

HOUSE COMMITTEE ON JUDICIARY

February 6, 2012
8:00 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: HB 4023 – Work Session
HB 4025 – Work Session
HB 4163 – Work Session
HB 4095 – Public Hearing
HB 4045 – Public Hearing

Recording Log

8:09:22 AM Meeting Called to Order by Co-Chair Krieger

8:09:40 AM **HB 4023 - Work Session**

8:10:34 AM Paul De Muniz, Chief Justice, Oregon Supreme Court

8:11:50 AM Co-Chair Krieger

8:11:56 AM Rep. Tomei

8:12:10 AM De Muniz

8:12:28 AM Rep. Tomei

8:13:03 AM Jim Seymour, Executive Director, Catholic Community Services

8:14:12 AM Rep. Nolan

8:15:28 AM Rep. Tomei

8:15:42 AM Rep. Nolan

8:15:48 AM Co-Chair Krieger

8:16:25 AM Rep. Olson

8:16:49 AM Judge Nan Waller, Multnomah County

8:17:42 AM Co-Chair Krieger

8:18:23 AM Judge Waller
8:19:44 AM Rep. Schaufler
8:19:57 AM Judge Waller
8:20:33 AM De Muniz
8:21:06 AM Judge Waller
8:21:10 AM De Muniz
8:21:33 AM Rep. Tomei
8:22:16 AM Judge Waller
8:24:32 AM Rep. Nolan
8:26:25 AM Seymour
8:26:30 AM Rep. Nolan
8:26:51 AM Co-Chair Krieger
8:27:12 AM De Muniz
8:27:32 AM Co-Chair Krieger
8:27:36 AM Judge Waller
8:28:20 AM Co-Chair Krieger

8:29:08 AM **HB 4025 - Work Session**
8:31:12 AM Co-Chair Krieger
8:31:14 AM {Exhibit} 1-3: Dave Heynderickx, Legislative Counsel
8:37:27 AM Rep. Tomei
8:37:39 AM Heynderickx
8:38:06 AM Rep. Tomei
8:38:10 AM Rep. Wand
8:38:12 AM Heynderickx
8:39:10 AM Aaron Deas, Tri-Met
8:39:51 AM Co-Chair Barker
8:39:54 AM MOTION: CO-CHAIR BARKER MOVES -1 AMENDMENT BE ADOPTED
8:40:09 AM VOTE: 10-0-0
8:40:10 AM AYES: NOLAN, OLSON, SCHAUFLER, TOMEI, WAND, WHISNANT,
HICKS, GARRETT, KRIEGER, BARKER
8:40:16 AM MOTION: CO-CHAIR BARKER MOVES -3 AMENDMENT BE ADOPTED
8:40:18 AM VOTE: 10-0-0
8:40:19 AM AYES: NOLAN, OLSON, SCHAUFLER, TOMEI, WANT, WHISNANT,
HICKS, GARRETT, KRIEGER, BARKER
8:40:30 AM Co-Chair Krieger
8:40:41 AM Bill Taylor, Committee Counsel
8:40:42 AM Co-Chair Krieger

8:41:01 AM **HB 4163 - Work Session**
8:41:22 AM Bill Taylor, Committee Counsel
8:41:33 AM Co-Chair Krieger
8:41:40 AM MOTION: CO-CHAIR BARKER MOVES HB 4163 BE REFERRED TO
WAYS AND MEANS COMMITTEE
8:41:48 AM Co-Chair Krieger
8:41:49 AM Rep. Tomei

8:41:56 AM Taylor
8:42:11 AM Rep. Nolan
8:42:17 AM Co-Chair Krieger
8:42:56 AM VOTE: 8-0-2
8:43:02 AM AYES: NOLAN, SCHAUFLE, TOMEI, WHISNANT, HICKS, GARRETT,
KRIEGER, BARKER;
EXCUSED: OLSON, WAND
8:43:04 AM Co-Chair Krieger

8:43:28 AM **HB 4095 - Public Hearing**
8:43:38 AM Co-Chair Krieger
8:44:35 AM Rep. Bill Garrard, House District 56
8:48:07 AM Co-Chair Krieger
8:48:14 AM Rep. Schaufler
8:49:39 AM Rep. Whisnant
8:49:44 AM Rep. Garrard
8:50:08 AM Co-Chair Krieger
8:50:52 AM Rep. Sal Esquivel, House District 6
8:52:12 AM Rep. Tomei
8:52:28 AM Rep. Garrard
8:52:47 AM Rep. Tomei
8:54:03 AM Rep. Wand
8:54:10 AM Rep. Garrard
8:54:37 AM Co-Chair Krieger
8:56:02 AM {Exhibit} 4: Roger Kaye, President, Friends of Marion County
8:57:14 AM Co-Chair Krieger
8:57:16 AM {Exhibit} 5: Richard Harisay, Occupy Oregon
8:59:12 AM {Exhibit} 6: Paulette Alexandria
9:02:39 AM Co-Chair Krieger
9:03:07 AM {Exhibit} 7-8: Aileen Kaye
9:05:17 AM {Exhibit} 9: Brian Hines, Keep Our Water Safe
9:07:51 AM {Exhibit} 10: Sarah Deumling
9:11:20 AM Co-Chair Krieger
9:11:48 AM {Exhibit} 11: Richard Van Pelt
9:13:39 AM {Exhibit} 12: Jason Miner, Executive Director, 1000 Friends of Oregon
9:17:14 AM Kathleen Karl
9:18:38 AM Co-Chair Krieger
9:19:21 AM Shaun Jillions, Oregon Association of Realtors
9:21:29 AM David Hunnicutt, Oregonians In Action
9:23:36 AM Shawn Cleave, Oregon Farm Bureau
9:25:19 AM Co-Chair Krieger
9:25:28 AM Co-Vice Chair Garrett
9:25:39 AM Cleave
9:25:41 AM Co-Vice Chair Garrett
9:26:11 AM Hunnicutt
9:28:37 AM Co-Chair Krieger

9:29:03 AM {Exhibit} 13: Peggy Lynch, League of Women Voters of Oregon
9:32:12 AM Connie Young
9:34:50 AM Co-Chair Krieger
9:34:51 AM The following written testimony was submitted for the record without public testimony:
9:34:52 AM {Exhibit} 14: Larry Williams, President, Douglas County Farm Bureau

9:35:05 AM **HB 4045 - Public Hearing**
9:35:36 AM Co-Chair Barker
9:36:27 AM {Exhibit} 15-24: Bill Taylor, Committee Counsel
9:37:04 AM {Exhibit} 25: Rep. Kim Thatcher, House District 25
9:41:55 AM Co-Chair Barker
9:41:59 AM Co-Vice Chair Hicks
9:42:07 AM Rep. Thatcher
9:42:40 AM Co-Chair Barker
9:42:46 AM Rep. Nolan
9:43:24 AM Rep. Thatcher
9:43:50 AM Rep. Nolan
9:44:15 AM Rep. Thatcher
9:44:23 AM Rep. Nolan
9:44:43 AM Rep. Thatcher
9:44:49 AM Rep. Nolan
9:44:52 AM Rep. Thatcher
9:45:00 AM Rep. Nolan
9:45:02 AM Co-Chair Barker
9:45:06 AM Co-Chair Krieger
9:45:22 AM Rep. Thatcher
9:45:40 AM Rep. Schaufler
9:46:18 AM Co-Chair Barker
9:46:35 AM Darrell Fuller, Oregon State Sheriffs Association
9:47:13 AM {Exhibit} 26: Brian Wallace, Marion County Sheriff's Office
9:51:34 AM Co-Chair Barker
9:51:41 AM {Exhibit} 27: Rachel Lucas
9:54:58 AM Rep. Tomei
9:55:20 AM Wallace
9:56:04 AM Rep. Tomei
9:56:15 AM Wallace
9:56:26 AM Rep. Tomei
9:56:29 AM Co-Chair Barker
9:56:54 AM Gail Meyer, Oregon Criminal Defense Lawyers Association
9:59:18 AM {Exhibit} 28: Penny Okamoto, Executive Director, Cease Fire Oregon
10:00:47 AM Co-Chair Barker
10:00:55 AM Meeting Adjourned by Co-Chair Barker

Exhibit Summary

8:31:14 AM {Exhibit} 1: HB 4025, -1 amendment, Dave Heynderickx, 1 p
8:31:14 AM {Exhibit} 2: HB 4025, -2 amendment, Dave Heynderickx, 2 pp
8:31:14 AM {Exhibit} 3: HB 4025, -3 amendment, Dave Heynderickx, 2 pp
8:56:02 AM {Exhibit} 4: HB 4095, written testimony, Roger Kaye, 1 p
8:57:16 AM {Exhibit} 5: HB 4095, written testimony, Richard Harisay, 2 pp
8:59:12 AM {Exhibit} 6: HB 4095, written testimony, Paulette Alexandria, 2 pp
9:03:07 AM {Exhibit} 7: HB 4095, written testimony, Aileen Kaye, 1 p
9:03:07 AM {Exhibit} 8: HB 4095, written testimony of Richard Reid, submitted by Aileen Kaye, 2 pp
9:05:17 AM {Exhibit} 9: HB 4095, written testimony, Brian Hines, 3 pp
9:07:51 AM {Exhibit} 10: HB 4095, written testimony, Sarah Deumling, 1 p
9:11:48 AM {Exhibit} 11: HB 4095, written testimony, Richard Van Pelt, 1 p
9:13:39 AM {Exhibit} 12: HB 4095, written testimony, Jason Miner, 3 pp
9:29:03 AM {Exhibit} 13: HB 4095, written testimony, Peggy Lynch, 2 pp
9:34:52 AM {Exhibit} 14: HB 4095, written testimony, Larry Williams, 1 p
9:36:27 AM {Exhibit} 15: HB 4045, -1 amendment, staff, 4 pp
9:36:27 AM {Exhibit} 16: HB 4045, -2 amendment, staff, 6 pp
9:36:27 AM {Exhibit} 17: HB 4045, -3 amendment, staff, 11 pp
9:36:27 AM {Exhibit} 18: HB 4045, -4 amendment, staff, 13 pp
9:36:27 AM {Exhibit} 19: HB 4045, -5 amendment, staff, 1 p
9:36:27 AM {Exhibit} 20: HB 4045, -6 amendment, staff, 1 p
9:36:27 AM {Exhibit} 21: HB 4045, -7 amendment, staff, 10 pp
9:36:27 AM {Exhibit} 22: HB 4045, -8 amendment, staff, 3 pp
9:36:27 AM {Exhibit} 23: HB 4045, -9 amendment, staff, 19 pp
9:36:27 AM {Exhibit} 24: HB 4045, -11 amendment, staff, 2 p
9:37:04 AM {Exhibit} 25: HB 4045, -14 amendment, Rep. Kim Thatcher, 2 pp
9:47:13 AM {Exhibit} 26: HB 4045, written testimony, Brian Wallace, 2 pp
9:51:41 AM {Exhibit} 27: HB 4045, written testimony, Rachel Lucas, 2 pp
9:59:18 AM {Exhibit} 28: HB 4045, written testimony and news article, Penny Okamoto, 10 pp
