

SENATE COMMITTEE ON JUDICIARY

June 01, 2011
8:30AM

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: Bill Taylor, Committee Counsel
Cheyenne Ross, Committee Counsel
Aaron Knott, Committee Counsel
Katie Hoesly, Committee Assistant
Kristi Hauck, Committee Assistant

MEASURES/ISSUES HEARD: HB 2460A - Public Hearing
HB 2648A - Public Hearing
HB 2103A - Work Session
HB 2174A - Work Session
HB 2650A - Work Session
HB 2792A - Work Session
HB 3186A - Work Session
HB 3239 - Work Session
HB 3323 - Work Session
HB 2274A - Work Session
HB 2183A - Work Session
HB 2663A - Work Session
HB 3085A - Work Session
HB 3142 - Work Session
HB 3153A - Work Session
HB 3166A - Work Session
HB 3204 - Work Session
HB 3251A - Work Session
HB 3450A - Work Session

Recording Log

8:38:06 AM Meeting Called to Order by Chair Prozanski

8:39:50 AM Sen. Bonamici

8:39:51 AM Chair Prozanski

8:41:06 AM HB 2460A - Public Hearing

8:41:08 AM Aaron Knott, Committee Counsel

8:41:31 AM Chair Prozanski

8:41:48 AM Rep. Sarah Gelser, House District 16

8:43:33 AM Chair Prozanski

8:43:36 AM {Exhibit} 1: Richard Harris, Director, Addictions and Mental Health
Division, Oregon Health Authority
8:45:46 AM Chair Prozanski
8:45:49 AM John Eames, Oregon Prevention Education & Recovery Association
8:46:26 AM Chair Prozanski
8:46:29 AM Rep. Gelser
8:46:49 AM Chair Prozanski

8:47:05 AM **HB 2648A - Public Hearing**

8:47:07 AM Cheyenne Ross, Committee Counsel
8:47:17 AM Chair Prozanski
8:47:29 AM Rep. Sarah Gelser, House District 16
8:48:22 AM Chair Prozanski
8:48:26 AM Eileen Smith, resident, Marion County, Oregon
8:49:13 AM Chair Prozanski
8:49:15 AM Sen. Whitsett
8:49:57 AM Smith
8:50:07 AM Sen. Whitsett
8:50:14 AM Chair Prozanski

8:50:24 AM **HB 2103A - Work Session**

8:50:27 AM {Exhibit} 2: Aaron Knott, Committee Counsel
8:52:38 AM MOTION: Vice-Chair Kruse moves -A4 amendment Be Adopted
8:52:44 AM Chair Prozanski
8:52:50 AM Sen. Bonamici
8:53:04 AM Knott
8:53:24 AM Sen. Bonamici
8:53:24 AM Chair Prozanski
8:53:49 AM Sen. Whitsett
8:54:17 AM Chair Prozanski
8:54:24 AM Knott
8:54:49 AM Chair Prozanski
8:54:50 AM VOTE: 5-0-0
8:54:51 AM AYES: Bonamici, Dingfelder, Whitsett, Kruse, Prozanski
8:54:52 AM MOTION: Vice-Chair Kruse moves HB 2103A Do Pass as Amended
8:55:02 AM Chair Prozanski
8:55:09 AM VOTE: 5-0-0
8:55:10 AM AYES: Bonamici, Dingfelder, Whitsett, Kruse, Prozanski
8:55:11 AM CARRIER: SEN. PROZANSKI will lead discussion on the floor

8:55:21 AM **HB 2174A - Work Session**

8:55:24 AM Aaron Knott, Committee Counsel
8:56:35 AM {Exhibit} 3: Chair Prozanski
8:57:34 AM Vice-Chair Kruse
8:58:03 AM MOTION: Vice-Chair Kruse moves HB 2174A Do Pass
8:58:07 AM Chair Prozanski

8:58:16 AM VOTE: 5-0-0
8:58:17 AM AYES: Bonamici, Dingfelder, Whitsett, Kruse, Prozanski
8:58:19 AM CARRIER: SEN. KRUSE will lead discussion on the floor

8:58:35 AM **HB 2650A - Work Session**
8:58:42 AM {Exhibit} 4: Aaron Knott, Committee Counsel
9:01:04 AM MOTION: Vice-Chair Kruse moves -A8 amendment Be Adopted
9:01:11 AM Chair Prozanski
9:01:18 AM VOTE: 5-0-0
9:01:19 AM AYES: Bonamici, Dingfelder, Whitsett, Kruse, Prozanski
9:01:21 AM MOTION: Vice-Chair Kruse moves HB 2650A Do Pass as Amended
9:01:28 AM Chair Prozanski
9:01:38 AM Sen. Whitsett
9:01:50 AM Chair Prozanski
9:02:10 AM Sen. Bonamici
9:02:14 AM Chair Prozanski
9:02:33 AM VOTE: 5-0-0
9:02:33 AM AYES: Bonamici, Dingfelder, Whitsett, Kruse, Prozanski
9:02:35 AM CARRIER: SEN. DINGFELDER will lead discussion on the floor
9:02:36 AM The following written testimony was submitted for the record without public testimony:
9:02:38 AM {Exhibit} 5: Shaune Mattsson, Director, Providence Home Health

9:02:57 AM **HB 2792A - Work Session**
9:03:00 AM {Exhibit} 6: Cheyenne Ross, Committee Counsel
9:03:40 AM Chair Prozanski
9:03:55 AM MOTION: Vice-Chair Kruse moves -A7 amendment Be Adopted
9:04:01 AM Chair Prozanski
9:04:08 AM VOTE: 5-0-0
9:04:08 AM AYES: Bonamici, Dingfelder, Whitsett, Kruse, Prozanski
9:04:14 AM Vice-Chair Kruse
9:04:30 AM Chair Prozanski
9:04:38 AM Sen. Bonamici
9:04:46 AM Ross
9:05:08 AM Chair Prozanski
9:05:50 AM Sen. Whitsett
9:06:19 AM Chair Prozanski
9:06:47 AM MOTION: Vice-Chair Kruse moves HB 2792A Do Pass as Amended
9:06:56 AM Chair Prozanski
9:07:05 AM Vice-Chair Kruse
9:07:23 AM Chair Prozanski
9:07:27 AM VOTE: 5-0-0
9:07:27 AM AYES: Bonamici, Dingfelder, Whitsett, Kruse, Prozanski
9:07:28 AM CARRIER: SEN. PROZANSKI will lead discussion on the floor

9:07:47 AM **HB 3186A - Work Session**

9:07:52 AM {Exhibit} 7: Aaron Knott, Committee Counsel
9:09:03 AM Chair Prozanski
9:09:11 AM MOTION: Sen. Bonamici moves HB 3186A Do Pass as Amended
9:09:21 AM Chair Prozanski
9:09:26 AM Sen. Bonamici
9:10:26 AM Chair Prozanski
9:10:30 AM Sen. Whitsett
9:10:48 AM Vice-Chair Kruse
9:10:55 AM Chair Prozanski
9:10:59 AM VOTE: 3-2-0
9:11:07 AM AYES: Bonamici, Dingfelder, Prozanski; NAYS: Whitsett, Kruse
9:11:08 AM CARRIER: SEN. PROZANSKI will lead discussion on the floor

9:11:27 AM **HB 3239 - Work Session**

9:11:28 AM {Exhibit} 8: Aaron Knott, Committee Counsel
9:12:06 AM Chair Prozanski
9:12:07 AM MOTION: Vice-Chair Kruse moves -3 amendment Be Adopted
9:12:12 AM Chair Prozanski
9:12:24 AM VOTE: 5-0-0
9:12:24 AM AYES: Bonamici, Dingfelder, Whitsett, Kruse, Prozanski
9:12:26 AM MOTION: Vice-Chair Kruse moves HB 3239 Do Pass as Amended
9:12:39 AM Chair Prozanski
9:12:40 AM Vice-Chair Kruse
9:12:52 AM Chair Prozanski
9:13:02 AM VOTE: 5-0-0
9:13:02 AM AYES: Bonamici, Dingfelder, Whitsett, Kruse, Prozanski
9:13:03 AM CARRIER: SEN. WHITSETT will lead discussion on the floor

9:13:12 AM **HB 3323 - Work Session**

9:13:14 AM {Exhibit} 9: Bill Taylor, Committee Counsel
9:14:02 AM Sen. Dingfelder
9:14:03 AM Sen. Bonamici
9:14:10 AM Taylor
9:14:15 AM Sen. Bonamici
9:14:20 AM Chair Prozanski
9:14:25 AM Sen. Dingfelder
9:14:26 AM Vice-Chair Kruse
9:14:29 AM MOTION: Vice-Chair Kruse moves -2 amendment Be Adopted
9:14:30 AM Chair Prozanski
9:14:40 AM VOTE: 5-0-0
9:14:41 AM AYES: Bonamici, Dingfelder, Whitsett, Kruse, Prozanski
9:14:43 AM MOTION: Vice-Chair Kruse moves HB 3323 Do Pass as Amended
9:14:45 AM Chair Prozanski
9:14:56 AM VOTE: 5-0-0
9:14:57 AM AYES: Bonamici, Dingfelder, Whitsett, Kruse, Prozanski
9:14:57 AM CARRIER: SEN. BONAMICI will lead discussion on the floor

9:14:59 AM Sen. Bonamici
9:15:08 AM Chair Prozanski
9:15:30 AM Meeting Recessed
9:16:18 AM Meeting Reconvened
9:16:28 AM Chair Prozanski
9:16:47 AM Meeting Recessed
5:22:09 PM Meeting Reconvened

5:22:25 PM HB 2274A - Work Session

5:22:28 PM {Exhibits} 10-11: Cheyenne Ross, Committee Counsel
5:23:07 PM Chair Prozanski
5:23:17 PM Sen. Bonamici
5:23:19 PM MOTION: Sen. Dingfelder moves -A3 amendment Be Adopted
5:23:31 PM Chair Prozanski
5:23:35 PM VOTE: 5-0-0
5:23:35 PM AYES: Bonamici, Dingfelder, Whitsett, Kruse, Prozanski
5:23:40 PM MOTION: Sen. Dingfelder moves -A4 amendment Be Adopted
5:23:50 PM Chair Prozanski
5:23:53 PM VOTE: 5-0-0
5:23:53 PM AYES: Bonamici, Dingfelder, Whitsett, Kruse, Prozanski
5:23:56 PM MOTION: Sen. Dingfelder moves HB 2274A Do Pass as Amended
5:24:05 PM Chair Prozanski
5:24:13 PM VOTE: 5-0-0
5:24:14 PM AYES: Bonamici, Dingfelder, Whitsett, Kruse, Prozanski
5:24:15 PM CARRIER: SEN. WHITSETT will lead discussion on the floor

5:24:28 PM HB 2183A - Work Session

5:24:29 PM {Exhibit} 9: Aaron Knott, Committee Counsel
5:25:10 PM Chair Prozanski
5:25:14 PM MOTION: Vice-Chair Kruse moves -A7 amendment Be Adopted
5:25:22 PM Chair Prozanski
5:25:26 PM Sen. Bonamici
5:25:50 PM Chair Prozanski
5:27:43 PM Sen. Bonamici
5:27:59 PM Chair Prozanski
5:28:09 PM Sen. Bonamici
5:28:11 PM Chair Prozanski
5:28:18 PM VOTE: 5-0-0
5:28:19 PM AYES: Bonamici, Dingfelder, Whitsett, Kruse, Prozanski
5:28:21 PM MOTION: Vice-Chair Kruse moves HB 2183A Do Pass as Amended
5:28:27 PM Chair Prozanski
5:28:38 PM Sen. Dingfelder
5:29:01 PM Sen. Bonamici
5:29:14 PM Chair Prozanski
5:29:17 PM Vice-Chair Kruse
5:29:20 PM Sen. Dingfelder

5:29:24 PM VOTE: 3-2-0
5:29:26 PM AYES: Whitsett, Kruse, Prozanski; NAYS: Bonamici, Dingfelder
5:29:27 PM CARRIER: SEN. KRUSE will lead discussion on the floor
5:29:37 PM Sen. Dingfelder

5:29:44 PM HB 2663A - Work Session

5:29:46 PM {Exhibit} 10: Aaron Knott, Committee Counsel
5:31:00 PM Chair Prozanski
5:31:01 PM MOTION: Vice-Chair Kruse moves -A3 amendment Be Adopted
5:31:07 PM Chair Prozanski
5:31:15 PM VOTE: 5-0-0
5:31:16 PM AYES: Bonamici, Dingfelder, Whitsett, Kruse, Prozanski
5:31:18 PM MOTION: Vice-Chair Kruse moves HB 2663A Do Pass as Amended
5:31:29 PM Chair Prozanski
5:31:36 PM VOTE: 5-0-0
5:31:37 PM AYES: Bonamici, Dingfelder, Whitsett, Kruse, Prozanski
5:31:38 PM CARRIER: SEN. PROZANSKI will lead discussion on the floor

5:31:50 PM HB 3085A - Work Session

5:31:52 PM {Exhibit} 11: Aaron Knott, Committee Counsel
5:33:02 PM Chair Prozanski
5:33:02 PM MOTION: Vice-Chair Kruse moves -A2 amendment Be Adopted
5:33:07 PM Chair Prozanski
5:33:14 PM VOTE: 5-0-0
5:33:15 PM AYES: Bonamici, Dingfelder, Whitsett, Kruse, Prozanski
5:33:16 PM MOTION: Vice-Chair Kruse moves HB 3085A Do Pass as Amended
5:33:24 PM Chair Prozanski
5:33:31 PM Sen. Dingfelder
5:33:48 PM Sen. Bonamici
5:33:56 PM Sen. Dingfelder
5:34:03 PM VOTE: 4-1-0
5:34:04 PM AYES: Bonamici, Whitsett, Kruse, Prozanski; NAYS: Dingfelder
5:34:05 PM CARRIER: SEN. PROZANSKI will lead discussion on the floor

5:34:33 PM HB 3142 - Work Session

5:34:34 PM Aaron Knott, Committee Counsel
5:35:12 PM MOTION: Vice-Chair Kruse moves HB 3142 Do Pass
5:35:19 PM Chair Prozanski
5:35:23 PM VOTE: 5-0-0
5:35:23 PM AYES: Bonamici, Dingfelder, Whitsett, Kruse, Prozanski
5:35:24 PM CARRIER: SEN. KRUSE will lead discussion on the floor

5:35:40 PM HB 3153A - Work Session

5:35:42 PM {Exhibit} 12: Aaron Knott, Committee Counsel
5:36:27 PM Chair Prozanski
5:36:29 PM MOTION: Vice-Chair Kruse moves -A2 amendment Be Adopted

5:36:38 PM Chair Prozanski
5:36:40 PM Sen. Bonamici
5:36:48 PM Knott
5:37:12 PM Chair Prozanski
5:37:17 PM VOTE: 5-0-0
5:37:18 PM AYES: Bonamici, Dingfelder, Whitsett, Kruse, Prozanski
5:37:23 PM MOTION: Vice-Chair Kruse moves HB 3153A Do Pass as Amended
5:37:30 PM Chair Prozanski
5:37:36 PM VOTE: 5-0-0
5:37:37 PM AYES: Bonamici, Dingfelder, Whitsett, Kruse, Prozanski
5:37:37 PM CARRIER: SEN. PROZANSKI will lead discussion on the floor

5:37:45 PM HB 3166A - Work Session

5:37:48 PM {Exhibit} 13-14: Cheyenne Ross, Committee Counsel
5:38:29 PM MOTION: Vice-Chair Kruse moves -A4 amendment Be Adopted
5:38:33 PM Chair Prozanski
5:38:42 PM VOTE: 5-0-0
5:38:43 PM AYES: Bonamici, Dingfelder, Whitsett, Kruse, Prozanski
5:38:44 PM MOTION: Vice-Chair Kruse moves HB 3166A Do Pass as Amended
5:38:53 PM Chair Prozanski
5:39:01 PM Sen. Dingfelder
5:39:14 PM Chair Prozanski
5:39:15 PM Sen. Bonamici
5:39:16 PM Chair Prozanski
5:39:25 PM Vice-Chair Kruse
5:39:28 PM Chair Prozanski
5:39:36 PM VOTE: 3-2-0
5:39:37 PM AYES: Whitsett, Kruse, Prozanski; NAYS: Bonamici, Dingfelder
5:39:37 PM CARRIER: SEN. KRUSE will lead discussion on the floor

5:39:50 PM HB 3204 - Work Session

5:39:52 PM {Exhibit} 15-16: Aaron Knott, Committee Counsel
5:41:22 PM MOTION: Vice-Chair Kruse moves -A3 amendment Be Adopted
5:41:27 PM Chair Prozanski
5:41:32 PM VOTE: 5-0-0
5:41:33 PM AYES: Bonamici, Dingfelder, Whitsett, Kruse, Prozanski
5:41:37 PM MOTION: Vice-Chair Kruse moves HB 3204 Do Pass as Amended
5:41:43 PM Chair Prozanski
5:41:50 PM VOTE: 5-0-0
5:41:51 PM AYES: Bonamici, Dingfelder, Whitsett, Kruse, Prozanski
5:41:51 PM CARRIER: SEN. PROZANSKI will lead discussion on the floor

5:42:09 PM HB 3251A - Work Session

5:42:10 PM {Exhibit} 17: Aaron Knott, Committee Counsel
5:43:16 PM MOTION: Vice-Chair Kruse moves -A4 amendment Be Adopted
5:43:23 PM Chair Prozanski

5:43:29 PM VOTE: 5-0-0
5:43:29 PM AYES: Bonamici, Dingfelder, Whitsett, Kruse, Prozanski
5:43:38 PM MOTION: Vice-Chair Kruse moves HB 3251A Do Pass as Amended
5:43:40 PM Chair Prozanski
5:43:48 PM VOTE: 5-0-0
5:43:49 PM AYES: Bonamici, Dingfelder, Whitsett, Kruse, Prozanski
5:43:50 PM CARRIER: SEN. BONAMICI will lead discussion on the floor
5:43:59 PM Sen. Bonamici
5:43:59 PM Chair Prozanski

5:44:08 PM **HB 3450A - Work Session**
5:44:09 PM {Exhibit} 18: Bill Taylor, Committee Counsel
5:44:50 PM Chair Prozanski
5:44:52 PM Taylor
5:44:57 PM Chair Prozanski
5:45:04 PM MOTION: Vice-Chair Kruse moves -A4 amendment Be Adopted
5:45:14 PM Chair Prozanski
5:45:15 PM VOTE: 5-0-0
5:45:16 PM AYES: Bonamici, Dingfelder, Whitsett, Kruse, Prozanski
5:45:25 PM MOTION: Vice-Chair Kruse moves HB 3450A Do Pass as Amended
5:45:28 PM Chair Prozanski
5:45:40 PM VOTE: 5-0-0
5:45:40 PM AYES: Bonamici, Dingfelder, Whitsett, Kruse, Prozanski
5:45:40 PM CARRIER: SEN. WHITSETT will lead discussion on the floor
5:45:47 PM Meeting Recessed
5:46:35 PM Meeting Reconvened
5:46:43 PM Chair Prozanski
5:47:28 PM Aaron Knott, Committee Counsel
5:48:42 PM Chair Prozanski
5:48:52 PM Elizabeth Cushwa, Executive Director, Oregon District Attorneys
Association
5:49:37 PM Knott
5:50:10 PM Cushwa
5:50:52 PM Chair Prozanski
5:51:01 PM Cushwa
5:51:10 PM Chair Prozanski
5:51:13 PM Sen. Bonamici
5:51:38 PM Knott
5:52:47 PM Cushwa
5:52:48 PM Sen. Bonamici
5:52:50 PM Meeting Adjourned by Chair Prozanski

Exhibit Summary

8:43:36 AM {Exhibit} 1: HB 2460A, written testimony, Richard Harris, 2 pp
8:50:27 AM {Exhibit} 2: HB 2103A, -A4 amendment, staff, 3 pp

8:56:35 AM {Exhibit} 3: HB 2174A, -A4 amendment, Chair Prozanski, 10 pp
8:58:42 AM {Exhibit} 4: HB 2650A, -A8 amendment, staff, 4 pp
9:02:38 AM {Exhibit} 5: HB 2650A, written testimony, Shaune Mattsson, 2 pp
9:03:00 AM {Exhibit} 6: HB 2792A, -A7 amendment, staff, 11 pp
9:07:52 AM {Exhibit} 7: HB 3186A, -A5 amendment, staff, 1 p
9:11:28 AM {Exhibit} 8: HB 3239, -3 amendment, staff, 1 p
9:13:14 AM {Exhibit} 9: HB 3323, -2 amendment, staff, 23 pp
5:22:28 PM {Exhibit} 10: HB 2274A, -A3 amendment, staff, 3 pp
5:22:28 PM {Exhibit} 11: HB 2274A, -A4 amendment, staff, 1 p
5:24:29 PM {Exhibit} 12: HB 2183A, -A7 amendment, staff, 1 p
5:29:46 PM {Exhibit} 13: HB 2663A, -A3 amendment, staff, 6 pp
5:31:52 PM {Exhibit} 14: HB 3085A, -A2 amendment, staff, 1 p
5:35:42 PM {Exhibit} 15: HB 3153A, -A2 amendment, staff, 1 p
5:37:48 PM {Exhibit} 16: HB 3166A, -A3 amendment, staff, 1 p
5:37:48 PM {Exhibit} 17: HB 3166, -A4 amendment, staff, 1 p
5:39:52 PM {Exhibit} 18: HB 3204, -2 amendment, staff, 11 pp
5:39:52 PM {Exhibit} 19: HB 3204, -3 amendment, staff, 25 pp
5:42:10 PM {Exhibit} 20: HB 3251A, -A4 amendment, staff, 1 p
5:44:09 PM {Exhibit} 21: HB 3450A, -A4 amendment, staff, 1 p
