

## **SENATE COMMITTEE ON JUDICIARY**

April 07, 2011  
8:00 AM

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  
Cheyenne Ross, Committee Counsel  
Kristi Hauck, Committee Assistant  
Pam Marshall, Committee Assistant

**MEASURES/ISSUES HEARD:** SB 425 – Work Session  
SB 557 – Public Hearing  
SB 783 – Public Hearing  
SB 734 – Public Hearing  
SB 71 – Work Session  
SB 405 – Work Session  
SB 412 – Work Session

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### **Recording Log**

**8:07:14 AM** Meeting Called to Order by Chair Prozanski

**8:08:25 AM** **SB 425-Work Session**

**8:08:29 AM** {Exhibit} 1: Bill Taylor, Committee Counsel

**8:09:06 AM** Chair Prozanski

**8:09:13 AM** MOTION: Vice Chair Kruse moves SB 425 Do Pass as Amended

**8:09:24 AM** Chair Prozanski

**8:09:34 AM** VOTE: 5-0-0

**8:09:34 AM** AYES: Bonamici, Dingfelder, Whitsett, Kruse, Prozanski

**8:09:35 AM** CARRIER: SEN. PROZANSKI will lead discussion on the floor

**8:10:04 AM** **SB 557-Public Hearing**

**8:10:07 AM** {Exhibit} 2: Cheyenne Ross, Committee Counsel

**8:10:45 AM** Chair Prozanski

**8:10:59 AM** Sen. Chris Edwards, Senate District 7

**8:11:16 AM** Chair Prozanski

8:11:24 AM Sen. Edwards  
8:11:25 AM Chair Prozanski  
8:11:31 AM Sen. Edwards  
8:14:23 AM Chair Prozanski  
8:14:35 AM Sarah Hoyt, Legislative Policy Aide, Sen. Chris Edwards  
8:17:56 AM Chair Prozanski  
8:18:00 AM {Exhibit} 3: Christine Herrman, Executive Director, Attorney General's Sexual Assault Task Force  
8:22:44 AM Chair Prozanski  
8:22:47 AM Sen. Dingfelder  
8:23:37 AM Hoyt  
8:24:37 AM Sen. Dingfelder  
8:24:53 AM Hoyt  
8:25:30 AM Chair Prozanski  
8:26:09 AM {Exhibit} 4: Gretchen Bennett, Executive Director, Liberty House  
8:27:09 AM Chair Prozanski  
8:27:15 AM Patrick Moore, Lieutenant, Roseburg Police Department, Roseburg, Oregon  
8:30:59 AM Chair Prozanski  
8:31:04 AM Liz Jacobsen, Crisis Response Coordinator, Sexual Assault Resource Center  
8:34:33 AM Chair Prozanski  
8:34:37 AM Vice-Chair Kruse  
8:34:51 AM Moore  
8:34:58 AM Chair Prozanski  
8:35:02 AM Moore  
8:36:02 AM Vice-Chair Kruse  
8:36:05 AM Chair Prozanski  
8:36:21 AM Vice-Chair Kruse  
8:36:51 AM Moore  
8:36:52 AM Chair Prozanski  
8:37:42 AM Moore  
8:37:44 AM Chair Prozanski  
8:37:46 AM Sen. Bonamici  
8:38:05 AM Chair Prozanski  
8:38:07 AM Sen. Whitsett  
8:38:31 AM Moore  
8:38:46 AM Sen. Whitsett  
8:38:50 AM Moore  
8:39:23 AM Chair Prozanski  
8:40:08 AM Vice-Chair Kruse  
8:40:34 AM Chair Prozanski  
8:40:35 AM The following written testimony was submitted for the record without public testimony:  
8:40:36 AM {Exhibit} 5: Sybil Hebb, Oregon Law Center

**8:41:21 AM SB 783-Public Hearing**

**8:41:23 AM** {Exhibit} 6: Cheyenne Ross, Committee Counsel

**8:41:39 AM** Chair Prozanski

**8:41:50 AM** Rep. Mike Schaufler, House District 48

**8:44:00 AM** Chair Prozanski

**8:44:10 AM** Rep. Schaufler

**8:45:01 AM** Chair Prozanski

**8:45:04 AM** Rep. Schaufler

**8:45:08 AM** Chair Prozanski

**8:45:13 AM** Sen. Dingfelder

**8:46:20 AM** Rep. Schaufler

**8:46:22 AM** Chair Prozanski

**8:46:26 AM** Rep. Schaufler

**8:46:28 AM** Chair Prozanski

**8:46:53 AM** Sen. Chris Telfer, District 27

**8:50:11 AM** Chair Prozanski

**8:50:14 AM** Sen. Dingfelder

**8:50:54 AM** Sen. Telfer

**8:51:50 AM** Chair Prozanski

**8:53:05 AM** {Exhibit} 7: Donna Disch-Curtis, Senior Policy Analyst, Office of State Fire Marshal

**8:55:18 AM** Chair Prozanski

**8:55:23 AM** Sen. Dingfelder

**8:55:50 AM** Disch-Curtis

**8:56:01 AM** Chair Prozanski

**8:56:14 AM** Sen. Dingfelder

**8:56:17 AM** Chair Prozanski

**8:56:18 AM** Sen. Dingfelder

**8:56:22 AM** Chair Prozanski

**8:56:36 AM** {Exhibit} 8: Marc Lucca, on behalf of Saddeh Hadeed, owner, Avva Cigars & Wine, Salem, Oregon

**9:00:39 AM** Chair Prozanski

**9:00:48 AM** Lucca

**9:01:30 AM** Chair Prozanski

**9:01:34 AM** {Exhibit} 9: Mike Swinford, resident, Salem, Oregon

**9:03:07 AM** Chair Prozanski

**9:04:14 AM** {Exhibit} 10: Dr. Mel Kohn, M.D., M.P.H., Director and State Health Officer, Public Health Division, Oregon Health Authority

**9:06:59 AM** Chair Prozanski

**9:07:07 AM** {Exhibit} 11: Colleen Hermann-Franzen, Advocacy & Outreach Manager, American Lung Association in Oregon

**9:10:01 AM** Chair Prozanski

**9:10:03 AM** {Exhibit} 12: Stephanie Tama-Sweet, Director of Government Relations, Tobacco-Free Coalition of Oregon & American Heart Association

**9:12:28 AM** Chair Prozanski

**9:12:33 AM** Vice-Chair Kruse

9:12:44 AM Tama-Sweet  
9:12:52 AM Vice-Chair Kruse  
9:12:58 AM Chair Prozanski  
9:13:09 AM Sen. Whitsett  
9:13:44 AM Kohn  
9:14:23 AM Sen. Whitsett  
9:14:34 AM Kohn  
9:15:10 AM Chair Prozanski  
9:15:14 AM Sen. Bonamici  
9:15:37 AM Kohn  
9:16:49 AM Sen. Bonamici  
9:16:58 AM Kohn  
9:17:10 AM Chair Prozanski  
9:17:11 AM The following written testimony was submitted for the record without public testimony:  
9:17:12 AM {Exhibit} 13: Adam Walsh, Intergovernmental Relations, City of Eugene  
  
9:17:27 AM **SB 734-Public Hearing**  
9:17:36 AM Cheyenne Ross, Committee Counsel  
9:17:51 AM Chair Prozanski  
9:18:15 AM {Exhibit} 14: Jen Coney, Risk Manager, Department of Administrative Services  
9:20:33 AM Chair Prozanski  
9:20:37 AM Sen. Whitsett  
9:21:29 AM Coney  
9:22:32 AM Sen. Whitsett  
9:22:41 AM Coney  
9:23:01 AM Sen. Whitsett  
9:23:10 AM Coney  
9:23:18 AM Chair Prozanski  
9:23:49 AM Coney  
9:24:06 AM Chair Prozanski  
9:24:29 AM Coney  
9:24:42 AM Chair Prozanski  
9:25:12 AM Betsy Enos, Employment Claims Consultant, Department of Administrative Services  
9:27:03 AM Chair Prozanski  
9:27:08 AM Sen. Whitsett  
9:27:40 AM Enos  
9:27:41 AM Chair Prozanski  
9:27:42 AM The following written testimony was submitted for the record without public testimony:  
9:27:43 AM {Exhibit} 15: Jim Bean, Senior Vice President and Provost, University of Oregon  
  
9:28:00 AM **SB 71-Work Session**

9:28:05 AM Cheyenne Ross, Committee Counsel  
9:28:29 AM Chair Prozanski  
9:28:45 AM MOTION: Vice Chair Kruse moves SB 71 Do Pass  
9:28:51 AM Chair Prozanski  
9:29:02 AM VOTE: 5-0-0  
9:29:03 AM AYES: Bonamici, Dingfelder, Whitsett, Kruse, Prozanski  
9:29:05 AM CARRIER: SEN. BONAMICI will lead discussion on the floor

9:29:20 AM **SB 405-Work Session**  
9:29:21 AM {Exhibit} 16: Cheyenne Ross, Committee Counsel  
9:30:09 AM Chair Prozanski  
9:30:17 AM MOTION: Vice Chair Kruse moves the -1 amendments Be Adopted  
9:30:25 AM Chair Prozanski  
9:30:29 AM VOTE: 5-0-0  
9:30:29 AM AYES: Bonamici, Dingfelder, Whitsett, Kruse, Prozanski  
9:30:30 AM MOTION: Vice Chair Kruse moves SB 405 Do Pass as Amended  
9:30:41 AM Chair Prozanski  
9:30:47 AM Sen. Bonamici  
9:31:38 AM Chair Prozanski  
9:31:44 AM Vice-Chair Kruse  
9:31:54 AM Sen. Whitsett  
9:32:15 AM Chair Prozanski  
9:32:16 AM Sen. Whitsett  
9:32:23 AM Chair Prozanski  
9:34:44 AM VOTE: 3-2-0  
9:34:44 AM AYES: Bonamici, Dingfelder, Prozanski; NAYS: Whitsett, Kruse  
9:34:45 AM CARRIER: SEN. PROZANSKI will lead discussion on the floor  
9:34:46 AM The following written testimony was submitted for the record without public testimony:  
9:34:47 AM {Exhibit} 17: Alex Shoemaker, student, University of Oregon

9:34:49 AM **SB 412-Work Session**  
9:34:53 AM {Exhibits} 18-20: Cheyenne Ross, Committee Counsel  
9:35:56 AM Chair Prozanski  
9:36:47 AM {Exhibit} 21: Pete Shepherd, Confederated Tribes of the Coos, Lower Umpqua, and Siuslaw Indians  
9:43:56 AM Chair Prozanski  
9:45:11 AM Sen. Whitsett  
9:45:21 AM Chair Prozanski  
9:46:08 AM John Powell, Oregon State Sheriffs' Association  
9:48:13 AM Sen. Whitsett  
9:49:28 AM {Exhibit} 22: Bob Wolfe, Sheriff, Polk County  
9:51:44 AM Chair Prozanski  
9:51:58 AM MOTION: Vice Chair Kruse moves the -4 amendments Be Adopted  
9:52:02 AM Chair Prozanski  
9:52:09 AM VOTE: 5-0-0

9:52:10 AM AYES: Bonamici, Dingfelder, Whitsett, Kruse, Prozanski  
9:52:11 AM Vice Chair Kruse moves the -6 amendments Be Adopted  
9:52:16 AM Chair Prozanski  
9:52:22 AM VOTE: 5-0-0  
9:52:23 AM AYES: Bonamici, Dingfelder, Whitsett, Kruse, Prozanski  
9:52:24 AM MOTION: Vice Chair Kruse moves SB 412 Do Pass as Amended  
9:52:35 AM Chair Prozanski  
9:52:44 AM Vice Chair Kruse  
9:53:19 AM Sen. Whitsett  
9:53:39 AM Chair Prozanski  
9:53:48 AM VOTE: 3-2-0  
9:53:49 AM AYES: Bonamici, Dingfelder, Prozanski; NAYS: Kruse, Whitsett  
9:53:50 AM CARRIER: SEN. PROZANSKI will lead discussion on the floor  
9:55:00 AM The following written testimony was submitted for the record without public testimony:  
9:55:00 AM {Exhibit} 23: The Confederated Tribes of Grand Ronde  
9:55:01 AM Meeting Adjourned by Chair Prozanski

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### Exhibit Summary

8:08:29 AM {Exhibit} 1: SB 425, -4 amendments, staff, 7 pp  
8:10:07 AM {Exhibit} 2: SB 557, -2 amendments, staff, 2 pp  
8:18:00 AM {Exhibit} 3: SB 557, written testimony, Christine Herrman, 17 pp  
8:26:09 AM {Exhibit} 4: SB 557, written testimony, Gretchen Bennett, 1 p  
8:40:36 AM {Exhibit} 5: SB 557, written testimony, Sybil Hebb, 2 pp  
8:41:23 AM {Exhibit} 6: SB 783, -2 amendments, staff, 3 pp  
8:53:05 AM {Exhibit} 7: SB 783, written testimony, Donna Disch-Curtis, 1 p  
8:56:36 AM {Exhibit} 8: SB 783, written testimony, Marc Lucca, 12 pp  
9:01:34 AM {Exhibit} 9: SB 783, written testimony, Mike Swinford, 2 pp  
9:04:14 AM {Exhibit} 10: SB 783, written testimony, Mel Kohn, 2 pp  
9:07:07 AM {Exhibit} 11: SB 783, written testimony, Colleen Hermann-Franzen, 2 pp  
9:10:03 AM {Exhibit} 12: SB 783, written testimony, Stephanie Tama-Sweet, 1 p  
9:17:12 AM {Exhibit} 13: SB 783, written testimony, Adam Walsh, 1 p  
9:18:15 AM {Exhibit} 14: SB 734, written testimony, Jen Coney, 2 pp  
9:27:43 AM {Exhibit} 15: SB 405, written testimony, Jim Bean, 2 pp  
9:29:21 AM {Exhibit} 16: SB 405, -1 amendments, staff, 1 p  
9:34:47 AM {Exhibit} 17: SB 405, written testimony, Alex Shoemaker, 1 p  
9:34:53 AM {Exhibit} 18: SB 412, -4 amendments, staff, 8 pp  
9:34:53 AM {Exhibit} 19: SB 412, -6 amendments, staff, 8 pp  
9:34:53 AM {Exhibit} 20: SB 412, Kurtz decision, staff, 12 pp  
9:36:47 AM {Exhibit} 21: SB 412, written testimony, Pete Shepherd, 4 pp  
9:49:28 AM {Exhibit} 22: SB 412, written testimony, Bob Wolfe, 3 pp  
9:55:00 AM {Exhibit} 23: SB 412, written testimony, The Confederated Tribes of Grand Ronde, 1 p

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