

HOUSE COMMITTEE ON JUDICIARY

**May 11, 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

MEMBER EXCUSED: **Rep. Jefferson Smith**

STAFF PRESENT: **Shannon Sivell, Committee Administrator**
 Anna Braun, Committee Administrator
 Jennifer Ranstrom-Smith, Committee Assistant

MEASURES/ISSUES HEARD: **SB 270 - Public Hearing**
 SB 306A - Public Hearing
 SB 151 - Work Session
 SB 389A- 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

5/11/2009 1:08:29 PM

1:08:32 PM Meeting Called to Order
1:08:37 PM SB 270 - Public Hearing
1:08:41 PM Sen. Floyd Prozanski, Senate District 4
1:09:17 PM {Exhibit} 1: Prozanski
1:11:40 PM Chair Barker
1:11:42 PM Rep. Olson
1:11:54 PM Prozanski
1:12:37 PM Chair Barker
1:12:46 PM Anna Braun, Committee Counsel
1:12:53 PM Prozanski
1:13:01 PM Chair Barker
1:13:24 PM Bruce Miller, Special Counsel, Office of the State Court
Administrator, Oregon Judicial Department
1:15:44 PM {Exhibit} 2: Miller
1:19:23 PM {Exhibit} 3: Miller
1:22:44 PM Chair Barker
1:22:49 PM Angela Sherbo, Supervising Attorney, Juvenile Rights Project, Inc.
1:23:20 PM {Exhibit} 4: Sherbo
1:27:34 PM Chair Barker
1:28:12 PM Therese Bottomly, The Oregonian
1:32:17 PM Chair Barker
1:32:46 PM Bottomly
1:33:09 PM Vice-Chair Stiegler
1:33:29 PM Bottomly
1:33:48 PM Vice-Chair Stiegler
1:34:01 PM Bottomly
1:34:42 PM Rep. Barton
1:35:29 PM Bottomly
1:37:00 PM Chair Barker
1:37:04 PM Tami Wood, President, Oregon State Sheriffs Association
1:37:32 PM The following written testimony was submitted for the record
without public testimony:
1:37:33 PM {Exhibit} 5: Brian Wallace, Chief Civil Deputy, Marion County
Sheriff's Office
1:38:02 PM {Exhibit} 6: Marshall Ross, Senior Deputy, Multnomah County
Sheriff's Office
1:40:07 PM Chair Barker
1:40:13 PM Rep. Cameron
1:40:21 PM Wood

1:40:23 PM Chair Barker
1:40:26 PM Vice-Chair Whisnant
1:40:31 PM Wood
1:40:45 PM Andrea Meyer, Legislative Director, American Civil Liberties Union
Oregon
1:44:28 PM Chair Barker
1:44:29 PM Rep. Garrett
1:44:55 PM Meyer
1:46:24 PM Chair Barker
1:46:46 PM Bottomly
1:47:13 PM Chair Barker
1:47:28 PM Bottomly
1:47:32 PM Meyer
1:47:52 PM Chair Barker
1:47:53 PM Rep. Barton
1:48:59 PM Meyer
1:49:25 PM Rep. Barton
1:49:27 PM Meyer
1:49:57 PM Bottomly
1:50:34 PM Chair Barker
1:50:35 PM Vice-Chair Stiegler
1:50:55 PM Meyer
1:51:06 PM Vice-Chair Stiegler
1:51:07 PM Meyer
1:51:42 PM Vice-Chair Stiegler
1:51:43 PM Meyer
1:52:13 PM Vice-Chair Stiegler
1:52:48 PM Meyer
1:53:13 PM Vice-Chair Stiegler
1:53:18 PM Meyer
1:53:29 PM Vice-Chair Stiegler
1:53:43 PM Meyer
1:53:49 PM Vice-Chair Stiegler
1:53:56 PM Meyer
1:54:09 PM Vice-Chair Stiegler
1:54:14 PM Meyer
1:54:44 PM Bottomly
1:55:20 PM Chair Barker
1:55:21 PM Rep. Shields
1:56:29 PM Braun
1:56:37 PM Rep. Shields
1:56:40 PM Braun
1:56:59 PM Rep. Shields
1:57:07 PM Braun
1:57:16 PM Chair Barker
1:57:25 PM Rep. Garrett

1:57:41 PM Chair Barker
1:57:50 PM SB 306A - Public Hearing
1:57:59 PM Sen. Suzanne Bonamici, Senate District 17
1:59:47 PM {Exhibit} 7: Bonamici
2:00:04 PM Chair Barker
2:00:49 PM Bonamici
2:01:19 PM Chair Barker
2:01:21 PM Rep. Krieger
2:01:29 PM Bonamici
2:01:44 PM Chair Barker
2:02:22 PM Neil Jackson, Attorney, Oregon Trial Lawyers Association
2:04:57 PM {Exhibit} 8: Jackson
2:07:17 PM Kevin Crawford, Attorney, private practice
2:08:44 PM Chair Barker
2:08:51 PM James Nelson, Attorney, Oregon Trial Lawyers Association
2:09:25 PM {Exhibit} 9: Nelson
2:11:51 PM Erica Glaser, Attorney, private practice
2:12:12 PM {Exhibit} 10: Glaser
2:13:37 PM Chair Barker
2:13:39 PM Rep. Garrett
2:14:21 PM Jackson
2:16:11 PM Chair Barker
2:16:38 PM Vice-Chair Whisnant
2:17:15 PM Jackson
2:17:20 PM Vice-Chair Whisnant
2:17:23 PM Jackson
2:19:30 PM Vice-Chair Whisnant
2:20:13 PM Jackson
2:20:19 PM Chair Barker
2:20:21 PM Rep. Cameron
2:20:44 PM Nelson
2:21:08 PM Rep. Cameron
2:21:22 PM Nelson
2:22:24 PM Rep. Olson
2:22:46 PM Jackson
2:23:43 PM Chair Barker
2:23:59 PM Tom Holt, Oregon Liability & Reform Coalition
2:28:50 PM Chair Barker
2:28:54 PM Vice-Chair Stiegler
2:29:08 PM Holt
2:29:17 PM Chair Barker
2:29:34 PM John Powell, Representative, Liberty Mutual Companies
2:30:26 PM Catherine Morton, Representative, Liberty Mutual Companies
2:35:50 PM Chair Barker
2:35:51 PM Rep. Garrett
2:36:32 PM Morton

2:37:09 PM Rep. Garrett
2:37:14 PM Morton
2:37:22 PM Rep. Barton
2:38:25 PM Morton
2:39:38 PM Rep. Barton
2:40:21 PM Powell
2:41:27 PM Braun
2:42:08 PM Vice-Chair Stiegler
2:42:43 PM Morton
2:44:06 PM Vice-Chair Stiegler
2:44:55 PM Powell
2:45:47 PM John Clements, Representative, Safeco Insurance
2:46:06 PM {Exhibit} 11: Clements
2:48:31 PM Chair Barker
2:48:47 PM SB 151 - Work Session
2:49:02 PM Anna Braun, Committee Counsel
2:49:56 PM MOTION: Vice-Chair Whisnant moves SB 151 DO PASS
2:50:02 PM Chair Barker
2:50:09 PM VOTE: 8-0-2
2:50:10 PM Ayes: Cameron, Garrett, Krieger, Olson, Shields, Stiegler, Whisnant, Barker; Excused: Barton, Smith J.
2:50:36 PM Chair Barker
2:50:39 PM CARRIER: VICE-CHAIR STIEGLER will lead discussion on the floor
2:50:51 PM Chair Barker
2:50:57 PM SB 389A - Public Hearing
2:51:07 PM Shannon Sivell, Committee Counsel
2:51:29 PM Chair Barker
2:51:51 PM Vice-Chair Whisnant
2:52:12 PM SB 389A - Work Session
2:52:15 PM MOTION: Vice-Chair Whisnant moves SB 389A DO PASS and be placed on CONSENT CALENDAR
2:52:19 PM Chair Barker
2:52:30 PM Rep. Shields
2:52:35 PM Sivell
2:53:01 PM Vice-Chair Whisnant
2:53:07 PM Sivell
2:53:12 PM Rep. Olson
2:53:30 PM Rep. Shields
2:53:35 PM Sivell
2:53:47 PM Rep. Shields
2:53:55 PM Sivell
2:54:04 PM Vice-Chair Stiegler
2:54:12 PM VOTE: 8-0-2
2:54:13 PM Ayes: Cameron, Garrett, Krieger, Olson, Shields, Stiegler, Whisnant, Barker; Excused: Barton, Smith J.

2:54:31 PM Chair Barker

2:54:42 PM Meeting Adjourned

HJUD

5/11/2009 1:08:29 PM

- 1:09:17 PM** {Exhibit} 1: SB 270, -5 amendments, Sen. Prozanski, 5 pp
 - 1:15:44 PM** {Exhibit} 2: SB 270, written testimony, Bruce Miller, 5 pp
 - 1:19:23 PM** {Exhibit} 3: SB 270, -2 amendments, Bruce Miller, 3 pp
 - 1:23:20 PM** {Exhibit} 4: SB 270, written testimony, Angela Sherbo, 1 p
 - 1:37:33 PM** {Exhibit} 5: SB 270, written testimony, Brian Wallace, 2 pp
 - 1:38:02 PM** {Exhibit} 6: SB 270, written testimony, Marshall Ross, 2 pp
 - 1:59:47 PM** {Exhibit} 7: SB 306A, written testimony, Sen. Bonamici, 2 pp
 - 2:04:57 PM** {Exhibit} 8: SB 306A, written testimony, Neil Jackson, 1 p
 - 2:09:25 PM** {Exhibit} 9: SB 306A, written testimony, James Nelson, 1 p
 - 2:12:12 PM** {Exhibit} 10: SB 306A, written testimony, Erica Glaser, 1 p
 - 2:46:06 PM** {Exhibit} 11: SB 306A, written testimony, John Clements, 2 pp
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