

## **SENATE COMMITTEE ON JUDICIARY**

**April 23, 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**  
                                      **Shanon Sivell, Counsel**  
                                      **Pam Marshall, Committee Assistant**

**MEASURES/ISSUES HEARD:** **SB 309 – Work Session**  
                                      **SB 208 – Public Hearing and Work Session**  
                                      **SB 603 – Public Hearing**  
                                      **SB 728 – Public Hearing**  
                                      **SB 603 – Public Hearing**  
                                      **SB 10 – Work Session**  
                                      **SB 256 – Work Session**  
                                      **SB 618 – Work Session**

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

**SJUD**

**4/23/2009 8:11:11 AM**

**8:11:18 AM** Meeting Called to Order  
**8:11:21 AM** Chair Prozanski  
**8:12:15 AM** SB 309 - Work Session  
**8:12:18 AM** Bill Taylor, Committee Counsel  
**8:12:21 AM** {Exhibit} 1: Taylor  
**8:13:09 AM** Chair Prozanski  
**8:13:33 AM** MOTION: Vice-Chair Boquist moves -1 amendments  
**8:13:36 AM** Chair Prozanski  
**8:13:41 AM** Sen. Whitsett  
**8:13:49 AM** Taylor  
**8:13:53 AM** Vice-Chair Boquist  
**8:14:02 AM** Taylor  
**8:14:19 AM** Chair Prozanski  
**8:14:35 AM** Taylor  
**8:15:14 AM** Sen. Bonamici  
**8:15:27 AM** Chair Prozanski  
**8:15:44 AM** Vice-Chair Boquist  
**8:15:59 AM** Chair Prozanski  
**8:16:35 AM** Vice-Chair Boquist  
**8:16:42 AM** Chair Prozanski  
**8:16:48 AM** Vice-Chair Boquist  
**8:16:55 AM** Chair Prozanski  
**8:17:25 AM** Brad Berry, Yamhill County District Attorney/Chair, Oregon District Attorney Association  
**8:18:01 AM** Chair Prozanski  
**8:18:18 AM** Berry  
**8:19:38 AM** Chair Prozanski  
**8:20:20 AM** Gail Meyer, Legislative Representative, Oregon Criminal Defense Lawyers Association  
**8:21:12 AM** Chair Prozanski  
**8:21:14 AM** Vice-Chair Boquist  
**8:21:30 AM** Chair Prozanski  
**8:21:41 AM** VOTE: 5-0-0  
**8:21:41 AM** Ayes: Sens: Bonamici, Boquist, Dingfelder, Whitsett, Prozanski  
**8:21:52 AM** MOTION: Sen. Boquist moves SB 309 DO PASS as AMENDED  
**8:22:06 AM** Chair Prozanski  
**8:22:28 AM** VOTE: 4-1-0  
**8:22:28 AM** Ayes: Sens: Bonamici, Boquist, Dingfelder, Prozanski; Nays: Sen. Whitsett

8:22:39 AM CARRIER: CHAIR PROZANSKI will lead the discussion on the floor  
8:22:45 AM Taylor  
8:22:48 AM Chair Prozanski  
8:23:17 AM SB 208 - Public Hearing  
8:23:23 AM Shannon Sivell, Committee Counsel  
8:23:32 AM {Exhibit} 2: Sivell  
8:23:47 AM Chair Prozanski  
8:24:03 AM SB 208 - Work Session  
8:24:09 AM Chair Prozanski  
8:24:58 AM Shannon Sivell, Committee Counsel  
8:25:05 AM Chair Prozanski  
8:25:25 AM Sen. Bonamici  
8:25:32 AM Chair Prozanski  
8:26:21 AM Sen. Bonamici  
8:26:26 AM Chair Prozanski  
8:26:57 AM Sen. Whitsett  
8:27:03 AM Sivell  
8:27:12 AM Chair Prozanski  
8:27:33 AM MOTION: Vice-Chair Boquist moves -2 amendments  
8:27:36 AM Chair Prozanski  
8:27:42 AM VOTE: 5-0-0  
8:27:42 AM Ayes: Sens: Bonamici, Boquist, Dingfelder, Whitsett, Prozanski  
8:27:45 AM Sivell  
8:27:49 AM Chair Prozanski  
8:28:19 AM SB 603 - Public Hearing  
8:28:22 AM Shannon Sivell, Committee Counsel  
8:28:48 AM {Exhibit} 3: Sivell  
8:28:59 AM Chair Prozanski  
8:29:40 AM Meeting Recessed  
8:32:13 AM Meeting Reconvened  
8:32:16 AM Chair Prozanski  
8:32:33 AM SB 728 - Public Hearing  
8:32:37 AM Anna Braun, Committee Counsel  
8:33:02 AM {Exhibit} 4: Braun  
8:33:20 AM Chair Prozanski  
8:33:46 AM Braun  
8:33:57 AM Chair Prozanski  
8:34:37 AM Teresa Dunn, citizen  
8:37:41 AM Brandy Dunn, citizen  
8:39:14 AM Chair Prozanski  
8:39:27 AM Senator Ted Ferrioli, Senate District 30  
8:43:53 AM Chair Prozanski  
8:44:03 AM Ferrioli  
8:44:09 AM Chair Prozanski  
8:44:25 AM The following written testimony is submitted for the record without public testimony:

**8:44:25 AM** {Exhibit} 5: Gary Schnabel, Executive Director, Oregon Board of Pharmacy  
**8:44:26 AM** SB 603 - Public Hearing  
**8:44:31 AM** Chair Prozanski  
**8:44:38 AM** Shannon Sivell, Committee Counsel  
**8:45:14 AM** Chair Prozanski  
**8:45:50 AM** Sivell  
**8:46:00 AM** Kevin Starrett, Oregon Firearms Federation  
**8:47:48 AM** Chair Prozanski  
**8:49:37 AM** Starrett  
**8:49:53 AM** Chair Prozanski  
**8:50:10 AM** Sen. Whitsett  
**8:50:41 AM** Chair Prozanski  
**8:51:05 AM** Sen. Whitsett  
**8:51:15 AM** Chair Prozanski  
**8:51:33 AM** Vice-Chair Boquist  
**8:51:42 AM** Starrett  
**8:52:33 AM** Chair Prozanski  
**8:52:51 AM** Starrett  
**8:53:22 AM** Chair Prozanski  
**8:53:26 AM** Rod Harder, Oregon Consultant, National Rifle Association  
**8:53:46 AM** Gail Meyer, Legislative Representative, Oregon Criminal Defense Lawyers Association  
**8:54:12 AM** Chair Prozanski  
**8:54:46 AM** Vice-Chair Boquist  
**8:54:51 AM** Chair Prozanski  
**8:56:25 AM** The following written testimony is submitted for the record without public testimony:  
**8:56:25 AM** {Exhibit} 6: Paul Ashton, citizen, Newberg, Oregon  
**8:56:26 AM** SB 10 - Work Session  
**8:56:33 AM** Anna Braun, Committee Counsel  
**8:56:52 AM** {Exhibit} 7: Braun  
**8:57:15 AM** Chair Prozanski  
**8:57:24 AM** MOTION: Vice-Chair Boquist moves -1 amendments  
**8:57:26 AM** Chair Prozanski  
**8:57:31 AM** Vote: 5-0-0  
**8:57:31 AM** Ayes: Sens: Bonamici, Boquist, Dingfelder, Whitsett, Prozanski  
**8:57:35 AM** MOTION: Sen. Boquist moves SB 10 DO PASS as AMENDED  
**8:57:43 AM** Chair Prozanski  
**8:57:51 AM** Vice-Chair Boquist  
**8:58:00 AM** Chair Prozanski  
**8:58:05 AM** Sen. Bonamici  
**8:58:42 AM** Chair Prozanski  
**8:59:19 AM** VOTE: 5-0-0  
**8:59:19 AM** Ayes: Sens: Bonamici, Boquist, Dingfelder, Whitsett, Prozanski  
**8:59:28 AM** CARRIER: CHAIR PROZANSKI will lead the discussion on the floor

**8:59:35 AM** Chair Prozanski  
**8:59:43 AM** SB 256 - Work Session  
**8:59:49 AM** Anna Braun, Committee Counsel  
**9:00:07 AM** {Exhibit} 8: Braun  
**9:00:53 AM** Chair Prozanski  
**9:00:58 AM** MOTION: Vice-Chair Boquist moves -3 amendments  
**9:01:03 AM** Chair Prozanski  
**9:01:10 AM** VOTE: 5-0-0  
**9:01:10 AM** Ayes: Sens: Bonamici, Boquist, Dingfelder, Whitsett, Prozanski  
**9:01:14 AM** Chair Prozanski  
**9:01:24 AM** MOTION: Vice-Chair Boquist moves SB 256 DO PASS as AMENDED and REFER to Ways and Means  
**9:01:42 AM** Chair Prozanski  
**9:01:58 AM** VOTE: 5-0-0  
**9:01:58 AM** Ayes: Sens: Bonamici, Boquist, Dingfelder, Whitsett, Prozanski  
**9:02:01 AM** Chair Prozanski  
**9:02:16 AM** Meeting Recessed  
**9:09:39 AM** Meeting Reconvened  
**9:09:43 AM** Chair Prozanski  
**9:09:48 AM** SB 618 - Work Session  
**9:09:54 AM** Bill Taylor, Committee Counsel  
**9:10:00 AM** {Exhibit} 9: Taylor  
**9:11:45 AM** Chair Prozanski  
**9:11:49 AM** MOTION: Vice-Chair Boquist moves -4 amendments  
**9:11:55 AM** Chair Prozanski  
**9:12:03 AM** VOTE: 5-0-0  
**9:12:03 AM** Ayes: Sens: Bonamici, Boquist, Dingfelder, Whitsett, Prozanski  
**9:12:06 AM** Chair Prozanski  
**9:12:19 AM** Taylor  
**9:12:53 AM** Chair Prozanski  
**9:15:15 AM** Taylor  
**9:15:18 AM** Chair Prozanski  
**9:15:44 AM** Sen. Whitsett  
**9:15:47 AM** Chair Prozanski  
**9:16:14 AM** Sen. Bonamici  
**9:16:28 AM** Chair Prozanski  
**9:17:20 AM** Meeting Adjourned

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**SJUD**

**4/23/2009 8:11:11 AM**

**8:12:21 AM** {Exhibit} 1: SB 309, -1 amendments, staff, 10 pp  
**8:23:32 AM** {Exhibit} 2: SB 208, -2 amendments, staff, 4 pp  
**8:28:48 AM** {Exhibit} 3: SB 603, -2 amendments, staff, 7 pp  
**8:33:02 AM** {Exhibit} 4: SB 728, -1 amendments, staff, 1 p  
**8:44:25 AM** {Exhibit} 5: SB 728, written testimony, Gary Schnabel, 1 p  
**8:56:25 AM** {Exhibit} 6: SB 603, written testimony, Paul Ashton, 1 pp  
**8:56:52 AM** {Exhibit} 7: SB 10, -1 amendments, staff, 1 p  
**9:00:07 AM** {Exhibit} 8: SB 256, -3 amendments, staff, 43 pp  
**9:10:00 AM** {Exhibit} 9: SB 618, -4 amendments, staff, 2 pp

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