

## **SENATE COMMITTEE ON JUDICIARY**

**April 17, 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:**         **Bill Taylor, Counsel**  
                                     **Anna Braun, Counsel**  
                                     **Courtney Johnston, Committee Assistant**

**MEASURES/ISSUES HEARD:** **SB 10 – Public Hearing**  
                                     **SB 971 – Public Hearing**  
                                     **SB 262 – Work Session**  
                                     **SB 306 – Work Session**  
                                     **SB 265 – Work Session**  
                                     **SB 253 and SB 289 – Work Session**  
                                     **SB 265 – Work Session**

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

**SJUD**

**4/17/2009 8:09:08 AM**

**8:09:14 AM** Meeting Called to Order  
**8:09:20 AM** Chair Prozanski  
**8:09:25 AM** Rep. Tomei  
**8:09:26 AM** Chair Prozanski  
**8:09:27 AM** Rep. Tomei  
**8:09:30 AM** Chair Prozanski  
**8:09:38 AM** SB 10 - Public Hearing  
**8:09:41 AM** Chair Prozanski  
**8:10:01 AM** Rep. Tomei  
**8:10:02 AM** Chair Prozanski  
**8:10:15 AM** Sen. Dingfelder  
**8:10:16 AM** Chair Prozanski  
**8:10:43 AM** Erinn Kelley-Siel, Interim Director, Children, Adults and Families  
Division, Oregon Department of Human Services  
**8:13:14 AM** {Exhibit} 1: Kelley-Siel  
**8:14:54 AM** {Exhibit} 2: Kelley-Siel  
**8:18:46 AM** Beth Englander, Adoptions Program Manager, Children, Adults and  
Family Division, Oregon Department of Human Services  
**8:21:39 AM** {Exhibit} 3: Englander  
**8:23:17 AM** Gloria Anderson, Diversity and International Affairs Manager,  
Children, Adults and Families Division, Oregon Department of  
Human Services  
**8:27:27 AM** Kelley-Siel  
**8:27:27 AM** {Exhibit} 4: Kelley-Siel  
**8:27:57 AM** Chair Prozanski  
**8:28:15 AM** Rep. Van Orman  
**8:28:40 AM** Kelley-Siel  
**8:29:07 AM** Rep. Van Orman  
**8:29:11 AM** Englander  
**8:29:39 AM** Chair Prozanski  
**8:29:40 AM** Rep. Maurer  
**8:29:44 AM** Kelley-Siel  
**8:29:46 AM** Rep. Maurer  
**8:29:52 AM** Kelley-Siel  
**8:30:13 AM** Rep. Maurer  
**8:30:43 AM** Kelley-Siel  
**8:32:45 AM** Rep. Maurer  
**8:33:25 AM** Kelley-Siel  
**8:35:00 AM** Englander

8:36:46 AM Chair Prozanski  
8:36:55 AM Rep. Tomei  
8:37:14 AM Chair Prozanski  
8:37:19 AM Sen. Bonamici  
8:37:47 AM Englander  
8:40:02 AM Sen. Bonamici  
8:40:32 AM Kelley-Siel  
8:41:15 AM Sen. Whitsett  
8:41:46 AM Kelley-Siel  
8:43:41 AM Sen. Whitsett  
8:44:03 AM Kelley-Siel  
8:45:05 AM Chair Prozanski  
8:46:01 AM Englander  
8:46:03 AM Chair Prozanski  
8:46:42 AM Tausha Cram, citizen, Washington County, Oregon  
8:47:04 AM Chair Prozanski  
8:47:18 AM T. Cram  
8:47:28 AM Chair Prozanski  
8:47:46 AM T. Cram  
8:47:58 AM Chair Prozanski  
8:48:12 AM T. Cram  
8:48:18 AM Chair Prozanski  
8:48:31 AM Anna Braun, Committee Counsel  
8:48:40 AM Chair Prozanski  
8:48:50 AM T. Cram  
8:48:55 AM {Exhibit} 5: T. Cram  
8:49:32 AM Evone Cram, citizen, Washington County, Oregon  
8:49:36 AM Chair Prozanski  
8:49:49 AM E. Cram  
8:49:54 AM Chair Prozanski  
8:50:42 AM E. Cram  
8:51:14 AM Chair Prozanski  
8:51:24 AM E. Cram  
8:52:51 AM Chair Prozanski  
8:53:11 AM E. Cram  
8:53:48 AM T. Cram  
8:53:50 AM Chair Prozanski  
8:54:28 AM E. Cram  
8:54:38 AM T. Cram  
8:54:40 AM E. Cram  
8:54:48 AM T. Cram  
8:55:30 AM Chair Prozanski  
8:56:32 AM Rep. Tomei  
8:56:37 AM Chair Prozanski  
8:56:44 AM Meeting Recessed  
8:58:38 AM Meeting Reconvened

**8:58:44 AM** Chair Prozanski  
**8:58:50 AM** SB 971 - Public Hearing  
**8:58:57 AM** Anna Braun, Committee Counsel  
**8:59:21 AM** Chair Prozanski  
**8:59:35 AM** The following written testimony is submitted for the record without public testimony:  
**8:59:35 AM** {Exhibit} 6: Brian DeLashmutt, Lobbyist, Oregon Council of Police Associations/Oregon State Police Officers Association/Association of Oregon Corrections Employees/Federation of Oregon Parole and Probation Officers  
**9:00:04 AM** Joel Fischer, Policy Advisor, Senator Joanne Verger, Senate District 5  
**9:00:16 AM** {Exhibit} 7: Fischer  
**9:02:07 AM** {Exhibit} 8: Fischer  
**9:03:16 AM** Paul Snider, Association of Oregon Counties  
**9:04:43 AM** Chair Prozanski  
**9:04:48 AM** Sen. Whitsett  
**9:05:50 AM** Chair Prozanski  
**9:05:52 AM** Vice-Chair Boquist  
**9:05:53 AM** Chair Prozanski  
**9:07:04 AM** The following written testimony is submitted for the record without public testimony:  
**9:07:04 AM** {Exhibit} 9: Marc Adams, Keizer Police Chief/Legislative Committee Chair, Oregon Association Chiefs of Police  
**9:07:32 AM** Larry Hatch, Legislative Representative, Association of Public-Safety Communications Officials of Oregon/National Emergency Number Association Oregon Chapter  
**9:08:34 AM** {Exhibit} 10: Hatch  
**9:09:22 AM** Chair Prozanski  
**9:09:27 AM** Matt Jaffe, Legislative Representative, City of Portland  
**9:10:13 AM** Chair Prozanski  
**9:10:16 AM** Sen. Bonamici  
**9:10:23 AM** Hatch  
**9:10:25 AM** Sen. Bonamici  
**9:10:26 AM** Chair Prozanski  
**9:11:33 AM** SB 262 - Work Session  
**9:11:40 AM** Anna Braun, Committee Counsel  
**9:12:04 AM** {Exhibit} 11: Braun  
**9:12:15 AM** Chair Prozanski  
**9:12:19 AM** Vice-Chair Boquist  
**9:12:23 AM** Braun  
**9:12:26 AM** MOTION: Vice-Chair Boquist moves -1 amendments  
**9:12:28 AM** Chair Prozanski  
**9:12:37 AM** VOTE: 5-0-0  
**9:12:37 AM** Ayes: Sens: Bonamici, Boquist, Dingfelder, Whitsett, Prozanski  
**9:12:39 AM** MOTION: Vice-Chair Boquist moves SB 262 DO PASS as

AMENDED

9:12:44 AM Chair Prozanski  
9:12:54 AM Sen. Bonamici  
9:13:30 AM Chair Prozanski  
9:14:03 AM VOTE: 5-0-0  
9:14:03 AM Ayes: Sens: Bonamici, Boquist, Dingfelder, Whitsett, Prozanski  
9:14:07 AM CARRIER: SEN. PROZANSKI will lead discussion on the floor  
9:14:11 AM Chair Prozanski  
9:14:17 AM Braun  
9:14:31 AM Chair Prozanski  
9:15:14 AM Braun  
9:15:18 AM Chair Prozanski  
9:15:24 AM Sen. Dingfelder  
9:15:26 AM Chair Prozanski  
9:15:38 AM Braun  
9:15:40 AM SB 306 - Work Session  
9:15:43 AM Anna Braun, Committee Counsel  
9:16:11 AM {Exhibit} 12: Braun  
9:16:12 AM {Exhibit} 13: Braun  
9:16:57 AM Chair Prozanski  
9:17:24 AM Sen. Bonamici  
9:20:10 AM Chair Prozanski  
9:20:11 AM Vice-Chair Boquist  
9:20:29 AM Braun  
9:20:42 AM Chair Prozanski  
9:20:43 AM Braun  
9:20:54 AM Vice-Chair Boquist  
9:21:10 AM Braun  
9:21:16 AM Vice-Chair Boquist  
9:21:33 AM Braun  
9:21:37 AM Vice-Chair Boquist  
9:21:50 AM Braun  
9:22:09 AM Sen. Dingfelder  
9:22:14 AM Braun  
9:22:16 AM Vice-Chair Boquist  
9:22:19 AM Sen. Bonamici  
9:22:28 AM Braun  
9:23:04 AM Sen. Whitsett  
9:23:10 AM Chair Prozanski  
9:23:12 AM Sen. Whitsett  
9:23:34 AM Chair Prozanski  
9:23:39 AM Neil Jackson, Attorney, Oregon Trial Lawyers Association  
9:25:03 AM Vice-Chair Boquist  
9:25:06 AM Braun  
9:25:16 AM Vice-Chair Boquist  
9:25:20 AM Jackson

9:25:51 AM Vice-Chair Boquist  
9:25:54 AM Jackson  
9:25:58 AM Chair Prozanski  
9:27:03 AM Jackson  
9:27:51 AM Chair Prozanski  
9:27:53 AM Vice-Chair Boquist  
9:27:54 AM Chair Prozanski  
9:27:57 AM Vice-Chair Boquist  
9:28:12 AM Jackson  
9:28:26 AM Chair Prozanski  
9:28:32 AM Jackson  
9:28:33 AM Chair Prozanski  
9:29:42 AM SB 265 - Work Session  
9:29:47 AM Bill Taylor, Committee Counsel  
9:30:01 AM Chair Prozanski  
9:30:04 AM Taylor  
9:30:08 AM Sen. Dingfelder  
9:30:10 AM Taylor  
9:30:51 AM Chair Prozanski  
9:31:09 AM Taylor  
9:31:11 AM SB 253 and SB 289 - Work Session  
9:31:38 AM Taylor  
9:31:49 AM {Exhibit} 14: Taylor  
9:34:33 AM Chair Prozanski  
9:35:10 AM Gail Meyer, Legislative Representative, Oregon Criminal Defense  
Lawyers Association  
9:35:59 AM {Exhibit} 15: Meyer  
9:39:05 AM Brad Berry, Yamhill County District Attorney/Chair, Oregon District  
Attorney's Association Legislative Committee  
9:43:47 AM Chair Prozanski  
9:43:52 AM Meyer  
9:44:51 AM Chair Prozanski  
9:45:15 AM Berry  
9:45:57 AM Chair Prozanski  
9:46:01 AM Meyer  
9:46:22 AM Chair Prozanski  
9:46:30 AM SB 265 - Work Session  
9:46:36 AM Bill Taylor, Committee Counsel  
9:46:53 AM Chair Prozanski  
9:46:55 AM Vice-Chair Boquist  
9:46:57 AM Taylor  
9:47:03 AM Vice-Chair Boquist  
9:47:08 AM Taylor  
9:47:13 AM MOTION: Vice-Chair Boquist moves SB 265 DO PASS as  
AMENDED and REFER to Ways and Means by prior reference  
9:47:23 AM Chair Prozanski

**9:47:43 AM** Vice-Chair Boquist  
**9:47:59 AM** Chair Prozanski  
**9:48:22 AM** VOTE: 5-0-0  
**9:48:22 AM** Ayes: Sens: Bonamici, Boquist, Dingfelder, Whitsett, Prozanski  
**9:48:27 AM** Chair Prozanski  
**9:48:31 AM** Sen. Dingfelder  
**9:48:34 AM** Chair Prozanski  
**9:49:23 AM** Taylor  
**9:49:27 AM** Sen. Dingfelder  
**9:49:28 AM** Chair Prozanski  
**9:49:47 AM** Taylor  
**9:50:02 AM** Chair Prozanski  
**9:50:14 AM** Sen. Bonamici  
**9:50:16 AM** Chair Prozanski  
**9:50:20 AM** Meeting Adjourned

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**SJUD**

**4/17/2009 8:09:08 AM**

- 8:13:14 AM** {Exhibit} 1: SB 10, written testimony, Erinn Kelley-Siel, 3 pp
- 8:14:54 AM** {Exhibit} 2: SB 10, -1 amendments, staff, 1 p
- 8:21:39 AM** {Exhibit} 3: SB 10, Practice and Procedure Flow Chart, Beth Englander, 1 p
- 8:27:27 AM** {Exhibit} 4: SB 10, Fact Sheet, Erinn Kelley-Siel, 2 pp
- 8:48:55 AM** {Exhibit} 5: SB 10, written testimony and pictures, Tausha Cram, 31 pp
- 8:59:35 AM** {Exhibit} 6: SB 971, written testimony, Brian DeLashmutt, 1 p
- 9:00:16 AM** {Exhibit} 7: SB 971, written testimony, Joel Fischer, 5 pp
- 9:02:07 AM** {Exhibit} 8: SB 971, -1 amendments, staff, 2 pp
- 9:07:04 AM** {Exhibit} 9: SB 971, written testimony, Marc Adams, 1 p
- 9:08:34 AM** {Exhibit} 10: SB 971, written testimony, Larry Hatch, 1 p
- 9:12:04 AM** {Exhibit} 11: SB 262, -1 amendments, staff, 18 pp
- 9:16:11 AM** {Exhibit} 12: SB 306, -6 amendments, staff, 2 pp
- 9:16:12 AM** {Exhibit} 13: SB 306, -7 amendments, staff, 3 pp
- 9:31:49 AM** {Exhibit} 14: SB 253, -3 amendments, staff, 8 pp
- 9:35:59 AM** {Exhibit} 15: SB 253, Montana House Bill 534, Gail Meyer, 3 pp
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