

**HOUSE COMMITTEE ON BUSINESS AND CONSUMER AFFAIRS**

**April 7, 1999 Hearing Room E**

**8:15 a.m. Tapes 79 - 80**

**MEMBERS PRESENT: Rep. Roger Beyer, Chair**

**Rep. Dan Gardner, Vice-Chair**

**Rep. Tim Knopp, Vice-Chair**

**Rep. Jason Atkinson**

**Rep. Lynn Lundquist**

**Rep. Bill Morrisette**

**Rep. Terry Thompson**

**STAFF PRESENT: Keith Putman, Administrator**

**Frances Thomas, Administrative Support**

**MEASURE/ISSUES HEARD: hb 3195 Public Hearing**

**HB 3048 Public Hearing**

**HB 2984 Work Session and Work Session**

**HB 3160 Work Session**

**HB 3414 Work Session**

**HB 2773 Work Session**

**HB 2876 Work Session**

**HB 3014 Work Session**

**HB 3275 Work Session**

**SB 203 Work Session**

**SB 197 Work Session**

**SB 262 Work Session**

**SB 286 Work Session**

**HB 3115 Public Hearing**

## HB 2926 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.

TAPE/#	Speaker	Comments
<b>TAPE 79, A</b>		
003	Chair Beyer	Calls the meeting to order at 8:15 a.m. Opens a public hearing on HB 3195.
<b><u>HB 3195 PUBLIC HEARING</u></b>		
006	Chair Beyer	States no one is present to testify. Closes the public hearing on HB 3195 and opens a public hearing on HB 3048
<b><u>HB 3048 PUBLIC HEARING</u></b>		
011	Keith Putman	Committee Administrator. Presents an overview of the bill.
018	Rep. Kevin Mannix	House District 32. Testifies in support of the bill. Relates the experience of a woman whose belongings were destroyed by fire. Comments on provisions of a rental agreement.
045	Rep. Morrisette	Asks if homeowner's or renter's insurance would be in effect.
047	Rep. Mannix	Explains it depends on the individual's policy. Comments on purchasing automobile insurance.
069	Rep. Knopp	Comments on storage facilities located within in his district and whether items in storage are "protected" or "secure." Questions whether posted notices should say a person's items are "not insured" as opposed to protected.
077	Rep. Mannix	States a storage area is secure, but not insured. States he will proceed with proposed amendments.
087	Chair Beyer	Asks Rep. Mannix if he has communicated with storage facility representatives.
088	Rep. Mannix	Responds affirmatively.
096	Chair Beyer	Closes the public hearing on HB 3048 and opens a public hearing on HB 2984.
<b><u>HB 2984 PUBLIC HEARING</u></b>		
109	Keith Putman	Committee Administrator. Reviews provisions of the HB 2984-1 amendment ( <b>EXHIBIT C</b> ), which replaces the original bill.
135	John Brenneman	Recreational Vehicles Industries Association (RVIA). Testifies in support of HB 2984 ( <b>EXHIBIT A</b> ). Discusses how the "lemon law" penalizes motor home

		manufacturers.
198	Chris Eck	Attorney, SMC Corporation and its subsidiaries. Testifies in support of HB 2984 <b>(EXHIBIT B)</b> . Discusses court cases. Explains "gold fever."
250	Rep. Gardner	Asks what was wrong with the motor home in the Deschutes County case.
252	Eck	Comments on various allegations about the motor home.
264	Rep. Morrisette	Asks what constitutes "bad faith."
266	Eck	Explains how bad faith becomes an issue.
285	Rep. Knopp	Requests clarification of the jury verdict in Deschutes County case. Asks if it is against the law to tell jury it will be a triple damage award.
294	Eck	Comments on the court's action in the case.
302	Rep. Knopp	Asks if the bill would apply to all motor vehicles.
305	Eck	Responds affirmatively.
318	Enock Hutchcraft	Monaco Coach Corporation. Testifies in support of HB 2984. Discusses his company's experience with the sale of a motor home.
340	Brenneman	Requests the committee to review the last page of his testimony.
352	Pete Shepherd	Attorney, Financial Fraud/Consumer Protection, Oregon Department of Justice (DOJ). Testifies in support of the bill as introduced.
370	Chair Beyer	Requests Shepherd to review the proposed amendment. Closes the public hearing on HB 2984. Opens a work session on HB 3160.
<b><u>HB 3160 WORK SESSION</u></b>		
385	Rep. Gardner	<b>MOTION: Moves HB 3160 to the floor WITHOUT RECOMMENDATION as to passage and BE REFERRED to the committee on Human Resources.</b>
		<b>VOTE: 7-0</b>
		<b>Hearing no objection, declares the motion CARRIED.</b>  Closes the work session on HB 3160 and opens a work session on HB 3414.
<b><u>HB 3414 WORK SESSION</u></b>		
395	Rep. Knopp	<b>MOTION: Moves HB 3414 to the floor WITHOUT RECOMMENDATION as to passage and BE REFERRED to the committee on Human Resources.</b>

		<b>VOTE: 7-0</b>
	<b>Chair Beyer</b>	<b>Hearing no objection, declares the motion CARRIED.</b>  Closes the work session on HB 3414 and opens a work session on HB 2773.
<b><u>HB 2773 WORK SESSION</u></b>		
<b>403</b>	<b>Rep. Gardner</b>	<b>MOTION: Moves HB 2773 to the floor WITHOUT RECOMMENDATION as to passage and BE REFERRED to the committee on Agency Performance and Operations.</b>
		<b>VOTE: 7-0</b>
	<b>Chair Beyer</b>	<b>Hearing no objection, declares the motion CARRIED.</b>  Closes the work session on HB 2773 and opens a work session on HB 2876.
<b><u>HB 2876 WORK SESSION</u></b>		
<b>428</b>	<b>Rep. Knopp</b>	<b>MOTION: Moves HB 2876 to the floor WITHOUT RECOMMENDATION as to passage and BE REFERRED to the committee on Agency Performance and Operations.</b>
		<b>VOTE: 7-0</b>
	<b>Chair Beyer</b>	<b>Hearing no objection, declares the motion CARRIED.</b>  Closes the work session on HB 2876 and opens a work session on HB 3014.
<b><u>HB 3014 WORK SESSION</u></b>		
<b>437</b>	<b>Rep. Gardner</b>	<b>MOTION: Moves HB 3014 to the floor WITHOUT RECOMMENDATION as to passage and BE REFERRED to the committee on Agency Performance and Operations.</b>
		<b>VOTE: 7-0</b>
	<b>Chair Beyer</b>	<b>Hearing no objection, declares the motion CARRIED.</b>  Closes the work session on HB 3014 and opens a work session on HB 3275.
<b><u>HB 3275 WORK SESSION</u></b>		
<b>445</b>	<b>Rep. Knopp</b>	<b>MOTION: Moves HB 3275 to the floor WITHOUT RECOMMENDATION as to passage and BE REFERRED to the committee on Agency Performance and Operations.</b>
		<b>VOTE: 7-0</b>
	<b>Chair Beyer</b>	<b>Hearing no objection, declares the motion CARRIED.</b>  Closes the work session on HB 3275 and opens a work session on SB 203.

<b><u>SB 203 WORK SESSION</u></b>		
457	Rep. Gardner	<b>MOTION: Moves SB 203 to the floor WITHOUT RECOMMENDATION as to passage and BE REFERRED to the committee on Agency Performance and Operations.</b>
		<b>VOTE: 7-0</b>
Chair Beyer		<b>Hearing no objection, declares the motion CARRIED.</b>  Closes the work session on SB 203 and opens a work session on SB 197.
<b><u>SB 197 WORK SESSION</u></b>		
465	Rep. Knopp	<b>MOTION: Moves SB 197 to the floor WITHOUT RECOMMENDATION as to passage and BE REFERRED to the committee on Agency Performance and Operations.</b>
		<b>VOTE: 7-0</b>
Chair Beyer		<b>Hearing no objection, declares the motion CARRIED.</b>  Closes the work session on SB 197 and opens a work session on SB 262.
<b><u>SB 262 WORK SESSION</u></b>		
472	Rep. Gardner	<b>MOTION: Moves SB 262 to the floor WITHOUT RECOMMENDATION as to passage and BE REFERRED to the committee on Agency Performance and Operations.</b>
		<b>VOTE: 7-0</b>
Chair Beyer		<b>Hearing no objection, declares the motion CARRIED.</b>  Closes the work session on SB 262 and opens a work session on SB 286.
<b><u>SB 286 WORK SESSION</u></b>		
480	Rep. Knopp	<b>MOTION: Moves SB 286 to the floor WITHOUT RECOMMENDATION as to passage and BE REFERRED to the committee on Agency Performance and Operations.</b>
		<b>VOTE: 7-0</b>
Chair Beyer		<b>Hearing no objection, declares the motion CARRIED.</b>  Closes the work session on SB 286 and opens a work session on HB 2984.
<b>TAPE 114, A</b>		
<b><u>HB 2984 WORK SESSION</u></b>		

009	Shepherd	Explains DOJ has no position for or against the HB 2984-1 amendment.
018	Rep. Lundquist	<b>MOTION: Moves to ADOPT HB 2984-1 amendments dated 4/2/99.</b>
		<b>VOTE: 7-0</b>
	Chair Beyer	<b>Hearing no objection, declares the motion CARRIED.</b>
021	Rep. Lundquist	<b>MOTION: Moves HB 2984 to the floor with a DO PASS AS AMENDED recommendation.</b>
		<b>VOTE: 7-0</b> <b>AYE: In a roll call vote, all members present vote Aye.</b>
030	Chair Beyer	<b>The motion CARRIES.</b> <b>REP. LUNDQUIST will lead discussion on the floor.</b> Closes the work session on HB 2984 and opens a public hearing on HB 3115.
<b><u>HB 3115 PUBLIC HEARING</u></b>		
040	Keith Putman	Committee Administrator. Presents an overview of the bill.
048	Rep. Gardner	Testifies in support of the bill. Requests taking action on the bill at later hearing.
054	Rep. Knopp	Testifies in support of the bill. Concurs with Rep. Gardner's request.
060	Chair Beyer	Closes the public hearing on HB 3115 and opens a public hearing on HB 2926.
<b><u>HB 2926 PUBLIC HEARING</u></b>		
070	Keith Putman	Committee Administrator. Presents an overview of the bill.
080	Rep. Gardner	Speaks about expected amendments and requests a later hearing.
085	Chair Beyer	Closes the public hearing on HB 2926. Adjourns the meeting at 8:55 a.m.

Submitted By, Reviewed By,

VALERIE LUHR, KEITH PUTMAN,  
Administrative Support Administrator

## **EXHIBIT SUMMARY**

**A ñ HB 2984, written testimony, John Brenneman, 5 pp.**

**B ñ HB 2984, written testimony, Chris Eck, 2 pp.**

**C ñ HB 2984-1 amendment, staff, 2 pp.**