

## HOUSE COMMITTEE ON RULES

February 16, 2012  
3:00 PM

Hearing Room C

**MEMBERS PRESENT:** Rep. Tina Kotek, Co-Chair  
Rep. Andy Olson, Co-Chair  
Rep. Vicki Berger, Co-Vice Chair  
Rep. Paul Holvey, Co-Vice Chair  
Rep. Phil Barnhart  
Rep. Terry Beyer  
Rep. Sal Esquivel  
Rep. Tim Freeman  
Rep. Chris Garrett  
Rep. Matt Wingard

**STAFF PRESENT:** Cheyenne Ross, Committee Administrator  
Aimee Steketee, Committee Assistant

**MEASURES/ISSUES HEARD:** HCR 205 – Public Hearing & Work Session  
HB 4172 – Public Hearing  
HB 4170 – Public Hearing  
HB 4171 – Public Hearing & Work Session  
SCR 204 – Work Session  
SCR 201 – Work Session  
SCR 203 – Work Session  
Introduction of Committee Measures – Work Session

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### Recording Log

**3:06:40 PM** Meeting Called to Order by Co-Chair Kotek

**3:07:15 PM** HCR 205-Public Hearing

**3:07:32 PM** Rep. Bill Kennemer, House District 39

**3:08:12 PM** Roger Martin, Oregon resident

**3:12:09 PM** Wade Byers, Mayor, City of Gladstone

**3:13:06 PM** Co-Chair Kotek

**3:13:22 PM** HCR 205-Work Session

**3:13:29 PM** Co-Chair Olson

**3:13:31 PM** MOTION: CO-CHAIR OLSON MOVES HCR 205 BE ADOPTED

**3:13:37 PM** Co-Chair Kotek

**3:13:48 PM** VOTE: 10-0-0

**3:13:49 PM** AYES: BARNHART, BERGER, BEYER, ESQUIVEL, FREEMAN,  
GARRETT, HOLVEY, WINGARD, KOTEK, OLSON

**3:13:52 PM** CARRIER: REP. KENNEMER WILL LEAD DISCUSSION ON THE FLOOR

**3:14:16 PM** **HB 4172-Public Hearing**

**3:14:22 PM** Cheyenne Ross, Committee Administrator

**3:14:46 PM** Co-Chair Kotek

**3:14:54 PM** Rep. Carolyn Tomei, House District 41

**3:17:19 PM** Co-Chair Kotek

**3:17:25 PM** Rep. Freeman

**3:17:36 PM** Rep. Tomei

**3:17:38 PM** Rep. Freeman

**3:17:39 PM** Rep. Tomei

**3:17:42 PM** Rep. Freeman

**3:17:54 PM** Rep. Tomei

**3:18:00 PM** Rep. Freeman

**3:18:02 PM** Co-Chair Olson

**3:18:31 PM** Rep. Freeman

**3:18:43 PM** Rep. Tomei

**3:18:46 PM** Rep. Freeman

**3:18:56 PM** Rep. Tomei

**3:19:13 PM** Co-Chair Kotek

**3:19:23 PM** Rep. Tomei

**3:19:25 PM** Co-Chair Kotek

**3:19:25 PM** Rep. Freeman

**3:19:27 PM** Co-Chair Kotek

**3:19:34 PM** Rep. Tomei

**3:19:35 PM** Co-Chair Kotek

**3:19:52 PM** **HB 4170-Public Hearing**

**3:20:01 PM** Representative Dave Hunt, House District 40

**3:21:48 PM** Co-Chair Kotek

**3:21:57 PM** Co-Vice Chair Holvey

**3:22:58 PM** Rep. Hunt

**3:23:53 PM** Co-Vice Chair Holvey

**3:23:57 PM** Rep. Hunt

**3:24:00 PM** Co-Chair Kotek

**3:24:39 PM** Cheyenne Ross, Committee Administrator

**3:25:00 PM** Co-Chair Kotek

**3:25:02 PM** {Exhibit} 1: Charlotte Lehan, Chair, Clackamas County Board of County Commissioners

**3:28:06 PM** Co-Chair Kotek

**3:28:13 PM** {Exhibit} 2: Patti Strand, National Animal Interest Alliance

**3:34:04 PM** Co-Chair Kotek

**3:35:12 PM** {Exhibit} 3: Steve McCoy, 1000 Friends of Oregon

**3:37:14 PM** Co-Chair Kotek

**3:37:25 PM** {Exhibit} 4: Debra Berkley, Beaver Creek resident

3:42:13 PM Co-Chair Kotek  
3:42:42 PM Shawn Cleave, Oregon Farm Bureau Federation  
3:44:49 PM Co-Chair Kotek  
3:44:52 PM Co-Vice Chair Berger  
3:45:08 PM Berkley  
3:45:17 PM Co-Vice Chair Berger  
3:45:31 PM Berkley  
3:45:37 PM Co-Vice Chair Berger  
3:45:41 PM Berkley  
3:46:01 PM Co-Vice Chair Berger  
3:46:07 PM Berkley  
3:46:10 PM Co-Vice Chair Berger  
3:46:14 PM Co-Chair Kotek  
3:46:16 PM Rep. Freeman  
3:46:46 PM Co-Chair Kotek  
3:46:49 PM Rep. Wingard  
3:47:56 PM Co-Chair Kotek  
3:48:08 PM Rep. Barnhart  
3:48:36 PM Co-Chair Kotek  
3:49:10 PM Berkley  
3:49:57 PM Co-Chair Kotek  
3:50:01 PM Berkley  
3:50:09 PM Co-Chair Kotek  
3:50:52 PM Jim Welsh, Oregon Cattlemen Association  
3:52:23 PM Bill Hoyt, Legislative Chair, Oregon Cattlemen Association  
3:56:07 PM Co-Chair Kotek  
3:56:09 PM Michael Morrissey, Department of Land Conservation and Development  
3:58:41 PM Co-Chair Kotek  
3:58:47 PM Co-Chair Olson  
3:58:58 PM Morrissey  
3:59:41 PM Co-Chair Olson  
3:59:51 PM Morrissey  
4:00:13 PM Co-Chair Kotek  
4:00:14 PM Rep. Freeman  
4:00:44 PM Morrissey  
4:02:03 PM Rep. Freeman  
4:02:05 PM Co-Chair Kotek  
4:02:06 PM Co-Vice Chair Holvey  
4:03:04 PM Morrissey  
4:04:08 PM Co-Vice Chair Holvey  
4:06:25 PM Morrissey  
4:06:26 PM Co-Chair Kotek  
4:06:49 PM Co-Vice Chair Holvey  
4:06:51 PM Co-Chair Kotek  
4:06:53 PM Morrissey  
4:07:09 PM Co-Chair Kotek

4:07:13 PM Rep. Wingard  
4:07:19 PM Co-Chair Kotek  
4:07:20 PM Rep. Wingard  
4:08:13 PM Co-Chair Kotek  
4:08:23 PM Rep. Esquivel  
4:08:25 PM Co-Chair Kotek  
4:08:32 PM Rep. Esquivel  
4:09:31 PM Co-Chair Kotek  
  
4:09:50 PM **HB 4172-Public Hearing**  
4:10:51 PM {Exhibit} 5: Colleen Hermann-Frazen, American Lung Association  
4:11:29 PM {Exhibit} 6: Hermann-Frazen  
4:13:38 PM Co-Chair Kotek  
4:13:44 PM Leah Craft, Governmental Affairs Manager, Oregon Health Authority  
4:15:02 PM Co-Chair Kotek  
4:15:05 PM Rep. Freeman  
4:15:54 PM Craft  
4:16:19 PM Co-Chair Kotek  
4:16:23 PM Rep. Garrett  
4:16:44 PM Co-Chair Olson  
4:16:50 PM Co-Chair Kotek  
4:16:54 PM Brian DeLashmutt, Oregon State Police Officers Association  
4:17:20 PM Rep. Garrett  
4:17:30 PM DeLashmutt  
4:17:46 PM Co-Chair Kotek  
4:17:53 PM Rep. Freeman  
4:18:10 PM DeLashmutt  
4:18:28 PM Rep. Freeman  
4:18:51 PM DeLashmutt  
4:19:16 PM Rep. Freeman  
4:19:34 PM DeLashmutt  
4:19:47 PM Rep. Freeman  
4:20:03 PM Co-Chair Kotek  
4:20:07 PM Co-Vice Chair Berger  
4:20:29 PM Co-Chair Kotek  
4:20:34 PM {Exhibit} 7: Co-Chair Olson  
4:21:09 PM Co-Chair Kotek  
4:21:42 PM Darrell Fuller, Oregon State Sherriff's Association  
4:22:32 PM Co-Chair Kotek  
4:22:37 PM {Exhibit} 8: Richard Koesan, Oregon Neighborhood Store Association  
4:24:59 PM Co-Chair Kotek  
4:25:01 PM Rep. Garrett  
4:25:06 PM Koesan  
4:25:47 PM Rep. Garrett  
4:26:06 PM Koesan  
4:26:27 PM Co-Chair Kotek

- 4:26:31 PM Co-Vice Chair Holvey  
4:27:05 PM Kosesan  
4:27:38 PM Co-Chair Kotek  
4:27:42 PM Rep. Freeman  
4:29:08 PM Co-Chair Kotek  
4:29:23 PM Co-Vice Chair Berger  
4:29:48 PM Fuller  
4:30:01 PM Co-Vice Chair Berger  
4:30:02 PM Co-Chair Kotek  
4:30:07 PM Rep. Garrett  
4:30:47 PM Kosesan  
4:31:39 PM Co-Chair Kotek  
4:31:47 PM Co-Chair Olson  
4:31:58 PM Co-Chair Kotek  
4:32:13 PM Craft  
4:33:18 PM Co-Chair Kotek  
4:33:35 PM Craft  
4:33:36 PM Co-Chair Kotek  
4:33:40 PM Rep. Freeman  
4:33:54 PM Co-Chair Kotek  
4:34:22 PM Rep. Freeman  
4:34:25 PM Co-Chair Kotek  
4:34:26 PM The following written testimony is submitted for the record without public testimony:  
4:34:27 PM {Exhibit} 9: Robin Wisdom and Karen Nibler, League of Women Voters  
4:34:28 PM {Exhibit} 10: Brett Hamilton, Executive Director, Tobacco Free Coalition of Oregon, Inc.  
4:34:29 PM {Exhibit} 11: Jason Parks, Government Relations Director, American Cancer Society Cancer Action Network  
  
4:34:44 PM **HB 4171-Public Hearing**  
4:34:53 PM Cheyenne Ross, Committee Administrator  
4:35:11 PM Co-Chair Kotek  
4:35:39 PM Steve Trout, Oregon State Elections Director  
4:36:25 PM Co-Chair Kotek  
4:36:31 PM {Exhibit} 12: Greg Leo, Chief of Staff, Oregon Republican Party  
4:37:31 PM Co-Chair Kotek  
  
4:37:39 PM **HB 4171-Work Session**  
4:37:42 PM Co-Chair Olson  
4:37:44 PM MOTION: CO-CHAIR OLSON MOVES HB 4171 DO PASS  
4:37:50 PM Co-Chair Kotek  
4:37:58 PM VOTE: 9-0-1  
4:38:00 PM AYES: BERGER, BEYER, ESQUIVEL, FREEMAN, GARRETT, HOLVEY, WINGARD, KOTEK, OLSON  
4:38:02 PM EXCUSED: BARNHART

**4:38:04 PM** CARRIER: REP. ESQUIVEL WILL LEAD DISCUSSION ON THE FLOOR

**4:38:15 PM** **SCR 204-Work Session**

**4:38:16 PM** Co-Chair Kotek

**4:38:26 PM** **SCR 201-Work Session**

**4:38:33 PM** Cheyenne Ross, Committee Administrator

**4:39:25 PM** Co-Chair Kotek

**4:39:44 PM** Co-Vice Chair Holvey

**4:40:10 PM** Co-Chair Kotek

**4:40:11 PM** Rep. Beyer

**4:40:40 PM** Co-Chair Kotek

**4:40:43 PM** Co-Chair Olson

**4:40:47 PM** MOTION: CO-CHAIR OLSON MOVES SCR 201 BE ADOPTED

**4:40:56 PM** Co-Chair Kotek

**4:41:09 PM** VOTE: 9-0-1

**4:41:10 PM** AYES: BERGER, BEYER, ESQUIVEL, FREEMAN, GARRETT, HOLVEY, WINGARD, KOTEK, OLSON

**4:41:11 PM** EXCUSED: BARNHART

**4:41:18 PM** Co-Chair Olson

**4:41:22 PM** CARRIER: REP. HOYLE WILL LEAD DISCUSSION ON THE FLOOR

**4:41:34 PM** Co-Chair Kotek

**4:41:35 PM** The following written testimony is submitted for the record without public testimony:

**4:41:36 PM** {Exhibit} 13: Brenda Wilson, Intergovernmental Relations Manager, City of Eugene

**4:41:41 PM** **SCR 203-Work Session**

**4:41:47 PM** Cheyenne Ross, Committee Administrator

**4:42:33 PM** Co-Chair Kotek

**4:42:44 PM** Co-Chair Olson

**4:42:48 PM** MOTION: CO-CHAIR OLSON MOVES SCR 203 BE ADOPTED

**4:43:02 PM** VOTE: 9-0-1

**4:43:03 PM** AYES: BERGER, BEYER, ESQUIVEL, FREEMAN, GARRETT, HOLVEY, WINGARD, KOTEK, OLSON

**4:43:04 PM** EXCUSED: BARNHART

**4:43:07 PM** CARRIER: REP. BARKER WILL LEAD DISCUSSION ON THE FLOOR

**4:43:10 PM** The following written testimony is submitted for the record without public testimony:

**4:43:11 PM** {Exhibit} 14: Jack Isselmann, Sisters of Saint Mary of Oregon

**4:43:14 PM** **SCR 204-Work Session**

**4:43:21 PM** Cheyenne Ross, Committee Administrator

**4:44:17 PM** Co-Chair Kotek

**4:44:37 PM** Co-Chair Olson

**4:44:41 PM** MOTION: CO-CHAIR OLSON MOVES SCR 204 BE ADOPTED

- 4:44:45 PM** Co-Chair Kotek  
**4:44:54 PM** VOTE: 9-0-1  
**4:44:58 PM** AYES: BERGER, BEYER, ESQUIVEL, FREEMAN, GARRETT, HOLVEY, WINGARD, KOTEK, OLSON  
**4:44:59 PM** EXCUSED: BARNHART  
**4:45:02 PM** CARRIER: REP. BERGER WILL LEAD DISCUSSION ON THE FLOOR  
**4:45:03 PM** The following written testimony is submitted for the record without public testimony:  
**4:45:04 PM** {Exhibit} 15: Wendy Frome, State Coordinator, Oregon Abigail Adams Project  
  
**4:45:14 PM** **Introduction of Committee Measures - Work Session**  
**4:45:14 PM** {Exhibit} 16: Cheyenne Ross, Committee Administrator  
**4:45:15 PM** {Exhibit} 17: Ross  
**4:45:16 PM** {Exhibit} 18: Ross  
**4:45:17 PM** {Exhibit} 19: Ross  
**4:46:02 PM** Co-Chair Olson  
**4:46:03 PM** MOTION: CO-CHAIR OLSON MOVES LC 309, LC 313, LC 314 AND LC 316 BE INTRODUCED AS COMMITTEE BILLS  
  
**4:46:26 PM** Co-Chair Kotek  
**4:46:54 PM** Co-Vice Chair Holvey  
**4:47:04 PM** Rep. Garrett  
**4:47:06 PM** Co-Chair Kotek  
**4:47:14 PM** VOTE: 8-0-2  
**4:47:18 PM** AYES: BERGER, BEYER, ESQUIVEL, GARRETT, HOLVEY, WINGARD, KOTEK, OLSON  
**4:47:19 PM** EXCUSED: BARNHART, FREEMAN  
**4:47:32 PM** Meeting Adjourned by Co-Chair Kotek

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### **Exhibit Summary**

- 3:25:02 PM** {Exhibit} 1: HB 4170, written testimony, Charlotte Lehan, 1p  
**3:28:13 PM** {Exhibit} 2: HB 4170, written testimony, Patti Strand, 3pp  
**3:35:12 PM** {Exhibit} 3: HB 4170, written testimony, Steve McCoy, 2pp  
**3:37:25 PM** {Exhibit} 4: HB 4170, written testimony, Debra Berkley, 2pp  
**4:10:51 PM** {Exhibit} 5: HB 4172, written testimony, Colleen Hermann-Frazen, 2pp  
**4:11:29 PM** {Exhibit} 6: HB 4172, informational flyer, Colleen Hermann-Frazen, 1p  
**4:20:34 PM** {Exhibit} 7: HB 4172, -1 amendments, Co-Chair Olson, 1p  
**4:22:37 PM** {Exhibit} 8: HB 4172, written testimony, Richard Kosesan, 3pp  
**4:34:27 PM** {Exhibit} 9: HB 4172, written testimony, Robin Wisdom and Karen Nibler, 1p  
**4:34:28 PM** {Exhibit} 10: HB 4172, written testimony, Brett Hamilton, 1p  
**4:34:29 PM** {Exhibit} 11: HB 4172, written testimony, Jason Parks, 1p  
**4:36:31 PM** {Exhibit} 12: HB 4172, written testimony, Greg Leo, 1p  
**4:41:36 PM** {Exhibit} 13: SCR 201, written testimony, Brenda Wilson, 1p

- 4:43:11 PM** {Exhibit} 14: SCR 203, informational packet, Jack Isselmann, 8pp  
**4:45:04 PM** {Exhibit} 15: SCR 204, written testimony, Wendy Frome, 1p  
**4:45:14 PM** {Exhibit} 16: Introduction of Committee Measures, LC 309 draft, staff,  
13pp  
**4:45:15 PM** {Exhibit} 17: Introduction of Committee Measures, LC 313 draft, staff, 2pp  
**4:45:16 PM** {Exhibit} 18: Introduction of Committee Measures, LC 314 draft, staff, 7pp  
**4:45:17 PM** {Exhibit} 19: Introduction of Committee Measures, LC 316 draft, staff, 2pp
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