

SENATE COMMITTEE ON JUDICIARY

**February 3, 2009
8:30 A.M.**

Hearing Room 343

MEMBERS PRESENT: **Sen. Floyd Prozanski, Chair**
 Sen. Brian Boquist, Vice-Chair
 Sen. Suzanne Bonamici
 Sen. Jackie Dingfelder
 Sen. Doug Whitsett

STAFF PRESENT: **Bill Taylor, Counsel**
 Anna Braun, Counsel
 Courtney Johnston, Committee Assistant

MEASURES/ISSUES HEARD: **SB 286 – Public Hearing**
 SB 286 – Work Session
 SB 151 – Public Hearing
 SB 151 – Work Session
 SB 157 – Public Hearing
 SB 291 – Public Hearing
 SB 244 – Work Session

This recording log is in compliance with Senate and House Rules. For complete contents, refer to the digital audio recording.

SJUD

2/3/2009 8:33:53 AM

8:33:58 AM Meeting Called to Order
8:34:00 AM Chair Prozanski
8:34:21 AM SB 286 - Public Hearing
8:34:29 AM Lane Shetterly, Commissioner for Oregon, National Conference of
Commissioners on Uniform State Laws
8:34:30 AM {Exhibit} 1: Shetterly
8:38:09 AM Anna Braun, Committee Counsel
8:38:10 AM Shetterly
8:38:32 AM Chair Prozanski
8:38:37 AM Vice-Chair Boquist
8:39:18 AM Shetterly
8:39:54 AM Vice-Chair Boquist
8:39:57 AM Sen. Whitsett
8:40:27 AM Shetterly
8:43:07 AM Chair Prozanski
8:43:23 AM Shetterly
8:43:39 AM Chair Prozanski
8:43:44 AM Vice-Chair Boquist
8:43:50 AM Chair Prozanski
8:43:52 AM SB 286 - Work Session
8:43:58 AM MOTION: Vice-Chair Boquist moves SB 286 DO PASS
8:44:01 AM Chair Prozanski
8:44:06 AM VOTE: 4-0-1
8:44:06 AM Ayes: Sens: Bonamici, Boquist, Prozanski, Whitsett; Excused: Sen.
Dingfelder
8:44:10 AM CARRIER: SEN. PROZANSKI will lead discussion on the floor
8:44:18 AM SB 151 - Public Hearing
8:44:25 AM Anna Braun, Committee Counsel
8:44:59 AM Chair Prozanski
8:45:31 AM Trisha Baxter, Administrator for the Office of Payment Accuracy
and Recovery, Oregon Department of Human Services
8:45:45 AM {Exhibit} 2: Baxter
8:47:21 AM Chair Prozanski
8:47:23 AM Sen. Whitsett
8:47:37 AM Baxter
8:48:13 AM Sen. Whitsett
8:48:18 AM Baxter
8:48:48 AM Sen. Whitsett
8:49:15 AM Baxter

8:49:57 AM Chair Prozanski
8:50:20 AM Baxter
8:50:22 AM Chair Prozanski
8:50:44 AM Baxter
8:51:25 AM Chair Prozanski
8:51:26 AM Vice-Chair Boquist
8:52:26 AM Baxter
8:52:53 AM Braun
8:53:21 AM Baxter
8:53:25 AM Sen. Dingfelder
8:53:42 AM Vice-Chair Boquist
8:53:43 AM Sen. Dingfelder
8:53:46 AM Vice-Chair Boquist
8:53:49 AM Braun
8:53:58 AM Baxter
8:54:08 AM Chair Prozanski
8:54:14 AM Sen. Bonamici
8:54:44 AM Baxter
8:55:15 AM Sen. Bonamici
8:55:36 AM Baxter
8:56:02 AM Sen. Bonamici
8:56:03 AM Chair Prozanski
8:56:26 AM Baxter
8:57:05 AM Chair Prozanski
8:57:07 AM Braun
8:57:32 AM Chair Prozanski
8:57:36 AM Paula Brown, Deputy Director, Oregon Department of Veterans'
Affairs
8:58:45 AM Chair Prozanski
8:58:47 AM Vice-Chair Boquist
8:58:52 AM Brown
8:59:04 AM Vice-Chair Boquist
8:59:16 AM Brown
8:59:35 AM Vice-Chair Boquist
8:59:37 AM Chair Prozanski
8:59:56 AM SB 151 - Work Session
9:00:04 AM MOTION: Vice-Chair Boquist moves SB 151 DO PASS
9:00:08 AM Chair Prozanski
9:00:29 AM VOTE: 5-0-0
9:00:29 AM Ayes: Sens: Bonamici, Boquist, Dingfelder, Prozanski, Whitsett
9:00:51 AM CARRIER: SEN. BONAMICI will lead discussion on the floor
9:01:04 AM MOTION: Chair Prozanski moves that the RULES BE
SUSPENDED to allow Sen. Dingfelder to VOTE: AYE on SB 286
9:01:57 AM SB 157 - Public Hearing
9:02:06 AM Anna Braun, Committee Counsel
9:02:38 AM Chair Prozanski

9:02:42 AM William Buckley, Manager of Criminal Record Unit, Administrative Services Division of Oregon Department of Human Services

9:02:56 AM {Exhibit} 3: Buckley

9:04:08 AM Chair Prozanski

9:04:13 AM Sen. Whitsett

9:04:51 AM Buckley

9:06:23 AM Sen. Whitsett

9:06:24 AM Chair Prozanski

9:06:26 AM Sen. Bonamici

9:07:11 AM Buckley

9:08:07 AM Sen. Bonamici

9:08:34 AM Buckley

9:09:28 AM Sen. Bonamici

9:09:30 AM Vice-Chair Boquist

9:09:54 AM Braun

9:10:06 AM Chair Prozanski

9:10:33 AM Buckley

9:10:35 AM Chair Prozanski

9:10:50 AM Andrea Meyer, Legislative Director, American Civil Liberties Union of Oregon

9:13:29 AM Chair Prozanski

9:13:42 AM Meyer

9:14:07 AM Chair Prozanski

9:14:08 AM Meyer

9:14:12 AM Chair Prozanski

9:14:43 AM Sen. Bonamici

9:14:46 AM Chair Prozanski

9:15:17 AM Meyer

9:15:31 AM Patricia O'Sullivan, Director of Public Policy, Oregon Department of Human Services

9:16:57 AM Chair Prozanski

9:17:11 AM O'Sullivan

9:17:13 AM Chair Prozanski

9:17:42 AM SB 291 - Public Hearing

9:17:48 AM Anna Braun, Committee Counsel

9:18:05 AM Chair Prozanski

9:18:11 AM Karl Rohde, Government Relations and Public Affairs Director, Bicycle Transportation Alliance

9:18:17 AM {Exhibit} 4: Rohde

9:21:45 AM Chair Prozanski

9:22:22 AM Vice-Chair Boquist

9:23:13 AM Rohde

9:24:04 AM Vice-Chair Boquist

9:24:20 AM Rohde

9:24:48 AM Sen. Bonamici

9:25:02 AM Sen. Whitsett

9:25:32 AM Rohde
9:26:06 AM Sen. Whitsett
9:26:23 AM Rohde
9:27:28 AM Chair Prozanski
9:27:54 AM Sen. Whitsett
9:28:13 AM Rohde
9:28:21 AM Chair Prozanski
9:28:41 AM Lana Cully, Program Services Manager, Department of Motor
Vehicles
9:28:54 AM {Exhibit} 5: Cully
9:29:57 AM Chair Prozanski
9:30:13 AM Cully
9:31:54 AM Chair Prozanski
9:31:56 AM Sen. Whitsett
9:32:11 AM Cully
9:32:29 AM Sen. Whitsett
9:32:40 AM Cully
9:32:43 AM Chair Prozanski
9:32:55 AM Sen. Whitsett
9:32:57 AM Chair Prozanski
9:32:59 AM Cully
9:33:17 AM Vice-Chair Boquist
9:33:27 AM Cully
9:33:33 AM Vice-Chair Boquist
9:33:38 AM Chair Prozanski
9:33:40 AM {Exhibit} 6: Cully
9:34:44 AM Cully
9:34:50 AM Chair Prozanski
9:35:06 AM Jerri Bohard, Transportation Development Division Administrator,
Oregon Department of Transportation
9:35:35 AM Chair Prozanski
9:35:37 AM Bohard
9:35:39 AM Chair Prozanski
9:35:44 AM Bohard
9:35:46 AM Vice-Chair Boquist
9:36:21 AM Bohard
9:36:48 AM Vice-Chair Boquist
9:37:16 AM Bohard
9:37:23 AM Chair Prozanski
9:38:22 AM SB 244 - Work Session
9:38:30 AM Chair Prozanski
9:38:52 AM Bill Taylor, Committee Counsel
9:39:17 AM {Exhibit} 7: Taylor
9:39:40 AM {Exhibit} 8: Taylor
9:39:54 AM Sen. Whitsett
9:40:06 AM Chair Prozanski

9:40:10 AM Sen. Whitsett
9:40:15 AM Chair Prozanski
9:40:56 AM Sylvia Stevens, General Counsel, Oregon State Bar
9:41:49 AM Chair Prozanski
9:41:51 AM Sen. Whitsett
9:41:52 AM Chair Prozanski
9:42:04 AM MOTION: Sen. Dingfelder moves SB 244 -1 amendment BE
ADOPTED
9:42:11 AM Chair Prozanski
9:42:17 AM VOTE: 5-0-0
9:42:17 AM Ayes: Sens: Bonamici, Boquist, Dingfelder, Prozanski, Whitsett
9:42:24 AM MOTION: Sen. Dingfelder moves SB 244 -2 amendment BE
ADOPTED
9:42:31 AM Chair Prozanski
9:42:39 AM Vice-Chair Boquist
9:43:02 AM Chair Prozanski
9:43:31 AM VOTE: 5-0-0
9:43:31 AM Ayes: Sens: Bonamici, Boquist, Dingfelder, Prozanski, Whitsett
9:43:40 AM MOTION: Sen. Dingfelder moves SB 244 DO PASS as AMENDED
9:43:47 AM Chair Prozanski
9:43:54 AM VOTE: 5-0-0
9:43:55 AM Ayes: Sens: Bonamici, Boquist, Dingfelder, Prozanski, Whitsett
9:44:01 AM CARRIER: SEN. BONAMICI will lead discussion on the floor
9:44:05 AM Chair Prozanski
9:44:10 AM Anna Braun, Committee Counsel
9:44:12 AM Meeting Adjourned

SJUD

2/3/2009 8:33:53 AM

8:34:30 AM {Exhibit} 1: SB 286, written testimony, Lane Shetterly, 2 pp

8:45:45 AM {Exhibit} 2: SB 151, written testimony, Trisha Baxter, 2 pp

9:02:56 AM {Exhibit} 3: SB 157, written testimony, William Buckley, 1 p

9:18:17 AM {Exhibit} 4: SB 291, written testimony, Karl Rohde, 3 pp

9:28:54 AM {Exhibit} 5: SB 291, written testimony, Lana Cully, 7 pp

9:33:40 AM {Exhibit} 6: SB 291, testimony clarification, Lana Cully, 1 p

9:39:17 AM {Exhibit} 7: SB 244, -1 amendment, staff, 5 pp

9:39:40 AM {Exhibit} 8: SB 244, -2 amendment, staff, 2 p
