

HOUSE COMMITTEE ON JUDICIARY

April 01, 2003 Hearing Room 357

1:00 pm Tapes 113 - 117

MEMBERS PRESENT: Rep. Max Williams, Chair
 Rep. Robert Ackerman, Vice-Chair
 Rep. Gordon Anderson, Vice-Chair
 Rep. Bob Jenson
 Rep. Jerry Krummel
 Rep. Greg Macpherson
 Rep. Floyd Prozanski
 Rep. Lane Shetterly

MEMBER EXCUSED: Rep. Jeff Barker

STAFF PRESENT: Bill Joseph, Counsel
 Nancy Masee, Committee Assistant

MEASURE/ISSUES HEARD:
 HB 2340 Reconsideration and Work Session
 HB 3341 Public Hearing
 HB 3386 Public Hearing
 HB 2080 Public Hearing
 HB 2637 Public Hearing
 HB 2054 Public Hearing and Work Session
 HB 2060 Public Hearing
 HB 2761 Public Hearing and Work Session
 HB 3177 Public Hearing and Work Session
 HB 3329 Public Hearing
 HB 3330 Public Hearing
 HB 3370 Public Hearing and Work Session
 HB 3371 Public Hearing and Work Session
 HB 3372 Public Hearing and Work Session
 HB 2057 Work Session
 HB 2059 Work Session
 HB 2060 Work Session

These minutes are in compliance with Senate and House Rules. Only text enclosed in quotation marks reports a speaker's exact words. For complete contents, please refer to the tapes.

<u>TAPE/#</u>	<u>Speaker</u>	<u>Comments</u>
TAPE 113, A		
003	Chair Williams	Opens meeting at 1:35 pm. Opens reconsideration and work session on HB 2340 which transfers responsibility for Child Support Program and associated functions from Department of Human Services to Department of Justice.
<u>HB 2340 WORK SESSION</u>		
008	Chair Williams	MOTION: Moves to SUSPEND the rules for the purpose of reconsidering the vote on HB 2340.
010	Chair Williams	Hearing no objection, declares the motion CARRIED.

VOTE: 6-0-3

EXCUSED: 3 - Barker, Macpherson, Shetterly

011 Rep. Prozanski Moves to RECONSIDER the vote by which “HB 2340 was moved to the floor with a DO PASS AS AMENDED recommendation.”

VOTE: 6-0-3

EXCUSED: 3 - Barker, Macpherson, Shetterly

012 Chair Williams Hearing no objection, declares the motion CARRIED.

113 Rep. Prozanski MOTION: Moves HB 2340 to the floor with a DO PASS AS AMENDED recommendation and BE REFERRED to the Committee on Ways and Means by prior reference.

015 Chair Williams Hearing no objection, declares the motion CARRIED.

VOTE: 6-0-3

EXCUSED: 3 - Barker, Macpherson, Shetterly

016 Chair Williams Closes work session on HB 2340. Opens public hearing on HB 3341 which authorizes Board of Medical Examiners for State of Oregon to establish professional liability fund for certain medical professionals licenses under ORS chapter 677.

HB 3341 PUBLIC HEARING

050 Mic Alexander President, Oregon Trial Lawyers Association. Testifies in support of HB 3341 and submits testimony (**EXHIBIT A**). Explains liability funds for lawyers and doctors.

095 Rep. Krummel Asks how much could be raised for a Professional Liability Fund (PLF).

104 Alexander Responds based upon historical data, \$5,000 was estimated per year per physician; now it would be about \$17,000 per year per physician. Over time it would level out.

118 Rep. Krummel Asks how much money needs to be raised to cover lawsuits in a year. Asks what the average judgment against an attorney is. Says the Lawyers Liability Fund works well for lawyers. What is an average judgment against a physician as compared to attorneys?

140 Alexander Replies insurance would be affordable to everyone. Lower risk specialists would have higher premiums.

182 Rep. Krummel Discusses rewards to litigants.

142 Alexander Responds that the funds are not comparable in assessments, but it is comparable in that it will make insurance affordable to high risk physicians.

223 Vice Chair Ackerman Refers to page 2 of the bill which says that coverage will be the same for each person which is a 100 percent pooling theory. Asks if alternatives have been considered to assist those physicians with lower risks.

235 Alexander Responds there are creative ideas. Supports ideas for new funding mechanisms.

257 Chair Williams Asks about caps.

264 Alexander Responds that there are not limits set in the bill.

279 Vice Chair Anderson Asks if the PLF is mandatory for attorneys.

282 Alexander Responds that except for state employees, public defenders, etc. Private attorneys must belong to keep licensed. Explains why it must be a monopoly in order to work.

358 Dr. Jim Dorigan Chief Executive Officer, Northwest Physicians Mutual Insurance Company, an Oregon domiciled mutual insurance. Testifies in

410	Dr. Dorigan	partial support of HB 3341 and submits testimony (EXHIBIT B). Explains how the PFL would work for physicians. Says the bill does not address the increasing scale and claim severity. Continues presentation. Describes tort reform in some states.
TAPE 114, A		
010	Dr. Dorigan	Continues explaining effects of liability.
042	Scott Gallant	Oregon Medical Association (OMA). Discusses responsibility of actuarial impact. Describes PLF performance. Testifies in opposition to HB 3341.
129	Meg Reinhold	Department of Consumer and Business Services (DCBS). Testifies that the department supports these ideas.
117	Vice Chair Ackerman	Refers to page 1, problem with number 4, of Dr, Dorigan's testimony, (Exhibit B). Asks if there was a study to confirm the figures on that page.
125	Dr. Dorigan	Replies the figures were based on the Insurance Division's \$17,000 annual premium estimate.
150	Vice Chair Ackerman	Asks if the estimation can be converted to dollar amounts.
152	Dr. Dorigan	Refers to the two specialties of obstetrics (rate of \$61,203) and neurosurgery rate at \$62,704. Premium average is 25 percent below the filed rate with credits for experience, credits for attending loss prevention work shops and credits for board certification.
198	Rep. Krummel	Refers to section 2, page 2, which says the Board of Medical Examiners create a committee to help physicians and surgeons. Asks if that is not already done.
166	Dr. Dorigan	Answers the Oregon Medical Association performed that service until the 1980s when the Board of Medical Examiners took over those duties.
182	Rep. Krummel	Asks if Pacific Northwest Mutual acts similar to PLF.
349	Chair Williams	Closes public hearing on HB 3341. Opens public hearing on 3386.

HB 3386 PUBLIC HEARING

365	Mic Alexander	OMA. Testifies in support of HB 3386 imposes health insurance surcharge.
371	Len Hagen	Regence Blue Cross. Testifies in opposition to HB 3386 and submits testimony (EXHIBIT C). Describes how costs are passed along. HB 3386 does not address the professional liability crisis. Says Oregon needs the ability to cap.
380	Rep. Prozanski	Says according to Oregon's Constitution, caps cannot be implemented.
390	Rep. Krummel	Asks of .1 percent increase in Blue Cross operations would result in 10 percent increase in premiums.
395	Hagen	Responds he does not know.
TAPE 113, B		
040	Scott Gallant	Oregon Medical Association (OMA). Discusses the effort for finding subsidies for liability funding.
052	Peggy Anet	Health Insurance Association of America. Testifies in opposition to HB 3386.
079	J. L. Wilson	National Federation of Independent Business (NFIB). Testifies in opposition to HB 3386.
110	Lisa Trussell	Association of Oregon Industries (AOI). Testifies in opposition to HB 3386. Describes it as a direct cost shift.
117	Rep. Krummel	Asks if .1 percent increase in insurance companies would equal

120 Wilson 10 percent increase in premiums.
 123 Vice Chair Anderson Answers he does not know.
 Closes public hearing on HB 3386. Opens public hearing on HB 2080 which provides that statute of limitations for product liability civil actions commences to run when plaintiff first discovered, or in exercise of reasonable care should have discovered, death, injury or damage complained of.

HB 2080 PUBLIC HEARING

125 Vice Chair Anderson Closes public hearing on HB 2080. Opens public hearing on HB 2637.

HB 2637 PUBLIC HEARING

130 Bill Joseph Committee Counsel. Explains HB 2637 which provides that state agency has burden of proof on all disputed issues in certain contested case proceeding and that agency must meet burden by clear and convincing evidence.

176 J. L. Wilson National Federation of Independent Business (NFIB). Testifies in support of HB 2637 and submits testimony (**EXHIBIT D**). Gives examples of where this bill would provide equity.

304 Wilson Continues presentation on HB 2637. States he is supporting the concept, and the specifics can be worked on. Explains Oregon Safety and Health Association (OSHA) has a compliance side for assistance. Says OSHA is a model in some respects.

336 Jim Nass Legal Counsel, Appellate Courts. Testifies in opposition to HB 2637; opposes subsection 4 of section 2, page 1 and submits testimony (**EXHIBIT E**).

365 Philip Schradle Special Counsel to the Attorney General. Introduces David Reese and Christine Chute.

380 Schradle Testifies in opposition to HB 2637; explains HB 2637 is overreaching on a system level. It affects all agencies and all practices.

420 David Reese Deputy General Counsel, Governor's Office. Testifies in opposition to HB 2637 and submits testimony (**EXHIBIT F**). Explains that HB 2637 is too broad.

421 Staff Submits testimony in opposition to HB 2637 from Oregon Employment Department by Greg Hickman (**EXHIBIT G**).

422 Cindy Hannum Administrator, Seniors and People with Disabilities, Department of Human Services testifies in opposition to HB 2637 and submits testimony (**EXHIBIT H**).

425 Staff Submits testimony in opposition to HB 2637 for the Board of Medical Examiners by Kathleen Haley (**EXHIBIT I**).

TAPE 114, B

030 Christine Chute Department of Justice (DOJ). States she is available to answer questions.

040 Schradle Continues further testimony in opposition to HB 2637.

073 Vice Chair Anderson Comments that in his experience it is the responsibility of the Board of Examiners to prove the licensee guilty.

080 Schradle Responds the agency would have to prove a violation has occurred.

100 Chair Williams Asks about recovering attorney's fees.

106 Chute Answers that the Court of Appeals has the authority to award attorneys fees against agencies. Hearing Officers do not have authority to award attorney fees.

115 Chair Williams Asks how often has the Court of Appeals awarded attorney fees for a determination where there has been no basis by the agency

122 Chute in law or fact. Recalls since about 1983, fewer than 5 cases, maybe 3, where agencies act with no basis in fact.

154 Schradle Comments agencies are held accountable as much as anybody else.

185 Rep. Jenson Asks if contested case hearings could include those against an individual who is accused of being an unfit parent. Asks about Ch 183.

192 Chair Williams Explains most cases are about professional licenses at issue. Explains Ch 183 is the Administrative Procedures Act of Oregon..

198 Rep. Prozanski Refers to OROSHA inspection issues. Asks about the recourse for an individual when an inspection does not pass.

205 Chute Answers on different issues.

219 Chair Williams Closes public hearing on HB 2637. Opens public hearing on HB 2054 which allows registered collection agency to appear as party in small claims proceedings without appearance by attorney for purpose of recovering amount owing on claim or account assigned to agency for collection.

HB 2054 PUBLIC HEARING

229 Jim Markee Oregon Collectors Association. Testifies in support of HB 2054 and submits testimony (**EXHIBIT J**). Explains lawsuits in other states that were against collection agencies. Says the Oregon State Bar supports this bill.

277 Rep. Shetterly Asks if there are any other statutes in chapter 43.

285 Markee Responds he does not believe so.

290 Jeff Hasson Legal Counsel to Oregon Collectors Association. Testifies in support of HB 2054.

295 Rep. Prozanski Asks if the judges from Jackson County supported that ORS 46.415 sub 5 would rule in your clients' behalf.

299 Markee Answers that is correct.

300 Chair Williams Closes public hearing on HB 2054. Opens work session HB 2054.

HB 2054 WORK SESSION

301 Rep. Shetterly **MOTION: Moves HB 2054 to the floor with a DO PASS recommendation.**

VOTE: 6-0-3

302 Chair Williams **EXCUSED: 3 - Anderson, Barker, Macpherson**

Hearing no objection, declares the motion CARRIED.

321 Chair Williams **REP. KRUMMEL will lead discussion on the floor.**

Closes work session on HB 2054. Opens public hearing on HB 2060 which directs trustee foreclosing trust deed by sale to file affidavit in county records describing entire amount that must be paid or performance required to cure default.

HB 2060 PUBLIC HEARING

325 Chair Williams Closes public hearing on HB 2060.

TAPE 115, A

042 Chair Williams At 3:30 pm, recesses meeting until 5:30. Reconvenes meeting at 5:40 pm. Opens public hearing on HB 2761.

HB 2761 PUBLIC HEARING

065 Bill Joseph Committee Counsel. Explains that HB 2761 requires that certain motions and responsive pleadings be filed within 15 days after service of pleading moved against or after service of pleading to which responsive pleading is directed. Explains the -1

amendments (**EXHIBIT K**). Explains this is an attorneys' bill; it is a gut and stuff. This issue was brought forth by the Oregon State Bar, Appellate Section.

121 Chair Williams Closes public hearing on HB 2761. Opens work session on HB 2761.

HB 2761 WORK SESSION

135 Rep. Prozanski **MOTION: Moves to ADOPT HB 2761-1 amendments dated 3/27/03.**

VOTE: 7-0-2

EXCUSED: 2 - Barker, Shetterly

136 Chair Williams **Hearing no objection, declares the motion CARRIED.**

138 Rep. Prozanski **MOTION: Moves HB 2761 to the floor with a DO PASS AS AMENDED recommendation.**

VOTE: 7-0-2

EXCUSED: 2 - Barker, Shetterly

139 Chair Williams **Hearing no objection, declares the motion CARRIED.**

REP. PROZANSKI will lead discussion on the floor.

140 Chair Williams Closes work session on HB 2761 and opens public hearing on HB 3177.

HB 3177 PUBLIC HEARING

179 Scott Harra Department of Consumer and Business Services (DCBS). Explains HB 3177 which allows DCBS to issue warrants for collection of debts owed to department. Testifies in support of HB 3177.

186 Rep. Jenson Asks why there is a 30-day limit.

189 Harra Responds that the 30 days start after the employer has gone through all the appeals processes. It is standard.

199 Rep. Jenson Asks about the appeals process.

215 Chair Williams Expresses his opinion that there is concern about the agencies having expansive authority by issuing warrants and administrative garnishments. Closes public hearing on HB 3177. Opens work session on HB 3177.

HB 3177 WORK SESSION

335 Rep. Anderson **MOTION: Moves HB 3177 to the floor with a DO PASS recommendation and BE REFERRED to the committee on Ways and Means by prior reference.**

VOTE: 7-0-2

EXCUSED: 2 - Barker, Shetterly

336 Chair Williams **Hearing no objection, declares the motion CARRIED.**

337 Chair Williams Closes public hearing on HB 3177. Opens public hearing on HB 3329.

HB 3329 PUBLIC HEARING

340 Pete Shepherd Deputy Attorney General, Department of Justice (DOJ). Explains HB 3329 which authorizes Department of Justice to initiate and participate in efforts to prepare for, and to assist in, delivery of services to individuals traumatized by acts of mass violence. Refers to the Thurston High School massacre in Springfield, Oregon that would be relevant to this bill.

377 Rep. Jenson Expresses concern about lack of focus of the bill. Asks if these services are defined in the crime victims assistance program.

380 Shepherd Responds that the term "services" in this bill are different. Does not think this language would be so broad as to override any practice act.

402 Chair Williams Asks if DOJ can initiate these services without the bill.
405 Shepherd Responds to subsection 1 of section 2, delivery of services.
Explains the funding for the crime victims assistance program is derived from funds allocated for expenditure as described in Chapter 147. The program is limited to delivery of services to victims of crime. That stops short of individuals who are not injured or killed in the event.

TAPE 116, A

043 Shepherd Explains DOJ does not anticipate the bill having a fiscal impact or additional resources.
054 Rep. Krummel Asks if any other statutory language mirrors this bill.
061 Shepherd Refers to Chapter 147, victims of crimes. Offers to get descriptions of services already rendered.
080 Rep. Krummel Says he would like to see those services.
092 Chair Williams Closes public hearing on HB 3329. Opens public hearing on HB 3330.

HB 3330 PUBLIC HEARING

096 Pete Shepherd Deputy Attorney General, DOJ. Testifies in support of HB 3330 and submits written testimony (**EXHIBIT L**). Explains HB 3330 which authorizes Governor to proclaim that act of war, terrorism or sabotage has caused death of unknown persons on specific date at specific place.
177 Chair Williams Asks about natural disaster events that are more likely in Oregon.
190 Shepherd Explains the purpose of the law relates to deficiency in Oregon law for catastrophic events such as the September 11th disaster.
216 Chair Williams Compares the World Trade Towers disaster of September 11, 2001 and the natural disaster events that can occur in the Pacific Northwest with volcanoes, floods, and earthquakes.
223 Rep. Shetterly Has questions about HB 3330. Comments on coordinating this bill with Chapter 117. Asks if the geographical limitation is necessary.
231 Shepherd Agrees it has not been well coordinated.
240 Chair Williams Asks the parties to confer with the Estates Section of the Oregon State Bar and Rep. Shetterly. Will keep the bill for further input.
278 Rep. Krummel Agrees a catastrophic natural event is likely in Oregon.
282 Chair Williams Closes public hearing on HB 3330. Opens public hearing on HB 3370.

HB 3370 PUBLIC HEARING

323 Chair Williams Gives background on the relating Oregon Law Commission bills HB 3370, HB 3371, and HB 3371.
334 Wendy Johnson Oregon Law Commission. Explains HB 3370 which consolidates laws governing eminent domain. Testifies in support of HB 3370 and submits testimony (**EXHIBIT M**). Describes the work group on eminent domain bills.
340 Chair Williams Closes public hearing. Opens work session on HB 3370.

HB 3370 WORK SESSION

341 Rep. Shetterly **MOTION: Moves HB 3370 to the floor with a DO PASS recommendation.**
VOTE: 7-0-2
EXCUSED: 2 - Ackerman, Barker
342 Chair Williams **Hearing no objection, declares the motion CARRIED.**
REP. SHETTERLY will lead discussion on the floor.
342 Chair Williams Closes work session on HB 3370. Opens public hearing on HB

3371.

HB 3371 PUBLIC HEARING

345 Wendy Johnson

Oregon Law Commission. Explains HB 3371 which requires that condemner make offer for property at least 40 days before commencing condemnation action, instead of 20 days. Testifies in support of HB 3371 and submits testimony (**EXHIBIT N**). Gives background on work group. Says this is a consensus bill. Asks for an example of an emergency where there is a need to condemn property.

454 Rep. Krummel

TAPE 115, B

040 Chair Williams

Explains that the road authority is taken out if determined an emergency exists.

050 Johnson

States condemner is defined in ORS 35.215 subsection 1.

055 Chair Williams

Closes public hearing on HB 3371. Opens work session on HB 3371.

HB 3371 WORK SESSION

059 Rep. Krummel

Says he does not understand section 3, what kind of a threat would be posed that would create an emergency that a condemner should not have to wait the 40 days. Says for that reason he opposes the bill.

065 Rep. Shetterly

Explains the work group would be able to give numerous examples and explanations.

068 Dennis Weigel

Oregon Department of Transportation (ODOT). States ODOT supports HB 3371. Gives example of when a highway slide occurs. The language in the bill expands the authority to other condemners.

070 Rep. Shetterly

MOTION: Moves HB 3371 to the floor with a DO PASS recommendation.

VOTE: 7-1-1

No – Krummel

Excused – Barker

MOTION IS CARRIED.

REP. SHETTERLY will lead discussion on the Floor.

072 Chair Williams

Closes work session on HB 3371. Opens public hearing on HB 3372.

HB 3372 PUBLIC HEARING

194 Wendy Johnson

Oregon law Commission. Explains HB 3372 which provides standard procedure for entry upon and examination, survey, testing and sampling of real property before commencement of condemnation action. Testifies in support of HB 3372 and submits testimony (**EXHIBIT O**). Explains -1 amendments (**EXHIBIT P**).

188 Chair Williams

Asks about the -1 amendments on judicial discretion. Closes public hearing on HB 3372. Opens work session on HB 3372.

HB 3372 WORK SESSION

190 Rep. Shetterly

MOTION: Moves to ADOPT HB 3372-1 amendments dated 3/18/03.

VOTE: 8-0-1

EXCUSED: 1 – Barker

Hearing no objection, declares the motion CARRIED.

191 Chair Williams

192 Rep. Shetterly

MOTION: Moves HB 3372 to the floor with a DO PASS AS AMENDED recommendation.

VOTE: 8-0-1

EXCUSED: 1 – Barker

193 Chair Williams

**Hearing no objection, declares the motion CARRIED.
REP. SHETTERLY will lead discussion on the floor.**

194 Chair Williams

Closes work session on HB 3372. Opens work session on HB 2057.

HB 2057 WORK SESSION

214 Bill Joseph

Committee Counsel. Explains HB 2057 which provides that election not be held for position on Board of Governors of Oregon State Bar, or for position in house of delegates of Oregon State Bar, for which only single candidate has been nominated.

Submits HB 2057-1 amendments (**EXHIBIT Q**).

213 Rep. Shetterly

Discusses that the -1 amendments replace sections 1 and 2 entirely of the bill.

215 Susan Grabe

Oregon State Bar. Testifies in support of HB 2057. Explains HB 2057-1 amendments facilitate electronic voting. Says both sides agree.

220 Rep. Ackerman

MOTION: Moves to ADOPT HB 2057-1 amendments dated 3/10/03.

VOTE: 8-0-1

EXCUSED: 1 – Barker

221 Chair Williams

Hearing no objection, declares the motion CARRIED.

223 Rep. Ackerman

MOTION: Moves HB 2057 to the floor with a DO PASS AS AMENDED recommendation.

VOTE: 8-0-1

EXCUSED: 1 – Barker

223 Chair Williams

Hearing no objection, declares the motion CARRIED.

REP. ACKERMAN will lead discussion on the floor.

225 Chair Williams

Closes work session on HB 2057. Opens work session on HB 2059.

HB 2059 WORK SESSION

230 Bill Joseph

Committee Counsel. Explains HB 2059 which sets procedure for filing bond or depositing money when possessory chattel lien is claimed for storage of chattel. Explains this refers to automobile storage. Submits HB 2059-1 amendments (**EXHIBIT R**).

423 Mark Comstock

Oregon State Bar. Explains HB 2059 which sets procedure for filing bond or depositing money when possessory chattel lien is claimed for storage of chattel. Testifies in support of HB 2059 and the -1 amendments.

TAPE 116, B

022 Comstock

Continues explaining why HB 2059 is needed. States the bill would assist both sides.

065 Vice Chair
Ackerman

Asks if attorney fees are awarded in a foreclosure under that authority.

070 Comstock

Believes attorney fees are allowed in a separate provision in chapter 87.

072 Vice Chair
Ackerman

Refers to section 2, page 1. Estimates a bond would be close to \$3,000 in a case of this nature.

085 Comstock

Explains bonds in certain situations. Discusses construction lien procedures.

115 Chair Williams

States the issue is accruing storage charges while a dispute of owing is undergone. Says the -1 amendments deal with smaller cases.

143 Deborah Elkins

Director, Northwest Automotive Trades Association. Discusses

the -1 amendments. Explains she contacted bonding companies about issuing bonds in credit risk situation. Suggests the lien process.

185 Chair Williams Asks about smaller disputes with mechanics, for example, about storage costs.

220 Elkins Answers the average repair facility is small and does not deal with attorneys.

240 Chair Williams Comments on arbitration cases. States the issue is the overwhelming superior negotiating power of the party in possession of the vehicle.

260 Al Elkins Oregon Tow Truck Association. Describes the processing of about 40,000 vehicles a year through lien processing. Agrees that the bill needs some more language work.

279 Chair Williams Refers to January 22 hearing and says this language should have been resolved by now.

280 Rep. Shetterly **MOTION: Moves to ADOPT HB 2059-1 amendments dated 3/26/03.**
VOTE: 8-0-1
EXCUSED: 1 – Barker

271 Chair Williams **Hearing no objection, declares the motion CARRIED.**

272 Rep. Shetterly **MOTION: Moves HB 2059 to the floor with a DO PASS AS AMENDED recommendation.**
VOTE: 8-0-1
EXCUSED: 1 – Barker

273 Chair Williams **Hearing no objection, declares the motion CARRIED.**
REP. WILLIAMS will lead discussion on the floor.

274 Vice Chair Ackerman Explains reservations about the bill.

275 Chair Williams Closes work session on HB 2059. Opens work session on HB 2060.

HB 2060 WORK SESSION

320 Bill Joseph Committee Counsel. Explains HB 2060 which directs trustee foreclosing trust deed by sale to file affidavit in county records describing entire amount that must be paid or performance required to cure default.

357 Mark Comstock Oregon State Bar. Testifies in support of HB 2060 and explains how HB 2060 directs trustee. Mentions the objections to this bill. Mentions those parties supporting the amendments.

TAPE 117, A

004 Comstock Explains support for the -1 amendments (**EXHIBIT S**).

014 Rep. Shetterly Relates his concerns about HB 2060. Suggests a change in wording.

021 Chair Williams Comments that “personal delivery” is not used in the usual sense.

031 Vice Chair Ackerman Refers to “date” on page 2, section 3, subsection a. Asks if that means date of sale.

037 Comstock Explains the language.

038 Rep. Shetterly **MOTION: Moves to ADOPT HB 2060-1 amendments dated 4/1/03.**
VOTE: 8-0-1
EXCUSED: 1 – Barker

039 Chair Williams **Hearing no objection, declares the motion CARRIED.**

040 Rep. Shetterly **MOTION: Moves HB 2060 to the floor with a DO PASS AS AMENDED recommendation.**
VOTE: 8-0-1

