

## **HOUSE COMMITTEE ON JUDICIARY**

April 15, 2011  
1:00 P.M.

Hearing Room 343

**MEMBERS PRESENT:** Co-Chair Jeff Barker  
Co-Chair Wayne Krieger  
Co-Vice Chair Wally Hicks  
Rep. Mary Nolan  
Rep. Andy Olson  
Rep. Mike Schaufler  
Rep. Matt Wand  
Rep. Gene Whisnant

**MEMBERS EXCUSED:** Co-Vice Chair Chris Garrett  
Rep. Carolyn Tomei

**STAFF PRESENT:** Cheyenne Ross, Committee Counsel  
Bill Taylor, Committee Counsel  
Aaron Knott, Committee Counsel  
Katie Hoesly, Committee Assistant  
Pam Marshall, Committee Assistant

**MEASURES/ISSUES HEARD:** HJR 34 - Public Hearing  
HB 2648 - Work Session  
HB 2942 - Work Session  
HB 2103 - Work Session  
HB 2141 - Work Session  
HB 3239 - Work Session  
HB 2217 - Work Session  
HB 2662 - Work Session

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### **Recording Log**

**1:07:20 PM** Meeting Called to Order by Co-Chair Barker

**1:07:51 PM** **HJR 34 - Public Hearing**

**1:07:53 PM** Bill Taylor, Committee Counsel

**1:08:12 PM** Co-Chair Barker

**1:08:28 PM** {Exhibit} 1: Rep. Andy Olson, House District 15

**1:18:07 PM** Co-Chair Barker

**1:18:24 PM** Jason Carlile, District Attorney, Linn County, Oregon

**1:20:29 PM** Brad Berry, District Attorney, Yamhill County, Oregon

**1:24:17 PM** Co-Chair Barker

**1:24:19 PM** Co-Vice Chair Hicks

**1:25:00 PM** Carlile

**1:25:32 PM** Co-Chair Barker

**1:25:35 PM** Rep. Nolan

1:26:11 PM Berry  
1:26:40 PM Rep. Nolan  
1:27:08 PM Berry  
1:28:32 PM Rep. Nolan  
1:28:39 PM Berry  
1:28:40 PM Rep. Nolan  
1:29:24 PM Berry  
1:29:39 PM Rep. Nolan  
1:29:40 PM Co-Chair Barker  
1:29:51 PM Berry  
1:29:55 PM Taylor  
1:30:00 PM Co-Chair Barker  
1:30:30 PM {Exhibit} 2: Andrea Meyer, Legislative Director, American Civil Liberties Union  
1:36:25 PM Co-Chair Barker  
1:36:31 PM {Exhibit} 3: P.K. Runkles Pearson, attorney, Stoel Rives LLP  
1:44:44 PM Co-Chair Barker  
1:44:45 PM Rep. Wand  
1:45:13 PM Pearson  
1:45:14 PM Rep. Wand  
1:45:53 PM Pearson  
1:46:31 PM Co-Chair Barker  
1:46:36 PM {Exhibit} 4: Candace Morgan, resident, Portland, Oregon  
1:49:33 PM Co-Chair Barker  
1:49:39 PM {Exhibit} 5: Mary Ginnane, resident, Salem, Oregon  
1:49:41 PM Co-Chair Barker  
1:49:45 PM Ginnane  
1:52:54 PM Co-Chair Barker  
1:53:08 PM Rep. Olson  
1:53:09 PM Co-Chair Barker  
1:53:21 PM Karen Scheler, Executive Director, ABC House, Child Abuse Intervention Center serving Linn and Benton Counties  
1:59:40 PM Co-Chair Barker  
1:59:52 PM Scheler  
1:59:59 PM Co-Chair Barker  
2:00:11 PM Scheler  
2:00:30 PM Co-Chair Barker  
  
2:01:06 PM **HB 2648 - Work Session**  
2:01:14 PM {Exhibits} 6-7: Cheyenne Ross, Committee Counsel  
2:01:59 PM Co-Chair Barker  
2:02:09 PM Rep. Sara Gelser, House District 16  
2:03:06 PM Co-Chair Barker  
2:03:10 PM Bob Joondeph, Executive Director, Disability Rights Oregon  
2:04:40 PM Co-Chair Barker

**2:06:24 PM HB 2942 - Work Session**

**2:06:25 PM** {Exhibit} 8: Bill Taylor, Committee Counsel

**2:07:19 PM** Co-Chair Barker

**2:07:53 PM** Taylor

**2:08:09 PM** MOTION: Co-Chair Krieger moves -1 amendment Be Adopted

**2:08:15 PM** Co-Chair Barker

**2:08:21 PM** VOTE: 8-0-2

**2:08:22 PM** AYES: Nolan, Olson, Schaufler, Wand, Whisnant, Hicks, Barker, Krieger;  
EXCUSED: Garrett, Tomei

**2:08:39 PM** Meeting Recessed

**2:09:49 PM** Meeting Reconvened

**2:09:53 PM** Co-Chair Barker

**2:10:09 PM HB 2103 - Work Session**

**2:10:12 PM** {Exhibit} 9: Aaron Knott, Committee Counsel

**2:11:11 PM** MOTION: Co-Chair Krieger moves -1 amendment Be Adopted

**2:11:16 PM** Co-Chair Barker

**2:11:23 PM** Co-Chair Krieger

**2:11:30 PM** Knott

**2:11:38 PM** Co-Chair Barker

**2:11:39 PM** Rep. Nolan

**2:11:41 PM** Co-Chair Krieger

**2:11:54 PM** Rep. Nolan

**2:12:06 PM** Co-Chair Barker

**2:12:08 PM** Knott

**2:12:53 PM** Co-Chair Barker

**2:13:29 PM** Rep. Nolan

**2:13:34 PM** Co-Chair Barker

**2:13:38 PM** Rep. Nolan

**2:13:39 PM** Co-Chair Barker

**2:13:47 PM** VOTE: 7-1-2

**2:13:49 PM** AYES: Olson, Schaufler, Wand, Whisnant, Hicks, Barker, Krieger; NAY:  
Nolan; EXCUSED: Garrett, Tomei

**2:13:51 PM** Knott

**2:13:52 PM** MOTION: Co-Chair Krieger moves HB 2103 Do Pass as Amended

**2:13:57 PM** Co-Chair Barker

**2:14:07 PM** Rep. Nolan

**2:14:13 PM** Knott

**2:14:32 PM** VOTE: 8-0-2

**2:14:42 PM** AYES: Nolan, Olson, Schaufler, Wand, Whisnant, Hicks, Barker, Krieger;  
EXCUSED: Garrett, Tomei

**2:14:52 PM** Co-Chair Krieger

**2:14:58 PM** Co-Chair Barker

**2:14:58 PM** Co-Vice Chair Hicks

**2:14:58 PM** Co-Chair Barker

**2:15:06 PM** Co-Vice Chair Hicks

2:15:07 PM Co-Chair Barker  
2:15:10 PM Co-Vice Chair Hicks  
2:15:13 PM Rep. Nolan  
2:15:13 PM Co-Chair Barker  
2:15:15 PM Co-Vice Chair Hicks  
2:15:16 PM Co-Chair Barker  
2:15:17 PM CARRIER: REP. HICKS will lead discussion on the floor

**2:15:19 PM HB 2141 - Work Session**

2:15:20 PM {Exhibit} 10: Aaron Knott, Committee Counsel  
2:16:12 PM MOTION: Co-Chair Krieger moves -3 amendment Be Adopted  
2:16:21 PM Co-Chair Barker  
2:16:24 PM Rep. Nolan  
2:16:54 PM Knott  
2:17:01 PM Rep. Nolan  
2:17:25 PM Knott  
2:17:27 PM Deena Ryerson, Assistant Attorney General, Oregon Department of Justice  
2:17:40 PM Co-Chair Barker  
2:17:42 PM Rep. Nolan  
2:17:43 PM Co-Chair Barker  
2:17:44 PM Ryerson  
2:18:19 PM Rep. Nolan  
2:18:22 PM Ryerson  
2:18:54 PM Rep. Nolan  
2:19:04 PM Co-Chair Barker  
2:19:06 PM Rep. Nolan  
2:19:07 PM Co-Chair Barker  
2:19:07 PM VOTE: 8-0-2  
2:19:08 PM AYES: Nolan, Olson, Schaufler, Wand, Whisnant, Hicks, Barker, Krieger;  
EXCUSED: Garrett, Tomei  
2:19:09 PM MOTION: Co-Chair Krieger moves HB 2141 Do Pass as Amended  
2:19:15 PM Rep. Nolan  
2:19:21 PM Co-Chair Barker  
2:19:29 PM VOTE: 8-0-2  
2:19:31 PM AYES: Nolan, Olson, Schaufler, Wand, Whisnant, Hicks, Barker, Krieger;  
EXCUSED: Garrett, Tomei  
2:19:34 PM CARRIER: REP. NOLAN will lead discussion on the floor  
2:19:51 PM Co-Chair Barker  
2:19:52 PM Rep. Olson  
2:19:53 PM Rep. Nolan  
2:20:01 PM Co-Chair Barker  
2:20:02 PM Rep. Nolan  
2:20:06 PM Co-Chair Barker

**2:20:10 PM HB 3239 - Work Session**

2:20:14 PM Aaron Knott, Committee Counsel  
2:20:39 PM Co-Chair Barker  
2:20:57 PM Rep. Nolan  
2:21:01 PM Co-Chair Barker  
2:21:05 PM Co-Vice Chair Hicks  
2:21:13 PM Knott  
2:21:14 PM MOTION: Co-Vice Chair Krieger moves HB 3239 Do Pass  
2:21:19 PM Co-Chair Barker  
2:21:26 PM VOTE: 8-0-2  
2:21:28 PM AYES: Nolan, Olson, Schaufler, Wand, Whisnant, Hicks, Barker, Krieger;  
EXCUSED: Garrett, Tomei  
2:21:30 PM CARRIER: REP. BARKER will lead discussion on the floor  
2:22:10 PM Co-Chair Barker  
  
2:22:32 PM **HB 2217 - Work Session**  
2:22:34 PM Bill Taylor, Committee Counsel  
2:23:08 PM Co-Chair Barker  
2:23:13 PM MOTION: Co-Chair Krieger moves HB 2217 Do Pass  
2:23:16 PM Co-Chair Barker  
2:23:24 PM VOTE: 8-0-2  
2:23:27 PM AYES: Nolan, Olson, Schaufler, Wand, Whisnant, Hicks, Barker, Krieger;  
EXCUSED: Garrett, Tomei  
2:23:29 PM CARRIER: REP. BUCKLEY will lead discussion on the floor  
2:23:58 PM Taylor  
2:24:30 PM Co-Chair Krieger  
2:24:35 PM Taylor  
2:24:39 PM Co-Chair Barker  
2:24:43 PM Co-Chair Krieger  
2:24:43 PM Co-Chair Barker  
  
2:25:24 PM **HB 2662 - Work Session**  
2:25:25 PM {Exhibit} 11: Cheyenne Ross, Committee Counsel  
2:26:54 PM Co-Chair Barker  
2:27:00 PM Rep. Nolan  
2:27:05 PM Co-Chair Barker  
2:27:12 PM David C. Yandell, Director, Criminal Justice Information Services Division,  
Oregon State Police  
2:27:19 PM Co-Vice Chair Hicks  
2:27:32 PM Yandell  
2:28:08 PM Co-Vice Chair Hicks  
2:28:13 PM Ross  
2:28:20 PM Co-Chair Barker  
2:28:36 PM Ross  
2:28:39 PM Co-Chair Barker  
2:28:39 PM MOTION: Co-Chair Krieger moves -1 amendment Be Adopted  
2:28:43 PM Co-Chair Barker

**2:28:51 PM** VOTE: 8-0-2  
**2:28:53 PM** AYES: Nolan, Olson, Schaufler, Wand, Whisnant, Hicks, Barker, Krieger;  
EXCUSED: Garrett, Tomei  
**2:28:53 PM** MOTION: Co-Chair Krieger moves HB 2662 Do Pass as Amended and Be  
Placed on the Consent Calendar  
**2:28:57 PM** Co-Chair Barker  
**2:29:10 PM** VOTE: 8-0-2  
**2:29:12 PM** AYES: Nolan, Olson, Schaufler, Wand, Whisnant, Hicks, Barker, Krieger;  
EXCUSED: Garrett, Tomei  
**2:29:15 PM** Co-Chair Barker  
**2:29:47 PM** Meeting Recessed  
**2:30:20 PM** Meeting Reconvened  
**2:30:25 PM** Meeting Adjourned by Co-Chair Barker

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### **Exhibit Summary**

**1:08:28 PM** {Exhibit} 1: HJR 34, written testimony, Rep. Andy Olson, 3 pp  
**1:30:30 PM** {Exhibit} 2: HJR 34, written testimony, Andrea Meyer, 4 pp  
**1:36:31 PM** {Exhibit} 3: HJR 34, children's books, P.K. Runkles Pearson, 6 pp  
**1:46:36 PM** {Exhibit} 4: HJR 34, written testimony, Candace Morgan, 1 p  
**1:49:39 PM** {Exhibit} 5: HJR 34, written testimony, Mary Ginnane, 1 p  
**2:01:14 PM** {Exhibit} 6: HB 2648, -1 amendment, staff, 2 pp  
**2:01:14 PM** {Exhibit} 7: HB 2648, -2 amendment, staff, 5 pp  
**2:06:25 PM** {Exhibit} 8: HB 2942, -1 amendment, staff, 39 pp  
**2:10:12 PM** {Exhibit} 9: HB 2103, -1 amendment, staff, 1 p  
**2:15:20 PM** {Exhibit} 10: HB 2141, -3 amendment, staff, 3 pp  
**2:25:25 PM** {Exhibit} 11: HB 2662, -1 amendment, staff, 5 pp

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