

## **SENATE COMMITTEE ON JUDICIARY**

**May 13, 2009  
8:00 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:**         **Bill Taylor, Counsel  
Anna Braun, Counsel  
Courtney Johnston, Committee Assistant**

**MEASURES/ISSUES HEARD:** **HB 2385 – Public Hearing  
HB 2272 A – Work Session  
HB 2273 – Work Session  
HB 2274 – Work Session  
HB 2276 – Work Session  
HB 2277 – Work Session  
HB 2278 A – Work Session  
HB 2163 A – Work Session**

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

## **SJUD**

**5/13/2009 8:06:23 AM**

- 8:06:26 AM** Meeting Called to Order
- 8:06:33 AM** Chair Prozanski
- 8:06:41 AM** HB 2385 - Public Hearing
- 8:06:49 AM** Chair Prozanski
- 8:06:57 AM** Anna Braun, Committee Counsel
- 8:07:14 AM** Chair Prozanski
- 8:07:51 AM** Representative Chuck Riley, House District 29
- 8:10:17 AM** Chair Prozanski
- 8:10:21 AM** Senator Bill Morrisette, Senate District 6
- 8:10:35 AM** {Exhibit} 1: Sen. Morrisette
- 8:12:13 AM** Caitlin Cushing, Legislative Assistant, Senator Ginny Burdick,  
Senate District 18
- 8:12:21 AM** {Exhibit} 2: Cushing
- 8:14:13 AM** Chair Prozanski
- 8:14:15 AM** Vice-Chair Boquist
- 8:14:22 AM** Cushing
- 8:14:26 AM** Chair Prozanski
- 8:14:38 AM** Sen. Dingfelder
- 8:14:44 AM** Chair Prozanski
- 8:15:20 AM** Regan Gray, Policy Analyst, Children First for Oregon
- 8:15:26 AM** {Exhibit} 3: Gray
- 8:16:43 AM** Dr. James Lace, Pediatrician, Oregon Medical Association/Oregon  
Pediatric Society
- 8:16:51 AM** {Exhibit} 4: Lace
- 8:20:27 AM** Katherine Bradley, Administrator, Public Health Division, Office of  
Family Health, Oregon Department of Human Services
- 8:20:46 AM** {Exhibit} 5: Bradley
- 8:22:54 AM** Alejandro Queral, Oregon Director of Government Relations,  
American Heart Association/American Stroke Association
- 8:23:08 AM** {Exhibit} 6: Queral
- 8:25:30 AM** Chair Prozanski
- 8:25:34 AM** Sen. Bonamici
- 8:26:01 AM** Lace
- 8:26:40 AM** Bradley
- 8:27:06 AM** Vice-Chair Boquist
- 8:27:25 AM** Chair Prozanski
- 8:27:54 AM** Dr. Donald Austin, Physician/President Elect, Oregon Public Health  
Association
- 8:28:06 AM** {Exhibit} 7: Austin

**8:31:09 AM** Christina Swartz, American Lung Association  
**8:31:17 AM** {Exhibit} 8: Swartz  
**8:32:40 AM** Nicole Palmateer Armstrong, citizen, Salem, Oregon  
**8:33:34 AM** Chair Prozanski  
**8:34:11 AM** Tim Fissori, Marshal High School Teacher, Bend, Oregon  
**8:34:14 AM** Chair Prozanski  
**8:34:15 AM** Fissori  
**8:34:23 AM** Chair Prozanski  
**8:34:31 AM** Fissori  
**8:36:16 AM** Chair Prozanski  
**8:36:37 AM** Marty Hazeltine, Marshal High School student, Bend, Oregon  
**8:37:58 AM** Ashley Dressor, Marshal High School student, Bend, Oregon  
**8:39:24 AM** Kylee Fernandez, McMinnville High School student, McMinnville, Oregon  
**8:39:32 AM** The following written testimony is submitted for the record without public testimony:  
**8:39:32 AM** {Exhibit} 9: Heidi Fernandez, Head Start teacher, Yamhill County, Oregon  
**8:39:44 AM** {Exhibit} 10: Fernandez  
**8:40:48 AM** Chair Prozanski  
**8:40:51 AM** Sen. Bonamici  
**8:40:59 AM** Hazeltine  
**8:41:05 AM** Chair Prozanski  
**8:42:18 AM** David Nygren, Dayton High School student, Yamhill County, Oregon  
**8:44:18 AM** Mykylie Myzak, Dayton High School student, Yamhill County, Oregon  
**8:46:05 AM** Chair Prozanski  
**8:46:59 AM** Braun  
**8:47:05 AM** Chair Prozanski  
**8:47:09 AM** Meeting Recessed  
**8:50:57 AM** Meeting Reconvened  
**8:51:00 AM** Chair Prozanski  
**8:51:09 AM** The following testimony is submitted for the record without public testimony:  
**8:51:09 AM** {Exhibit} 11: Representative Mitch Greenlick, House District 33  
**8:51:10 AM** HB 2272 A - Work Session  
**8:51:15 AM** Bill Taylor, Committee Counsel  
**8:51:47 AM** Vice-Chair Boquist  
**8:51:55 AM** Taylor  
**8:51:56 AM** Vice-Chair Boquist  
**8:51:59 AM** Taylor  
**8:52:09 AM** MOTION: Vice-Chair Boquist moves HB 2272 A DO PASS  
**8:52:11 AM** Chair Prozanski  
**8:52:18 AM** VOTE: 4-0-1  
**8:52:18 AM** Ayes: Sens: Boquist, Bonamici, Dingfelder, Prozanski; Excused:

Sen. Whitsett  
**8:52:21 AM** CARRIER: SEN. DINGFELDER will lead discussion on the floor  
**8:52:28 AM** HB 2273 - Work Session  
**8:52:32 AM** Bill Taylor, Committee Counsel  
**8:53:03 AM** Chair Prozanski  
**8:53:13 AM** Vice-Chair Boquist  
**8:53:27 AM** Taylor  
**8:53:30 AM** Sen. Bonamici  
**8:54:05 AM** Taylor  
**8:54:25 AM** Chair Prozanski  
**8:54:31 AM** MOTION: Vice-Chair Boquist moves HB 2273 DO PASS  
**8:54:33 AM** Chair Prozanski  
**8:54:40 AM** VOTE: 4-0-1  
**8:54:40 AM** Ayes: Sens: Boquist, Bonamici, Dingfelder, Prozanski; Excused:  
Sen. Whitsett  
**8:54:45 AM** CARRIER: SEN. WHITSETT will lead discussion on the floor  
**8:54:55 AM** Sen. Bonamici  
**8:55:00 AM** Chair Prozanski  
**8:55:10 AM** HB 2274 - Work Session  
**8:55:16 AM** Bill Taylor, Committee Counsel  
**8:56:07 AM** Vice-Chair Boquist  
**8:56:15 AM** Taylor  
**8:56:21 AM** Vice-Chair Boquist  
**8:56:28 AM** Taylor  
**8:56:33 AM** Chair Prozanski  
**8:56:37 AM** MOTION: Vice-Chair Boquist moves HB 2274 DO PASS  
**8:56:40 AM** Chair Prozanski  
**8:56:46 AM** VOTE: 4-0-1  
**8:56:46 AM** Ayes: Sens: Boquist, Bonamici, Dingfelder, Prozanski; Excused:  
Sen. Whitsett  
**8:56:51 AM** CARRIER: SEN. BONAMICI will lead discussion on the floor  
**8:57:00 AM** HB 2276 - Work Session  
**8:57:03 AM** Bill Taylor, Committee Counsel  
**8:57:30 AM** MOTION: Vice-Chair Boquist moves HB 2276 DO PASS  
**8:57:33 AM** Chair Prozanski  
**8:57:41 AM** VOTE: 4-0-1  
**8:57:41 AM** Ayes: Sens: Boquist, Bonamici, Dingfelder, Prozanski; Excused:  
Sen. Whitsett  
**8:57:44 AM** CARRIER: SEN. BOQUIST will lead discussion on the floor  
**8:57:51 AM** HB 2277 - Work Session  
**8:57:55 AM** Bill Taylor, Committee Counsel  
**8:58:18 AM** MOTION: Vice-Chair Boquist moves HB 2277 DO PASS  
**8:58:21 AM** Chair Prozanski  
**8:58:29 AM** Vice-Chair Boquist  
**8:58:36 AM** Sen. Bonamici  
**8:58:39 AM** Chair Prozanski

**8:58:43 AM** VOTE: 4-0-1  
**8:58:43 AM** Ayes: Sens: Boquist, Bonamici, Dingfelder, Prozanski; Excused:  
Sen. Whitsett  
**8:58:46 AM** CARRIER: SEN. WHITSETT will lead discussion on the floor  
**8:58:59 AM** HB 2278 A - Work Session  
**8:59:02 AM** Bill Taylor, Committee Counsel  
**8:59:13 AM** MOTION: Vice-Chair Boquist moves HB 2278 A DO PASS  
**8:59:18 AM** Chair Prozanski  
**8:59:25 AM** Vice-Chair Boquist  
**8:59:31 AM** VOTE: 4-0-1  
**8:59:31 AM** Ayes: Sens: Boquist, Bonamici, Dingfelder, Prozanski; Excused:  
Sen. Whitsett  
**8:59:38 AM** CARRIER: SEN. DINGFELDER will lead discussion on the floor  
**8:59:49 AM** HB 2163 A - Work Session  
**8:59:53 AM** Bill Taylor, Committee Counsel  
**9:00:30 AM** {Exhibit} 12: Taylor  
**9:00:52 AM** Vice-Chair Boquist  
**9:01:38 AM** Chair Prozanski  
**9:01:46 AM** MOTION: Vice-Chair Boquist moves -A3 amendments  
**9:01:49 AM** Chair Prozanski  
**9:01:55 AM** VOTE: 4-0-1  
**9:01:55 AM** Ayes: Sens: Boquist, Bonamici, Dingfelder, Prozanski; Excused:  
Sen. Whitsett  
**9:01:57 AM** MOTION: Vice-Chair Boquist moves HB 2163 A DO PASS as  
AMENDED  
**9:02:02 AM** Chair Prozanski  
**9:02:13 AM** VOTE: 4-0-1  
**9:02:13 AM** Ayes: Sens: Boquist, Bonamici, Dingfelder, Prozanski; Excused:  
Sen. Whitsett  
**9:02:15 AM** CARRIER: SEN. BOQUIST will lead discussion on the floor  
**9:02:18 AM** Chair Prozanski  
**9:02:20 AM** Taylor  
**9:02:23 AM** Chair Prozanski  
**9:02:28 AM** Meeting Adjourned

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**SJUD**

**5/13/2009 8:06:23 AM**

- 8:10:35 AM** {Exhibit} 1: HB 2385, -1 amendments, staff, 1 p
  - 8:12:21 AM** {Exhibit} 2: HB 2385, written testimony, Sen. Ginny Burdick, 2 pp
  - 8:15:26 AM** {Exhibit} 3: HB 2385, written testimony, Regan Gray, 1 p
  - 8:16:51 AM** {Exhibit} 4: HB 2385, written testimony, James Lace, 2 pp
  - 8:20:46 AM** {Exhibit} 5: HB 2385, written testimony, Katherine Bradley, 2 pp
  - 8:23:08 AM** {Exhibit} 6: HB 2385, written testimony, Alejandro Queral, 2 pp
  - 8:28:06 AM** {Exhibit} 7: HB 2385, written testimony, Donald Austin, 2 pp
  - 8:31:17 AM** {Exhibit} 8: HB 2385, written testimony, Christina Swartz, 1 p
  - 8:39:32 AM** {Exhibit} 9: HB 2385, written testimony, Heidi Fernandez, 1 p
  - 8:39:44 AM** {Exhibit} 10: HB 2385, written testimony, Kylee Fernandez, 1 p
  - 8:51:09 AM** {Exhibit} 11: HB 2385, written testimony, Rep. Mitch Greenlick, 1 p
  - 9:00:30 AM** {Exhibit} 12: HB 2163 A, -A3 amendments, staff, 1 p
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