

HOUSE COMMITTEE ON JUDICIARY

SUBCOMMITTEE ON CIVIL LAW

April 25, 1997 Hearing Room 357

1: 00 PM Tape 68

MEMBERS PRESENT:

Rep. Lane Shetterly, Chair

Rep. Judy Uherbelau, Vice-Chair

Rep. Roger Beyer

Rep. Jo Ann Bowman

Rep. George Eighmey

Rep. Charles Starr

Rep. Larry Wells

MEMBER EXCUSED: Rep. Floyd Prozanski

STAFF PRESENT:

William E. Taylor, Counsel

Lauri A. Smith, Administrative Support

MEASURE/ISSUES HEARD:

HB 2947 - Public Hearing HB 3639 - Public Hearing

HB 3069 - Public Hearing HB 3356 - Public Hearing

HB 3200 - Public Hearing HB 3367 - Public Hearing

HB 3316 - Public Hearing HB 2221 - Public Hearing

HB 3407 - Public Hearing HB 2320 - Public Hearing

HB 3451 - Public Hearing HB 3042 - Public Hearing

HB 3491 - Public Hearing HB 3075 - 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
Tape 68, A		
003	Chair Shetterly	Calls meeting to order at 1:03 p.m.
<u>HB 3451 - PUBLIC HEARING</u>		
015	Chair Shetterly	Opens a public hearing on HB 3451
016	Rep. Bryan Johnston	District #31 and testifies in support of HB 3451. >1995 Session removed the confidentiality of mediation proceedings conducted by public bodies >refers to SB 160 and explains its intent >willing to defer to SB 160, should it survive
035	Jim Nass	Legal Counsel Oregon Court of Appeals Testifies in support of HB 3451 and presents written testimony (EXHIBIT A) .
044	Chair Shetterly	Are you working with Rep. Johnston on the Senate side, as well?
045	Nass	Yes.
046	Chair Shetterly	Closes the public hearing on HB 3451.
<u>HB 2947 - PUBLIC HEARING</u>		
052	Chair Shetterly	Opens and closes the public hearing on HB 2947.
<u>HB 3316 - PUBLIC HEARING</u>		
058	Chair Shetterly	Opens a public hearing on HB 3316.
060	Rep. Jo Ann Bowman	District #19 Testifies in support of HB 3316. >Multnomah County program to provide opportunities for minority and women in emerging small businesses

		>no penalty currently on the books to provide for someone who fraudulently registers inaccurately to gain the benefits of the program
074	Roy Jay	President African American Chamber of Commerce, Portland, Oregon Testifies in support of HB 3316. >has seen a fair percentage of people fraudulently seeking assistance
083	Chair Shetterly	Closes the public hearing on HB 3316.
<u>HB 3069 - PUBLIC HEARING</u>		
086	Chair Shetterly	Opens and closes the public hearing on HB 3069.
<u>HB 3200 - PUBLIC HEARING</u>		
092	Chair Shetterly	Opens the public hearing on HB 3200.
107	Art Kapteyn	Legislative Liaison to the Department of Human Resources Child Support Program Testifies in opposition and presents written testimony on HB 3200 (EXHIBIT B) .
109	Chair Shetterly	Closes the public hearing on HB 3200.
<u>HB 3407 - PUBLIC HEARING</u>		
116	Chair Shetterly	Opens the public hearing on HB 3407.
		Makes reference to written testimony from Rep. Carolyn Oakley, District #36, who was unable to attend (EXHIBIT C) .
121	Chair Shetterly	Closes the public hearing on HB 3407.
<u>HB 3491 - PUBLIC HEARING</u>		
131	Chair Shetterly	Opens and closes the public hearing on HB 3491.
<u>HB 3639 - PUBLIC HEARING</u>		

140	Chair Shetterly	Opens and closes a public hearing on HB 3639.
<u>HB 3356 - PUBLIC HEARING</u>		
167	Chair Shetterly	Opens and closes the public hearing on HB 3356.
<u>HB 3367 - PUBLIC HEARING</u>		
171	Chair Shetterly	Opens the public hearing on HB 3367.
179	Michael J. Scott	Attorney, Represents Power Rents & Oregon Equipment Rental Association Testifies in opposition and presents written testimony of HB 3367. (EXHIBIT D)
202	Rep. Wells	What is the difference between this measure and the one heard in the interim?
203	Scott	Responds by stating there is an insertion of the wording "residential improvement" as it relates to indemnification under construction agreements under ORS 87.021 (4) which deals with contractors overriding different obligations.
212	Jerry Van Scoy	Association Floor Covering Contractors Testifies in opposition and presents a memorandum of HB 3367. (EXHIBIT F)
246	Vice Chair Uherbelau	Closes the public hearing on HB 3367.
		[Written testimony from Thomas A. Akins, Corporate Credit Manger with IVY HI-Lift, Eugene, Oregon (EXHIBIT E).]
<u>HB 2221 - PUBLIC HEARING</u>		
248	Rep. Uherbelau	Opens and closes the public hearing on HB 2221.
<u>HB 2320 - PUBLIC HEARING</u>		
254	Rep. Uherbelau	Opens a public hearing on HB 2320.
		Assistant Attorney General with the Department of Justice

257	Kelly Knivila	Testifies in support of HB 2320. >deletes requirement that Attorney General approve agency notice rules
279	Rep. Uherbelau	Closes the public hearing on HB 2320.
<u>HB 3042 - PUBLIC HEARING</u>		
281	Rep. Uherbelau	Open a public hearing on HB 3042.
283	John H. McCully	Represents Tree Fruit Growers, requesters of this measure. >one issue in this measure addresses the interest earned on lawyers' trust account funds and these funds are eventually distributed to groups that might end up filing suit against growers, the growers want to discuss using part of the funds for use in these litigations
303	Rep. Uherbelau	Closes the public hearing on HB 3042.
<u>HB 3075 - PUBLIC HEARING</u>		
304	Rep. Uherbelau	Opens and closes a public hearing on HB 3075.
307	Rep. Uherbelau	Adjourns the meeting at 1:25 p.m.

Submitted by, Reviewed by,

Lauri A. Smith, Sarah Watson,

Administrative Support Office Manager

EXHIBIT SUMMARY

A - HB 3451, written testimony, James W. Nass, 4 pages.

B - HB 3200, written testimony, Art Kapteyn, 2 pages.

C - HB 3407, written testimony, Rep. Carolyn Oakley, 1 page.

D - HB 3367, written testimony, Michael J. Scott, 5 pages.

E - HB 3367, written testimony, Thomas A. Akins, 1 page.

F - HB 3367, written testimony, Jerry Van Scoy, 1 page.