

## SENATE COMMITTEE ON JUDICIARY

April 3, 2019  
08:00 AM

Hearing Room C

**MEMBERS PRESENT:** Sen. Floyd Prozanski, Chair  
Sen. Kim Thatcher, Vice-Chair  
Sen. Cliff Bentz  
Sen. Shemia Fagan  
Sen. Sara Gelser  
Sen. Dennis Linthicum  
Sen. James Manning Jr.

**STAFF PRESENT:** Channa Newell, Counsel  
Michael Lantz, Counsel  
Kelsey McCauley, Committee Assistant

**EXHIBITS:** Exhibits from this meeting are available [here](#)

**MEASURES/ISSUES:** SB 759 – Public Hearing and Work Session  
SB 797 – Public Hearing and Work Session  
SB 965 – Public Hearing  
HB 2913 – Public Hearing and Work Session  
SB 999 – Public Hearing  
SB 11 – Work Session  
SB 35 A – Work Session  
SB 113 – Work Session  
SB 279 – Work Session  
SB 582 – Work Session

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**00:00:01** Meeting Called to Order  
**00:00:02** Chair Prozanski

**00:00:27** [SB 759 and 797 - Public Hearing](#)  
**00:00:31** Chair Prozanski  
**00:00:33** Sen. Laurie Monnes Anderson, Senate District 25

**00:01:57** [SB 759 - Public Hearing](#)  
**00:02:00** Chair Prozanski  
**00:02:10** Michael Lantz, Counsel  
**00:02:43** Brian Doherty, Insurance Auto Auctions  
**00:04:29** Sen. Bentz  
**00:08:19** EXHIBIT 1: witness registration

**00:08:22**      **SB 759 - Work Session**  
**00:08:23**      Chair Prozanski  
**00:08:24**      MOTION: VICE-CHAIR THATCHER MOVES SB 759 DO PASS  
**00:08:39**      VOTE: 7-0-0 (see time stamp 00:21:01)  
AYES: BENTZ, FAGAN, GELSER, MANNING, THATCHER, PROZANSKI  
EXCUSED: LINTHICUM  
CARRIER: SEN. MONNES ANDERSON WILL LEAD DISCUSSION ON  
THE FLOOR

**00:08:53**      **SB 797 - Public Hearing**  
**00:08:54**      Chair Prozanski  
**00:09:45**      EXHIBIT 2: Michael Lantz, Counsel  
**00:10:04**      Jerry Hinton, General Manager, ADESA Portland; Past President, National  
Auto Association  
**00:13:05**      Drew Hagedorn, CoPort  
**00:14:49**      Brian Doherty, Insurance Auto Auctions  
**00:15:08**      Sen. Bentz  
**00:16:55**      Jeffrey Nitschke, District Attorney, Clackamas County; Oregon District  
Attorneys Association  
**00:18:30**      EXHIBIT 3: witness registration

**00:18:59**      **SB 797 - Work Session**  
**00:19:01**      Chair Prozanski  
**00:19:02**      MOTION: VICE-CHAIR THATCHER MOVES TO ADOPT THE -1  
AMENDMENTS  
**00:19:23**      VOTE: 7-0-0  
AYES: BENTZ, FAGAN, GELSER, LINTHICUM, MANNING, THATCHER,  
PROZANSKI  
**00:19:26**      MOTION: VICE-CHAIR THATCHER MOVES SB 797 DO PASS AS  
AMENDED  
**00:20:32**      VOTE: 7-0-0  
AYES: BENTZ, FAGAN, GELSER, LINTHICUM, MANNING, THATCHER,  
PROZANSKI  
CARRIER: SEN. MONNNES ANDERSON WILL LEAD DISCUSSION ON  
THE FLOOR  
**00:20:37**      Sen. Linthicum

**00:20:58**      **SB 759 - Work Session**  
**00:20:59**      Chair Prozanski  
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**00:20:59**      Chair Prozanski  
**00:21:00**      MOTION: CHAIR PROZANSKI MOVES THAT THE RULES BE  
SUSPENDED TO ALLOW SEN. LINTHICUM TO VOTE AYE ON SB 759

**00:21:01** VOTE: 7-0-0  
AYES: BENTZ, FAGAN, GELSER, LINTHICUM, MANNING, THATCHER,  
PROZANSKI

**00:21:09** **SB 965 - Public Hearing**  
**00:21:11** Chair Prozanski  
**00:21:19** Michael Lantz, Counsel  
**00:22:23** EXHIBIT 4: Jeffrey Nitschke, District Attorney, Clackamas County; Oregon  
District Attorneys Association  
**00:29:02** EXHIBIT 5: Joshua Wilson, Corporal, Washington County Sheriff's Office  
**00:34:48** EXHIBIT 6: Deena Ryerson, Senior Assistant Attorney General, Criminal  
Justice Division, Oregon Department of Justice  
**00:38:54** Sen. Manning Jr.

**00:44:12** **HB 2913 - Public Hearing**  
**00:44:14** Chair Prozanski  
**00:44:16** Michael Lantz, Counsel  
**00:44:35** Rep. Paul Evans, House District 20

**00:46:39** **SB 965 - Public Hearing**  
**00:46:40** Chair Prozanski  
**00:47:06** EXHIBIT 7: Mary Sofia, Legislative Director, Oregon Criminal Defense  
Lawyers Association  
**00:52:07** EXHIBIT 8: Richard Oberdorfer, Member, Oregon Criminal Defense  
Lawyers Association  
**00:58:23** Waylon Buchan, Oregon Trucking Association  
**01:02:18** Vice-Chair Thatcher  
**01:04:06** Sen. Linthicum  
**01:05:27** Sen. Fagan  
**01:05:59** Bob Estabrook, Oregon School Employees Association  
**01:07:31** Cate Duke, resident, Springfield  
**01:11:40** EXHIBIT 9: witness registration  
**01:11:43** The following is submitted for the record without public testimony:  
EXHIBIT 10: Cecily Morris, resident  
EXHIBIT 11: Chuck Hayes, Chairman, Governor's Advisory Committee on  
DUII  
EXHIBIT 12: Michele M. Farneth, resident

**01:11:49** **SB 999 - Public Hearing**  
**01:11:50** Chair Prozanski  
**01:11:55** EXHIBIT 13: Michael Lantz, Counsel  
**01:12:46** Aaron Knott, Legislative Director, Oregon Department of Justice  
**01:14:55** EXHIBITS 14-15: Deena Ryerson, Senior Assistant Attorney General,  
Criminal Justice Division  
**01:24:35** David LeDay, Sergeant, Keizer Police Department; Oregon Association of  
Chiefs of Police

**01:26:40** Jeffrey Nitschke, District Attorney, Clackamas County; Oregon District Attorneys Association

**01:29:20** EXHIBIT 16: Richard Oberdorfer, Member, Oregon Criminal Defense Lawyers Association

**01:34:24** Amy Joyce, Legislative Liaison, Oregon Department of Transportation

**01:38:04** Kaylee Montag, Oregon Public Defense Services

**01:39:40** EXHIBIT 17: witness registration

**01:39:42** The following is submitted for the record without public testimony:  
EXHIBIT 18: Mary Sofia, Legislative Director, Oregon Criminal Defense Lawyers Association

**01:39:44** **HB 2913 - Public Hearing**

**01:39:45** Chair Prozanski

**01:40:05** Darrell Fuller, Northwest Auto Traders Association

**01:41:51** EXHIBIT 19: witness registration

**01:42:05** **HB 2913 - Work Session**

**01:42:06** Chair Prozanski

**01:42:07** MOTION: VICE-CHAIR THATCHER MOVES HB 2913 DO PASS

**01:42:21** VOTE: 7-0-0  
AYES: BENTZ, FAGAN, GELSER, LINTHICUM, MANNING, THATCHER, PROZANSKI  
CARRIER: SEN. BENTZ WILL LEAD DISCUSSION ON THE FLOOR

**01:43:42** **SB 11 - Work Session**

**01:43:43** Chair Prozanski

**01:43:45** EXHIBIT 20: Channa Newell, Counsel

**01:44:42** MOTION: VICE-CHAIR THATCHER MOVES TO ADOPT THE -3 AMENDMENTS

**01:44:57** VOTE: 7-0-0  
AYES: BENTZ, FAGAN, GELSER, LINTHICUM, MANNING, THATCHER, PROZANSKI

**01:44:59** MOTION: VICE-CHAIR THATCHER MOVES TO SB 11 DO PASS AS AMENDED

**01:45:14** VOTE: 7-0-0  
AYES: BENTZ, FAGAN, GELSER, LINTHICUM, MANNING, THATCHER, PROZANSKI  
CARRIER: SEN. MONNES ANDERSON WILL LEAD DISCUSSION ON THE FLOOR

**01:45:22** **SB 35 A - Work Session**

**01:45:23** Chair Prozanski

**01:45:24** Channa Newell, Counsel

**01:46:00** MOTION: VICE-CHAIR THATCHER MOVES SB 35A DO PASS AND BE REFERRED TO THE JOINT COMMITTEE ON WAYS AND MEANS BY PRIOR REFERENCE

**01:46:21** VOTE: 7-0-0  
AYES: BENTZ, FAGAN, GELSER, LINTHICUM, MANNING, THATCHER,  
PROZANSKI

**01:46:32** **SB 113 - Work Session**

**01:46:33** Chair Prozanski

**01:46:34** EXHIBIT 21: Channa Newell, Counsel

**01:47:20** MOTION: VICE-CHAIR THATCHER MOVES TO ADOPT THE -2  
AMENDMENTS

**01:47:38** Sen. Bentz

**01:47:44** Sen. Linthicum

**01:47:57** VOTE: 7-0-0

AYES: BENTZ, FAGAN, GELSER, LINTHICUM, MANNING, THATCHER,  
PROZANSKI

**01:47:59** MOTION: VICE-CHAIR THATCHER MOVES SB 113 DO PASS AS  
AMENDED

**01:50:26** VOTE: 4-3-0

AYES: FAGAN, GELSER, MANNING, PROZANSKI

NAYS: BENTZ, LINTHICUM, THATCHER

CARRIER: SEN. FAGAN WILL LEAD DISCUSSION ON THE FLOOR

**01:51:06** **SB 279 - Work Session**

**01:51:07** Chair Prozanski

**01:51:08** EXHIBIT 22: Channa Newell, Counsel

**01:51:59** MOTION: VICE-CHAIR THATCHER MOVES TO ADOPT THE -3  
AMENDMENTS

**01:52:22** VOTE: 7-0-0

AYES: BENTZ, FAGAN, GELSER, LINTHICUM, MANNING, THATCHER,  
PROZANSKI

**01:52:26** MOTION: VICE-CHAIR THATCHER MOVES SB 279 DO PASS AS  
AMENDED AND BE REFERRED TO THE JOINT COMMITTEE ON  
WAYS AND MEANS

**01:53:08** VOTE: 6-1-0

AYES: BENTZ, FAGAN, GELSER, MANNING, THATCHER, PROZANSKI  
NAY: LINTHICUM

**01:53:16** **SB 582 - Work Session**

**01:53:16** Chair Prozanski

**01:53:18** EXHIBIT 23: Michael Lantz, Counsel

**01:54:09** MOTION: VICE-CHAIR THATCHER MOVES TO ADOPT THE -2  
AMENDMENTS

**01:54:33** VOTE: 7-0-0

AYES: BENTZ, FAGAN, GELSER, LINTHICUM, MANNING, THATCHER,  
PROZANSKI

**01:54:38** MOTION: VICE-CHAIR THATCHER MOVES SB 582 DO PASS AS  
AMENDED

**01:54:52** Sen. Bentz  
**01:55:53** Vice-Chair Thatcher  
**01:56:07** Sen. Linthicum  
**01:56:51** Sen. Fagan  
**01:57:31** VOTE: 5-2-0  
AYES: FAGAN, GELSER, MANNING, THATCHER, PROZANSKI  
NAYS: BENTZ, LINTHICUM  
CARRIER: SEN. PROZANSKI WILL LEAD DISCUSSION ON THE  
FLOOR  
**01:58:39** Meeting Adjourned