

## **SENATE COMMITTEE ON JUDICIARY**

**March 19, 2009  
8:30 A.M.**

**Hearing Room 343**

**MEMBERS PRESENT:**       **Sen. Floyd Prozanski, Chair  
Sen. Brian Boquist, Vice-Chair  
Sen. Suzanne Bonamici  
Sen. Jackie Dingfelder  
Sen. Doug Whitsett**

**STAFF PRESENT:**       **Bill Taylor, Counsel  
Anna Braun, Counsel  
Courtney Johnston, Committee Assistant**

**MEASURES/ISSUES HEARD:** **HB 2495 – Public Hearing  
HB 2495 – Work Session  
SB 274 – Public Hearing  
SB 94 – Work Session**

**This recording log is in compliance with Senate and House Rules. For complete contents, refer to the digital audio recording.**

**SJUD**

**3/19/2009 8:37:34 AM**

**8:37:38 AM** Meeting Called to Order  
**8:37:45 AM** Chair Prozanski  
**8:37:51 AM** HB 2495 - Public Hearing  
**8:38:01 AM** Senator Vicki Walker, Senate District 7  
**8:38:13 AM** Chair Prozanski  
**8:38:15 AM** Sen. Walker  
**8:39:52 AM** Sen. Dingfelder  
**8:39:53 AM** Sen. Walker  
**8:40:01 AM** Chair Prozanski  
**8:40:11 AM** Sen. Walker  
**8:40:43 AM** Brenda Rocklin, President and Chief Executive Officer, State  
Accident Insurance Fund Corporation  
**8:41:00 AM** {Exhibit} 1: Rocklin  
**8:43:05 AM** John DiLorenzo, Legal Counsel, Oregonians For Sound Economic  
Policy  
**8:46:54 AM** John Powell, Legislative Representative, Liberty Mutual  
**8:47:16 AM** Chair Prozanski  
**8:47:20 AM** Vice-Chair Boquist  
**8:47:50 AM** Rocklin  
**8:47:54 AM** Vice-Chair Boquist  
**8:47:56 AM** Chair Prozanski  
**8:48:10 AM** Tom Gallagher, Representative, Oregon Newspaper Publishers  
Association  
**8:48:25 AM** Chair Prozanski  
**8:48:33 AM** HB 2495 - Work Session  
**8:48:37 AM** MOTION: Vice-Chair Boquist moves HB 2495 DO PASS  
**8:48:41 AM** Chair Prozanski  
**8:48:48 AM** VOTE: 5-0-0  
**8:48:48 AM** Ayes: Sens: Bonamici, Boquist, Dingfelder, Whitsett, Prozanski  
**8:48:51 AM** CARRIER: SEN. WALKER will lead discussion on the floor  
**8:48:58 AM** Chair Prozanski  
**8:49:04 AM** Anna Braun, Committee Counsel  
**8:49:06 AM** Chair Prozanski  
**8:49:08 AM** Braun  
**8:49:09 AM** Chair Prozanski  
**8:49:13 AM** SB 274 - Public Hearing  
**8:49:22 AM** Anna Braun, Committee Counsel  
**8:49:23 AM** {Exhibit} 2: Braun  
**8:49:56 AM** Chair Prozanski

**8:50:21 AM** Sen. Whitsett  
**8:53:53 AM** Chair Prozanski  
**8:55:39 AM** Richard Davis, Board Member, Oregon Association of  
Administrative Law Judges  
**8:56:41 AM** {Exhibit} 3: Davis  
**9:05:43 AM** Chair Prozanski  
**9:05:47 AM** David Marcus, Administrative Law Judge/ Former President,  
Oregon Association of Administrative Law Judges  
**9:05:52 AM** Chair Prozanski  
**9:05:54 AM** Marcus  
**9:10:34 AM** Chair Prozanski  
**9:10:38 AM** Janice Krem, Administrative Law Attorney/Formal Chief  
Administrative Law Judge, Portland, Oregon  
**9:19:15 AM** {Exhibit} 4: Krem  
**9:19:33 AM** Chair Prozanski  
**9:19:42 AM** Krem  
**9:19:50 AM** Frank Mussell, Administrative Law Practitioner, Sisters, Oregon  
**9:20:50 AM** {Exhibit} 5: Mussell  
**9:25:32 AM** Chair Prozanski  
**9:25:39 AM** Mussell  
**9:27:37 AM** Chair Prozanski  
**9:27:43 AM** Sen. Bonamici  
**9:28:07 AM** Mussell  
**9:28:23 AM** Marcus  
**9:29:04 AM** Sen. Bonamici  
**9:29:26 AM** Marcus  
**9:30:09 AM** Sen. Bonamici  
**9:30:21 AM** Davis  
**9:30:38 AM** Chair Prozanski  
**9:30:50 AM** Sen. Bonamici  
**9:31:09 AM** Krem  
**9:32:09 AM** Sen. Bonamici  
**9:32:10 AM** Chair Prozanski  
**9:32:11 AM** Vice-Chair Boquist  
**9:32:34 AM** Chair Prozanski  
**9:33:08 AM** Tim Nicol, Business Manager, International Brotherhood of  
Electrical Workers local 280  
**9:36:37 AM** Chair Prozanski  
**9:37:09 AM** Nicol  
**9:38:01 AM** Chair Prozanski  
**9:38:16 AM** Sandy Leybold, Executive Director, Board of Examiners for  
Speech-Language Pathology and Audiology  
**9:42:48 AM** Chair Prozanski  
**9:42:50 AM** Holly Mercer, Executive Director, Oregon State Board of Nursing  
**9:42:56 AM** {Exhibit} 6: Mercer  
**9:48:31 AM** Chair Prozanski

**9:48:35 AM** Sen. Whitsett  
**9:49:08 AM** Chair Prozanski  
**9:49:28 AM** Ben Unger, Special Assistant to the Attorney General, Oregon  
Department of Justice  
**9:51:55 AM** Chair Prozanski  
**9:52:04 AM** Unger  
**9:52:58 AM** Warren Foote, Senior Assistant Attorney General, Oregon  
Department of Justice  
**9:53:00 AM** {Exhibit} 7: Foote  
**9:58:03 AM** Sen. Bonamici  
**9:58:19 AM** Christine Chute, Senior Assistant Attorney General, Oregon  
Department of Justice  
**9:58:36 AM** Chair Prozanski  
**9:59:01 AM** Sen. Whitsett  
**9:59:03 AM** Chair Prozanski  
**9:59:05 AM** Sen. Whitsett  
**9:59:10 AM** Chair Prozanski  
**9:59:20 AM** Vice-Chair Boquist  
**9:59:21 AM** Chair Prozanski  
**9:59:31 AM** John DiLorenzo, Attorney, Davis Wright Tremaine, Portland,  
Oregon  
**9:59:32 AM** Chair Prozanski  
**9:59:44 AM** DiLorenzo  
**9:59:51 AM** {Exhibit} 8: DiLorenzo  
**10:02:56 AM** Chair Prozanski  
**10:03:16 AM** The following written testimonies are submitted for the record  
without public testimony:  
**10:03:16 AM** {Exhibit} 9: Kate Brown, Secretary of State, State of Oregon  
**10:03:16 AM** {Exhibit} 10: Oregon State Board of Pharmacy  
**10:03:16 AM** {Exhibit} 11: Dr. Leon Pielstick, Chair, Veterinary Medical Board  
**10:03:17 AM** SB 94 - Work Session  
**10:03:20 AM** Bill Taylor, Committee Counsel  
**10:03:25 AM** {Exhibit} 12: Taylor  
**10:03:33 AM** Chair Prozanski  
**10:03:38 AM** Taylor  
**10:03:43 AM** Vice-Chair Boquist  
**10:03:45 AM** Taylor  
**10:03:58 AM** MOTION: Vice-Chair Boquist moves -3 amendments  
**10:04:07 AM** Chair Prozanski  
**10:04:11 AM** VOTE: 5-0-0  
**10:04:11 AM** Ayes: Sens: Bonamici, Boquist, Dingfelder, Whitsett, Prozanski  
**10:04:15 AM** MOTION: Vice-Chair Boquist moves SB 94 DO PASS as  
AMENDED  
**10:04:25 AM** Chair Prozanski  
**10:04:32 AM** Sen. Bonamici  
**10:04:39 AM** Taylor

**10:04:57 AM** Sen. Bonamici

**10:04:58 AM** Chair Prozanski

**10:05:00 AM** VOTE: 5-0-0

**10:05:00 AM** Ayes: Sens: Bonamici, Boquist, Dingfelder, Whitsett, Prozanski

**10:05:03 AM** CARRIER: SEN. BOQUIST will lead discussion on the floor

**10:05:09 AM** Chair Prozanski

**10:05:20 AM** Meeting Adjourned

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**SJUD**

**3/19/2009 8:37:34 AM**

- 8:41:00 AM** {Exhibit} 1: HB 2495, written testimony, Brenda Rocklin, 2 pp  
**8:49:23 AM** {Exhibit} 2: SB 274, -1 amendments, staff, 11 pp  
**8:56:41 AM** {Exhibit} 3: SB 274, written testimony, Richard Davis, 3 pp  
**9:19:15 AM** {Exhibit} 4: SB 274, written testimony, Janice Krem, 6 pp  
**9:20:50 AM** {Exhibit} 5: SB 274, written testimony, Frank Mussell, 4 pp  
**9:42:56 AM** {Exhibit} 6: SB 274, written testimony, Holly Mercer, 1 p  
**9:53:00 AM** {Exhibit} 7: SB 274, written testimony, Warren Foote, 3 pp  
**9:59:51 AM** {Exhibit} 8: SB 274, Administrative Law Newsletter Articles, John DiLorenzo, 5 pp  
**10:03:16 AM** {Exhibit} 9: SB 274, written testimony, Kate Brown, 1 p  
**10:03:16 AM** {Exhibit} 10: SB 274, written testimony, Oregon State Board of Pharmacy, 1 p  
**10:03:16 AM** {Exhibit} 11: SB 274, written testimony, Dr. Leon Pielstick, 2 pp  
**10:03:25 AM** {Exhibit} 12: SB 94, -3 amendments, staff, 1 p
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