

SENATE COMMITTEE ON JUDICIARY

**April 28, 2009
8:30 A.M.
Room C**

**Hearing Room 343
Hearing**

MEMBERS PRESENT: **Sen. Floyd Prozanski, Chair
Sen. Brian Boquist, Vice-Chair
Sen. Suzanne Bonamici
Sen. Jackie Dingfelder
Sen. Doug Whitsett**

STAFF PRESENT: **Anna Braun, Committee Counsel
Diane Beyer, Committee Assistant
Courtney Johnston, Committee Assistant**

MEASURES/ISSUES HEARD: **SB 257 – Work Session
SB 877 – Work Session
SB 728 – Work Session
SB 797 – Work Session
SB 618 – Work Session
SB 284 – Work Session
SB 971 – Work Session**

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

SJUD

4/28/2009 8:40:40 AM

8:40:45 AM Meeting Called to Order
8:41:46 AM SB 257 - Work Session
8:41:50 AM Anna Braun, Committee Counsel
8:41:51 AM {Exhibit} 1: Braun
8:42:31 AM Chair Prozanski
8:43:03 AM MOTION: Sen. Boquist moves -2 amendments
8:43:06 AM Chair Prozanski
8:43:11 AM Sen. Bonamici
8:43:22 AM Chair Prozanski
8:43:24 AM Sen. Dingfelder
8:43:25 AM Chair Prozanski
8:43:30 AM Vice-Chair Boquist
8:43:35 AM Chair Prozanski
8:43:42 AM Braun
8:43:46 AM Chair Prozanski
8:43:49 AM VOTE: 5-0-0
8:43:50 AM Ayes: Bonamici, Boquist, Dingfelder, Prozanski, Whitsett
8:44:36 AM SB 877 - Work Session
8:44:42 AM Anna Braun, Committee Counsel
8:45:18 AM Sen. Whitsett
8:45:19 AM {Exhibit} 2: Whitsett
8:45:26 AM Braun
8:45:30 AM Sen. Whitsett
8:45:34 AM Braun
8:46:05 AM Sen. Whitsett
8:46:58 AM Braun
8:47:04 AM {Exhibit} 3: Braun
8:47:18 AM Sen. Bonamici
8:49:39 AM Chair Prozanski
8:49:48 AM Sen. Dingfelder
8:50:46 AM Braun
8:51:02 AM Chair Prozanski
8:51:11 AM MOTION: Sen. Dingfelder moves SB 877 DO PASS
8:51:18 AM VOTE: 3-2-0
8:51:28 AM Ayes: Bonamici, Dingfelder, Prozanski; Nays: Boquist, Whitsett
8:51:40 AM CARRIER: SEN. DINGFELDER will lead discussion on the floor
8:51:55 AM SB 728 - Work Session
8:51:57 AM Anna Braun, Committee Counsel
8:52:00 AM {Exhibit} 4: Braun

8:53:05 AM Chair Prozanski
8:53:52 AM MOTION: Vice-Chair Boquist moves -3 amendments
8:53:54 AM Chair Prozanski
8:53:59 AM Vice-Chair Boquist
8:54:03 AM Braun
8:54:08 AM Chair Prozanski
8:54:15 AM VOTE: 5-0-0
8:54:16 AM Ayes: Bonamici, Boquist, Dingfelder, Prozanski, Whitsett
8:54:17 AM Vice-Chair Boquist
8:54:20 AM Braun
8:54:29 AM Chair Prozanski
8:54:33 AM MOTION: Vice-Chair Boquist moves to SUSPEND THE RULES for the purpose of voting on SB 728 without the fiscal impact statement being available for review
8:54:43 AM Chair Prozanski
8:54:55 AM VOTE: 5-0-0
8:54:56 AM Ayes: Bonamici, Boquist, Dingfelder, Prozanski, Whitsett
8:54:58 AM Vice-Chair Boquist
8:54:59 AM MOTION: Vice-Chair Boquist moves SB 728 DO PASS as AMENDED
8:55:05 AM Sen. Bonamici
8:55:35 AM Sen. Boquist
8:55:48 AM Chair Prozanski
8:55:55 AM VOTE: 5-0-0
8:55:57 AM Ayes: Bonamici, Boquist, Dingfelder, Prozanski, Whitsett
8:55:59 AM CARRIER: SEN. FERRIOLI and SEN. PROZANSKI will lead discussion on the floor
8:56:18 AM SB 797 - Work Session
8:56:27 AM Anna Braun, Committee Counsel
8:56:28 AM {Exhibit} 5: Braun
8:57:20 AM Chair Prozanski
8:57:24 AM Braun
8:57:26 AM Chair Prozanski
8:57:31 AM MOTION: Sen. Dingfelder moves -6 amendments
8:57:36 AM Chair Prozanski
8:57:47 AM Sen. Bonamici
8:58:06 AM Braun
8:58:38 AM Sen. Dingfelder
8:58:47 AM Chair Prozanski
8:58:50 AM Braun
8:58:58 AM Sen. Bonamici
8:59:26 AM Sen. Whitsett
9:00:07 AM Chair Prozanski
9:00:22 AM VOTE: 4-1-0
9:00:24 AM Ayes: Bonamici, Boquist, Dingfelder, Prozanski; Nays: Whitsett
9:00:41 AM MOTION: Sen. Dingfelder moves SB 797 DO PASS as AMENDED

and REFER to Ways and Means

9:00:55 AM Chair Prozanski
9:01:06 AM Sen. Bonamici
9:01:10 AM Chair Prozanski
9:01:25 AM Vice-Chair Boquist
9:01:32 AM Chair Prozanski
9:01:47 AM VOTE: 3-2-0
9:01:55 AM Ayes: Bonamici, Dingfelder, Prozanski; Nays: Boquist, Whitsett
9:02:08 AM SB 618 - Work Session
9:02:11 AM Anna Braun, Committee Counsel
9:02:46 AM MOTION: Vice-Chair Boquist moves to SUSPEND THE RULES for the purpose of voting on SB 618 without the fiscal/revenue impact statements being available for review

9:02:56 AM Chair Prozanski
9:03:04 AM VOTE: 5-0-0
9:03:05 AM Ayes: Bonamici, Boquist, Dingfelder, Prozanski, Whitsett
9:03:11 AM MOTION: Vice-Chair Boquist moves SB 618 DO PASS as AMENDED

9:03:17 AM Chair Prozanski
9:03:28 AM VOTE: 5-0-0
9:03:30 AM Ayes: Bonamici, Boquist, Dingfelder, Prozanski, Whitsett
9:03:33 AM CARRIER: VICE-CHAIR BOQUIST will lead discussion on the floor
9:04:00 AM SB 284 - Work Session
9:04:03 AM Anna Braun, Committee Counsel
9:04:29 AM {Exhibit} 6: Braun
9:05:10 AM Chair Prozanski
9:05:15 AM MOTION: Sen. Dingfelder moves -13 amendments
9:05:27 AM Vice-Chair Boquist
9:05:38 AM Chair Prozanski
9:07:00 AM Vice-Chair Boquist
9:07:24 AM Sen. Bonamici
9:07:58 AM Chair Prozanski
9:08:00 AM Sen. Bonamici
9:08:33 AM Vice-Chair Boquist
9:08:50 AM Braun
9:09:07 AM Vice-Chair Boquist
9:09:22 AM Braun
9:09:24 AM Sen. Bonamici
9:09:30 AM Chair Prozanski
9:09:57 AM Braun
9:10:05 AM Chair Prozanski
9:10:11 AM Sen. Whitsett
9:10:16 AM Chair Prozanski
9:10:19 AM VOTE: 3-2-0
9:10:35 AM Ayes: Bonamici, Dingfelder, Prozanski; Nays: Boquist, Whitsett
9:11:01 AM MOTION: Sen. Dingfelder moves SB 284 DO PASS as AMENDED

9:11:09 AM VOTE: 3-2-0
9:11:15 AM Ayes: Bonamici, Dingfelder, Prozanski; Nays: Boquist, Whitsett
9:11:32 AM CARRIER: SEN. PROZANSKI will lead discussion on the floor
9:11:51 AM SB 971 - Work Session
9:12:03 AM Chair Prozanski
9:12:10 AM Anna Braun, Committee Counsel
9:12:13 AM {Exhibit} 7: Braun
9:12:55 AM MOTION: Sen. Dingfelder moves -3 amendments
9:12:56 AM Chair Prozanski
9:13:07 AM Sen. Dingfelder
9:13:21 AM Chair Prozanski
9:14:07 AM Sen. Dingfelder
9:14:40 AM Chair Prozanski
9:14:49 AM Joel Fischer, Policy Advisor, Sen. Joanne Verger, Senate District 5
9:15:43 AM Chair Prozanski
9:15:48 AM VOTE: 5-0-0
9:15:49 AM Ayes: Bonamici, Boquist, Dingfelder, Prozanski, Whitsett
9:15:52 AM Sen. Dingfelder
9:15:54 AM Chair Prozanski
9:16:17 AM Sen. Dingfelder
9:16:26 AM Chair Prozanski
9:16:35 AM Vice-Chair Boquist
9:16:44 AM Chair Prozanski
9:17:35 AM Braun
9:17:41 AM Sen. Dingfelder
9:17:48 AM Chair Prozanski
9:18:06 AM Meeting Recessed
2:36:15 PM Meeting Reconvened
2:36:28 PM SB 257 - Work Session
2:36:32 PM Chair Prozanski
2:36:58 PM Vice-Chair Boquist
2:37:03 PM Chair Prozanski
2:37:36 PM Vice-Chair Boquist
2:37:40 PM Chair Prozanski
2:37:43 PM MOTION: Vice-Chair Boquist moves SB 257 WITHOUT RECOMMENDATION and REFER to Rules
2:37:57 PM Chair Prozanski
2:38:30 PM Sen. Whitsett
2:38:39 PM Chair Prozanski
2:39:37 PM Sen. Whitsett
2:39:46 PM Chair Prozanski
2:39:51 PM Sen. Dingfelder
2:40:05 PM Sen. Bonamici
2:40:09 PM Chair Prozanski
2:40:15 PM Vice-Chair Boquist
2:40:16 PM Chair Prozanski

2:40:18 PM VOTE: 5-0-0
2:40:18 PM Ayes: Bonamici, Boquist, Dingfelder, Whitsett, Prozanski
2:40:29 PM SB 971 - Work Session
2:40:36 PM Chair Prozanski
2:40:49 PM Anna Braun, Committee Counsel
2:41:09 PM Vice-Chair Boquist
2:41:10 PM Braun
2:41:17 PM Vice-Chair Boquist
2:41:20 PM Braun
2:41:31 PM Vice-Chair Boquist
2:41:36 PM MOTION: Sen. Prozanski moves SB 971 DO PASS as AMENDED
2:41:53 PM Sen. Dingfelder
2:42:07 PM Braun
2:42:10 PM Chair Prozanski
2:42:43 PM Sen. Dingfelder
2:42:49 PM Chair Prozanski
2:42:55 PM Joel Fischer, Policy Advisor, Sen. Joanne Verger, Senate District 5
2:44:12 PM Sen. Bonamici
2:44:59 PM Chair Prozanski
2:45:03 PM Sen. Dingfelder
2:45:04 PM Chair Prozanski
2:45:08 PM VOTE: 4-1-0
2:45:08 PM Ayes: Bonamici, Dingfelder, Whitsett, Prozanski; Nays: Boquist
2:45:28 PM CARRIER: SEN. VERGER will lead discussion on the floor
2:45:30 PM Chair Prozanski
2:45:40 PM Vice-Chair Boquist
2:46:01 PM Chair Prozanski
2:46:12 PM Sen. Whitsett
2:46:16 PM Chair Prozanski
2:46:20 PM Meeting Adjourned

SJUD

4/28/2009 8:40:40 AM

8:41:51 AM {Exhibit} 1: SB 257, -2 amendments, staff, 8 pp

8:45:19 AM {Exhibit} 2: SB 877, Citizen Suit Attorney Fee Provisions, Sen. Whitsett, 3 pp

8:47:04 AM {Exhibit} 3: SB 877, written testimony, David Moskowitz, submitted by Anna Braun, 9 pp

8:52:00 AM {Exhibit} 4: SB 728, -3 amendments, staff, 3 pp

8:56:28 AM {Exhibit} 5: SB 797, -6 amendments, staff, 4 pp

9:04:29 AM {Exhibit} 6: SB 284, -13 amendments, staff, 10 pp

9:12:13 AM {Exhibit} 7: SB 971, -3 amendments, staff, 4 pp
