

HOUSE COMMITTEE ON JUDICIARY

March 28, 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: Drew Johnston, Committee Counsel
Aaron Knott, Committee Counsel
Pam Marshall, Committee Assistant

MEASURES/ISSUES HEARD: HB 2068 – Public Hearing and Work Session
HB 3192 – Public Hearing
HB 2828 – Work Session
HB 2849 – Work Session
HB 2698 – Work Session
HB 3066 – Work Session

Recording Log

1:10:21 PM Meeting Called to Order by Co-Chair Krieger

1:10:40 PM **HB 2068 - Public Hearing**

1:10:42 PM Drew Johnston, Committee Counsel

1:11:09 PM {Exhibit} 1: Debra McHugh, Executive Director, State Board of
Psychologist Examiners

1:12:42 PM Co-Chair Krieger

1:12:53 PM McHugh

1:13:37 PM Rep. Schaufler

1:13:52 PM Co-Chair Krieger

1:13:56 PM **HB 2068 - Work Session**

1:14:09 PM MOTION: Co-Chair Barker moves HB 2068 DO PASS

1:14:14 PM Co-Chair Krieger

1:14:16 PM Rep. Schaufler

1:14:24 PM VOTE: 10-0-0

1:14:30 PM AYES: Nolan, Olson, Schaufer, Tomei, Wand, Whisnant, Hicks, Garrett,
Krieger, Barker
1:15:10 PM Co-Chair Krieger
1:15:19 PM CARRIER: REP. SCHAUFLENER will lead discussion on the floor
1:15:22 PM Rep. Tomei
1:15:32 PM Co-Chair Krieger
1:15:38 PM Rep. Schaufler
1:15:45 PM Co-Chair Krieger

1:15:46 PM **HB 3192 - Public Hearing**
1:15:57 PM Aaron Knott, Committee Counsel
1:16:45 PM Co-Chair Krieger
1:17:06 PM Jeff Leighty, Past President, Oregon State Police Officers' Association
1:19:22 PM Darrin Phillips, President, Oregon State Police Officers' Association
1:22:05 PM Gerry Gregg, Wilsonville, Oregon
1:23:15 PM Rep. Schaufler
1:23:39 PM Leighty
1:24:35 PM Rep. Schaufler
1:25:01 PM Leighty
1:25:09 PM Rep. Schaufler
1:25:17 PM Rep. Tomei
1:25:41 PM Leighty
1:26:10 PM Rep. Tomei
1:26:19 PM Leighty
1:26:42 PM Rep. Tomei
1:27:02 PM Leighty
1:27:14 PM Rep. Tomei
1:27:18 PM Co-Vice Chair Hicks
1:27:43 PM Leighty
1:27:56 PM Rep. Olson
1:28:18 PM Leighty
1:28:50 PM Knott
1:29:24 PM Leighty
1:30:02 PM Rep. Tomei
1:30:25 PM Leighty
1:30:51 PM Rep. Tomei
1:31:20 PM Leighty
1:31:42 PM Rep. Tomei
1:31:47 PM Leighty
1:32:05 PM Rep. Tomei
1:32:25 PM Leighty
1:32:32 PM Rep. Tomei
1:32:50 PM Knott
1:33:35 PM Rep. Tomei
1:34:13 PM Rep. Olson
1:34:26 PM Rep. Tomei

1:34:58 PM Leighty
1:35:36 PM Rep. Schaufler
1:35:56 PM Leighty
1:36:02 PM Co-Chair Barker
1:36:40 PM Leighty
1:37:00 PM Co-Chair Barker
1:37:16 PM Co-Chair Krieger
1:38:30 PM Phillips
1:39:15 PM Co-Chair Krieger
1:39:54 PM {Exhibit} 2: Kevin Campbell, Executive Director, Oregon Association of
Chiefs of Police
1:45:40 PM Scott Winkels, League of Oregon Cities
1:47:41 PM Lt. Steve Birr, Salem Police Department
1:51:27 PM Co-Chair Krieger
1:51:56 PM Campbell
1:52:42 PM Co-Chair Krieger
1:52:57 PM Rep. Schaufler
1:53:55 PM Winkels
1:54:19 PM Rep. Nolan
1:55:29 PM Campbell
1:56:41 PM Rep. Nolan
1:56:55 PM Campbell
1:57:36 PM Rep. Nolan
1:57:58 PM Campbell
1:58:26 PM Co-Vice Chair Garrett
1:58:48 PM Campbell
1:58:53 PM Birr
1:59:24 PM Co-Vice Chair Garrett
1:59:29 PM Birr
1:59:41 PM Co-Vice Chair Garrett
2:01:04 PM Campbell
2:01:10 PM Birr
2:02:02 PM Rep. Olson
2:02:11 PM Birr
2:02:15 PM Rep. Olson
2:02:31 PM Birr
2:02:47 PM Rep. Wand
2:03:45 PM Rep. Tomei
2:03:56 PM Birr
2:04:16 PM Co-Chair Krieger
2:04:46 PM John Powell, Oregon State Sheriffs' Association
2:06:22 PM Paul Snider, Association of Oregon Counties
2:07:52 PM {Exhibit} 3: Steve Beck, Executive Director, Oregon Council of Police
Associations
2:09:30 PM Co-Vice Chair Hicks
2:10:01 PM Snider

2:12:48 PM Co-Chair Krieger
2:12:52 PM Co-Vice Chair Hicks
2:13:06 PM Powell
2:14:02 PM Co-Chair Krieger
2:14:17 PM {Exhibit} 4: Rep. Betty Komp, House District 22
2:19:12 PM Rep. Olson
2:19:22 PM Rep. Komp
2:19:27 PM Co-Chair Barker
2:19:54 PM Rep. Komp
2:20:05 PM Co-Chair Barker
2:20:26 PM Co-Chair Krieger

2:20:48 PM **HB 2828-Work Session**
2:20:54 PM {Exhibit} 5 and 6: Drew Johnston, Committee Counsel
2:21:46 PM Co-Chair Barker
2:22:18 PM MOTION: Co-Chair Barker MOVES -1 amendment BE ADOPTED
2:22:23 PM Co-Chair Barker
2:22:29 PM VOTE: 10-0-0
2:22:31 PM AYES: Nolan, Olson, Schaufler, Tomei, Wand, Whisnant, Hicks, Garrett,
Krieger, Barker
2:22:32 PM Co-Chair Barker
2:22:33 PM MOTION: Co-Chair Krieger MOVES -2 amendment BE ADOPTED
2:22:38 PM Co-Chair Barker
2:22:50 PM Rep. Nolan
2:23:01 PM Co-Chair Barker
2:23:12 PM Rep. Nolan
2:23:18 PM Rep. Tomei
2:23:32 PM Johnston
2:23:47 PM Co-Chair Barker
2:23:53 PM VOTE: 7-3-0
2:23:58 PM AYES: Olson, Schaufler, Wand, Whisnant, Hicks, Krieger, Barker; NAYS:
Nolan, Tomei, Garrett
2:24:17 PM Co-Chair Barker
2:24:18 PM MOTION: Co-Chair Krieger MOVES HB 2828 DO PASS AS AMENDED
2:24:25 PM Co-Chair Barker
2:24:35 PM VOTE: 10-0-0
2:24:40 PM AYES: Nolan, Olson, Schaufler, Tomei, Wand, Whisnant, Hicks, Garrett,
Krieger, Barker
2:25:12 PM CARRIER: REP. WITT will lead discussion on the floor
2:25:29 PM Co-Chair Barker

2:25:41 PM **HB 2849-Work Session**
2:25:44 PM Drew Johnston, Committee Counsel
2:26:08 PM Co-Chair Barker
2:26:27 PM MOTION: Co-Chair Krieger MOVES HB 2849 DO PASS
2:26:43 PM Co-Chair Barker

2:26:54 PM Johnston
2:27:05 PM Rep. Tomei
2:27:14 PM Co-Chair Barker
2:27:25 PM Rep. Nolan
2:28:06 PM Johnston
2:28:38 PM Rep. Nolan
2:29:05 PM Co-Chair Krieger
2:29:08 PM Rep. Nolan
2:29:18 PM Co-Chair Barker
2:29:46 PM Rep. Nolan
2:29:53 PM Co-Chair Barker
2:29:55 PM VOTE: 9-1-0
2:29:59 PM AYES: Olson, Schaufler, Tomei, Wand, Whisnant, Hicks, Garrett, Krieger, Barker; NAYS: Nolan
2:30:25 PM CARRIER: REP. HUNT will lead discussion on the floor
2:30:31 PM Co-Chair Barker

2:30:32 PM **HB 2698-Work Session**
2:30:35 PM {Exhibit} 7: Aaron Knott, Committee Counsel
2:31:43 PM Co-Chair Krieger
2:31:54 PM MOTION: Co-Chair Krieger MOVES -1 amendment BE ADOPTED
2:31:59 PM Co-Chair Barker
2:32:05 PM VOTE: 10-0-0
2:32:08 PM AYES: Nolan, Olson, Schaufler, Tomei, Wand, Whisnant, Hicks, Garrett, Krieger, Barker
2:32:09 PM MOTION: Co-Chair Krieger MOVES HB 2698 DO PASS AS AMENDED
2:32:10 PM Co-Chair Barker
2:32:20 PM VOTE: 10-0-0
2:32:26 PM AYES: Nolan, Olson, Schaufler, Tomei, Wand, Whisnant, Hicks, Garrett, Krieger, Barker
2:32:28 PM CARRIER: REP. BAILEY will lead discussion on the floor
2:32:49 PM Co-Chair Barker

2:32:50 PM **HB 3066-Work Session**
2:32:51 PM {Exhibit} 8: Aaron Knott, Committee Counsel
2:34:28 PM Co-Chair Krieger
2:34:32 PM Knott
2:34:40 PM Rep. Wand
2:35:18 PM Knott
2:35:39 PM Co-Chair Barker
2:35:51 PM Co-Vice Chair Hicks
2:36:22 PM MOTION: Co-Chair Krieger MOVES -5 amendment BE ADOPTED
2:36:28 PM Co-Chair Barker
2:36:37 PM VOTE: 9-1-0
2:36:38 PM AYES: Nolan, Olson, Schaufler, Tomei, Wand, Whisnant, Garrett, Krieger, Barker; NAYS: Hicks

- 2:36:42 PM** MOTION: Co-Chair Krieger MOVES HB 3066 DO PASS AS AMENDED and be referred to Ways and Means (by prior reference)
- 2:36:47 PM** Co-Chair Barker
- 2:36:52 PM** VOTE: 9-1-0
- 2:37:04 PM** AYES: Nolan, Olson, Schaufler, Tomei, Wand, Whisnant, Garrett, Krieger, Barker; NAYS: Hicks
- 2:37:10 PM** The following written testimony was submitted for the record without public testimony
- 2:37:11 PM** {Exhibit} 9: Bob Robison, Portland, Oregon
- 2:37:20 PM** Meeting Adjourned by Co-Chair Barker
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Exhibit Log

- 1:11:09 PM** {Exhibit} 1: HB 2068, written testimony, Debra McHugh, 4 pp
- 1:39:54 PM** {Exhibit} 2: HB 3192, written testimony, Kevin Campbell, 2 pp
- 2:07:52 PM** {Exhibit} 3: HB 3192, written testimony, Steve Beck, 2 pp
- 2:14:17 PM** {Exhibit} 4: HB 3192, written testimony, Rep. Betty Komp, 1 p
- 2:20:54 PM** {Exhibit} 5: HB 2828, -1 amendment, staff, 1 p
- 2:20:55 PM** {Exhibit} 6: HB 2828, -2 amendment, staff, 1 p
- 2:30:35 PM** {Exhibit} 7: HB 2698, -1 amendment, staff, 1 p
- 2:32:51 PM** {Exhibit} 8: HB 3066, -5 amendment, staff, 2 pp
- 2:37:11 PM** {Exhibit} 9: HB 3066, written testimony, Bob Robison, 1 p
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