

HOUSE COMMITTEE ON JUDICIARY

**May 05, 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. Jefferson Smith

STAFF PRESENT: **Shannon Sivell, Committee Counsel**
 Bill Taylor, Committee Counsel
 Courtney Johnston, Committee Assistant

MEASURES/ISSUES HEARD: **SB 314 – Public Hearing**
 SB 380 – Public Hearing and Work Session
 SB 106 A – Public Hearing
 SB 238 A – Public Hearing and Work Session
 SB 106 A – Work Session
 SB 559 – Public Hearing and Work Session

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

HJUD

5/5/2009 1:09:49 PM

1:09:53 PM Meeting Called to Order
1:09:59 PM SB 314 - Public Hearing
1:10:07 PM Senator Floyd Prozanski, Senate District 4
1:11:24 PM {Exhibit} 1: Sen. Prozanski
1:12:51 PM Chair Barker
1:13:07 PM Sen. Prozanski
1:14:08 PM Chair Barker
1:14:14 PM Sen. Prozanski
1:14:22 PM Chair Barker
1:14:26 PM Rep. Olson
1:15:03 PM Sen. Prozanski
1:16:04 PM Rep. Olson
1:16:34 PM Sen. Prozanski
1:17:25 PM Rep. Olson
1:17:34 PM Sen. Prozanski
1:18:07 PM Rep. Olson
1:18:08 PM Chair Barker
1:18:15 PM SB 380 - Public Hearing
1:18:22 PM Shannon Sivell, Committee Counsel
1:18:33 PM Senator Richard Devlin, Senate District 19
1:18:42 PM {Exhibit} 2: Sen. Devlin
1:20:25 PM Chair Barker
1:20:46 PM Randy Wampler, Forensic Services Division Director, Oregon State Police
1:20:52 PM {Exhibit} 3: Wampler
1:22:58 PM Gail Meyer, Legislative Representative, Oregon Criminal Defense Lawyers Association
1:24:50 PM Chair Barker
1:24:53 PM Rep. Garrett
1:25:10 PM Meyer
1:25:31 PM Chair Barker
1:25:36 PM Meyer
1:25:41 PM Chair Barker
1:26:06 PM Jodie Bureta, Marion County Deputy District Attorney, Oregon District Attorneys Association
1:28:12 PM Chair Barker
1:28:30 PM Bureta
1:28:58 PM Chair Barker
1:29:14 PM SB 380 - Work Session

1:29:40 PM MOTION: Vice-Chair Whisnant moves -1 amendments
1:29:44 PM Chair Barker
1:29:51 PM Vice-Chair Stiegler
1:30:34 PM Rep. Shields
1:30:44 PM Chair Barker
1:31:00 PM Rep. Shields
1:31:12 PM Nancy Cozine, Criminal Law Staff Counsel, Court Programs and Services Division, Oregon Judicial Department
1:32:46 PM Rep. Garrett
1:33:05 PM Cozine
1:34:19 PM Chair Barker
1:34:44 PM VOTE: 10-0-0
1:34:44 PM Ayes: Reps: Barton, Cameron, Garrett, Krieger, Olson, Shields, Smith, Stiegler, Whisnant, Barker
1:34:50 PM MOTION: Vice-Chair Whisnant moves SB 380 DO PASS as AMENDED
1:34:57 PM Chair Barker
1:35:06 PM VOTE: 10-0-0
1:35:06 PM Ayes: Reps: Barton, Cameron, Garrett, Krieger, Olson, Shields, Smith, Stiegler, Whisnant, Barker
1:35:25 PM CARRIER: REP. STIEGLER will lead discussion on the floor
1:35:27 PM SB 106 A - Public Hearing
1:35:38 PM Chair Barker
1:35:45 PM Bill Taylor, Committee Counsel
1:35:57 PM {Exhibit} 4: Taylor
1:36:08 PM Chair Barker
1:36:15 PM Jean Straight, Assistant Director, Oregon Youth Authority
1:36:21 PM {Exhibit} 5: Straight
1:36:53 PM Michael Mason, Confederated Tribes of the Warm Springs Reservation of Oregon
1:38:24 PM Chair Barker
1:38:47 PM Taylor
1:39:58 PM SB 238 A - Public Hearing
1:40:02 PM Bill Taylor, Committee Counsel
1:40:20 PM Chair Barker
1:40:37 PM Lane Shetterly, Attorney/member, National Conference of Commissioners on Uniform State Laws
1:46:25 PM {Exhibit} 6: Shetterly
1:47:26 PM Cathryn Ruckle, Attorney/member, Estate Planning Elder Law Section, Oregon State Bar
1:50:51 PM Chair Barker
1:51:06 PM SB 238 A - Work Session
1:51:11 PM MOTION: Vice-Chair Whisnant moves SB 238 A DO PASS
1:51:19 PM Chair Barker
1:51:31 PM Vice-Chair Whisnant
1:51:46 PM Bill Taylor, Committee Counsel

1:51:50 PM VOTE: 10-0-0
1:51:50 PM Ayes: Reps: Barton, Cameron, Garrett, Krieger, Olson, Shields, Smith, Stiegler, Whisnant, Barker
1:52:06 PM CARRIER: REP. BARTON will lead discussion on the floor
1:52:12 PM SB 106 A - Work Session
1:52:17 PM MOTION: Vice-Chair Whisnant moves -2 amendments
1:52:23 PM Chair Barker
1:52:30 PM VOTE: 10-0-0
1:52:30 PM Ayes: Reps: Barton, Cameron, Garrett, Krieger, Olson, Shields, Smith, Stiegler, Whisnant, Barker
1:52:33 PM MOTION: Vice-Chair Whisnant moves SB 106 A DO PASS as AMENDED
1:52:40 PM Chair Barker
1:52:49 PM VOTE: 10-0-0
1:52:49 PM Ayes: Reps: Barton, Cameron, Garrett, Krieger, Olson, Shields, Smith, Stiegler, Whisnant, Barker
1:53:06 PM CARRIER: REP. WHISNANT will lead discussion on the floor
1:53:10 PM SB 559 - Public Hearing
1:53:29 PM Shannon Sivell, Committee Counsel
1:53:40 PM Chair Barker
1:53:50 PM Wendy Johnson, Deputy Director/General Counsel, Oregon Law Commission
1:55:49 PM Chair Barker
1:55:52 PM Rep. Krieger
1:55:56 PM Johnson
1:56:10 PM Rep. Garrett
1:56:20 PM Chair Barker
1:56:30 PM SB 559 - Work Session
1:56:33 PM MOTION: Vice-Chair Whisnant moves SB 559 DO PASS and placed on the CONSENT CALENDAR
1:56:37 PM Chair Barker
1:56:46 PM VOTE: 10-0-0
1:56:46 PM Ayes: Reps: Barton, Cameron, Garrett, Krieger, Olson, Shields, Smith, Stiegler, Whisnant, Barker
1:57:02 PM Chair Barker
1:57:11 PM Meeting Adjourned

HJUD

5/5/2009 1:09:49 PM

1:11:24 PM {Exhibit} 1: SB 314, -1 amendments, staff, 2 pp

1:18:42 PM {Exhibit} 2: SB 380, -1 amendments, staff, 1 p

1:20:52 PM {Exhibit} 3: SB 380, written testimony, Randy Wampler, 1 p

1:35:57 PM {Exhibit} 4: SB 106 A, -A2 amendments, staff, 1 p

1:36:21 PM {Exhibit} 5: SB 106 A, written testimony, Jean Straight, 2 pp

1:46:25 PM {Exhibit} 6: SB 238 A, written testimony, Cathryn Ruckle, 2 pp
