

## **SENATE COMMITTEE ON JUDICIARY**

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

**Hearing Room 343**

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

**MEMBERS EXCUSED:**       **Sen. Jackie Dingfelder**

**STAFF PRESENT:**         **Anna Braun, Counsel  
Diane Beyer, Committee Assistant**

**MEASURES/ISSUES HEARD:** **SB 488 – Public Hearing  
HB 2353A – Public Hearing  
SB 280 – Work Session  
SB 398 - Work Session  
SB 464 – Work Session  
SB 218 – Work Session  
SB 214 – Work Session**

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

## **SJUD**

**3/3/2009 8:37:21 AM**

**8:37:27 AM** Meeting Called to Order  
**8:37:28 AM** Chair Prozanski  
**8:37:58 AM** SB 488 - Public Hearing  
**8:38:02 AM** Anna Braun, Committee Counsel  
**8:38:20 AM** Chair Prozanski  
**8:38:46 AM** Brian Cox, Attorney  
**8:38:47 AM** {Exhibit} 1: Cox  
**8:42:35 AM** Chair Prozanski  
**8:42:40 AM** Bruce Miller, Senior Staff Counsel, State Court Administrator  
**8:45:03 AM** Chair Prozanski  
**8:45:10 AM** Vice-Chair Boquist  
**8:45:15 AM** Miller  
**8:45:42 AM** Chair Prozanski  
**8:45:45 AM** Vice-Chair Boquist  
**8:45:58 AM** Miller  
**8:46:27 AM** Chair Prozanski  
**8:46:29 AM** Sen. Bonamici  
**8:46:41 AM** Braun  
**8:47:03 AM** Chair Prozanski  
**8:47:35 AM** Miller  
**8:48:38 AM** Chair Prozanski  
**8:48:52 AM** Miller  
**8:48:55 AM** Cox  
**8:49:04 AM** Chair Prozanski  
**8:49:36 AM** Miller  
**8:50:13 AM** Chair Prozanski  
**8:50:49 AM** Miller  
**8:50:50 AM** Chair Prozanski  
**8:51:24 AM** Miller  
**8:51:32 AM** Chair Prozanski  
**8:51:43 AM** HB 2353A - Public Hearing  
**8:51:52 AM** Anna Braun, Committee Counsel  
**8:52:15 AM** Chair Prozanski  
**8:52:45 AM** Chris Hall, Partner, Perkins Coie LLP  
**8:52:46 AM** {Exhibit} 2: Hall  
**8:56:14 AM** Chair Prozanski  
**8:56:16 AM** Andrew Morrow, Attorney, Foster Pepper LLP  
**8:56:17 AM** {Exhibit} 3: Morrow  
**8:58:17 AM** Chair Prozanski

8:58:21 AM Sen. Bonamici  
8:58:36 AM Hall  
8:59:32 AM Sen. Bonamici  
8:59:41 AM Hall  
8:59:42 AM Sen. Bonamici  
8:59:45 AM Chair Prozanski  
8:59:46 AM Sen. Whitsett  
9:00:47 AM Hall  
9:02:56 AM Morrow  
9:03:27 AM Sen. Bonamici  
9:03:43 AM Hall  
9:03:45 AM Sen. Bonamici  
9:04:00 AM Hall  
9:04:44 AM Chair Prozanski  
9:05:23 AM Hall  
9:05:26 AM Morrow  
9:05:44 AM Chair Prozanski  
9:06:18 AM Morrow  
9:06:20 AM Chair Prozanski  
9:06:43 AM Dean Freed, General Counsel, Mentor Graphics  
9:09:13 AM Chair Prozanski  
9:09:14 AM Tom Gallagher, Portland Business Alliance  
9:09:48 AM Chair Prozanski  
9:09:51 AM Sen. Bonamici  
9:10:07 AM Freed  
9:10:08 AM Sen. Bonamici  
9:10:12 AM Freed  
9:10:14 AM Chair Prozanski  
9:10:28 AM Jay Waldron, Attorney, Schwabe, Williamson & Wyatt  
9:13:10 AM Chair Prozanski  
9:13:22 AM Waldron  
9:13:24 AM Chair Prozanski  
9:13:25 AM Sen. Bonamici  
9:13:34 AM Waldron  
9:13:51 AM Chair Prozanski  
9:13:59 AM Sen. Bonamici  
9:14:15 AM Chair Prozanski  
9:14:34 AM SB 280 - Work Session  
9:14:38 AM Anna Braun, Committee Counsel  
9:14:57 AM Chair Prozanski  
9:14:58 AM MOTION: Vice-Chair Boquist moves SB 280 DO PASS  
9:15:04 AM Chair Prozanski  
9:15:12 AM Sen. Boquist  
9:15:20 AM Chair Prozanski  
9:15:23 AM VOTE: 4-0-1  
9:15:24 AM Ayes: Bonamici, Boquist, Prozanski, Whitsett; Excused: Dingfelder

9:15:42 AM CARRIER: SEN. BOQUIST will lead discussion on the floor  
9:15:53 AM SB 398 - Work Session  
9:15:57 AM Anna Braun, Committee Counsel  
9:15:58 AM {Exhibit} 4: Braun  
9:16:21 AM Chair Prozanski  
9:16:34 AM MOTION: Sen. Boquist moves -1 amendment BE ADOPTED  
9:16:39 AM Chair Prozanski  
9:16:47 AM Sen. Boquist  
9:17:06 AM Chair Prozanski  
9:17:21 AM Sen. Whitsett  
9:19:36 AM Chair Prozanski  
9:20:14 AM VOTE: 4-0-1  
9:20:15 AM Ayes: Bonamici, Boquist, Prozanski, Whitsett; Excused: Dingfelder  
9:20:18 AM MOTION: Sen. Boquist moves SB 398 DO PASS as AMENDED  
9:20:21 AM Chair Prozanski  
9:20:28 AM VOTE: 4-0-1  
9:20:31 AM Ayes: Bonamici, Boquist, Prozanski, Whitsett; Excused: Dingfelder  
9:20:32 AM CARRIER: SEN. WHITSETT will lead discussion on the floor  
9:20:56 AM SB 464 - Work Session  
9:21:02 AM Anna Braun, Committee Counsel  
9:21:39 AM Chair Prozanski  
9:21:41 AM MOTION: Sen. Boquist moves SB 464 DO PASS  
9:21:52 AM Sen. Bonamici  
9:22:12 AM Chair Prozanski  
9:22:25 AM VOTE: 4-0-1  
9:22:26 AM Ayes: Bonamici, Boquist, Prozanski, Whitsett; Excused: Dingfelder  
9:22:30 AM CARRIER: SEN. PROZANSKI will lead discussion on the floor  
9:22:40 AM SB 218 - Work Session  
9:22:45 AM Anna Braun, Committee Counsel  
9:23:10 AM MOTION: Sen. Boquist moves SB 218 DO PASS  
9:23:14 AM Chair Prozanski  
9:23:21 AM VOTE: 4-0-1  
9:23:22 AM Ayes: Bonamici, Boquist, Prozanski, Whitsett; Excused: Dingfelder  
9:23:40 AM CARRIER: SEN. PROZANSKI will lead discussion on the floor  
9:23:58 AM SB 214 - Work Session  
9:24:06 AM Anna Braun, Committee Counsel  
9:24:07 AM {Exhibit} 5: Braun  
9:24:38 AM MOTION: Sen Boquist moves -2 amendment BE ADOPTED  
9:24:41 AM Chair Prozanski  
9:24:48 AM Sen. Whitsett  
9:25:29 AM Chair Prozanski  
9:26:24 AM Lisa Edland, Assistant Attorney General, Department of Justice  
9:26:59 AM Chair Prozanski  
9:27:33 AM VOTE: 4-0-1  
9:27:34 AM Ayes: Bonamici, Boquist, Prozanski, Whitsett; Excused: Dingfelder  
9:27:40 AM MOTION: Sen. Boquist moves SB 214 DO PASS as AMENDED

**9:27:44 AM** Chair Prozanski

**9:27:54 AM** Sen. Boquist

**9:28:48 AM** Chair Prozanski

**9:29:00 AM** VOTE: 4-0-1

**9:29:01 AM** Ayes: Bonamici, Boquist, Prozanski, Whitsett; Excused: Dingfelder

**9:29:04 AM** CARRIER: SEN. BOQUIST will lead discussion on the floor

**9:29:35 AM** Meeting Adjourned

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**SJUD**

**3/3/2009 8:37:21 AM**

**8:38:47 AM** {Exhibit} 1: SB 488, written testimony, Brian Cox, 2 pp

**8:52:46 AM** {Exhibit} 2: HB 2353A, written testimony, Chris Hall, 1 p

**8:56:17 AM** {Exhibit} 3: HB 2353A, written testimony, Andrew Morrow, 1 p

**9:15:58 AM** {Exhibit} 4: SB 398, -1 amendment, staff, 1 p

**9:24:07 AM** {Exhibit} 5: SB 214, -2 amendment, staff, 1 p

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