

HOUSE COMMITTEE ON JUDICIARY

April 18, 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: Michael Schmidt, Committee Counsel
Samantha Briggs, Committee Assistant

MEASURES/ISSUES HEARD: HB 2790 – Public Hearing
HB 2019 – Work Session
HB 2204 – Work Session
HB 2384 – Work Session
HB 2549 – Work Session
HB 2594 – Work Session
HB 3434 – Work Session
HB 3467 – Work Session
HB 2607 – Work Session
HB 2920 – Work Session
HB 3183 – Work Session
HB 3327 – Work Session
HB 3478 – Work Session
HB 3480 – Work Session

Recording Log

1:15:05 PM Meeting Called to Order by Chair Barker

1:15:08 PM Chair Barker

1:16:16 PM **HB 2790 - Public Hearing**

1:16:18 PM Michael Schmidt, Committee Counsel

1:16:40 PM Chair Barker

1:16:44 PM Rep. Tomei

1:19:39 PM Chair Barker

1:20:05 PM {Exhibit} 1: Tim Plummer, Senior Trooper, Oregon State Police

1:22:58 PM {Exhibit} 2: Troy Costales, Oregon Department of Transportation

1:25:03 PM Jonathan Manton, Bicycle Transportation Alliance

1:25:37 PM Rep. Barton

1:26:04 PM Plummer

1:26:20 PM Rep. Barton
1:26:22 PM Plummer
1:26:34 PM Chair Barker
1:27:18 PM Rep. Olson
1:27:33 PM Plummer
1:28:32 PM Rep. Olson
1:28:39 PM Plummer
1:29:00 PM Vice-Chair Garrett
1:29:08 PM Plummer
1:29:21 PM Vice-Chair Garrett
1:29:34 PM Plummer
1:29:43 PM Rep. Cameron
1:30:00 PM Plummer
1:30:23 PM Rep. Cameron
1:30:48 PM Plummer
1:30:57 PM Rep. Cameron
1:31:12 PM Plummer
1:31:14 PM Chair Barker
1:31:35 PM Rep. Olson
1:32:13 PM Plummer
1:32:16 PM Chair Barker
1:32:22 PM {Exhibit} 3: witness registration
1:32:25 PM The following written testimony is submitted for the record without public testimony:
1:32:32 PM {Exhibit} 4: Jason Myers, Oregon State Sheriffs' Association

1:32:34 PM **HB 2019 - Work Session**
1:32:36 PM Michael Schmidt, Committee Counsel
1:33:57 PM Chair Barker
1:34:29 PM MOTION: VICE-CHAIR KRIEGER MOVES HB 2019 DO PASS AND BE REFERRED TO WAYS AND MEANS
1:34:41 PM Rep. Williamson
1:35:12 PM Chair Barker
1:35:20 PM VOTE: 9-0-0
1:35:21 PM AYES: BARTON, CAMERON, HICKS, OLSON, TOMEI, WILLIAMSON, GARRETT, KRIEGER, BARKER

1:35:27 PM **HB 2204 - Work Session**
1:35:33 PM {Exhibit} 5: Michael Schmidt, Committee Counsel
1:36:21 PM MOTION: VICE-CHAIR KRIEGER MOVES TO ADOPT THE -2 AMENDMENTS
1:36:27 PM VOTE: 9-0-0
1:36:28 PM AYES: BARTON, CAMERON, HICKS, OLSON, TOMEI, WILLIAMSON, GARRETT, KRIEGER, BARKER
1:36:37 PM MOTION: VICE-CHAIR KRIEGER MOVES HB 2204 DO PASS AS AMENDED AND BE REFERRED TO WAYS AND MEANS

- 1:36:44 PM VOTE: 9-0-0
- 1:36:45 PM AYES: BARTON, CAMERON, HICKS, OLSON, TOMEI, WILLIAMSON, GARRETT, KRIEGER, BARKER
- 1:36:47 PM **HB 2384 - Work Session**
- 1:36:52 PM {Exhibit} 6: Michael Schmidt, Committee Counsel
- 1:37:27 PM Vice-Chair Garrett
- 1:37:30 PM Chair Barker
- 1:37:48 PM Rep. Barton
- 1:38:25 PM Chair Barker
- 1:38:38 PM MOTION: VICE-CHAIR KRIEGER MOVES TO ADOPT THE -6 AMENDMENTS
- 1:38:47 PM VOTE: 9-0-0
- 1:38:47 PM AYES: BARTON, CAMERON, HICKS, OLSON, TOMEI, WILLIAMSON, GARRETT, KRIEGER, BARKER
- 1:38:55 PM MOTION: VICE-CHAIR KRIEGER MOVES HB 2384 DO PASS AS AMENDED
- 1:39:05 PM Rep. Williamson
- 1:39:57 PM VOTE: 7-2-0
- 1:39:59 PM AYES: BARTON, CAMERON, HICKS, OLSON, GARRETT, KRIEGER, BARKER
- 1:40:00 PM NAYS: TOMEI, WILLIAMSON
- 1:40:02 PM CARRIER: REP. THATCHER WILL LEAD DISCUSSION ON THE FLOOR
- 1:40:04 PM **HB 2549 - Work Session**
- 1:40:05 PM {Exhibit} 7-8: Michael Schmidt, Committee Counsel
- 1:41:27 PM Chair Barker
- 1:41:51 PM MOTION: VICE-CHAIR KRIEGER MOVES TO ADOPT THE -5 AMENDMENTS
- 1:42:03 PM Schmidt
- 1:42:26 PM Rep. Barton
- 1:42:32 PM Chair Barker
- 1:42:35 PM Schmidt
- 1:43:08 PM Rep. Barton
- 1:43:20 PM Chair Barker
- 1:43:23 PM Rep. Hicks
- 1:43:32 PM Schmidt
- 1:43:37 PM Rep. Hicks
- 1:43:46 PM Chair Barker
- 1:43:51 PM VOTE: 9-0-0
- 1:43:52 PM AYES: BARTON, CAMERON, HICKS, OLSON, TOMEI, WILLIAMSON, GARRETT, KRIEGER, BARKER
- 1:43:58 PM MOTION: VICE-CHAIR KRIEGER MOVES HB 2549 DO PASS AS AMENDED AND BE REFERRED TO WAYS AND MEANS
- 1:44:10 PM VOTE: 9-0-0
- 1:44:11 PM AYES: BARTON, CAMERON, HICKS, OLSON, TOMEI, WILLIAMSON,

GARRETT, KRIEGER, BARKER

1:44:14 PM HB 2594 - Work Session

1:44:16 PM {Exhibit} 9: Michael Schmidt, Committee Counsel

1:45:09 PM Chair Barker

1:45:57 PM MOTION: VICE-CHAIR KRIEGER MOVES TO ADOPT THE -2 AMENDMENTS

1:46:06 PM VOTE: 9-0-0

1:46:07 PM AYES: BARTON, CAMERON, HICKS, OLSON, TOMEI, WILLIAMSON, GARRETT, KRIEGER, BARKER

1:46:14 PM MOTION: VICE-CHAIR KRIEGER MOVES HB 2594 DO PASS AS AMENDED AND BE REFERRED TO WAYS AND MEANS

1:46:25 PM VOTE: 9-0-0

1:46:26 PM AYES: BARTON, CAMERON, HICKS, OLSON, TOMEI, WILLIAMSON, GARRETT, KRIEGER, BARKER

1:46:33 PM Chair Barker

1:46:39 PM HB 3434 - Work Session

1:46:51 PM Michael Schmidt, Committee Counsel

1:47:02 PM Chair Barker

1:47:25 PM Schmidt

1:47:33 PM MOTION: VICE-CHAIR KRIEGER MOVES HB 3434 DO PASS

1:47:41 PM VOTE: 9-0-0

1:47:42 PM AYES: BARTON, CAMERON, HICKS, OLSON, TOMEI, WILLIAMSON, GARRETT, KRIEGER, BARKER

1:47:46 PM CARRIER: REP. ESQUIVEL WILL LEAD DISCUSSION ON THE FLOOR

1:47:51 PM HB 3467 - Work Session

1:47:53 PM {Exhibit} 10: Michael Schmidt, Committee Counsel

1:48:24 PM MOTION: VICE-CHAIR KRIEGER MOVES TO ADOPT THE -3 AMENDMENTS

1:48:32 PM VOTE: 9-0-0

1:48:33 PM AYES: BARTON, CAMERON, HICKS, OLSON, TOMEI, WILLIAMSON, GARRETT, KRIEGER, BARKER

1:49:04 PM MOTION: VICE-CHAIR KRIEGER MOVES HB 3467 DO PASS AS AMENDED

1:49:10 PM VOTE: 9-0-0

1:49:11 PM AYES: BARTON, CAMERON, HICKS, OLSON, TOMEI, WILLIAMSON, GARRETT, KRIEGER, BARKER

1:49:15 PM CARRIER: REP. WILLIAMSON WILL LEAD DISCUSSION ON THE FLOOR

1:49:43 PM HB 2607 - Work Session

1:49:50 PM Bill Taylor, Committee Counsel

1:51:17 PM MOTION: VICE-CHAIR KRIEGER MOVES THAT THE RULES BE SUSPENDED FOR THE PURPOSE OF TAKING ACTION ON HB 2607

WITHOUT HAVING THE FISCAL IMPACT STATEMENT

- 1:51:51 PM** VOTE: 9-0-0
- 1:51:52 PM** AYES: BARTON, CAMERON, HICKS, OLSON, TOMEI, WILLIAMSON, GARRETT, KRIEGER, BARKER
- 1:52:07 PM** MOTION: VICE-CHAIR KREIGER MOVES HB 2607 DO PASS AS AMENDED
- 1:52:23 PM** Rep. Hicks
- 1:52:35 PM** VOTE: 9-0-0
- 1:52:36 PM** AYES: BARTON, CAMERON, HICKS, OLSON, TOMEI, WILLIAMSON, GARRETT, KRIEGER, BARKER
- 1:52:40 PM** CARRIER: REP. BARKER WILL LEAD DISCUSSION ON THE FLOOR
- 1:52:45 PM** **HB 2920 - Work Session**
- 1:52:48 PM** Bill Taylor, Committee Counsel
- 1:53:13 PM** MOTION: VICE-CHAIR KRIEGER MOVES HB 2920 DO PASS
- 1:53:21 PM** VOTE: 9-0-0
- 1:53:22 PM** AYES: BARTON, CAMERON, HICKS, OLSON, TOMEI, WILLIAMSON, GARRETT, KRIEGER, BARKER
- 1:53:25 PM** CARRIER: REP. TOMEI WILL LEAD DISCUSSION ON THE FLOOR
- 1:53:40 PM** **HB 3183 - Work Session**
- 1:53:41 PM** Bill Taylor, Committee Counsel
- 1:54:24 PM** Chair Barker
- 1:54:50 PM** Rep. Cameron
- 1:54:54 PM** Taylor
- 1:55:13 PM** MOTION: VICE-CHAIR KRIEGER MOVES THAT THE RULES BE SUSPENDED FOR THE PURPOSE OF TAKING ACTION ON HB 3183 WITHOUT HAVING THE FISCAL IMPACT STATEMENT
- 1:55:49 PM** VOTE: 9-0-0
- 1:55:50 PM** AYES: BARTON, CAMERON, HICKS, OLSON, TOMEI, WILLIAMSON, GARRETT, KRIEGER, BARKER
- 1:56:45 PM** MOTION: VICE-CHAIR KRIEGER MOVES TO ADOPT THE -3 AMENDMENTS
- 1:56:54 PM** VOTE: 9-0-0
- 1:56:56 PM** AYES: BARTON, CAMERON, HICKS, OLSON, TOMEI, WILLIAMSON, GARRETT, KRIEGER, BARKER
- 1:57:07 PM** MOTION: VICE-CHAIR KRIEGER MOVES HB 3183 DO PASS AS AMENDED
- 1:57:16 PM** VOTE: 9-0-0
- 1:57:17 PM** AYES: BARTON, CAMERON, HICKS, OLSON, TOMEI, WILLIAMSON, GARRETT, KRIEGER, BARKER
- 1:57:28 PM** CARRIER: REP. BARTON WILL LEAD DISCUSSION ON THE FLOOR
- 1:57:38 PM** **HB 3327 - Work Session**
- 1:57:40 PM** {Exhibit} 11: Michael Schmidt, Committee Counsel
- 1:58:03 PM** Chair Barker

- 1:58:45 PM** MOTION: VICE-CHAIR KRIEGER MOVES TO ADOPT THE -2 AMENDMENTS
- 1:58:55 PM** VOTE: 9-0-0
- 1:58:56 PM** AYES: BARTON, CAMERON, HICKS, OLSON, TOMEI, WILLIAMSON, GARRETT, KRIEGER, BARKER
- 1:59:01 PM** MOTION: VICE-CHAIR KRIEGER MOVES HB 3327 DO PASS AS AMENDED
- 1:59:32 PM** VOTE: 8-1-0
- 1:59:33 PM** AYES: CAMERON, HICKS, OLSON, TOMEI, WILLIAMSON, GARRETT, KRIEGER, BARKER
- 1:59:34 PM** NAYS: BARTON
- 1:59:39 PM** CARRIER: REP. HARKER AND SPEAKER KOTEK WILL LEAD DISCUSSION ON THE FLOOR
- 1:59:46 PM** **HB 3478 - Work Session**
- 1:59:47 PM** {Exhibit} 12-13: Anna Braun, Committee Counsel
- 2:00:52 PM** Chair Barker
- 2:00:55 PM** Meeting Recessed
- 2:08:58 PM** Meeting Reconvened
- 2:09:04 PM** Chair Barker
- 2:09:07 PM** Rep. Barton
- 2:11:21 PM** Chair Barker
- 2:11:26 PM** MOTION: VICE-CHAIR KREIGER MOVES TO ADOPT THE -1 AMENDMENTS
- 2:11:41 PM** VOTE: 9-0-0
- 2:11:42 PM** AYES: BARTON, CAMERON, HICKS, OLSON, TOMEI, WILLIAMSON, GARRETT, KRIEGER, BARKER
- 2:11:46 PM** MOTION: VICE-CHAIR KREIGER MOVES TO ADOPT THE -2 AMENDMENTS
- 2:11:55 PM** Rep. Hicks
- 2:12:11 PM** Rep. Cameron
- 2:12:28 PM** Rep. Barton
- 2:12:51 PM** Rep. Cameron
- 2:13:00 PM** Rep. Tomei
- 2:13:55 PM** Chair Barker
- 2:14:27 PM** VOTE: 7-2-0
- 2:14:28 PM** AYES: BARTON, OLSON, TOMEI, WILLIAMSON, GARRETT, KRIEGER, BARKER
- 2:14:29 PM** NAYS: CAMERON, HICKS
- 2:14:54 PM** MOTION: VICE-CHAIR KRIEGER MOVES THAT THE RULES BE SUSPENDED FOR THE PURPOSE OF TAKING ACTION ON HB 3478 WITHOUT HAVING THE FISCAL IMPACT STATEMENT
- 2:15:13 PM** VOTE: 9-0-0
- 2:15:14 PM** AYES: BARTON, CAMERON, HICKS, OLSON, TOMEI, WILLIAMSON, GARRETT, KRIEGER, BARKER
- 2:15:25 PM** Rep. Tomei

2:15:42 PM MOTION: VICE-CHAIR KRIEGER MOVES HB 3478 DO PASS AS AMENDED AND BE REFERRED TO WAYS AND MEANS

2:16:01 PM Rep. Barton

2:16:39 PM Chair Barker

2:16:49 PM VOTE: 9-0-0

2:16:50 PM AYES: BARTON, CAMERON, HICKS, OLSON, TOMEI, WILLIAMSON, GARRETT, KRIEGER, BARKER

2:16:51 PM The following written testimony is submitted for the record without public testimony:

2:16:52 PM {Exhibit} 14: Liani Reeves, General Counsel, Office of the Governor

2:16:59 PM Meeting Recessed

2:43:22 PM Meeting Reconvened

2:43:25 PM Chair Barker

2:43:30 PM **HB 3480 - Work Session**

2:43:34 PM Bill Taylor, Committee Counsel

2:43:44 PM Chair Barker

2:43:51 PM MOTION: VICE-CHAIR KRIEGER MOVES THAT THE RULES BE SUSPENDED FOR THE PURPOSE OF TAKING ACTION ON HB 3480 WITHOUT HAVING THE FISCAL IMPACT STATEMENT

2:44:09 PM VOTE: 9-0-0

2:44:12 PM AYES: BARTON, CAMERON, HICKS, OLSON, TOMEI, WILLIAMSON, GARRETT, KRIEGER, BARKER

2:44:16 PM MOTION: VICE-CHAIR KRIEGER MOVES HB 3480 WITHOUT RECOMMENDATION AND BE REFERRED TO RULES

2:44:25 PM VOTE: 9-0-0

2:44:28 PM AYES: BARTON, CAMERON, HICKS, OLSON, TOMEI, WILLIAMSON, GARRETT, KRIEGER, BARKER

2:44:33 PM Meeting Adjourned by Chair Barker

Exhibit Summary

1:20:05 PM {Exhibit} 1: HB 2790, written testimony, Tim Plummer, 2 pp

1:22:58 PM {Exhibit} 2: HB 2790, written testimony, Troy Costales, 2 pp

1:32:22 PM {Exhibit} 3: HB 2790, witness registration, staff, 1 p

1:32:32 PM {Exhibit} 4: HB 2790, written testimony, Jason Myers, 1 p

1:35:33 PM {Exhibit} 5: HB 2204, -2 amendments, staff, 10 pp

1:36:52 PM {Exhibit} 6: HB 2384, -6 amendments, staff, 8 pp

1:40:05 PM {Exhibit} 7: HB 2549, -2 amendments, staff, 5 pp

1:40:05 PM {Exhibit} 8: HB 2549, -5 amendments, staff, 9 pp

1:44:16 PM {Exhibit} 9: HB 2594, -2 amendments, staff, 15 pp

1:47:53 PM {Exhibit} 10: HB 3467, -3 amendments, staff, 7 pp

1:57:40 PM {Exhibit} 11: HB 3327, -2 amendments, staff, 2 pp

1:59:47 PM {Exhibit} 12: HB 3478, -2 amendments, staff, 1 p

1:59:47 PM {Exhibit} 13: HB 3478, -1 amendments, staff, 1 p

2:16:52 PM {Exhibit} 14: HB 3478, written testimony, Liani Reeves, 2 pp