

## **HOUSE COMMITTEE ON JUDICIARY**

**May 19, 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**
- Jeremy Sarant, Committee Administrator**
- Jennifer Ranstrom-Smith, Committee Assistant**

**MEASURES/ISSUES HEARD:**

- SB 928A - Public Hearing and Work Session**
- SB 310A - Public Hearing**
- SB 839 - Public Hearing and Work Session**
- SB 794A - Public Hearing and Work Session**
- SB 874A - Public Hearing**

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

## HJUD

5/19/2009 1:06:11 PM

1:06:12 PM Meeting Called to Order  
1:06:21 PM SB 928A - Public Hearing  
1:06:28 PM Shannon Sivell, Committee Counsel  
1:06:51 PM Chair Barker  
1:06:52 PM Rep. Carolyn Tomei, House District 41  
1:09:38 PM Chair Barker  
1:09:40 PM Sen. Richard Devlin, Senate District 19  
1:10:52 PM The following written testimony was submitted for the record without public testimony:  
1:11:01 PM {Exhibit} 1: Senator Diane Rosenbaum, Senate District 21  
1:11:34 PM Chair Barker  
1:12:05 PM SB 310A - Public Hearing  
1:12:54 PM Sen. Floyd Prozanski, Senate District 4  
1:17:36 PM Chair Barker  
1:17:41 PM Rep. Olson  
1:17:52 PM Sen. Prozanski  
1:18:57 PM Rep. Olson  
1:19:05 PM Sen. Prozanski  
1:19:30 PM Chair Barker  
1:19:50 PM Andrea Meyer, Legislative Director, American Civil Liberties Union  
1:20:53 PM {Exhibit} 2: Meyer  
1:28:24 PM Chair Barker  
1:28:32 PM Rebecca Brown, Policy Analyst, Innocence Project  
1:28:33 PM {Exhibit} 3: Brown  
1:35:26 PM Chair Barker  
1:35:31 PM Brown  
1:35:36 PM Chair Barker  
1:36:07 PM Kevin Campbell, Executive Director, Oregon Association of Chiefs of Police  
1:37:04 PM {Exhibit} 4: Campbell  
1:43:05 PM John Powell, Oregon State Sheriffs Association  
1:43:26 PM Adam Walsh, City of Eugene  
1:43:39 PM Chair Barker  
1:43:44 PM Rep. Krieger  
1:43:46 PM Vice-Chair Stiegler  
1:44:14 PM Campbell  
1:44:15 PM Vice-Chair Stiegler  
1:44:30 PM Campbell  
1:44:35 PM Vice-Chair Stiegler

**1:45:07 PM** Campbell  
**1:45:49 PM** Vice-Chair Stiegler  
**1:46:02 PM** Campbell  
**1:46:14 PM** Rep. Olson  
**1:46:52 PM** Campbell  
**1:47:44 PM** Rep. Olson  
**1:48:25 PM** Chair Barker  
**1:48:28 PM** Rep. Shields  
**1:48:45 PM** Campbell  
**1:49:07 PM** Chair Barker  
**1:49:25 PM** Campbell  
**1:49:51 PM** Rep. Shields  
**1:50:38 PM** Campbell  
**1:50:59 PM** Rep. Shields  
**1:51:03 PM** Campbell  
**1:51:14 PM** Rep. Shields  
**1:51:20 PM** Vice-Chair Stiegler  
**1:52:29 PM** Chair Barker  
**1:53:07 PM** SB 928A - Public Hearing  
**1:53:14 PM** Chair Barker  
**1:53:50 PM** Sybil Hebb, Legislative Advocate, Oregon Law Center  
**1:58:33 PM** {Exhibit} 5: Hebb  
**1:59:10 PM** The following written testimony was submitted for the record without public testimony:  
**1:59:27 PM** {Exhibit} 6: Christine Herrman, Executive Director, Attorney General's Sexual Assault Task Force  
**2:02:30 PM** Cassandra SkinnerLopata, Attorney, SkinnerLopata Harris LLC  
**2:03:00 PM** {Exhibit} 7: SkinnerLopata  
**2:05:19 PM** Dr. Mel Kohn, Acting Director, Oregon Department of Human Services  
**2:07:27 PM** Chair Barker  
**2:07:31 PM** Rep. Olson  
**2:07:39 PM** Kohn  
**2:07:48 PM** Chair Barker  
**2:07:51 PM** Rep. Olson  
**2:07:53 PM** Hebb  
**2:08:02 PM** Chair Barker  
**2:08:22 PM** Jayne Downing, Executive Director, Mid-Valley Women's Crisis Center  
**2:08:23 PM** {Exhibit} 8: Downing  
**2:10:24 PM** Chair Barker  
**2:10:26 PM** Mike Wells, resident, Welches, OR  
**2:12:27 PM** Chair Barker  
**2:12:29 PM** James Titus, President, Titus Financial Services  
**2:12:30 PM** {Exhibit} 9: Titus  
**2:13:39 PM** Chair Barker

**2:14:09 PM** Bob Estabrook, Legislative & Communications Aide, Oregon  
Bureau of Labor & Industries

**2:14:10 PM** {Exhibit} 10: Estabrook

**2:15:02 PM** Chair Barker

**2:15:06 PM** SB 928A - Work Session

**2:15:11 PM** MOTION: Rep. Garrett moves SB 928A DO PASS

**2:15:16 PM** Chair Barker

**2:15:18 PM** VOTE: 9-0-1

**2:15:19 PM** Ayes: Barton, Cameron, Garrett, Krieger, Olson, Smith, Stiegler,  
Whisnant, Barker; Excused: Shields

**2:15:37 PM** Chair Barker

**2:15:42 PM** CARRIER: REP. STIEGLER will lead discussion on the floor

**2:15:52 PM** SB 839 - Public Hearing

**2:16:16 PM** Jeremy Sarant, Committee Counsel

**2:16:46 PM** Sen. Bruce Starr, Senate District 15

**2:20:29 PM** The following written testimony was submitted for the record  
without public testimony:

**2:20:30 PM** {Exhibit} 11: James Pond, Founder & Executive Director,  
Transitions Global

**2:20:39 PM** John Calhoun, Oregon Center for Christian Values

**2:21:28 PM** {Exhibit} 12: Calhoun

**2:24:14 PM** Chair Barker

**2:24:21 PM** Rep. Krieger

**2:24:28 PM** Sen. Starr

**2:24:34 PM** Chair Barker

**2:24:35 PM** Rep. Barton

**2:25:16 PM** Sen. Starr

**2:25:52 PM** Chair Barker

**2:26:14 PM** Kathleen Maloney-Dunn, Attorney

**2:27:14 PM** {Exhibit} 13: Maloney-Dunn

**2:31:32 PM** Shivonne Sheridan-Ayala, Attorney, private practice

**2:34:11 PM** Chair Barker

**2:34:16 PM** Beth Creighton, Attorney

**2:35:16 PM** Chair Barker

**2:35:44 PM** SB 839 - Work Session

**2:35:47 PM** MOTION: Vice-Chair Whisnant moves SB 839 DO PASS

**2:35:51 PM** Chair Barker

**2:35:56 PM** VOTE: 10-0-0

**2:35:58 PM** Ayes: Barton, Cameron, Garrett, Krieger, Olson, Shields, Smith,  
Stiegler, Whisnant, Barker

**2:36:13 PM** Chair Barker

**2:36:15 PM** CARRIER: REP. SHIELDS will lead discussion on the floor

**2:36:38 PM** Chair Barker

**2:36:40 PM** SB 794A - Public Hearing

**2:36:46 PM** Shannon Sivell, Committee Counsel

**2:37:12 PM** {Exhibit} 14: Sivell

**2:37:22 PM** Chair Barker  
**2:37:47 PM** Martha Pellegrino, Representative, City of Portland  
**2:38:01 PM** The following written testimony was submitted for the record without public testimony:  
**2:38:02 PM** {Exhibit} 15: Nick Fish, Commissioner, City of Portland  
**2:42:05 PM** Harry Auerbach, Chief Deputy City Attorney, City of Portland  
**2:46:45 PM** Chair Barker  
**2:46:46 PM** Dave Hunnicutt, Oregonians in Action  
**2:51:06 PM** Chair Barker  
**2:51:16 PM** Vice-Chair Whisnant  
**2:51:25 PM** Hunnicutt  
**2:51:36 PM** Chair Barker  
**2:51:43 PM** Hunnicutt  
**2:51:45 PM** Chair Barker  
**2:51:52 PM** Amy Joyce, Oregon Department of Transportation Highway Division  
**2:53:10 PM** {Exhibit} 16: Joyce  
**2:53:40 PM** Chair Barker  
**2:53:42 PM** Linda Ludwig, League of Oregon Cities  
**2:53:56 PM** Chair Barker  
**2:54:12 PM** SB 794A - Work Session  
**2:54:15 PM** MOTION: Vice-Chair Whisnant moves -A4 amendments  
**2:54:22 PM** Chair Barker  
**2:54:27 PM** VOTE: 10-0-0  
**2:54:28 PM** Ayes: Barton, Cameron, Garrett, Krieger, Olson, Shields, Smith, Stiegler, Whisnant, Barker  
**2:54:41 PM** Chair Barker  
**2:55:06 PM** SB 874A - Public Hearing  
**2:55:14 PM** Shannon Sivell, Committee Counsel  
**2:55:34 PM** Chair Barker  
**2:55:39 PM** Bob Estabrook, Legislative & Communications Aide, Oregon Bureau of Labor & Industries  
**2:55:40 PM** {Exhibit} 17: Estabrook  
**3:02:18 PM** Chair Barker  
**3:02:19 PM** Sivell  
**3:02:49 PM** Unidentified Witness  
**3:02:52 PM** Chair Barker  
**3:02:56 PM** Vice-Chair Whisnant  
**3:03:15 PM** Chair Barker  
**3:03:16 PM** Rep. Krieger  
**3:03:29 PM** Unidentified Witness  
**3:03:42 PM** Rep. Krieger  
**3:03:49 PM** Chair Barker  
**3:04:21 PM** Bill Lynch, Chair, Oregon Disabilities Commission  
**3:04:22 PM** {Exhibit} 18: Lynch  
**3:04:49 PM** The following written testimony was submitted for the record

without public testimony:

- 3:04:50 PM** {Exhibit} 19: Developmental Disabilities Coalition
  - 3:04:51 PM** {Exhibit} 20: Oregon Council on Developmental Disabilities
  - 3:07:12 PM** Meghan Caughey, Vice-President, Mental Health America
  - 3:12:32 PM** Vice-Chair Whisnant
  - 3:12:39 PM** Beth Creighton, Attorney, Oregon Trial Lawyers Association
  - 3:12:40 PM** {Exhibit} 21: Creighton
  - 3:14:07 PM** Vice-Chair Whisnant
  - 3:14:22 PM** Kathy Wilde, Executive Director, Disability Rights Oregon
  - 3:14:23 PM** {Exhibit} 22: Wilde
  - 3:16:49 PM** Vice-Chair Whisnant
  - 3:17:13 PM** Meeting Adjourned
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**HJUD**

**5/19/2009 1:06:11 PM**

- 1:11:01 PM** {Exhibit} 1: SB 928A, written testimony, Senator Diane Rosenbaum  
1 p
- 1:20:53 PM** {Exhibit} 2: SB 310A, written testimony, Andrea Meyer, 2 pp
- 1:28:33 PM** {Exhibit} 3: SB 310A, written testimony, Rebecca Brown, 7 pp
- 1:37:04 PM** {Exhibit} 4: SB 310A, written testimony, Kevin Campbell, 1 p
- 1:58:33 PM** {Exhibit} 5: SB 928A, written testimony, Sybil Hebb, 4 pp
- 1:59:27 PM** {Exhibit} 6: SB 928A, written testimony, Christine Herrman, 2 pp
- 2:03:00 PM** {Exhibit} 7: SB 928A, written testimony, Cassandra SkinnerLopata,  
2 pp
- 2:08:23 PM** {Exhibit} 8: SB 928A, written testimony, Jayne Downing, 1 p
- 2:12:30 PM** {Exhibit} 9: SB 928A, written testimony, James Titus, 2 pp
- 2:14:10 PM** {Exhibit} 10: SB 928A, written testimony, Bob Estabrook, 1 p
- 2:20:30 PM** {Exhibit} 11: SB 839, written testimony, James Pond, 1 p
- 2:21:28 PM** {Exhibit} 12: SB 839, written testimony, John Calhoun, 2 pp
- 2:27:14 PM** {Exhibit} 13: SB 839, written testimony, Kathleen Maloney-Dunn, 2  
pp
- 2:37:12 PM** {Exhibit} 14: SB 794A, -A4 amendments, staff, 3 pp
- 2:38:02 PM** {Exhibit} 15: SB 794A, written testimony, Nick Fish, 2 pp
- 2:53:10 PM** {Exhibit} 16: SB 794A, written testimony, Amy Joyce, 2 pp
- 2:55:40 PM** {Exhibit} 17: SB 874A, written testimony, Bob Estabrook, 6 pp
- 3:04:22 PM** {Exhibit} 18: SB 874A, written testimony, Bob Lynch, 1 p
- 3:04:50 PM** {Exhibit} 19: SB 874A, written testimony, Developmental Disabilities  
Coalition, 1 p
- 3:04:51 PM** {Exhibit} 20: SB 874A, written testimony, Oregon Council on  
Developmental Disabilities, 1 p
- 3:12:40 PM** {Exhibit} 21: SB 874A, written testimony, Beth Creighton, 2 pp
- 3:14:23 PM** {Exhibit} 22: SB 874A, written testimony, Kathy Wilde, 2 pp
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