

SENATE COMMITTEE ON JUDICIARY

May 30, 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
Pam Marshall, Committee Assistant

MEASURES/ISSUES HEARD: HB 3253 A – Work Session
HB 2962 A – Work Session
HB 2596 A – Public Hearing and Work Session
HB 2710 – Work Session
HB 2449 – Public Hearing and Work Session
HB 2536 A – Work Session
HB 2607 A – Public Hearing
HB 2562 A – Work Session
HB 2668 – Work Session

Recording Log

8:43:09 AM Meeting Called to Order by Chair Prozanski

8:44:17 AM HB 3253 A - Work Session

8:44:23 AM {Exhibit} 1: Michael Schmidt, Committee Counsel

8:45:13 AM MOTION: SEN. DINGFELDER MOVES -A6 AMENDMENTS BE ADOPTED

8:45:25 AM Chair Prozanski

8:45:27 AM VOTE: 5-0-0

8:45:28 AM AYES: DINGFELDER, ROBLAN, KRUSE, CLOSE, PROZANSKI

8:45:30 AM MOTION: SEN. DINGFELDER MOVES HB 3253 A DO PASS AS
AMENDED

8:45:31 AM VOTE: 5-0-0

8:45:32 AM AYES: DINGFELDER, ROBLAN, KRUSE, CLOSE, PROZANSKI

8:45:52 AM CARRIER: SEN. ROBLAN WILL LEAD DISCUSSION ON THE FLOOR

8:46:06 AM HB 2962 A - Work Session

8:46:08 AM {Exhibit} 2: Michael Schmidt, Committee Counsel

8:47:07 AM Chair Prozanski

8:48:17 AM Sen. Roblan

8:48:18 AM Chair Prozanski

8:48:54 AM MOTION: SEN. DINGFELDER MOVES -A4 AMENDMENTS BE ADOPTED

8:49:14 AM VOTE: 5-0-0

8:49:16 AM AYES: DINGFELDER, ROBLAN, KRUSE, CLOSE, PROZANSKI

8:49:18 AM Sen. Dingfelder

8:49:26 AM MOTION: SEN. DINGFELDER MOVES THAT THE RULES BE
SUSPENDED FOR THE PURPOSE OF TAKING ACTION ON HB 2962 A
WITHOUT HAVING THE FISCAL OR REVENUE IMPACT STATEMENTS

8:50:09 AM VOTE: 5-0-0

8:50:10 AM AYES: DINGFELDER, ROBLAN, KRUSE, CLOSE, PROZANSKI

8:50:12 AM MOTION: SEN. DINGFELDER MOVES HB 2962 A DO PASS AS
AMENDED

8:50:17 AM VOTE: 5-0-0

8:50:26 AM AYES: DINGFELDER, ROBLAN, KRUSE, CLOSE, PROZANSKI

8:50:27 AM CARRIER: SEN. PROZANSKI WILL LEAD DISCUSSION ON THE FLOOR

8:50:56 AM HB 2596 A - Public Hearing

8:50:59 AM Chair Prozanski

8:51:12 AM Michael Schmidt, Committee Counsel

8:51:18 AM {Exhibit} 3: Bill Taylor, Committee Counsel

8:52:49 AM Chair Prozanski

8:53:17 AM Taylor

8:53:18 AM Chair Prozanski

8:53:53 AM Kevin Campbell, Associated Oregon Loggers

8:55:20 AM Chair Prozanski

8:55:39 AM Jason Gonzales

9:02:30 AM Ben Jones, Cascadia Forest Defenders

9:05:32 AM Chair Prozanski

9:05:33 AM {Exhibit} 4: witness registration

9:05:34 AM The following written testimony is submitted for the record without public
testimony:

9:05:35 AM {Exhibit} 5: Debra J. King, Oregon

9:05:35 AM {Exhibit} 6: Kevin Melvin, Oregon

9:05:35 AM {Exhibit} 7: Peter W. Beaverton, Oregon

9:06:03 AM HB 2710 - Work Session

9:06:05 AM {Exhibit} 8: Bill Taylor, Committee Counsel

9:11:37 AM Sen. Kruse

9:11:45 AM Taylor

9:18:19 AM Chair Prozanski

9:18:21 AM Sen. Kruse

9:19:40 AM Chair Prozanski

9:19:41 AM Sen. Roblan
9:20:18 AM Chair Prozanski
9:20:20 AM Sen. Dingfelder
9:21:06 AM Taylor
9:22:34 AM Sen. Dingfelder
9:22:35 AM Chair Prozanski
9:22:48 AM MOTION: SEN. DINGFELDER MOVES -A5 AMENDMENTS BE ADOPTED
9:23:02 AM Sen. Kruse
9:23:03 AM Chair Prozanski
9:23:20 AM MOTION: SEN. KRUSE MOVES THAT THE RULES BE SUPSPENDED
FOR THE PURPOSE OF TAKING ACTION ON HB 2710 WITHOUT
HAVING THE FISCAL OR REVENUE IMPACT STATEMENTS
9:23:54 AM VOTE: 5-0-0
9:23:56 AM AYES: DINGFELDER, ROBLAN, KRUSE, CLOSE, PROZANSKI
9:23:58 AM MOTION: SEN. DINGFELDER MOVES HB 2710 DO PASS AS AMENDED
9:24:10 AM VOTE: 5-0-0
9:24:11 AM AYES: DINGFELDER, ROBLAN, KRUSE, CLOSE, PROZANSKI
9:24:12 AM CARRIER: SEN. KRUSE WILL LEAD DISCUSSION ON THE FLOOR
9:24:21 AM Chair Prozanski

9:24:35 AM **HB 2449 - Public Hearing**
9:24:37 AM Anna Braun, Committee Counsel
9:25:39 AM {Exhibit} 9: Mark Abrams, President of American Federation of State,
County and Municipal Employees (AFSCME), Local 1085
9:30:18 AM Judith Anderson, Assistant Attorney General, General Counsel Division,
Department of Justice
9:32:16 AM Simone Weyand, Assistant Attorney General, Child Advocacy Section,
Department of Justice
9:36:00 AM Chair Prozanski
9:36:30 AM Craig Cowan, Labor Negotiator, Department of Administrative Services
9:37:25 AM Donna Bennett, Human Resource Director, Department of Justice
9:39:57 AM Chair Prozanski
9:40:18 AM Bennett
9:40:20 AM Chair Prozanski
9:40:31 AM Bennett
9:40:59 AM Chair Prozanski
9:41:19 AM Bennett
9:41:24 AM Chair Prozanski
9:41:45 AM Bennett
9:41:52 AM Cowan
9:42:06 AM Chair Prozanski
9:42:07 AM {Exhibit} 10: witness registration
9:42:08 AM The following written testimony is submitted for the record without public
testimony:
9:42:09 AM {Exhibit} 11: Samuel A. Kubernick, Assistant Attorney General, Department
of Justice

9:42:10 AM {Exhibit} 12: Johanna M. Riemenschneider, Assistant Attorney General,
General Counsel Division, Department of Justice

9:42:11 AM {Exhibit} 13: Aaron Knott, Department of Justice

9:42:35 AM **HB 2536 A - Work Session**

9:42:38 AM {Exhibit} 14: Anna Braun, Committee Counsel

9:43:35 AM **HB 2607 A - Public Hearing**

9:43:42 AM Chair Prozanski

9:44:24 AM Rob Bovett, Oregon Defense Attorneys Association

9:44:38 AM Cindy Booth, Oregon Department of Corrections

9:45:31 AM Bovett

9:46:22 AM Chair Prozanski

9:46:22 AM {Exhibit} 15: witness registration

9:46:30 AM **HB 2562 A - Work Session**

9:46:32 AM {Exhibit} 16: Anna Braun, Committee Counsel

9:47:35 AM Chair Prozanski

9:49:19 AM Sen. Roblan

9:49:39 AM Chair Prozanski

9:50:11 AM Patrick Sieng, Association of Oregon Counties

9:54:27 AM Chair Prozanski

9:54:35 AM Sieng

9:54:55 AM Carl Myers, Oregon Municipal Judges Association, Oregon Justices of the
Peace Association

9:55:57 AM Chair Prozanski

9:56:00 AM Sen. Dingfelder

9:56:17 AM Chair Prozanski

9:56:34 AM Braun

9:56:45 AM Sen. Kruse

9:57:02 AM Braun

9:57:08 AM Chair Prozanski

9:57:10 AM Braun

9:57:15 AM Sen. Kruse

9:57:38 AM Braun

9:57:42 AM Sen. Kruse

9:57:46 AM Myers

9:57:51 AM Chair Prozanski

9:58:08 AM MOTION: CHAIR PROZANSKI MOVES -A8 AMENDMENTS BE ADOPTED

9:58:23 AM VOTE: 5-0-0

9:58:24 AM AYES: DINGFELDER, ROBLAN, KRUSE, CLOSE, PROZANSKI

9:58:25 AM MOTION: SEN. DINGFELDER MOVES HB 2562 A DO PASS WITH
REQUEST FOR REFERRAL TO WAYS AND MEANS

9:58:57 AM VOTE: 5-0-0

9:59:00 AM AYES: DINGFELDER, ROBLAN, KRUSE, CLOSE, PROZANSKI

9:59:19 AM Chair Prozanski

9:59:31 AM HB 2668 - Work Session

9:59:33 AM {Exhibit} 17: Anna Braun, Committee Counsel

10:00:05 AM Chair Prozanski

10:00:07 AM MOTION: SEN. DINGFELDER MOVES -3 AMENDMENTS BE ADOPTED

10:00:23 AM VOTE: 5-0-0

10:00:24 AM AYES: DINGFELDER, ROBLAN, KRUSE, CLOSE, PROZANSKI

10:00:26 AM MOTION: SEN. DINGFELDER MOVES HB 2668 DO PASS AS AMENDED

10:00:40 AM Sen. Dingfelder

10:00:41 AM VOTE: 5-0-0

10:01:11 AM Sen. Kruse

10:01:21 AM Chair Prozanski

10:01:29 AM AYES: DINGFELDER, ROBLAN, KRUSE, CLOSE, PROZANSKI

10:01:31 AM CARRIER: SEN. DINGFELDER WILL LEAD DISCUSSION ON THE FLOOR

10:01:43 AM HB 2536 A - Work Session

10:01:47 AM Chair Prozanski

10:02:00 AM {Exhibit} 18: Anna Braun, Committee Counsel

10:02:44 AM Chair Prozanski

10:03:33 AM Braun

10:03:39 AM Chair Prozanski

10:04:02 AM Paul Romain, Settlement Purchasers

10:04:08 AM Braun

10:04:16 AM Romain

10:04:20 AM Braun

10:04:32 AM Sen. Kruse

10:04:39 AM Chair Prozanski

10:04:42 AM Romain

10:04:55 AM Chair Prozanski

10:05:32 AM Sen. Dingfelder

10:05:47 AM Chair Prozanski

10:05:49 AM Sen. Roblan

10:05:51 AM Chair Prozanski

10:06:14 AM Romain

10:06:31 AM Chair Prozanski

10:06:51 AM Meeting Recessed

4:52:04 PM Meeting Reconvened

4:52:09 PM Chair Prozanski

4:52:32 PM HB 2449 - Work Session

4:52:35 PM Anna Braun, Committee Counsel

4:52:44 PM Chair Prozanski

4:52:52 PM MOTION: SEN. DINGFELDER MOVES HB 2449 DO PASS WITH
REQUEST FOR REFERRAL TO COMMITTEE ON RULES

4:53:08 PM Chair Prozanski

4:53:56 PM Sen. Kruse
4:53:59 PM VOTE: 4-1-0
4:54:00 PM AYES: DINGFELDER, ROBLAN, CLOSE, PROZANSKI
4:54:00 PM NAYS: KRUSE
4:54:04 PM Chair Prozanski

4:54:33 PM **HB 2596 A - Work Session**
4:55:07 PM MOTION: SEN. ROBLAN MOVES -A4 AMENDMENTS BE ADOPTED
4:55:07 PM VOTE: 5-0-0
4:55:07 PM AYES: DINGFELDER, ROBLAN, KRUSE, CLOSE, PROZANSKI
4:55:14 PM Chair Prozanski
4:55:59 PM MOTION: SEN. ROBLAN MOVES HB 2596 A DO PASS AS AMENDED
4:56:06 PM Chair Prozanski
4:56:18 PM Sen. Dingfelder
4:57:01 PM Chair Prozanski
4:58:27 PM VOTE: 4-1-0
4:58:27 PM AYES: ROBLAN, KRUSE, CLOSE, PROZANSKI
4:58:27 PM NAYS: DINGFELDER
4:58:27 PM SEN. KRUSE WILL LEAD DISCUSSION ON THE FLOOR
4:58:44 PM Chair Prozanski

4:58:52 PM **HB 2536 A - Work Session**
4:59:37 PM Chair Prozanski
5:00:17 PM MOTION: CHAIR PROZANSKI MOVES -A10 AMENDMENTS BE ADOPTED
5:00:28 PM VOTE: 5-0-0
5:00:29 PM AYES: DINGFELDER, ROBLAN, KRUSE, CLOSE, PROZANSKI
5:00:32 PM MOTION: SEN. DINGFELDER MOVES THAT THE RULES BE SUSPENDED FOR THE PURPOSE OF TAKING ACTION ON HB 2536 A WITHOUT HAVING THE FISCAL AND REVENUE IMPACT STATEMENTS
5:00:33 PM VOTE: 5-0-0
5:00:33 PM AYES: DINGFELDER, ROBLAN, KRUSE, CLOSE, PROZANSKI
5:00:58 PM Chair Prozanski
5:01:21 PM Sen. Kruse
5:01:50 PM MOTION: SEN. DINGFELDER MOVES HB 2536 A DO PASS AS AMENDED
5:02:01 PM Chair Prozanski
5:02:10 PM Sen. Kruse
5:02:12 PM Chair Prozanski
5:02:43 PM VOTE: 4-1-0
5:02:43 PM AYES: DINGFELDER, ROBLAN, CLOSE, PROZANSKI
5:02:43 PM NAYS: KRUSE
5:02:44 PM CARRIER: SEN. PROZANSKI WILL LEAD DISCUSSION ON THE FLOOR
5:04:35 PM Sen. Kruse
5:05:08 PM Chair Prozanski
5:05:43 PM Meeting Adjourned by Chair Prozanski

Exhibit Summary

- 8:44:23 AM** {Exhibit} 1: HB 3253, -A6 amendments, staff, 2 pp
- 8:46:08 AM** {Exhibit} 2: HB 2962, -A4 amendments, staff, 1 p
- 8:51:18 AM** {Exhibit} 3: HB 2596 A, -A4 amendments, staff, 1 p
- 9:05:33 AM** {Exhibit} 4: HB 2596 A, witness registration, staff, 1 p
- 9:05:35 AM** {Exhibit} 5: HB 2596 A, written testimony, Debra J. King, 1 p
- 9:05:35 AM** {Exhibit} 6: HB 2596 A, written testimony, Kevin Melvin, 1 p
- 9:05:35 AM** {Exhibit} 7: HB 2596 A, written testimony, Peter W., 8 pp
- 9:06:05 AM** {Exhibit} 8: HB 2710, -5 amendments, staff, 9 pp
- 9:25:39 AM** {Exhibit} 9: HB 2449, written testimony, Mark Abrams, 2 pp
- 9:42:07 AM** {Exhibit} 10: HB 2449, witness registration, staff, 1 p
- 9:42:09 AM** {Exhibit} 11: HB 2449, written testimony, Samuel A. Kubernick, 1 p
- 9:42:10 AM** {Exhibit} 12: HB 2449, written testimony, Johanna M. Riemenschneider, 1 p
- 9:42:11 AM** {Exhibit} 13: HB 2449, formal opinion, Aaron Knott, 2 pp
- 9:42:38 AM** {Exhibit} 14: HB 2536, -A9 amendments, staff, 12 pp
- 9:46:22 AM** {Exhibit} 15: HB 2607 A, witness registration, staff, 1 p
- 9:46:32 AM** {Exhibit} 16: HB 2562, -A8 amendments, staff, 12 pp
- 9:59:33 AM** {Exhibit} 17: HB 2668, -3 amendments, staff, 2 pp
- 10:02:00 AM** {Exhibit} 18: HB 2536, -A10 amendments, staff, 12 pp