

SENATE COMMITTEE ON JUDICIARY

**May 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: **Shannon Sivell, Committee Counsel
Courtney Johnston, Committee Assistant**

MEASURES/ISSUES HEARD: **HB 2641 A – Public Hearing and Work Session
HB 2331 A – Public Hearing and Work Session
HB 2870 A – Public Hearing
HB 2339 A – Public Hearing
HB 2262 A – Public Hearing and Work Session
HB 3051 A – Public Hearing and Work Session
HB 2738 A – Public Hearing and Work Session
HB 2870 A – Public Hearing**

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

SJUD

5/15/2009 8:08:12 AM

8:08:14 AM Meeting Called to Order
8:08:23 AM Chair Prozanski
8:08:54 AM HB 2641 A - Public Hearing
8:09:00 AM Shannon Sivell, Committee Counsel
8:09:16 AM Chair Prozanski
8:09:25 AM Representative Andy Olson, House District 15
8:10:37 AM {Exhibit} 1: Rep. Olson
8:11:52 AM Brad Berry, Yamhill County District Attorney/Chair, Oregon District Attorney's Association Legislative Committee
8:13:23 AM Chair Prozanski
8:13:37 AM HB 2641 A - Work Session
8:13:40 AM MOTION: Vice-Chair Boquist moves -A2 amendments
8:13:41 AM Chair Prozanski
8:13:44 AM {Exhibit} 2: Sen. Prozanski
8:13:56 AM Shannon Sivell, Committee Counsel
8:14:16 AM Chair Prozanski
8:14:30 AM VOTE: 5-0-0
8:14:30 AM Ayes: Sens: Bonamici, Boquist, Dingfelder, Whitsett, Prozanski
8:14:32 AM MOTION: Vice-Chair Boquist moves HB 2641 A DO PASS as AMENDED
8:14:36 AM Chair Prozanski
8:14:48 AM VOTE: 5-0-0
8:14:48 AM Ayes: Sens: Bonamici, Boquist, Dingfelder, Whitsett, Prozanski
8:14:50 AM CARRIER: SEN. WHITSETT will lead discussion on the floor
8:15:01 AM HB 2331 A - Public Hearing
8:15:07 AM Shannon Sivell, Committee Counsel
8:15:25 AM {Exhibit} 3: Sivell
8:15:46 AM Vice-Chair Boquist
8:15:54 AM Gail Meyer, Legislative Representative, Oregon Criminal Defense Lawyers Association
8:15:57 AM Sivell
8:16:21 AM Meyer
8:17:13 AM Vice-Chair Boquist
8:17:31 AM Brad Berry, Yamhill County District Attorney/Chair, Oregon District Attorney's Association Legislative Committee
8:19:40 AM Vice-Chair Boquist
8:19:46 AM Berry
8:20:03 AM Vice-Chair Boquist
8:20:13 AM Chair Prozanski

8:20:28 AM HB 2331 A - Work Session
8:20:31 AM MOTION: Vice-Chair Boquist moves -A3 amendments
8:20:34 AM Chair Prozanski
8:20:44 AM VOTE: 5-0-0
8:20:44 AM Ayes: Sens: Bonamici, Boquist, Dingfelder, Whitsett, Prozanski
8:20:47 AM Vice-Chair Boquist
8:20:51 AM Chair Prozanski
8:21:00 AM Sen. Dingfelder
8:21:03 AM Chair Prozanski
8:21:18 AM MOTION: Vice-Chair Boquist moves to SUSPEND SJUD
COMMITTEE RULE #18
8:21:20 AM Chair Prozanski
8:21:29 AM VOTE: 5-0-0
8:21:29 AM Ayes: Sens: Bonamici, Boquist, Dingfelder, Whitsett, Prozanski
8:21:34 AM MOTION: Vice-Chair Boquist moves HB 2331 A DO PASS as
AMENDED
8:21:45 AM Vice-Chair Boquist
8:21:52 AM Chair Prozanski
8:22:15 AM Vice-Chair Boquist
8:22:19 AM Chair Prozanski
8:22:25 AM VOTE: 5-0-0
8:22:25 AM Ayes: Sens: Bonamici, Boquist, Dingfelder, Whitsett, Prozanski
8:22:28 AM CARRIER: SEN. PROZANSKI will lead discussion on the floor
8:22:40 AM HB 2870 A - Public Hearing
8:22:51 AM Shannon Sivell, Committee Counsel
8:23:22 AM Chair Prozanski
8:23:49 AM Steve Doell, President, Crime Victims United of Oregon
8:26:00 AM Anne Pratt, member, Mothers Against Drunk Driving/Crime Victims
United/Governors Advisory Committee on Driving Under the
Influence of Intoxicants/Parents of Murdered Children
8:26:16 AM {Exhibit} 4: Pratt
8:31:12 AM Doug Harclerod, Retired Lane County District Attorney, Oregon
Anti-Crime Alliance
8:32:37 AM Sen. Bonamici
8:33:00 AM Pratt
8:33:41 AM Harclerod
8:34:25 AM Sen. Bonamici
8:34:29 AM Vice-Chair Boquist
8:35:23 AM Pratt
8:35:52 AM Harclerod
8:36:21 AM Doell
8:36:29 AM Vice-Chair Boquist
8:36:50 AM Harclerod
8:36:57 AM Sen. Bonamici
8:37:06 AM Harclerod
8:37:52 AM Sen. Dingfelder

8:37:57 AM Harcleroad
8:38:05 AM Pratt
8:38:33 AM Vice-Chair Boquist
8:38:34 AM Sen. Bonamici
8:38:53 AM Vice-Chair Boquist
8:39:13 AM Harcleroad
8:39:47 AM Vice-Chair Boquist
8:40:01 AM Harcleroad
8:40:04 AM Vice-Chair Boquist
8:40:06 AM Sen. Whitsett
8:40:16 AM Vice-Chair Boquist
8:40:35 AM HB 2339 A - Public Hearing
8:40:41 AM Shannon Sivell, Committee Counsel
8:40:57 AM {Exhibit} 5: Sivell
8:41:09 AM Vice-Chair Boquist
8:41:30 AM Brad Berry, Yamhill County District Attorney/Chair, Oregon District Attorney's Association Legislative Committee
8:48:02 AM Doug Harcleroad, Retired Lane County District Attorney, Oregon Anti-Crime Alliance
8:50:45 AM Sen. Bonamici
8:51:15 AM Berry
8:52:12 AM Vice-Chair Boquist
8:52:16 AM Sen. Whitsett
8:53:09 AM Vice-Chair Boquist
8:53:14 AM Harcleroad
8:53:50 AM Vice-Chair Boquist
8:55:23 AM Berry
8:57:16 AM Vice-Chair Boquist
8:57:43 AM Berry
8:58:42 AM Vice-Chair Boquist
8:59:19 AM Berry
9:00:17 AM Vice-Chair Boquist
9:00:52 AM James Morales, Benton County Clerk, Oregon Association of County Clerks
9:01:01 AM {Exhibit} 6: Morales
9:05:14 AM Jan Coleman, Yamhill County, Oregon Association of County Clerks
9:05:26 AM {Exhibit} 7: Coleman
9:11:16 AM Chair Prozanski
9:11:21 AM Tom Gallagher, Oregon Newspaper Publishers Association
9:13:24 AM Chair Prozanski
9:13:27 AM Vice-Chair Boquist
9:13:59 AM Morales
9:14:40 AM Chair Prozanski
9:14:46 AM Sen. Bonamici
9:15:23 AM Morales

9:16:40 AM Sen. Bonamici
9:17:07 AM Morales
9:17:51 AM Vice-Chair Boquist
9:19:02 AM Sen. Bonamici
9:19:10 AM Chair Prozanski
9:19:43 AM Gallagher
9:19:48 AM Chair Prozanski
9:20:51 AM Morales
9:21:40 AM Chair Prozanski
9:21:43 AM Vice-Chair Boquist
9:22:36 AM Chair Prozanski
9:23:34 AM Sen. Bonamici
9:23:46 AM Chair Prozanski
9:24:13 AM Paul Snider, Association of Oregon Counties
9:24:36 AM Jack Monroe, Oregon Land Title Association
9:24:56 AM Chair Prozanski
9:25:02 AM HB 2262 A - Public Hearing
9:25:11 AM Shannon Sivell, Committee Counsel
9:25:29 AM Chair Prozanski
9:25:36 AM Ronelle Shankle, Legislative Liaison, Office of the Attorney
General, Oregon Department of Justice
9:25:57 AM {Exhibit} 8: Shankle
9:26:40 AM Chair Prozanski
9:26:50 AM HB 2262 A - Work Session
9:26:53 AM MOTION: Vice-Chair Boquist moves HB 2262 A DO PASS
9:26:57 AM Chair Prozanski
9:27:03 AM VOTE: 5-0-0
9:27:03 AM Ayes: Sens: Bonamici, Boquist, Dingfelder, Whitsett, Prozanski
9:27:07 AM CARRIER: SEN. BOQUIST will lead discussion on the floor
9:27:17 AM HB 3051 A - Public Hearing
9:27:22 AM Shannon Sivell, Committee Counsel
9:27:39 AM Chair Prozanski
9:28:20 AM Brad Berry, Yamhill County District Attorney/Chair, Oregon District
Attorney's Association Legislative Committee
9:28:52 AM Deena Ryerson, Assistant Attorney General, Oregon Department of
Justice
9:30:39 AM Doug Harcleroad, Retired Lane County District Attorney, Oregon
Anti-Crime Alliance
9:31:42 AM Chair Prozanski
9:31:45 AM Sen. Bonamici
9:32:33 AM Ryerson
9:33:21 AM Sen. Bonamici
9:33:35 AM Berry
9:33:53 AM Sen. Bonamici
9:33:55 AM Chair Prozanski
9:34:14 AM Randy Wampler, Director, Forensics Services Division, Oregon

State Police
9:34:23 AM {Exhibit} 9: Wampler
9:36:13 AM Chair Prozanski
9:36:37 AM HB 3051 A - Work Session
9:36:42 AM MOTION: Vice-Chair Boquist moves HB 3051 A DO PASS
9:36:48 AM Chair Prozanski
9:36:54 AM Sen. Bonamici
9:37:09 AM Sen. Dingfelder
9:37:38 AM Chair Prozanski
9:37:49 AM Vice-Chair Boquist
9:37:53 AM Chair Prozanski
9:37:57 AM VOTE: 4-0-1
9:37:57 AM Ayes: Sens: Bonamici, Boquist, Dingfelder, Prozanski; Excused:
Sen. Whitsett
9:38:12 AM CARRIER: SEN. PROZANSKI will lead discussion on the floor
9:38:18 AM HB 2738 A - Public Hearing
9:38:50 AM Shannon Sivell, Committee Counsel
9:39:05 AM Chair Prozanski
9:39:10 AM Tami Wood, Captain, Linn County Sheriff's Office/President,
Oregon State Sheriff's Association Civil Command Council
9:39:20 AM {Exhibit} 10: Wood
9:42:41 AM Brian Wallace, Chief Civil Deputy, Marion County Sheriff's Office
9:43:00 AM {Exhibit} 11: Wallace
9:43:05 AM The following written testimony is submitted for the record without
public testimony:
9:43:05 AM {Exhibit} 12: Timothy Leader, Chief Civil Deputy, Washington
County Sheriff's Office
9:46:53 AM Chair Prozanski
9:47:03 AM HB 2738 A - Work Session
9:47:07 AM MOTION: Vice-Chair Boquist moves HB 2738 A DO PASS
9:47:10 AM Chair Prozanski
9:47:17 AM Sen. Dingfelder
9:47:21 AM Chair Prozanski
9:47:23 AM Sen. Dingfelder
9:47:28 AM Chair Prozanski
9:47:30 AM Sen. Dingfelder
9:47:34 AM Chair Prozanski
9:47:36 AM Sen. Bonamici
9:47:39 AM Chair Prozanski
9:47:41 AM VOTE: 4-0-1
9:47:41 AM Ayes: Sens: Bonamici, Boquist, Dingfelder, Prozanski, Excused:
Sen. Whitsett
9:47:44 AM CARRIER: SEN. DINGFELDER will lead discussion on the floor
9:47:55 AM Chair Prozanski
9:48:04 AM HB 2870 A - Public Hearing
9:48:07 AM Chair Prozanski

9:49:25 AM Vice-Chair Boquist
9:50:30 AM Chair Prozanski
9:51:41 AM Sen. Dingfelder
9:52:18 AM Chair Prozanski
9:52:32 AM Shannon Sivell, Committee Counsel
9:52:34 AM Chair Prozanski
9:53:54 AM Sen. Dingfelder
9:53:59 AM Chair Prozanski
9:54:20 AM Meeting Adjourned

SJUD

5/15/2009 8:08:12 AM

- 8:10:37 AM** {Exhibit} 1: HB 2641 A, written testimony, Rep. Andy Olson, 1 p
 - 8:13:44 AM** {Exhibit} 2: HB 2641 A, -A2 amendments, staff, 1 p
 - 8:15:25 AM** {Exhibit} 3: HB 2331 A, -A3 amendments, staff, 1 p
 - 8:26:16 AM** {Exhibit} 4: HB 2870 A, written testimony, Anne Pratt, 2 pp
 - 8:40:57 AM** {Exhibit} 5: HB 2339 A, -A3 amendments, staff, 1 p
 - 9:01:01 AM** {Exhibit} 6: HB 2339 A, written testimony, James Morales, 1 p
 - 9:05:26 AM** {Exhibit} 7: HB 2339 A, written testimony, Jan Coleman, 1 p
 - 9:25:57 AM** {Exhibit} 8: HB 2262 A, written testimony, Ronelle Shankle, 1 p
 - 9:34:23 AM** {Exhibit} 9: HB 3051 A, written testimony, Randy Wampler, 2 pp
 - 9:39:20 AM** {Exhibit} 10: HB 2738 A, written testimony, Tami Wood, 1 p
 - 9:43:00 AM** {Exhibit} 11: HB 2738 A, written testimony, Brian Wallace, 1 p
 - 9:43:05 AM** {Exhibit} 12: HB 2738 A, written testimony, Timothy Leader, 2 pp
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