

SENATE COMMITTEE ON JUDICIARY

April 06, 2011
8:30AM

Hearing Room 343

MEMBERS PRESENT: Sen. Floyd Prozanski, Chair
Sen. Jeff Kruse, Vice-Chair
Sen. Suzanne Bonamici
Sen. Jackie Dingfelder
Sen. Doug Whitsett

STAFF PRESENT: Bill Taylor, Committee Counsel
Drew Johnston, Committee Counsel
Katie Hoesly, Committee Assistant
Pam Marshall, Committee Assistant

MEASURES/ISSUES HEARD: SB 334 - Public Hearing
SB 425 - Work Session
SB 426 - Work Session
SB 430 - Work Session
SB 654 - Work Session

Recording Log

8:38:34 AM Meeting Called to Order Chair Prozanski

8:40:19 AM **SB 334 - Public Hearing**

8:40:20 AM Bill Taylor, Committee Counsel

8:40:38 AM Chair Prozanski

8:40:54 AM {Exhibit} 1: Sen. Mark Hass, Senate District 14

8:42:40 AM Andy Smith, Legislative Aide, Sen. Mark Hass, Senate District 14

8:44:13 AM Chair Prozanski

8:44:16 AM Vice-Chair Kruse

8:44:36 AM Chair Prozanski

8:45:41 AM {Exhibit} 2: Linda Sherman, Ph.D., Clinical Psychologist, Portland, Oregon

8:45:42 AM Chair Prozanski

8:46:04 AM Sherman

8:51:05 AM Chair Prozanski

8:51:19 AM {Exhibit} 3: Theresa O'Hollaren, resident, Portland, Oregon

8:54:20 AM {Exhibit} 4: Nitán Rai, resident, Portland, Oregon

8:57:25 AM Chair Prozanski

8:57:28 AM Sen. Whitsett

8:57:51 AM Sherman

8:58:01 AM Sen. Whitsett

8:58:02 AM Chair Prozanski

8:58:04 AM Sen. Bonamici

8:58:29 AM O'Hollaren

9:00:03 AM Rai
9:00:04 AM Sen. Bonamici
9:00:05 AM Chair Prozanski
9:00:08 AM Rai
9:01:10 AM Chair Prozanski
9:01:12 AM Sen. Bonamici
9:01:23 AM Rai
9:01:25 AM Sen. Bonamici
9:01:27 AM Chair Prozanski
9:01:55 AM {Exhibit} 5: Janice Garceau, Community Justice Manager, Multnomah
County Family Court Services
9:05:42 AM {Exhibit} 6: Judith Swinney, mediator, Portland, Oregon
9:07:29 AM Chair Prozanski
9:07:32 AM Swinney
9:07:38 AM Chair Prozanski
9:07:50 AM Brad Lechman-Su, attorney, Portland, Oregon
9:11:26 AM Chair Prozanski
9:11:50 AM Sen. Bonamici
9:11:50 AM Chair Prozanski
9:11:52 AM Vice-Chair Kruse
9:11:53 AM Chair Prozanski
9:12:27 AM Matt Minahan, Oregon Association for Children and Family Services
9:14:51 AM Chair Prozanski
9:14:55 AM {Exhibit} 7: Philip Cook, resident, Beaverton, Oregon
9:15:02 AM Chair Prozanski
9:15:03 AM Cook
9:18:05 AM Chair Prozanski
9:18:08 AM Cook
9:18:23 AM Chair Prozanski
9:19:04 AM Tammy Dentinger, attorney, Portland, Oregon
9:22:44 AM Chair Prozanski
9:22:48 AM {Exhibit} 8: Ryan Carty, Legislative Liaison, Family Law Section, Oregon
State Bar
9:26:10 AM Chair Prozanski
9:26:12 AM Carty
9:27:03 AM Chair Prozanski
9:27:05 AM {Exhibit} 9: Sybil Hebb, Oregon Law Center
9:30:52 AM Chair Prozanski
9:30:54 AM Sen. Bonamici
9:30:59 AM Dentinger
9:31:01 AM Sen. Bonamici
9:31:03 AM Dentinger
9:32:16 AM Sen. Bonamici
9:32:17 AM Chair Prozanski
9:32:18 AM Sen. Whitsett
9:32:47 AM Dentinger

9:34:07 AM Sen. Whitsett
9:34:15 AM Dentinger
9:34:19 AM Sen. Whitsett
9:34:21 AM Carty
9:34:23 AM Chair Prozanski
9:34:24 AM Carty
9:34:47 AM Sen. Whitsett
9:34:51 AM Carty
9:35:08 AM Chair Prozanski
9:35:34 AM {Exhibit} 10: John E. Maack, resident, Lake Oswego, Oregon
9:40:14 AM Chair Prozanski
9:40:15 AM Maack, J.
9:41:10 AM Chair Prozanski
9:41:13 AM Bryan Maack, resident, Corvallis, Oregon
9:42:52 AM Chair Prozanski
9:43:01 AM Katherine Maack, resident, Corvallis, Oregon
9:43:02 AM Chair Prozanski
9:43:05 AM Maack, K.
9:45:18 AM Chair Prozanski
9:45:33 AM Vice-Chair Kruse
9:45:35 AM Chair Prozanski
9:46:08 AM {Exhibit} 11 Kathy Graham, Professor, Willamette Law School
9:48:49 AM Chair Prozanski
9:48:52 AM Graham
9:49:22 AM Chair Prozanski
9:49:25 AM {Exhibit} 12: William J. Howe, attorney, Gevurtz Menashe Larson & Howe, P.C.
9:52:34 AM Chair Prozanski
9:52:36 AM Howe
9:52:58 AM Chair Prozanski
9:53:00 AM {Exhibit} 13: Margaret S. Olney, attorney, Portland, Oregon
9:55:24 AM Chair Prozanski
9:55:28 AM The following written testimony was submitted for the record without public testimony:
9:55:28 AM {Exhibit} 14: Leslie J. Harris, Dorothy Kiliks Fones Professor, University of Oregon School of Law
9:55:29 AM {Exhibit} 15: Linda Scher, Family Mediator and Facilitator, Portland, Oregon
9:55:30 AM {Exhibit} 16: Donna Austin, Program Manager, Lane County Family Mediation Program
9:55:30 AM {Exhibit} 17: Charlene Sabin, Children's Mental Health Physician, Portland, Oregon
9:55:31 AM {Exhibit} 18: Maureen McKnight, Circuit Court Judge, Multnomah County, Oregon
9:55:32 AM {Exhibit} 19: Russell Lipetzsky, attorney, Salem, Oregon

9:55:37 AM SB 425 - Work Session

9:55:38 AM {Exhibit} 20: Bill Taylor, Committee Counsel
9:57:36 AM MOTION: Vice-Chair Kruse moves the -4 amendment Be Adopted
9:57:40 AM Chair Prozanski
9:57:45 AM Sen. Whitsett
9:58:02 AM Chair Prozanski
9:58:05 AM Sen. Bonamici
9:58:15 AM Taylor
9:58:23 AM Sen. Bonamici
9:58:24 AM Taylor
9:58:54 AM Chair Prozanski
9:59:12 AM Vice-Chair Kruse
9:59:22 AM Chair Prozanski
9:59:23 AM VOTE: 5-0-0
9:59:24 AM AYES: Bonamici, Dingfelder, Whitsett, Kruse, Prozanski
9:59:40 AM Vice-Chair Kruse
9:59:44 AM Chair Prozanski
9:59:46 AM Vice-Chair Kruse
9:59:46 AM Chair Prozanski

10:00:09 AM SB 426 - Work Session

10:00:18 AM {Exhibit} 21: Bill Taylor, Committee Counsel
10:00:48 AM Chair Prozanski
10:00:50 AM MOTION: Vice-Chair Kruse moves the -2 amendment Be Adopted
10:00:56 AM Chair Prozanski
10:00:57 AM VOTE: 5-0-0
10:00:58 AM AYES: Bonamici, Dingfelder, Whitsett, Kruse, Prozanski
10:01:05 AM MOTION: Vice-Chair Kruse moves SB 426 Do Pass as Amended and
Refer to Ways and Means
10:01:11 AM Chair Prozanski
10:01:26 AM VOTE: 5-0-0
10:01:27 AM AYES: Bonamici, Dingfelder, Whitsett, Kruse, Prozanski

10:01:38 AM SB 430 - Work Session

10:01:39 AM {Exhibit} 22: Drew Johnston, Committee Counsel
10:02:10 AM Chair Prozanski
10:02:12 AM MOTION: Vice-Chair Kruse moves -1 amendment Be Adopted
10:02:13 AM Chair Prozanski
10:02:18 AM VOTE: 5-0-0
10:02:20 AM AYES: Bonamici, Dingfelder, Whitsett, Kruse, Prozanski
10:02:21 AM MOTION: Vice-Chair Kruse moves SB 430 Do Pass as Amended
10:02:26 AM Chair Prozanski
10:02:36 AM VOTE: 5-0-0
10:02:37 AM AYES: Bonamici, Dingfelder, Whitsett, Kruse, Prozanski
10:02:43 AM CARRIER: SEN. PROZANSKI will lead discussion on the floor

10:02:47 AM SB 654 - Work Session

10:02:54 AM {Exhibit} 23: Bill Taylor, Committee Counsel
10:03:56 AM Chair Prozanski
10:03:58 AM MOTION: Vice-Chair Kruse moves the -3 amendment Be Adopted
10:04:05 AM Chair Prozanski
10:04:08 AM Sen. Bonamici
10:04:23 AM Chair Prozanski
10:04:40 AM VOTE: 5-0-0
10:04:41 AM AYES: Bonamici, Dingfelder, Whitsett, Kruse, Prozanski
10:04:59 AM MOTION: Vice-Chair Kruse moves SB 654 Do Pass as Amended and Refer to Ways and Means
10:05:15 AM Chair Prozanski
10:05:39 AM Sen. Whitsett
10:05:50 AM Chair Prozanski
10:05:51 AM Vice-Chair Kruse
10:05:53 AM Chair Prozanski
10:06:00 AM VOTE: 3-2-0
10:06:05 AM AYES: Bonamici, Dingfelder, Prozanski; NAYS: Whitsett, Kruse
10:06:26 AM Meeting Adjourned by Chair Prozanski

Exhibit Summary

8:40:54 AM {Exhibit} 1: SB 334, written testimony, Sen. Mark Hass, 1 p
8:45:41 AM {Exhibit} 2: SB 334, written testimony, Linda Sherman, 9 pp
8:51:19 AM {Exhibit} 3: SB 334, written testimony, Theresa O'Hollaren, 2 pp
8:54:20 AM {Exhibit} 4: SB 334, written testimony, Nitán Rai, 2 pp
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9:22:48 AM {Exhibit} 8: SB 334, written testimony, Ryan Carty, 4 pp
9:27:05 AM {Exhibit} 9: SB 334, written testimony, Sybil Hebb, 4 pp
9:35:34 AM {Exhibit} 10: SB 334, written testimony, John E. Maack, 8 pp
9:46:08 AM {Exhibit} 11 SB 334, written testimony, Kathy Graham, 3 pp
9:49:25 AM {Exhibit} 12: SB 334, written testimony, William J. Howe, 3 pp
9:53:00 AM {Exhibit} 13: SB 334, written testimony, Margaret S. Olney, 2 pp
9:55:28 AM {Exhibit} 14: SB 334, written testimony, Leslie J. Harris, 16 pp
9:55:29 AM {Exhibit} 15: SB 334, written testimony, Linda Scher, 15 pp
9:55:30 AM {Exhibit} 16: SB 334, written testimony, Donna Austin, 2 pp
9:55:30 AM {Exhibit} 17: SB 334, written testimony, Charlene Sabin, 2 pp
9:55:31 AM {Exhibit} 18: SB 334, written testimony, Maureen McKnight, 3 pp
9:55:32 AM {Exhibit} 19: SB 334, written testimony, Russell Lipetzsky, 2 pp
9:55:38 AM {Exhibit} 20: SB 425, -4 amendment, staff, 7 pp
10:00:18 AM {Exhibit} 21: SB 426, -2 amendment, staff, 1 p
10:01:39 AM {Exhibit} 22: SB 430, -1 amendment, staff, 3 pp
10:02:54 AM {Exhibit} 23: SB 654, -3 amendment, staff, 3 pp
