

SENATE COMMITTEE ON JUDICIARY

April 19, 2007 Hearing Room 343
1:15 PM Tapes 107 - 108

MEMBERS PRESENT: Sen. Ginny Burdick, Chair
Sen. Roger Beyer, Vice-Chair
Sen. Jeff Kruse
Sen. Floyd Prozanski
Sen. Vicki Walker

STAFF PRESENT: Matt Kalmanson, Counsel
Bill Taylor, Counsel
Jennifer Black, Committee Assistant

MEASURES OR ISSUES HEARD: SB 759-Public Hearing
SB 544-Public Hearing and Work Session
SB 288-Work Session
SB 273-Public Hearing and Work Session
SB 276-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
107A	002	Chair Burdick calls the meeting to order at 1:26 PM
<u>SB 759- PUBLIC HEARING</u>		
	010	Matt Kalmanson, Counsel
	017	Chair Burdick
	025	Gwen Dayton, Oregon Association of Hospitals and Health Systems (EXHIBIT A)
	040	Kalmanson (EXHIBIT B)
	048	Sen. Prozanski
	053	Dayton
	123	Chair Burdick
	126	Dayton
	144	Chair Burdick
	145	Ronald Marcum, Oregon Health and Science University (EXHIBIT C)
	219	Katherine Bradley, Department of Human Services (EXHIBIT D)
	267	Chair Burdick
	271	Andrea Meyer, American Civil Liberties Union of Oregon
	290	Chair Burdick
	292	Meyer
107A	303	Tim Martinez
	334	Carl Lundberg, Department of Consumer and Business Services (EXHIBIT E)
	361	Bruce Fitzwater, Christian Science Committee on Publication for Oregon (EXHIBIT F)
108A	018	Chair Burdick

020	Fitzwater
027	Sen. Prozanski
031	Chair Burdick

**The following prepared testimony is submitted for the record without public testimony:
Michael Garland (EXHIBIT G)**

SB 544- PUBLIC HEARING

040	Matt Kalmanson, Counsel (EXHIBIT H)
045	Chair Burdick
053	Kevin Moynahan, Department of State Lands (EXHIBIT I)
123	Chair Burdick
127	Sen. Frank Morse, SD 8
149	Chair Burdick
153	Moynahan
158	Sen. Kruse
161	Sen. Morse
165	Moynahan
167	Chair Burdick
176	Patrick Allen, Department of Consumer and Business Services
192	Chair Burdick
197	John Chandler, Oregon Home Builders Association
219	Chair Burdick

SB 544- WORK SESSION

**MOTION: Sen. Walker moves to ADOPT SB 544-3
amendments dated 04/10/07.**

VOTE: 3-0-2

EXCUSED: 2 - Beyer, Prozanski

Chair hearing no objection, declares the motion CARRIED.

**MOTION: Sen. Walker moves SB 544 to the floor with a DO
PASS AS AMENDED recommendation.**

VOTE: 3-0-2

EXCUSED: 2 – Beyer, Prozanski

Chair hearing no objection, declares the motion CARRIED.

SEN. MORSE will lead discussion on the floor.

SB 288- WORK SESSION

108A	250	Bill Taylor, Counsel (EXHIBIT J)
	267	Steven Powers
	269	Chair Burdick
	274	Powers
	284	Chair Burdick
	286	Sen. Walker
	295	Becky Duncan
	322	Chair Burdick
	325	Duncan
	339	Chair Burdick
	345	Sen. Prozanski
	380	Chair Burdick

387
402
426

Powers
Sen. Prozanski
Sen. Walker

MOTION: Sen. Prozanski moves to ADOPT SB 288-3
amendments dated 04/19/07.

VOTE: 4-0-1

EXCUSED: 1 - Beyer

Chair hearing no objection, declares the motion CARRIED.

MOTION: Sen. Prozanski moves SB 288 to the floor with a
DO PASS AS AMENDED recommendation.

VOTE: 3-1-1

AYE: 3 - Kruse, Prozanski, Burdick

NAY: 1 - Walker

EXCUSED: 1 - Beyer

Chair: the motion CARRIES.

SEN. PROZANSKI will lead discussion on the floor.

SB 273- PUBLIC HEARING

107B 015
025

Bill Taylor, Counsel (EXHIBIT K)
Timothy Travis (EXHIBIT L)

SB 273- WORK SESSION

MOTION: Sen. Walker moves to ADOPT SB 273-1
amendments dated 04/16/07.

VOTE: 4-0-1

EXCUSED: 1 - Beyer

Chair hearing no objection, declares the motion CARRIED.

107B

MOTION: Sen. Walker moves SB 273 to the floor with a DO
PASS AS AMENDED recommendation.

VOTE: 4-0-1

EXCUSED: 1 - Beyer

Chair hearing no objection, declares the motion CARRIED.

SEN. KRUSE will lead discussion on the floor.

056

Sen. Kruse

SB 276- PUBLIC HEARING

072
081
162
208
211
217
229
237
248
252
255
280
347

Bill Taylor, Counsel (EXHIBIT M)
Craig Prins (EXHIBIT N, O, P)
Paul Bellatty, Department of Corrections
Prins
Sen. Prozanski
Prins
Sen. Prozanski
Prins
Sen. Prozanski
Prins
Retired Justice Wallace P. Carson, Jr.
Judge Michael Marcus (EXHIBIT Q, R)
Chair Burdick

	350	Marcus
	379	Sen. Prozanski
	404	Marcus
108B	034	Sen. Prozanski
	049	Chair Burdick
	054	Amy Elkanich, Oregon Criminal Defense Lawyers Association
	126	Chair Burdick
	128	Jess Barton
	156	Sen. Beyer
	157	Chair Burdick

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

David Rogers (**EXHIBIT S**)

Chair Burdick adjourns the meeting at 3:00 PM

EXHIBIT SUMMARY

- A. **SB 759, Written Testimony, Gwen Dayton, 2 pp**
- B. **SB 759, -1 amendment, Staff, 1 p**
- C. **SB 759, Written Testimony, Ronald Marcum, 1 p**
- D. **SB 759, Written Testimony, Katherine Bradley, 2 pp**
- E. **SB 759, Written Testimony, Carl Lundberg, 1 p**
- F. **SB 759, Written Testimony, Bruce Fitzwater, 1 p**
- G. **SB 759, Written Testimony, Michael Garland, 1 p**
- H. **SB 544, -3 amendments, Staff, 1 p**
- I. **SB 544, Written Testimony, Kevin Moynahan, 2 pp**
- J. **SB 288, -3 amendment, Staff, 1 p**
- K. **SB 273, -1 amendment, Staff, 1 p**
- L. **SB 273, Written Testimony, Timothy Travis, 4 pp**
- M. **SB 276, -2 amendments, Staff, 2 pp**
- N. **SB 276, Informational Packet, Craig Prins, 28 pp**
- O. **SB 276, Fact Sheets, Craig Prins, 6 pp**
- P. **SB 276, Sentencing Guidelines Grid, Craig Prins, 6 pp**
- Q. **SB 276, Sentencing Article, Michael Marcus, 3 pp**
- R. **SB 276, Written Testimony, Michael Marcus, 1 p**
- S. **SB 276, Written Testimony, David Rogers, 2 pp**