

## HOUSE COMMITTEE ON JUDICIARY

May 17, 2007 Hearing Room 357  
8:00 AM Tapes 184-185

**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

**STAFF PRESENT:**

- Matt Kalmanson, Counsel
- Darian Stanford, Counsel
- Bill Taylor, Counsel
- Sara Campbell, Committee Assistant

**Measures or Issues Heard:**

- SB 244 Work Session
- SB 257A Work Session
- SB 629A Work Session
- SB 597 Work Session
- SB 298A Work Session
- SB 288A Work Session

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

<b>TAPE #</b>	<b>COUNTER</b>	<b>BRIEF DESCRIPTION OF SUBJECT MATTER</b>
<b>AND SIDE</b>	<b>NUMBER</b>	<b>OR CHANGE IN SPEAKER</b>
184A	002	Chair Macpherson calls the meeting into order at 8:04 a.m.
<b><u>SB 244- WORK SESSION</u></b>		
	013	Bill Taylor, Counsel ( <b>EXHIBIT A</b> )
	021	Gwen Dayton, Oregon Association of Hospitals ( <b>EXHIBIT B</b> )
	098	Rep. Bonamici
	110	Dayton
	126	Chair Macpherson
	127	Dayton
	142	Chair Macpherson
	152	Dayton
184A	159	Chair Macpherson
	163	Dayton
	171	Chair Macpherson
	173	Andrea Meyer, ACLU
	207	Taylor
	211	Dayton
	225	Chair Macpherson

228 Meyer  
245 Chair Macpherson  
252 Rep. Barker  
**Rep. Barker**  
**MOTION: Moves to ADOPT SB 244-1 amendments dated**  
**5/15/07.**  
**VOTE: 9-0-0**  
**AYE: In a roll call vote, all members present vote Aye.**  
Chair Macpherson  
**The motion CARRIES.**  
253 Chair Macpherson  
256 Rep. Barker  
**Rep. Barker**  
**MOTION: Moves SB 244 to the floor with a DO PASS AS**  
**AMENDED recommendation.**  
**VOTE: 9-0-0**  
**AYE: In a roll call vote, all members present vote Aye.**  
Chair Macpherson  
**The motion CARRIES.**  
**REP. CAMERON will lead discussion on the floor.**  
257 Chair Macpherson

**SB 257A- WORK SESSION**

276 Matt Kalmanson, Counsel  
280 Chair Macpherson  
294 Rep. Bonamici  
322 Rep. Krieger  
325 Rep. Cameron  
328 Rep. Krieger  
346 Chair Macpherson  
351 Rep. Whisnant  
363 Cory Streisinger, Department of Consumer Business  
372 Rep. Whisnant  
383 Streisinger  
008 Rep. Whisnant  
185A 011 Streisinger  
014 Rep. Whisnant  
018 Streisinger  
021 Chair Macpherson  
025 Streisinger  
027 Chair Macpherson  
029 Rep. Bonamici  
037 Rep. Flores  
048 Rep. Komp  
050 Chair Macpherson  
051 Rep. Komp  
**Rep. Komp**  
**MOTION: Moves SB 257A to the floor with a DO PASS**  
**recommendation.**  
**VOTE: 5-4-0**

**AYE: 5 - Barker, Bonamici, Komp, Read, Macpherson**  
**NAY: 4 - Cameron, Flores, Krieger, Whisnant**  
**Chair Macpherson**  
**The motion CARRIES.**  
**CHAIR MACPHERSON will lead discussion on the floor.**  
 Chair Macpherson  
 Rep. Flores  
 Chair Macpherson

061  
 079  
 080

**SB 629A- WORK SESSION**

098	Bill Taylor, Counsel ( <b>EXHIBIT C</b> )
121	Chair Macpherson
137	Rep. Whisnant
140	Taylor
143	Rep. Bonamici
146	Taylor
149	Chair Macpherson
158	Rep. Whisnant
168	Chair Macpherson
184	Rep. Whisnant
185	Chair Macpherson
188	Rep. Krieger
190	Chair Macpherson
193	Rep. Bonamici
196	Taylor
185A 198	Chair Macpherson

**SB 597- WORK SESSION**

207	Bill Taylor, Counsel ( <b>EXHIBIT D</b> )
220	Chair Macpherson
228	Taylor
230	Rep. Krieger
232	Taylor
240	Chair Macpherson
244	Rep. Krieger
247	Taylor
258	Rep. Cameron
272	Taylor
278	Rep. Whisnant
285	Rep. Barker
288	Chair Macpherson
293	Rep. Barker
299	Chair Macpherson
300	Rep. Bonamici
307	Taylor
314	Rep. Bonamici
320	Taylor
325	Rep. Bonamici
333	Taylor

	334	Chair Macpherson
	335	Rep. Bonamici
	341	Mara Gross, Legislative Assistant for Sen. Kate Brown
	363	Rep. Whisnant
	377	Gross
	381	Rep. Bonamici
	394	Taylor
	406	Linda Guss, Department of Justice
184B	003	Chair Macpherson
	009	Rep. Whisnant
	010	Rep. Barker
	018	Rep. Whisnant
	022	Chair Macpherson
	032	Guss
184B	050	Rep. Bonamici
	057	Rep. Whisnant
	058	Chair Macpherson
	060	Rep. Whisnant
	061	Gross
	074	Rep. Cameron
	093	Rep. Whisnant
	094	Rep. Cameron
	095	Gross
	106	Rep. Cameron
	113	Rep. Komp
	135	Gross
	140	Rep. Bonamici
	152	Chair Macpherson
	155	Rep. Whisnant
	166	Chair Macpherson
	176	Rep. Barker
	179	Chair Macpherson
	183	Rep. Bonamici
184B	184	Taylor
	188	Guss
	189	Taylor
	194	Guss
	202	Taylor
	203	Guss
	216	Rep. Komp
	226	Rep. Bonamici
	236	Rep. Flores
	243	Rep. Bonamici
	246	Rep. Barker

**Rep. Barker**

**MOTION: Moves to ADOPT SB 597-3 amendments dated 5/16/07.**

**VOTE: 7-2-0**

**AYE: 7 - Barker, Bonamici, Cameron, Flores, Krieger, Read, Macpherson**

		<b>NAY: 2 - Komp, Whisnant</b>
		<b>Chair Macpherson</b>
		<b>The motion CARRIES.</b>
184B	247	Chair Macpherson
	259	Rep. Krieger
	267	Rep. Flores
	271	Chair Macpherson
	272	Rep. Krieger
	282	Rep. Bonamici
	292	Rep. Whisnant
	296	Chair Macpherson
	297	Rep. Barker
		<b>Rep. Barker</b>
		<b>MOTION: Moves SB 597A to the floor with a DO PASS AS</b>
		<b>AMENDED recommendation.</b>
		<b>VOTE: 8-1-0</b>
		<b>AYE: 8 - Barker, Bonamici, Cameron, Flores, Komp,</b>
		<b>Krieger, Read, Macpherson</b>
		<b>NAY: 1 - Whisnant</b>
		<b>Chair Macpherson</b>
		<b>The motion CARRIES.</b>
		<b>REP. KRIEGER will lead discussion on the floor.</b>
	302	Chair Macpherson

**SB 298A- WORK SESSION**

	319	Darian Stanford, Counsel
	347	Chair Macpherson
	364	Rep. Krieger
	379	Rep. Bonamici
185B	004	Stanford
	024	Rep. Bonamici
	028	Stanford
	033	Rep. Krieger
	036	Stanford
	042	Rep. Krieger
	047	Stanford
	051	Rep. Barker
	060	Chair Macpherson
	064	Rep. Cameron
	083	Rep. Whisnant
	093	Chair Macpherson
	100	Sgt. Tim Plummer
	110	Chair Macpherson

**SB 288A- WORK SESSION**

185B	119	Bill Taylor, Counsel
	129	Rep. Barker
	134	Steven Powers,
	191	Chair Macpherson
	199	Becky Duncan, Office of Public Defense Services

205	Powers
239	Taylor
243	Powers
263	Taylor
264	Powers
279	Taylor
281	Powers
289	Duncan
337	Chair Macpherson
342	Powers
374	Rep. Bonamici
404	Duncan
441	Chair Macpherson
453	Rep. Whisnant

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

		Mark Kramer, Kramer and Associates ( <b>EXHIBIT E</b> )
185B	464	Chair Macpherson adjourns the meeting at 10:00 a.m.

#### **EXHIBIT SUMMARY**

- A. **SB 244, -1 amendments, Staff, 5pp**
- B. **SB 244, Written Testimony, Gwen Dayton, 2pp**
- C. **SB 629A, HB 2311-A4 amendments, Staff, 1p**
- D. **SB 597, -3 amendments, Staff, 2pp**
- E. **SB 597, Written Testimony, Mark Kramer, 4pp**