

HOUSE COMMITTEE ON JUDICIARY

**May 18, 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: Cheyenne Ross, Committee Counsel
Kristi Hauck, Committee Assistant

MEASURES/ISSUES HEARD: SB 378 A – Public Hearing and Work Session
SB 408 A – Public Hearing and Work Session
SB 616 A – Public Hearing and Work Session
SB 62 – Work Session
SB 63 A – Work Session
SB 64 – Work Session
SB 65 – Work Session
SB 68 – Work Session
SB 178 – Work Session
SB 397 A – Work Session
SB 731 A – Work Session

Recording Log

1:06:35 PM Meeting Called to Order by Co-Chair Barker

1:06:59 PM **SB 378 A - Public Hearing**

1:07:03 PM Cheyenne Ross, Committee Counsel

1:07:40 PM {Exhibit} 1: Gail Meyer, Legislative Representative, Oregon Criminal Defense Lawyers Association

1:10:34 PM Co-Chair Barker

1:10:38 PM Brad Berry, Yamhill County District Attorney, Oregon District Attorneys Association

1:12:28 PM Co-Chair Barker

1:12:31 PM Co-Vice Chair Hicks

1:12:56 PM Berry

1:13:41 PM Co-Chair Barker

1:13:49 PM **SB 378 A - Work Session**

1:13:54 PM MOTION: Co-Vice Chair Hicks moves SB 378 A Do Pass

1:13:59 PM Co-Chair Barker

1:14:23 PM VOTE: 9-0-1

1:14:24 PM AYES: Nolan, Olson, Schaufler, Tomei, Wand, Whisnant, Hicks, Garrett, Barker; EXCUSED: Krieger

1:14:25 PM CARRIER: SEN. WHISNANT will lead discussion on the floor

1:14:33 PM **SB 408 A - Public Hearing**

1:14:36 PM {Exhibit} 2: Cheyenne Ross, Committee Counsel

1:15:57 PM Co-Chair Barker

1:16:25 PM {Exhibit} 3: Mark McKechnie, Executive Director, Youth, Rights & Justice

1:27:54 PM Co-Chair Barker

1:27:58 PM {Exhibit} 4: Christine Herrman, Executive Director, Attorney General's Sexual Assault Task Force

1:31:46 PM Co-Chair Barker

1:31:50 PM {Exhibit} 5: Janet Arenz, Executive Director, Oregon Alliance of Children's Programs

1:33:26 PM Co-Chair Barker

1:33:46 PM Elizabeth Cushwa, Executive Director, Oregon District Attorneys Association

1:35:05 PM Co-Chair Barker

1:35:07 PM Rep. Wand

1:35:22 PM Cushwa

1:35:38 PM Co-Chair Barker

1:35:39 PM Cushwa

1:35:41 PM Brad Berry, Yamhill County District Attorney, Oregon District Attorneys Association

1:36:08 PM Rep. Wand

1:36:44 PM Berry

1:37:01 PM Rep. Wand

1:37:06 PM Co-Vice Chair Hicks

1:38:59 PM Rep. Wand

1:39:00 PM Co-Vice Chair Hicks

1:39:10 PM Co-Chair Barker

1:39:25 PM {Exhibit} 6: Vi Beaty, Unit Manager, Sex Offender Registration Unit, Oregon State Police

1:41:51 PM Co-Chair Barker

1:41:52 PM Co-Vice Chair Hicks

1:42:11 PM Ross

1:42:38 PM Co-Chair Barker

1:42:42 PM The following written testimony was submitted for the record without public

testimony:

1:42:43 PM {Exhibit} 7: Jan Spitz, resident, Bend, Oregon
1:42:43 PM {Exhibit} 8: Shannon Wight, Associate Director, Partnership for Safety and Justice

1:42:56 PM **SB 408 A - Work Session**

1:43:00 PM MOTION: Co-Chair Krieger moves SB 408 A Do Pass
1:43:10 PM Co-Chair Barker
1:43:35 PM VOTE: 9-0-1
1:43:35 PM AYES: Olson, Schaufler, Tomei, Wand, Whisnant, Hicks, Garrett, Barker, Krieger; EXCUSED: Nolan
1:43:36 PM CARRIER: REP. OLSON will lead discussion on the floor

1:43:43 PM **SB 616 A - Public Hearing**

1:43:45 PM Cheyenne Ross, Committee Counsel
1:44:02 PM Co-Chair Barker
1:44:38 PM {Exhibit} 9: Scott Beckstead, Oregon State Director, The Humane Society of the United States
1:48:30 PM {Exhibit} 10: Glenn Klob, Executive Director, Oregon Veterinary Medical Association
1:49:47 PM Co-Chair Barker
1:49:49 PM {Exhibit} 11: Matthew Dominguez, student, Lewis & Clark Law School
1:52:38 PM Co-Chair Barker
1:52:58 PM {Exhibit} 12: Doug Harclerod, Senior Policy Advisor, Oregon Anti-Crime Alliance
1:54:26 PM Co-Chair Barker
1:54:27 PM {Exhibit} 13: Deborah Wood, Manager of Animal Services, Washington County
1:56:46 PM Co-Chair Barker
1:56:51 PM The following written testimony was submitted for the record without public testimony:
1:56:51 PM {Exhibit} 14: Sharon Harmon, Executive Director, Oregon Humane Society
1:56:52 PM {Exhibit} 15: Stephan Otto, Director of Legislative Affairs, Animal Legal Defense Fund

1:56:53 PM **SB 616 A - Work Session**

1:56:55 PM MOTION: Co-Chair Krieger moves SB 616 A Do Pass
1:57:03 PM Co-Chair Barker
1:57:25 PM VOTE: 8-1-1
1:57:26 PM AYES: Nolan, Olson, Schaufler, Tomei, Whisnant, Hicks, Garrett, Barker, Krieger; NAY: Wand; EXCUSED: Nolan
1:57:27 PM CARRIER: REP. TOMEI will lead discussion on the floor

1:57:34 PM **SB 62 - Work Session**

1:57:36 PM Cheyenne Ross, Committee Counsel
1:58:15 PM Co-Chair Barker

1:58:16 PM MOTION: Co-Chair Krieger moves SB 62 Do Pass
1:58:54 PM VOTE: 7-1-2
1:58:54 PM AYES: Olson, Schaufler, Tomei, Whisnant, Hicks, Barker, Krieger; NAY: Wand; EXCUSED: Nolan, Garrett
1:58:55 PM CARRIER: REP. SCHAUFLEER will lead discussion on the floor

1:59:10 PM **SB 63 A - Work Session**
1:59:12 PM Cheyenne Ross, Committee Counsel
1:59:58 PM Co-Chair Barker
2:00:01 PM MOTION: Co-Chair Krieger moves SB 63 A Do Pass
2:00:03 PM Co-Chair Barker
2:00:25 PM VOTE: 8-0-2
2:00:26 PM AYES: Olson, Schaufler, Tomei, Wand, Whisnant, Hicks, Barker, Krieger; EXCUSED: Nolan, Garrett
2:00:26 PM CARRIER: REP. BARKER will lead discussion on the floor

2:00:32 PM **SB 64 - Work Session**
2:00:33 PM Cheyenne Ross, Committee Counsel
2:01:17 PM Co-Chair Barker
2:01:20 PM MOTION: Co-Chair Krieger moves SB 64 Do Pass
2:01:24 PM Co-Chair Barker
2:01:45 PM VOTE: 8-0-2
2:01:46 PM AYES: Olson, Schaufler, Tomei, Wand, Whisnant, Hicks, Barker, Krieger; EXCUSED: Nolan, Garrett
2:01:46 PM CARRIER: REP. KRIEGER will lead discussion on the floor

2:01:55 PM **SB 65 - Work Session**
2:01:56 PM Cheyenne Ross, Committee Counsel
2:02:34 PM Co-Chair Barker
2:02:38 PM MOTION: Co-Chair Krieger moves SB 65 Do Pass
2:02:43 PM Co-Chair Barker
2:03:05 PM VOTE: 8-0-2
2:03:05 PM AYES: Olson, Schaufler, Tomei, Wand, Whisnant, Hicks, Barker, Krieger; EXCUSED: Nolan, Garrett
2:03:06 PM CARRIER: REP. OLSON will lead discussion on the floor
2:03:09 PM The following written testimony was submitted for the record without public testimony:
2:03:10 PM {Exhibit} 16: Robert Jones, Toxicology Supervisor, Oregon State Police

2:03:11 PM **SB 68 - Work Session**
2:03:14 PM Cheyenne Ross, Committee Counsel
2:03:31 PM Co-Chair Barker

2:03:36 PM **SB 178 - Work Session**
2:03:39 PM Cheyenne Ross, Committee Counsel
2:04:14 PM Co-Chair Barker

2:04:18 PM Rep. Schaufler
2:04:24 PM Co-Chair Krieger
2:04:24 PM Rep. Schaufler
2:04:28 PM Co-Chair Barker
2:04:29 PM Rep. Schaufler
2:04:30 PM Co-Chair Barker
2:04:31 PM Rep. Schaufler
2:04:33 PM Co-Chair Barker
2:04:32 PM MOTION: Co-Chair Krieger moves SB 178 Do Pass
2:04:33 PM Co-Chair Barker
2:04:57 PM VOTE: 8-0-2
2:04:58 PM AYES: Olson, Schaufler, Tomei, Wand, Whisnant, Hicks, Barker, Krieger;
EXCUSED: Nolan, Garrett
2:04:58 PM CARRIER: REP. SCHAUFLE will lead discussion on the floor
2:05:02 PM Rep. Schaufler
2:05:07 PM Co-Chair Barker

2:05:16 PM **SB 397 A - Work Session**
2:05:17 PM Cheyenne Ross, Committee Counsel
2:06:14 PM Co-Chair Barker
2:06:25 PM MOTION: Co-Chair Krieger moves SB 397 A Do Pass
2:06:29 PM Co-Chair Barker
2:06:53 PM VOTE: 8-0-2
2:06:53 PM AYES: Olson, Schaufler, Tomei, Wand, Whisnant, Hicks, Barker, Krieger;
EXCUSED: Nolan, Garrett
2:06:54 PM CARRIER: REP. GARRETT will lead discussion on the floor

2:07:10 PM **SB 731 A - Work Session**
2:07:11 PM Cheyenne Ross, Committee Counsel
2:07:56 PM Co-Chair Barker
2:07:58 PM MOTION: Co-Chair Krieger moves SB 731 A Do Pass
2:08:04 PM Co-Chair Barker
2:08:20 PM VOTE: 8-0-2
2:08:21 PM AYES: Olson, Schaufler, Tomei, Wand, Whisnant, Hicks, Barker, Krieger;
EXCUSED: Nolan, Garrett
2:08:21 PM CARRIER: REP. OLSON will lead discussion on the floor
2:08:27 PM Meeting Adjourned by Co-Chair Barker

Exhibit Summary

1:07:40 PM {Exhibit} 1: SB 378 A, written testimony, Gail Meyer, 2 pp
1:14:36 PM {Exhibit} 2: SB 68, -1 amendments, staff, 4 pp
1:16:25 PM {Exhibit} 3: SB 408 A, written testimony, Mark McKechnie, 5 pp
1:27:58 PM {Exhibit} 4: SB 408 A, written testimony, Christine Herrman, 2 pp
1:31:50 PM {Exhibit} 5: SB 408 A, written testimony, Janet Arenz, 4 pp

1:39:25 PM {Exhibit} 6: SB 408 A, written testimony, Vi Beaty, 4 pp
1:42:43 PM {Exhibit} 7: SB 408 A, written testimony, Jan Spitz, 1 p
1:42:43 PM {Exhibit} 8: SB 408 A, written testimony, Shannon Wight, 1 p
1:44:38 PM {Exhibit} 9: SB 616 A, written testimony, Scott Beckstead, 6 pp
1:48:30 PM {Exhibit} 10: SB 616 A, written testimony, Glenn Klob, 1 p
1:49:49 PM {Exhibit} 11: SB 616 A, written testimony, Matthew Dominguez, 17 pp
1:52:58 PM {Exhibit} 12: SB 616 A, written testimony, Doug Harclerod, 1 p
1:54:27 PM {Exhibit} 13: SB 616 A, written testimony, Deborah Wood, 5 pp
1:56:51 PM {Exhibit} 14: SB 616 A, written testimony, Sharon Harmon, 2 pp
1:56:52 PM {Exhibit} 15: SB 616 A, written testimony, Stephan Otto, 1 p
2:03:10 PM {Exhibit} 16: SB 65, written testimony, Robert Jones, 4 pp
