
- 1:20:52 PM Chair Barker
- 1:20:59 PM Rep. Shields
- 1:21:05 PM Shannon Sivell, Committee Counsel
- 1:21:09 PM VOTE: 10-0-0
- 1:21:10 PM Ayes: Barton, Cameron, Garrett, Krieger, Olson, Shields, Smith,  
Stiegler, Whisnant, Barker
- 1:21:12 PM MOTION: Vice-Chair Whisnant moves HB 2477 DO PASS as  
AMENDED & REFER to Ways & Means
- 1:21:22 PM Chair Barker
- 1:21:30 PM Rep. Barton
- 1:21:50 PM Vice-Chair Stiegler
- 1:22:08 PM VOTE: 10-0-0
- 1:22:09 PM Ayes: Barton, Cameron, Garrett, Krieger, Olson, Shields, Smith,  
Stiegler, Whisnant, Barker
- 1:22:27 PM Chair Barker
- 1:23:11 PM HB 3474 - Public Hearing
- 1:23:17 PM Shannon Sivell, Committee Counsel
- 1:23:50 PM HB 3474 - Work Session
- 1:23:50 PM Vice-Chair Stiegler
- 1:23:52 PM MOTION: Vice-Chair Stiegler moves HB 3474 DO PASS
- 1:23:56 PM Chair Barker
- 1:24:03 PM VOTE: 10-0-0
- 1:24:04 PM Ayes: Barton, Cameron, Garrett, Krieger, Olson, Shields, Smith,  
Stiegler, Whisnant, Barker

1:24:24 PM CARRIER: REP. STIEGLER will lead discussion on the floor  
1:24:25 PM HB 2463 - Work Session  
1:24:29 PM Shannon Sivell, Committee Counsel  
1:25:27 PM Rep. Krieger  
1:25:34 PM Sivell  
1:25:52 PM Rep. Krieger  
1:25:56 PM Chair Barker  
1:27:32 PM HB 3348 - Work Session  
1:27:35 PM Shannon Sivell, Committee Counsel  
1:28:09 PM Chair Barker  
1:28:12 PM Barry Bushue, President, Oregon Farm Bureau Federation  
1:30:04 PM Chair Barker  
1:30:05 PM Rep. Olson  
1:30:16 PM Bushue  
1:31:04 PM Rep. Barton  
1:32:43 PM Chair Barker  
1:33:06 PM Vice-Chair Whisnant  
1:33:31 PM Chair Barker  
1:33:31 PM MOTION: Vice-Chair Stiegler moves HB 3348 DO PASS  
1:33:46 PM Chair Barker  
1:33:54 PM VOTE: 8-2-0  
1:33:55 PM Ayes: Barton, Garrett, Krieger, Olson, Shields, Smith, Stiegler,  
Barker; Nays: Cameron, Whisnant  
1:34:19 PM CARRIER: REP. SMITH will lead discussion on the floor  
1:34:20 PM Rep. Smith J.  
1:34:41 PM Chair Barker  
1:35:12 PM HB 2790 - Work Session  
1:35:15 PM Shannon Sivell, Committee Counsel  
1:35:18 PM {Exhibit} 2: Sivell  
1:35:42 PM Brian DeLashmutt, Oregon Council Police Associations  
1:41:10 PM Marilyn Lorance, Division Head for Standards & Certification,  
Department of Public Safety, Standards & Training  
1:41:20 PM Rep. Krieger  
1:41:28 PM DeLashmutt  
1:41:33 PM Lorance  
1:42:00 PM Rep. Krieger  
1:42:07 PM DeLashmutt  
1:42:21 PM Lorance  
1:42:42 PM Chair Barker  
1:43:01 PM DeLashmutt  
1:43:27 PM Chair Barker  
1:43:29 PM MOTION: Vice-Chair Whisnant moves -4 amendments  
1:43:47 PM Chair Barker  
1:43:51 PM VOTE: 10-0-0  
1:43:52 PM Ayes: Barton, Cameron, Garrett, Krieger, Olson, Shields, Smith,  
Stiegler, Whisnant, Barker

**1:43:53 PM** MOTION: Vice-Chair Whisnant moves HB 2790 DO PASS as AMENDED

**1:44:00 PM** Chair Barker

**1:44:06 PM** VOTE: 10-0-0

**1:44:07 PM** Ayes: Barton, Cameron, Garrett, Krieger, Olson, Shields, Smith, Stiegler, Whisnant, Barker

**1:44:24 PM** Chair Barker

**1:44:27 PM** CARRIER: REP. KRIEGER will lead discussion on the floor

**1:45:05 PM** Meeting Recessed

**1:46:39 PM** Meeting Reconvened

**1:46:40 PM** HB 3220 - Work Session

**1:46:47 PM** Chair Barker

**1:46:57 PM** Bill Taylor, Committee Counsel

**1:47:33 PM** Chair Barker

**1:47:40 PM** Taylor

**1:48:03 PM** Rep. Shields

**1:48:06 PM** Taylor

**1:48:22 PM** MOTION: Vice-Chair Whisnant moves to SUSPEND HJUD COMMITTEE RULE # 18

**1:48:37 PM** Chair Barker

**1:49:11 PM** VOTE: 10-0-0

**1:49:12 PM** Ayes: Barton, Cameron, Garrett, Krieger, Olson, Shields, Smith, Stiegler, Whisnant, Barker

**1:49:15 PM** Chair Barker

**1:49:18 PM** MOTION: Vice-Chair Whisnant moves HB 3220 WITHOUT RECOMMENDATION & REFER to Ways & Means

**1:49:31 PM** Chair Barker

**1:49:45 PM** VOTE: 10-0-0

**1:49:46 PM** Ayes: Barton, Cameron, Garrett, Krieger, Olson, Shields, Smith, Stiegler, Whisnant, Barker

**1:50:05 PM** Chair Barker

**1:51:01 PM** HB 2447 - Work Session

**1:51:03 PM** Shannon Sivell, Committee Counsel

**1:51:17 PM** {Exhibit} 3: Sivell

**1:52:05 PM** Chair Barker

**1:52:07 PM** MOTION: Vice-Chair Whisnant moves -1 amendments

**1:52:12 PM** Chair Barker

**1:52:19 PM** Rep. Barton

**1:52:27 PM** Sivell

**1:53:00 PM** Rep. Barton

**1:53:03 PM** Sivell

**1:53:42 PM** Rep. Barton

**1:53:49 PM** Sivell

**1:53:53 PM** Chair Barker

**1:54:00 PM** VOTE: 10-0-0

**1:54:01 PM** Ayes: Barton, Cameron, Garrett, Krieger, Olson, Shields, Smith,

Stiegler, Whisnant, Barker  
**1:54:05 PM** Chair Barker  
**1:54:08 PM** MOTION: Vice-Chair Whisnant moves to SUSPEND HJUD COMMITTEE RULE # 18  
**1:54:27 PM** Chair Barker  
**1:54:53 PM** VOTE: 10-0-0  
**1:54:54 PM** Ayes: Barton, Cameron, Garrett, Krieger, Olson, Shields, Smith, Stiegler, Whisnant, Barker  
**1:54:59 PM** MOTION: Vice-Chair Whisnant moves HB 2447 DO PASS as AMENDED & REFER to Ways & Means  
**1:55:08 PM** Chair Barker  
**1:55:17 PM** Vice-Chair Stiegler  
**1:55:21 PM** VOTE: 10-0-0  
**1:55:22 PM** Ayes: Barton, Cameron, Garrett, Krieger, Olson, Shields, Smith, Stiegler, Whisnant, Barker  
**1:55:46 PM** Chair Barker  
**1:55:59 PM** HB 2874 - Work Session  
**1:56:22 PM** Shannon Sivell, Committee Counsel  
**1:56:38 PM** Chair Barker  
**1:56:49 PM** Rep. Shields  
**1:58:08 PM** Rep. Garrett  
**1:58:14 PM** Vice-Chair Stiegler  
**1:58:31 PM** Sivell  
**1:58:48 PM** MOTION: Vice-Chair Whisnant moves -2 amendments  
**1:58:54 PM** Chair Barker  
**1:59:02 PM** VOTE: 9-1-0  
**1:59:03 PM** Ayes: Barton, Cameron, Garrett, Krieger, Olson, Smith, Stiegler, Whisnant, Barker; Nays: Shields  
**1:59:04 PM** MOTION: Vice-Chair Whisnant moves HB 2874 DO PASS as AMENDED  
**1:59:09 PM** Chair Barker  
**1:59:16 PM** VOTE: 9-1-0  
**1:59:17 PM** Ayes: Barton, Cameron, Garrett, Krieger, Olson, Smith, Stiegler, Whisnant, Barker; Nays: Shields  
**1:59:36 PM** Chair Barker  
**1:59:39 PM** CARRIER: REP. BARKER will lead discussion on the floor  
**1:59:44 PM** HB 2991 - Work Session  
**1:59:50 PM** Shannon Sivell, Committee Counsel  
**2:00:07 PM** {Exhibit} 4: Sivell  
**2:00:17 PM** Rep. Andy Olson, House District 15  
**2:01:45 PM** The following written testimony was submitted for the record without public testimony:  
**2:02:01 PM** {Exhibit} 5: Penny Okamoto, Ceasefire Oregon  
**2:04:35 PM** David Yandell, Director, Law Enforcement Information Division, Oregon State Police  
**2:06:35 PM** Matt Bolstad, Oregon Gun Owners Association

**2:07:19 PM** Chair Barker  
**2:07:22 PM** Rep. Krieger  
**2:07:40 PM** Rep. Olson  
**2:07:51 PM** Andal  
**2:09:17 PM** Rep. Krieger  
**2:09:32 PM** Andal  
**2:09:39 PM** Bolstad  
**2:11:01 PM** Rep. Smith J.  
**2:11:33 PM** Rep. Olson  
**2:11:44 PM** Rep. Smith J.  
**2:11:46 PM** Rep. Olson  
**2:12:13 PM** Rep. Smith J.  
**2:13:00 PM** Andal  
**2:14:32 PM** Rep. Smith J.  
**2:15:00 PM** Vice-Chair Whisnant  
**2:15:27 PM** Rep. Olson  
**2:15:49 PM** Vice-Chair Whisnant  
**2:15:59 PM** Rep. Olson  
**2:16:18 PM** Rep. Smith J.  
**2:16:34 PM** Chair Barker  
**2:17:17 PM** Rod Harder, Oregon Consultant, National Rifle Association  
**2:18:35 PM** Chair Barker  
**2:18:41 PM** Rep. Olson  
**2:19:02 PM** Chair Barker  
**2:19:07 PM** Rep. Krieger  
**2:19:46 PM** Chair Barker  
**2:19:47 PM** Rep. Cameron  
**2:20:29 PM** Chair Barker  
**2:20:40 PM** Harder  
**2:21:46 PM** Chair Barker  
**2:21:49 PM** Rep. Krieger  
**2:22:07 PM** Rep. Olson  
**2:22:16 PM** Chair Barker  
**2:22:36 PM** HB 3343 - Work Session  
**2:22:41 PM** Shannon Sivell, Committee Counsel  
**2:22:48 PM** {Exhibit} 6: Sivell  
**2:23:13 PM** Chair Barker  
**2:23:32 PM** Rep. Jefferson Smith, House District 47  
**2:25:05 PM** Chair Barker  
**2:25:09 PM** Rep. Garrett  
**2:25:14 PM** Rep. Smith J.  
**2:25:28 PM** Chair Barker  
**2:25:29 PM** Rep. Krieger  
**2:25:38 PM** Rep. Smith J.  
**2:26:36 PM** Chair Barker  
**2:27:09 PM** MOTION: Vice-Chair Whisnant moves -2 amendments

**2:27:16 PM** Chair Barker

**2:27:18 PM** VOTE: 10-0-0

**2:27:19 PM** Ayes: Barton, Cameron, Garrett, Krieger, Olson, Shields, Smith,  
Stiegler, Whisnant, Barker

**2:27:23 PM** Chair Barker

**2:27:52 PM** Meeting Adjourned

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**HJUD**

**4/23/2009 1:08:40 PM**

**1:09:25 PM** {Exhibit} 1: HB 2477, -5 amendments, staff, 2 pp

**1:35:18 PM** {Exhibit} 2: HB 2790, -4 amendments, staff, 9 pp

**1:51:17 PM** {Exhibit} 3: HB 2447, -1 amendments, staff, 4 pp

**2:00:07 PM** {Exhibit} 4: HB 2991, -3 amendments, staff, 11 pp

**2:02:01 PM** {Exhibit} 5: HB 2991, written testimony, Penny Okamoto, 1 p

**2:22:48 PM** {Exhibit} 6: HB 3343, -2 amendments, staff, 3 pp

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