

HOUSE COMMITTEE ON JUDICIARY

April 09, 2013

1:00 PM

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. Wally Hicks
Rep. Andy Olson
Rep. Carolyn Tomei
Rep. Jennifer Williamson

STAFF PRESENT: Bill Taylor, Committee Counsel
Pam Marshall, Committee Assistant

MEASURES/ISSUES HEARD: HB 2685 – Work Session
HB 2710 – Work Session
HB 2963 – Work Session
HB 3249 – Work Session
HB 3363 – Work Session
HB 2607 – Public Hearing
HB 2836 – Public Hearing and Work Session
HB 3463 – Public Hearing

Recording Log

1:07:39 PM Meeting Called to Order by Chair Barker

1:07:48 PM HB 2685 - Work Session

1:08:02 PM Bill Taylor, Committee Counsel

1:08:28 PM Jason Myers, Sheriff, Marion County; President, Oregon State Sheriffs' Association

1:08:56 PM Chair Barker

1:09:04 PM MOTION: VICE-CHAIR KRIEGER MOVES HB 2685 DO PASS

1:09:05 PM VOTE: 9-0-0

1:09:06 PM AYES: BARTON, CAMERON, HICKS, OLSON, TOMEI, WILLIAMSON, GARRETT, KRIEGER, BARKER

1:09:31 PM CARRIER: REP. CAMERON WILL LEAD DISCUSSION ON THE FLOOR

1:09:35 PM HB 2710 - Work Session

1:09:38 PM Bill Taylor, Committee Counsel

1:10:18 PM Rep. Barton

1:10:28 PM Taylor

1:10:37 PM Rep. Barton

1:10:46 PM Vice-Chair Krieger
1:10:50 PM Chair Barker
1:10:59 PM Rep. Barton
1:11:15 PM MOTION: VICE-CHAIR KRIEGER MOVES HB 2710 DO PASS
1:11:16 PM VOTE: 8-1-0
1:11:17 PM AYES: CAMERON, HICKS, OLSON, TOMEI, WILLIAMSON, GARRETT,
KRIEGER, BARKER
1:11:18 PM NAYS: BARTON
1:11:19 PM CARRIER: REP. HUFFMAN WILL LEAD DISCUSSION ON THE FLOOR

1:11:49 PM **HB 2963 - Work Session**

1:11:51 PM Bill Taylor, Committee Counsel
1:12:11 PM Chair Barker
1:12:24 PM MOTION: VICE-CHAIR KRIEGER MOVES HB 2963 DO PASS
1:12:25 PM VOTE: 9-0-0
1:12:26 PM AYES: BARTON, CAMERON, HICKS, OLSON, TOMEI, WILLIAMSON,
GARRETT, KRIEGER, BARKER
1:12:27 PM CARRIER: REP. BARKER WILL LEAD DISCUSSION ON THE FLOOR

1:12:57 PM **HB 3249 - Work Session**

1:13:03 PM {Exhibit} 1: Bill Taylor, Committee Counsel
1:13:42 PM Chair Barker
1:13:45 PM Vice-Chair Krieger
1:14:39 PM MOTION: VICE-CHAIR KRIEGER MOVES TO ADOPT THE -7
AMENDMENT
1:14:40 PM VOTE: 9-0-0
1:14:41 PM AYES: BARTON, CAMERON, HICKS, OLSON, TOMEI, WILLIAMSON,
GARRETT, KRIEGER, BARKER
1:14:42 PM Chair Barker
1:14:45 PM Rep. Tomei
1:15:07 PM Taylor
1:15:28 PM MOTION: VICE-CHAIR KRIEGER MOVES HB 3249 DO PASS AS
AMENDED AND BE REFERRED TO WAYS AND MEANS
1:15:29 PM VOTE: 8-1-0
1:15:30 PM AYES: BARTON, CAMERON, OLSON, TOMEI, WILLIAMSON,
GARRETT, KRIEGER, BARKER
1:15:31 PM NAYS: HICKS

1:16:13 PM **HB 3363 - Work Session**

1:17:22 PM {Exhibit} 2-3: Bill Taylor, Committee Counsel
1:17:24 PM Chair Barker
1:17:42 PM {Exhibit} 4: Michael Livingston, Oregon Judicial Department
1:21:13 PM Chair Barker
1:21:25 PM Livingston
1:21:31 PM Vice-Chair Krieger
1:21:46 PM Livingston

1:22:10 PM Rep. Williamson
1:22:23 PM Taylor
1:22:33 PM Livingston
1:23:11 PM Taylor
1:23:18 PM Livingston
1:23:47 PM Vice-Chair Krieger
1:24:08 PM Megan Schultz, Executive Director, Court Appointed Special Advocates (CASA), Lane County
1:25:16 PM MOTION: VICE-CHAIR KRIEGER MOVES TO ADOPT THE -4 AMENDMENTS
1:25:24 PM Rep. Tomei
1:25:33 PM Chair Barker
1:25:38 PM Rep. Hicks
1:26:00 PM Chair Barker
1:26:21 PM Rep. Williamson
1:26:33 PM VOTE: 9-0-0
1:26:34 PM AYES: BARTON, CAMERON, HICKS, OLSON, TOMEI, WILLIAMSON, GARRETT, KRIEGER, BARKER
1:26:35 PM The following written testimony is submitted for the record without public testimony:
1:26:36 PM {Exhibit} 5: Daniel Murphy, Circuit Judge

1:27:04 PM **HB 2607 - Public Hearing**
1:27:06 PM Bill Taylor, Committee Counsel
1:27:40 PM {Exhibit} 6: Herbert Lovejoy, Senior Assistant Attorney General, Oregon Department of Justice

1:37:52 PM Taylor
1:37:59 PM Rep. Hicks
1:38:16 PM Lovejoy
1:38:48 PM Rep. Hicks
1:38:59 PM Lovejoy
1:39:57 PM Rep. Hicks
1:40:10 PM Lovejoy
1:40:59 PM Taylor
1:41:38 PM Lovejoy
1:42:41 PM Rep. Olson
1:42:45 PM Chair Barker
1:42:46 PM {Exhibit} 7: witness registration

1:43:00 PM **HB 2836 - Public Hearing**
1:43:07 PM Bill Taylor, Committee Counsel
1:43:19 PM Chair Barker
1:43:43 PM Julie McFarlane, Supervising Attorney, Oregon Law Commission
1:49:37 PM {Exhibit} 8: Wendy Johnson, Deputy Director, Oregon Law Commission
1:57:28 PM Rep. Tomei
1:57:46 PM Johnson

1:58:35 PM Tim Lowen, Juvenile Department Director, Yamhill County
2:02:18 PM Chair Barker
2:02:25 PM Taylor
2:02:26 PM {Exhibit} 9: witness registration
2:02:27 PM The following written testimony is submitted for the record without public testimony:
2:02:28 PM {Exhibit} 10: Lara Smith, Oregon Juvenile Department Directors Association

2:02:41 PM **HB 2836 - Work Session**
2:02:45 PM Chair Barker
2:02:45 PM MOTION: VICE-CHAIR KRIEGER MOVES HB 2836 DO PASS AND BE REFERRED TO WAYS AND MEANS
2:02:58 PM Vice-Chair Garrett
2:03:12 PM Chair Barker
2:03:17 PM VOTE: 9-0-0
2:03:18 PM AYES: BARTON, CAMERON, HICKS, OLSON, TOMEI, WILLIAMSON, GARRETT, KRIEGER, BARKER

2:03:55 PM **HB 3463 - Public Hearing**
2:04:00 PM Michael Schmidt - Committee Counsel
2:04:18 PM Chair Barker
2:04:56 PM {Exhibit} 11: Rep. Jennifer Williamson, House District 36
2:09:27 PM {Exhibit} 12: Lane Borg, President, Oregon Criminal Defense Lawyers Association
2:11:26 PM Conor Huseby, Public Defender, Metropolitan Public Defenders
2:14:01 PM Kasia Rutledge, Public Defender, Metropolitan Public Defenders
2:16:06 PM Rep. Hicks
2:16:19 PM Huseby
2:16:45 PM Rutledge
2:17:18 PM Rep. Hicks
2:17:34 PM Schmidt
2:17:44 PM Rutledge
2:17:52 PM Schmidt
2:18:36 PM Rutledge
2:18:53 PM Vice-Chair Krieger
2:19:39 PM Chair Barker
2:20:08 PM Walt Beglau, District Attorney, Marion County
2:22:00 PM Ryan Lufkin, Deputy District Attorney, Multnomah County
2:25:34 PM Tom Crabtree, Director, Crabtree and Rahmsdorff Defense Services
2:29:07 PM Chair Barker
2:29:47 PM Doug Engle, Director, Southern Oregon Public Defenders
2:31:52 PM Thaddeus Betz, Metropolitan Public Defenders
2:33:12 PM Eric Deitrick, Public Defender, Multnomah Public Defenders
2:36:27 PM {Exhibit} 13: Mark McKechnie, Executive Director, Youth, Rights and Justice

2:42:12 PM Vice-Chair Krieger
2:43:05 PM Chair Barker
2:43:06 PM {Exhibit} 14: witness registration
2:43:07 PM The following written testimony is submitted for the record without public testimony:
2:43:08 PM {Exhibit} 15: Rakeem Washington, Oregon
2:43:09 PM {Exhibit} 16: Casey Kovacic, Attorney
2:45:01 PM Meeting Adjourned by Chair Barker

Exhibit Summary

1:13:03 PM {Exhibit} 1: HB 3249, -7 amendments, staff, 6 pp
1:17:22 PM {Exhibit} 2: HB 3363, -4 amendments, staff, 4 pp
1:17:22 PM {Exhibit} 3: HB 3363, -5 amendments, staff, 7 pp
1:17:42 PM {Exhibit} 4: HB 3363, written testimony, Michael Livingston, 7 pp
1:26:36 PM {Exhibit} 5: HB 3363, written testimony, Daniel Murphy, 1 p
1:27:40 PM {Exhibit} 6: HB 2607, written testimony, Herbert Lovejoy, 2 pp
1:42:46 PM {Exhibit} 7: HB 2607, witness registration, staff, 1 p
1:49:37 PM {Exhibit} 8: HB 2836, written information, Wendy Johnson, 94 pp
2:02:26 PM {Exhibit} 9: HB 2836, witness registration, staff, 1 p
2:02:28 PM {Exhibit} 10: HB 2836, written testimony, Lara Smith, 1 p
2:04:56 PM {Exhibit} 11: HB 3463, written testimony, Rep. Jennifer Williamson, 2 pp
2:09:27 PM {Exhibit} 12: HB 3463, PowerPoint presentation, Lane Borg, 6 pp
2:36:27 PM {Exhibit} 13: HB 3463, written testimony, Mark McKechnie, 3 pp
2:43:06 PM {Exhibit} 14: HB 3463, witness registration, staff, 1 p
2:43:08 PM {Exhibit} 15: HB 3463, written testimony, Rakeem Washington, 1 p
2:43:09 PM {Exhibit} 16: HB 3463, written testimony, Casey Kovacic, 2 pp