

HOUSE COMMITTEE ON JUDICIARY

February 1, 2012
11:00 am

Hearing Room 343

MEMBERS PRESENT: Co-Chair Jeff Barker
Co-Chair Wayne Krieger
Co-Vice Chair Chris Garrett
Co-Vice Chair Wally Hicks
Rep. Mary Nolan
Rep. Andy Olson
Rep. Mike Schaufler
Rep. Carolyn Tomei
Rep. Matt Wand
Rep. Gene Whisnant

STAFF PRESENT: Bill Taylor, Committee Counsel
Pam Marshall, Committee Assistant
Ann Martin, Committee Assistant

MEASURES/ISSUES HEARD: Organizational Meeting
Introduction of Committee Members and Staff
Adoption of Committee Rules – Work Session
HB 4026 – Public Hearing and Work Session
HB 4024 – Public Hearing and Work Session
HB 4023 – Public Hearing

Recording Log

11:06:35 AM Meeting Called to Order by Co-Chair Barker

11:06:36 AM **Introduction of Committee Members and Staff – Organizational Meeting**

11:06:48 AM Co-Chair Barker

11:06:51 AM Bill Taylor, Committee Counsel

11:07:15 AM Annola DeJong, Judiciary Office Coordinator

11:07:21 AM Taylor

11:07:25 AM Co-Chair Krieger

11:07:28 AM Taylor

11:07:37 AM Co-Chair Krieger

11:07:51 AM **Adoption of Committee Rules – Work Session**

11:08:07 AM Bill Taylor, Committee Counsel

11:08:21 AM Co-Chair Krieger

11:08:23 AM {Exhibit} 1: MOTION: CO-CHAIR KRIEGER MOVES TO ADOPT THE

PROPOSED COMMITTEE RULES

- 11:08:30 AM** Co-Chair Barker
11:09:13 AM VOTE: 9-0-1
11:09:15 AM AYES: NOLAN, SCHAUFLE, TOMEI, WAND, WHISNANT, HICKS,
GARRETT, KRIEGER, BARKER
EXCUSED: OLSON
11:09:19 AM Co-Chair Krieger
- 11:09:56 AM** **HB 4026 - Public Hearing**
11:09:58 AM {Exhibit} 2: Bill Taylor, Committee Counsel
11:10:30 AM Co-Chair Barker
11:10:40 AM {Exhibit} 3-4: Dave Brewer, Chief Judge, Oregon Court of Appeals
11:16:28 AM Co-Chair Barker
11:16:39 AM {Exhibit} 5: Bob Maloney, Senior Partner, Lane Powell Law Firm
11:19:35 AM Co-Chair Barker
11:19:38 AM {Exhibit} 6: Karen Nibler, Social Policy Coordinator, League of Women
Voters of Oregon
11:21:41 AM Co-Chair Barker
11:21:45 AM Rep. Schaufler
11:23:11 AM Co-Chair Barker
11:23:13 AM Rep. Tomei
11:23:29 AM Co-Chair Barker
11:23:38 AM Judge Brewer
11:23:47 AM Rep. Tomei
11:24:06 AM Judge Brewer
11:25:06 AM Rep. Tomei
11:25:11 AM Co-Vice Chair Garrett
11:25:26 AM Judge Brewer
11:26:00 AM Rep. Wand
11:26:19 AM Judge Brewer
11:28:36 AM Rep. Nolan
11:29:42 AM Nibler
11:29:44 AM Rep. Nolan
11:29:47 AM Nibler
11:30:09 AM Maloney
11:31:34 AM Rep. Nolan
11:33:03 AM Co-Vice Chair Garrett
11:33:12 AM Co-Chair Barker
11:33:35 AM Maloney
11:33:36 AM Co-Chair Barker
11:33:39 AM Taylor
11:33:54 AM Co-Chair Krieger
11:34:09 AM Taylor
11:34:31 AM Co-Chair Krieger

- 11:34:37 AM HB 4026 - Work Session**
- 11:34:38 AM** MOTION: CO-CHAIR KRIEGER MOVES -2 AMENDMENTS
- 11:34:43 AM** Rep. Nolan
- 11:35:45 AM** VOTE: 9-1-0
- 11:35:46 AM** Co-Chair Barker
- 11:35:46 AM** AYES: OLSON, SCHAUFLE, TOMEI, WAND, WHISNANT, HICKS,
GARRETT, KRIEGER, BARKER
NAYS: NOLAN
- 11:35:49 AM** MOTION: CO-CHAIR KRIEGER MOVES HB 4026 AS AMENDED TO
WAYS AND MEANS COMMITTEE
- 11:36:05 AM** Co-Chair Barker
- 11:36:07 AM** Rep. Wand
- 11:37:13 AM** Rep. Tomei
- 11:37:59 AM** Rep. Schaufler
- 11:38:14 AM** Co-Chair Barker
- 11:38:38 AM** AYES: NOLAN, OLSON, SCHAUFLE, TOMEI, WAND, WHISNANT,
HICKS, GARRETT, KRIEGER, BARKER
- 11:38:46 AM** VOTE: 10-0-0
- 11:38:50 AM** Co-Chair Barker
- 11:38:51 AM** The following written testimony was submitted for the record without
public testimony:
- 11:38:51 AM** {Exhibit} 7: Mitzi Naucner, President of the Board of Governors, Oregon
State Bar
- 11:38:58 AM HB 4024 - Public Hearing**
- 11:39:01 AM** Bill Taylor, Committee Counsel
- 11:39:17 AM** Co-Chair Barker
- 11:39:35 AM** {Exhibit} 8: Randy Tucker, Metro
- 11:40:26 AM** Co-Chair Barker
- 11:40:44 AM** Rep. Whisnant
- 11:41:09 AM** Tucker
- 11:41:33 AM** Co-Chair Barker
- 11:41:50 AM HB 4024 - Work Session**
- 11:42:04 AM** MOTION: CO-CHAIR KRIEGER MOVES HB 4024 DO PASS
- 11:42:05 AM** VOTE: 10-0-0
- 11:42:17 AM** AYES: NOLAN, OLSON, SCHAUFLE, TOMEI, WAND, WHISNANT,
HICKS, GARRETT, KRIEGER, BARKER
- 11:42:31 AM** CARRIER: REP. TOMEI will lead discussion on the floor
- 11:42:43 AM HB 4023 - Public Hearing**
- 11:42:45 AM** {Exhibit} 9: Bill Taylor, Committee Counsel
- 11:43:25 AM** Co-Chair Barker
- 11:43:28 AM** Michael Livingston, Juvenile Law Staff Counsel, Oregon Judicial
Department
- 11:45:58 AM** Co-Chair Barker

11:46:17 AM Dave Fiskum, Catholic Community Services of Mid-Willamette Valley
11:48:13 AM {Exhibit} 10-11: Jim Seymour, Director, Catholic Community Services of
Mid-Willamette Valley
11:50:55 AM Juan Manuel Gomez
11:53:59 AM Co-Chair Barker
11:54:04 AM Fiskum
11:54:38 AM Co-Chair Barker
11:54:58 AM {Exhibit} 12: Stacy Michaelson, Children First for Oregon
11:56:51 AM {Exhibit} 13: Maura Roche, Youth Rights & Justice
11:59:14 AM {Exhibit} 14: Karen Nibler, Social Policy Coordinator, League of Women
Voters of Oregon
12:01:02 PM Co-Chair Barker
12:01:05 PM Taylor
12:01:15 PM Michaelson
12:01:46 PM Co-Chair Barker
12:01:48 PM Co-Vice Chair Hicks
12:02:14 PM Livingston
12:03:01 PM Co-Vice Chair Hicks
12:03:13 PM Co-Chair Krieger
12:04:16 PM Co-Chair Barker
12:04:20 PM Fiskum
12:04:39 PM Seymour
12:05:43 PM Co-Chair Barker
12:06:06 PM Seymour
12:06:27 PM Co-Vice Chair Hicks
12:06:56 PM Meeting Adjourned by Co-Chair Barker

Exhibit Summary

11:08:23 AM {Exhibit} 1: House Judiciary Committee Rules, staff, 3 pp
11:09:58 AM {Exhibit} 2: HB 4026, -2 amendment, staff, 1 p
11:10:40 AM {Exhibit} 3: HB 4026, written testimony of Attorney General John Kroger,
submitted by David Brewer, 1 p
11:10:40 AM {Exhibit} 4: HB 4026, written testimony of Peter Gartlan, submitted by
David Brewer, 2 pp
11:10:40 AM {Exhibit} 5: HB 4026, written testimony, Robert Maloney, 2 pp
11:19:38 AM {Exhibit} 6: HB 4026, written testimony, Karen Nibler, 1 p
11:38:51 AM {Exhibit} 7: HB 4026, written testimony, Mitzi Naucler, 1 p
11:39:35 AM {Exhibit} 8: HB 4024, written testimony of Kim Smith, submitted by Randy
Tucker, 1 p
11:42:45 AM {Exhibit} 9: HB 4023, -1 amendment, staff, 1 p
11:48:13 AM {Exhibit} 10: HB 4023, written testimony, James Seymour, 3 pp
11:48:13 AM {Exhibit} 11: HB 4023, written testimony of Paul J. De Muniz, submitted
by James Seymour, 1 p
11:54:58 AM {Exhibit} 12: HB 4023, written testimony, Stacy Michaelson, 1 p

11:56:51 AM {Exhibit} 13: HB 4023, written testimony of Mark McKechnie, submitted by Maura Roche, 1 p

11:59:14 AM {Exhibit} 14: HB 4023, written testimony, Karen Nibler, 1 p
