

## **SENATE COMMITTEE ON JUDICIARY**

**March 2, 2009  
8:45 A.M.**

**Hearing Room 343**

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

**MEMBER EXCUSED:**       **Sen. Jackie Dingfelder**

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

**MEASURES/ISSUES HEARD:** **Measure Introduction – Work Session  
SB 66 – Public Hearing  
SB 242 – Work Session  
SB 243 – Work Session  
Measure Introduction – Work Session**

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

## **SJUD**

**3/2/2009 8:49:01 AM**

**8:49:06 AM** Meeting Called to Order  
**8:49:12 AM** Chair Prozanski  
**8:49:58 AM** Measure Introduction - LC 2896, LC 2897, LC 3242, LC 1953, LC 3390, LC 3427 - Work Session  
**8:50:04 AM** MOTION: Vice-Chair Boquist moves LC 2896, LC 2897, LC 3242, LC 1953, LC 3390, LC 3427 BE INTRODUCED as committee bills  
**8:50:07 AM** {Exhibit} 1: Vice-Chair Boquist  
**8:50:08 AM** {Exhibit} 2: Vice-Chair Boquist  
**8:50:09 AM** {Exhibit} 3: Vice-Chair Boquist  
**8:50:10 AM** {Exhibit} 4: Vice-Chair Boquist  
**8:50:12 AM** {Exhibit} 5: Vice-Chair Boquist  
**8:50:13 AM** {Exhibit} 6: Vice-Chair Boquist  
**8:50:17 AM** Chair Prozanski  
**8:50:59 AM** VOTE: 4-0-1  
**8:50:59 AM** Ayes: Sens: Bonamici, Boquist, Prozanski, Whitsett; Excused: Sen. Dingfelder  
**8:51:02 AM** SB 66 - Public Hearing  
**8:51:15 AM** Anna Braun, Committee Counsel  
**8:51:39 AM** Chair Prozanski  
**8:52:05 AM** Morgan Allen, Legislative Director, Oregon Department of Education  
**8:52:11 AM** {Exhibit} 7: Allen  
**8:54:49 AM** Chair Prozanski  
**8:55:00 AM** Sen. Bonamici  
**8:55:21 AM** Allen  
**8:55:55 AM** Chair Prozanski  
**8:55:57 AM** Vice-Chair Boquist  
**8:56:25 AM** Braun  
**8:56:49 AM** Chair Prozanski  
**8:56:51 AM** Sen. Whitsett  
**8:57:08 AM** Braun  
**8:57:13 AM** Allen  
**8:57:45 AM** Sen. Whitsett  
**8:57:47 AM** Chair Prozanski  
**8:58:29 AM** Allen  
**8:58:51 AM** Chair Prozanski  
**8:59:29 AM** Allen  
**8:59:40 AM** Chair Prozanski  
**8:59:47 AM** Andrea Meyer, Legislative Director, American Civil Liberties Union

of Oregon  
**9:02:41 AM** Chair Prozanski  
**9:02:54 AM** SB 239 - Work Session  
**9:03:04 AM** Anna Braun, Committee Counsel  
**9:03:11 AM** Chair Prozanski  
**9:03:12 AM** Bruan  
**9:03:13 AM** Chair Prozanski  
**9:03:21 AM** Braun  
**9:03:24 AM** SB 242 - Work Session  
**9:03:31 AM** Anna Braun, Committee Counsel  
**9:03:51 AM** {Exhibit} 8: Braun  
**9:04:32 AM** Chair Prozanski  
**9:04:36 AM** Braun  
**9:04:37 AM** Chair Prozanski  
**9:04:41 AM** MOTION: Vice-Chair Boquist moves -1 amendment BE ADOPTED  
**9:04:46 AM** Chair Prozanski  
**9:04:54 AM** Sen. Bonamici  
**9:05:06 AM** Braun  
**9:05:16 AM** Chair Prozanski  
**9:05:19 AM** Braun  
**9:05:26 AM** Chair Prozanski  
**9:05:32 AM** Timothy Sylwester, Assistant Attorney General, Criminal Law  
Section Executive Board of the Oregon State Bar  
**9:05:44 AM** Chair Prozanski  
**9:05:55 AM** Sylwester  
**9:06:28 AM** Sen. Bonamici  
**9:06:30 AM** Chair Prozanski  
**9:06:33 AM** Vice-Chair Boquist  
**9:06:54 AM** Chair Prozanski  
**9:07:04 AM** VOTE: 4-0-1  
**9:07:04 AM** Ayes: Sens: Bonamici, Boquist, Prozanski, Whitsett; Excused: Sen.  
Dingfelder  
**9:07:08 AM** Vice-Chair Boquist  
**9:07:09 AM** Braun  
**9:07:12 AM** MOTION: Vice-Chair Boquist moves SB 242 DO PASS as  
AMENDED  
**9:07:15 AM** Chair Prozanski  
**9:07:17 AM** Braun  
**9:07:19 AM** Chair Prozanski  
**9:07:29 AM** VOTE: 4-0-1  
**9:07:29 AM** Ayes: Sens: Bonamici, Boquist, Prozanski, Whitsett; Excused: Sen.  
Dingfelder  
**9:07:32 AM** Chair Prozanski  
**9:07:42 AM** CARRIER: SEN. PROZANSKI will lead discussion on the floor  
**9:07:48 AM** SB 243 - Work Session  
**9:07:52 AM** Anna Braun, Committee Counsel

**9:08:13 AM** MOTION: Vice-Chair Boquist moves SB 243 DO PASS  
**9:08:16 AM** Chair Prozanski  
**9:08:22 AM** VOTE: 4-0-1  
**9:08:22 AM** Ayes: Sens: Boquist, Bonamici, Prozanski, Whitsett; Excused: Sen. Dinfelder  
**9:08:26 AM** Chair Prozanski  
**9:08:49 AM** CARRIER: SEN. WHITSETT will lead discussion on the floor  
**9:09:00 AM** SB 371 - Work Session  
**9:09:04 AM** Anna Braun, Committee Counsel  
**9:09:10 AM** Chair Prozanski  
**9:09:54 AM** Meeting Recessed  
**4:02:38 PM** Meeting Reconvened  
**4:02:42 PM** Chair Prozanski  
**4:02:45 PM** Measure Introduction - LC 2400, LC 3345, LC 3257, LC 3148, LC 3149, LC 3147, LC 3151, LC 3150, LC 3551, LC 3093, LC 3306, LC 2678 - Work Session  
**4:02:59 PM** MOTION: Vice-Chair Boquist moves LC 2400, LC 3345, LC 3257, LC 3148, LC 3149, LC 3147, LC 3151, LC 3150, LC 3551, LC 3093, LC 3306, LC 2678 BE INTRODUCED as committee bills  
**4:03:04 PM** {Exhibit} 9: Vice-Chair Boquist  
**4:03:05 PM** {Exhibit} 10: Vice-Chair Boquist  
**4:03:07 PM** {Exhibit} 11: Vice-Chair Boquist  
**4:03:08 PM** {Exhibit} 12: Vice-Chair Boquist  
**4:03:10 PM** {Exhibit} 13: Vice-Chair Boquist  
**4:03:11 PM** {Exhibit} 14: Vice-Chair Boquist  
**4:03:13 PM** {Exhibit} 15: Vice-Chair Boquist  
**4:03:14 PM** {Exhibit} 16: Vice-Chair Boquist  
**4:03:15 PM** {Exhibit} 17: Vice-Chair Boquist  
**4:03:17 PM** {Exhibit} 18: Vice-Chair Boquist  
**4:03:18 PM** {Exhibit} 19: Vice-Chair Boquist  
**4:03:20 PM** {Exhibit} 20: Vice-Chair Boquist  
**4:03:24 PM** Chair Prozanski  
**4:03:34 PM** VOTE: 3-0-2  
**4:03:34 PM** Ayes: Sens: Boquist, Dingfelder, Prozanski; Excused: Sens: Bonamici, Whitsett  
**4:03:39 PM** Braun  
**4:03:41 PM** Chair Prozanski  
**4:03:44 PM** Meeting Adjourned

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**SJUD**

**3/2/2009 8:49:01 AM**

**8:50:07 AM** {Exhibit} 1: Measure Introduction, LC 2896, staff, 4 pp  
**8:50:08 AM** {Exhibit} 2: Measure Introduction, LC 2897, staff, 1 p  
**8:50:09 AM** {Exhibit} 3: Measure Introduction, LC 3242, staff, 2 pp  
**8:50:10 AM** {Exhibit} 4: Measure Introduction, LC 1953, staff, 2 pp  
**8:50:12 AM** {Exhibit} 5: Measure Introduction, LC 3390, staff, 8 pp  
**8:50:13 AM** {Exhibit} 6: Measure Introduction, LC 3427, staff, 11 pp  
**8:52:11 AM** {Exhibit} 7: SB 66, written testimony, Morgan Allen, 1 p  
**9:03:51 AM** {Exhibit} 8: SB 242, -1 amendment, staff, 1 p  
**4:03:04 PM** {Exhibit} 9: Measure Introduction, LC 2400, staff, 76 pp  
**4:03:05 PM** {Exhibit} 10: Measure Introduction, LC 3345, staff, 2 pp  
**4:03:07 PM** {Exhibit} 11: Measure Introduction, LC 3257, staff, 1 p  
**4:03:08 PM** {Exhibit} 12: Measure Introduction, LC 3148, staff, 7 pp  
**4:03:10 PM** {Exhibit} 13: Measure Introduction, LC 3149, staff, 13 pp  
**4:03:11 PM** {Exhibit} 14: Measure Introduction, LC 3147, staff, 8 pp  
**4:03:13 PM** {Exhibit} 15: Measure Introduction, LC 3151, staff, 12 pp  
**4:03:14 PM** {Exhibit} 16: Measure Introduction, LC 3150, staff, 13 pp  
**4:03:15 PM** {Exhibit} 17: Measure Introduction, LC 3551, staff, 2 pp  
**4:03:17 PM** {Exhibit} 18: Measure Introduction, LC 3093, staff, 2 pp  
**4:03:18 PM** {Exhibit} 19: Measure Introduction, LC 3306, staff, 9 pp  
**4:03:20 PM** {Exhibit} 20: Measure Introduction, LC 2678, staff, 4 pp

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