

HOUSE COMMITTEE ON JUDICIARY

April 02, 2013
1:00 PM

Hearing Room 343

MEMBERS PRESENT: Rep. Jeff Barker, Chair
Rep. Chris Garrett, Vice-Chair
Rep. Wayne Krieger, Vice-Chair
Rep. Brent Barton
Rep. Kevin Cameron
Rep. Wally Hicks
Rep. Andy Olson
Rep. Carolyn Tomei
Rep. Jennifer Williamson

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

MEASURES/ISSUES HEARD: HB 3278 – Work Session
HB 2774 – Work Session
HB 3371 – Public Hearing and Work Session
HB 2710 – Public Hearing
HB 2963 – Public Hearing

Recording Log

1:05:53 PM Meeting Called to Order by Chair Barker

1:05:58 PM Chair Barker

1:07:03 PM **HB 3278 - Work Session**

1:07:07 PM Bill Taylor, Committee Counsel

1:07:40 PM MOTION: VICE-CHAIR KRIEGER MOVES THAT THE RULES BE
SUSPENDED FOR THE PURPOSE OF RECONSIDERING THE VOTE
ON HB 3278

1:07:41 PM VOTE: 8-0-1

1:07:42 PM AYES: BARTON, HICKS, OLSON, TOMEI, WILLIAMSON, GARRETT,
KRIEGER, BARKER

1:07:43 PM EXCUSED: CAMERON

1:07:44 PM MOTION: VICE-CHAIR KRIEGER MOVES TO RECONSIDER THE VOTE
BY WHICH HB 3278 WAS MOVED WITH A DO PASS
RECOMMENDATION

1:07:45 PM VOTE: 8-0-1

1:07:46 PM AYES: BARTON, HICKS, OLSON, TOMEI, WILLIAMSON, GARRETT,
KRIEGER, BARKER

1:07:47 PM EXCUSED: CAMERON
1:07:48 PM MOTION: VICE-CHAIR KRIEGER MOVES HB 3278 DO PASS
1:07:49 PM Chair Barker
1:07:52 PM VOTE: 9-0-0 (See time stamp 3:02:52 PM)
1:07:54 PM AYES: BARTON, CAMERON, HICKS, OLSON, TOMEI, WILLIAMSON,
GARRETT, KRIEGER, BARKER
1:08:15 PM CARRIER: REP. OLSON WILL LEAD DISCUSSION ON THE FLOOR
1:08:20 PM Chair Barker

1:08:28 PM **HB 2774 - Work Session**
1:08:35 PM Bill Taylor, Committee Counsel
1:08:45 PM Chair Barker
1:08:54 PM Taylor
1:09:17 PM Chair Barker

1:09:27 PM **HB 3371 - Public Hearing**
1:09:51 PM Chair Barker
1:10:27 PM {Exhibit} 1: Anthony Johnson, New Approach Oregon
1:11:55 PM David Kopilak, attorney, Schwabe, Williamson and Wyatt
1:15:00 PM John Horvick, Senior Associate, DHM Research
1:19:16 PM Chair Barker
1:19:19 PM Rep. Olson
1:19:52 PM Kopilak
1:21:14 PM Chair Barker
1:21:36 PM Pat Garrett, Sheriff, Washington County
1:27:50 PM Rep. Tomei
1:28:08 PM Garrett
1:28:58 PM Chair Barker
1:29:05 PM Garrett
1:29:15 PM {Exhibit} 2: Chair Barker
1:29:16 PM {Exhibit} 3: witness registration
1:29:17 PM The following written testimony is submitted for the record without public
testimony:
1:29:18 PM {Exhibit} 4: Steve Buckstein, Senior Policy Analyst, Cascade Policy
Institute
1:29:19 PM {Exhibit} 5: Becky Straus, American Civil Liberties Union
1:29:20 PM {Exhibit} 6: Linda Lee Charles, Florence, Oregon
1:29:21 PM {Exhibit} 7: Patrick Oglesby, attorney, The Center for New Revenue
1:29:22 PM {Exhibit} 8: Brian D. Riley, President, Students for Sensible Drug Policy
1:29:23 PM {Exhibit} 9: Gerald Williams, Springfield, OR
1:29:24 PM {Exhibit} 10: Jerry Wade, Stormy Wade Cardholders Foundation
1:29:25 PM {Exhibit} 11: Shelley Fox-Loken, Law Enforcement Against Prohibition
1:29:26 PM {Exhibit} 12: David Lesh, Portland, Oregon
1:29:27 PM {Exhibit} 13: Rep. Earl Blumenauer, House District 3, United States
Congress

1:30:35 PM HB 3371 - Work Session

1:30:39 PM MOTION: VICE-CHAIR KRIEGER MOVES -1 AMENDMENT

1:30:42 PM Chair Barker

1:30:45 PM VOTE: 9-0-0

1:30:46 PM AYES: BARTON, CAMERON, HICKS, OLSON, TOMEI, WILLIAMSON, GARRETT, KRIEGER, BARKER

1:30:50 PM MOTION: VICE-CHAIR KRIEGER MOVES HB 3371 DO PASS AS AMENDED AND BE REFERRED TO REVENUE BY PRIOR REFERENCE

1:31:00 PM Chair Barker

1:31:09 PM Rep. Olson

1:32:48 PM Chair Barker

1:32:52 PM POTENTIAL CONFLICT OF INTEREST DECLARED BY REP. BARTON

1:32:53 PM {Exhibit} 14: Rep. Barton

1:33:30 PM Chair Barker

1:33:47 PM MOTION: VICE-CHAIR KRIEGER WITHDRAWS MOTION ON HB 3371

1:33:53 PM MOTION: VICE-CHAIR KRIEGER MOVES HB 3371 AS AMENDED WITHOUT RECOMMENDATION AND BE REFERRED TO REVENUE BY PRIOR REFERENCE

1:33:56 PM Vice-Chair Krieger

1:34:17 PM Rep. Hicks

1:34:49 PM Chair Barker

1:34:53 PM VOTE: 6-0-3

1:34:54 PM AYES: BARTON, TOMEI, WILLIAMSON, GARRETT, KRIEGER, BARKER

1:34:55 PM NAYES: CAMERON, HICKS, OLSON

1:35:20 PM Rep. Barton

1:35:32 PM Chair Barker

1:35:35 PM HB 2710 - Public Hearing

1:36:01 PM Rep. John Huffman, House District 59

1:38:02 PM Chair Barker

1:38:09 PM Rep. Barton

1:39:09 PM Rep. Huffman

1:40:54 PM Bill Taylor, Committee Counsel

1:42:28 PM Rep. Olson

1:42:47 PM Rep. Huffman

1:42:54 PM Chair Barker

1:43:17 PM {Exhibit} 15: Becky Straus, America Civil Liberties Union

1:52:10 PM Chair Barker

1:52:34 PM Straus

1:52:41 PM Chair Barker

1:52:45 PM Taylor

1:52:57 PM Straus

1:53:34 PM Taylor

1:53:37 PM Straus

1:54:03 PM Rep. Hicks
1:54:21 PM Straus
1:54:33 PM Rep. Barton
1:55:21 PM Straus
1:55:26 PM Rep. Barton
1:55:29 PM Straus
1:56:43 PM Taylor
1:57:13 PM Straus
1:57:21 PM Tim Reeves, State Coordinator, Tenth Amendment Center in Oregon
1:59:53 PM Ian Tolleson, Oregon Farm Bureau
2:01:40 PM Rep. Olson
2:01:49 PM Tolleson
2:02:36 PM Straus
2:03:19 PM Rep. Tomei
2:04:06 PM Straus
2:04:54 PM Taylor
2:05:50 PM Chair Barker
2:06:27 PM Tony Garcia, Oregon Military Department
2:08:45 PM Darrell Fuller, Oregon State Sheriffs Association
2:11:14 PM Bill Hoyt, Legislative Chair, Oregon Cattlemen's Association
2:12:52 PM Chair Barker
2:13:19 PM Rep. Olson
2:14:25 PM Chair Barker
2:15:00 PM {Exhibit} 16: Kevin Campbell, Executive Director, Oregon Association of
Chiefs of Police
2:21:15 PM Rep. Williamson
2:21:56 PM Campbell
2:23:24 PM Rep. Williamson
2:23:43 PM Campbell
2:23:59 PM Vice-Chair Krieger
2:24:09 PM Campbell
2:24:19 PM Taylor
2:24:32 PM Vice-Chair Krieger
2:24:38 PM Rep. Hicks
2:25:04 PM Campbell
2:25:20 PM Chair Barker
2:25:21 PM {Exhibit} 17: witness registration

2:25:30 PM **HB 2963 - Public Hearing**
2:25:36 PM Bill Taylor, Committee Counsel
2:25:58 PM Chair Barker
2:26:31 PM Charlie Hinkle, attorney, Portland, Oregon
2:29:57 PM Rep. Hicks
2:30:21 PM Hinkle
2:30:58 PM Rep. Hicks
2:31:16 PM Hinkle

2:31:47 PM Vice-Chair Garrett
2:31:53 PM Hinkle
2:31:58 PM Rep. Barton
2:32:55 PM Hinkle
2:35:07 PM Rep. Barton
2:35:27 PM Hinkle
2:35:59 PM {Exhibit} 18: Lynnae Berg, Executive Director of Downtown Clean and Safe and Vice President, Downtown Services for the Portland Business Alliance
2:39:45 PM Vice-Chair Garrett
2:40:16 PM Berg
2:40:23 PM Vice-Chair Garrett
2:40:42 PM Hinkle
2:40:53 PM Chair Barker
2:41:52 PM {Exhibit} 19: Barry Joe Stull, Multnomah, Oregon
2:49:40 PM {Exhibit} 20: Monica Goracke, attorney, Oregon Law Center
2:56:29 PM Chair Barker
2:57:00 PM Goracke
2:57:56 PM Chair Barker
2:58:03 PM {Exhibit} 21: Becky Straus, American Civil Liberties Union
3:01:00 PM Chair Barker
3:01:01 PM {Exhibit} 22: witness registration
3:01:02 PM The following written information is submitted for the record without public testimony:
3:01:03 PM {Exhibit} 23: Israel Bayer, Executive Director, Street Roots

3:01:42 PM **HB 2774 - Work Session**
3:02:04 PM MOTION: VICE-CHAIR KRIEGER MOVES HB 2774 DO PASS AND RESCIND THE REFERRAL TO WAYS AND MEANS
3:02:14 PM Chair Barker
3:02:20 PM VOTE: 8-0-1
3:02:22 PM AYES: BARTON, CAMERON, HICKS, OLSON, TOMEI, GARRETT, KRIEGER, BARKER
3:02:23 PM EXCUSED: WILLIAMSON
3:02:24 PM CARRIER: REP. BARKER WILL LEAD DISCUSSION ON THE FLOOR
3:02:37 PM Chair Barker

3:02:50 PM **HB 3278 - Work Session**
3:02:52 PM MOTION: REP. TOMEI MOVES THAT THE RULES BE SUSPENDED TO ALLOW REP. CAMERON TO VOTE AYE ON THE MOTION TO MOVE HB 3278 WITH A DO PASS RECOMMENDATION
3:02:53 PM VOTE: 8-0-1
3:02:54 PM AYES: BARTON, CAMERON, HICKS, OLSON, TOMEI, GARRETT, KRIEGER, BARKER
3:02:55 PM EXCUSED: WILLIAMSON
3:02:58 PM Meeting Adjourned by Chair Barker

Exhibit Summary

- 1:10:27 PM** {Exhibit} 1: HB 3371, written testimony, Anthony Johnson, 1 p
1:29:15 PM {Exhibit} 2: HB 3371, - 1 amendments, staff, 41 pp
1:29:16 PM {Exhibit} 3: HB 3371, witness registration, staff, 2 pp
1:29:18 PM {Exhibit} 4: HB 3371, written testimony, Steve Buckstein, 2 pp
1:29:19 PM {Exhibit} 5: HB 3371, written testimony, Becky Straus, 1 p
1:29:20 PM {Exhibit} 6: HB 3371, written testimony, Linda Lee Charles, 1 p
1:29:21 PM {Exhibit} 7: HB 3371, written testimony, Patrick Oglesby, 1 p
1:29:22 PM {Exhibit} 8: HB 3371, written testimony, Brian D. Riley, 1 p
1:29:23 PM {Exhibit} 9: HB 3371, written testimony, Gerald Williams, 2 pp
1:29:24 PM {Exhibit} 10: HB 3371, written testimony, Jerry Wade, 1 p
1:29:25 PM {Exhibit} 11: HB 3371, written testimony, Shelley Fox-Loken, 1 p
1:29:26 PM {Exhibit} 12: HB 3371, written testimony, David Lesh, 1 p
1:29:27 PM {Exhibit} 13: HB 3371, written testimony, Earl Blumenauer, 1 p
1:32:52 PM {Exhibit} 14: HB 3371, declaration of potential conflict of interest, Rep. Barton, 1 p
1:43:17 PM {Exhibit} 15: HB 2710, written testimony, Becky Straus, 2 pp
2:15:00 PM {Exhibit} 16: HB 2710, written testimony, Kevin Campbell, 2 pp
2:25:21 PM {Exhibit} 17: HB 2710, witness registration, staff, 1 p
2:35:59 PM {Exhibit} 18: HB 2963, written testimony, Lynnae Berg, 29 pp
2:41:52 PM {Exhibit} 19: HB 2963, written testimony, Barry Joe Stull, 1 p
2:49:40 PM {Exhibit} 20: HB 2963, written testimony, Monica Goracke, 2 pp
2:58:03 PM {Exhibit} 21: HB 2963, written testimony, Becky Straus, 2 pp
3:01:01 PM {Exhibit} 22: HB 2963, witness registration, 1 p
3:01:03 PM {Exhibit} 23: HB 2963, written testimony, Israel Bayer, 1 p