

## **HOUSE COMMITTEE ON JUDICIARY**

**April 24, 2009  
12:00 P.M.**

**Hearing Room A**

**MEMBERS PRESENT:**        **Rep. Jeff Barker, Chair**  
                                     **Rep. Gene Whisnant, Vice-Chair**  
                                     **Rep. Brent Barton**  
                                     **Rep. Kevin Cameron**  
                                     **Rep. Chris Garrett**  
                                     **Rep. Wayne Krieger**  
                                     **Rep. Andy Olson**  
                                     **Rep. Chip Shields**

**MEMBER EXCUSED:**        **Rep. Judy Stiegler, Vice-Chair**  
                                     **Rep. Jefferson Smith**

**STAFF PRESENT:**            **Shannon Sivell, Committee Administrator**  
                                     **Lisa Nuss, Committee Administrator**  
                                     **Bill Taylor, Committee Administrator**  
                                     **Jennifer Ranstrom-Smith, Committee Assistant**

**MEASURES/ISSUES HEARD:** **HJR 42 - Public Hearing**  
                                     **HB 2629 - Public Hearing and Work Session**  
                                     **HB 2541 - Work Session**  
                                     **HB 2287 - Public Hearing and Work Session**  
                                     **HB 2682 - Work Session**  
                                     **HB 2403 - Work Session**

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

**HJUD**

**4/24/2009 12:14:27 PM**

**12:14:28 PM** Meeting Called to Order  
**12:14:36 PM** HJR 42 - Public Hearing  
**12:14:39 PM** Bill Taylor, Committee Counsel  
**12:14:58 PM** Chair Barker  
**12:15:13 PM** Rep. Scott Bruun, House District 37  
**12:17:35 PM** Chair Barker  
**12:17:37 PM** Sen. Richard Devlin, Senate District 19  
**12:20:29 PM** Chair Barker  
**12:20:32 PM** Monique Beiken, Tualatin City Council  
**12:20:33 PM** {Exhibit} 1: Beiken  
**12:25:26 PM** Chair Barker  
**12:25:52 PM** Andrea Meyer, American Civil Liberties Union Oregon  
**12:29:12 PM** Greg Chaimov, City Attorney, Milwaukie  
**12:29:44 PM** {Exhibit} 2: Chaimov  
**12:30:22 PM** {Exhibit} 3: Chaimov  
**12:32:29 PM** The following written testimony was submitted for the record  
without public testimony:  
**12:32:47 PM** {Exhibit} 4: Shirley Gauthier, Government Affairs, American  
Association for Nude Recreation  
**12:33:51 PM** {Exhibit} 5: Tootie Smith, Oregon Family Council  
**12:34:01 PM** Chair Barker  
**12:34:13 PM** HB 2629 - Public Hearing  
**12:34:48 PM** Meeting Recessed  
**12:37:26 PM** Meeting Reconvened  
**12:37:31 PM** Chair Barker  
**12:37:33 PM** Shannon Sivell, Committee Counsel  
**12:37:59 PM** Chair Barker  
**12:38:25 PM** Joe Harrison, Police Officer, Clatskanie Police Department  
**12:41:05 PM** The following written testimony was submitted for the record  
without public testimony:  
**12:41:05 PM** {Exhibit} 6: Diane Pohl, Mayor, Clatskanie  
**12:41:06 PM** {Exhibit} 7: Donna Garlock, resident, Clatskanie  
**12:41:07 PM** {Exhibit} 8: Diane Pohl, Mayor, Clatskanie  
**12:41:34 PM** Chair Barker  
**12:41:39 PM** Rep. Brad Witt, House District 31  
**12:43:53 PM** Chair Barker  
**12:43:59 PM** {Exhibit} 9: Barker  
**12:44:10 PM** James Hogan, resident, Clatskanie  
**12:44:23 PM** {Exhibit} 10: Hogan

**12:48:28 PM** Chair Barker  
**12:49:12 PM** Rep. Krieger  
**12:49:45 PM** Rep. Barton  
**12:50:05 PM** Rep. Witt  
**12:50:32 PM** Rep. Cameron  
**12:50:42 PM** Sivell  
**12:51:14 PM** Chair Barker  
**12:51:18 PM** Sivell  
**12:51:23 PM** Rep. Cameron  
**12:51:30 PM** Sivell  
**12:51:56 PM** Rep. Cameron  
**12:52:05 PM** Sivell  
**12:52:10 PM** Rep. Cameron  
**12:52:13 PM** Sivell  
**12:52:36 PM** Chair Barker  
**12:52:38 PM** Rep. Shields  
**12:52:43 PM** Sivell  
**12:53:07 PM** Rep. Shields  
**12:53:11 PM** Sivell  
**12:53:16 PM** Rep. Shields  
**12:53:29 PM** HB 2629 - Work Session  
**12:53:31 PM** MOTION: Vice-Chair Whisnant moves -1 amendments  
**12:53:37 PM** Chair Barker  
**12:53:44 PM** VOTE: 8-0-2  
**12:53:45 PM** Ayes: Barton, Cameron, Garrett, Krieger, Olson, Shields, Whisnant, Barker; Excused: Smith, Stiegler  
**12:53:49 PM** Chair Barker  
**12:53:51 PM** HB 2894 - Public Hearing  
**12:54:22 PM** Chair Barker  
**12:55:39 PM** HB 2541 - Work Session  
**12:55:49 PM** Shannon Sivell, Committee Counsel  
**12:55:50 PM** {Exhibit} 11: Sivell  
**12:56:08 PM** {Exhibit} 12: Sivell  
**12:56:14 PM** Rep. Shields  
**12:56:54 PM** Chair Barker  
**12:57:08 PM** MOTION: Vice-Chair Whisnant moves -3 & -4 amendments  
**12:57:21 PM** Chair Barker  
**12:57:30 PM** VOTE: 8-0-2  
**12:57:31 PM** Ayes: Barton, Cameron, Garrett, Krieger, Olson, Shields, Whisnant, Barker; Excused: Smith, Stiegler  
**12:57:53 PM** Meeting Recessed  
**12:58:24 PM** Meeting Reconvened  
**12:58:26 PM** Rep. Cameron  
**12:58:47 PM** Chair Barker  
**12:58:52 PM** Vice-Chair Whisnant  
**12:58:55 PM** MOTION: Vice-Chair Whisnant moves to SUSPEND HJUD

COMMITTEE RULE # 18

**12:59:04 PM** Chair Barker  
**12:59:19 PM** VOTE: 8-0-2  
**12:59:20 PM** Ayes: Barton, Cameron, Garrett, Krieger, Olson, Shields, Whisnant, Barker; Excused: Smith, Stiegler  
**12:59:24 PM** Rep. Barton  
**12:59:53 PM** Chair Barker  
**12:59:56 PM** MOTION: Vice-Chair Whisnant moves HB 2541 DO PASS as AMENDED & REFER to Ways & Means  
**1:00:06 PM** Chair Barker  
**1:00:15 PM** Rep. Cameron  
**1:00:36 PM** Chair Barker  
**1:00:39 PM** Rep. Barton  
**1:00:46 PM** VOTE: 6-2-2  
**1:00:47 PM** Ayes: Garrett, Krieger, Olson, Shields, Whisnant, Barker; Nays: Barton, Cameron; Excused: Smith, Stiegler  
**1:01:09 PM** Chair Barker  
**1:01:11 PM** Rep. Shields  
**1:01:26 PM** Chair Barker  
**1:01:57 PM** Rep. Shields  
**1:02:20 PM** HB 2287 - Public Hearing  
**1:03:01 PM** Lisa Nuss, Committee Counsel  
**1:03:02 PM** {Exhibit} 13: Nuss  
**1:04:31 PM** Chair Barker  
**1:04:36 PM** Nuss  
**1:04:46 PM** Chair Barker  
**1:05:04 PM** Rep. Krieger  
**1:05:11 PM** Chair Barker  
**1:05:18 PM** Rep. Krieger  
**1:05:34 PM** Chair Barker  
**1:05:36 PM** Rep. Barton  
**1:06:12 PM** Rep. Garrett  
**1:06:17 PM** Chair Barker  
**1:06:22 PM** Rep. Garrett  
**1:06:34 PM** Chair Barker  
**1:06:50 PM** Nuss  
**1:07:19 PM** Chair Barker  
**1:07:31 PM** Kingsley Click, Office of State Court Administrator, Oregon Judicial Department  
**1:07:32 PM** {Exhibit} 14: Click  
**1:12:03 PM** Chair Barker  
**1:12:10 PM** Rep. Shields  
**1:12:51 PM** Chair Barker  
**1:13:02 PM** HB 2287 - Work Session  
**1:14:00 PM** HB 2682 - Work Session  
**1:14:10 PM** Shannon Sivell, Committee Counsel

**1:16:51 PM** Chair Barker  
**1:16:51 PM** Rick Berkobien, Committee Services Manager  
**1:17:36 PM** Chair Barker  
**1:18:21 PM** Sivell  
**1:18:45 PM** Paul Romain, American Bail Coalition  
**1:20:50 PM** Chair Barker  
**1:20:52 PM** Rep. Barton  
**1:21:21 PM** Chair Barker  
**1:21:32 PM** Romain  
**1:21:46 PM** Chair Barker  
**1:22:09 PM** HB 2403 - Work Session  
**1:22:14 PM** Shannon Sivell, Committee Counsel  
**1:22:47 PM** MOTION: Vice-Chair Whisnant moves HB 2403 DO PASS as  
AMENDED  
**1:22:57 PM** Chair Barker  
**1:23:02 PM** Rep. Krieger  
**1:23:24 PM** Chair Barker  
**1:23:29 PM** Rep. Shields  
**1:23:52 PM** Sivell  
**1:24:19 PM** Chair Barker  
**1:24:22 PM** VOTE: 8-0-2  
**1:24:23 PM** Ayes: Barton, Cameron, Garrett, Krieger, Olson, Shields, Whisnant,  
Barker; Excused: Smith, Stiegler  
**1:24:39 PM** Chair Barker  
**1:24:41 PM** CARRIER: REP. OLSON will lead discussion on the floor  
**1:24:53 PM** Meeting Adjourned

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**HJUD**

**4/24/2009 12:14:27 PM**

- 12:20:33 PM** {Exhibit} 1: HJR 42, written testimony, Monique Beiken, 2 pp  
**12:29:44 PM** {Exhibit} 2: HJR 42, Tualatin Municipal Code, Greg Chaimov, 6 pp  
**12:30:22 PM** {Exhibit} 3: HJR 42, Milwaukie Municipal Code, Greg Chaimov, 9 pp  
**12:32:47 PM** {Exhibit} 4: HJR 42, written testimony, Shirley Gauthier, 1 p  
**12:33:51 PM** {Exhibit} 5: HJR 42, written testimony, Oregon Family Council, 2 pp  
**12:41:05 PM** {Exhibit} 6: HB 2629, written testimony, Diane Pohl, 2 pp  
**12:41:06 PM** {Exhibit} 7: HB 2629, written testimony, Donna Garlock, 2 pp  
**12:41:07 PM** {Exhibit} 8: HB 2629, written testimony, Diane Pohl, 2 pp  
**12:43:59 PM** {Exhibit} 9: HB 2629, -1 amendments, Rep. Barker, 1p  
**12:44:23 PM** {Exhibit} 10: HB 2629, written testimony, James Hogan, 2 pp  
**12:55:50 PM** {Exhibit} 11: HB 2541, -3 amendments, staff, 3 pp  
**12:56:08 PM** {Exhibit} 12: HB 2541, -4 amendments, staff, 1 p  
**1:03:02 PM** {Exhibit} 13: HB 2287, -1 amendments, staff, 54 pp  
**1:07:32 PM** {Exhibit} 14: HB 2287, written testimony, Kingsley Click, 7 pp
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