

## SENATE COMMITTEE ON JUDICIARY

February 21, 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:** Anna Braun, Committee Counsel  
Ann Martin, Committee Assistant

**MEASURES/ISSUES HEARD:** Introduction of Committee Measures – Work Session  
SB 444 – Public Hearing and Work Session  
SB 528 – Public Hearing  
HB 2148 – Public Hearing and Work Session

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### Recording Log

**8:37:05 AM** Meeting Called to Order by Chair Prozanski

**8:37:40 AM** Introduction of Committee Measures - Work Session

**8:37:41 AM** {Exhibit} 1-7: Chair Prozanski

**8:37:45 AM** MOTION: CHAIR PROZANSKI MOVES LC 3079, LC 3148, LC 2884, LC 1835, LC 2758, LC 2746, AND LC 2678 BE INTRODUCED AS COMMITTEE MEASURES

**8:39:07 AM** VOTE: 5-0-0

**8:39:10 AM** AYES: DINGFELDER, ROBLAN, KRUSE, CLOSE, PROZANSKI

**8:39:14 AM** Anna Braun, Committee Counsel

**8:39:17 AM** Chair Prozanski

**8:39:18 AM** SB 444 - Public Hearing

**8:39:21 AM** {Exhibit} 8-9: Anna Braun, Committee Counsel

**8:40:02 AM** Chair Prozanski

**8:40:33 AM** {Exhibit} 10: Sen. Elizabeth Steiner Hayward, Senate District 17

**8:48:59 AM** Chair Prozanski

**8:49:09 AM** {Exhibit} 11-12: Colleen Hermann-Franzen, Advocacy and Communications Manager, American Lung Association of the Mountain Pacific

**8:52:52 AM** Hermann-Franzen

**8:58:08 AM** Sen. Steiner Hayward

**8:58:10 AM** Chair Prozanski

8:58:13 AM Sen. Steiner Hayward  
8:58:22 AM Sen. Dingfelder  
8:58:26 AM Sen. Steiner Hayward  
8:58:31 AM Chair Prozanski  
8:58:34 AM Sen. Steiner Hayward  
8:59:30 AM Chair Prozanski  
8:59:35 AM Sen. Kruse  
8:59:42 AM Sen. Dingfelder  
8:59:44 AM Sen. Kruse  
9:00:44 AM Sen. Steiner Hayward  
9:02:01 AM Chair Prozanski  
9:02:02 AM Vice-Chair Close  
9:02:46 AM Braun  
9:02:54 AM Chair Prozanski  
9:03:50 AM Vice-Chair Close  
9:03:53 AM Chair Prozanski  
9:03:54 AM Sen. Dingfelder  
9:04:05 AM Sen. Roblan  
9:05:03 AM Sen. Steiner Hayward  
9:05:51 AM Sen. Dingfelder  
9:07:11 AM Hermann-Franzen  
9:08:51 AM Sen. Dingfelder  
9:09:39 AM Hermann-Franzen  
9:10:12 AM Sen. Steiner Hayward  
9:13:09 AM Chair Prozanski  
9:13:32 AM Hermann-Franzen  
9:13:45 AM Chair Prozanski  
9:13:45 AM {Exhibit} 13 Witness Registration  
9:13:46 AM The following written testimony is submitted for the record without public testimony:  
9:13:47 AM {Exhibit} 14: Darrell W. Fuller, Oregon State Sheriffs' Association  
9:13:47 AM {Exhibit} 15: Tomasz M. Beer, M.D., Deputy Director, Oregon Health & Sciences University  
9:13:47 AM {Exhibit} 16: Christina Skellenger, Portland, Oregon  
9:13:47 AM {Exhibit} 17: Kris Williams, Crook County, Oregon  
9:13:47 AM {Exhibit} 18: Monica Pyle, Tillamook, Oregon  
9:13:47 AM {Exhibit} 19: Kevin Campbell, Executive Director, Oregon Association Chiefs of Police  
  
9:13:50 AM **SB 444 - Work Session**  
9:14:05 AM Chair Prozanski  
9:14:54 AM Sen. Roblan  
9:15:06 AM Chair Prozanski  
9:15:16 AM Sen. Roblan  
9:15:16 AM Chair Prozanski  
9:16:52 AM Sen. Kruse

9:17:03 AM Sen. Roblan  
9:17:29 AM Sen. Kruse  
9:17:35 AM Sen. Roblan  
9:17:37 AM Chair Prozanski  
9:17:44 AM Anna Braun, Committee Counsel  
9:17:49 AM Chair Prozanski

9:18:38 AM **SB 528 - Public Hearing**  
9:18:51 AM {Exhibit} 20: Anna Braun, Committee Counsel  
9:19:28 AM Sen. Kruse  
9:19:30 AM Sen. Dingfelder  
9:19:35 AM Chair Prozanski  
9:19:48 AM Sen. Elizabeth Steiner Hayward, Senate District 17  
9:19:55 AM Chair Prozanski  
9:19:57 AM Sen. Roblan  
9:19:58 AM Sen. Kruse  
9:20:06 AM Sen. Dingfelder  
9:20:16 AM Sen. Steiner Hayward  
9:21:13 AM Chair Prozanski  
9:21:14 AM Sen. Dingfelder  
9:21:15 AM Sen. Roblan  
9:21:19 AM Sen. Dingfelder  
9:21:42 AM Sen. Steiner Hayward  
9:21:53 AM Sen. Roblan  
9:21:55 AM Sen. Kruse  
9:21:56 AM Sen. Roblan  
9:22:36 AM Sen. Dingfelder  
9:22:38 AM Sen. Kruse  
9:22:44 AM Sen. Roblan  
9:22:47 AM Chair Prozanski  
9:22:51 AM Sen. Steiner Hayward  
9:23:00 AM Michael Burdick, Oregon State Treasury  
9:23:21 AM Alice Bibler, Debt Manager, Oregon State Treasury  
9:27:30 AM Sen. Kruse  
9:27:34 AM Burdick  
9:27:42 AM Sen. Kruse  
9:27:44 AM Burdick  
9:27:48 AM Chair Prozanski  
9:27:50 AM Sen. Kruse  
9:28:00 AM Chair Prozanski  
9:28:03 AM Sen. Dingfelder  
9:28:06 AM Chair Prozanski  
9:28:26 AM Braun  
9:28:40 AM Sen. Kruse  
9:28:41 AM Chair Prozanski  
9:28:41 AM Braun

9:28:42 AM Chair Prozanski  
9:28:42 AM {Exhibit} 21: Witness Registration

9:28:44 AM **HB 2148 - Public Hearing**  
9:28:49 AM Anna Braun, Committee Counsel  
9:29:16 AM Sen. Kruse  
9:29:35 AM Chair Prozanski

9:29:37 AM **HB 2148 - Work Session**  
9:29:44 AM MOTION: VICE-CHAIR KRUSE MOVES HB 2148 DO PASS  
9:29:49 AM Chair Prozanski  
9:29:54 AM Sen. Dingfelder  
9:29:59 AM VOTE: 4-0-1  
9:30:01 AM AYES: DINGFELDER, ROBLAN, KRUSE, PROZANSKI  
9:30:02 AM EXCUSED: CLOSE  
9:30:05 AM CARRIER: REP. DINGFELDER WILL LEAD DISCUSSION ON THE FLOOR  
9:30:08 AM Sen. Dingfelder  
9:30:13 AM Chair Prozanski  
9:31:06 AM Sen. Roblan  
9:31:07 AM Chair Prozanski  
9:31:22 AM Meeting Adjourned by Chair Prozanski

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**Exhibit Summary**

8:37:41 AM {Exhibit} 1: Introduction of Committee Measures, LC 3079, staff, 5 pp  
8:37:41 AM {Exhibit} 2: Introduction of Committee Measures, LC 3148, staff, 9 pp  
8:37:41 AM {Exhibit} 3: Introduction of Committee Measures, LC 2884, staff, 2 pp  
8:37:41 AM {Exhibit} 4: Introduction of Committee Measures, LC 1835, staff, 1 p  
8:37:41 AM {Exhibit} 5: Introduction of Committee Measures, LC 2758, staff, 3 pp  
8:37:41 AM {Exhibit} 6: Introduction of Committee Measures, LC 2746, staff, 3 pp  
8:37:41 AM {Exhibit} 7: Introduction of Committee Measures, LC 2678, staff, 1 p  
8:39:21 AM {Exhibit} 8: SB 444, -1 amendment, staff, 1 p  
8:39:21 AM {Exhibit} 9: SB 444, -2 amendment, staff, 1 p  
8:40:33 AM {Exhibit} 10: SB 444, written testimony of Rep. Jim Thompson, Sen. Steiner Hayward, 1 p  
8:49:09 AM {Exhibit} 11: SB 444, written testimony and informational packet, Colleen Hermann-Franzen, 7 pp  
8:50:04 AM {Exhibit} 12: SB 444, video, Colleen Hermann-Franzen, oversized  
9:13:45 AM {Exhibit} 13: SB 444, witness registration, 1 p  
9:13:47 AM {Exhibit} 14: SB 444, written testimony of Darrell W. Fuller, staff, 1 p  
9:13:47 AM {Exhibit} 15: SB 444, written testimony of Tomasz M. Beer, M.D., staff, 1 p  
9:13:47 AM {Exhibit} 16: SB 444, written testimony, Christina Skellenger, staff, 1 p  
9:13:47 AM {Exhibit} 17: SB 444, written testimony, Kris Williams, staff, 1 p

9:13:47 AM {Exhibit} 18: SB 444, written testimony, Monica Pyle, staff, 1 p  
9:13:47 AM {Exhibit} 19: SB 444, written testimony, Kevin Campbell, staff, 1 p  
9:18:51 AM {Exhibit} 20: SB 528, -1 amendment, staff, 2 pp  
9:28:42 AM {Exhibit} 21: SB 528, witness registration, 1 p