

SENATE COMMITTEE ON JUDICIARY

**February 16, 2009
8:45 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**
 Courtney Johnston, Committee Assistant

MEASURES/ISSUES HEARD: **LC 250 – Measure Introduction**
 LC 1166 – Measure Introduction
 LC 2609 – Measure Introduction
 LC 2813 – Measure Introduction
 LC 3061 – Measure Introduction
 SB 313 – Public Hearing
 SB 314 – Public Hearing
 SB 404 – Public Hearing
 SB 233 – Work Session
 SB 74 – Work Session

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

SJUD

2/16/2009 8:48:57 AM

8:49:00 AM Meeting Called to Order
8:49:02 AM Chair Prozanski
8:49:18 AM LC 250, LC 1166, LC 2609, LC 2813, LC 3061 - Measure
Introduction
8:49:22 AM {Exhibit} 1: Prozanski
8:49:24 AM {Exhibit} 2: Prozanski
8:49:27 AM {Exhibit} 3: Prozanski
8:49:28 AM {Exhibit} 4: Prozanski
8:49:32 AM {Exhibit} 5: Prozanski
8:49:36 AM MOTION: Vice-Chair Boquist moves LC 250, LC 1166, LC 2609,
LC 2813, LC 3061 BE INTRODUCED as committee bills
8:49:39 AM Chair Prozanski
8:49:45 AM VOTE: 5-0-0
8:49:45 AM Ayes: Sens: Bonamici, Boquist, Dingfelder, Prozanski, Whitsett
8:49:48 AM SB 313 - Public Hearing
8:49:56 AM Bill Taylor, Committee Counsel
8:50:11 AM Chair Prozanski
8:51:50 AM Gail Meyer, Legislative Representative, Oregon Criminal Defense
Lawyers Association
8:56:10 AM Chair Prozanski
8:56:12 AM Kathie Berger, Criminal Defense Attorney, Oregon Criminal
Defense Lawyers Association
9:02:29 AM Chair Prozanski
9:02:31 AM Sheila Montgomery, citizen, Portland, Oregon
9:02:36 AM {Exhibit} 6: Montgomery
9:06:49 AM Chair Prozanski
9:06:55 AM Sen. Whitsett
9:07:32 AM Meyer
9:08:18 AM Sen. Whitsett
9:08:41 AM Meyer
9:08:45 AM Chair Prozanski
9:09:00 AM Vice-Chair Boquist
9:10:02 AM Berger
9:11:58 AM Meyer
9:13:16 AM Chair Prozanski
9:13:56 AM Berger
9:15:48 AM Taylor
9:16:34 AM Meyer
9:17:11 AM Taylor

9:17:24 AM Berger
9:17:54 AM Taylor
9:17:58 AM Berger
9:18:35 AM Taylor
9:18:38 AM Berger
9:18:44 AM Taylor
9:18:48 AM Berger
9:18:56 AM Taylor
9:19:08 AM Berger
9:19:25 AM Chair Prozanski
9:19:39 AM Berger
9:19:52 AM Chair Prozanski
9:19:54 AM Sen. Whitsett
9:20:11 AM Meyer
9:20:28 AM Chair Prozanski
9:20:39 AM Berger
9:21:43 AM Sen. Whitsett
9:21:54 AM Berger
9:22:30 AM Chair Prozanski
9:23:06 AM Mark McKechnie, Executive Director, Juvenile Rights Project, Inc.
9:24:00 AM {Exhibit} 7: McKechnie
9:27:21 AM Chair Prozanski
9:27:26 AM McKechnie
9:27:34 AM Chair Prozanski
9:27:36 AM Daina Vitolins, Crook County District Attorney, Oregon District
Attorneys Association
9:30:01 AM Chair Prozanski
9:30:03 AM Vice-Chair Boquist
9:30:20 AM Chair Prozanski
9:30:59 AM Sen. Bonamici
9:31:14 AM Taylor
9:31:43 AM Chair Prozanski
9:31:55 AM SB 314 - Public Hearing
9:32:00 AM Bill Taylor, Committee Counsel
9:32:26 AM Chair Prozanski
9:33:44 AM Vice-Chair Boquist
9:34:04 AM Chair Prozanski
9:35:25 AM Vice-Chair Boquist
9:35:33 AM Chair Prozanski
9:35:34 AM Vice-Chair Boquist
9:35:36 AM Chair Prozanski
9:35:37 AM Vice-Chair Boquist
9:35:39 AM Chair Prozanski
9:35:42 AM Sen. Whitsett
9:36:04 AM Chair Prozanski
9:36:37 AM Sen. Whitsett

9:36:41 AM Chair Prozanski
9:37:05 AM SB 404 - Public Hearing
9:37:09 AM Bill Taylor, Committee Counsel
9:37:38 AM Chair Prozanski
9:37:48 AM Taylor
9:37:49 AM {Exhibit} 8: Taylor
9:37:50 AM Chair Prozanski
9:37:58 AM Andrea Meyer, Legislative Director, American Civil Liberties Union of Oregon
9:38:10 AM {Exhibit} 9: Meyer
9:40:45 AM The following written testimony is submitted for the record without public testimony:
9:40:45 AM {Exhibit} 10: Paul Bovarnick, Attorney, Oregon State Bar Practice and Procedure Committee
9:42:30 AM Chair Prozanski
9:42:32 AM Chirs Shultz, Spokesman, Oregon Liability Reform Coalition
9:43:59 AM Chair Prozanski
9:44:07 AM Sen. Dingfelder
9:44:16 AM Meyer
9:45:28 AM Chair Prozanski
9:45:40 AM SB 233 - Work Session
9:45:48 AM Bill Taylor, Committee Counsel
9:46:06 AM {Exhibit} 11: Taylor
9:47:51 AM Chair Prozanski
9:47:58 AM MOTION: Vice-Chair Boquist moves -2 amendment BE ADOPTED
9:48:01 AM Chair Prozanski
9:48:06 AM VOTE: 5-0-0
9:48:06 AM Ayes: Sens: Bonamici, Boquist, Dingfelder, Prozanski, Whitsett
9:48:15 AM MOTION: Vice-Chair Boquist moves SB 233 DO PASS as AMENDED
9:48:19 AM Chair Prozanski
9:48:27 AM Sen. Bonamici
9:48:32 AM Chair Prozanski
9:48:37 AM Vice-Chair Boquist
9:48:40 AM Chair Prozanski
9:49:18 AM Sen. Bonamici
9:49:51 AM Taylor
9:50:34 AM Sen. Bonamici
9:50:41 AM Taylor
9:50:45 AM Chair Prozanski
9:51:09 AM Sen. Bonamici
9:51:23 AM Chair Prozanski
9:51:34 AM Vice-Chair Boquist
9:51:39 AM Chair Prozanski
9:51:40 AM VOTE: 5-0-0
9:51:40 AM Ayes: Sens: Bonamici, Boquist, Dingfelder, Prozanski, Whitsett

9:51:45 AM CARRIER: SEN. PROZANSKI will lead discussion on the floor
9:51:55 AM SB 74 - Work Session
9:51:59 AM Bill Taylor, Committee Counsel
9:52:15 AM Chair Prozanski
9:52:18 AM Taylor
9:52:19 AM Chair Prozanski
9:52:23 AM Taylor
9:52:25 AM Chair Prozanski
9:52:38 AM Vice-Chair Boquist
9:52:40 AM Chair Prozanski
9:52:50 AM Sen. Dingfelder
9:52:51 AM Vice-Chair Boquist
9:52:52 AM Chair Prozanski
9:52:56 AM Vice-Chair Boquist
9:52:58 AM Chair Prozanski
9:53:06 AM Vice-Chair Boquist
9:53:07 AM Chair Prozanski
9:53:19 AM Sen. Whitsett
9:53:28 AM Vice-Chair Boquist
9:53:31 AM Chair Prozanski
9:53:52 AM Vice-Chair Boquist
9:53:57 AM Chair Prozanski
9:53:59 AM MOTION: Vice-Chair Boquist moves SB 74 WITHOUT RECOMMENDATION and REFER to The Ways and Means Committee by prior reference
9:54:10 AM Vice-Chair Boquist
9:54:29 AM Chair Prozanski
9:54:38 AM VOTE: 4-1-0
9:54:38 AM Ayes: Sens: Bonamici, Dingfelder, Prozanski, Whitsett; Nays: Sen. Boquist
9:55:01 AM Taylor
9:55:03 AM Chair Prozanski
9:55:12 AM The following written testimony is submitted for the record without public testimony:
9:55:12 AM {Exhibit} 12: Mark Cadotte, Community Corrections Chief, Oregon Department of Justice
9:55:13 AM Meeting Adjourned

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2/16/2009 8:48:57 AM

- 8:49:22 AM** {Exhibit} 1: Measure Introduction, LC 250, staff, 8 pp
 - 8:49:24 AM** {Exhibit} 2: Measure Introduction, LC 1166, staff, 127 pp
 - 8:49:27 AM** {Exhibit} 3: Measure Introduction, LC 2609, staff, 9 pp
 - 8:49:28 AM** {Exhibit} 4: Measure Introduction, LC 2813, staff, 1 p
 - 8:49:32 AM** {Exhibit} 5: Measure Introduction, LC 3061, staff, 4 pp
 - 9:02:36 AM** {Exhibit} 6: SB 313, written testimony, Sheila Montgomery, 2 pp
 - 9:24:00 AM** {Exhibit} 7: SB 313, written testimony, Mark McKechnie, 2 pp
 - 9:37:49 AM** {Exhibit} 8: SB 404, -1 amendment, staff, 1 p
 - 9:38:10 AM** {Exhibit} 9: SB 404, written testimony, Andrea Meyer, 2 pp
 - 9:40:45 AM** {Exhibit} 10: SB 404, written testimony, Paul Bovarnick, 2 pp
 - 9:46:06 AM** {Exhibit} 11: SB 233, -2 amendment, staff, 1 p
 - 9:55:12 AM** {Exhibit} 12: SB 74, written testimony, Mark Cadotte, 3 pp
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