

## **SENATE COMMITTEE ON JUDICIARY**

May 11, 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:** Aaron Knott, Committee Counsel  
Pam Marshall, Committee Assistant

**MEASURES/ISSUES HEARD:** HB 2123 B – Public Hearing and Work Session  
HB 2468 – Public Hearing and Work Session  
HB 2692 – Public Hearing and Work Session  
HB 3140 A – Public Hearing and Work Session  
HB 3251 A – Public Hearing  
HB 2721 – Work Session  
HB 2652 A – Work Session  
HB 2698 A – Work Session  
HB 2702 A – Work Session

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### **Recording Log**

**8:34:26 AM** Meeting Called to Order by Chair Prozanski

**8:35:02 AM** **HB 2123 B - Public Hearing**

**8:35:11 AM** Aaron Knott, Committee Counsel

**8:35:58 AM** Chair Prozanski

**8:36:25 AM** {Exhibit} 1: Charlie Stone, Policy Analyst, Department of Forestry

**8:39:58 AM** Mike Dykzeul, Director of Forest Protection, Oregon Forest Industries  
Council

**8:40:27 AM** Chair Prozanski

**8:41:22 AM** Stone

**8:41:47 AM** Chair Prozanski

**8:42:00 AM** Stone

**8:42:08 AM** Sen. Dingfelder

**8:42:47 AM** Stone

**8:43:25 AM** Sen. Dingfelder

**8:43:45 AM** Stone

**8:44:17 AM** Chair Prozanski

**8:44:44 AM** Sen. Bonamici

**8:44:59 AM** Stone

**8:45:32 AM** Chair Prozanski

8:45:50 AM Stone  
8:46:07 AM Jas Adams, Oregon Department of Justice  
8:47:34 AM Chair Prozanski

8:47:57 AM **HB 2123 B - Work Session**

8:48:01 AM MOTION: Sen. Bonamici moves HB 2123 B Do Pass  
8:48:08 AM Chair Prozanski  
8:48:16 AM VOTE: 4-0-1  
8:48:17 AM AYES: Bonamici, Dingfelder, Whitsett, Prozanski; EXCUSED: Kruse  
8:48:19 AM CARRIER: SEN. WHITSETT will lead discussion on the floor  
8:48:38 AM Chair Prozanski

8:48:40 AM **HB 2468 - Public Hearing**

8:48:50 AM Aaron Knott, Committee Counsel  
8:49:08 AM Chair Prozanski  
8:49:33 AM {Exhibit} 2: Neil Jackson, Oregon Trial Lawyers Association  
8:50:55 AM Steve Murrell, Claims Attorney, State Farm Insurance  
8:51:18 AM Chair Prozanski

8:51:34 AM **HB 2468 - Work Session**

8:51:40 AM Aaron Knott, Committee Counsel  
8:51:56 AM MOTION: Sen. Kruse moves HB 2468 Do Pass  
8:52:01 AM Chair Prozanski  
8:52:10 AM VOTE: 5-0-0  
8:52:12 AM AYES: Bonamici, Dingfelder, Whitsett, Kruse, Prozanski  
8:52:14 AM CARRIER: SEN. PROZANSKI will lead discussion on the floor  
8:52:20 AM Chair Prozanski

8:52:23 AM **HB 2692 - Public Hearing**

8:52:27 AM Aaron Knott, Committee Counsel  
8:53:15 AM Chair Prozanski  
8:53:19 AM {Exhibit} 3: Brian Wallace, Chief Civil Supervisor, Marion County Sheriff's Office  
9:02:52 AM {Exhibit} 4: Tami Wood, Captain, Linn County Sheriff's Office  
9:03:12 AM Chair Prozanski  
9:03:35 AM Wallace  
9:04:05 AM Chair Prozanski  
9:04:22 AM Wallace  
9:04:26 AM Chair Prozanski  
9:04:33 AM Wallace  
9:05:03 AM Chair Prozanski  
9:05:49 AM Wood  
9:06:26 AM Chair Prozanski  
9:07:08 AM Wood  
9:07:37 AM Wallace  
9:08:19 AM Chair Prozanski

9:08:22 AM Sen. Bonamici  
9:08:46 AM Wallace  
9:09:06 AM Chair Prozanski

9:09:24 AM **HB 2692 - Work Session**

9:09:27 AM MOTION: Sen. Kruse moves HB 2692 Do Pass  
9:09:29 AM VOTE: 4-0-1  
9:09:31 AM AYES: Bonamici, Dingfelder, Kruse, Prozanski; EXCUSED: Whitsett  
9:09:33 AM CARRIER: SEN. BONAMICI will lead discussion on the floor  
9:09:46 AM Chair Prozanski

9:09:54 AM **HB 3140 A - Public Hearing**

9:09:57 AM Aaron Knott, Committee Counsel  
9:10:31 AM Brian DeLashmutt, Association of Oregon Corrections Employees, Oregon  
Council of Police Associations, Oregon State Police Officers' Association  
9:11:45 AM Chair Prozanski

9:12:01 AM **HB 3140 A - Work Session**

9:12:03 AM MOTION: Sen. Kruse moves HB 3140 A Do Pass  
9:12:11 AM Chair Prozanski  
9:12:15 AM VOTE: 4-0-1  
9:12:16 AM AYES: Bonamici, Dingfelder, Kruse, Prozanski; EXCUSED: Whitsett  
9:12:19 AM CARRIER: SEN. PROZANSKI will lead discussion on the floor  
9:12:25 AM Chair Prozanski

9:12:27 AM **HB 3251 A - Public Hearing**

9:12:33 AM {Exhibit} 5: Aaron Knott, Committee Counsel  
9:13:14 AM Brian DeLashmutt, Association of Oregon Corrections Employees, Oregon  
Council of Police Associations, Oregon State Police Officers' Association  
9:16:36 AM Chair Prozanski  
9:16:55 AM DeLashmutt  
9:17:17 AM Chair Prozanski  
9:17:44 AM DeLashmutt  
9:18:00 AM Vice-Chair Kruse  
9:18:03 AM Chair Prozanski

9:19:01 AM **HB 2721 - Work Session**

9:19:06 AM {Exhibit} 6: Aaron Knott, Committee Counsel  
9:20:25 AM MOTION: Sen. Kruse moves the -1 amendments Be Adopted  
9:20:33 AM Chair Prozanski  
9:20:38 AM VOTE: 3-0-2  
9:20:39 AM AYES: Dingfelder, Kruse, Prozanski; EXCUSED: Bonamici, Whitsett  
9:20:42 AM MOTION: Sen. Kruse moves HB 2721 Do Pass as Amended  
9:20:48 AM Chair Prozanski  
9:20:55 AM VOTE: 3-0-2  
9:20:58 AM AYES: Dingfelder, Kruse, Prozanski; EXCUSED: Bonamici, Whitsett

**9:21:04 AM** CARRIERS: SEN. STARR and SEN. PROZANSKI will lead discussion on the floor

**9:21:15 AM** Chair Prozanski

**9:21:20 AM** **HB 2652 A - Work Session**

**9:21:22 AM** Aaron Knott, Committee Counsel

**9:22:12 AM** MOTION: Sen. Kruse moves HB 2652 A Do Pass

**9:22:17 AM** Chair Prozanski

**9:22:19 AM** VOTE: 3-0-2

**9:22:20 AM** AYES: Dingfelder, Kruse, Prozanski; EXCUSED: Bonamici, Whitsett

**9:22:29 AM** CARRIER: SEN. DINGFELDER will lead discussion on the floor

**9:22:35 AM** Chair Prozanski

**9:22:42 AM** **HB 2698 A - Work Session**

**9:22:45 AM** Aaron Knott, Committee Counsel

**9:23:28 AM** MOTION; Sen. Kruse moves HB 2698 A Do Pass

**9:23:32 AM** Chair Prozanski

**9:23:38 AM** VOTE: 3-0-2

**9:23:41 AM** AYES: Dingfelder, Kruse, Prozanski; EXCUSED: Bonamici, Whitsett

**9:23:44 AM** CARRIER: SEN. PROZANSKI will lead discussion on the floor

**9:23:47 AM** Chair Prozanski

**9:23:50 AM** **HB 2702 A - Work Session**

**9:23:55 AM** Aaron Knott, Committee Counsel

**9:24:38 AM** MOTION: Sen. Kruse moves HB 2702 A Do Pass

**9:24:42 AM** Chair Prozanski

**9:24:48 AM** VOTE: 3-0-2

**9:24:50 AM** AYES: Dingfelder, Kruse, Prozanski; EXCUSED: Bonamici, Whitsett

**9:24:53 AM** CARRIER: SEN. KRUSE will lead discussion on the floor

**9:24:55 AM** Meeting Adjourned by Chair Prozanski

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**Exhibit Log**

**8:36:25 AM** {Exhibit} 1: HB 2123 B, written testimony, Charlie Stone, 5 pp

**8:49:33 AM** {Exhibit} 2: HB 2468, written testimony, Neil Jackson, 1 p

**8:53:19 AM** {Exhibit} 3: HB 2692, written testimony, Brian Wallace, 2 pp

**9:02:52 AM** {Exhibit} 4: HB 2692, written testimony, Tami Wood, 2 pp

**9:12:33 AM** {Exhibit} 5: HB 3251A, -A4 amendment, staff, 1 p

**9:19:03 AM** {Exhibit} 6: HB 2721, -1 amendment, staff, 1 p

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