

## **HOUSE COMMITTEE ON JUDICIARY**

March 31, 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  
Katie Hoesly, Committee Assistant  
Pam Marshall, Committee Assistant

**MEASURES/ISSUES HEARD:** HB 3025 - Public Hearing  
HB 3065 - Public Hearing  
HB 2940 - Work Session  
HB 3153 - Work Session  
HB 2141 - Work Session

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### **Recording Log**

**1:03:15 PM** Meeting Called to Order by Co-Chair Krieger

**1:03:18 PM** **HB 3025 - Public Hearing**

**1:03:20 PM** Aaron Knott, Committee Counsel

**1:03:50 PM** Co-Chair Krieger

**1:04:11 PM** Rep. Deborah Boone, House District 32

**1:05:17 PM** Co-Chair Krieger

**1:05:20 PM** Rep. Boone

**1:05:46 PM** {Exhibit} 1-2: Josh Marquis, Clatsop County District Attorney

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

**1:06:32 PM** Marquis

**1:06:36 PM** Co-Chair Krieger

**1:06:38 PM** Marquis

**1:14:10 PM** Co-Chair Krieger

**1:14:13 PM** Rep. Olson

**1:14:14 PM** Co-Chair Krieger

**1:14:15 PM** Rep. Olson

1:14:39 PM Marquis  
1:15:19 PM Rep. Olson  
1:15:21 PM Co-Chair Barker  
1:15:33 PM Marquis  
1:15:36 PM Co-Chair Barker  
1:15:37 PM Co-Chair Krieger  
1:15:43 PM Marquis  
1:15:54 PM Co-Chair Krieger  
1:16:21 PM Scott Healy, Clackamas County Deputy Senior District Attorney and Oregon District Attorneys Association  
1:23:17 PM Co-Chair Krieger  
1:23:20 PM {Exhibit} 3: Jody Vaughan, Member, Governor's Advisory Council Committee on DUII  
1:25:01 PM Carrie Rasmussen, Hood River County Deputy District Attorney  
1:30:17 PM Co-Chair Krieger  
1:30:20 PM Rep. Olson  
1:30:21 PM Co-Chair Krieger  
1:30:22 PM Rep. Olson  
1:30:44 PM Rasmussen  
1:31:34 PM Rep. Olson  
1:31:37 PM Co-Chair Krieger  
1:32:07 PM {Exhibit} 4: Anne Pratt, Member, Mothers Against Drunk Driving  
1:39:01 PM Co-Chair Krieger  
1:39:24 PM Doug Harclerod, Senior Policy Advisor, Oregon Anti-Crime Alliance  
1:40:27 PM Co-Chair Krieger  
1:40:33 PM Co-Vice Chair Hicks  
1:40:56 PM Pratt  
1:41:24 PM Rep. Schaufler  
1:41:25 PM Co-Chair Barker  
1:41:26 PM Rep. Schaufler  
1:41:37 PM Harclerod  
1:42:23 PM Co-Chair Barker  
1:42:57 PM Russ Warr, Member, Astoria City Council  
1:44:42 PM Co-Chair Barker  
1:44:46 PM Peter Roscoe, Member, Astoria City Council  
1:49:46 PM Co-Chair Barker  
1:49:47 PM Rep. Tomei  
1:49:57 PM Roscoe  
1:50:11 PM Rep. Tomei  
1:50:12 PM Co-Chair Barker  
1:50:13 PM Rep. Tomei  
1:50:16 PM Roscoe  
1:50:25 PM Rep. Tomei  
1:50:29 PM Co-Chair Barker  
1:50:30 PM Rep. Schaufler  
1:51:46 PM Roscoe

1:52:03 PM Chair Barker  
1:52:07 PM Rep. Olson  
1:52:15 PM Roscoe  
1:52:19 PM Rep. Olson  
1:52:40 PM Warr  
1:53:16 PM Rep. Olson  
1:53:24 PM Co-Chair Barker  
1:53:26 PM Co-Vice Chair Hicks  
1:53:53 PM Warr  
1:54:28 PM Co-Chair Barker  
1:54:59 PM Roscoe  
1:55:02 PM Co-Chair Barker  
1:55:03 PM Warr  
1:55:11 PM Co-Chair Barker  
1:56:32 PM Scott Winkels, League of Oregon Cities  
1:59:18 PM Co-Chair Barker  
1:59:24 PM {Exhibit} 5: Blair Henningsgaard, Attorney, City of Astoria  
2:07:46 PM Co-Chair Barker  
2:07:50 PM Henningsgaard  
2:09:36 PM Co-Chair Barker  
2:09:42 PM Henningsgaard  
2:10:02 PM Co-Chair Barker  
2:10:03 PM Co-Vice Chair Garrett  
2:10:14 PM Henningsgaard  
2:10:38 PM Co-Vice Chair Garrett  
2:10:47 PM Henningsgaard  
2:10:49 PM Co-Chair Barker  
2:11:04 PM Henningsgaard  
2:11:09 PM Co-Chair Barker  
2:11:12 PM Henningsgaard  
2:11:13 PM Co-Chair Barker  
2:11:19 PM {Exhibit} 6: Paul Benoit, City Manager, City of Astoria  
2:14:03 PM Co-Chair Barker  
2:14:05 PM Benoit  
2:15:14 PM Co-Chair Barker  
2:15:49 PM Willis L. Van Dusen, Mayor, City of Astoria  
2:19:01 PM Co-Chair Barker  
2:19:05 PM Van Dusen  
2:19:06 PM Co-Chair Barker  
2:19:17 PM {Exhibit} 7: Arline LaMear, Member, Astoria City Council  
2:21:06 PM Co-Chair Barker  
2:21:11 PM Karen Mellin, Member, Astoria City Council  
2:23:04 PM Co-Chair Barker  
2:23:10 PM Van Dusen  
2:23:12 PM Co-Chair Barker  
2:23:13 PM Van Dusen

2:23:17 PM Co-Chair Barker  
2:23:33 PM Rep. Brad Whitt, House District 31  
2:24:48 PM Co-Chair Barker  
2:24:49 PM The following written testimony was submitted for the record without public testimony:  
2:24:50 PM {Exhibit} 8: Harold A. Snow, Attorney, Snow & Snow  
  
2:25:07 PM **HB 3065 - Public Hearing**  
2:25:12 PM Aaron Knott, Committee Counsel  
2:25:39 PM Co-Chair Barker  
2:25:56 PM {Exhibit} 9: John Kroger, Attorney General of Oregon  
2:29:55 PM Co-Chair Barker  
2:29:58 PM Josh Marquis, Clatsop County District Attorney  
2:31:20 PM Co-Chair Barker  
2:31:22 PM Doug Harclerod, Senior Policy Advisor, Oregon Anti-Crime Alliance  
2:34:00 PM Co-Chair Barker  
2:34:09 PM Co-Vice Chair Garrett  
2:34:40 PM Kroger  
2:34:50 PM Harclerod  
2:35:19 PM Co-Vice Chair Garrett  
2:35:20 PM Co-Chair Barker  
2:35:21 PM Rep. Nolan  
2:35:34 PM Kroger  
2:35:42 PM Marquis  
2:35:51 PM Rep. Nolan  
2:35:53 PM Marquis  
2:36:10 PM Rep. Nolan  
2:36:11 PM Co-Chair Barker  
2:36:12 PM Rep. Nolan  
2:36:19 PM Marquis  
2:36:33 PM Rep. Nolan  
2:36:34 PM Co-Chair Barker  
2:36:38 PM Co-Chair Krieger  
2:36:47 PM Co-Vice Chair Garrett  
2:36:49 PM Co-Chair Krieger  
2:36:52 PM Co-Chair Barker  
2:36:55 PM Rep. Whisnant  
2:37:23 PM Co-Chair Krieger  
2:37:55 PM Co-Chair Barker  
2:37:58 PM Co-Vice Chair Hicks  
2:38:38 PM Marquis  
2:39:11 PM Kroger  
2:39:53 PM Co-Chair Barker  
2:40:27 PM Raymond Baldwin  
2:40:44 PM Co-Chair Barker  
2:40:47 PM Baldwin

2:43:12 PM Co-Chair Krieger  
2:43:30 PM Baldwin  
2:43:45 PM Co-Chair Barker  
2:43:47 PM Rep. Schaufler  
2:43:54 PM Co-Chair Barker  
2:43:55 PM The following written testimony was submitted for the record without public testimony:  
2:43:55 PM {Exhibit} 10: Adam Walsh, Legislative Analyst, City of Eugene

2:44:07 PM **HB 2940 – Work Session**  
2:44:13 PM {Exhibit} 11: Aaron Knott, Committee Counsel  
2:44:44 PM Co-Chair Barker  
2:44:46 PM Rep. Sara Gelser, House District 16  
2:44:56 PM Co-Chair Barker  
2:45:00 PM Rep. Gelser  
2:45:02 PM Co-Chair Barker  
2:45:04 PM Rep. Gelser  
2:45:25 PM Co-Chair Barker  
2:45:27 PM Rep. Schaufler  
2:45:37 PM Rep. Gelser  
2:45:39 PM Co-Chair Barker  
2:45:47 PM Knott  
2:45:53 PM MOTION: Co-Chair Krieger moves -1 amendment BE ADOPTED  
2:45:57 PM Co-Chair Barker  
2:45:58 PM VOTE: 10-0-0  
2:46:03 PM AYES: Nolan, Olson, Schaufler, Tomei, Wand, Whisnant, Garrett, Hicks, Barker, Krieger  
2:46:04 PM Rep. Tomei moves HB 2940 Do Pass as Amended and Refer to Ways and Means  
2:46:23 PM Co-Chair Barker  
2:46:33 PM VOTE: 10-0-0  
2:46:36 PM AYES: Nolan, Olson, Schaufler, Tomei, Wand, Whisnant, Garrett, Hicks, Barker, Krieger  
2:46:57 PM Co-Chair Barker

2:47:08 PM **HB 3153 - Work Session**  
2:47:10 PM {Exhibit} 12: Aaron Knott, Committee Counsel  
2:47:11 PM MOTION: Co-Chair Krieger moves that the rules be suspended for the purpose of reconsidering the vote on HB 3153  
2:47:12 PM VOTE: 10-0-0  
2:47:13 PM AYES: Nolan, Olson, Schaufler, Tomei, Wand, Whisnant, Garrett, Hicks, Barker, Krieger  
2:47:40 PM Co-Chair Barker  
2:47:43 PM Co-Chair Krieger  
2:47:45 PM MOTION: Co-Vice Chair Garrett moves that HB 3153 be passed to the floor with a Do Pass as Amended Recommendation

**2:47:46 PM** VOTE: 10-0-0  
**2:47:48 PM** AYES: Nolan, Olson, Schaufler, Tomei, Wand, Whisnant, Garrett, Hicks, Barker, Krieger  
**2:47:49 PM** CARRIER: CO-CHAIR BARKER will lead discussion on the floor  
**2:47:50 PM** Co-Chair Barker  
**2:48:00 PM** Rep. Nolan  
**2:48:01 PM** Co-Chair Barker  
  
**2:48:25 PM** **HB 2141 - Work Session**  
**2:48:40 PM** Co-Chair Barker  
**2:48:47 PM** Meeting Adjourned by Co-Chair Barker

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### **Exhibit Summary**

**1:05:46 PM** {Exhibit} 1: HB 3025, written testimony, Josh Marquis, 12 pp  
**1:05:46 PM** {Exhibit} 2: HB 3025, written testimony, Josh Marquis, 1 p  
**1:23:20 PM** {Exhibit} 3: HB 3025, written testimony, Jody Vaughan, 1 p  
**1:32:07 PM** {Exhibit} 4: HB 3025, written testimony, Anne Pratt, 2 pp  
**1:59:24 PM** {Exhibit} 5: HB 3025, written testimony, Blair Henningsgaard, 19 pp  
**2:11:19 PM** {Exhibit} 6: HB 3025, written testimony, Paul Benoit, 1 p  
**2:19:17 PM** {Exhibit} 7: HB 3025, written testimony, Arline LaMear, 1 p  
**2:24:50 PM** {Exhibit} 8: HB 3025, written testimony, Harold A. Snow, 1 p  
**2:25:56 PM** {Exhibit} 9: HB 3065, -1 amendment, John Kroger, 2 pp  
**2:43:55 PM** {Exhibit} 10: HB 3065, written testimony, Adam Walsh, 1 p  
**2:44:13 PM** {Exhibit} 11: HB 2940, -1 amendment, staff, 3 pp  
**2:47:10 PM** {Exhibit} 12: HB 3153, -1 amendment, staff, 1 p

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