

HOUSE COMMITTEE ON JUDICIARY

**April 28, 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 2682 - Work Session**
 HB 2853 - Work Session
 HB 2463 - Work Session
 HB 2629 – Public Hearing and Work Session
 HB 2894 - Public Hearing
 HB 2285 - Work Session
 HB 3343 - Work Session
 HB 3264 - Work Session
 HB 2335 - Work Session

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

HJUD

4/28/2009 1:13:50 PM

- 1:13:51 PM Meeting Called to Order
- 1:14:15 PM Chair Barker
- 1:14:33 PM HB 2802 - Work Session
- 1:14:40 PM MOTION: Chair Barker moves to SUSPEND THE RULES to allow Rep. Barton & Rep. Garrett to declare CONFLICT of INTEREST
- 1:14:41 PM VOTE: 10-0-0
- 1:14:42 PM Ayes: Barton, Cameron, Garrett, Krieger, Olson, Shields, Smith, Stiegler, Whisnant, Barker
- 1:14:43 PM Rep. Barton
- 1:15:06 PM Rep. Garrett
- 1:15:20 PM Chair Barker
- 1:15:22 PM Rep. Krieger
- 1:15:29 PM Chair Barker
- 1:15:41 PM HB 2682 - Work Session
- 1:15:49 PM Shannon Sivell, Committee Counsel
- 1:16:14 PM Chair Barker
- 1:16:46 PM Rep. Krieger
- 1:16:49 PM Rep. Cameron
- 1:16:54 PM Chair Barker
- 1:16:56 PM MOTION: Vice-Chair Whisnant moves HB 2682 WITHOUT RECOMMENDATION & REFER to RULES
- 1:17:19 PM Chair Barker
- 1:17:26 PM Rep. Barton
- 1:17:28 PM VOTE: 10-0-0
- 1:17:29 PM Ayes: Barton, Cameron, Garrett, Krieger, Olson, Shields, Smith, Stiegler, Whisnant, Barker
- 1:17:47 PM Chair Barker
- 1:18:10 PM HB 2853 - Work Session
- 1:18:14 PM Shannon Sivell, Committee Counsel
- 1:18:43 PM Chair Barker
- 1:18:55 PM MOTION: Vice-Chair Whisnant moves HB 2853 WITHOUT RECOMMENDATION & REFER to RULES
- 1:19:04 PM Chair Barker
- 1:19:13 PM VOTE: 10-0-0
- 1:19:14 PM Ayes: Barton, Cameron, Garrett, Krieger, Olson, Shields, Smith, Stiegler, Whisnant, Barker
- 1:19:38 PM Chair Barker
- 1:19:51 PM HB 2463 - Work Session
- 1:19:55 PM Shannon Sivell, Committee Counsel

1:20:29 PM Chair Barker
1:20:59 PM Rep. Krieger
1:21:44 PM Chair Barker
1:21:55 PM Vice-Chair Whisnant
1:22:06 PM Chair Barker
1:22:27 PM Rep. Krieger
1:23:40 PM Chair Barker
1:23:41 PM MOTION: Rep. Smith J moves to SUSPEND THE RULES to make a conceptual amendment
1:23:46 PM VOTE: 10-0-0
1:23:47 PM Ayes: Barton, Cameron, Garrett, Krieger, Olson, Shields, Smith, Stiegler, Whisnant, Barker
1:23:49 PM Rep. Cameron
1:23:56 PM Chair Barker
1:23:58 PM Rep. Krieger
1:24:09 PM Chair Barker
1:24:41 PM MOTION: Rep. Garrett MOVES -2 conceptual amendment which changes the last word on PAGE 2 LINE 7 from OR to AND
1:24:43 PM Chair Barker
1:24:48 PM VOTE: 10-0-0
1:24:49 PM Ayes: Barton, Cameron, Garrett, Krieger, Olson, Shields, Smith, Stiegler, Whisnant, Barker
1:24:57 PM MOTION: Rep. Smith J. moves HB 2463 DO PASS as AMENDED & REFER to Ways & Means
1:25:17 PM Chair Barker
1:25:31 PM VOTE: 10-0-0
1:25:32 PM Ayes: Barton, Cameron, Garrett, Krieger, Olson, Shields, Smith, Stiegler, Whisnant, Barker
1:25:51 PM Chair Barker
1:26:06 PM HB 2629 - Public Hearing
1:26:07 PM Shannon Sivell, Committee Counsel
1:26:35 PM HB 2629 - Work Session
1:26:37 PM MOTION: Vice-Chair Whisnant moves HB 2629 DO PASS as AMENDED
1:26:48 PM Chair Barker
1:26:55 PM Rep. Shields
1:27:01 PM Sivell
1:27:05 PM VOTE: 10-0-0
1:27:06 PM Ayes: Barton, Cameron, Garrett, Krieger, Olson, Shields, Smith, Stiegler, Whisnant, Barker
1:27:25 PM Chair Barker
1:27:28 PM CARRIER: REP. WITT will lead discussion on the floor
1:27:34 PM Rep. Barton
1:28:00 PM Chair Barker
1:28:13 PM HB 2894 - Public Hearing
1:28:22 PM Shannon Sivell, Committee Counsel

1:29:20 PM Peter Diamond, Attorney, Warren Allen LLP
1:29:21 PM {Exhibit} 2: Diamond
1:33:16 PM Chair Barker
1:33:31 PM Diamond
1:34:28 PM Chair Barker
1:34:32 PM Rep. Krieger
1:37:01 PM Chair Barker
1:37:05 PM Vice-Chair Stiegler
1:39:28 PM Chair Barker
1:39:29 PM Rep. Shields
1:41:55 PM Rep. Krieger
1:42:38 PM Chair Barker
1:42:47 PM Rep. Barton
1:43:02 PM Diamond
1:43:38 PM Vice-Chair Stiegler
1:43:57 PM Vice-Chair Whisnant
1:44:14 PM Diamond
1:46:14 PM Vice-Chair Whisnant
1:46:52 PM Vice-Chair Stiegler
1:47:57 PM Vice-Chair Whisnant
1:48:07 PM Rep. Barton
1:48:37 PM Diamond
1:50:15 PM Rep. Barton
1:50:27 PM Diamond
1:51:18 PM Rep. Barton
1:51:29 PM Diamond
1:51:39 PM Chair Barker
1:52:16 PM Brian Baker, Staff Attorney, Juvenile Rights Project, Inc.
1:52:17 PM {Exhibit} 3: Baker
1:59:13 PM Kevin George, Foster Care Program Manager, Department of Human Services
1:59:35 PM {Exhibit} 4: George
2:07:53 PM Chair Barker
2:07:55 PM Rep. Shields
2:08:29 PM George
2:09:19 PM Rep. Shields
2:09:29 PM George
2:09:52 PM Rep. Shields
2:09:55 PM George
2:10:00 PM Kamala Shugar, Staff Attorney, Oregon Department of Justice
2:17:56 PM Chair Barker
2:17:58 PM Rep. Garrett
2:18:28 PM Shugar
2:18:46 PM Rep. Garrett
2:19:36 PM Baker
2:22:25 PM Chair Barker

2:22:26 PM Rep. Barton
2:22:34 PM Chair Barker
2:22:38 PM Rep. Barton
2:22:41 PM Chair Barker
2:22:45 PM Rep. Barton
2:22:50 PM Vice-Chair Stiegler
2:24:33 PM Shugar
2:25:40 PM Chair Barker
2:25:55 PM Rep. Barton
2:26:34 PM Diamond
2:29:57 PM Rep. Barton
2:30:52 PM Chair Barker
2:30:58 PM Rep. Shields
2:31:08 PM Chair Barker
2:31:31 PM Rep. Shields
2:31:33 PM Chair Barker
2:31:37 PM Rep. Shields
2:31:40 PM Rep. Barton
2:32:30 PM Chair Barker
2:32:31 PM Rep. Shields
2:33:10 PM Rep. Garrett
2:33:22 PM Chair Barker
2:33:42 PM Rep. Garrett
2:34:00 PM Rep. Olson
2:34:25 PM Rep. Krieger
2:34:45 PM Rep. Smith J.
2:35:40 PM Rep. Shields
2:36:47 PM Chair Barker
2:37:25 PM Rep. Smith J.
2:37:47 PM Rep. Barton
2:38:42 PM HB 2285 - Work Session
2:38:50 PM Shannon Sivell, Committee Counsel
2:39:20 PM Chair Barker
2:39:31 PM MOTION: Rep. Krieger moves HB 2285 DO PASS as AMENDED
2:39:40 PM Chair Barker
2:39:43 PM VOTE: 9-0-1
2:39:44 PM Ayes: Barton, Cameron, Garrett, Krieger, Olson, Shields, Smith, Stiegler, Barker; Excused: Whisnant
2:40:02 PM Chair Barker
2:40:08 PM CARRIER: REP. BARKER will lead discussion on the floor
2:40:18 PM HB 3343 - Work Session
2:40:41 PM Shannon Sivell, Committee Counsel
2:40:52 PM Rep. Krieger
2:41:07 PM Chair Barker
2:41:24 PM Rep. Krieger
2:41:25 PM MOTION: Rep. Krieger moves HB 3343 DO PASS as AMENDED

2:41:34 PM Chair Barker
2:41:39 PM VOTE: 8-0-2
2:41:40 PM Ayes: Barton, Cameron, Garrett, Krieger, Olson, Smith, Stiegler, Barker; Excused: Shields, Whisnant
2:41:57 PM Chair Barker
2:41:58 PM Rep. Smith J.
2:42:04 PM Chair Barker
2:42:13 PM CARRIER: REP. SMITH will lead discussion on the floor
2:42:26 PM HB 3264 - Work Session
2:42:39 PM Shannon Sivell, Committee Counsel
2:43:42 PM MOTION: Rep. Krieger moves -1 amendments
2:43:48 PM Chair Barker
2:43:54 PM VOTE: 8-0-2
2:43:55 PM Ayes: Barton, Cameron, Garrett, Krieger, Olson, Smith, Stiegler, Barker; Excused: Shields, Whisnant
2:43:57 PM MOTION: Rep. Krieger moves HB 3264 DO PASS as AMENDED & REFER to Ways & Means
2:44:05 PM Chair Barker
2:44:15 PM Rep. Smith J.
2:44:31 PM VOTE: 8-0-2
2:44:32 PM Ayes: Barton, Cameron, Garrett, Krieger, Olson, Smith, Stiegler, Barker; Excused: Whisnant, Shields
2:44:58 PM Chair Barker
2:45:19 PM Meeting Recessed

HJUD

4/28/2009 1:13:50 PM

1:29:14 PM {Exhibit} 1: HB 2894, -2 amendments, staff, 5 pp

1:29:21 PM {Exhibit} 2: HB 2894, written testimony, Peter Diamond, 3 pp

1:52:17 PM {Exhibit} 3: HB 2894, written testimony, Brian Baker, 2 pp

1:59:35 PM {Exhibit} 4: HB 2894, written testimony, Kevin George, 4 pp
