

HOUSE COMMITTEE ON JUDICIARY

May 16, 2007 Hearing Room 357
8:00 AM Tapes 182-183

MEMBERS PRESENT: Rep. Greg Macpherson, Chair
Rep. Jeff Barker, Vice-Chair
Rep. Gene Whisnant, Vice-Chair
Rep. Suzanne Bonamici
Rep. Kevin Cameron
Rep. Linda Flores
Rep. Betty Komp
Rep. Wayne Krieger
Rep. Tobias Read

MEMBER EXCUSED: Rep. Linda Flores

STAFF PRESENT: Matt Kalmanson, Counsel
Bill Taylor, Counsel
Sara Campbell, Committee Assistant

Measures or Issues Heard: SB 109A Public Hearing
SB 109A Work Session
SB 302A Public Hearing
SB 302A Work Session
SB 303A Public Hearing
SB 303A Work Session
SB 729 Public Hearing
SB 729 Work Session
SB 273A Public Hearing
SB 273A Work Session
SB 288A Public Hearing

This tape log is in compliance with Senate and House Rules. For complete contents, please refer to the cassette tapes.

| TAPE # AND SIDE | COUNTER NUMBER | BRIEF DESCRIPTION OF SUBJECT MATTER OR CHANGE IN SPEAKER |
|---------------------------------------|---------------------------|---|
| 182A | 002 | Chair Macpherson calls the meeting into order at 8:04 a.m. |
| <u>SB 109A- PUBLIC HEARING</u> | | |
| 182A | 006 | Matt Kalmanson, Counsel |
| | 022 | Fred Boss, Department of Justice (EXHIBIT A) |
| | 071 | Kalmanson |
| | 072 | Rep. Cameron |
| | 078 | Boss |
| | 089 | Rep. Whisnant |
| | 092 | Boss |
| | 096 | Rep. Whisnant |
| | 098 | Boss |
| | 102 | Chair Macpherson |

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| 108 | Boss |
| 128 | Chair Macpherson |
| 133 | Boss |
| 144 | Rep. Krieger |
| 147 | Boss |
| 177 | Rep. Krieger |
| 179 | Boss |
| 186 | Rep. Krieger |
| 192 | Boss |
| 211 | Chair Macpherson |

SB 109A- WORK SESSION

| | |
|-----|------------------|
| 216 | Chair Macpherson |
| 221 | Rep. Barker |
| 222 | Chair Macpherson |
| 223 | Rep. Cameron |
| 233 | Rep. Whisnant |
| 245 | Chair Macpherson |

Rep. Barker

MOTION: Moves SB 109A to the floor with a DO PASS recommendation.

VOTE: 8-0-1

AYE: 8 - Barker, Bonamici, Cameron, Komp, Krieger, Read, Whisnant, Macpherson

EXCUSED: 1 - Flores

Chair Macpherson

The motion CARRIES.

REP. KOMP will lead discussion on the floor.

SB 302A- PUBLIC HEARING

| | | |
|------|-----|---|
| | 271 | Matt Kalmanson, Counsel |
| | 281 | Patrick Wade, Oregon State Bar (EXHIBIT B) |
| | 355 | Chair Macpherson |
| | 359 | Wade |
| | 370 | Chair Macpherson |
| 182A | 371 | Wade |
| | 380 | Rep. Cameron |
| | 383 | Wade |
| | 399 | Rep. Krieger |
| 183A | 016 | Kalmanson |
| | 027 | Wade |
| | 040 | Rep. Bonamici |
| | 045 | Rep. Komp |
| | 055 | Kalmanson |
| | 058 | Chair Macpherson |
| | 067 | Wade |
| | 068 | Rep. Krieger |
| | 070 | Chair Macpherson |

SB 302A- WORK SESSION

079 Rep. Barker
081 Chair Macpherson
Rep. Barker
MOTION: Moves SB 302A to the floor with a DO PASS recommendation.
VOTE: 8-0-1
AYE: 8 - Barker, Bonamici, Cameron, Komp, Krieger, Read, Whisnant, Macpherson
EXCUSED: 1 - Flores
Chair Macpherson
The motion CARRIES.
REP. BARKER will lead discussion on the floor.

SB 303A- PUBLIC HEARING

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|------|-----|---|
| | 090 | Matt Kalmanson, Counsel (EXHIBIT C) |
| | 113 | Patrick Wade, Oregon State Bar (EXHIBIT D) |
| | 164 | Matt Markee, Oregon Collector's Association |
| | 182 | Chair Macpherson |
| | 183 | Markee |
| | 189 | Chair Macpherson |
| | 196 | Markee |
| | 203 | Kalmanson |
| | 205 | Chair Macpherson |
| | 208 | Kalmanson |
| | 218 | Rep. Read |
| 183A | 220 | Kalmanson |
| | 226 | Markee |
| | 236 | Chair Macpherson |
| | 245 | Markee |
| | 252 | Kalmanson |
| | 257 | Rep. Krieger |
| | 265 | Markee |
| | 268 | Wade |
| | 306 | Chair Macpherson |
| | 312 | Wade |
| | 313 | Markee |
| | 322 | Rep. Cameron |
| | 329 | Wade |
| | 339 | Rep. Cameron |
| | 351 | Wade |
| | 354 | Rep. Cameron |
| | 360 | Wade |
| | 394 | Rep. Cameron |
| | 412 | Wade |
| 182B | 006 | Rep. Krieger |
| | 011 | Wade |
| | 026 | Markee |
| | 033 | Rep. Bonamici |
| | 035 | Markee |
| | 046 | Rep. Cameron |

072
074

Rep. Bonamici
Chair Macpherson

SB 303A- WORK SESSION

076

Rep. Cameron

Rep. Cameron

MOTION: Moves to ADOPT SB 303A-6 amendments dated 5/7/07.

VOTE: 7-0-2

AYE: 7 - Barker, Bonamici, Cameron, Komp, Krieger, Read, Macpherson

EXCUSED: 1 – Flores, Whisnant

Chair Macpherson

The motion CARRIES.

078

Chair Macpherson

182B

084

Rep. Cameron

Rep. Cameron

MOTION: Moves SB 303A to the floor with a DO PASS AS AMENDED recommendation.

VOTE: 7-0-2

AYE: 7 - Barker, Bonamici, Cameron, Komp, Krieger, Read, Macpherson

EXCUSED: 2 - Flores, Whisnant

Chair Macpherson

The motion CARRIES.

REP. CAMERON will lead discussion on the floor.

086

Chair Macpherson

087

Rep. Krieger

SB 729- PUBLIC HEARING

101

Matt Kalmanson, Counsel (**EXHIBIT E**)

111

Mark Ginsberg, Multnomah Attorney (**EXHIBIT F**)

146

Rep. Krieger

147

Ginsberg

153

Rep. Barker

157

Ginsberg

163

Chair Macpherson

164

Ginsberg

172

Chair Macpherson

174

Ginsberg

180

Chair Macpherson

SB 729- WORK SESSION

189

MOTION: Rep. Barker moves to ADOPT SB 729-2 amendments dated 5/14/07.

VOTE: 7-0-2

AYE: 7 - Barker, Bonamici, Cameron, Komp, Krieger, Read, Macpherson

EXCUSED: 2 - Flores, Whisnant

190

Chair Macpherson declares the motion CARRIED.

192

MOTION: Rep. Barker moves SB 729 to the floor with a DO

PASS AS AMENDED recommendation.

VOTE: -0-2

EXCUSED: 2 - Flores, Whisnant

Chair Macpherson hearing no objection, declares the motion CARRIED.

REP. READ will lead discussion on the floor.

Chair Macpherson

193

SB 273A- PUBLIC HEARING

182B 211

226

350

353

356

370

Bill Taylor, Counsel

Timothy Travis, Office of State Court Administrator (**EXHIBIT G**)

Rep. Bonamici

Travis

Rep. Bonamici

Travis

SB 273A- WORK SESSION

383

385

Rep. Barker

Chair Macpherson

Rep. Barker

MOTION: Moves SB 273A to the floor with a DO PASS recommendation.

Rep. Barker

MOTION: Moves SB 273A to the floor with a DO PASS recommendation and be placed on the CONSENT CALENDAR.

VOTE: 7-0-2

AYE: 7 - Barker, Bonamici, Cameron, Komp, Krieger, Read, Macpherson

EXCUSED: 2 - Flores, Whisnant

Chair Macpherson

The motion CARRIES.

SB 288A- PUBLIC HEARING

007

015

110

114

124

132

151

153

162

166

168

170

180

182

182B 322

329

Bill Taylor, Counsel

Steven Powers, Oregon Board of Parole and Post-Prison Supervision (**EXHIBIT H**)

Chair Macpherson

Powers

Rep. Bonamici

Powers

Rep. Krieger

Powers

Rep. Krieger

Powers

Rep. Krieger

Powers

Chair Macpherson

Becky Duncan, Office of Public Defense

Chair Macpherson

Duncan

| | |
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| 372 | Rep. Bonamici |
| 380 | Duncan |
| 381 | Taylor |
| 386 | Duncan |
| 417 | Taylor |
| 422 | Duncan |
| 451 | Chair Macpherson |

The following prepared testimony is submitted for the record without public testimony:

Kevin Campbell, Oregon Association Chiefs of Police
(EXHIBIT I)

Mark Wilson **(EXHIBIT J)**

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| 182B | 456 | Chair Macpherson adjourns the meeting at 10:00 a.m. |
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EXHIBIT SUMMARY

- A. **SB 109A, Written Testimony, Fred Boss, 3pp**
- B. **SB 302A, Written Testimony, Patrick Wade, 1p**
- C. **SB 303A, -6 amendments, Staff, 33pp**
- D. **SB 303A, Written Testimony, Patrick Wade, 1p**
- E. **SB 729, -2 amendments, Staff, 1p**
- F. **SB 729, Written Testimony, Mark Ginsberg, 2pp**
- G. **SB 273A, Written Testimony, Timothy Travis, 3pp**
- H. **SB 288A, Written Testimony, Steven Powers, 2pp**
- I. **SB 729, Written Testimony, Kevin Campbell, 1p**
- J. **SB 288A, Written Testimony, Mark Wilson, 79pp**