

## **SENATE COMMITTEE ON JUDICIARY**

**March 15, 2011**  
**8:30 AM**

**Hearing Room 343**

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

**STAFF PRESENT:**      **Aaron Knott, Committee Counsel**  
**Pam Marshall, Committee Assistant**

**MEASURES/ISSUES HEARD:**      **SB 495 – Public Hearing**  
**SB 497 – Public Hearing**  
**SB 519 – Public Hearing**  
**SB 607 – Public Hearing**  
**SB 396 – Work Session**  
**SB 409 – Work Session**

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**8:48:10 AM** Meeting Called to Order by Chair Prozanski

**8:48:41 AM** **SB 495 – Public Hearing**  
**8:48:47 AM** Aaron Knott, Committee Counsel  
**8:49:28 AM** Chair Prozanski  
**8:49:50 AM** Sen. Bonamici  
**8:50:17 AM** {Exhibit} 1: Bob Banks, attorney  
**8:58:39 AM** {Exhibit} 2: Steven Berman, attorney  
**9:02:57 AM** Chair Prozanski  
**9:02:59 AM** Sen. Whitsett  
**9:03:21 AM** Berman  
**9:03:56 AM** Sen. Whitsett  
**9:04:10 AM** Berman  
**9:04:16 AM** Sen. Whitsett  
**9:04:23 AM** Sen. Bonamici  
**9:04:37 AM** Banks  
**9:06:06 AM** Chair Prozanski

**9:06:17 AM** **SB 497 – Public Hearing**  
**9:06:24 AM** Aaron Knott, Committee Counsel  
**9:06:57 AM** {Exhibit} 3: Steven Berman, attorney  
**9:09:08 AM** Keith Dubanevich, Chief of Staff and Special Counsel, Oregon

Department of Justice

9:10:47 AM Chair Prozanski  
9:10:56 AM Vice-Chair Kruse  
9:11:44 AM Dubanevich  
9:12:01 AM Sen. Whitsett  
9:12:19 AM Dubanevich  
9:12:50 AM Chair Prozanski  
9:13:05 AM Sen. Bonamici  
9:13:40 AM Chair Prozanski  
9:13:43 AM Vice-Chair Kruse  
9:14:10 AM Chair Prozanski

**9:14:24 AM SB 519 – Public Hearing**

9:14:27 AM Aaron Knott, Committee Counsel  
9:15:17 AM Chair Prozanski  
9:15:24 AM Sen. Dingfelder  
9:15:35 AM Chair Prozanski  
9:15:48 AM {Exhibit} 4: Lesley Durmann, Legislative Aide, Sen. Dingfelder  
9:17:56 AM {Exhibit} 5: Jesse Beason, Executive Director, Proud Ground  
9:20:52 AM {Exhibit} 6: Allison McIntosh, Policy Manager, Neighborhood Partnerships  
9:23:12 AM Sen. Whitsett  
9:23:22 AM Beason  
9:24:38 AM Sen. Whitsett  
9:24:46 AM Beason  
9:25:48 AM Sen. Whitsett  
9:26:10 AM Beason  
9:26:39 AM Vice-Chair Kruse  
9:27:05 AM Beason  
9:27:36 AM Vice-Chair Kruse  
9:27:44 AM Beason  
9:27:48 AM Chair Prozanski  
9:28:26 AM Kevin Christiansen, Government Affairs Director, Oregon Bankers Association  
9:29:55 AM The following testimony was submitted for the record without public testimony:  
9:29:56 AM {Exhibit} 7: Sybil Hebb, Oregon Law Center  
9:29:58 AM {Exhibit} 8: Cathey Briggs, Executive Director, Oregon Opportunity Network  
9:30:05 AM Chair Prozanski

**9:30:15 AM SB 607 – Public Hearing**

9:30:17 AM Aaron Knott, Committee Counsel  
9:30:52 AM Chair Prozanski  
9:31:30 AM {Exhibit} 9: Deb Schallert, resident, Portland, Oregon  
9:33:22 AM {Exhibit} 10: Mary Ellen Holly, President and CEO, Keep Oregon Green Association

9:35:25 AM {Exhibit} 11: Sara Fritsch, Portland, Oregon  
9:37:08 AM Chair Prozanski  
9:37:16 AM Sen. Whitsett  
9:37:32 AM Chair Prozanski  
9:37:58 AM Knott  
9:38:02 AM Sen. Whitsett  
9:38:25 AM Knott  
9:38:54 AM Chair Prozanski  
9:39:08 AM Knott  
9:39:24 AM Vice-Chair Kruse  
9:39:44 AM Chair Prozanski  
9:39:55 AM Vice-Chair Kruse  
9:40:23 AM Chair Prozanski  
9:41:02 AM Vice-Chair Kruse  
9:41:14 AM Chair Prozanski  
9:41:42 AM Knott  
9:42:03 AM Sen. Whitsett  
9:42:12 AM Knott  
9:42:22 AM Chair Prozanski  
9:42:48 AM The following written testimony was submitted for the record without public testimony:  
9:42:49 AM {Exhibit} 12: Gus Gates, Oregon Policy Manager, Surfrider Foundation  
9:42:50 AM {Exhibit} 13: Rachael Pecore, Sustaining Oregon's Legacy by Volunteering (SOLV) Program Coordinator  
9:42:51 AM {Exhibit} 14: Joe Whitworth, President, The Freshwater Trust  
9:42:52 AM {Exhibit} 15: Jim Sellers, resident, Salem, Oregon  
9:42:53 AM {Exhibit} 16: Jan Valentine, Member, Pearl District Neighborhood Association Board of Directors  
9:42:54 AM {Exhibit} 17: Alison Wallisch, Community Support Coordinator and Neighborhood Clean Up Coordinator, Neighbors West-Northwest  
9:43:35 AM Chair Prozanski  
9:44:05 AM Vice-Chair Kruse  
9:44:14 AM Chair Prozanski  
9:44:29 AM Thomas Prihoda, Gilkey French-American International School  
9:44:55 AM Chair Prozanski  
9:44:59 AM Prihoda  
9:45:41 AM Teddy Perednia, Gilkey French-American International School  
9:45:52 AM Arjun Mouli, Gilkey French-American International School  
9:46:15 AM Sen. Bonamici  
9:46:28 AM Kieren McInigue, Gilkey French-American International School  
9:46:48 AM Chair Prozanski  
9:47:06 AM Sen. Bonamici  
9:47:25 AM Chair Prozanski  
  
9:47:33 AM **SB 396 – Work Session**  
9:47:38 AM {Exhibits} 18 and 19: Aaron Knott, Committee Counsel

9:49:14 AM Sen. Bonamici  
9:49:21 AM Knott  
9:49:28 AM Chair Prozanski  
9:49:48 AM Vice-Chair Kruse moves the -1 amendment Be Adopted  
9:49:50 AM Chair Prozanski  
9:49:52 AM VOTE: 5-0-0  
9:49:53 AM AYES: Bonamici, Dingfelder, Whitsett, Kruse, Prozanski  
9:49:56 AM MOTION: Vice-Chair Kruse moves the -2 amendment Be Adopted  
9:49:59 AM VOTE: 5-0-0  
9:50:01 AM AYES: Bonamici, Dingfelder, Whitsett, Kruse, Prozanski  
9:50:04 AM Chair Prozanski  
9:50:06 AM MOTION: Vice-Chair Kruse moves SB 396 Do Pass as Amended  
9:50:07 AM VOTE: 5-0-0  
9:50:08 AM AYES: Bonamici, Dingfelder, Whitsett, Kruse, Prozanski  
9:50:14 AM Chair Prozanski  
9:50:25 AM CARRIER: SEN. DINGFELDER will lead discussion on the floor  
9:50:32 AM Chair Prozanski

9:50:34 AM **SB 409 – Work Session**  
9:50:40 AM Aaron Knott, Committee Counsel  
9:51:41 AM Chair Prozanski  
9:51:44 AM Vice-Chair Kruse  
9:52:06 AM Chair Prozanski  
9:52:33 AM Sen. Bonamici  
9:52:51 AM Knott  
9:53:39 AM Sen. Whitsett  
9:54:01 AM Vice-Chair Kruse  
9:54:25 AM MOTION: Vice-Chair Kruse moves SB 409 Do Pass  
9:54:30 AM Chair Prozanski  
9:54:33 AM Sen. Bonamici  
9:54:42 AM Chair Prozanski  
9:54:45 AM VOTE: 5-0-0  
9:54:46 AM AYES: Bonamici, Dingfelder, Whitsett, Kruse, Prozanski  
9:54:48 AM CARRIER: SEN. PROZANSKI will lead discussion on the floor  
9:55:35 AM Meeting Adjourned by Chair Prozanski

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8:50:17 AM {Exhibit} 1: SB 495, written testimony, Bob Banks, 3 pp  
8:58:39 AM {Exhibit} 2: SB 495, written testimony, Steven Berman, 3 pp  
9:06:57 AM {Exhibit} 3: SB 497, written testimony, Steven Berman, 3 pp  
9:15:48 AM {Exhibit} 4: SB 519, -2 amendment, Lesley Durmann, 4 pp  
9:17:56 AM {Exhibit} 5: SB 519, written testimony, Jesse Beason, 6 pp  
9:20:52 AM {Exhibit} 6: SB 519, written testimony, Allison McIntosh, 1 p  
9:29:56 AM {Exhibit} 7: SB 519, written testimony, Sybil Hebb, 1 p  
9:29:58 AM {Exhibit} 8: SB 519, written testimony, Cathey Briggs, 1 p

**9:31:30 AM** {Exhibit} 9: SB 607, written testimony, Deb Schallert, 2 pp  
**9:33:22 AM** {Exhibit} 10: SB 607, written testimony, Mary Ellen Holly, 1 p  
**9:35:25 AM** {Exhibit} 11: SB 607, written testimony, Sara Fritsch, 1 p  
**9:42:49 AM** {Exhibit} 12: SB 607, written testimony, Gus Gates, 1 p  
**9:42:50 AM** {Exhibit} 13: SB 607, written testimony, Rachael Pecore, 2 pp  
**9:42:51 AM** {Exhibit} 14: SB 607, written testimony, Joe Whitworth, 1 p  
**9:42:52 AM** {Exhibit} 15: SB 607, written testimony, Jim Sellers, 1 p  
**9:42:53 AM** {Exhibit} 16: SB 607, written testimony, Jan Valentine, 1 p  
**9:42:54 AM** {Exhibit} 17: SB 607, written testimony, Alison Wallisch, 1 p  
**9:47:38 AM** {Exhibit} 18: SB 396, -1 amendment, staff, 2 pp  
**9:47:39 AM** {Exhibit} 19: SB 396, -2 amendment, staff, 1 p

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