

## **SENATE COMMITTEE ON JUDICIARY**

April 19, 2011  
8:30 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  
Aaron Knott, Committee Counsel  
Pam Marshall, Committee Assistant

**MEASURES/ISSUES HEARD:** SB 406 – Public Hearing  
SB 557 – Work Session  
SJR 3 – Work Session  
SB 78 – Work Session  
SB 360 – Work Session  
SB 420 – Work Session  
SB 961 – Work Session  
SB 963 – Work Session  
SB 608 – Work Session  
SB 819 – Work Session  
SB 186 – Work Session  
SB 346 – Work Session  
SB 378 – Work Session  
SB 496 – Work Session  
SB 616 – Work Session  
SB 619 – Work Session  
SB 734 – Work Session  
SB 740 – Work Session  
SB 69 – Work Session  
SB 376 – Work Session  
SB 382 – Work Session  
SB 401 – Work Session  
SB 414 – Work Session  
SB 504 – Work Session  
SB 516 – Work Session

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### **Recording Log**

**8:38:40 AM** Meeting Called to Order by Chair Prozanski

**8:39:09 AM** **SB 406 - Public Hearing**

**8:39:11 AM** {Exhibit} 1: Aaron Knott, Committee Counsel

**8:40:23 AM** Chair Prozanski

8:41:05 AM Ann Pratt, Governor's Advisory Committee on DUII  
8:43:07 AM Michael Wynhause, Oregon District Attorneys Association  
8:45:08 AM Elijah Michalowski, Oregon District Attorneys Association  
8:45:46 AM Chair Prozanski  
8:46:22 AM Pratt  
8:46:44 AM The following written testimony was submitted for the record without public testimony:  
8:46:45 AM {Exhibit} 2: Chuck Hayes, Chair, Governor's Advisory Committee on DUII  
8:47:11 AM Chair Prozanski  
8:47:50 AM Sen. Whitsett  
8:48:04 AM Chair Prozanski

8:50:10 AM **SB 557 - Work Session**

8:50:25 AM Chair Prozanski  
8:50:37 AM Ross  
8:50:56 AM MOTION: Sen. Kruse moves to suspend the committee rules for reconsideration of SB 557  
8:51:05 AM Chair Prozanski  
8:51:12 AM VOTE: 5-0-0  
8:51:14 AM AYES: Bonamici, Dingfelder, Whitsett, Kruse, Prozanski  
8:51:20 AM MOTION: Sen. Kruse moves to reconsider vote SB 557  
8:51:32 AM Chair Prozanski  
8:51:41 AM VOTE: 5-0-0  
8:51:44 AM AYES: Bonamici, Dingfelder, Whitsett, Kruse, Prozanski  
8:52:51 AM MOTION: Sen. Kruse moves SB 557 Do Pass as Amended  
8:52:55 AM Chair Prozanski  
8:53:06 AM VOTE: 5-0-0  
8:53:10 AM AYES: Bonamici, Dingfelder, Whitsett, Kruse, Prozanski  
8:53:15 AM CARRIER: SEN. EDWARDS will lead discussion on the floor  
8:53:17 AM Chair Prozanski

8:53:42 AM **SJR 3 and SB 78 - Work Session**

8:53:52 AM {Exhibits} 3 and 4: Bill Taylor, Committee Counsel  
8:55:44 AM Chair Prozanski  
8:56:00 AM Taylor  
8:56:13 AM Chair Prozanski  
8:56:23 AM Sen. Bonamici  
8:56:28 AM Taylor  
8:56:54 AM Chair Prozanski  
8:57:24 AM MOTION: Vice-Chair Kruse moves the -1 amendment to SJR 3 Be Adopted  
8:57:29 AM Chair Prozanski  
8:57:34 AM VOTE: 5-0-0  
8:57:35 AM AYES: Bonamici, Dingfelder, Whitsett, Kruse, Prozanski  
8:57:38 AM MOTION: Vice-Chair Kruse moves SJR 3 Do Pass as Amended and refer to Rules

8:57:47 AM Chair Prozanski  
8:58:04 AM VOTE: 5-0-0  
8:58:07 AM AYES: Bonamici, Dingfelder, Whitsett, Kruse, Prozanski  
8:58:19 AM Chair Prozanski  
8:58:25 AM MOTION: Vice-Chair Kruse moves the -1 amendment to SB 78 Be  
Adopted  
8:58:31 AM VOTE: 5-0-0  
8:58:32 AM AYES: Bonamici, Dingfelder, Whitsett, Kruse, Prozanski  
8:58:33 AM MOTION: Vice-Chair Kruse moves SB 78 Do Pass as Amended and refer  
to Rules  
8:58:41 AM Chair Prozanski  
8:58:50 AM VOTE: 5-0-0  
8:58:52 AM AYES: Bonamici, Dingfelder, Whitsett, Kruse, Prozanski  
8:58:57 AM Chair Prozanski  
8:59:13 AM Taylor  
8:59:21 AM Chair Prozanski  
  
8:59:22 AM **SB 360 - Work Session**  
8:59:28 AM Bill Taylor, Committee Counsel  
8:59:46 AM Chair Prozanski  
8:59:56 AM MOTION: Vice-Chair Kruse moves SB 360 Do Pass as Amended  
9:00:04 AM Chair Prozanski  
9:00:11 AM VOTE: 5-0-0  
9:00:16 AM AYES: Bonamici, Dingfelder, Whitsett, Kruse, Prozanski  
9:00:20 AM CARRIER: SEN. JOHNSON will lead discussion on the floor  
9:00:34 AM Chair Prozanski  
  
9:00:37 AM **SB 420 - Work Session**  
9:00:38 AM Bill Taylor, Committee Counsel  
9:01:04 AM Chair Prozanski  
  
9:01:15 AM **SB 961 - Work Session**  
9:01:39 AM Chair Prozanski  
  
9:01:43 AM **SB 963 - Work Session**  
9:01:57 AM Chair Prozanski  
  
9:02:07 AM **SB 608 - Work Session**  
9:02:12 AM Cheyenne Ross, Committee Counsel  
9:02:20 AM Chair Prozanski  
  
9:02:30 AM **SB 819 - Work Session**  
9:02:39 AM Chair Prozanski  
  
9:02:45 AM **SB 186 - Work Session**  
9:02:51 AM Chair Prozanski

**9:02:56 AM SB 346 - Work Session**

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

**9:03:18 AM SB 378 - Work Session**

**9:03:24 AM** Cheyenne Ross, Committee Counsel

**9:03:29 AM** Chair Prozanski

**9:05:31 AM SB 496 - Work Session**

**9:06:30 AM** {Exhibit} 5: Cheyenne Ross, Committee Counsel

**9:06:34 AM** MOTION: Vice-Chair Kruse moves the -1 amendment Be Adopted

**9:06:36 AM** Chair Prozanski

**9:06:44 AM** VOTE: 5-0-0

**9:06:45 AM** AYES: Bonamici, Dingfelder, Whitsett, Kruse, Prozanski

**9:06:49 AM** MOTION: Vice-Chair Kruse moves SB 406 Do Pass as Amended

**9:07:01 AM** Chair Prozanski

**9:07:10 AM** Sen. Whitsett

**9:07:43 AM** Ross

**9:08:12 AM** Chair Prozanski

**9:08:23 AM** Gail Meyer, Oregon Criminal Defense Lawyers Association

**9:08:48 AM** Elizabeth Cushwa, Executive Director, Oregon District Attorneys Association

**9:08:56 AM** Chair Prozanski

**9:09:14 AM** VOTE: 5-0-0

**9:09:16 AM** AYES: Bonamici, Dingfelder, Whitsett, Kruse, Prozanski

**9:09:21 AM** CARRIER: SEN. BONAMICI will lead discussion on the floor

**9:09:30 AM SB 616 - Work Session**

**9:09:37 AM** Cheyenne Ross, Committee Counsel

**9:10:43 AM** Chair Prozanski

**9:11:29 AM** Scott Beckstett, Senior Oregon Director, Humane Society of the United States

**9:12:20 AM** Chair Prozanski

**9:12:39 AM** Ross

**9:12:46 AM** Chair Prozanski

**9:12:51 AM** Sen. Whitsett

**9:13:00 AM** Chair Prozanski

**9:13:16 AM** Ross

**9:13:21 AM** Chair Prozanski

**9:13:51 AM SB 619 - Work Session**

**9:13:59 AM** {Exhibit} 6: Cheyenne Ross, Committee Counsel

**9:14:39 AM** Chair Prozanski

**9:14:43 AM** MOTION: Co-Chair Kruse moves the -1 amendment to Be Adopted

**9:14:48 AM** Chair Prozanski

9:14:50 AM VOTE: 5-0-0  
9:14:52 AM AYES: Bonamici, Dingfelder, Whitsett, Kruse, Prozanski  
9:14:55 AM MOTION: Vice-Chair Kruse MOVES SB 619 Do Pass as Amended  
9:15:01 AM Chair Prozanski  
9:15:09 AM Sen. Bonamici  
9:15:23 AM VOTE: 4-1-0  
9:15:25 AM AYES: Dingfelder, Whitsett, Kruse, Prozanski; NAYS: Bonamici  
9:15:27 AM CARRIER: SEN. KRUSE will lead discussion on the floor  
9:15:29 AM Chair Prozanski

9:15:40 AM **SB 734 - Work Session**  
9:15:44 AM Cheyenne Ross, Committee Counsel  
9:15:50 AM Chair Prozanski

9:16:19 AM **SB 740 - Work Session**  
9:16:25 AM Cheyenne Ross, Committee Counsel  
9:16:37 AM Chair Prozanski  
9:16:40 AM MOTION: Vice-Chair Kruse moves SB 740 Do Pass  
9:16:46 AM Chair Prozanski  
9:16:52 AM VOTE: 5-0-0  
9:16:56 AM AYES: Bonamici, Dingfelder, Whitsett, Kruse, Prozanski  
9:17:06 AM CARRIER: SEN. WHITSETT will lead discussion on the floor  
9:17:14 AM Chair Prozanski

9:18:21 AM **SB 69 - Work Session**  
9:18:28 AM Chair Prozanski

9:18:36 AM **SB 376 - Work Session**  
9:18:53 AM Chair Prozanski

9:18:54 AM **SB 382 - Work Session**  
9:19:02 AM Chair Prozanski

9:19:21 AM **SB 401 - Work Session**  
9:19:28 AM Chair Prozanski

9:20:35 AM **SB 414 - Work Session**  
9:20:38 AM Chair Prozanski

9:20:45 AM **SB 504 - Work Session**  
9:20:50 AM Chair Prozanski

9:20:51 AM **SB 516 - Work Session**  
9:21:06 AM Aaron Knott, Committee Counsel  
9:21:14 AM Meeting Adjourned by Chair Prozanski

**8:39:11 AM** {Exhibit} 1: SB 406, -1 amendment, staff, 1 p  
**8:46:45 AM** {Exhibit} 2: SB 406, written testimony, Chuck Hayes, 1 p  
**8:53:52 AM** {Exhibit} 3: SJR 3, -1 amendment, staff, 1 p  
**8:53:53 AM** {Exhibit} 4: SB 78, -1 amendment, staff, 1 p  
**9:06:30 AM** {Exhibit} 5: SB 496, -1 amendment, staff, 5 pp  
**9:13:59 AM** {Exhibit} 6: SB 619, -1 amendment, staff, 1 p

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