

## **HOUSE COMMITTEE ON JUDICIARY**

April 10, 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

**MEMBER EXCUSED:** Rep. Jennifer Williamson

**STAFF PRESENT:** Anna Braun, Committee Counsel  
Ann Martin, Committee Assistant

**MEASURES/ISSUES HEARD:** HB 2944 – Public Hearing  
HB 3087 – Public Hearing  
SB 565A – Public Hearing and Work Session  
HB 2833 – Public Hearing and Work Session  
HB 2834 – Work Session  
HB 3047 – Work Session  
HB 2857 – Public Hearing

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### **Recording Log**

**1:04:29 PM** Meeting Called to Order by Chair Barker

**1:04:50 PM** **HB 2944 - Public Hearing**

**1:04:51 PM** Anna Braun, Committee Counsel

**1:04:51 PM** {Exhibit} 1: Rep. John Davis, House District 26

**1:06:27 PM** Chair Barker

**1:06:30 PM** Rep. Barton

**1:06:50 PM** Rep. Davis

**1:07:08 PM** Rep. Barton

**1:07:10 PM** Rep. Davis

**1:07:14 PM** Rep. Barton

**1:07:15 PM** Vice-Chair Krieger

**1:07:38 PM** Rep. Davis

**1:07:57 PM** Vice-Chair Krieger

1:08:02 PM Chair Barker  
1:08:25 PM {Exhibit} 2: Lane Shetterly, Commissioner, Oregon Law Commission  
1:10:29 PM Chair Barker  
1:10:32 PM Rep. Cameron  
1:10:40 PM Shetterly  
1:10:59 PM Chair Barker  
1:11:00 PM {Exhibit} 3: witness registration  
1:11:01 PM The following written testimony is submitted for the record without public testimony:  
1:11:02 PM {Exhibit} 4: Janet Webster, Chair, Oregon Library Association  
  
1:11:15 PM **HB 3087 - Public Hearing**  
1:11:20 PM Anna Braun, Committee Counsel  
1:11:35 PM Rep. Jules Bailey, House District 42  
1:12:54 PM Chair Barker  
1:13:25 PM Rep. Bailey  
1:13:35 PM Chair Barker  
1:13:36 PM Rep. Cameron  
1:14:01 PM Chair Barker  
1:14:36 PM {Exhibit} 5-6: Paul Dewey, attorney, Central Oregon LandWatch  
1:21:25 PM Chair Barker  
1:21:29 PM Jonathan Manton, Oregon Land Watch  
1:23:38 PM Chair Barker  
1:24:07 PM Mike Eliason, Association of Oregon Counties  
1:28:17 PM {Exhibit} 7: Nick Lelack, Deschutes County Planning Director  
1:32:20 PM Chair Barker  
1:32:25 PM {Exhibit} 8: Bill Kirby, City Attorney, City of Beaverton  
1:39:39 PM Chair Barker  
1:39:43 PM {Exhibit} 9: Erin Doyle, League of Oregon Cities  
1:42:22 PM Chair Barker  
1:42:35 PM {Exhibit} 10: witness registration  
  
1:42:53 PM **SB 565A - Public Hearing**  
1:42:59 PM Anna Braun, Committee Counsel  
1:43:38 PM Chair Barker  
1:43:54 PM Greg Moawad, Director of Public Safety and University Police, Oregon Health and Science University  
1:48:43 PM Chair Barker  
1:48:45 PM Rep. Hicks  
1:49:10 PM Moawad  
1:49:43 PM Rep. Hicks  
1:49:48 PM Mary Botkin, American Federation of State, County and Municipal Employees, Council 75  
1:52:48 PM Chair Barker  
1:52:50 PM Rep. Tomei  
1:52:58 PM Moawad

1:53:01 PM Rep. Tomei  
1:53:04 PM Chair Barker  
1:54:48 PM {Exhibit} 11: Lindsay Hale, Rules Coordinator, Department of Public Safety Standards and Training (DPSST)  
1:55:40 PM Chair Barker  
1:55:41 PM {Exhibit} 12: witness registration

**1:55:47 PM SB 565A - Work Session**

1:55:49 PM MOTION: VICE-CHAIR KRIEGER MOVES SB 565A DO PASS  
1:55:50 PM VOTE: 8-0-1  
1:56:18 PM AYES: BARTON, CAMERON, HICKS, OLSON, TOMEI, GARRETT, KRIEGER, BARKER  
1:56:19 PM EXCUSED: WILLIAMSON  
1:56:21 PM Rep. Olson  
1:56:22 PM Chair Barker  
1:56:22 PM CARRIER: REP. BARKER WILL LEAD DISCUSSION ON THE FLOOR

**1:56:39 PM HB 2833 - Public Hearing**

1:56:42 PM {Exhibit} 13: Anna Braun, Committee Counsel  
1:57:03 PM Chair Barker  
1:57:19 PM {Exhibit} 14: Lane Shetterly, Oregon Law Commission  
1:58:59 PM Chair Barker  
1:59:00 PM {Exhibit} 15: witness registration

**1:59:08 PM HB 2833 - Work Session**

1:59:09 PM MOTION: VICE-CHAIR KRIEGER MOVES THE -1 AMENDMENTS BE ADOPTED  
1:59:18 PM Rep. Barton  
1:59:21 PM Anna Braun, Committee Counsel  
1:59:38 PM Rep. Barton  
1:59:53 PM VOTE: 8-0-1  
1:59:55 PM AYES: BARTON, CAMERON, HICKS, OLSON, TOMEI, GARRETT, KRIEGER, BARKER  
1:59:56 PM EXCUSED: WILLIAMSON  
2:00:00 PM MOTION: VICE-CHAIR KRIEGER MOVES HB 2833 DO PASS AS AMENDED  
2:00:12 PM VOTE: 8-0-1  
2:00:13 PM AYES: BARTON, CAMERON, HICKS, OLSON, TOMEI, GARRETT, KRIEGER, BARKER  
2:00:25 PM CARRIER: REP. BARTON WILL LEAD DISCUSSION ON THE FLOOR

**2:00:48 PM HB 2834 - Work Session**

2:00:52 PM Anna Braun, Committee Counsel  
2:01:09 PM MOTION: VICE-CHAIR KRIEGER MOVES HB 2834 DO PASS  
2:01:20 PM Chair Barker

2:01:22 PM AYES: 8-0-1  
2:01:23 PM AYES: BARTON, CAMERON, HICKS, OLSON, TOMEI, GARRETT,  
KRIEGER, BARKER  
2:01:24 PM EXCUSED: WILLIAMSON  
2:01:28 PM Rep. Barton  
2:01:31 PM CARRIER: REP. BARTON WILL LEAD DISCUSSION ON THE FLOOR

**2:02:25 PM HB 3047 - Work Session**

2:02:34 PM {Exhibit} 16: Anna Braun, Committee Counsel  
2:03:21 PM MOTION: VICE-CHAIR KRIEGER MOVES THE -3 AMENDMENTS BE  
ADOPTED  
2:03:44 PM VOTE: 8-0-1  
2:03:46 PM AYES: BARTON, CAMERON, HICKS, OLSON, TOMEI, GARRETT,  
KRIEGER, BARKER  
2:03:47 PM EXCUSED: WILLIAMSON  
2:03:48 PM CARRIER: REP. OLSON WILL LEAD DISCUSSION ON THE FLOOR

**2:03:52 PM HB 2857 - Public Hearing**

2:04:02 PM {Exhibit} 17: Anna Braun, Committee Counsel  
2:04:27 PM {Exhibit} 18: Patrick Sieng, Association of Oregon Counties  
2:12:12 PM Judge Carl Myers, Oregon Municipal Court Judges  
2:16:23 PM Rep. Tomei  
2:16:35 PM Myers  
2:17:14 PM Rep. Tomei  
2:17:28 PM Myers  
2:18:33 PM Rep. Tomei  
2:18:39 PM Myers  
2:18:54 PM Rep. Tomei  
2:18:57 PM Myers  
2:18:59 PM Chair Barker  
2:19:02 PM Vice-Chair Krieger  
2:19:18 PM Myers  
2:19:20 PM Vice-Chair Krieger  
2:19:24 PM Myers  
2:20:36 PM Vice-Chair Krieger  
2:20:49 PM Myers  
2:21:46 PM Vice-Chair Krieger  
2:22:07 PM Myers  
2:22:21 PM Chair Barker  
2:22:41 PM {Exhibit} 19: Honorable Jad Lemhouse  
2:22:49 PM Chair Barker  
2:22:55 PM Judge Lemhouse  
2:24:47 PM Rep. Cameron  
2:24:56 PM Judge Lemhouse  
2:31:09 PM Vice-Chair Krieger  
2:31:39 PM Rep. Olson

2:32:06 PM Myers  
2:34:44 PM Chair Barker  
2:34:46 PM Rep. Barton  
2:35:23 PM Judge Lemhouse  
2:36:22 PM Rep. Tomei  
2:36:59 PM Judge Lemhouse  
2:37:05 PM Chair Barker  
2:37:06 PM Vice-Chair Garrett  
2:37:26 PM Chair Barker  
2:38:01 PM Scott Winkels, League of Oregon Cities  
2:40:48 PM Sybil Hebb, Oregon Law Center  
2:42:33 PM Rep. Tomei  
2:42:38 PM Hebb  
2:43:09 PM Rep. Olson  
2:43:19 PM Hebb  
2:43:37 PM James McCauley, Washington County  
2:44:39 PM Aaron Knott, Legislative Director, Department of Justice  
2:46:38 PM Chair Barker  
2:46:43 PM Kimberly Dailey, Staff Counsel, Judicial Department  
2:48:34 PM Chair Barker  
2:48:34 PM {Exhibit} 20: witness registration  
2:48:35 PM The following written testimony is submitted for the record without public testimony:  
2:48:35 PM {Exhibit} 21: John Ludlow, Chair, Clackamas County Board of Commissioners  
2:49:18 PM Meeting Adjourned by Chair Barker

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### Exhibit Summary

1:04:51 PM {Exhibit} 1: HB 2944, written testimony, Rep. John Davis, 2 pp  
1:08:25 PM {Exhibit} 2: HB 2944, written testimony of Nicole Julal, Lane Shetterly, 1 p  
1:11:00 PM {Exhibit} 3: HB 2944, witness registration, staff, 1 p  
1:11:02 PM {Exhibit} 4: HB 2944, written testimony, Janet Webster, 1 p  
1:14:36 PM {Exhibit} 5: HB 3087, written testimony, Paul Dewey, 12 pp  
1:14:36 PM {Exhibit} 6: HB 3087, chart, Paul Dewey, 5 pp  
1:28:17 PM {Exhibit} 7: HB 3087, written testimony, Nick Lelack, 2 pp  
1:32:25 PM {Exhibit} 8: HB 3087, written testimony, Bill Kirby, 4 pp  
1:39:43 PM {Exhibit} 9: HB 3087, written testimony, Erin Doyle, 1 p  
1:42:35 PM {Exhibit} 10: HB 3087, witness registration, staff, 1 p  
1:54:48 PM {Exhibit} 11: SB 565, written testimony, Lindsay Hale, 2 pp  
1:55:41 PM {Exhibit} 12: SB 565, witness registration, staff, 1 p  
1:56:42 PM {Exhibit} 13: HB 2833, -1 amendments, staff, 14 pp  
1:57:19 PM {Exhibit} 14: HB 2833, Work Group Report, *Unsworn Foreign Declarations*

*Act*, Lane Shetterly, 10 pp

- 1:59:00 PM** {Exhibit} 15: HB 2833, witness registration, staff, 1 p
- 2:02:34 PM** {Exhibit} 16: HB 3047, -3 amendments, staff, 11 pp
- 2:04:02 PM** {Exhibit} 17: HB 2857, -1 amendments, staff, 3 pp
- 2:04:27 PM** {Exhibit} 18: HB 2857, written testimony of Joseph M. Charter, Patrick Sieng, 4 pp
- 2:22:41 PM** {Exhibit} 19: HB 2857, written testimony, Judge Jad Lemhouse, 98 pp
- 2:48:34 PM** {Exhibit} 20: HB 2857, witness registration, staff, 1 p
- 2:48:35 PM** {Exhibit} 21: HB 2857, written testimony, John Ludlow, 1 p