

## **HOUSE COMMITTEE ON JUDICIARY**

May 26, 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  
Bill Taylor, Committee Counsel  
Pam Marshall, Committee Assistant

**MEASURES/ISSUES HEARD:** SB 424A – Public Hearing  
SB 432A – Public Hearing  
SB 519A – Public Hearing  
SB 635A – Work Session  
SB 376A – Work Session  
SB 924A – Work Session  
SB 878A – Work Session

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### **Recording Log**

**1:05:42 PM** Meeting Called to Order by Co-Chair Krieger

**1:08:03 PM** **SB 424A - Public Hearing**

**1:08:08 PM** Aaron Knott, Committee Counsel

**1:09:11 PM** Co-Chair Krieger

**1:09:36 PM** {Exhibit} 1: Bob Livingston, Oregon State Firefighters Council

**1:11:05 PM** Co-Chair Krieger

**1:11:09 PM** Rep. Nolan

**1:11:44 PM** Livingston

**1:11:48 PM** Rep. Nolan

**1:11:49 PM** Livingston

**1:11:57 PM** Co-Chair Krieger

**1:12:02 PM** Rep. Schaufler

**1:12:15 PM** Co-Chair Krieger

**1:12:37 PM** {Exhibit} 2: Bob Joondeph, Executive Director, Disability Rights Oregon

1:16:43 PM Nicole Armstrong, Oregon Association of Area Agencies  
1:17:33 PM Co-Chair Barker  
1:17:43 PM Joondeph  
1:18:28 PM Rep. Schaufler  
1:19:54 PM Co-Chair Krieger  
1:21:59 PM {Exhibit} 3: Jeff Mandel, resident, Portland, Oregon  
1:23:31 PM {Exhibit} 4: Todd Borkowitz, resident, Portland, Oregon  
1:25:28 PM Nicholas Johnson, resident, Portland, Oregon  
1:29:46 PM Rep. Schaufler  
1:30:02 PM Co-Chair Barker  
1:30:08 PM Co-Chair Krieger  
1:30:49 PM Rep. Val Hoyle, House District 14  
1:32:29 PM Co-Chair Krieger  
1:33:20 PM {Exhibit} 5: Steph Routh, Director, Willamette Pedestrian Coalition  
1:34:55 PM {Exhibit} 6: Holly McRae, Chair, Pedestrian Coalition of Eugene  
1:36:41 PM {Exhibit} 7: Marina Hajek, resident, Eugene, Oregon  
1:43:30 PM Co-Chair Krieger  
1:44:14 PM {Exhibit} 8: Yvonne Smith, resident, Portland, Oregon  
1:48:00 PM Jonathan Manton, Sawnee  
1:49:42 PM The following written testimony was submitted for the record without public testimony:  
1:49:43 PM {Exhibit} 9: Jim Coon, resident, Portland, Oregon  
1:49:44 PM {Exhibit} 10: Charley Gee, resident, Portland, Oregon  
1:49:45 PM {Exhibit} 11: Thomas Krist, resident, Corvallis, Oregon  
1:49:46 PM {Exhibit} 12: Raymond Thomas, resident, Portland, Oregon  
1:49:47 PM {Exhibit} 13: Carey Sullivan, Chief of Police, Hillsboro Police Department  
1:49:48 PM {Exhibit} 14: Captain Todd Wyatt, Portland Police Bureau  
1:49:49 PM {Exhibit} 15: Vicki Hersen, Executive Director, Elders in Action  
1:49:50 PM Co-Chair Krieger  
  
1:50:23 PM **SB 432A - Public Hearing**  
1:50:27 PM Bill Taylor, Committee Counsel  
1:51:11 PM {Exhibit} 16: Bob Joondeph, Director, Disability Rights Oregon  
1:55:05 PM {Exhibit} 17: Mark Nystrom, Human Services Manager, Association of Oregon Counties  
1:56:40 PM Andy Smith, Legislative Liaison, Association of Community Health Programs  
1:57:30 PM Rep. Tomei  
1:58:07 PM Joondeph  
1:59:23 PM Rep. Tomei  
1:59:53 PM Joondeph  
2:01:31 PM Rep. Tomei  
2:01:58 PM Joondeph  
2:02:21 PM Co-Chair Krieger  
2:03:03 PM Taylor  
2:03:25 PM Joondeph

2:03:59 PM Co-Vice Chair Hicks

2:04:48 PM Joondeph

2:05:18 PM Co-Vice Chair Hicks

2:05:40 PM Joondeph

2:06:06 PM Co-Chair Krieger

2:06:32 PM **SB 519A - Public Hearing**

2:06:36 PM {Exhibits} 18-19: Aaron Knott, Committee Counsel

2:07:22 PM Co-Chair Krieger

2:07:54 PM {Exhibit} 20: Jesse Beason, Executive Director, Proud Ground

2:08:54 PM {Exhibit} 21: Alison McIntosh, Policy Manager, Neighborhood Partnerships

2:10:13 PM {Exhibit} 22: Keith Dubanevich, Chief of Staff and Special Counsel,  
Oregon Department of Justice

2:13:24 PM Co-Chair Krieger

2:13:40 PM Sen. Suzanne Bonamici, Senate District 17

2:17:38 PM Co-Chair Krieger

2:17:55 PM Sen. Bonamici

2:18:08 PM Co-Chair Krieger

2:18:29 PM Paul Cosgrove, Oregon Financial Associations

2:20:35 PM {Exhibit} 23: Alan Brickley, First American Title Insurance Company,  
Portland, Oregon

2:23:56 PM Hal Scoggins, attorney, Northwest Credit Unions

2:26:33 PM The following written testimony was submitted for the record without public  
testimony:

2:26:34 PM {Exhibit} 24: Phillip Querin, Querin Law, LLC

2:26:35 PM {Exhibit} 25: Sybil Hebb, Oregon Law Center

2:26:36 PM Co-Chair Krieger

2:27:36 PM **SB 635A - Work Session**

2:27:50 PM Aaron Knott, Committee Counsel

2:28:46 PM MOTION: Co-Chair Barker moves SB 635A Do Pass

2:28:51 PM Co-Chair Krieger

2:29:22 PM VOTE: 8-0-2

2:29:23 PM AYES: Nolan, Olson, Schaufler, Tomei, Whisnant, Hicks, Krieger, Barker;  
EXCUSED: Wand, Garrett

2:29:25 PM CARRIER: REP. HICKS will lead discussion on the floor

2:29:30 PM The following written testimony was submitted for the record without public  
testimony:

2:29:31 PM {Exhibit} 26: Harold Burke-Sivers, Director of Public Safety, University of  
Portland

2:29:32 PM {Exhibit} 27: Janet McClellan, professor, Southwestern Oregon  
Community College

2:29:45 PM Co-Chair Krieger

2:29:50 PM **SB 376A - Work Session**

2:29:51 PM {Exhibit} 28: Aaron Knott, Committee Counsel

2:30:48 PM Co-Chair Krieger  
2:30:52 PM Knott  
2:31:01 PM MOTION: Co-Chair Barker moves the -A5 amendments Be Adopted  
2:31:04 PM Co-Chair Krieger  
2:31:11 PM VOTE: 8-0-2  
2:31:12 PM AYES: Nolan, Olson, Schaufler, Tomei, Whisnant, Hicks, Garrett, Krieger, Barker; EXCUSED: Wand, Garrett  
2:31:14 PM MOTION: Co-Chair Barker moves SB 376A Do Pass as Amended  
2:31:19 PM Co-Chair Krieger  
2:31:27 PM Co-Vice Chair Hicks  
2:31:40 PM Rep. Nolan  
2:33:04 PM Rep. Schaufler  
2:33:45 PM Co-Chair Barker  
2:34:26 PM Co-Chair Krieger  
2:35:04 PM VOTE: 7-2-1  
2:35:05 PM AYES: Olson, Schaufler, Whisnant, Hicks, Garrett, Krieger, Barker; NAYS: Nolan, Tomei; EXCUSED: Wand  
2:35:06 PM CARRIER: REP. BARKER will lead discussion on the floor  
2:35:12 PM Co-Chair Krieger  
2:35:37 PM Rep. Nolan  
2:35:41 PM Co-Chair Krieger

2:35:48 PM **SB 924A - Work Session**

2:35:50 PM {Exhibit} 29: Aaron Knott, Committee Counsel  
2:36:53 PM Co-Chair Barker  
2:37:06 PM Co-Chair Krieger  
2:38:14 PM MOTION: Co-Chair Barker moves the -A8 amendments Be Adopted  
2:38:18 PM Co-Chair Krieger  
2:38:26 PM VOTE: 8-0-2  
2:38:27 PM AYES: Nolan, Olson, Schaufler, Tomei, Whisnant, Hicks, Krieger, Barker; EXCUSED: Wand, Garrett  
2:38:29 PM MOTION: Co-Chair Barker moves SB 924A Do Pass as Amended  
2:38:33 PM Co-Chair Krieger  
2:38:47 PM Rep. Nolan  
2:39:28 PM VOTE: 8-0-2  
2:39:29 PM AYES: Nolan, Olson, Schaufler, Tomei, Whisnant, Hicks, Krieger, Barker; EXCUSED: Wand, Garrett  
2:39:38 PM CARRIER: REP. KRIEGER will lead discussion on the floor  
2:39:45 PM Co-Chair Krieger

2:40:03 PM **SB 878A - Work Session**

2:40:04 PM {Exhibit} 30: Aaron Knott, Committee Counsel  
2:41:46 PM Co-Chair Krieger  
2:42:01 PM Bill Perry, Oregon Restaurant and Lodging Association  
2:42:15 PM Co-Chair Krieger

**2:42:22 PM** MOTION: Co-Chair Barker moves the -A4 amendments Be Adopted  
**2:42:25 PM** VOTE: 8-0-2  
**2:42:26 PM** AYES: Nolan, Olson, Schaufler, Tomei, Whisnant, Hicks, Krieger, Barker;  
EXCUSED: Wand, Garrett  
**2:42:42 PM** MOTION: Co-Chair Barker moves SB 878A Do Pass as Amended  
**2:42:50 PM** Co-Chair Krieger  
**2:43:14 PM** VOTE: 8-0-2  
**2:43:16 PM** AYES: Nolan, Olson, Schaufler, Tomei, Whisnant, Hicks, Krieger, Barker;  
EXCUSED: Wand, Garrett  
**2:43:20 PM** CARRIER: REP. NOLAN will lead discussion on the floor  
**2:43:23 PM** The following written testimony was submitted for the record without public  
testimony:  
**2:43:24 PM** {Exhibit} 31: Teresa Naugle, Manager, Private Security/Private  
Investigator Program, Department of Public Safety Standards and Training  
(DPSST)  
**2:43:25 PM** Meeting Adjourned by Co-Chair Krieger

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### **Exhibit Summary**

**1:09:36 PM** {Exhibit} 1: SB 424A, written testimony, Bob Livingston, 1 p  
**1:12:37 PM** {Exhibit} 2: SB 424A, written testimony, Bob Joondeph, 1 p  
**1:21:59 PM** {Exhibit} 3: SB 242A, written testimony, Jeff Mandel, 1 p  
**1:23:31 PM** {Exhibit} 4: SB 424A, written testimony, Todd Borkowitz, 1 p  
**1:33:20 PM** {Exhibit} 5: SB 424A, written testimony, Steph Routh, 2 pp  
**1:34:55 PM** {Exhibit} 6: SB 424A, written testimony, Holly McRae, 1 p  
**1:36:41 PM** {Exhibit} 7: SB 424A, written testimony, Marina Hajek, 2 pp  
**1:44:14 PM** {Exhibit} 8: SB 424A, written testimony, Yvonne Smith, 1 p  
**1:49:43 PM** {Exhibit} 9: SB 424A, written testimony, Jim Coon, 1 p  
**1:49:44 PM** {Exhibit} 10: SB 424A, written testimony, Charley Gee, 1 p  
**1:49:45 PM** {Exhibit} 11: SB 424A, written testimony, Thomas Krist, 1 p  
**1:49:46 PM** {Exhibit} 12: SB 424A, written testimony, Raymond Thomas, 4 pp  
**1:49:47 PM** {Exhibit} 13: SB 424A, written testimony, Carey Sullivan, 1 p  
**1:49:48 PM** {Exhibit} 14: SB 424A, written testimony, Captain Todd Wyatt, 1 p  
**1:49:49 PM** {Exhibit} 15: SB 424A, written testimony, Vicki Hersen, 1 p  
**1:51:11 PM** {Exhibit} 16: SB 432A, written testimony, Bob Joondeph, 2 pp  
**1:55:05 PM** {Exhibit} 17: SB 432A, written testimony, Mark Nystrom, 9 pp  
**2:06:36 PM** {Exhibit} 18: SB 519A, -A6 amendment, staff, 2 pp  
**2:06:37 PM** {Exhibit} 19: SB 519A, -A7 amendment, staff, 4 pp  
**2:07:54 PM** {Exhibit} 20: SB 519A, written testimony, Jesse Beason, 2 pp  
**2:08:54 PM** {Exhibit} 21: SB 519A, written testimony, Alison McIntosh, 1 p  
**2:10:13 PM** {Exhibit} 22: SB 519A, written testimony, Keith Dubanevich, 16 pp  
**2:20:35 PM** {Exhibit} 23: SB 519A, written testimony, Alan Brickley, 1 p  
**2:26:34 PM** {Exhibit} 24: SB 519A, written testimony, Phillip Querin, 2 pp  
**2:26:35 PM** {Exhibit} 25: SB 519A, written testimony, Sybil Hebb, 1 p  
**2:29:31 PM** {Exhibit} 26: SB 635A, written testimony, Harold Burke-Sivers, 1 p  
**2:29:32 PM** {Exhibit} 27: SB 635A, written testimony, Janet McClellan, 1 p

**2:29:51 PM** {Exhibit} 28: SB 376A, -A5 amendment, staff, 1 p  
**2:35:50 PM** {Exhibit} 29: SB 924A, -A 8 amendment, staff, 5 pp  
**2:40:04 PM** {Exhibit} 30: SB 878A, -A4 amendment, staff, 3 pp  
**2:43:24 PM** {Exhibit} 31: SB 878A, written testimony, Teresa Naugle, 2 pp

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