

Senate Committee on Business & Consumer Affairs
January 26, 1995
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SENATE COMMITTEE ON
BUSINESS AND CONSUMER AFFAIRS

Hearing Room
Tape 8

MEMBERS PRESENT:

Senator Bill Kennemer, Chair
Senator John Lim, Vice-Chair

Senator Gene Derfler
Senator Joan Dukes
Senator William McCoy

STAFF PRESENT:

Darrell W. Fuller, Committee Administrator
Sally A. Peterson, Committee Assistant

MEASURES HEARD: Introduction of Committee Bills
SB 268 Public Hearing and Work Session
SB 240 Public Hearing and Work Session

These minutes contain materials which paraphrase and/or summarize statements made during this session. Only text enclosed in quotation marks report a speaker's exact words.
For complete contents of the proceedings, please refer to the tapes.

TAPE 8, SIDE A

001 CHAIR: OPENS WORK SESSION ON COMMITTEE BILLS.

002 MOTION: SEN. MC COY: Moves the committee introduce LC 1736, LC 2377, LC 2386, LC 2417

VOTE: CHAIR KENNEMER: Hearing no objections the motion CARRIES. All members are present.

CHAIR: OPENS PUBLIC HEARING ON SB 268.

Witness: Frank E. Brawner, Oregon Bankers Association

040 Frank E. Brawner, Oregon Bankers Association: Testifies in favor of SB 268 which allows trustee to establish existence and terms of trust with certification of trust.
(EXHIBITS A & B)

084 BRAWNER: -Responds "yes, California" to SEN. KENNEMER, regarding
whether
any other states have this certification

CHAIR: CLOSSES PUBLIC HEARING ON SB 268.

CHAIR: OPENS WORK SESSION ON SB 268.

120 MOTION: SEN. LIM: Moves SB 268 be sent to the Senate Judiciary
Committee with a DO PASS recommendation.

-Discussion follows.

VOTE: MOTION CARRIES.
In a roll call vote, all members present vote AYE.
SEN. DUKES is EXCUSED.

CHAIR: CLOSSES WORK SESSION ON SB 268.

CHAIR: OPENS PUBLIC HEARING ON SB 240.

Witness: Frank Brawner, Oregon Bankers Association

136 Frank Brawner, Oregon Bankers Association: Testifies in favor of SB 240
which
specifies charges and expenses that do not constitute voluntary reduction
of principal
of endowment care trust.(EXHIBIT C)

176 --Discusses case involving taxes on trust investment.

210 SEN. LIM: Inquires regarding principal becoming taxable.

220 BRAWNER: When you have sold and collected the \$1500 the principal is
increased.

224 CHAIR: Questions wording of SB 240.

228 BRAWNER: Responds regarding wording.

258 -Clarifies what happens to the trust investment when someone is buried.
This is a
perpetual care endowment. The bank does not receive proceeds.

261 CHAIR: Questions subsequent referral to Senate Judiciary.

264 BRAWNER: Responds to chair.

CHAIR: CLOSSES PUBLIC HEARING ON SB 240.

CHAIR: OPENS WORK SESSION ON SB 240.

PASS MOTION: SEN. MCCOY: Moves SB 240 be sent to the Senate
Judiciary Committee with its prior referral with a DO
recommendation.

VOTE: MOTION PASSES.
In a roll call vote, all members present vote AYE.
Sen. Dukes is EXCUSED.

CHAIR: CLOSSES WORK SESSION SB 240.

291 CHAIR: Adjourns the meeting.

Submitted by:

Reviewed by:

Anne May
Committee Assistant

Darrell W. Fuller
Committee Administrator

EXHIBIT LOG:

A - Testimony on SB 268, Frank Brawner - 7 pages
B - Testimony on SB 268, Frank Brawner - 3 pages
C - Testimony on SB 240, Frank Brawner - 6 pages