

HOUSE COMMITTEE ON JUDICIARY

April 19, 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
Kristi Hauck, Committee Assistant

MEASURES/ISSUES HEARD: HB 2183 – Public Hearing
HB 2791 – Public Hearing
HB 3615 – Public Hearing
HB 3259 – Work Session
HJR 34 – Work Session
HB 2142 – Work Session
HB 2648 – Work Session
HB 2694 – Work Session

Recording Log

1:09:11 PM Meeting Called to Order by Co-Chair Barker

1:11:09 PM HB 2183-Public Hearing

1:11:19 PM {Exhibits} 1-2: Aaron Knott, Committee Counsel

1:11:59 PM Rep. Wayne Krieger, House District 1

1:13:30 PM Sen. Jeff Kruse, Senate District 1

1:15:07 PM Co-Chair Barker

1:15:16 PM Elizabeth Cushwa, Oregon District Attorneys Association

1:16:40 PM Co-Chair Barker

1:16:43 PM Rep. Nolan

1:17:13 PM Cushwa

1:17:29 PM Co-Chair Barker

1:17:32 PM Cushwa
1:17:39 PM Rep. Nolan
1:17:43 PM Cushwa
1:17:51 PM Co-Chair Barker
1:17:52 PM Co-Vice Chair Hicks
1:18:26 PM Knott
1:18:39 PM Rep. Krieger
1:19:37 PM Co-Vice Chair Garrett
1:19:59 PM Cushwa
1:20:50 PM Co-Vice Chair Garrett
1:20:53 PM Cushwa
1:21:07 PM Knott
1:22:26 PM Co-Vice Chair Hicks
1:23:29 PM Co-Chair Barker
1:23:30 PM Rep. Tomei
1:23:39 PM Knott
1:23:41 PM Rep. Tomei
1:23:48 PM Knott
1:24:02 PM Rep. Tomei
1:24:27 PM Cushwa
1:24:50 PM Rep. Tomei
1:25:42 PM Cushwa
1:26:07 PM Rep. Tomei
1:26:09 PM Co-Chair Barker
1:26:11 PM Rep. Krieger
1:26:46 PM Co-Chair Barker
1:27:23 PM {Exhibit} 3: Gretchen Bennett, The Oregon Network of Child Abuse
Intervention Centers
1:29:25 PM Co-Chair Barker
1:29:29 PM {Exhibit} 4: Tonia Hunt, Executive Director, Children's Center
1:31:36 PM {Exhibit} 5: Mark McKechnie, Executive Director, Youth, Rights, & Justice
1:36:30 PM Co-Chair Barker
1:36:33 PM Rep. Schaufler
1:37:58 PM Co-Chair Barker
1:38:20 PM Tricia Smith, Oregon School Employees Association
1:41:58 PM Co-Chair Barker
1:42:07 PM Smith
1:42:33 PM Co-Chair Barker
1:42:37 PM Rodger Williams, Legislative Coordinator, Oregon Christian Home
Education Association Network
1:44:38 PM Co-Chair Barker
1:44:39 PM Co-Vice Chair Hicks
1:45:47 PM Smith
1:46:10 PM Rep. Schaufler
1:46:56 PM Co-Vice Chair Garrett
1:47:23 PM Rep. Schaufler

1:47:40 PM Co-Vice Chair Garrett
1:47:59 PM Rep. Schaufler
1:48:05 PM Rep. Wand
1:48:22 PM Rep. Nolan
1:48:55 PM Rep. Schaufler
1:49:01 PM Co-Chair Barker
1:49:46 PM Co-Vice Chair Garrett
1:50:09 PM Co-Chair Barker
1:50:22 PM Rep. Wand
1:50:29 PM Co-Vice Chair Hicks
1:50:30 PM Co-Chair Barker
1:50:31 PM The following written testimony was submitted for the record without public testimony:
1:50:32 PM {Exhibit} 6: Megan Moyer, Service Employees International Union, Local 503

1:50:37 PM **HB 2791-Public Hearing**
1:50:42 PM {Exhibit} 7: Rep. Kim Thatcher, House District 25
1:54:36 PM Co-Chair Barker
1:55:07 PM {Exhibit} 8: Ralph Groener, Political Coordinator, Oregon American Federation of State, County and Municipal Employees
1:56:43 PM Co-Chair Krieger
1:56:53 PM Groener
1:57:25 PM Melody Mole, Firearms Unit, Oregon State Police
2:02:21 PM Co-Chair Barker
2:02:22 PM Co-Vice Chair Hicks
2:02:33 PM Mole
2:02:45 PM Co-Vice Chair Hicks
2:02:50 PM Mole
2:03:02 PM Co-Chair Barker
2:03:25 PM {Exhibit} 9: Kevin Starrett, Oregon Firearms Federation
2:07:27 PM Co-Chair Barker
2:08:30 PM Al Elkins, Oregon Hunters Association
2:08:50 PM Co-Chair Barker
2:08:52 PM Karla Kay Edwards, Cascade Policy Institute
2:11:47 PM Co-Chair Barker
2:12:14 PM Brian Stone, owner, Corvallis Guns
2:14:26 PM Co-Chair Barker
2:14:27 PM Rod Harder, National Rifle Association
2:16:56 PM Rep. Schaufler
2:17:18 PM Co-Chair Barker
2:18:42 PM Rep. Whisnant
2:19:46 PM Co-Chair Barker
2:20:05 PM The following written testimony was submitted for the record without public testimony:
2:20:06 PM {Exhibit} 10: Elise Gautier, Ceasefire Oregon

2:20:09 PM HB 3615-Public Hearing

- 2:20:23 PM** Rep. Schaufler
2:20:25 PM Co-Chair Barker
2:20:35 PM Rep. Bill Garrard, House District 56
2:23:26 PM Co-Chair Barker
2:23:29 PM Rep. Wally Hicks, House District 3
2:26:21 PM Co-Chair Barker
2:26:26 PM Rep. Schaufler
2:26:35 PM Co-Chair Barker
2:27:01 PM Kelly Madding, County Administrator, Jackson County, Oregon
2:28:55 PM Co-Chair Barker
2:28:57 PM {Exhibit} 11: Keith Cubic, Planning Director, Douglas County, Oregon
2:32:21 PM Co-Chair Barker
2:32:25 PM Karla Kay Edwards, Cascade Policy Institute
2:33:25 PM Co-Chair Barker
2:33:57 PM Dave Hunnicutt, President, Oregonians In Action
2:36:12 PM Co-Chair Barker
2:36:16 PM John Brosy, Land Planning Consultant
2:38:08 PM Co-Chair Barker
2:38:09 PM Shaun Jillions, Oregon Association of Realtors
2:38:39 PM Co-Chair Barker
2:38:42 PM Rep. Whisnant
2:38:57 PM Co-Chair Barker
2:39:33 PM {Exhibit} 12: Jerry Lidz, Acting Director, Department of Land Conservation and Development
2:41:48 PM Co-Chair Barker
2:41:53 PM {Exhibit} 13: Steve McCoy, Farm and Forest Staff Attorney, 1000 Friends of Oregon
2:44:09 PM Co-Chair Barker
2:44:11 PM Peggy Lynch, League of Women Voters of Oregon
2:47:00 PM Co-Chair Barker
2:47:15 PM Rep. Sal Esquivel, House District 6
2:47:28 PM Co-Chair Barker
2:47:32 PM Rep. Esquivel
2:47:34 PM Co-Chair Barker
2:47:36 PM Rep. Esquivel
2:48:20 PM Co-Chair Barker
2:48:22 PM Rep. Esquivel
2:48:24 PM Co-Chair Barker
2:48:27 PM Rep. Esquivel
2:48:44 PM Co-Chair Barker
2:48:45 PM The following written testimony was submitted for the record without public testimony:
2:48:46 PM {Exhibit} 14: Tammy Baney, Chair, Board of County Commissioners, Deschutes County

2:48:47 PM {Exhibit} 15: Al Switzer, Chairman, Klamath County Commissioners

2:48:57 PM **HB 3259-Work Session**

2:49:12 PM Cheyenne Ross, Committee Counsel

2:49:13 PM Co-Chair Barker

2:50:21 PM **HJR 34-Work Session**

2:50:26 PM Bill Taylor, Committee Counsel

2:50:58 PM MOTION: Co-Chair Krieger moves HJR 34 Be Adopted and Be Referred to Rules

2:51:08 PM Rep. Schaufler

2:51:13 PM Co-Vice Chair Garrett

2:51:19 PM Co-Chair Barker

2:51:43 PM VOTE: 9-1-0

2:51:44 PM AYES: Olson, Schaufler, Tomei, Wand, Whisnant, Hicks, Garrett, Barker, Krieger; NAY: Nolan

2:51:58 PM **HB 2142-Work Session**

2:52:34 PM Co-Chair Barker

2:53:44 PM **HB 2648-Work Session**

2:53:52 PM {Exhibits} 16-17: Cheyenne Ross, Committee Counsel

2:54:22 PM Co-Chair Barker

2:54:32 PM Ross

2:54:33 PM MOTION: Co-Chair Krieger moves the -1 amendments Be Adopted

2:54:43 PM Co-Chair Barker

2:54:46 PM VOTE: 10-0-0

2:54:47 PM AYES: Nolan, Olson, Schaufler, Tomei, Wand, Whisnant, Hicks, Garrett, Barker, Krieger

2:54:48 PM MOTION: Co-Chair Krieger moves HB 2684 Do Pass as Amended

2:54:54 PM Co-Chair Barker

2:55:00 PM Rep. Tomei

2:55:04 PM Co-Chair Barker

2:55:29 PM Rep. Tomei

2:55:41 PM Ross

2:55:54 PM VOTE: 10-0-0

2:55:55 PM AYES: Nolan, Olson, Schaufler, Tomei, Wand, Whisnant, Hicks, Garrett, Barker, Krieger

2:55:56 PM CARRIER: REP. GELSER will lead discussion on the floor

2:56:30 PM Co-Chair Barker

2:56:35 PM **HB 2694-Work Session**

2:56:39 PM Aaron Knott, Committee Counsel

2:57:42 PM John C. Powell, Oregon State Sheriffs' Association

2:58:23 PM Co-Chair Barker

2:58:28 PM Marshall Ross, Senior Deputy, Multnomah County Sheriff's Office

3:00:44 PM Co-Chair Barker
3:00:55 PM Knott
3:01:06 PM MOTION: Co-Vice Chair Hicks moves HB 2694 Do Pass
3:01:36 PM VOTE: 10-0-0
3:01:37 PM AYES: Nolan, Olson, Schaufler, Tomei, Wand, Whisnant, Hicks, Garrett, Barker, Krieger
3:01:37 PM CARRIER: REP. HICKS will lead discussion on the floor
3:01:39 PM Meeting Adjourned by Co-Chair Barker

Exhibit Summary

1:11:19 PM {Exhibit} 1: HB 2183, -2 amendments, staff, 1 p
1:11:19 PM {Exhibit} 2: HB 2183, -3 amendments, staff, 1 p
1:27:23 PM {Exhibit} 3: HB 2183, written testimony, Gretchen Bennett, 2 pp
1:29:29 PM {Exhibit} 4: HB 2183, written testimony, Tonia Hunt, 1 p
1:31:36 PM {Exhibit} 5: HB 2183, written testimony, Mark McKechnie, 2 pp
1:50:32 PM {Exhibit} 6: HB 2183, written testimony, Megan Moyer, 1 p
1:50:42 PM {Exhibit} 7: HB 2791, written testimony, Kim Thatcher, 1 p
1:55:07 PM {Exhibit} 8: HB 2791, written testimony, Ralph Groener, 1 p
2:03:25 PM {Exhibit} 9: HB 2791, written testimony, Kevin Starrett, 25 pp
2:20:06 PM {Exhibit} 10: HB 2791, written testimony, Elise Gautier, 2 pp
2:28:57 PM {Exhibit} 11: HB 3615, written testimony, Keith Cubic, 1 p
2:39:33 PM {Exhibit} 12: HB 3615, written testimony, Jerry Lidz, 2 pp
2:41:53 PM {Exhibit} 13: HB 3615, written testimony, Steve McCoy, 6 pp
2:48:46 PM {Exhibit} 14: HB 3615, written testimony, Tammy Baney, 2 pp
2:48:47 PM {Exhibit} 15: HB 3615, written testimony, Al Switzer, 1 p
2:53:52 PM {Exhibit} 16: HB 2648, -1 amendments, staff, 2 pp
2:53:52 PM {Exhibit} 17: HB 2648, -2 amendments, staff, 5 pp
