

## SENATE COMMITTEE ON JUDICIARY

February 12, 2008  
1:00 PM

Hearing Room B  
Tapes 5 - 6

**MEMBERS PRESENT:**     **Sen. Floyd Prozanski, Chair**  
                                  **Sen. Doug Whitsett, Vice-Chair**  
                                  **Sen. Ginny Burdick**  
                                  **Sen. Fred Girod**  
                                  **Sen. Vicki Walker**

**MEMBER EXCUSED:**     **Sen. Ginny Burdick (afternoon only; present after reconvening at 6:01 p.m. by telephone)**

**STAFF PRESENT:**       **Bill Taylor, Counsel**  
                                  **Graham Coslett, Sue Cook, Committee Assistants**

**MEASURES HEARD:**       **SB 1094 – Work Session**  
                                  **SB 1095 – Work Session**  
                                  **SB 1087 – Work Session**

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
5A	003	Chair Prozanski calls the meeting to order at 1:19
<b><u>SB 1094 – WORK SESSION</u></b>		
	008	Bill Taylor, Counsel ( <b>EXHIBIT A</b> )
	021	Chair Prozanski
	<b>030</b>	<b>MOTION: Sen. Whitsett moves to ADOPT SB 1094-3 amendments dated 2/11/08.</b>
	031	Chair Prozanski
	032	Sen. Walker
	038	Chair Prozanski
	055	Sen. Walker
	063	Chair Prozanski
	067	Taylor
	068	Sen. Walker
	073	Chair Prozanski
	088	Sen. Walker
	092	Chair Prozanski
5A	096	Sen. Winters
	104	Sen. Walker
	107	Sen. Winters
	108	Sen. Walker
	111	Sen. Winters
	114	Chair Prozanski
	119	Sen. Winters

123 Chair Prozanski  
126 Sen. Walker  
129 Chair Prozanski  
130 Sen. Walker  
132 Sen. Whitsett  
146 Sen. Winters  
157 Chair Prozanski  
161 Sen. Walker  
169 **VOTE: 4-0-1**  
**EXCUSED: 1 - Sen. Burdick**  
**Chair Prozanski hearing no objection, declares the motion CARRIED.**  
176 **MOTION: Sen. Whitsett moves SB 1094 to the floor with a DO PASS AS AMENDED recommendation and BE REFERRED to the Committee on Ways and Means by prior reference.**  
178 **VOTE: 4-0-1**  
**EXCUSED: 1 - Sen. Burdick**  
**Chair Prozanski hearing no objection, declares the motion CARRIED.**

**SB 1095 – WORK SESSION**

181 Bill Taylor, Counsel (**EXHIBIT B**)  
202 Chair Prozanski  
204 Sen. Whitsett  
222 Chair Prozanski  
225 Sen. Walker  
230 Taylor  
238 Sen. Walker  
242 **MOTION: Sen. Whitsett moves to ADOPT SB 1095-2 amendments dated 2/11/08.**  
254 **VOTE: 4-0-1**  
**EXCUSED: 1 - Sen. Burdick**  
**Chair Prozanski hearing no objection, declares the motion CARRIED.**  
259 **MOTION: Sen. Whitsett moves SB 1095 to the floor with a DO PASS AS AMENDED recommendation.**  
5A 263 **VOTE: 4-0-1**  
**EXCUSED: 1 - Sen. Burdick**  
**Chair Prozanski hearing no objection, declares the motion CARRIED.**  
**SEN. WHITSETT will lead discussion on the floor.**  
281 Chair Prozanski recesses at 1:40 p.m.  
282 Chair Prozanski reconvenes at 2:35  
291 Chair Prozanski recesses at 2:36. Meeting will reconvene at 6:00 p.m.  
293 Chair Prozanski reconvenes the meeting at 6:01 p.m.

**SB 1087 – WORK SESSION**

299 Bill Taylor, Counsel (**EXHIBIT C**)  
321 Chair Prozanski  
373 John Foote, Oregon District Attorneys Association  
418 Sen. Girod  
425 Foote

	442	Sen. Girod
	446	Chair Prozanski
<b>6A</b>	003	Chair Prozanski continues
	011	Foote
	017	Sen. Whitsett
	034	Foote
	050	Chair Prozanski
	066	Sen. Whitsett
	070	Chair Prozanski
	091	Sen. Walker
	100	Foote
	105	Sen. Walker
	115	Foote
	131	Sen. Walker
	142	Chair Prozanski
	161	Sen. Walker
	164	Chair Prozanski
	179	Joe O’Leary, Public Safety Advisor, Governor’s Office <b>(EXHIBIT D)</b>
	270	Sen. Girod
	276	O’Leary
	319	Sen. Walker
	330	O’Leary
	339	Sen. Whitsett
	345	O’Leary
	397	Sen. Whitsett
<b>6A</b>	400	Chair Prozanski
	410	Sen. Whitsett
	414	Chair Prozanski
<b>5B</b>	006	Sen. Whitsett
	009	Chair Prozanski
	012	O’Leary
	027	Sen. Walker
	030	O’Leary
	040	Sen. Walker
	042	O’Leary
	045	Sen. Walker
	058	Steve Doell, President, Crime Victims United <b>(EXHIBIT E)</b>
	105	Chair Prozanski
	116	Sen. Whitsett
	120	Doell
	128	Sen. Whitsett
	129	Doell
	140	Sen. Walker
	148	Craig Prins, Executive Director, Oregon Criminal Justice Commission
	175	Taylor
	184	Prins
	196	Sen. Walker

	202	Doell
	218	Chair Prozanski
	223	Doell
	224	Chair Prozanski
	226	Sen. Whitsett
	230	Prins
	245	Chair Prozanski
	247	Kevin Campbell, Executive Director, Oregon Association Chiefs of Police
	310	John Powell, Oregon State Sheriffs' Association
	342	Sen. Girod
	362	Campbell
	385	Chair Prozanski
	<b>390</b>	<b>MOTION: Sen. Walker moves to ADOPT SB 1087-8 amendments dated 02/12/08.</b>
	393	Chair Prozanski
	395	Sen. Burdick
<b>5B</b>		<b>VOTE: 5-0-0</b>
	430	<b>Chair Prozanski hearing no objection, declares the motion CARRIED.</b>
	<b>432</b>	<b>MOTION: Sen. Walker moves SB 1087 to the floor with a DO PASS AS AMENDED recommendation and BE REFERRED to the Committee on Joint Committee on Ways and Means by prior reference.</b>
	436	Sen. Girod
<b>6B</b>	001	Sen. Girod continues
	013	Sen. Whitsett
	025	Chair Prozanski
	051	Sen. Walker
	079	Chair Prozanski
	081	Sen. Burdick
		<b>VOTE: 3-2-0</b>
		<b>AYE: 3 - Burdick, Walker, Prozanski</b>
		<b>NAY: 2 - Girod, Whitsett</b>
	087	<b>Chair Prozanski declares the motion CARRIED.</b>
	090	Chair Prozanski adjourns the meeting at 7:24 pm.

**EXHIBIT SUMMARY**

- A. SB 1094, -3 amendments, staff, 9 pp
- B. SB 1095, -2 amendments, staff, 3 pp
- C. SB 1087, -8 amendments, staff, 12 pp
- D. SB 1087, written testimony, Joe O'Leary, 5 pp
- E. SB 1087, written testimony, Steve Doell, 2 pp