

## HOUSE COMMITTEE ON JUDICIARY

February 06, 2013  
1:00 p.m.

Hearing Room 343

**MEMBERS PRESENT:** Rep. Jeff Barker, Chair  
Rep. Chris Garrett, Vice Chair  
Rep. Wayne Krieger, Vice Chair  
Rep. Brent Barton  
Rep. Kevin Cameron  
Rep. Andy Olson  
Rep. Carolyn Tomei  
Rep. Jennifer Williamson

**MEMBER EXCUSED:** Rep. Wally Hicks

**STAFF PRESENT:** Anna Braun, Committee Counsel  
Ann Martin, Committee Assistant

**MEASURES/ISSUES HEARD:** Introduction of Committee Measures – Work Session  
HB 2547 – Public Hearing and Work Session  
HB 2565 – Public Hearing and Work Session  
HB 2562 – Public Hearing and Work Session  
HB 2570 – Public Hearing

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### Recording Log

**1:04:50 PM** Meeting Called to Order by Chair Barker

**1:05:05 PM** Chair Barker

**1:05:08 PM** Introduction of Committee Measures - Work Session

**1:05:09 PM** {Exhibit} 1-7: Anna Braun, Committee Counsel

**1:05:58 PM** MOTION: VICE-CHAIR KRIEGER MOVES LC 41, LC 2889, LC 1844, LC 1034, LC 249, LC 48, AND LC 2833 BE INTRODUCED AS COMMITTEE BILLS

**1:06:00 PM** Vice-Chair Krieger

**1:06:11 PM** Chair Barker

**1:06:29 PM** VOTE: 6-0-3

**1:06:30 PM** AYES: CAMERON, OLSON, TOMEI, WILLIAMSON, KRIEGER, BARKER

**1:06:31 PM** EXCUSED: BARTON, HICKS, GARRETT

**1:06:44 PM** HB 2547 - Public Hearing

**1:06:47 PM** Anna Braun, Committee Counsel

1:07:36 PM {Exhibit} 8: Bruce Miller, Senior Staff Counsel, Office of State Court Administrator

1:08:57 PM **HB 2547 - Work Session**

1:08:58 PM MOTION: VICE-CHAIR KRIEGER MOVES HB 2547 DO PASS

1:08:58 PM VOTE: 8-0-1

1:08:58 PM AYES: BARTON, CAMERON, OLSON, TOMEI, WILLIAMSON, GARRETT, KRIEGER, BARKER

1:08:58 PM EXCUSED: HICKS

1:08:59 PM CARRIER: REP. WILLIAMSON WILL LEAD DISCUSSION ON THE FLOOR

1:09:45 PM **HB 2565 - Public Hearing**

1:09:47 PM Anna Braun, Committee Counsel

1:10:32 PM Chair Barker

1:10:37 PM {Exhibit} 9: Helen Hierschbiel, General Counsel, Oregon State Bar

1:13:47 PM Rep. Tomei

1:13:51 PM Hierschbiel

1:14:57 PM Rep. Tomei

1:15:01 PM Hierschbiel

1:15:45 PM Rep. Tomei

1:16:04 PM Hierschbiel

1:16:09 PM Rep. Tomei

1:16:12 PM Braun

1:16:33 PM Rep. Tomei

1:16:40 PM Vice-Chair Krieger

1:16:58 PM Hierschbiel

1:17:05 PM Vice-Chair Krieger

1:17:11 PM Hierschbiel

1:17:58 PM Vice-Chair Krieger

1:18:01 PM Hierschbiel

1:18:54 PM Chair Barker

1:19:16 PM Hierschbiel

1:19:28 PM Chair Barker

1:19:35 PM Hierschbiel

1:19:39 PM Chair Barker

1:19:42 PM Rep. Barton

1:19:45 PM Hierschbiel

1:19:51 PM Chair Barker

1:19:56 PM Braun

1:19:59 PM Hierschbiel

1:22:03 PM Vice-Chair Krieger

1:22:30 PM Hierschbiel

1:22:34 PM Chair Barker

**1:22:36 PM** **HB 2565 - Work Session**  
**1:22:44 PM** Vice-Chair Krieger  
**1:23:00 PM** Chair Barker  
**1:23:07 PM** Vice-Chair Krieger  
**1:23:19 PM** Rep. Barton  
**1:23:55 PM** MOTION: VICE-CHAIR KRIEGER MOVES HB 2565 DO PASS  
**1:23:56 PM** VOTE: 8-0-1  
**1:23:57 PM** AYES: BARTON, CAMERON, OLSON, TOMEI, WILLIAMSON,  
GARRETT, KRIEGER, BARKER  
**1:23:57 PM** EXCUSED: HICKS  
**1:23:59 PM** CARRIER: REP. BARTON WILL LEAD DISCUSSION ON THE FLOOR

**1:24:02 PM** **HB 2562 - Public Hearing**  
**1:24:09 PM** {Exhibit} 10-11: Anna Braun, Committee Counsel  
**1:25:08 PM** {Exhibit} 12: Bruce Miller, Senior Staff Counsel, Office of the State Court  
Administrator  
**1:28:57 PM** Chair Barker

**1:29:02 PM** **HB 2562 - Work Session**  
**1:29:10 PM** Vice-Chair Krieger  
**1:29:20 PM** MOTION: VICE-CHAIR KRIEGER MOVES TO ADOPT THE -1  
AMENDMENTS  
**1:29:21 PM** VOTE: 8-0-1  
**1:29:22 PM** AYES: BARTON, CAMERON, OLSON, TOMEI, WILLIAMSON,  
GARRETT, KRIEGER, BARKER  
**1:29:23 PM** EXCUSED: HICKS  
**1:29:25 PM** Chair Barker  
**1:29:26 PM** Vice-Chair Krieger  
**1:29:27 PM** MOTION: VICE-CHAIR KRIEGER MOVES TO ADOPT THE -2  
AMENDMENTS  
**1:29:28 PM** VOTE: 8-0-1  
**1:29:28 PM** AYES: BARTON, CAMERON, OLSON, TOMEI, WILLIAMSON,  
GARRETT, KRIEGER, BARKER  
**1:29:30 PM** EXCUSED: HICKS  
**1:29:44 PM** Chair Barker

**1:30:01 PM** **HB 2570 - Public Hearing**  
**1:30:08 PM** Chair Barker  
**1:30:09 PM** Anna Braun, Committee Counsel  
**1:30:53 PM** {Exhibit} 13: Matt Whitman, Oregon State Bar, Elder Law Section  
Executive Committee  
**1:36:18 PM** Chair Barker  
**1:36:25 PM** {Exhibit} 14: Stephen Owen, Oregon State Bar, Elder Law Section  
Executive Committee  
**1:41:44 PM** Chair Barker  
**1:41:45 PM** Rep. Barton

1:42:57 PM Whitman  
1:47:14 PM Barton  
1:47:15 PM Owen  
1:48:57 PM Rep. Barton  
1:49:00 PM Chair Barker  
1:49:12 PM {Exhibit} 15-16: Steven Heinrich, attorney  
1:53:46 PM Chair Barker  
1:54:22 PM Heinrich  
1:54:25 PM Chair Barker  
1:54:28 PM Bob Joondeph, Executive Director, Disability Rights of Oregon  
1:57:08 PM Chair Barker  
1:57:12 PM Bruce Miller, Senior Staff Counsel, Office of State Court Administrator  
1:58:24 PM Chair Barker  
1:58:34 PM The following written testimony is submitted for record without public testimony:  
1:58:34 PM {Exhibit} 17: Madelynne Sheehan, attorney, Columbia County  
1:58:39 PM Meeting Adjourned by Chair Barker

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### **Exhibit Summary**

1:05:09 PM {Exhibit} 1: Introduction of Committee Measure, LC 41, staff, 2 pp  
1:05:09 PM {Exhibit} 2: Introduction of Committee Measure, LC 2889, staff, 3 pp  
1:05:09 PM {Exhibit} 3: Introduction of Committee Measure, LC 1844, staff, 3 pp  
1:05:09 PM {Exhibit} 4: Introduction of Committee Measure, LC 1034, staff, 2 pp  
1:05:09 PM {Exhibit} 5: Introduction of Committee Measure, LC 249, staff, 3 pp  
1:05:09 PM {Exhibit} 6: Introduction of Committee Measure, LC 48, staff, 11 pp  
1:05:09 PM {Exhibit} 7: Introduction of Committee Measure, LC 2833, staff, 2 pp  
1:07:36 PM {Exhibit} 8: HB 2547, written testimony, Bruce Miller, 1 p  
1:10:37 PM {Exhibit} 9: HB 2565, written testimony, Helen Hierschbiel, 1 p  
1:24:09 PM {Exhibit} 10: HB 2562, -1 amendments, staff, 1 p  
1:24:09 PM {Exhibit} 11: HB 2562, -2 amendments, staff, 1 p  
1:25:08 PM {Exhibit} 12: HB 2562, written testimony, Bruce Miller, 1 P  
1:30:53 PM {Exhibit} 13: HB 2570, written testimony, Matt Whitman, 2 PP  
1:36:25 PM {Exhibit} 14: HB 2570, written testimony and proposed amendments, Stephen Owen, 4 pp  
1:49:12 PM {Exhibit} 15: HB 2570, written testimony, Steven Heinrich, 7 pp  
1:49:12 PM {Exhibit} 16: HB 2570, written testimony of David Carlson, submitted by Steven Heinrich, 2 pp  
1:58:34 PM {Exhibit} 17: HB 2570, written testimony and proposed amendments, Madelynne Sheehan, submitted by staff, 6 pp