

## **SENATE COMMITTEE ON JUDICIARY**

**April 15, 2009  
8:00 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**  
                                     **Lisa Nuss, Counsel**  
                                     **Courtney Johnston, Committee Assistant**

**MEASURES/ISSUES HEARD:** **SB 543 – Work Session**  
   **SB 745 – Work Session**  
   **SB 874 – Public Hearing and Work Session**  
   **SB 636 – Public Hearing**  
   **SB 952 – Public Hearing**

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

**SJUD**

**4/15/2009 8:05:03 AM**

**8:05:06 AM** Meeting Called to Order  
**8:05:12 AM** Chair Prozanski  
**8:05:21 AM** SB 543 - Work Session  
**8:05:27 AM** Anna Braun, Committee Counsel  
**8:05:43 AM** Chair Prozanski  
**8:05:44 AM** Braun  
**8:05:48 AM** Chair Prozanski  
**8:05:53 AM** MOTION: Sen. Bonamici moves SB 543 DO PASS as AMENDED  
**8:06:01 AM** Chair Prozanski  
**8:06:09 AM** VOTE: 4-0-1  
**8:06:09 AM** Ayes: Sens: Bonamici, Dingfelder, Whitsett, Prozanski; Excused:  
Sen. Boquist  
**8:06:15 AM** CARRIER: SEN. DINGFELDER will lead discussion on the floor  
**8:06:20 AM** Chair Prozanski  
**8:06:30 AM** SB 745 - Work Session  
**8:06:32 AM** Anna Braun, Committee Counsel  
**8:06:54 AM** MOTION: Sen. Bonamici moves SB 745 DO PASS  
**8:06:58 AM** Chair Prozanski  
**8:07:05 AM** VOTE: 4-0-1  
**8:07:05 AM** Ayes: Sens: Bonamici, Dingfelder, Whitsett, Prozanski; Excused:  
Sen. Boquist  
**8:07:11 AM** CARRIER: SEN. BONAMICI will lead discussion on the floor  
**8:07:21 AM** Chair Prozanski  
**8:07:54 AM** SB 874 - Public Hearing  
**8:07:58 AM** Sen. Dingfelder  
**8:08:02 AM** Chair Prozanski  
**8:08:06 AM** Anna Braun, Committee Counsel  
**8:08:12 AM** Sen. Bonamici  
**8:08:13 AM** Chair Prozanski  
**8:08:17 AM** Sen. Bonamici  
**8:08:22 AM** Braun  
**8:08:41 AM** {Exhibit} 1: Braun  
**8:08:52 AM** Chair Prozanski  
**8:09:30 AM** Bob Estabrook, Assistant to the Labor Commissioner, Oregon  
Bureau of Labor and Industries  
**8:09:35 AM** {Exhibit} 2: Estabrook  
**8:11:36 AM** Chair Prozanski  
**8:11:39 AM** Bob Joondeph, Executive Director, Disabilities Rights Oregon  
**8:11:45 AM** {Exhibit} 3: Joondeph

**8:14:38 AM** Chair Prozanski  
**8:14:41 AM** Elizabeth McKanna, Attorney, Oregon Trial Lawyers Association  
**8:15:06 AM** {Exhibit} 4: McKanna  
**8:18:35 AM** Chair Prozanski  
**8:18:38 AM** Sen. Whitsett  
**8:19:05 AM** Estabrook  
**8:19:38 AM** Sen. Whitsett  
**8:19:43 AM** Chair Prozanski  
**8:19:45 AM** Estabrook  
**8:19:48 AM** Chair Prozanski  
**8:19:54 AM** McKanna  
**8:20:37 AM** Chair Prozanski  
**8:20:38 AM** Sen. Whitsett  
**8:21:02 AM** Chair Prozanski  
**8:21:06 AM** Sen. Whitsett  
**8:21:13 AM** Sen. Bonamici  
**8:21:35 AM** Joondeph  
**8:21:55 AM** Sen. Bonamici  
**8:22:06 AM** Joondeph  
**8:23:30 AM** Chair Prozanski  
**8:23:35 AM** Sen. Whitsett  
**8:24:03 AM** Joondeph  
**8:25:14 AM** Sen. Whitsett  
**8:25:36 AM** Joondeph  
**8:25:44 AM** Sen. Whitsett  
**8:26:13 AM** Joondeph  
**8:27:16 AM** Sen. Whitsett  
**8:27:21 AM** Estabrook  
**8:27:59 AM** Chair Prozanski  
**8:28:12 AM** Marsha Ohlemiller, Legal Policy Analyzer, Bureau of Labor and Industries  
**8:29:46 AM** Sen. Whitsett  
**8:30:00 AM** Ohlemiller  
**8:30:35 AM** Chair Prozanski  
**8:30:57 AM** SB 874 - Work Session  
**8:31:05 AM** MOTION: Sen. Boquist moves -1 amendments  
**8:31:07 AM** Chair Prozanski  
**8:31:14 AM** VOTE: 5-0-0  
**8:31:14 AM** Ayes: Sens: Bonamici, Boquist, Dingfelder, Whitsett, Prozanski  
**8:31:17 AM** MOTION: Sen. Boquist moves SB 874 DO PASS as AMENDED  
**8:31:23 AM** Chair Prozanski  
**8:31:32 AM** VOTE: 4-1-0  
**8:31:32 AM** Ayes: Sens: Bonamici, Boquist, Dingfelder, Prozanski; Nays: Sen. Whitsett  
**8:31:44 AM** CARRIER: SEN. PROZANSKI will lead discussion on the floor  
**8:31:46 AM** Vice-Chair Boquist

**8:31:52 AM** Chair Prozanski  
**8:32:09 AM** SB 636 - Public Hearing  
**8:32:16 AM** Chair Prozanski  
**8:32:44 AM** Lisa Nuss, Committee Counsel  
**8:33:01 AM** {Exhibit} 5: Nuss  
**8:33:10 AM** The following written testimony is submitted for the record without public testimony:  
**8:33:10 AM** {Exhibit} 6: Jonathan Williams, Intel Oregon Government Affairs Manager, Intel Corporation  
**8:33:13 AM** Chair Prozanski  
**8:34:05 AM** Christina Beatty-Walters, International Trademark Association Attorney/member, Model State Trademark Bill Subcommittee  
**8:34:40 AM** {Exhibit} 7: Beatty-Walters  
**8:37:41 AM** Chair Prozanski  
**8:38:03 AM** Anne Glazer, International Trademark Association Attorney/member, Model State Trademark Bill Subcommittee  
**8:38:39 AM** {Exhibit} 8: Glazer  
**8:39:59 AM** Chair Prozanski  
**8:40:08 AM** Glazer  
**8:40:11 AM** Sen. Dingfelder  
**8:40:15 AM** Vice-Chair Boquist  
**8:40:21 AM** Glazer  
**8:42:43 AM** Chair Prozanski  
**8:42:54 AM** Glazer  
**8:44:59 AM** Chair Prozanski  
**8:45:04 AM** Tom Wrosch, Commercial Registries Manager, Corporation Division, Secretary of State's Office  
**8:45:12 AM** {Exhibit} 9: Wrosch  
**8:45:59 AM** Chair Prozanski  
**8:46:01 AM** Mary Haynes, Oregon Business Association  
**8:46:54 AM** Chair Prozanski  
**8:46:58 AM** Vice-Chair Boquist  
**8:47:13 AM** Wrosch  
**8:48:25 AM** Vice-Chair Boquist  
**8:48:30 AM** Wrosch  
**8:48:33 AM** Vice-Chair Boquist  
**8:48:34 AM** Chair Prozanski  
**8:48:37 AM** Sen. Bonamici  
**8:49:29 AM** Beatty-Walters  
**8:50:23 AM** Sen. Bonamici  
**8:50:24 AM** Chair Prozanski  
**8:50:52 AM** SB 952 - Public Hearing  
**8:51:01 AM** Lisa Nuss, Committee Counsel  
**8:51:08 AM** {Exhibit} 10: Nuss  
**8:51:59 AM** Chair Prozanski  
**8:52:23 AM** Sybil Hebb, Oregon Law Center

**8:55:07 AM** {Exhibit} 11: Hebb  
**9:07:09 AM** Chair Prozanski  
**9:07:13 AM** Ari Rapkin, Co-Executive Director, Community Alliance of Tenants  
**9:07:25 AM** {Exhibit} 12: Rapkin  
**9:09:05 AM** Patrick Wade, Attorney, Eugene, Oregon  
**9:14:59 AM** Chair Prozanski  
**9:15:03 AM** Vice-Chair Boquist  
**9:15:44 AM** Hebb  
**9:16:04 AM** Chair Prozanski  
**9:16:19 AM** Sen. Whitsett  
**9:17:12 AM** Wade  
**9:17:52 AM** Sen. Whitsett  
**9:18:04 AM** Hebb  
**9:19:54 AM** Sen. Whitsett  
**9:20:07 AM** Hebb  
**9:20:25 AM** Sen. Whitsett  
**9:20:26 AM** Hebb  
**9:21:03 AM** Sen. Whitsett  
**9:21:06 AM** Hebb  
**9:21:18 AM** Sen. Bonamici  
**9:22:24 AM** Hebb  
**9:22:56 AM** Sen. Bonamici  
**9:23:02 AM** Rapkin  
**9:23:04 AM** Chair Prozanski  
**9:23:36 AM** Angela Martin, Economic Fairness Director, Our Oregon  
**9:23:44 AM** {Exhibit} 13: Martin  
**9:26:11 AM** Chair Prozanski  
**9:26:15 AM** Beth Kaye, Public Affairs Manager, City of Portland Bureau of  
Housing and Community Development  
**9:26:35 AM** {Exhibit} 14: Kaye  
**9:32:32 AM** Chair Prozanski  
**9:32:35 AM** Andrea Ogston, Student Mediation and Legal Services Attorney,  
Portland State University  
**9:34:26 AM** Chair Prozanski  
**9:34:29 AM** Vice-Chair Boquist  
**9:34:51 AM** Kaye  
**9:35:06 AM** Vice-Chair Boquist  
**9:35:09 AM** Chair Prozanski  
**9:35:11 AM** Sen. Whitsett  
**9:35:54 AM** Kaye  
**9:36:52 AM** Chair Prozanski  
**9:37:16 AM** John Van Landingham, Legal Aid, Lane County, Oregon  
**9:37:32 AM** Sen. Whitsett  
**9:37:49 AM** Van Landingham  
**9:39:22 AM** Sen. Whitsett  
**9:39:39 AM** Van Landingham

**9:39:44 AM** Chair Prozanski  
**9:39:53 AM** Paul Cosgrove, Oregon Financial Services Association  
**9:47:31 AM** Tim Martinez, Legislative Advocate, Oregon Bankers  
Association/Independent Community Banks of Oregon  
**9:47:40 AM** {Exhibit} 15: Martinez  
**9:48:41 AM** Chair Prozanski  
**9:48:46 AM** Sen. Bonamici  
**9:49:41 AM** Cosgrove  
**9:50:34 AM** Van Landingham  
**9:51:09 AM** Chair Prozanski  
**9:51:20 AM** Cosgrove  
**9:51:22 AM** Chair Prozanski  
**9:52:41 AM** Cosgrove  
**9:54:12 AM** Chair Prozanski  
**9:54:51 AM** Van Landingham  
**9:55:01 AM** Chair Prozanski  
**9:55:15 AM** Van Landingham  
**9:55:45 AM** Chair Prozanski  
**9:56:01 AM** The following written testimony is submitted for the record without  
public testimony:  
**9:56:01 AM** {Exhibit} 16: The Housing Alliance  
**9:56:02 AM** Meeting Adjourned

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**SJUD**

**4/15/2009 8:05:03 AM**

- 8:08:41 AM** {Exhibit} 1: SB 874, -1 amendments, staff, 3 pp  
**8:09:35 AM** {Exhibit} 2: SB 874, written testimony, Bob Estabrook, 1 p  
**8:11:45 AM** {Exhibit} 3: SB 874, written testimony, Bob Joondeph, 2 pp  
**8:15:06 AM** {Exhibit} 4: SB 874, written testimony, Elizabeth McKanna, 2 pp  
**8:33:00 AM** {Exhibit} 5: SB 636, -1 amendments, staff, 5 pp  
**8:33:10 AM** {Exhibit} 6: SB 636, written testimony, Jonathan Williams, 1 p  
**8:34:40 AM** {Exhibit} 7: SB 636, written testimony, Christina Beatty-Walters, 2 pp  
**8:38:39 AM** {Exhibit} 8: SB 636, written testimony, Anne Glazer, 9 pp  
**8:45:12 AM** {Exhibit} 9: SB 636, written testimony, Tom Wrosch, 1 p  
**8:51:08 AM** {Exhibit} 10: SB 952, -1 amendments, staff, 14 pp  
**8:55:07 AM** {Exhibit} 11: SB 952, written testimony, Sybil Hebb, 7 pp  
**9:07:25 AM** {Exhibit} 12: SB 952, written testimony Ari Rapkin, 1 p  
**9:23:44 AM** {Exhibit} 13: SB 952, written testimony, Angela Martin, 2 pp  
**9:26:35 AM** {Exhibit} 14: SB 952, written testimony, Beth Kaye, 2 pp  
**9:47:40 AM** {Exhibit} 15: SB 952, written testimony, Tim Martinez, 1 p  
**9:56:01 AM** {Exhibit} 16: SB 952, written testimony, The Housing Alliance, 1 p
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