

SENATE COMMITTEE ON JUDICIARY

**April 9, 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 786 – Public Hearing
SB 807 – Public Hearing
SB 262 – Public Hearing
SB 256 – Public Hearing
SB 48 – Work Session
HB 2275A – Work Session**

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

SJUD

4/9/2009 8:33:34 AM

8:33:37 AM Meeting Called to Order
8:33:45 AM Chair Prozanski
8:35:57 AM SB 786 - Public Hearing
8:36:03 AM Anna Braun, Committee Counsel
8:36:32 AM Chair Prozanski
8:37:14 AM Representative Dave Hunt, House District 40
8:39:38 AM Chair Prozanski
8:39:43 AM Rep. Hunt
8:41:33 AM Senator David Nelson, Senate District 29
8:41:56 AM Brad Avakian, Oregon State Labor Commissioner, Bureau of Labor and Industries
8:44:21 AM Chair Prozanski
8:44:25 AM Vice-Chair Boquist
8:45:40 AM Avakian
8:46:23 AM Rep. Hunt
8:47:13 AM Vice-Chair Boquist
8:47:37 AM Chair Prozanski
8:48:35 AM Avakian
8:48:57 AM Chair Prozanski
8:48:59 AM Vice-Chair Boquist
8:49:24 AM Sen. Bonamici
8:50:05 AM Vice-Chair Boquist
8:50:09 AM Chair Prozanski
8:50:55 AM Gregory Hamilton, President, Northwest Religious Liberty Association
8:51:53 AM {Exhibit} 1: Hamilton
8:53:42 AM Chair Prozanski
8:53:47 AM Hamilton
8:56:02 AM Michael D. Peabody, Attorney/Administrative Advisor, Northwest Religious Liberty Association
8:56:12 AM {Exhibit} 2: Peabody
8:58:59 AM Chair Prozanski
8:59:08 AM Shani Balverio, citizen, Gresham, Oregon
8:59:11 AM {Exhibit} 3: Balverio
9:01:42 AM Chair Prozanski
9:01:58 AM David Miller, citizen, Portland, Oregon
9:02:00 AM {Exhibit} 4: Miller
9:03:38 AM Chair Prozanski
9:03:57 AM Balverio

9:04:07 AM Chair Prozanski
9:04:42 AM J. L. Wilson, Legislative Representative, Associated Oregon Industries
9:08:25 AM Chair Prozanski
9:08:29 AM {Exhibit} 5: Prozanski
9:08:32 AM Steven Green, Constitutional Law Professor, Willamette University College of Law
9:11:05 AM Chair Prozanski
9:11:07 AM Nicholina Terzieff, Representative, Jewish Federation of Greater Portland
9:11:16 AM {Exhibit} 6: Terzieff
9:11:22 AM Chair Prozanski
9:11:26 AM Sen. Bonamici
9:11:43 AM Green
9:12:41 AM Chair Prozanski
9:12:44 AM Vice-Chair Boquist
9:13:25 AM Chair Prozanski
9:13:27 AM Sen. Whitsett
9:14:08 AM Chair Prozanski
9:14:16 AM SB 807 - Public Hearing
9:14:20 AM Anna Braun, Committee Counsel
9:14:48 AM Chair Prozanski
9:15:08 AM Chuck Tauman, Attorney, Portland, Oregon
9:15:17 AM Chair Prozanski
9:15:18 AM Tauman
9:15:43 AM {Exhibit} 7: Tauman
9:23:54 AM Chair Prozanski
9:23:57 AM Tauman
9:25:04 AM Chair Prozanski
9:25:11 AM Sen. Whitsett
9:25:25 AM Tauman
9:25:31 AM Sen. Whitsett
9:25:44 AM Tauman
9:26:14 AM Sen. Whitsett
9:26:26 AM Tauman
9:26:39 AM Sen. Whitsett
9:26:53 AM Tauman
9:26:58 AM Sen. Whitsett
9:27:06 AM Tauman
9:27:17 AM Chair Prozanski
9:27:18 AM Sen. Bonamici
9:27:33 AM Tauman
9:28:20 AM Sen. Bonamici
9:28:32 AM Tauman
9:29:02 AM Sen. Bonamici
9:29:03 AM Chair Prozanski

9:29:14 AM Tauman
9:29:15 AM Chair Prozanski
9:29:18 AM Tauman
9:29:19 AM Chair Prozanski
9:29:43 AM Tauman
9:29:47 AM Chair Prozanski
9:29:51 AM Vice-Chair Boquist
9:30:09 AM Chair Prozanski
9:30:09 AM Tauman
9:30:11 AM Chair Prozanski
9:30:31 AM Jim Gardner, Representative, Altria Client Services
Incorporated/Philip Morris USA
9:30:41 AM {Exhibit} 8: Gardner
9:31:09 AM Chair Prozanski
9:31:11 AM William Gary, Attorney, Portland, Oregon
9:31:21 AM {Exhibit} 9: Gary
9:37:47 AM Chair Prozanski
9:37:51 AM Sen. Bonamici
9:38:37 AM Gary
9:39:31 AM Sen. Bonamici
9:39:50 AM Gary
9:40:22 AM Chair Prozanski
9:41:12 AM The following written testimony is submitted for the record without
public testimony:
9:41:12 AM {Exhibit} 10: J.L. Wilson, Legislative Representative, Associated
Oregon Industries
9:41:13 AM SB 262 - Public Hearing
9:41:17 AM Anna Braun, Committee Counsel
9:41:21 AM {Exhibit} 11: Braun
9:41:40 AM Chief Judge David Brewer, Oregon Court of Appeals, Oregon
Judicial Department
9:42:00 AM {Exhibit} 12: Brewer
9:42:34 AM Chair Prozanski
9:42:38 AM Brewer
9:48:23 AM Chair Prozanski
9:48:28 AM Sen. Bonamici
9:48:43 AM Brewer
9:49:30 AM Chair Prozanski
9:49:31 AM Sen. Whitsett
9:49:40 AM Brewer
9:49:43 AM Sen. Whitsett
9:49:44 AM Chair Prozanski
9:49:45 AM Vice-Chair Boquist
9:50:06 AM Brewer
9:50:10 AM Chair Prozanski
9:50:20 AM SB 256 - Public Hearing

9:50:51 AM Anna Braun, Committee Counsel
9:51:00 AM Chair Prozanski
9:51:38 AM Terri Mundt, Registered Professional Reporter/Certified Reporting Instructor, Oregon Court Reporters Association
9:51:45 AM {Exhibit} 13: Mundt
9:52:10 AM {Exhibit} 14: Mundt
9:52:14 AM Chair Prozanski
9:52:22 AM Mundt
9:54:35 AM Chair Prozanski
9:54:43 AM Robin Nodland, Court Reporter/member, Certified Shorthand Reporter Advisory Committee
9:54:45 AM {Exhibit} 15: Nodland
9:58:33 AM Chair Prozanski
9:58:35 AM Mary Fagan, Official Court Reporter/Legislative Chair, Oregon Court Reporters Association
9:58:44 AM {Exhibit} 16: Fagan
9:59:16 AM Debra Cheyne, President, Oregon Court Reporters Association
10:00:53 AM Chair Prozanski
10:01:31 AM Nodland
10:02:15 AM Chair Prozanski
10:04:08 AM Braun
10:04:08 AM The following written testimony is submitted for the record without public testimony:
10:04:08 AM {Exhibit} 17: Douglas Friend, Vice-President and Secretary-Treasurer, Beovich Walter and Friend, Incorporated
10:04:09 AM SB 48 - Work Session
10:04:11 AM Anna Braun, Committee Counsel
10:04:13 AM {Exhibit} 18: Braun
10:05:17 AM Chair Prozanski
10:05:18 AM MOTION: Vice-Chair Boquist moves -4 amendments
10:05:20 AM Chair Prozanski
10:05:25 AM VOTE: 5-0-0
10:05:25 AM Ayes: Sens: Bonamici, Boquist, Dingfelder, Whitsett, Prozanski
10:05:27 AM MOTION: Vice-Chair Boquist moves SB 48 DO PASS as AMENDED
10:05:32 AM Chair Prozanski
10:05:39 AM Sen. Whitsett
10:05:46 AM Chair Prozanski
10:05:52 AM VOTE: 5-0-0
10:05:52 AM Ayes: Sens: Bonamici, Boquist, Dingfelder, Whitsett, Prozanski
10:06:04 AM CARRIER: SEN. PROZANSKI will lead discussion on the floor
10:06:07 AM HB 2275 A - Work Session
10:06:13 AM Bill Taylor, Committee Counsel
10:07:11 AM Chair Prozanski
10:07:14 AM Sen. Bonamici
10:07:17 AM Vice-Chair Boquist

10:07:20 AM MOTION: Vice-Chair Boquist moves HB 2275 A DO PASS as AMENDED

10:07:25 AM Chair Prozanski

10:07:35 AM VOTE: 5-0-0

10:07:35 AM Ayes: Sens: Bonamici, Boquist, Dingfelder, Whitsett, Prozanski

10:07:37 AM CARRIER: SEN. BOQUIST will lead discussion on the floor

10:07:42 AM Chair Prozanski

10:07:51 AM Meeting Adjourned

SJUD

4/9/2009 8:33:34 AM

- 8:51:53 AM** {Exhibit} 1: SB 786, written testimony, Gregory Hamilton, 6 pp
 - 8:56:12 AM** {Exhibit} 2: SB 786, written testimony, Michael Peabody, 3 pp
 - 8:59:11 AM** {Exhibit} 3: SB 786, written testimony, Shani Balverio, 1 p
 - 9:02:00 AM** {Exhibit} 4: SB 786, written testimony, David Miller, 1 p
 - 9:08:29 AM** {Exhibit} 5: SB 786, written testimony, Steven Green, 4 pp
 - 9:11:16 AM** {Exhibit} 6: SB 786, written testimony, Bob Horenstein, 1 p
 - 9:15:43 AM** {Exhibit} 7: SB 807, written testimony, Chuck Tauman, 2 pp
 - 9:30:41 AM** {Exhibit} 8: SB 807, written testimony, Jim Gardner, 4 pp
 - 9:31:21 AM** {Exhibit} 9: SB 807, written testimony, William Gary, 6 pp
 - 9:41:12 AM** {Exhibit} 10: SB 807, written testimony, J.L. Wilson, 2 pp
 - 9:41:21 AM** {Exhibit} 11: SB 262, -1 amendments, staff, 18 pp
 - 9:42:00 AM** {Exhibit} 12: SB 262, written testimony, David Brewer, 2 pp
 - 9:51:45 AM** {Exhibit} 13: SB 256, written testimony, Terri Mundt, 2 pp
 - 9:52:10 AM** {Exhibit} 14: SB 256, -2 amendments, staff, 44 pp
 - 9:54:45 AM** {Exhibit} 15: SB 256, written testimony, Robin Nodland, 2 pp
 - 9:58:44 AM** {Exhibit} 16: SB 256, written testimony, Mary Fagan, 1 p
 - 10:04:08 AM** {Exhibit} 17: SB 256, written testimony, Douglas Friend, 1 p
 - 10:04:13 AM** {Exhibit} 18: SB 48, -4 amendments, staff, 6 pp
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