

## SENATE COMMITTEE ON JUDICIARY

February 12, 2013  
8:30 am

Hearing Room 343

**MEMBERS PRESENT:** Sen. Floyd Prozanski, Chair  
Sen. Betsy Close, Vice-Chair  
Sen. Jackie Dingfelder  
Sen. Jeff Kruse  
Sen. Arnie Roblan

**STAFF PRESENT:** Michael Schmidt, Committee Counsel  
Samantha Briggs, Committee Assistant

**MEASURES/ISSUES HEARD:** SB 9 – Public Hearing and Work Session  
SB 69 – Public Hearing  
SB 92 – Public Hearing  
SB 70 – Public Hearing

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### Recording Log

**8:40:58 AM** Meeting Called to Order by Chair Prozanski

**8:41:17 AM** **SB 9 - Public Hearing**

**8:41:20 AM** Michael Schmidt, Committee Counsel

**8:41:48 AM** Chair Prozanski

**8:41:54 AM** {Exhibit} 1: Sen. Peter Courtney, Senate District 11

**8:50:26 AM** Chair Prozanski

**8:51:22 AM** {Exhibit} 2: Troy Costales, Administrator, Transportation Safety Division

**8:54:45 AM** Chair Prozanski

**8:54:48 AM** {Exhibit} 3: Jason Myers, President, Oregon State Sheriffs' Association

**8:56:25 AM** {Exhibit} 4: Robert Hayes, Oregon Association Chiefs of Police; Albany Police Department

**8:59:43 AM** Chair Prozanski

**8:59:47 AM** Sen. Dingfelder

**9:01:07 AM** Hayes

**9:01:47 AM** Myers

**9:02:24 AM** Chair Prozanski

**9:02:26 AM** Vice-Chair Close

**9:03:06 AM** Chair Prozanski

**9:05:20 AM** Vice-Chair Close

**9:05:21 AM** Chair Prozanski

9:06:05 AM Costales  
9:06:29 AM Chair Prozanski  
9:06:34 AM {Exhibit} 5-6: Chair Prozanski  
9:06:55 AM Sen. Dingfelder  
9:07:06 AM Chair Prozanski  
9:07:55 AM {Exhibit} 7-8: Tim Plummer, Oregon State Police  
9:15:07 AM Chair Prozanski  
9:15:13 AM Sen. Dingfelder  
9:15:29 AM Plummer  
9:16:02 AM Sen. Dingfelder  
9:16:06 AM Plummer  
9:16:13 AM Chair Prozanski  
9:16:15 AM Sen. Kruse  
9:16:48 AM Plummer  
9:17:24 AM Chair Prozanski  
9:17:26 AM Sen. Kruse  
9:17:41 AM Plummer  
9:17:57 AM Sen. Kruse  
9:18:16 AM The following written testimony is submitted for the record without public testimony:  
9:18:17 AM {Exhibit} 9: Steve Mitchell, Lieutenant, Oregon State Police  
  
9:18:18 AM **SB 9 - Work Session**  
9:18:19 AM Chair Prozanski  
9:19:02 AM MOTION: SENATOR DINGFELDER MOVES THE -1 AMENDMENTS BE ADOPTED  
9:19:15 AM Chair Prozanski  
9:19:16 AM Vice-Chair Close  
9:19:41 AM Sen. Kruse  
9:19:46 AM Sen. Dingfelder  
9:19:48 AM Chair Prozanski  
9:19:53 AM VOTE: 5-0-0  
9:19:56 AM AYES: CLOSE, DINGFELDER, KRUSE, PROZANSKI, ROBLAN  
9:20:04 AM Chair Prozanski  
9:20:06 AM MOTION: SENATOR DINGFELDER MOVES SB 9 DO PASS AS AMENDED  
9:20:17 AM Chair Prozanski  
9:20:25 AM Vice-Chair Close  
9:21:00 AM Sen. Kruse  
9:21:24 AM Chair Prozanski  
9:21:30 AM Sen. Dingfelder  
9:23:21 AM Chair Prozanski  
9:23:46 AM Vice-Chair Close  
9:23:47 AM VOTE: 3-2-0  
9:23:48 AM AYES: DINGFELDER, ROBLAN, PROZANSKI  
9:24:14 AM NAYS: KRUSE, CLOSE

9:24:37 AM Chair Prozanski  
9:24:38 AM Sen. Kruse

9:24:52 AM **SB 69 - Public Hearing**  
9:24:53 AM Michael Schmidt, Committee Counsel  
9:25:06 AM Chair Prozanski  
9:25:49 AM {Exhibit} 10: Kathleen Dailey, Multnomah County Judge; Member,  
Governor's Advisory Committee on DUII

9:34:22 AM Chair Prozanski  
9:34:26 AM Sen. Kruse  
9:34:34 AM Dailey  
9:34:41 AM Chair Prozanski  
9:34:45 AM Darke Hull, Portland Police  
9:36:03 AM Chair Prozanski  
9:36:26 AM {Exhibit} 11: Aaron Zybach  
9:39:32 AM Chair Prozanski  
9:39:52 AM Sen. Kruse  
9:40:23 AM Dailey  
9:40:25 AM Chair Prozanski  
9:40:26 AM Sen. Roblan  
9:40:34 AM Chair Prozanski  
9:40:54 AM Sen. Roblan  
9:40:59 AM Chair Prozanski  
9:41:16 AM Sen. Dingfelder  
9:41:35 AM Dailey  
9:41:41 AM Sen. Kruse  
9:41:51 AM Chair Prozanski  
9:42:16 AM {Exhibit} 12: Darryl Larson, Senior Judge  
9:46:09 AM Scott Healy, Oregon District Attorneys Association  
9:51:39 AM Chair Prozanski  
9:51:47 AM Doug Harclerod, Oregon Anti-Crime Alliance; Oregon District Attorneys  
Association  
9:54:47 AM Chair Prozanski

9:55:10 AM **SB 92 - Public Hearing**  
9:55:15 AM Chair Prozanski  
9:55:16 AM Michael Schmidt, Committee Counsel  
9:56:04 AM Chair Prozanski  
9:56:59 AM {Exhibit} 13: Mari Trevino, Circuit Court Judge  
10:01:37 AM {Exhibit} 14: Mari Trevino, on behalf of Susie Norby  
10:01:38 AM Chair Prozanski  
10:01:42 AM Trevino  
10:02:17 AM Chair Prozanski

10:02:54 AM **SB 69 - Public Hearing**  
10:03:03 AM Vice-Chair Close

10:03:27 AM Scott Healy, Oregon District Attorneys Association  
10:04:32 AM Chair Prozanski  
10:04:36 AM Sen. Kruse  
10:05:00 AM Healy  
10:06:14 AM Chair Prozanski  
10:06:19 AM Healy  
10:06:25 AM Chair Prozanski  
10:06:49 AM Healy  
10:07:13 AM Chair Prozanski  
10:07:20 AM Healy  
10:09:10 AM Darryl Larson, Senior Judge  
10:10:38 AM Chair Prozanski  
10:10:39 AM The following written testimony is submitted for the record without public testimony:  
10:10:40 AM {Exhibit} 15: Kathleen Dailey, Multnomah County Judge  
10:10:41 AM {Exhibit} 16: Scott Taylor, Director of Multnomah County Department of Community Justice

10:11:19 AM **SB 70 - Public Hearing**  
10:11:46 AM Doug Harclerod, Oregon Anti-Crime Alliance; Oregon District Attorneys Association  
10:13:20 AM Scott Healy, Oregon District Attorneys Association  
10:14:02 AM Chair Prozanski  
10:14:15 AM Healy  
10:17:04 AM Chair Prozanski  
10:18:20 AM Meeting Adjourned by Chair Prozanski

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### **Exhibit Summary**

8:41:54 AM {Exhibit} 1: SB 9, written testimony, Sen. Peter Courtney, 2 pp  
8:51:22 AM {Exhibit} 2: SB 9, written testimony, Troy Costales, 2 pp  
8:54:48 AM {Exhibit} 3: SB 9, written testimony, Jason Myers, 1 p  
8:56:25 AM {Exhibit} 4: SB 9, written testimony, Robert Hayes, 3 pp  
9:06:34 AM {Exhibit} 5: SB 9, -1 amendment, staff, 1 p  
9:06:35 AM {Exhibit} 6: SB 9, -2 amendment, staff, 1 p  
9:07:55 AM {Exhibit} 7: SB 9, written testimony, Tim Plummer, 2 pp  
9:07:56 AM {Exhibit} 8: SB 9, video, Tim Plummer, oversized  
9:18:17 AM {Exhibit} 9: SB 9, written testimony, Steve Mitchell, 2 pp  
9:25:49 AM {Exhibit} 10: SB 69, written testimony, Kathleen Dailey, 2 pp  
9:36:26 AM {Exhibit} 11: SB 69, written testimony, Aaron Zybach, 1 p  
9:42:16 AM {Exhibit} 12: SB 69, written testimony, Darryl Larson, 22 pp  
9:56:59 AM {Exhibit} 13: SB 92, written testimony, Mari Trevino, 2 pp  
10:01:37 AM {Exhibit} 14: SB 92, written testimony of Susie Norby, Mari Trevino, 1 p  
10:10:40 AM {Exhibit} 15: SB 69, written testimony of Multnomah County Circuit Court

Judges, Kathleen Dailey, 4 pp  
**10:10:41 AM** {Exhibit} 16: SB 69, written testimony, Scott Taylor, 1 p