

## HOUSE COMMITTEE ON JUDICIARY

May 25, 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

**STAFF PRESENT:** Cheyenne Ross, Committee Counsel  
Bill Taylor, Committee Counsel  
Aaron Knott, Committee Counsel  
Kristi Hauck, Committee Assistant

**MEASURES/ISSUES HEARD:** SB 360A - Work Session  
SB 401A - Public Hearing  
Measure Introduction - Work Session  
SB 75 - Work Session  
SB 592A - Work Session

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### Recording Log

**1:37:03 PM** Meeting Called to Order by Co-Chair Barker

**1:37:16 PM** **SB 360A - Work Session**

**1:37:18 PM** Co-Chair Krieger

**1:37:24 PM** Sen. Betsy Johnson, Senate District 16

**1:38:07 PM** Co-Chair Barker

**1:38:27 PM** MOTION: Co-Chair Krieger moves SB 360A Do Pass

**1:38:30 PM** Co-Chair Barker

**1:38:55 PM** VOTE: 10-0-0

**1:38:55 PM** AYES: Nolan, Olson, Schaufler, Tomei, Wand, Whisnant, Garrett, Hicks, Barker, Krieger

**1:38:56 PM** CARRIER: REP. WITT will lead discussion on the floor

**1:39:05 PM** Rep. Nolan

**1:39:07 PM** Co-Chair Barker

**1:39:25 PM** **SB 401A - Public Hearing**

**1:39:27 PM** Aaron Knott, Committee Counsel

**1:40:26 PM** Co-Chair Krieger

**1:40:53 PM** {Exhibit} 1: Dan Thenell, partner, Smith Freed & Eberhard

**1:44:26 PM** Knott

**1:44:27 PM** Thenell

1:45:49 PM Bill Snyder, Chief of Police, North Plains Police Department  
1:49:20 PM John Wolff, International Association of Arson Investigators Inc.  
1:50:03 PM Dave Kirby, Undersheriff, Clackamas County, Oregon  
1:51:01 PM Co-Chair Barker  
1:51:05 PM Co-Vice Chair Garrett  
1:51:11 PM Thenell  
1:52:24 PM Co-Vice Chair Garrett  
1:52:31 PM Thenell  
1:54:05 PM Co-Chair Barker  
1:54:07 PM Rep. Olson  
1:55:05 PM Thenell  
1:55:08 PM Rep. Olson  
1:55:09 PM Thenell  
1:56:40 PM Co-Chair Barker  
1:56:41 PM Rep. Nolan  
1:57:00 PM Thenell  
1:58:01 PM Rep. Nolan  
1:58:04 PM Thenell  
1:58:07 PM Rep. Nolan  
1:58:08 PM Thenell  
1:58:20 PM Rep. Nolan  
1:58:21 PM Thenell  
1:58:31 PM Rep. Nolan  
1:58:58 PM Thenell  
1:59:31 PM Rep. Nolan  
2:00:14 PM Thenell  
2:00:47 PM Rep. Nolan  
2:00:49 PM Snyder  
2:02:14 PM Rep. Nolan  
2:02:33 PM Thenell  
2:03:09 PM Snyder  
2:03:43 PM Rep. Schaufler  
2:04:21 PM Thenell  
2:05:00 PM Rep. Tomei  
2:05:41 PM Knott  
2:06:06 PM Rep. Tomei  
2:06:23 PM Thenell  
2:06:44 PM Rep. Tomei  
2:06:51 PM Thenell  
2:06:55 PM Rep. Tomei  
2:06:58 PM Thenell  
2:08:45 PM Rep. Tomei  
2:09:19 PM Co-Vice Chair Hicks  
2:10:33 PM Thenell  
2:13:05 PM Co-Vice Chair Hicks  
2:13:18 PM Thenell

2:13:46 PM Co-Vice Chair Hicks  
2:14:04 PM Thenell  
2:14:08 PM Co-Vice Chair Hicks  
2:14:12 PM Rep. Schaufler  
2:14:57 PM Co-Chair Barker  
2:15:01 PM Co-Vice Chair Garrett  
2:15:02 PM Co-Chair Barker  
2:15:04 PM Rep. Tomei  
2:15:16 PM Thenell  
2:15:46 PM Co-Chair Barker  
2:16:14 PM Thenell  
2:16:20 PM Co-Chair Barker  
2:16:33 PM David Sugerman, attorney, Portland, Oregon  
2:23:01 PM Co-Chair Barker  
2:23:03 PM Rep. Tomei  
2:23:31 PM Sugerman  
2:24:40 PM Rep. Tomei  
2:24:43 PM Co-Chair Barker  
2:24:44 PM The following written testimony was submitted for the record without public testimony:  
2:24:46 PM {Exhibit} 2: Alan Haskins, Director, Government Affairs, National Insurance Crime Bureau  
2:24:48 PM {Exhibit} 3: Economic Fairness Oregon  
  
2:25:33 PM **Measure Introduction - Work Session**  
2:25:34 PM {Exhibit} 4: Aaron Knott, Committee Counsel  
2:25:52 PM Co-Chair Barker  
2:26:00 PM MOTION: Co-Chair Krieger moves LC 4213 Be Introduced as a Committee Bill  
2:26:02 PM Co-Chair Barker  
2:26:09 PM Rep. Tomei  
2:26:17 PM Co-Chair Barker  
2:26:18 PM Knott  
2:26:55 PM Rep. Schaufler  
2:26:58 PM Co-Chair Barker  
2:27:07 PM Rep. Nolan  
2:27:29 PM Co-Chair Barker  
2:27:41 PM VOTE: 10-0-0  
2:27:42 PM AYES: Nolan, Olson, Schaufler, Tomei, Wand, Whisnant, Garrett, Hicks, Barker, Krieger  
  
2:27:58 PM **SB 75 - Work Session**  
2:28:01 PM {Exhibits} 5-6: Bill Taylor, Committee Counsel  
2:28:58 PM Co-Chair Barker  
2:29:01 PM Taylor  
2:29:17 PM Co-Chair Barker

2:29:33 PM Rep. Nolan  
2:29:33 PM Co-Chair Barker  
2:29:39 PM Taylor  
2:29:45 PM Co-Chair Barker  
2:29:47 PM Rep. Nolan  
2:30:20 PM Co-Chair Barker  
2:30:38 PM Co-Vice Chair Hicks  
2:30:58 PM Rep. Nolan  
2:31:47 PM Co-Chair Barker  
2:32:14 PM MOTION: Co-Chair Krieger moves the -2 amendments Be Adopted  
2:32:19 PM Co-Chair Barker  
2:32:29 PM Rep. Schaufler  
2:32:36 PM Rep. Nolan  
2:32:39 PM Rep. Schaufler  
2:32:43 PM Co-Vice Chair Garrett  
2:32:44 PM Co-Chair Barker  
2:33:09 PM VOTE: 7-2-1  
2:33:09 PM AYES: Olson, Schaufler, Tomei, Whisnant, Hicks, Barker, Krieger; NAYS: Nolan, Garrett; EXCUSED: Wand  
2:33:12 PM MOTION: Co-Chair Krieger moves SB 75 Do Pass as Amended  
2:33:16 PM Co-Chair Barker  
2:33:47 PM VOTE: 9-0-1  
2:33:47 PM AYES: Nolan, Olson, Schaufler, Tomei, Whisnant, Hicks, Garrett, Barker, Krieger; EXCUSED: Wand  
2:33:48 PM CARRIER: REP. BARKER will lead discussion on the floor  
  
2:34:38 PM **SB 592A - Work Session**  
2:34:40 PM {Exhibits} 7-8: Cheyenne Ross, Committee Counsel  
2:35:23 PM MOTION: Co-Chair Krieger moves the -A4 amendments Be Adopted  
2:35:29 PM Co-Chair Barker  
2:35:37 PM VOTE: 9-0-1  
2:35:37 PM AYES: Nolan, Olson, Schaufler, Tomei, Whisnant, Hicks, Garrett, Barker, Krieger; EXCUSED: Wand  
2:35:38 PM MOTION: Co-Chair Krieger moves SB 592A Do Pass as Amended  
2:35:43 PM Co-Chair Barker  
2:36:10 PM VOTE: 9-0-1  
2:36:10 PM AYES: Nolan, Olson, Schaufler, Tomei, Whisnant, Hicks, Garrett, Barker, Krieger; EXCUSED: Wand  
2:36:11 PM CARRIER: REP. GARRETT will lead discussion on the floor  
2:36:19 PM Rep. Whisnant  
2:37:01 PM Co-Chair Krieger  
2:37:01 PM Co-Chair Barker  
2:37:03 PM Rep. Whisnant  
2:37:04 PM Co-Chair Krieger  
2:37:06 PM Rep. Whisnant  
2:37:08 PM Co-Vice Chair Garrett

**2:37:09 PM** Co-Chair Krieger  
**2:37:12 PM** Rep. Whisnant  
**2:37:14 PM** Co-Chair Krieger  
**2:37:22 PM** Rep. Whisnant  
**2:37:23 PM** Co-Chair Krieger  
**2:37:23 PM** Rep. Whisnant  
**2:37:32 PM** Co-Chair Barker  
**2:37:34 PM** Co-Chair Krieger  
**2:37:39 PM** Rep. Whisnant  
**2:37:43 PM** Meeting Adjourned by Co-Chair Barker

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### **Exhibit Summary**

**1:40:53 PM** {Exhibit} 1: SB 401A, written testimony, Dan Thenell, 10 pp  
**2:24:46 PM** {Exhibit} 2: SB 401A, written testimony, Alan Haskins, 1 p  
**2:24:48 PM** {Exhibit} 3: SB 401A, written testimony, Economic Fairness Oregon, 1 p  
**2:25:34 PM** {Exhibit} 4: LC 4213, measure introduction, staff, 2 pp  
**2:28:01 PM** {Exhibit} 5: SB 75, -1 amendment, staff, 1 p  
**2:28:01 PM** {Exhibit} 6: SB 75, -2 amendment, staff, 1 p  
**2:34:40 PM** {Exhibit} 7: SB 592A, -A3 amendment, staff, 1p  
**2:34:40 PM** {Exhibit} 8: SB 592A, -A4 amendment, staff, 1p

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