

## **SENATE COMMITTEE ON JUDICIARY**

May 12, 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:** Cheyenne Ross, Committee Counsel  
Kristi Hauck, Committee Assistant

**MEASURES/ISSUES HEARD:** HB 2036 A – Public Hearing and Work Session  
HB 3166 A – Public Hearing  
HB 2681 – Public Hearing and Work Session  
HB 2367 A – Public Hearing and Work Session  
HB 2708 A – Public Hearing and Work Session  
HB 3125 A – Public Hearing  
HB 2677 – Work Session  
HB 2678 – Work Session  
HB 2682 – Work Session  
HB 2683 A – Work Session  
HB 2925 A – Work Session  
HB 3151 – Work Session

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### **Recording Log**

**8:37:34 AM** Meeting Called to Order by Chair Prozanski

**8:38:08 AM** **HB 2036 A - Public Hearing**

**8:38:10 AM** Cheyenne Ross, Committee Counsel

**8:38:42 AM** Chair Prozanski

**8:38:50 AM** **HB 3166 A - Public Hearing**

**8:38:52 AM** Cheyenne Ross, Committee Counsel

**8:39:17 AM** Chair Prozanski

**8:39:44 AM** Rep. Tim Freeman, House District 2

**8:41:21 AM** Chair Prozanski

**8:41:22 AM** Rep. Freeman

**8:41:23 AM** Chair Prozanski

**8:41:26 AM** Dave Hunnicutt, Oregonians In Action

**8:42:37 AM** Chair Prozanski

**8:42:40 AM** {Exhibit} 1: Ed Sullivan, attorney, Portland, Oregon

**8:43:55 AM** Chair Prozanski

8:43:56 AM Sen. Dingfelder  
8:44:06 AM Sullivan  
8:44:09 AM Sen. Dingfelder  
8:44:12 AM Sullivan  
8:44:18 AM Rep. Freeman  
8:45:44 AM Chair Prozanski  
8:45:50 AM Sen. Whitsett  
8:45:51 AM Chair Prozanski  
8:46:00 AM Sullivan  
8:46:01 AM Chair Prozanski

8:46:26 AM **HB 2036 A - Public Hearing**

8:46:28 AM Chair Prozanski  
8:46:42 AM {Exhibit} 2: Kate Newhall, Bureau of Labor and Industries  
8:51:04 AM Chair Prozanski

8:51:28 AM **HB 2036 A - Work Session**

8:51:31 AM MOTION: Vice-Chair Kruse moves HB 2036 A Do Pass  
8:51:33 AM Chair Prozanski  
8:51:40 AM VOTE: 5-0-0 (see timestamp **9:23:30 AM**)  
8:51:41 AM AYES: Dingfelder, Whitsett, Kruse, Prozanski; EXCUSED: Bonamici  
8:51:46 AM CARRIER: SEN. DINGFELDER will lead discussion on the floor  
8:52:02 AM Ross  
8:52:07 AM Chair Prozanski

8:52:30 AM **HB 2681 - Public Hearing**

8:52:32 AM Cheyenne Ross, Committee Counsel  
8:53:11 AM Chair Prozanski  
8:53:19 AM {Exhibit} 3: Chris Hall, Business Law Section, Oregon State Bar  
8:55:09 AM Chair Prozanski

8:55:23 AM **HB 2681-Work Session**

8:55:26 AM MOTION: Vice-Chair Kruse moves HB 2681 Do Pass  
8:55:28 AM Chair Prozanski  
8:55:36 AM VOTE: 5-0-0 (see timestamp **9:23:30 AM**)  
8:55:37 AM AYES: Dingfelder, Whitsett, Kruse, Prozanski; EXCUSED: Bonamici  
8:55:38 AM CARRIER: SEN. KRUSE will lead discussion on the floor

8:56:01 AM **HB 2367 A - Public Hearing**

8:56:05 AM Cheyenne Ross, Committee Counsel  
8:57:24 AM Chair Prozanski  
8:57:38 AM Rep. Nancy Nathanson, House District 13  
8:59:59 AM Chair Prozanski  
9:00:00 AM Vice-Chair Kruse  
9:00:10 AM Rep. Nathanson  
9:00:55 AM Chair Prozanski

9:00:57 AM Sen. Whitsett  
9:01:34 AM Rep. Nathanson  
9:01:47 AM Ross  
9:01:55 AM Sen. Whitsett  
9:02:09 AM Sen. Dingfelder  
9:02:10 AM Sen. Whitsett  
9:02:37 AM Ross  
9:02:40 AM Chair Prozanski  
9:02:45 AM Sen. Dingfelder  
9:03:26 AM Rep. Nathanson  
9:04:33 AM Chair Prozanski  
9:05:29 AM Nan Heim, Oregon Library Association  
9:06:03 AM Chair Prozanski  
9:06:04 AM {Exhibit} 4: Alex Cuyler, Intergovernmental Relations Manager, Lane  
County, Oregon  
9:08:10 AM Chair Prozanski  
9:08:11 AM Paul Snider, Association of Oregon Counties  
9:08:44 AM Chair Prozanski

9:08:56 AM **HB 2367 A - Work Session**

9:08:58 AM MOTION: Vice-Chair Kruse moves HB 2367 A Do Pass  
9:09:02 AM Chair Prozanski  
9:09:13 AM Sen. Bonamici  
9:09:20 AM Chair Prozanski  
9:09:25 AM VOTE: 5-0-0  
9:09:26 AM AYES: Bonamici, Dingfelder, Whitsett, Kruse, Prozanski  
9:09:28 AM CARRIER: SEN. BONAMICI will lead discussion on the floor  
9:09:34 AM Chair Prozanski  
9:09:36 AM Sen. Bonamici  
9:09:37 AM Vice-Chair Kruse  
9:09:38 AM Sen. Bonamici  
9:09:40 AM Chair Prozanski

9:09:57 AM **HB 2708 A - Public Hearing**

9:09:59 AM Cheyenne Ross, Committee Counsel  
9:10:53 AM Vice-Chair Kruse  
9:10:54 AM Chair Prozanski  
9:10:59 AM Chad Krepps, Oregon Law Commission  
9:13:41 AM {Exhibit} 5: Wendy Johnson, Deputy Director and General Counsel,  
Oregon Law Commission  
9:13:49 AM Chair Prozanski  
9:13:54 AM Sen. Bonamici  
9:14:24 AM Krepps  
9:14:39 AM Sen. Bonamici  
9:14:41 AM Krepps  
9:15:01 AM Sen. Bonamici

9:15:04 AM Chair Prozanski

9:15:22 AM **HB 2708 A - Work Session**

9:15:25 AM MOTION: Vice-Chair Kruse moves HB 2708 A Do Pass

9:15:30 AM Chair Prozanski

9:15:39 AM VOTE: 5-0-0

9:15:40 AM AYES: Bonamici, Dingfelder, Whitsett, Kruse, Prozanski

9:15:40 AM CARRIER: SEN. PROZANSKI will lead discussion on the floor

9:15:50 AM Sen. Dingfelder

9:15:54 AM Chair Prozanski

9:15:55 AM Vice-Chair Kruse

9:15:58 AM Chair Prozanski

9:16:10 AM **HB 3125 A - Public Hearing**

9:16:11 AM Cheyenne Ross, Committee Counsel

9:16:39 AM Chair Prozanski

9:17:05 AM Rep. Brad Witt, House District 31

9:19:18 AM Chair Prozanski

9:19:26 AM Sen. Dingfelder

9:19:39 AM Rep. Witt

9:19:59 AM Chair Prozanski

9:20:02 AM Sen. Whitsett

9:20:10 AM Rep. Witt

9:20:38 AM Chair Prozanski

9:20:44 AM {Exhibit} 6: John Huddle, resident, La Pine, Oregon

9:22:27 AM Chair Prozanski

9:22:28 AM **HB 2036 A and HB 2681 - Work Session**

9:23:30 AM MOTION: Vice-Chair Kruse moves the Rules Be Suspended to allow Sen. Bonamici to VOTE: AYE on HB 2036 A and HB 2681

9:23:45 AM Chair Prozanski

9:23:57 AM VOTE: 5-0-0

9:23:57 AM AYES: Bonamici, Dingfelder, Whitsett, Kruse, Prozanski

9:23:59 AM Chair Prozanski

9:24:03 AM Sen. Bonamici

9:24:03 AM Chair Prozanski

9:24:07 AM Sen. Bonamici

9:24:07 AM Chair Prozanski

9:24:19 AM **HB 2677 - Work Session**

9:24:21 AM Cheyenne Ross, Committee Counsel

9:24:42 AM Chair Prozanski

9:24:43 AM MOTION: Vice-Chair Kruse moves HB 2677 Do Pass

9:24:46 AM Chair Prozanski

9:24:56 AM VOTE: 5-0-0

9:24:56 AM AYES: Bonamici, Dingfelder, Whitsett, Kruse, Prozanski

9:24:57 AM CARRIER: SEN. WHITSETT will lead discussion on the floor

9:25:25 AM **HB 2678 - Work Session**

9:25:26 AM {Exhibit} 7: Cheyenne Ross, Committee Counsel

9:25:47 AM {Exhibit} 8: Matt Markee, Oregon Collectors Association

9:26:34 AM Chair Prozanski

9:26:38 AM Sen. Bonamici

9:26:48 AM Markee

9:27:03 AM Chair Prozanski

9:27:16 AM **HB 2682 - Work Session**

9:27:18 AM Cheyenne Ross, Committee Counsel

9:27:34 AM Chair Prozanski

9:27:47 AM Vice-Chair Kruse

9:27:48 AM Chair Prozanski

9:27:49 AM MOTION: Vice-Chair Kruse moves HB 2682 Do Pass

9:27:52 AM Chair Prozanski

9:28:01 AM VOTE: 5-0-0

9:28:02 AM AYES: Bonamici, Dingfelder, Whitsett, Kruse, Prozanski

9:28:02 AM CARRIER: SEN. KRUSE will lead discussion on the floor

9:28:22 AM **HB 2683 A - Work Session**

9:28:23 AM Cheyenne Ross, Committee Counsel

9:28:44 AM Chair Prozanski

9:28:46 AM MOTION: Vice-Chair Kruse moves HB 2683 A Do Pass

9:28:51 AM Chair Prozanski

9:28:59 AM VOTE: 5-0-0

9:28:59 AM AYES: Bonamici, Dingfelder, Whitsett, Kruse, Prozanski

9:29:00 AM CARRIER: SEN. DINGFELDER will lead discussion on the floor

9:29:05 AM Sen. Dingfelder

9:29:06 AM Chair Prozanski

9:29:16 AM **HB 2925 A - Work Session**

9:29:21 AM Cheyenne Ross, Committee Counsel

9:29:36 AM MOTION: Vice-Chair Kruse moves HB 2925 A Do Pass

9:29:38 AM Chair Prozanski

9:29:47 AM VOTE: 5-0-0

9:29:48 AM AYES: Bonamici, Dingfelder, Whitsett, Kruse, Prozanski

9:29:48 AM CARRIER: SEN. PROZANSKI will lead discussion on the floor

9:30:05 AM **HB 3151 - Work Session**

9:30:07 AM Cheyenne Ross, Committee Counsel

9:30:26 AM Chair Prozanski

9:30:38 AM MOTION: Vice-Chair Kruse moves HB 3151 Do Pass

9:30:41 AM Chair Prozanski

9:30:50 AM VOTE: 5-0-0

**9:30:52 AM** AYES: Bonamici, Dingfelder, Whitsett, Kruse, Prozanski  
**9:30:52 AM** CARRIER: SEN. WHITSETT will lead discussion on the floor  
**9:30:54 AM** Meeting Adjourned by Chair Prozanski

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### **Exhibit Summary**

**8:42:40 AM** {Exhibit} 1: HB 3166 A, written testimony, Ed Sullivan, 2 pp  
**8:46:42 AM** {Exhibit} 2: HB 2036 A, written testimony, Kate Newhall, 2 pp  
**8:53:19 AM** {Exhibit} 3: HB 2681, written testimony, Chris Hall, 1 p  
**9:06:04 AM** {Exhibit} 4: HB 2367 A, written testimony, Alex Cuyler, 1 p  
**9:13:41 AM** {Exhibit} 5: HB 2708 A, written testimony, Wendy Johnson, 5 pp  
**9:20:44 AM** {Exhibit} 6: HB 3125 A, written testimony, John Huddle, 2 pp  
**9:25:26 AM** {Exhibit} 7: HB 2678, -1 amendments, staff, 1 p  
**9:25:47 AM** {Exhibit} 8: HB 2678, written testimony, Matt Markee, 2 pp

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