

HOUSE COMMITTEE ON JUDICIARY

**May 20, 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: **Anna Braun, Committee Counsel**
 Diane Beyer, Committee Assistant

MEASURES/ISSUES HEARD: **SB 280 – Work Session**
 SB 274A – Public Hearing
 SB 270 – Work Session

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

HJUD

5/20/2009 1:11:16 PM

- 1:11:19 PM** Meeting Called to Order
- 1:11:26 PM** SB 280 - Work Session
- 1:11:34 PM** Anna Braun, Committee Counsel
- 1:12:00 PM** The following written testimony is submitted for the record without public testimony:
- 1:12:01 PM** {Exhibit} 1: Scott Beckstead, Senior Oregon State Director, The Humane Society of the United States
- 1:12:04 PM** MOTION: Vice-Chair Whisnant moves SB 280 DO PASS and REFER to Ways and Means
- 1:12:15 PM** Chair Barker
- 1:12:24 PM** VOTE: 8-0-2
- 1:12:25 PM** Ayes: Barker, Barton, Cameron, Garrett, Krieger, Olson, Stiegler, Whisnant; Excused: Shields, Smith
- 1:12:44 PM** Chair Barker
- 1:12:56 PM** SB 274 A - Public Hearing
- 1:12:58 PM** Anna Braun, Committee Counsel
- 1:12:59 PM** {Exhibit} 2: Braun
- 1:14:09 PM** Chair Barker
- 1:14:45 PM** Bill Fink, Deputy Director, Oregon Employment Department
- 1:16:31 PM** Chair Barker
- 1:16:34 PM** Rep. Barton
- 1:17:10 PM** Fink
- 1:17:58 PM** Rep. Barton
- 1:18:32 PM** Fink
- 1:19:22 PM** Rep. Krieger
- 1:19:40 PM** Fink
- 1:20:01 PM** Braun
- 1:20:06 PM** Rep. Krieger
- 1:20:08 PM** Braun
- 1:20:25 PM** Rep. Krieger
- 1:20:29 PM** Braun
- 1:20:38 PM** Holly Mercer, Executive Director, Board of Nursing
- 1:20:52 PM** Rep. Whisnant
- 1:21:13 PM** Warren Foote, Senior Assistant Attorney General, Business Activities Section, General Counsel Division, Department of Justice
- 1:21:14 PM** {Exhibit} 3: Foote
- 1:22:50 PM** Mercer
- 1:26:38 PM** Chair Barker
- 1:26:41 PM** Foote

1:26:49 PM Rep. Barton
1:28:26 PM Chair Barker
1:28:28 PM Vice-Chair Stiegler
1:29:28 PM Foote
1:30:08 PM Chair Barker
1:30:18 PM Rep. Shields
1:31:19 PM Foote
1:33:55 PM Rep. Shields
1:34:02 PM Foote
1:34:05 PM Rep. Shields
1:34:10 PM Foote
1:34:26 PM Chair Barker
1:34:30 PM Rep. Garrett
1:34:54 PM Richard Davis, Member of Board of Directors, Association of Administrative Law Judges
1:36:40 PM David Marcus, Administrative Law Judge, Office of Administrative Hearings
1:41:41 PM Davis
1:42:20 PM Rep. Smith J.
1:43:13 PM Marcus
1:44:29 PM Rep. Smith J.
1:45:03 PM Marcus
1:45:38 PM Rep. Smith J.
1:46:11 PM Chair Barker
1:46:12 PM Jennifer Gilbert, Oregon State Board of Examiners for Engineering and Land Surveying
1:46:13 PM {Exhibit} 4: Gilbert
1:49:12 PM Chair Barker
1:49:17 PM James Wilkinson, Investigator, Oregon State Board of Examiners for Engineering and Land Surveying
1:49:18 PM {Exhibit} 5: Wilkinson
1:49:55 PM Chair Barker
1:50:21 PM Sen. Floyd Prozanski, Senate District 4
2:02:10 PM Chair Barker
2:02:17 PM Rep. Smith J.
2:02:23 PM Prozanski
2:02:26 PM The following written testimony is submitted for the record without public testimony:
2:02:27 PM {Exhibit} 6: Frank Mussell, Attorney, Sisters, Oregon
2:02:28 PM Chair Barker
2:02:28 PM {Exhibit} 7: Janice Krem, Attorney, Portland, Oregon
2:02:38 PM SB 280 - Work Session
2:02:39 PM MOTION: Chair Barker moves that the RULES BE SUSPENDED to allow Rep. Shields and Rep. Smith to VOTE AYE on SB 280
2:02:51 PM VOTE: 10-0-0
2:02:52 PM Ayes: Barker, Barton, Cameron, Garrett, Krieger, Olson, Shields,

Smith, Stiegler, Whisnant
2:03:01 PM SB 270 - Work Session
2:03:14 PM Anna Braun, Committee Counsel
2:03:15 PM {Exhibit} 8: Braun
2:03:16 PM {Exhibit} 9: Braun
2:04:19 PM {Exhibit} 10: Braun
2:04:19 PM {Exhibit} 11: Braun
2:04:37 PM Vice-Chair Stiegler
2:04:39 PM Braun
2:05:11 PM Chair Barker
2:05:15 PM MOTION: Vice-Chair Stiegler moves -2 amendments
2:05:19 PM Chair Barker
2:05:22 PM Rep. Barton
2:05:26 PM Braun
2:05:51 PM Rep. Barton
2:05:57 PM Braun
2:06:00 PM Barton
2:06:12 PM Braun
2:06:25 PM Chair Barker
2:06:30 PM VOTE: 10-0-0
2:06:31 PM Ayes: Barker, Barton, Cameron, Garrett, Krieger, Olson, Shields,
Smith, Stiegler, Whisnant
2:06:34 PM MOTION: Vice-Chair Stiegler moves -5 amendments
2:06:38 PM Chair Barker
2:06:41 PM Vice-Chair Stiegler
2:06:55 PM Chair Barker
2:06:56 PM Rep. Shields
2:07:00 PM Vice-Chair Stiegler
2:07:12 PM Rep. Shields
2:07:15 PM Vice-Chair Stiegler
2:08:33 PM Braun
2:08:40 PM Rep. Shields
2:08:54 PM Chair Barker
2:09:00 PM VOTE: 7-1-2
2:09:01 PM Ayes: Barker, Barton, Cameron, Garrett, Krieger, Smith, Stiegler;
Nay: Shields; Excused: Olson, Whisnant
2:09:24 PM MOTION: Vice-Chair Stiegler moves -6 amendments
2:09:32 PM VOTE: 7-1-2
2:09:33 PM Ayes: Barker, Barton, Cameron, Garrett, Krieger, Smith, Stiegler;
Nay: Shields; Excused: Olson, Whisnant
2:09:37 PM MOTION: Vice-Chair Stiegler moves -7 amendments
2:09:39 PM VOTE: 7-1-2
2:09:46 PM Ayes: Barker, Barton, Cameron, Garrett, Krieger, Smith, Stiegler;
Nay: Shields; Excused: Olson, Whisnant
2:09:48 PM MOTION: Vice-Chair Stiegler moves SB 270 DO PASS as
AMENDED

2:09:55 PM Chair Barker
2:10:04 PM Rep. Shields
2:10:16 PM Braun
2:10:52 PM Bruce Miller, Senior Staff Counsel, Office of the State Court
Administrator
2:11:40 PM Chair Barker
2:11:44 PM VOTE: 7-1-2
2:12:02 PM Ayes: Barker, Barton, Cameron, Garrett, Krieger, Smith, Stiegler;
Nay: Shields; Excused: Olson, Whisnant
2:12:02 PM Vice-Chair Stiegler
2:12:11 PM Chair Barker
2:12:14 PM CARRIER: REP. STIEGLER will lead discussion on the floor
2:12:21 PM Chair Barker
2:12:25 PM Meeting Adjourned

HJUD

5/20/2009 1:11:16 PM

- 1:12:01 PM** {Exhibit} 1: SB 280, written testimony, Scott Beckstead, 2 pp
 - 1:12:59 PM** {Exhibit} 2: SB 274 A, -A7 amendments, staff, 1 p
 - 1:21:14 PM** {Exhibit} 3: SB 274 A, written testimony, Warren Foote, 2 pp
 - 1:46:13 PM** {Exhibit} 4: SB 274 A, written testimony, Jennifer Gilbert on behalf of Mari Lopez, 1 p
 - 1:49:18 PM** {Exhibit} 5: SB 274 A, flow chart, James Wilkinson, 1 p
 - 2:02:27 PM** {Exhibit} 6: SB 274 A, written testimony, Frank Mussell, 6 pp
 - 2:02:28 PM** {Exhibit} 7: SB 274 A, written testimony, Janice Krem, 7 pp
 - 2:03:15 PM** {Exhibit} 8: SB 270, -2 amendments, staff, 3 pp
 - 2:03:16 PM** {Exhibit} 9: SB 270, -5 amendments, staff, 5 pp
 - 2:04:19 PM** {Exhibit} 10: SB 270, -6 amendments, staff, 3 pp
 - 2:04:19 PM** {Exhibit} 11: SB 270, -7 amendments, staff, 1 p
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