

## **SENATE COMMITTEE ON JUDICIARY**

**May 11, 2009  
8:45 A.M.**

**Hearing Room 343**

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

**MEMBERS EXCUSED:**       **Sen. Doug Whitsett**

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

**MEASURES/ISSUES HEARD:** **HB 3111 A – Public Hearing  
HB 2584 A – Public Hearing  
HB 2687 A – Public Hearing  
HB 2353 A – Work Session  
HB 2304 – Work Session  
HB 2310 A – Work Session  
HB 2311 – Work Session**

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

**SJUD**

**5/11/2009 8:51:36 AM**

**8:51:42 AM** Meeting Called to Order  
**8:51:48 AM** Chair Prozanski  
**8:51:51 AM** HB 3111 A - Public Hearing  
**8:51:59 AM** Anna Braun, Committee Counsel  
**8:52:21 AM** Chair Prozanski  
**8:52:34 AM** Representative Dennis Richardson, House District 4  
**8:54:08 AM** Representative Nick Kahl, House District 49  
**8:56:32 AM** Chair Prozanski  
**8:56:37 AM** Vice-Chair Boquist  
**8:56:40 AM** Rep. Richardson  
**8:58:57 AM** Rep. Kahl  
**9:00:57 AM** Sen. Bonamici  
**9:01:32 AM** Rep. Kahl  
**9:02:29 AM** Sen. Bonamici  
**9:02:57 AM** Rep. Kahl  
**9:03:48 AM** Chair Prozanski  
**9:04:22 AM** Tom Holt, Oregon Liability Reform Coalition  
**9:05:41 AM** Chair Prozanski  
**9:06:01 AM** The following written testimony is submitted for the record without public testimony:  
**9:06:01 AM** {Exhibit} 1: Gwen Dayton, Executive Vice-President and General Counsel, Oregon Association of Hospitals and Health Systems  
**9:06:02 AM** HB 2584 A - Public Hearing  
**9:06:06 AM** Anna Braun, Committee Counsel  
**9:06:33 AM** Chair Prozanski  
**9:07:04 AM** Phil Donovan, Legislative Representative, Stoll Berne  
**9:09:06 AM** Christina Beatty-Walters, Antitrust Attorney, Stoll Berne, Portland, Oregon  
**9:09:09 AM** {Exhibit} 2: Beatty-Walters  
**9:18:57 AM** Andy Aubertine, Antitrust Attorney, Portland, Oregon  
**9:19:08 AM** {Exhibit} 3: Aubertine  
**9:27:57 AM** Vice-Chair Boquist  
**9:28:55 AM** Aubertine  
**9:31:24 AM** Vice-Chair Boquist  
**9:32:06 AM** Aubertine  
**9:33:07 AM** Sen. Bonamici  
**9:33:40 AM** Aubertine  
**9:36:23 AM** Chair Prozanski  
**9:36:46 AM** Tom Holt, Oregon Liability Reform Coalition

**9:38:32 AM** Jim Gardner, Pharmaceutical Research and Manufacturers of America  
**9:38:41 AM** {Exhibit} 4: Gardner  
**9:45:59 AM** Chair Prozanski  
**9:46:01 AM** Betsy Earls, Associated Oregon Industries  
**9:47:52 AM** Chair Prozanski  
**9:47:54 AM** Sen. Bonamici  
**9:48:21 AM** Gardner  
**9:49:04 AM** Sen. Bonamici  
**9:49:05 AM** Chair Prozanski  
**9:49:16 AM** HB 2687 A - Public Hearing  
**9:49:20 AM** Anna Braun, Committee Counsel  
**9:49:44 AM** Chair Prozanski  
**9:50:09 AM** Neil Jackson, member, Board of Governors of the Oregon Trial Lawyers Association  
**9:50:14 AM** {Exhibit} 5: Jackson  
**9:51:46 AM** Steve Murrell, State Farm Insurance Companies  
**9:52:03 AM** Tim Martinez, Oregon Bankers Association  
**9:52:30 AM** Chair Prozanski  
**9:52:45 AM** Meeting Recessed  
**9:53:49 AM** Meeting Reconvened  
**9:53:51 AM** Chair Prozanski  
**9:53:55 AM** HB 2353 A - Work Session  
**9:53:59 AM** MOTION: Vice-Chair Boquist moves HB 2353 A DO PASS  
**9:54:02 AM** Chair Prozanski  
**9:54:09 AM** Sen. Bonamici  
**9:55:42 AM** Chair Prozanski  
**9:55:50 AM** VOTE: 4-0-1  
**9:55:50 AM** Ayes: Sens: Bonamici, Boquist, Dingfelder, Prozanski; Excused: Sen. Whitsett  
**9:56:01 AM** CARRIER: SEN. PROZANSKI will lead discussion on the floor  
**9:56:06 AM** HB 2304 - Work Session  
**9:56:13 AM** Anna Braun, Committee Counsel  
**9:56:30 AM** MOTION: Vice-Chair Boquist moves HB 2304 DO PASS  
**9:56:32 AM** Chair Prozanski  
**9:56:40 AM** Sen. Bonamici  
**9:56:47 AM** Chair Prozanski  
**9:56:49 AM** VOTE: 4-0-1  
**9:56:49 AM** Ayes: Sens: Bonamici, Boquist, Dingfelder, Prozanski; Excused: Sen. Whitsett  
**9:56:53 AM** CARRIER: SEN. BOQUIST will lead discussion on the floor  
**9:57:02 AM** Sen. Bonamici  
**9:57:17 AM** Chair Prozanski  
**9:57:24 AM** HB 2310 A - Work Session  
**9:57:27 AM** Anna Braun, Committee Counsel  
**9:57:45 AM** MOTION: Vice-Chair Boquist moves HB 2310 A DO PASS

**9:57:47 AM** Chair Prozanski  
**9:57:55 AM** VOTE: 4-0-1  
**9:57:55 AM** Ayes: Sens: Bonamici, Boquist, Dingfelder, Prozanski; Excused:  
Sen. Whitsett  
**9:57:59 AM** CARRIER: SEN. BONAMICI will lead discussion on the floor  
**9:58:08 AM** HB 2311 - Work Session  
**9:58:12 AM** Anna Braun, Committee Counsel  
**9:58:29 AM** MOTION: Vice-Chair Boquist moves HB 2311 DO PASS  
**9:58:31 AM** Chair Prozanski  
**9:58:39 AM** VOTE: 4-0-1  
**9:58:39 AM** Ayes: Sens: Bonamici, Boquist, Dingfelder, Prozanski; Excused:  
Sen. Whitsett  
**9:58:44 AM** CARRIER: SEN. BONAMICI will lead discussion on the floor  
**9:59:02 AM** Sen. Dingfelder  
**9:59:04 AM** Chair Prozanski  
**9:59:12 AM** Sen. Dingfelder  
**9:59:17 AM** Chair Prozanski  
**9:59:23 AM** Sen. Dingfelder  
**9:59:29 AM** MOTION: Chair Prozanski moves that the THE RULES BE  
SUSPENDED to allow Sen. Dingfelder to VOTE: AYE on HB 2353  
A, HB 2304, HB 2310 A  
**9:59:29 AM** VOTE: 4-0-1  
**9:59:29 AM** Ayes: Sens: Bonamici, Boquist, Dingfelder, Prozanski; Excused:  
Sen. Whitsett  
**10:00:26 AM** Chair Prozanski  
**10:00:30 AM** Braun  
**10:00:33 AM** Chair Prozanski  
**10:00:40 AM** Meeting Adjourned

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**SJUD**

**5/11/2009 8:51:36 AM**

**9:06:01 AM** {Exhibit} 1: HB 3111 A, written testimony, Gwen Dayton, 2 pp

**9:09:09 AM** {Exhibit} 2: HB 2584 A, written testimony, Christina Beatty-Walters,  
46 pp

**9:19:08 AM** {Exhibit} 3: HB 2584 A, written testimony, Andy Aubertine, 13 pp

**9:38:41 AM** {Exhibit} 4: HB 2584 A, written testimony, Jim Gardner, 2 pp

**9:50:14 AM** {Exhibit} 5: HB 2687 A, written testimony, Neil Jackson, 2 pp

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