

HOUSE COMMITTEE ON COMMERCE

SUBCOMMITTEE ON BUSINESS

February 13, 1997 Hearing Room 357

8:45 a.m. Tapes 9 10

MEMBERS PRESENT:

Rep. Roger Beyer, Chair

Rep. Richard Devlin

Rep. Bob Montgomery

Rep. Jackie Taylor

STAFF PRESENT:

Keith Putman, Administrator

Annetta Mullins, Administrative Support

MEASURE/ISSUES HEARD:

HB 2257 - Public Hearing and Work Session

HB 2258 - Public Hearing and Work Session

HB 2083 - Public Hearing and 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.

Tape/#	Speaker	Comments
Tape 9, A		
004	Chair Beyer	Calls meeting to order at 8:52 a.m. and opens public hearing on HB 2258.
<u>HB 2258 - PUBLIC HEARING</u>		
010	Putman	Reviews provisions of HB 2258.
017	Gary Blacklidge	Oregon State Bar Real Estate Legislative Committee, submits and reads a prepared statement in support of HB 2258 (EXHIBIT A).

058	Blacklidge	Continues presentation.
069	Rep. Taylor	Asks if the county clerks will be happy with this legislation.
	Blacklidge	Gives examples of burden on the smaller counties. Believes county clerks would support the legislation.
093	Chair Beyer	Asks if this legislation has been proposed since 1991.
	Blacklidge	Responds he does not know whether other legislation has been introduced; this is addressed to the larger documents.
13	Rep. Taylor	Asks if they would be allowed to copy the full document if they want.
	Blacklidge	Responds affirmatively.
119	Frank Brawner	Oregon Bankers Association and speaking for Mr. Gribling for the Mortgage Bankers Association, testifies in support of HB 2258.
		Advises committee county clerks are aware of this bill and would indicate they have no problem with it if they were present, and that a representative of the Land Title Association is in the room and takes no position on the bill.
141	Chair Beyer	Closes public hearing and opens work session on HB 2258.
<u>HB 2258 - WORK SESSION</u>		
145	Rep. Taylor	MOTION: Moves HB 2258 to the full committee with a DO PASS recommendation.
153	Gary Blacklidge	Oregon State Bar Real Estate Legislative Committee, testifies that an amendment is needed on page 3 in line 40: after "Trust" insert "Deed".
145	Rep. Taylor	MOTION: Moves to amend her previous motion to include adopting the amendment on page 3 in line 40 and that the subcommittee send HB 2258 AS AMENDED to the full committee with a DO PASS AS AMENDED recommendation.
176		VOTE: 4-0
	Chair	Hearing no objection, declares the motion CARRIED . REP. TAYLOR will lead discussion on the floor.
176	Chair Beyer	Closes work session on HB 2258 and opens public hearing on HB 2257.
<u>HB 2257 - PUBLIC HEARING</u>		
	Putman	Reviews provisions of HB 2257.
193	Craig Chisholm	

		Real Estate and Land Use Legislative Committee, employed by Ticor Title, submits and reads a prepared statement in support of HB 2257 and proposing amendments (EXHIBIT B).
238	Putman	Reviews the amendments proposed by Mr. Chisholm and comments the amendments do not change the purpose or result of the bill, but do make the bill clearer in light of HB 2258.
258	Chair Beyer	Asks if people assume the lien is off after 10 years.
270	Chisholm	Responds it sometimes comes up on claim situations; it is an unresolved issued and would hope a judge would look at the word "date" and encompass in it the concept of the term of the mortgage, but cannot find any authority a judge would do that.
279	Chair Beyer	Asks if there has been a problem with people getting out from under mortgages and liens because of the language in the current statute.
	Chisholm	The question has been raised in weatherization loans. It is conceivable someone could raise the question on a large mortgage.
283	Putman	Advises the members the LC amendments have been received (EXHIBIT C).
289	Chair Beyer	Closes public hearing and opens work session on HB 2257
		<u>HB 2257 - WORK SESSION</u>
295	Rep. DEVLIN:	MOTION: Moves that the HB 2257-1 amendments BE ADOPTED AND HB 2257 be sent to the full committee with a DO PASS AS AMENDED recommendation.
296		VOTE: 4-0
	Chair	Hearing no objection, declares the motion CARRIED . REP. DEVLIN will lead discussion in full committee.
315	Chair Beyer	Closes the work session on HB 2257, announces Rep. Taylor will carry HB 2258 to the full committee, and opens the public hearing on HB 2083.
		<u>HB 2083 - PUBLIC HEARING</u>
326	Putman	Reviews provisions of HB 2083.
331	Ed Graham	Administrator, Board of Geologist Examiners, submits a prepared statement and testifies in support of HB 2083 (EXHIBIT D).
411	Chair Beyer	Closes the public hearing and opens the work session on HB 2083.

<u>HB 2083 - WORK SESSION</u>		
413	Rep. Montgomery	MOTION: Moves HB 2083 to the full committee with a DO PASS recommendation.
415	Putman	Advises a Fiscal Impact Statement has been received saying there is no fiscal impact.
426		VOTE: 4-0
	Chair	Hearing no objection, declares the motion CARRIED. MONTGOMERY will lead discussion in full committee.
438	Chair Beyer	Closes work session on HB 2083.
<u>TAPE 10, A</u>		
017	Putman	Reviews upcoming committee meeting agendas.
040	Rep. Taylor	Asks what the procedure is when a member is co-sponsor of a bill that is being considered by the committee.
047	Chair Beyer	Advises members he would prefer the committee members testify from the witness table.
059	Chair Beyer	Adjourns meeting at 9:24 a.m.

Submitted By, Reviewed By,

Annetta Mullins, Keith Putman,

Administrative Support Administrator

EXHIBIT SUMMARY

A - HB 2258, prepared statement, Gary Blacklidge, 3 pp

B - HB 2257, prepared statement, Craig Chisholm, 2 pp

C - HB 2257, HB 2257-1 amendments, Craig Chisholm, 1 p

D - HB 2083, prepared statement, Ed Graham, 1 p