

HOUSE COMMITTEE ON JUDICIARY

April 17, 2007 Hearing Room 357
8:00 AM Tapes 134-136

MEMBERS PRESENT: Rep. Greg Macpherson, Chair
Rep. Jeff Barker, Vice-Chair
Rep. Gene Whisnant, Vice-Chair
Rep. Suzanne Bonamici
Rep. Kevin Cameron
Rep. Linda Flores
Rep. Betty Komp
Rep. Wayne Krieger
Rep. Tobias Read

VISITING MEMBERS: Rep. Susan Morgan

STAFF PRESENT: Matt Kalmanson, Counsel
Sara Campbell, Committee Assistant

Measures or Issues Heard: HB 2310 Public Hearing
HB 2853 Public Hearing
HB 2853 Work Session
HB 2908 Public Hearing
HB 2908 Work Session
HB 3083 Public Hearing
HB 3083 Work Session
HB 2905 Work Session
HB 3084 Public Hearing
HB 2833 Public Hearing

This tape log is in compliance with Senate and House Rules. For complete contents, please refer to the cassette tapes.

TAPE # AND SIDE	COUNTER NUMBER	BRIEF DESCRIPTION OF SUBJECT MATTER OR CHANGE IN SPEAKER
134A	003	Chair Macpherson calls the meeting into order at 8:00 a.m.
<u>HB 2310- PUBLIC HEARING</u>		
134A	010	Matt Kalmanson, Counsel (EXHIBIT A)
	026	James Brewer, Corvallis
	047	Chair Macpherson
	048	Brewer
	054	Chair Macpherson
	056	Brewer
	060	Rep. Bonamici
	074	Chair Macpherson
	076	Kalmanson
	080	Brewer

090	Bill Brewer, Oregon State Bar (EXHIBIT B)
115	Chair Macpherson
126	Brewer
160	J. Brewer
180	Chair Macpherson
181	J. Brewer
183	Chair Macpherson
192	Rep. Bonamici
207	Brewer
230	Kalmanson
245	Chair Macpherson
255	Rep. Cameron

HB 2853- PUBLIC HEARING

	270	Matt Kalmanson, Counsel
	279	Rep. Susan Morgan, House District 2
	300	Ken Messerle, Central Oregon and Pacific Railroad
	313	Kevin Spraglin, Pacific Railroad
	331	Yates (EXHIBIT C)
	053	Chair Macpherson
	055	Yates
	367	Chair Macpherson
	368	Yates
135A	002	Rep. Whisnant
	004	Yates
	010	Rep. Bonamici
	019	Yates
	030	Spraglin
	042	Rep. Cameron
	052	Robert Grossman, Willamette Railroads
	076	Roger Martin, Union Pacific Railroad Company
	101	Rep. Cameron

HB 2853- WORK SESSION

135A	110	Rep. Krieger
	111	Rep. Susan Morgan, House District 2
	117	Rep. Whisnant
	124	Chair Macpherson
	131	Jane Yates, Pacific Railroad
	136	Chair Macpherson
	141	Rep. Whisnant
	142	Rep. Bonamici
	145	Yates
	151	Kalmanson
	157	Rep. Cameron
	160	Chair Macpherson

Rep. Cameron

MOTION: Moves HB 2853 to the floor with a DO PASS recommendation.

VOTE: 9-0-0

Chair Macpherson

Hearing no objection, declares the motion CARRIED.

REP. MORGAN will lead discussion on the floor.

HB 2908- PUBLIC HEARING

	179	Matt Kalmanson, Counsel
	211	Chair Macpherson
	215	Kelly Anderson, Attorney <i>By Conference Phone</i>
	281	Chair Macpherson
	284	Opal Shipman, Citizen <i>By Conference Phone</i>
	290	Chair Macpherson
	302	James Surface, Physical Therapist
	370	Chair Macpherson
	375	Surface
	385	Rep. Bonamici
	389	Rep. Cameron
	390	Surface
	400	John Powell, State Farm Insurance Company
134B	012	Steve Murrell, State Farm Insurance Company
	013	Chair Macpherson
	020	Powell
	032	Rep. Bonamici
	038	Powell
134B	043	Rep. Cameron
	048	Murrell
	053	Rep. Cameron
	060	Rep. Flores
	063	Powell
	071	Rep. Bonamici
	073	Rep. Flores
	075	Chair Macpherson
	078	Neil Jackson, Oregon Trial Lawyers Association (EXHIBIT D)
	105	Rep. Cameron
	106	Jackson
	107	Rep. Bonamici
	110	Jackson
	118	Chair Macpherson

HB 2908 WORK SESSION

120	Chair Macpherson
128	Rep. Flores
132	Rep. Bonamici
136	Chair Macpherson
138	Rep, Whisnant
142	Chair Macpherson
148	Rep. Cameron
160	Rep. Bonamici
166	Rep. Cameron
176	Rep. Flores

188
196
200
202
204
206
217

Rep. Krieger
Chair Macpherson
Rep. Barker
Chair Macpherson
Rep. Barker
Chair Macpherson
Rep. Cameron

Rep. Barker

MOTION: Moves HB 2908 to the floor with a DO PASS recommendation.

VOTE: 7-2-0

AYE: 7 - Barker, Bonamici, Flores, Komp, Krieger, Read, Macpherson

**NAY: 2 - Cameron, Whisnant
Chair Macpherson**

The motion CARRIES.

REP. BONAMICI will lead discussion on the floor.

HB 3083- PUBLIC HEARING

134B 225
239
278
379
135B 006
008
011
020
025
032
035
040

Matt Kalmanson, Counsel (**EXHIBIT E**)
Steve Murrell, State Farm Insurance Company
Brooks Cooper, Civil Trial Lawyer
Rep. Flores
Cooper
Rep. Flores
Cooper
Rep. Flores
Cooper
Rep. Cameron
Cooper
Chair Macpherson

HB 3083 WORK SESSION

042
043
044
046
047
048

Rep. Barker
Chair Macpherson
Rep. Bonamici
Chair Macpherson
Rep. Barker
Chair Macpherson

Rep. Barker

MOTION: Moves to adopt HB 3083 -1 amendments dated 4/16/07.

VOTE: 9-0-0

Rep. Barker

MOTION: Moves HB 3083 to the committee Ways and Means with a DO PASS AS AMENDED recommendation by prior reference.

VOTE: 9-0-0

Chair Macpherson

Hearing no objection, declares the motion CARRIED.

HB 2905- WORK SESSION

	066	Matt Kalmanson, Counsel (EXHIBIT F & G)
	080	Chair Macpherson
	084	Rep. Komp
	086	Chair Macpherson
135B	088	Rep. Whisnant
	098	Lane Shetterly, President, Land Conservation Association
	120	Chair Macpherson
	126	Rep. Komp
	136	Chair Macpherson
		Rep. Komp
		MOTION: Moves to adopt HB 2905 -1 amendments dated 3/23/07.
		VOTE: 9-0-0
		Rep. Komp
		MOTION: Moves to adopt HB 2905 -2 amendments dated 4/16/07.
		VOTE: 9-0-0
		Rep. Komp
		MOTION: Moves HB 2905 to the floor with a DO PASS AS AMENDED recommendation.
		VOTE: 9-0-0
		Chair Macpherson
		Hearing no objection, declares the motion CARRIED.
		REP. KOMP will lead discussion on the floor.

HB 3084- PUBLIC HEARING

139	Matt Kalmanson, Counsel
160	Neil Jackson, Oregon Trial Lawyers Association (EXHIBIT H)
210	Rep. Bonamici
217	Jackson
221	Rep. Flores
230	Jackson
235	Rep. Flores
244	John Powell, State Farm Insurance Company
254	Steve Murrell, State Farm Insurance Company
280	Powell
300	Lana Butterfield, Safeco
320	John Clements, Safeco (EXHIBIT I)
346	Beth Reeves, Safeco
406	Chair Macpherson
416	Clements
419	Rep. Barker
425	Rep. Bonamici
432	Clements
444	Reeves
448	Shawn Miller, Property Casualty Insurers Association of America (EXHIBIT J)

HB 2833- PUBLIC HEARING

136A	001	Chair Macpherson
	006	Brian DeLashmutt, Oregon Council of Police Associations
	010	Chair Macpherson
136A	014	Chair Macpherson adjourns the meeting at 9:56 a.m.

EXHIBIT SUMMARY

- A. **HB 2310, -1 amendments, Staff, 1p**
- B. **HB 2853, Written Testimony, Bill Brewer, 2pp**
- C. **HB 2853, Written Testimony, Jane Yates, 2pp**
- D. **HB 2908, Written Testimony, Neil Jackson, 1p**
- E. **HB 3083, -1 amendments, Staff, 2pp**
- F. **HB 2905, -1 amendments, Staff, 1p**
- G. **HB 2905, -2 amendments, Staff, 1p**
- H. **HB 3084, Written Testimony, Neil Jackson, 1p**
- I. **HB 3084, Written Testimony, John Clements, 2pp**
- J. **HB 3084, Written Testimony, Shawn Miller, 1p**