

SENATE COMMITTEE ON JUDICIARY

**March 18, 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: **Anna Braun, Counsel
Courtney Johnston, Committee Assistant
Steven Cade, Judiciary Intern**

MEASURES/ISSUES HEARD: **SB 558 – Public Hearing
SB 558 – Work Session
SB 543 – Public Hearing
SB 531 – Public Hearing
SB 601 – Public Hearing
SB 94 – Work Session
SB 561 – Work Session**

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

SJUD

3/18/2009 8:34:27 AM

8:34:31 AM Meeting Called to Order
8:34:36 AM Chair Prozanski
8:35:01 AM SB 558 - Public Hearing
8:35:08 AM Steven Cade, Judiciary Intern
8:35:42 AM {Exhibit} 1: Cade
8:35:51 AM Chair Prozanski
8:36:19 AM Lane Shetterly, Chair, Oregon Law Commission/Oregon
Commissioner, National Conference of Commissioners on Uniform
State Laws
8:36:23 AM Chair Prozanski
8:36:26 AM Shetterly
8:38:47 AM Chair Prozanski
8:39:08 AM Carl Bjerre, Law Professor, University of Oregon School of Law
8:39:28 AM {Exhibit} 2: Bjerre
8:53:24 AM Chair Prozanski
8:53:29 AM Vice-Chair Boquist
8:53:50 AM Shetterly
8:54:57 AM Bjerre
8:55:03 AM Vice-Chair Boquist
8:55:12 AM Cade
8:55:16 AM Bjerre
8:56:42 AM Chair Prozanski
8:56:45 AM Shetterly
8:56:51 AM Sen. Dingfelder
8:56:52 AM Chair Prozanski
8:57:08 AM Sen. Bonamici
8:57:23 AM Chair Prozanski
8:57:57 AM SB 558 - Work Session
8:58:01 AM Chair Prozanski
8:58:05 AM Steven Cade, Judiciary Intern
8:58:07 AM MOTION: Vice-Chair Boquist moves -1 amendments
8:58:10 AM Chair Prozanski
8:58:15 AM VOTE: 5-0-0
8:58:15 AM Ayes: Sens: Bonamici, Boquist, Dingfelder, Whitsett, Prozanski
8:58:18 AM MOTION: Vice-Chair Boquist moves SB 558 DO PASS as
AMENDED
8:58:27 AM Sen. Dingfelder
8:58:30 AM Chair Prozanski
8:58:41 AM VOTE: 5-0-0

8:58:41 AM Ayes: Sens: Bonamici, Boquist, Dingfelder, Whitsett, Prozanski
8:58:44 AM CARRIER: SEN. DINGFELDER will lead discussion on the floor
8:58:56 AM Sen. Dingfelder
8:58:59 AM Chair Prozanski
8:59:18 AM SB 543 - Public Hearing
8:59:26 AM Anna Braun, Committee Counsel
8:59:39 AM Chair Prozanski
9:00:07 AM Andrea Meyer, Legislative Director, American Civil Liberties Union of Oregon
9:00:33 AM Charles Hinkle, Attorney, Portland, Oregon
9:00:52 AM {Exhibit} 3: Hinkle
9:10:07 AM Chair Prozanski
9:10:13 AM Maria Di Miceli, University of Oregon Law student/intern, American Civil Liberties Union of Oregon
9:12:39 AM Chair Prozanski
9:12:58 AM Sen. Whitsett
9:13:32 AM Hinkle
9:14:52 AM Sen. Bonamici
9:15:13 AM Hinkle
9:17:57 AM Chair Prozanski
9:17:58 AM Sen. Whitsett
9:18:07 AM Hinkle
9:18:18 AM Chair Prozanski
9:18:39 AM Hinkle
9:18:53 AM Chair Prozanski
9:19:07 AM SB 531 - Public Hearing
9:19:13 AM Anna Braun, Committee Counsel
9:19:25 AM Vice-Chair Boquist
9:23:22 AM Chair Prozanski
9:23:57 AM Vice-Chair Boquist
9:24:11 AM Chair Prozanski
9:24:13 AM Gail Meyer, Legislative Representative, Oregon Criminal Defense Lawyers Association
9:25:07 AM Chair Prozanski
9:25:11 AM Shawn Cleave, Representing, Oregon Farm Bureau Federation
9:27:43 AM Chair Prozanski
9:27:51 AM Sen. Dingfelder
9:27:55 AM Chair Prozanski
9:28:23 AM Vice-Chair Boquist
9:28:34 AM Chair Prozanski
9:29:05 AM Lane Shetterly, Former State Representative/Attorney, Dallas, Oregon
9:31:50 AM Chair Prozanski
9:31:51 AM Vice-Chair Boquist
9:32:08 AM Shetterly
9:33:49 AM Sen. Bonamici

9:35:34 AM Sen. Dingfelder
9:36:19 AM Chair Prozanski
9:36:28 AM SB 601 - Public Hearing
9:36:33 AM Anna Braun, Committee Counsel
9:36:56 AM Chair Prozanski
9:37:11 AM Kim Duncan, Chair, Oregon Board of Maritime Pilots
9:37:15 AM {Exhibit} 4: Duncan
9:42:02 AM Chair Prozanski
9:42:05 AM {Exhibit} 5: Prozanski
9:42:48 AM David Hatton, Senior Assistant Attorney General, Department of Justice/General Counsel, Oregon Board of Maritime Pilots

9:46:09 AM Chair Prozanski
9:46:35 AM Sen. Whitsett
9:46:44 AM Duncan
9:46:52 AM Sen. Whitsett
9:46:54 AM Duncan
9:47:05 AM Sen. Whitsett
9:47:16 AM Hatton
9:47:19 AM Sen. Whitsett
9:48:00 AM Anne McIntyre, Captain, Oregon Board of Maritime Pilots
9:48:08 AM Chair Prozanski
9:48:10 AM Captain McIntyre
9:49:03 AM Sen. Whitsett
9:49:24 AM Chair Prozanski
9:49:55 AM Captain McIntyre
9:50:39 AM Sen. Bonamici
9:51:05 AM Duncan
9:51:11 AM Captain McIntyre
9:52:49 AM Sen. Bonamici
9:52:55 AM Captain McIntyre
9:53:01 AM Chair Prozanski
9:53:26 AM Sen. Whitsett
9:53:40 AM Hatton
9:54:43 AM Sen. Whitsett
9:55:14 AM Hatton
9:55:34 AM Chair Prozanski
9:56:00 AM Rob Douglas, Representative, Columbia Rivers Steamship Operators Association

9:56:13 AM {Exhibit} 6: Douglas
9:56:24 AM Chair Prozanski
9:56:26 AM Tom Gallagher, Representative, Oregon Bar Pilots
9:56:28 AM {Exhibit} 7: Gallagher
9:56:31 AM Dave Fiskum, Representative, Columbia River Pilots
9:56:48 AM {Exhibit} 8: Fiskum
9:57:01 AM Chair Prozanski
9:58:16 AM SB 561 - Work Session

9:58:34 AM Anna Braun, Committee Counsel
9:58:52 AM MOTION: Sen. Bonamici moves SB 561 DO PASS
9:58:56 AM Chair Prozanski
9:59:01 AM VOTE: 4-0-1
9:59:01 AM Ayes: Sens: Bonamici, Dingfelder, Whitsett, Prozanski; Excused:
Sen. Boquist
9:59:03 AM CARRIER: SEN. BONAMICI will lead discussion on the floor
9:59:12 AM SB 94 - Work Session
9:59:13 AM Anna Braun, Committee Counsel
9:59:17 AM Chair Prozanski
9:59:26 AM Braun
9:59:29 AM Chair Prozanski
9:59:39 AM SB 561 - Work Session
9:59:43 AM MOTION: Chair Prozanski moves that the RULES BE
SUSPENDED to allow Sen. Boquist to VOTE: Aye on SB 561
9:59:48 AM VOTE: 5-0-0
9:59:48 AM Ayes: Sens: Bonamici, Boquist, Dingfelder, Whitsett, Prozanski
9:59:58 AM Vice-Chair Boquist
9:59:59 AM Chair Prozanski
10:00:49 AM Meeting Adjourned

SJUD

3/18/2009 8:34:27 AM

8:35:42 AM {Exhibit} 1: SB 558, -1 amendments, staff, 1 p

8:39:28 AM {Exhibit} 2: SB 558, Report on Provisions to Uniform Law Code,
Carl Bjerre, 243 pp

9:00:52 AM {Exhibit} 3: SB 543, written testimony, Charles Hinkle, 5 pp

9:37:15 AM {Exhibit} 4: SB 601, written testimony, Kim Duncan, 2 pp

9:42:05 AM {Exhibit} 5: SB 601, written testimony, David Hatton, 1 pp

9:56:13 AM {Exhibit} 6: SB 601, written testimony, Heather Moats, 1 p

9:56:28 AM {Exhibit} 7: SB 601, written testimony, Captain Gary Lewin, 1 p

9:56:48 AM {Exhibit} 8: SB 601, written testimony, Captain Paul Amos, 1 p
