

SENATE COMMITTEE ON JUDICIARY

April 24, 2007 Hearing Room 343
1:15 PM Tapes 111 - 112

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
 Darian Stanford, Counsel
 Jennifer Black, Committee Assistant

MEASURES OR ISSUES HEARD: **SB 473-Public Hearing and Work Session**
 SB 129-Work Session
 SB 130-Work Session
 SB 110-Work Session
 SB 133-Work Session
 SB 725-Work Session
 SB 659-Public Hearing and Work Session
 SB 345-Work Session
 SB 843-Work Session
 SB 626-Public Hearing and Work Session
 SB 347-Public Hearing
 SB 536-Public Hearing

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

| TAPE # | COUNTER | BRIEF DESCRIPTION OF SUBJECT MATTER |
|-------------------------------------|----------------|--|
| AND SIDE | NUMBER | OR CHANGE IN SPEAKER |
| 111A | 002 | Chair Burdick calls the meeting to order at 1:20 PM |
| <u>SB 473-PUBLIC HEARING</u> | | |
| | 011 | Darian Stanford, Counsel |
| | 024 | Dana Baugher, Sen. Schrader's office (EXHIBIT A) |
| | 040 | Chair Burdick |
| | 049 | Lt. Paul Steigleider, Clackamas County Sheriff's Office (EXHIBIT B) |
| | 089 | David Martin, Sen. Verger's office |
| | 109 | Amy Elkanich, Oregon Criminal Defense Lawyers Association |

SB 473-WORK SESSION

MOTION: Sen. Beyer moves SB 473 to the floor with a DO PASS recommendation.

111A

VOTE: 5-0-0

Chair hearing no objection, declares the motion CARRIED. SEN. WALKER will lead discussion on the floor.

SB 129-WORK SESSION

133

Darian Stanford, Counsel (**EXHIBIT C**)

157 Chair Burdick
162 Fred Boss, Oregon Department of Justice

SB 130-WORK SESSION

178 Darian Stanford, Counsel (**EXHIBIT D**)
206 Chair Burdick

MOTION: Sen. Prozanski moves to ADOPT SB 130-1 amendments dated 04/24/07.

VOTE: 5-0-0

Chair hearing no objection, declares the motion CARRIED.

MOTION: Sen. Prozanski moves SB 130 to the floor with a DO PASS AS AMENDED recommendation.

VOTE: 3-2-0

AYE: 3 - Prozanski, Walker, Burdick

NAY: 2 - Beyer, Kruse

Chair: the motion CARRIES.

SEN. PROZANSKI will lead discussion on the floor.

SB 110-WORK SESSION

261 Matt Kalmanson, Counsel (**EXHIBIT E**)
294 Chair Burdick
296 Fred Boss, Department of Justice
305 Chair Burdick

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

Clinton Bentz (**EXHIBIT F**)

SB 133-WORK SESSION

317 Matt Kalmanson, Counsel (**EXHIBIT G**)
325 Fred Boss, Department of Justice
343 Sen. Beyer
354 Sen. Walker
356 Boss
372 Kalmanson
377 Chair Burdick
380 Sen. Kruse
111A 389 Sen. Beyer

MOTION: Sen. Beyer moves to ADOPT SB 133-1 amendments dated 04/20/07.

VOTE: 5-0-0

Chair hearing no objection, declares the motion CARRIED.

MOTION: Sen. Beyer moves SB 133 to the floor with a DO PASS AS AMENDED recommendation.

VOTE: 5-0-0

Chair hearing no objection, declares the motion CARRIED.

SEN. KRUSE will lead discussion on the floor.

SB 725-WORK SESSION

112A 003 Matt Kalmanson, Counsel
015 Chair Burdick

018

Dan Gardner, Bureau of Labor and Industries

MOTION: Sen. Prozanski moves SB 725 to the floor with a DO PASS recommendation.

VOTE: 3-2-0

AYE: 3 - Prozanski, Walker, Burdick

NAY: 2 - Beyer, Kruse

Chair: the motion CARRIES.

SEN. CARTER will lead discussion on the floor.

SB 659-PUBLIC HEARING

047

Matt Kalmanson, Counsel (EXHIBIT H, I)

067

Kevin Curry,

076

Pat Kaplan (EXHIBIT J)

106

Gail Fisher

132

Phil Querin

SB 659-WORK SESSION

MOTION: Sen. Beyer moves to ADOPT SB 659-2 amendments dated 04/24/07.

VOTE: 5-0-0

Chair hearing no objection, declares the motion CARRIED.

MOTION: Sen. Beyer moves SB 659 to the floor with a DO PASS AS AMENDED recommendation.

VOTE: 5-0-0

Chair hearing no objection, declares the motion CARRIED. SEN. BURDICK will lead discussion on the floor.

SB 345-WORK SESSION

112A

150

Matt Kalmanson, Counsel (EXHIBIT K, L)

165

Sen. Prozanski

183

Chair Burdick

187

Sen. Prozanski

200

Prozanski

216

Sen. Beyer

219

Sen. Prozanski

231

Sen. Beyer

238

Sen. Prozanski

265

Sen. Beyer

273

Chair Burdick

276

Sen. Beyer

281

Sen. Walker

284

Kalmanson

288

Prozanski

296

Sen. Beyer

305

Kalmanson

317

Sen. Beyer

325

Sen. Prozanski

343

Sen. Burdick

346

Sen. Walker

360

Sen. Prozanski

Sen. Walker

MOTION: Sen. Prozanski moves to ADOPT SB 345-1 amendments dated 04/20/07.

VOTE: 5-0-0

Chair hearing no objection, declares the motion CARRIED.

MOTION: Sen. Prozanski moves to ADOPT SB 345-2 amendments dated 04/20/07.

VOTE: 5-0-0

Chair hearing no objection, declares the motion CARRIED.

MOTION: Sen. Prozanski moves SB 345 to the floor with a DO PASS AS AMENDED recommendation.

VOTE: 5-0-0

Chair hearing no objection, declares the motion CARRIED. SEN. PROZANSKI will lead discussion on the floor.

SB 843-WORK SESSION

111B 009
 029
 032

Bill Taylor, Counsel (EXHIBIT M)

Chair Burdick

Sen. Beyer

MOTION: Sen. Beyer moves to ADOPT SB 843-2 amendments dated 04/18/07.

VOTE: 5-0-0

Chair hearing no objection, declares the motion CARRIED.

MOTION: Sen. Beyer moves SB 843 to the floor with a DO PASS recommendation and BE REFERRED to the committee on Ways and Means.

VOTE: 5-0-0

Chair hearing no objection, declares the motion CARRIED.

SB 626-PUBLIC HEARING

051
067
098
105
110
113
117
121
127
130
135
148
183
200

Darian Stanford, Counsel

Sen. Prozanski

Sen. Beyer

Stanford

Sen. Prozanski

Stanford

Sen. Beyer

Sen. Prozanski

Chair Burdick

Chair Burdick

Amy Elkanich, Oregon Criminal Defense Lawyers Association

Kevin Neely, Oregon District Attorney's Association

Sen. Prozanski

Chair Burdick

SB 626-WORK SESSION

209
215

Sen. Kruse

Chair Burdick

SB 347-PUBLIC HEARING

| | | |
|------|-----|---|
| | 233 | Darian Stanford, Counsel |
| | 251 | Sen. Floyd Prozanski (EXHIBIT N) |
| | 284 | Chair Burdick |
| | 286 | Sen. Prozanski |
| | 300 | Chair Burdick |
| 111B | 302 | Sen. Prozanski |
| | 322 | Chair Burdick |
| | 325 | Sen. Prozanski |
| | 338 | Sen. Kruse |
| | 349 | Sen. Walker |
| | 357 | Sen. Prozanski |
| | 359 | Sen. Walker |
| | 362 | Sen. Kruse |
| | 373 | Stanford |
| | 394 | Sen. Prozanski |
| 112B | 005 | Kevin Neely, Oregon District Attorney's Association |
| | 035 | Amy Elkanich, Oregon Criminal Defense Lawyers Association |
| | 073 | Sen. Prozanski |
| | 097 | Chair Burdick |
| | 100 | Sen. Walker |
| | 104 | Chair Burdick |
| | 107 | Sen. Walker |
| | 110 | Chair Burdick |
| | 113 | Sen. Prozanski |
| | 119 | Chair Burdick |
| | 120 | Sen. Beyer |
| | 126 | Neely |
| | 133 | Chair Burdick |
| | 139 | Sen. Kruse |
| | 145 | Neely |
| | 155 | Chair Burdick |

SB 536-PUBLIC HEARING

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|--|-----|----------------|
| | 160 | Sen. Prozanski |
| | 175 | Chair Burdick |
| | 178 | Sen. Prozanski |
| | 216 | Sen. Beyer |
| | 221 | Stanford |
| | 223 | Sen. Beyer |
| | 228 | Sen. Prozanski |
| | 236 | Sen. Beyer |

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|------|-----|---|
| | 247 | Sen. Prozanski |
| | 250 | Sen. Beyer |
| 112B | 256 | Stanford |
| | 268 | Sen. Prozanski |
| | 279 | Stanford |
| | 280 | Sen. Prozanski |
| | 290 | Anne Pratt, Crime Victims United |
| | 325 | Chair Burdick |
| | | Chair Burdick adjourns the meeting at 3:03 PM |

EXHIBIT SUMMARY

- A. **SB 473, Written Testimony, Dana Baugher, 1 p**
- B. **SB 473, Written Testimony, David Martin, 1 p**
- C. **SB 129, -1 amendment, Staff, 1 p**
- D. **SB 130, -1 amendment, Staff, 1 p**
- E. **SB 110, -1 amendment, Staff, 6 pp**
- F. **SB 110, Written Testimony, Clint Bentz, 1 p**
- G. **SB 133, -1 amendment, Staff, 1 p**
- H. **SB 659, -1 amendment, Staff, 2 pp**
- I. **SB 659, -2 amendment, Staff, 2 pp**
- J. **SB 659, Written Testimony, Pat Kaplan, 2 pp**
- K. **SB 345, -1 amendment, Staff, 1 p**
- L. **SB 345, -2 amendment, Staff, 3 pp**
- M. **SB 843, -2 amendment, Staff, 2 pp**
- N. **SB 347, Fact Sheet, Floyd Prozanski, 3 pp**