

SENATE COMMITTEE ON JUDICIARY

April 14, 2011
8:00 A.M.

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: Cheyenne Ross, Committee Counsel
Aaron Knott, Committee Counsel
Kristi Hauck, Committee Assistant

MEASURES/ISSUES HEARD: SB 186 – Work Session
SB 408 – Work Session
SB 616 – Work Session
SB 619 – Work Session
SB 740 – Work Session
SB 934 – Public Hearing
SB 378 – Public Hearing
SB 496 – Public Hearing
SB 874 – Public Hearing
SB 783 – Work Session
SB 926 – Public Hearing
SB 557 – Work Session
SB 815 – Work Session
SB 867 – Work Session
SB 878 – Work Session
SB 450 – Work Session

Recording Log

8:04:58 AM Meeting Called to Order by Chair Prozanski

8:05:49 AM **SB 186-Work Session**

8:05:51 AM Chair Prozanski

8:05:59 AM **SB 408-Work Session**

8:06:01 AM Chair Prozanski

8:06:11 AM **SB 616-Work Session**

8:06:16 AM Chair Prozanski

8:06:17 AM **SB 619-Work Session**

8:06:19 AM Chair Prozanski

8:06:29 AM **SB 740-Work Session**

8:06:30 AM Chair Prozanski

8:09:33 AM **SB 934-Public Hearing**

8:10:01 AM Cheyenne Ross, Committee Counsel

8:10:03 AM {Exhibit} 1: Rep. Kim Thatcher, House District 25

8:13:45 AM Chair Prozanski

8:13:47 AM Sen. Whitsett

8:14:34 AM Rep. Thatcher

8:14:41 AM Chair Prozanski

8:16:12 AM **SB 378-Public Hearing**

8:16:19 AM {Exhibit} 2-3: Cheyenne Ross, Committee Counsel

8:17:00 AM Chair Prozanski

8:17:19 AM Gail Meyer, Oregon Criminal Defense Association

8:19:19 AM Chair Prozanski

8:19:24 AM Chuck French, Deputy District Attorney, Multnomah County

8:24:26 AM Chair Prozanski

8:25:50 AM Scott Healy, Oregon District Attorneys Association

8:31:25 AM Chair Prozanski

8:31:46 AM **SB 496-Public Hearing**

8:31:48 AM {Exhibits} 4: Cheyenne Ross, Committee Counsel

8:32:05 AM Chair Prozanski

8:32:24 AM Sen. Bonamici

8:33:03 AM Chair Prozanski

8:33:10 AM {Exhibit} 5: Jesse Barton, attorney, Salem, Oregon

8:39:02 AM Chair Prozanski

8:39:11 AM {Exhibit} 6: Shawn Wiley, Chief Deputy Defender, Appellate Division,
Office of Public Defense Services

8:41:36 AM Chair Prozanski

8:42:08 AM Shannon Sivell, Legislative Policy Counsel, State of Oregon

8:43:05 AM Chair Prozanski

8:43:07 AM Chuck French, Deputy District Attorney, Multnomah County

8:43:36 AM Chair Prozanski

8:43:52 AM **SB 874-Public Hearing**

8:44:23 AM {Exhibit} 7: Cheyenne Ross, Committee Counsel

8:44:24 AM Chair Prozanski

8:45:20 AM Laird Funk, resident, Williams, Oregon

8:45:46 AM Chair Prozanski

8:45:47 AM Sarah Duff, Human Resources Director, Oregon Green Free

8:46:41 AM Chair Prozanski

8:46:55 AM Meeting Recessed

8:51:02 AM Meeting Reconvened

8:51:06 AM Chair Prozanski

8:51:21 AM **SB 783-Work Session**

8:51:30 AM {Exhibits} 8-9: Cheyenne Ross, Committee Counsel

8:51:51 AM Chair Prozanski

8:51:54 AM {Exhibit} 10: Sen. Chris Telfer, House District 27

8:55:05 AM Chair Prozanski

8:55:08 AM Sen. Telfer

8:55:12 AM Sen. Dingfelder

8:55:46 AM Sen. Telfer

8:56:24 AM Sen. Dingfelder

8:56:25 AM Chair Prozanski

8:56:29 AM Sen. Dingfelder

8:56:31 AM Sen. Whitsett

8:57:32 AM Chair Prozanski

8:57:33 AM Sen. Telfer

8:58:19 AM Chair Prozanski

8:58:29 AM **SB 874-Public Hearing**

8:58:54 AM Robert Wolfe, Oregon Marijuana Policy Initiative

8:59:50 AM Chair Prozanski

9:00:30 AM {Exhibit} 11: Todd Dalotto, Cannabis Research Committee

9:02:52 AM Leland Berger, attorney, Portland, Oregon

9:05:31 AM Chair Prozanski

9:05:50 AM Berger

9:06:03 AM Chair Prozanski

9:06:10 AM Berger

9:06:17 AM Chair Prozanski

9:06:19 AM Berger

9:06:24 AM Chair Prozanski

9:06:34 AM Sen. Whitsett

9:06:36 AM Chair Prozanski

9:07:20 AM The following written testimony was submitted for the record without public testimony:

9:07:21 AM {Exhibit} 12: Karen O'Keefe, Director of State Politics, Marijuana Policy Project

9:07:22 AM {Exhibit} 13: Karen MacLean, Administrative Director, Oregon Board of Pharmacy

9:07:25 AM **SB 926-Public Hearing**

9:07:25 AM Cheyenne Ross, Committee Counsel

9:07:28 AM Chair Prozanski

9:07:42 AM **SB 934-Public Hearing**

9:07:46 AM Cheyenne Ross, Committee Counsel

9:07:53 AM Chair Prozanski
9:08:28 AM Rod Harder, National Rifle Association
9:09:29 AM {Exhibit} 14: Kevin Starrett, Oregon Firearms Federation
9:11:20 AM Doug Raaf, owner and operator, Guncrafters, Salem, Oregon
9:13:07 AM Chair Prozanski
9:13:20 AM Starrett
9:13:27 AM Chair Prozanski
9:13:29 AM Starrett
9:14:36 AM Chair Prozanski
9:14:37 AM Harder
9:14:45 AM Chair Prozanski
9:15:04 AM Al Elkins, Oregon Hunters Association
9:17:03 AM Dave Wiley, Oregon Hunters Association
9:17:15 AM Chair Prozanski
9:17:38 AM Karla Kay Edwards, owner, Buck Wild Shooter Supply
9:19:23 AM Chair Prozanski
9:19:27 AM {Exhibit} 15: Elise Gautier, Ceasefire Oregon
9:23:30 AM Penny Okamoto, Executive Director, Ceasefire Oregon
9:25:46 AM Chair Prozanski

9:26:28 AM **SB 557-Work Session**
9:26:34 AM {Exhibit} 16: Cheyenne Ross, Committee Counsel
9:27:18 AM Chair Prozanski
9:27:35 AM Ross
9:27:39 AM Chair Prozanski
9:28:37 AM Ross
9:28:45 AM Co-Vice Chair Kruse
9:28:48 AM Chair Prozanski
9:28:49 AM Ross
9:28:54 AM Chair Prozanski
9:28:59 AM Ross
9:29:09 AM Sen. Bonamici
9:29:36 AM Sen. Dingfelder
9:29:36 AM Sen. Bonamici
9:29:37 AM Chair Prozanski
9:29:59 AM {Exhibit} 17: Sarah Hoyt, Legislative Aide, Sen. Chris Edwards, Senate District 7
9:30:37 AM Chair Prozanski
9:30:46 AM MOTION: Vice Chair Kruse moves the -2 amendments Be Adopted
9:30:52 AM Chair Prozanski
9:30:59 AM VOTE: 5-0-0
9:30:59 AM AYES: Bonamici, Dingfelder, Whitsett, Kruse, Prozanski
9:31:05 AM Vice-Chair Kruse
9:31:14 AM Ross
9:31:34 AM Chair Prozanski
9:31:41 AM Ross

9:31:43 AM Chair Prozanski
9:31:46 AM Vice Chair Kruse
9:31:54 AM Chair Prozanski
9:32:01 AM Sen. Bonamici
9:32:02 AM Chair Prozanski
9:32:04 AM MOTION: Sen. Bonamici moves SB 557 Do Pass as Amended
9:32:09 AM Chair Prozanski
9:32:17 AM Vice-Chair Kruse
9:32:58 AM Chair Prozanski
9:32:59 AM Sen. Whitsett
9:33:28 AM Chair Prozanski
9:33:37 AM Sen. Bonamici
9:33:43 AM Chair Prozanski
9:33:46 AM Sen. Dingfelder
9:33:48 AM Chair Prozanski
9:34:00 AM VOTE: 3-2-0
9:34:01 AM AYES: Bonamici, Dingfelder, Prozanski; NAYS: Whitsett, Kruse
9:34:07 AM Sen. Dingfelder
9:34:11 AM Chair Prozanski
9:34:11 AM CARRIER: SEN. EDWARDS will lead discussion on the floor

9:34:31 AM **SB 815-Work Session**

9:34:33 AM Cheyenne Ross, Committee Counsel
9:35:23 AM Chair Prozanski
9:35:30 AM Vice-Chair Kruse
9:35:40 AM Chair Prozanski
9:35:44 AM Vice-Chair Kruse
9:35:48 AM MOTION: Vice Chair Kruse moves SB 815 Do Pass
9:35:56 AM Chair Prozanski
9:36:06 AM VOTE: 5-0-0
9:36:07 AM AYES: Bonamici, Dingfelder, Whitsett, Kruse, Prozanski
9:36:08 AM CARRIER: SEN. BONAMICI will lead discussion on the floor

9:36:22 AM **SB 867-Work Session**

9:37:18 AM {Exhibits} 18-19: Cheyenne Ross, Committee Counsel
9:37:31 AM Chair Prozanski
9:37:46 AM MOTION: Sen. Bonamici moves the -2 amendments Be Adopted
9:37:48 AM Chair Prozanski
9:37:54 AM VOTE: 5-0-0
9:37:54 AM AYES: Bonamici, Dingfelder, Whitsett, Kruse, Prozanski
9:37:56 AM MOTION: Sen. Bonamici moves the SB 867 Do Pass as Amended
9:38:07 AM Chair Prozanski
9:38:10 AM Sen. Dingfelder
9:38:27 AM Chair Prozanski
9:38:33 AM Vice-Chair Kruse
9:38:35 AM Chair Prozanski

9:38:49 AM VOTE: 3-2-0
9:38:55 AM AYES: Bonamici, Dingfelder, Prozanski; NAYS: Whitsett, Kruse
9:38:57 AM CARRIER: SEN. PROZANSKI will lead discussion on the floor
9:38:59 AM Vice Chair Kruse
9:39:03 AM Chair Prozanski
9:39:12 AM Sen. Whitsett
9:39:13 AM Chair Prozanski
9:39:35 AM Sen. Whitsett
9:39:43 AM Chair Prozanski

9:39:46 AM **SB 878-Work Session**
9:39:48 AM {Exhibit} 20: Aaron Knott, Committee Counsel
9:40:51 AM Chair Prozanski
9:41:05 AM MOTION: Vice Chair Kruse moves the -3 amendments Be Adopted
9:41:07 AM Chair Prozanski
9:41:12 AM VOTE: 5-0-0
9:41:13 AM AYES: Bonamici, Dingfelder, Whitsett, Kruse, Prozanski
9:41:14 AM MOTION: Vice Chair Kruse moves SB 878 Do Pass as Amended
9:41:21 AM Chair Prozanski
9:41:35 AM Sen. Bonamici
9:41:58 AM Chair Prozanski
9:42:02 AM Sen. Dingfelder
9:42:27 AM Chair Prozanski
9:42:36 AM VOTE: 4-1-0
9:42:37 AM AYES: Bonamici, Whitsett, Kruse, Prozanski; NAYS: Dingfelder
9:42:37 AM CARRIER: SEN. KRUSE will lead discussion on the floor
9:42:37 AM The following written testimony was submitted for the record without public testimony:
9:42:37 AM {Exhibit} 21: Jace Smith, Chief of Public Safety, Lane Community College
9:42:38 AM {Exhibit} 22: Bill Geiger, resident, Oregon
9:42:38 AM {Exhibit} 23: Jeff Martin, Private Security & Investigators Policy Committee, Oregon Department of Public Safety Standards & Training
9:42:38 AM {Exhibit} 24: Harold Burke-Sivers, Director of Public Safety, University of Portland
9:42:38 AM {Exhibit} 25: Oregon Restaurant & Lodging Association

9:43:00 AM **SB 450-Work Session**
9:43:02 AM {Exhibits} 26-27: Cheyenne Ross, Committee Counsel
9:43:38 AM Chair Prozanski
9:43:39 AM MOTION: Vice Chair Kruse moves the -2 amendments Be Adopted
9:43:41 AM Chair Prozanski
9:43:47 AM VOTE: 5-0-0
9:43:48 AM AYES: Bonamici, Dingfelder, Whitsett, Kruse, Prozanski
9:43:49 AM MOTION: Vice Chair Kruse moves SB 450 Do Pass as Amended
9:43:58 AM Chair Prozanski
9:44:06 AM VOTE: 5-0-0

9:44:06 AM AYES: Bonamici, Dingfelder, Whitsett, Kruse, Prozanski
9:44:07 AM CARRIER: SEN. PROZANSKI will lead discussion on the floor
9:47:31 AM Meeting Adjourned by Chair Prozanski

Exhibit Summary

8:10:03 AM {Exhibit} 1: SB 934, written testimony, Rep. Kim Thatcher, 1 p
8:16:19 AM {Exhibit} 2: SB 378, -1 amendments, staff, 1 p
8:16:19 AM {Exhibit} 3: SB 378, -2 amendments, staff, 1 p
8:31:48 AM {Exhibit} 4: SB 496, -1 amendments, staff, 5 pp
8:33:10 AM {Exhibit} 5: SB 496, written testimony, Jesse Barton, 2 pp
8:39:11 AM {Exhibit} 6: SB 496, written testimony, Shawn Wiley, 1 p
8:44:23 AM {Exhibit} 7: SB 874, -2 amendments, staff, 2 pp
8:51:30 AM {Exhibit} 8: SB 783, -3 amendments, staff, 1 p
8:51:30 AM {Exhibit} 9: SB 783, -4 amendments, staff, 3 pp
8:51:54 AM {Exhibit} 10: SB 783, written testimony, Chris Telfer, 1 p
9:00:30 AM {Exhibit} 11: SB 874, written testimony, Todd Dalotto, 7 pp
9:07:21 AM {Exhibit} 12: SB 874, written testimony, Karen O'Keefe, 4 pp
9:07:22 AM {Exhibit} 13: SB 874, written testimony, Karen MacLean, 6 pp
9:09:29 AM {Exhibit} 14: SB 934, written testimony, Kevin Starrett, 23 pp
9:19:27 AM {Exhibit} 15: SB 934, written testimony, Elise Gautier, 2 pp
9:26:34 AM {Exhibit} 16: SB 557, -2 amendments, staff, 2 pp
9:29:59 AM {Exhibit} 17: SB 557, written testimony, Sarah Hoyt, 2 pp
9:37:18 AM {Exhibit} 18: SB 867, -1 amendments, staff, 3 pp
9:37:18 AM {Exhibit} 19: SB 867, -2 amendments, staff, 3 pp
9:39:48 AM {Exhibit} 20: SB 878, -3 amendments, staff, 1 p
9:42:37 AM {Exhibit} 21: SB 878, written testimony, Jace Smith, 4 pp
9:42:38 AM {Exhibit} 22: SB 878, written testimony, Bill Geiger, 1 p
9:42:38 AM {Exhibit} 23: SB 878, written testimony, Jeff Martin, 1 p
9:42:38 AM {Exhibit} 24: SB 878, written testimony, Harold Burke-Sivers, 1 p
9:42:38 AM {Exhibit} 25: SB 878, written testimony, Oregon Restaurant & Lodging Association, 1 p
9:43:02 AM {Exhibit} 26: SB 450, -1 amendments, staff, 1 p
9:43:02 AM {Exhibit} 27: SB 450, -2 amendments, staff, 1 p
