

## **HOUSE COMMITTEE ON JUDICIARY**

March 03, 2011  
1:00 P.M.

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:** Aaron Knott, Committee Counsel  
Cheyenne Ross, Committee Counsel  
Bill Taylor, Committee Counsel  
Pam Marshall, Committee Assistant

**MEASURES/ISSUES HEARD:** HB 3041 – Public Hearing  
HB 3238 – Public Hearing  
HB 3239 – Public Hearing  
SB 353 – Public Hearing and Work Session  
HB 2463 – Work Session  
HB 2312 – Work Session  
HB 2702 – Work Session  
HB 2721 – Work Session  
HB 3142 – Work Session

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### **Recording Log**

**1:07:23 PM** Meeting Called to Order by Co-Chair Barker

**1:07:25 PM** **HB 3041 - Public Hearing**

**1:07:28 PM** Aaron Knott, Committee Counsel

**1:08:29 PM** {Exhibit} 1: Rob Bovett, District Attorney, Lincoln County, Oregon District Attorneys Association

**1:09:22 PM** {Exhibit} 2: Sharon Harmon, Executive Director, Oregon Humane Society

**1:10:35 PM** The following written testimony was submitted for the record without public testimony:

**1:10:37 PM** {Exhibit} 3: Daina Vitolins, District Attorney, Crook County, Oregon

**1:10:44 PM** **HB 3238 - Public Hearing**

**1:10:51 PM** Aaron Knott, Committee Counsel

1:11:31 PM Co-Chair Barker  
1:11:45 PM {Exhibit} 4: Heidi Moawad, Deputy District Attorney, Multnomah County, Oregon District Attorneys Association  
1:15:36 PM {Exhibit} 5: Sharon Harmon, Executive Director, Oregon Humane Society  
1:16:43 PM Rep. Wand  
1:16:58 PM Moawad  
1:17:09 PM Harmon  
1:17:23 PM Rep. Schaufler  
1:17:49 PM Co-Chair Barker

**1:18:02 PM HB 3239 - Public Hearing**

1:18:07 PM Aaron Knott, Committee Counsel  
1:18:50 PM Co-Chair Barker  
1:19:11 PM {Exhibit} 6: Heidi Moawad, Multnomah County Deputy District Attorney, Oregon District Attorneys Association  
1:22:39 PM {Exhibit} 7: Sharon Harmon, Executive Director, Oregon Humane Society  
1:24:24 PM Vi Beaty, Unit Manager, Sex Offender Registration Unit, Oregon State Police  
1:25:41 PM Co-Chair Barker  
1:26:11 PM Gail Meyer, Oregon Criminal Defense Lawyers Association  
1:32:16 PM Co-Chair Barker

**1:32:34 PM SB 353 - Public Hearing**

1:32:42 PM Cheyenne Ross, Committee Counsel  
1:33:29 PM Ted Reutlinger, Chief Editor, Legislative Counsel  
1:33:48 PM Co-Chair Barker  
1:33:56 PM Reutlinger  
1:34:45 PM Co-Chair Barker

**1:34:51 PM SB 353 - Work Session**

1:34:56 PM MOTION: Rep.Tomei moves SB 353 Do Pass and Be Placed on the Consent Calendar  
1:35:03 PM Co-Chair Barker  
1:35:09 PM VOTE: 10-0-0  
1:35:11 PM AYES: Nolan, Olson, Schaufler, Tomei, Wand, Whisnant, Hicks, Garrett, Krieger, Barker  
1:35:45 PM Co-Chair Barker

**1:36:01 PM HB 2463 - Work Session**

1:36:24 PM Bill Taylor, Committee Counsel  
1:36:47 PM Co-Chair Barker  
1:36:52 PM Rep. Nolan  
1:37:32 PM Taylor  
1:37:41 PM Rep. Nolan  
1:37:49 PM Co-Chair Barker  
1:38:23 PM Rep. Nolan

1:38:42 PM Co-Chair Barker  
1:38:46 PM MOTION: Rep. Olson moves HB 2463 Do Pass  
1:38:55 PM Co-Chair Barker  
1:39:10 PM Co-Vice Chair Hicks  
1:39:42 PM Rep. Nolan  
1:40:13 PM Taylor  
1:40:51 PM Co-Vice Chair Hicks  
1:40:58 PM VOTE: 10-0-0  
1:41:18 PM AYES: Nolan, Olson, Schaufler, Tomei, Wand, Whisnant, Hicks, Garrett, Krieger, Barker  
1:41:20 PM CARRIER: REP. GELSER will lead discussion on the floor  
1:41:23 PM Co-Chair Barker

1:41:25 PM **HB 2312 - Work Session**

1:41:31 PM Bill Taylor, Committee Counsel  
1:42:04 PM Rep. Tomei  
1:42:14 PM Co-Chair Barker  
1:42:16 PM MOTION: Rep. Tomei moves HB 2312 Do Pass  
1:42:24 PM Co-Chair Barker  
1:42:32 PM VOTE: 10-0-0  
1:42:48 PM AYES: Nolan, Olson, Schaufler, Tomei, Wand, Whisnant, Hicks, Garrett, Krieger, Barker  
1:42:48 PM CARRIER: REP. TOMEI will lead discussion on the floor  
1:42:55 PM Co-Chair Barker

1:42:59 PM **HB 2702 - Work Session**

1:43:14 PM {Exhibit} 8: Aaron Knott, Committee Counsel  
1:44:48 PM Co-Chair Barker  
1:44:49 PM MOTION: Rep. Tomei moves the -1 amendments Be Adopted  
1:44:53 PM Co-Chair Barker  
1:44:55 PM VOTE: 10-0-0  
1:44:57 PM AYES: Nolan, Olson, Schaufler, Tomei, Wand, Whisnant, Hicks, Garrett, Krieger, Barker  
1:45:07 PM MOTION: Rep. Olson moves HB 2702 Do Pass as Amended  
1:45:19 PM Co-Chair Barker  
1:45:25 PM VOTE: 10-0-0  
1:45:35 PM AYES: Nolan, Olson, Schaufler, Tomei, Wand, Whisnant, Hicks, Garrett, Krieger, Barker  
1:45:45 PM CARRIER: REP. OLSON will lead discussion on the floor  
1:45:50 PM Co-Chair Barker

1:45:52 PM **HB 2721 - Work Session**

1:45:55 PM Aaron Knott, Committee Counsel  
1:46:41 PM MOTION: Rep. Tomei moves HB 2721 Do Pass  
1:46:54 PM Co-Chair Barker  
1:47:00 PM VOTE: 10-0-0

**1:47:12 PM** AYES: Nolan, Olson, Schaufler, Tomei, Wand, Whisnant, Hicks, Garrett, Krieger, Barker

**1:47:30 PM** CARRIER: REP. TOMEI will lead discussion on the floor

**1:47:32 PM** Co-Chair Barker

**1:47:40 PM** **HB 3142 - Work Session**

**1:47:43 PM** Aaron Knott, Committee Counsel

**1:48:02 PM** Co-Chair Barker

**1:48:07 PM** MOTION: Rep. Hicks moves HB 3142 Do Pass

**1:48:13 PM** Co-Chair Barker

**1:48:21 PM** VOTE: 9-0-1

**1:48:40 PM** AYES: Nolan, Olson, Schaufler, Tomei, Wand, Hicks, Garrett, Krieger, Barker; EXCUSED: Whisnant

**1:48:45 PM** CARRIER: REP. HICKS will lead discussion on the floor

**1:48:48 PM** Meeting Adjourned by Co-Chair Barker

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**1:08:29 PM** {Exhibit} 1: HB 3041, written testimony, Rob Bovett, 1 p

**1:09:22 PM** {Exhibit} 2: HB 3041, written testimony, Sharon Harmon, 2 pp

**1:10:37 PM** {Exhibit} 3: HB 3041, written testimony, Daina Vitolins, 1 p

**1:11:45 PM** {Exhibit} 4: HB 3238, written testimony, Heidi Moawad, 2 pp

**1:15:36 PM** {Exhibit} 5: HB 3238, written testimony, Sharon Harmon, 2 pp

**1:19:11 PM** {Exhibit} 6: HB 3239, written testimony, Heidi Moawad, 1 p

**1:22:39 PM** {Exhibit} 7: HB 3239, written testimony, Sharon Harmon, 2 pp

**1:43:14 PM** {Exhibit} 8: HB 2702, -1 amendment, staff, 1 p

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