

SENATE COMMITTEE ON BUSINESS AND LABOR

February 5, 2003
1:00 p.m.

Hearing Room C
Tape 9

MEMBERS PRESENT: **Sen. David Nelson, Chair**
 Sen. Vicki Walker, Vice-Chair
 Sen. Roger Beyer
 Sen. Rick Metsger

STAFF PRESENT: **Dennis Dotson, Committee Administrator**
 Romy Dye, Committee Assistant

MEASURE/ISSUES HEARD: **SB 43 – Public Hearing**
 SB 34 – Public Hearing and Work Session
 SB 63 – Public Hearing

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 9, A		
005	Chair Nelson	Calls the committee to order at 1:00 PM. Opens a public hearing on SB 43.
SB 43 – PUBLIC HEARING		
010	Dennis Dotson	Committee Administrator. Presents overview of SB 43.
015	Jeffrey Sapiro	Oregon State Bar. Testifies in support of SB 43. Submits written material (EXHIBITS A, B).
070	Cleveland Abbe	Oregon Land Title Association. Comments in support of SB 43.
098	Chair Nelson	Asks question referring to an example.
102	Abbe	Responds positively.
105	Chair Nelson	Elaborates.
106	Abbe	Responds further.
107	Sen. Walker	Asks question on meaning.
110	Abbe	Responds positively.
113	Sen. Walker	Asks about problems in the industry.
118	Sapiro	Responds that problems have been rare.
130	Sapiro	Discusses offering an added amendment to SB 43.
174	Sen. Walker	Asks question about attorneys appearing all the time in federal court versus state court.
178	Sapiro	Responds they do but statute says if appearing in a court proceeding permission may be granted by the court to do so.
186	Sen. Walker	Elaborates and asks about out-of-state lawyers associating with local counsel to transact legal business here and how will it be facilitated.
190	Sapiro	Describes protections used.
197	Chair Nelson	Closes the public hearing on SB 43 and opens a public hearing on SB 34.
SB 34 – PUBLIC HEARING		
214	Dotson	Presents overview of SB 34.
219	Ruth Simonis	Elder Law Practitioner. Testifies in favor of SB 34. Describes proposed amendment (EXHIBIT C).

269	Simonis	Elaborates further on amendment of SB 34.
275	Chair Nelson	Asks question about whether a huge problem with caregivers.
280	Simonis	Discusses concern raised that if doing actions for family members whether or not that would be deemed compensation for purposes of being in violation of real estate licensing laws.
294	Chair Nelson	Closes the public hearing on SB 34 and opens a work session on SB 34.

SB 34 – WORK SESSION

295	Chair Nelson	MOTION: Moves to ADOPT SB 34-3 amendments dated 02/05/03.
297		VOTE: 4-0
	Chair Nelson	Hearing no objection, declares the motion CARRIED.
300	Chair Nelson	MOTION: Moves SB 34 to the floor with a DO PASS AS AMENDED recommendation and be placed on the CONSENT CALENDAR.
		VOTE: 4-0
310	Chair Nelson	Hearing no objection, declares the motion CARRIED. SEN. NELSON will lead discussion on the floor.
320	Chair Nelson	Closes the work session on SB 34 and opens a public hearing on SB 63.

SB 63 – PUBLIC HEARING

336	Dotson	Presents overview of SB 63.
339	Chris Moore	Attorney, Eugene, Oregon. Provides testimony in favor of SB 63. Submits written testimony (EXHIBIT D).
430	Moore	Continues.
TAPE 9, B		
010	Moore	Continues.
024	Kathryn Olney	Attorney, Liberty Northwest Insurance. Comments in favor of SB 63.
036	Steve Cotton	Attorney, SAIF Corporation. Comments in support of SB 63.
038	Sen. Walker	Comments positively. Asks about concerns for other statutes that can be amended in the bill.
049	Moore	Responds there is no specific statute dealing with multiple employer litigation.
066	Sen. Walker	Comments positively.
073	Chair Nelson	Comments on workers’ compensation cases.
084	Sen. Walker	Responds and asks about Management Labor Advisory Committee (MLAC).
088	Chair Nelson	Suggests further discussion.
094	Sen. Metsger	Asks about language “expeditiously as possible” written in statute.
114	Olney	Responds with example.
128	Sen. Metsger	Asks question on whether there a general understanding of what expeditious means.
140	Olney	Responds with example.
143	Moore	Discusses experience in past with judges.
164	Cotton	Elaborates.
172	Chair Nelson	Closes the public hearing on SB 63 and adjourns the meeting at 1:47 PM.

EXHIBIT SUMMARY

A – SB 43, written testimony, Jeffrey Sapiro, 2 pp

B – SB 43, proposed amendments, Jeffrey Sapiro, 2 pp
C – SB 34, proposed amendments, staff, 7 pp
D – SB 63, written testimony, Chris Moore, 3 pp