

**SENATE COMMITTEE ON GENERAL GOVERNMENT,  
CONSUMER, AND SMALL BUSINESS PROTECTION**

April 10, 2013  
3:00 PM

Hearing Room B

**MEMBERS PRESENT:**

Sen. Chip Shields, Chair  
Sen. Larry George, Vice-Chair  
Sen. Herman Baertschiger  
Sen. Laurie Monnes Anderson  
Sen. Floyd Prozanski

**STAFF PRESENT:**

Channa Newell, Committee Administrator  
Jenny Craig, Committee Assistant

**MEASURES/ISSUES HEARD:**

SB 344 – Public Hearing and Work Session  
SB 747 – Public Hearing  
SB 435 – Public Hearing  
SB 322 – Work Session  
SB 804 – Public Hearing and Work Session  
SB 648 – Public Hearing  
SB 613 – Public Hearing and Work Session  
SB 615 – Public Hearing  
SB 489 – Public Hearing  
SB 74 – Public Hearing

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**Recording Log**

**3:01:56 PM** Meeting Called to Order by Chair Shields  
**3:02:57 PM** {Exhibit} 1: Chair Shields  
**3:03:49 PM** Channa Newell, Committee Administrator  
  
**3:03:52 PM** **SB 344 - Public Hearing**  
**3:03:54 PM** {Exhibit} 2-3: Channa Newell, Committee Administrator  
**3:05:10 PM** Chair Shields  
**3:05:21 PM** {Exhibit} 4: Senator Ginny Burdick, Senate District 18, State of Oregon  
**3:06:35 PM** Chair Shields  
**3:06:37 PM** Representative Margaret Dougherty, House District 35, State of Oregon  
**3:08:40 PM** Chair Shields  
**3:09:25 PM** Ryan Haggeman, general counsel, Oregon University System  
**3:12:04 PM** Becky Straus, American Civil Liberties Union of Oregon (ACLU)  
**3:12:46 PM** Sen. Monnes Anderson  
**3:12:54 PM** Straus

3:12:55 PM Chair Shields  
3:12:58 PM Sen. Baertschiger  
3:12:59 PM Chair Shields  
3:13:01 PM Rebecca Ball, University of Oregon  
3:13:07 PM Chair Shields  
3:13:09 PM Vice-Chair George  
3:13:12 PM Newell  
3:13:16 PM {Exhibit} 5: witness registration  
  
3:13:17 PM **SB 344 - Work Session**  
3:13:22 PM MOTION: VICE-CHAIR GEORGE MOVES TO ADOPT THE -3  
AMENDMENTS  
3:13:25 PM Chair Shields  
3:13:34 PM VOTE: 5-0-0  
3:13:35 PM AYES: BAERTSCHIGER, MONNES ANDERSON, PROZANSKI,  
GEORGE, SHIELDS  
  
3:13:47 PM **SB 747 - Public Hearing**  
3:13:48 PM Chair Shields  
3:13:50 PM Newell  
3:14:15 PM Chair Shields  
3:14:37 PM Gregory Kafoury, attorney, Kafoury and McDougal  
3:14:42 PM Chair Shields  
3:14:44 PM {Exhibit} 6: Kafoury G.  
3:20:55 PM Rev. Dr. T. Allen Bethel, Senior Pastor, Marantha Church; President,  
Albina Ministerial Alliance; Co-Chair, Albina Ministerial Alliance Coalition  
for Accountability and Police Reform  
  
3:23:21 PM Chair Shields  
3:23:23 PM {Exhibit} 7-14: Jason Kafoury, attorney, Kafoury and McDougal  
3:30:05 PM Chair Shields  
3:30:09 PM Gallagher Smith, resident, Oregon  
3:30:11 PM Chair Shields  
3:30:12 PM Smith  
3:33:31 PM Chair Shields  
3:33:33 PM Sen. Baertschiger  
3:34:02 PM Smith  
3:34:08 PM Chair Shields  
3:34:57 PM {Exhibit} 15: Kafoury J.  
3:38:12 PM Chair Shields  
3:38:19 PM Sen. Prozanski  
3:38:23 PM Chair Shields  
3:38:28 PM Sen. Prozanski  
3:38:35 PM Kafoury G.  
3:38:36 PM Sen. Prozanski  
3:38:57 PM Kafoury G.  
3:38:59 PM Sen. Prozanski

3:39:02 PM Kafoury G.  
3:39:03 PM Sen. Prozanski  
3:39:06 PM Kafoury G.  
3:39:07 PM Sen. Prozanski  
3:39:18 PM Kafoury G.  
3:39:25 PM Sen. Prozanski  
3:39:29 PM Kafoury G.  
3:39:41 PM Sen. Prozanski  
3:39:43 PM Kafoury G.  
3:39:47 PM Sen. Prozanski  
3:39:50 PM Kafoury G.  
3:40:15 PM Sen. Prozanski  
3:40:31 PM Kafoury G.  
3:40:32 PM Sen. Prozanski  
3:40:43 PM Kafoury G.  
3:40:48 PM Sen. Prozanski  
3:40:48 PM Kafoury G.  
3:40:50 PM Sen. Prozanski  
3:40:53 PM Kafoury G.  
3:40:55 PM Chair Shields  
3:40:57 PM Kafoury G.  
3:41:43 PM Sen. Prozanski  
3:41:52 PM Kafoury J.  
3:41:56 PM Sen. Prozanski  
3:42:05 PM Kafoury J.  
3:42:15 PM Sen. Prozanski  
3:42:19 PM Kafoury J.  
3:42:20 PM Sen. Prozanski  
3:42:33 PM Kafoury J.  
3:42:39 PM Sen. Prozanski  
3:42:40 PM Kafoury J.  
3:42:41 PM Sen. Prozanski  
3:42:42 PM Kafoury J.  
3:42:46 PM Sen. Prozanski  
3:42:49 PM Chair Shields  
3:42:52 PM Sen. Prozanski  
3:42:54 PM Chair Shields  
3:42:55 PM Sen. Prozanski  
3:43:17 PM Kafoury J.  
3:43:18 PM Sen. Prozanski  
3:43:27 PM Kafoury J.  
3:43:28 PM Sen. Prozanski  
3:43:34 PM Kafoury G.  
3:43:53 PM Sen. Prozanski  
3:43:55 PM Chair Shields  
3:44:16 PM Brian DeLashmutt, Oregon Council of Police Associations

3:45:43 PM {Exhibit} 16: Neil Karia, attorney, Portland Police Association  
3:54:15 PM {Exhibit} 17: Daryl Turner, President, Portland Police Association  
3:57:10 PM Chair Shields  
3:57:11 PM Vice-Chair George  
3:58:42 PM Karia  
4:02:11 PM Vice-Chair George  
4:02:12 PM Chair Shields  
4:02:32 PM Ken Allen, Executive Director, Oregon American Federation of State,  
County, and Municipal Employees (AFSCME) Council 75  
4:07:27 PM Chair Shields  
4:07:40 PM Scott Winkels, League of Oregon Cities  
4:08:50 PM Chair Shields  
4:09:12 PM Kafoury G.  
4:10:01 PM Chair Shields  
4:10:06 PM {Exhibit} 18: witness registration  
4:10:07 PM The following written testimony is submitted for the record without public  
testimony:  
4:10:08 PM {Exhibit} 19: Rod Edwards, President, Oregon State Fraternal Order of  
Police  
4:10:09 PM {Exhibit} 20: Terry Hunt, attorney, Portland, Oregon  
4:10:10 PM {Exhibit} 21: Barbara Ross, resident, Portland, Oregon  
  
4:10:11 PM **SB 435 - Public Hearing**  
4:10:13 PM {Exhibit} 22: Channa Newell, Committee Administrator  
4:10:57 PM Chair Shields  
4:10:59 PM Senator Chris Edwards, Senate District 7, State of Oregon  
4:15:17 PM Chair Shields  
4:15:24 PM Sen. Prozanski  
4:15:26 PM Chair Shields  
4:15:42 PM Michael Jordan, Chief Operating Officer, Department of Administrative  
Services, State of Oregon  
4:19:32 PM Chair Shields  
4:19:58 PM {Exhibit} 23: witness registration  
  
4:19:59 PM **SB 322 - Work Session**  
4:20:01 PM {Exhibit} 24: Channa Newell, Committee Administrator  
4:20:23 PM Chair Shields  
4:20:49 PM MOTION: VICE-CHAIR GEORGE MOVES TO ADOPT THE -1  
AMENDMENTS  
4:20:53 PM Chair Shields  
4:21:00 PM VOTE: 5-0-0  
4:21:01 PM AYES: BAERTSCHIGER, MONNES ANDERSON, PROZANSKI,  
GEORGE, SHIELDS  
4:21:02 PM MOTION: VICE-CHAIR GEORGE MOVES SB 322 DO PASS AS  
AMENDED AND BE REFERRED TO TAX CREDITS BY PRIOR  
REFERENCE

4:21:11 PM Chair Shields  
4:21:25 PM Vice-Chair George  
4:21:36 PM Chair Shields  
4:21:40 PM VOTE: 5-0-0  
4:21:41 PM AYES: BAERTSCHIGER, MONNES ANDERSON, PROZANSKI,  
GEORGE, SHIELDS

4:21:57 PM **SB 804 – Public Hearing and Work Session**  
4:21:59 PM Channa Newell, Committee Administrator  
4:23:01 PM Chair Shields  
4:23:58 PM Paul Cosgrove, Independent Community Banks of Oregon; Oregon  
Bankers Association; Oregon Financial Services Association  
4:27:17 PM Chair Shields  
4:27:21 PM Sybil Hebb, Oregon Law Center  
4:30:26 PM Chair Shields  
4:30:39 PM MOTION: SEN. PROZANSKI MOVES TO ADOPT THE -1  
AMENDMENTS  
4:30:45 PM Chair Shields  
4:30:55 PM VOTE: 4-0-1  
4:30:56 PM AYES: BAERTSCHIGER, MONNES ANDERSON, PROZANSKI,  
SHIELDS  
4:30:57 PM EXCUSED: GEORGE  
4:30:58 PM Chair Shields  
4:31:07 PM {Exhibit} 25: witness registration  
4:31:08 PM The following written testimony is submitted for the record without public  
testimony:  
4:31:09 PM {Exhibit} 26: Roberta Cade, resident, Oregon

4:31:10 PM **SB 613 - Public Hearing**  
4:31:13 PM Channa Newell, Committee Administrator  
4:31:22 PM Chair Shields

4:31:31 PM **SB 648 - Public Hearing**  
4:31:32 PM Senator Doug Whitsett, Senate District 28, State of Oregon  
4:37:23 PM Chair Shields

4:37:39 PM **SB 613 - Public Hearing**  
4:37:41 PM Channa Newell, Committee Administrator  
4:37:43 PM Chair Shields  
4:37:49 PM {Exhibit} 27: Darrell Fuller, Oregon Independent Auto Dealers Association;  
Oregon Vehicle Dealers Association; Northwest Auto Trades Association;  
Oregon Tow Truck Association  
4:39:47 PM Chair Shields  
4:39:50 PM Sen. Baertschiger  
4:39:58 PM Fuller  
4:40:31 PM Chair Shields

**4:40:46 PM** Monty King, Oregon Vehicle Dealer Association; Oregon Power Sports Association, Auto Appraisers of Oregon  
**4:40:47 PM** Fuller  
**4:40:50 PM** King  
**4:41:17 PM** Sen. Baertschiger  
**4:41:20 PM** Chair Shields  
**4:41:21 PM** {Exhibit} 28: witness registration  
**4:41:22 PM** The following written testimony is submitted for the record without public testimony:  
**4:41:23 PM** {Exhibit} 29: Diane Sparks and Dan Nicholson, Oregon Independent Auto Dealers Association  
  
**4:41:33 PM** **SB 613 - Work Session**  
**4:41:39 PM** Vice-Chair George  
**4:41:40 PM** Chair Shields  
**4:41:41 PM** MOTION: VICE-CHAIR GEORGE MOVES TO ADOPT THE -2 AMENDMENTS  
**4:41:44 PM** Chair Shields  
**4:41:49 PM** VOTE: 5-0-0  
**4:41:50 PM** AYES: BAERTSCHIGER, MONNES ANDERSON, PROZANSKI, GEORGE, SHIELDS  
**4:41:57 PM** Channa Newell, Committee Administrator  
**4:42:01 PM** Chair Shields  
  
**4:42:12 PM** **SB 615 - Public Hearing**  
**4:42:14 PM** Channa Newell, Committee Administrator  
**4:42:47 PM** Darrell Fuller, Oregon Independent Auto Dealers Association; Oregon Vehicle Dealers Association; Northwest Auto Trades Association; Oregon Tow Truck Association  
**4:44:54 PM** Chair Shields  
**4:44:55 PM** Sen. Monnes Anderson  
**4:45:12 PM** Fuller  
**4:45:18 PM** Sen. Monnes Anderson  
**4:45:21 PM** Fuller  
**4:45:42 PM** Chair Shields  
**4:45:46 PM** Vice-Chair George  
**4:45:48 PM** Fuller  
**4:45:55 PM** Vice-Chair George  
**4:46:15 PM** Fuller  
**4:46:40 PM** Vice-Chair George  
**4:46:41 PM** Chair Shields  
**4:47:01 PM** {Exhibit} 30: Amy Joyce, Legislative Liaison, Oregon Department of Motor Vehicles  
**4:48:32 PM** Chair Shields  
**4:48:33 PM** Vice-Chair George  
**4:48:47 PM** Sen. Prozanski

4:48:47 PM Vice-Chair George  
4:48:57 PM Joyce  
4:49:48 PM Chair Shields  
4:49:51 PM Sen. Baertschiger  
4:50:02 PM Joyce  
4:50:07 PM Sen. Baertschiger  
4:50:11 PM Joyce  
4:50:17 PM Monty King, Oregon Vehicle Dealer Association; Oregon Power Sports Association, Auto Appraisers of Oregon  
4:50:21 PM Chair Shields  
4:50:29 PM Sen. Prozanski  
4:51:08 PM Joyce  
4:51:13 PM Chair Shields  
4:51:32 PM {Exhibit} 31: witness registration  
  
4:51:33 PM **SB 489 - Public Hearing**  
4:51:46 PM Senator Larry George, Senate District 13, State of Oregon  
4:52:12 PM Sen. Prozanski  
4:52:13 PM Vice-Chair George  
4:52:14 PM Sen. Prozanski  
4:52:16 PM Vice-Chair George  
4:53:19 PM Chair Shields  
  
4:53:42 PM **SB 74 - Public Hearing**  
4:53:44 PM Channa Newell, Committee Administrator  
4:54:02 PM Chair Shields  
4:54:30 PM Roger Beyer, National Association of Insurance and Financial Advisors  
4:55:48 PM Lana Butterfield, Professional Insurance Agents of Oregon and Idaho; American Family Insurance  
4:56:20 PM Chair Shields  
4:56:20 PM Vice-Chair George  
4:56:29 PM Chair Shields  
4:56:45 PM Beyer  
4:57:12 PM Chair Shields  
4:57:14 PM {Exhibit} 32: witness registration  
4:57:15 PM The following written testimony is submitted for the record without public testimony:  
4:57:16 PM {Exhibit} 33: Brandon E. LaSalle, Government Affairs Counsel, American Family Insurance Group  
4:57:45 PM Meeting Adjourned by Chair Shields

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### **Exhibit Summary**

3:02:57 PM {Exhibit} 1: SB 804, -1 amendments, staff, 7 pp  
3:03:54 PM {Exhibit} 2: SB 344, -3 amendments, staff, 4 pp

**3:03:54 PM** {Exhibit} 3: SB 344, -4 amendments, staff, 4 pp  
**3:05:21 PM** {Exhibit} 4: SB 344, written testimony, Senator Ginny Burdick, 1 p  
**3:13:16 PM** {Exhibit} 5: SB 344, witness registration, staff, 1 p  
**3:14:44 PM** {Exhibit} 6: SB 747, deposition transcript, Gregory Kafoury, 4 pp  
**3:23:23 PM** {Exhibit} 7: SB 747, written testimony of Terri Walker and Sylvia Zingeser, Jason Kafoury, 1 p  
**3:23:23 PM** {Exhibit} 8: SB 747, written testimony of Bob Joondeph, Jason Kafoury, 1 p  
**3:23:23 PM** {Exhibit} 9: SB 747, written testimony of Tom Steenson, Jason Kafoury, 2 pp  
**3:23:23 PM** {Exhibit} 10: SB 747, report, "Top 25 Settlements", *Oregon Copwatch*, Jason Kafoury, 3 pp  
**3:23:23 PM** {Exhibit} 11: SB 747, article, "Disciplining Portland police proves challenging task", *OregonLive.com*, Jason Kafoury, 5 pp  
**3:23:23 PM** {Exhibit} 12: SB 747, article, "Crowd gathers at city Hall to protest order reinstating Portland police officer who shot Aaron Campbell", *OregonLive.com*, Jason Kafoury, 4 pp  
**3:23:23 PM** {Exhibit} 13: SB 747, report, "Portland Police Shootings and Deaths in Custody 1992-March 2013", *Oregon Copwatch*, Jason Kafoury, 5 pp  
**3:23:23 PM** {Exhibit} 14: SB 747, written testimony, Jason Kafoury, 1 p  
**3:34:57 PM** {Exhibit} 15: SB 747, video link, Jason Kafoury, 1 p  
**3:45:43 PM** {Exhibit} 16: SB 747, written testimony, Neil Karia, 3 pp  
**3:54:15 PM** {Exhibit} 17: SB 747, written testimony, Daryl Turner, 2 pp  
**4:10:06 PM** {Exhibit} 18: SB 747, witness registration, staff, 1 p  
**4:10:08 PM** {Exhibit} 19: SB 747, written testimony, Rod Edwards, 1 p  
**4:10:09 PM** {Exhibit} 20: SB 747, written testimony, Terry Hunt, 1 p  
**4:10:10 PM** {Exhibit} 21: SB 747, written testimony of Barbara Ross, Jason Kafoury, 2 pp  
**4:10:13 PM** {Exhibit} 22: SB 435, -1 amendments, staff, 3 pp  
**4:19:58 PM** {Exhibit} 23: SB 435, witness registration, staff, 1 p  
**4:20:01 PM** {Exhibit} 24: SB 322, -1 amendments, staff, 1 p  
**4:31:07 PM** {Exhibit} 25: SB 804, witness registration, staff, 1 p  
**4:31:09 PM** {Exhibit} 26: SB 804, written testimony, Roberta Cade, 1 p  
**4:37:49 PM** {Exhibit} 27: SB 613, -2 amendments, Darrell Fuller, 8 pp  
**4:41:21 PM** {Exhibit} 28: SB 613, witness registration, staff, 1 p  
**4:41:23 PM** {Exhibit} 29: SB 613, written testimony, Diane Sparks, 1 p  
**4:47:01 PM** {Exhibit} 30: SB 615, written testimony, Amy Joyce, 1 p  
**4:51:32 PM** {Exhibit} 31: SB 615, witness registration, staff, 1 p  
**4:57:14 PM** {Exhibit} 32: SB 74, witness registration, staff, 1 p  
**4:57:16 PM** {Exhibit} 33: SB 74, written testimony, Brandon E. LaSalle, 1 p

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