

HOUSE COMMITTEE ON JUDICIARY

**May 14, 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:

- Lisa Nuss, Committee Counsel**
- Diane Beyer, Committee Assistant**

MEASURES/ISSUES HEARD:

- SB 404 A – Public Hearing and Work Session**
- SB 543 A – Public Hearing and Work Session**
- SB 371 – Public Hearing and Work Session**
- SB 235 – Work Session**
- SB 561 – Work Session**

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

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5/14/2009 1:10:13 PM

1:10:17 PM Meeting Called to Order
1:10:30 PM SB 404 A - Public Hearing
1:10:33 PM Lisa Nuss, Committee Counsel
1:10:56 PM Chair Barker
1:11:20 PM Andrea Meyer, Legislative Director, American Civil Liberties Union
1:11:21 PM {Exhibit} 1: Meyer
1:14:15 PM Chair Barker
1:14:19 PM Rep. Krieger
1:14:32 PM Meyer
1:14:40 PM Rep. Krieger
1:14:43 PM Meyer
1:14:49 PM {Exhibit} 2: Meyer
1:15:20 PM Rep. Krieger
1:15:27 PM Chair Barker
1:15:36 PM SB 404 A - Work Session
1:15:43 PM MOTION: Vice-Chair Whisnant moves SB 404 A DO PASS
1:15:50 PM Chair Barker
1:15:54 PM Vice-Chair Whisnant
1:16:08 PM Vice-Chair Stiegler
1:16:17 PM Chair Barker
1:16:19 PM VOTE: 9-0-1
1:16:20 PM Ayes: Barton, Cameron, Garrett, Krieger, Shields, Smith, Stiegler,
Whisnant, Barker; Excused: Olson
1:16:23 PM CARRIER: REP. STIEGLER will lead discussion on the floor
1:16:58 PM SB 543 A - Public Hearing
1:17:02 PM Lisa Nuss, Committee Counsel
1:17:58 PM Chair Barker
1:18:03 PM Andrea Meyer, Legislative Director, American Civil Liberties Union
1:18:20 PM Charles Hinkle, Attorney, Stoel Rives
1:18:21 PM {Exhibit} 3: Hinkle
1:18:45 PM Chair Barker
1:18:47 PM Rep. Barton
1:19:16 PM Chair Barker
1:19:27 PM SB 543 A - Work Session
1:19:31 PM MOTION: Vice-Chair Whisnant moves SB 543 A DO PASS
1:19:37 PM Chair Barker
1:19:44 PM VOTE: 9-0-1
1:19:45 PM Ayes: Barton, Cameron, Garrett, Krieger, Shields, Smith, Stiegler,
Whisnant, Barker; Excused: Olson

1:20:00 PM CARRIER: REP. BARTON will lead discussion on the floor
1:20:03 PM SB 371 - Public Hearing
1:20:07 PM Lisa Nuss, Committee Counsel
1:20:27 PM Chair Barker
1:20:29 PM Christopher Cline, Past President of the Executive Committee of the Estate Planning and Administrative Section of the Oregon State Bar
1:20:30 PM {Exhibit} 4: Cline
1:26:15 PM Chair Barker
1:26:24 PM SB 371 - Work Session
1:26:27 PM MOTION: Vice-Chair Whisnant moves SB 371 DO PASS and placed on the CONSENT CALENDAR
1:26:32 PM Chair Barker
1:26:38 PM VOTE: 9-0-1
1:26:39 PM Ayes: Barton, Cameron, Garrett, Krieger, Shields, Smith, Stiegler, Whisnant, Barker; Excused: Olson
1:27:10 PM SB 235 - Work Session
1:27:16 PM Lisa Nuss, Committee Counsel
1:27:43 PM {Exhibit} 5: Nuss
1:28:22 PM Chair Barker
1:28:26 PM Vice-Chair Whisnant
1:28:42 PM Nuss
1:29:21 PM MOTION: Vice-Chair Whisnant moves -1 amendments
1:29:23 PM Chair Barker
1:29:28 PM VOTE: 10-0-0
1:29:29 PM Ayes: Barton, Cameron, Garrett, Krieger, Olson, Shields, Smith, Stiegler, Whisnant, Barker
1:29:35 PM MOTION: Vice-Chair Whisnant moves SB 235 DO PASS as AMENDED
1:29:37 PM VOTE: 10-0-0
1:29:47 PM Ayes: Barton, Cameron, Garrett, Krieger, Olson, Shields, Smith, Stiegler, Whisnant, Barker
1:30:06 PM CARRIER: REP. SMITH J. will lead discussion on the floor
1:30:12 PM SB 561 - Work Session
1:30:15 PM Lisa Nuss, Committee Counsel
1:30:40 PM Rep. Barton
1:31:08 PM Chair Barker
1:31:19 PM MOTION: Vice-Chair Whisnant moves SB 561 DO PASS
1:31:30 PM VOTE: 10-0-0
1:31:31 PM Ayes: Barton, Cameron, Garrett, Krieger, Olson, Shields, Smith, Stiegler, Whisnant, Barker
1:31:46 PM Chair Barker
1:31:48 PM Rep. Barton
1:32:07 PM CARRIER: REP. GARRETT will lead discussion on the floor
1:32:13 PM SB 371 - Work Session
1:32:14 PM MOTION: Chair Barker moves that the RULES BE SUSPENDED to

allow Rep. Olson to VOTE: AYE on SB 371
1:32:15 PM VOTE: 10-0-0
1:32:16 PM Ayes: Barton, Cameron, Garrett, Krieger, Olson, Shields, Smith, Stiegler, Whisnant, Barker
1:32:22 PM SB 404 A - Work Session
1:32:23 PM MOTION: Chair Barker moves that the RULES BE SUSPENDED to allow Rep. Olson to VOTE: AYE on SB 404 A
1:32:24 PM VOTE: 10-0-0
1:32:25 PM Ayes: Barton, Cameron, Garrett, Krieger, Olson, Shields, Smith, Stiegler, Whisnant, Barker
1:32:28 PM SB 543 A - Work Session
1:32:29 PM MOTION: Chair Barker moves that the RULES BE SUSPENDED to allow Rep. Olson to VOTE: AYE on SB 543 A
1:32:30 PM VOTE: 10-0-0
1:32:31 PM Ayes: Barton, Cameron, Garrett, Krieger, Olson, Shields, Smith, Stiegler, Whisnant, Barker
1:32:36 PM SB 235 - Work Session
1:32:37 PM MOTION: Chair Barker moves that the RULES BE SUSPENDED to allow Rep. Olson to VOTE: AYE on SB 235
1:32:38 PM VOTE: 10-0-0
1:32:39 PM Ayes: Barton, Cameron, Garrett, Krieger, Olson, Shields, Smith, Stiegler, Whisnant, Barker
1:32:42 PM Meeting Adjourned

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5/14/2009 1:10:13 PM

- 1:11:21 PM** {Exhibit} 1: SB 404 A, written testimony, Andrea Meyer, 2 pp
 - 1:14:49 PM** {Exhibit} 2: SB 404 A, written testimony, Andrea Meyer on behalf of the Oregon State Bar, 1 p
 - 1:18:21 PM** {Exhibit} 3: SB 543 A, written testimony, Charles Hinkle, 5 pp
 - 1:20:30 PM** {Exhibit} 4: SB 371, written testimony, Christopher Cline, 2 pp
 - 1:27:43 PM** {Exhibit} 5: SB 235, -1 amendments, staff, 1 p
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