

HOUSE COMMITTEE ON COMMERCE SUBCOMMITTEE ON BUSINESS

June 22, 1993 Hearing Room H170 9:30 a.m. Tapes 148-149

MEMBERS PRESENT: Rep. Bob Repine, Chair Rep. Hedy Rijken, Vice-Chair
Rep. Lisa Naito Rep. Liz VanLeeuwen Rep. Cynthia Wooten

STAFF PRESENT: Janet McComb, Committee Administrator Debbie
Schieno, Committee Clerk

MEASURES CONSIDERED: SB 1095A - Public Hearing/Possible Work
Session SB 1097A - Public Hearing/Possible Work Session SB 878A -
Public Hearing/Possible Work Session

[--- Unable To Translate Graphic ---]

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. [--- Unable To Translate
Graphic ---]

TAPE 148, SIDE A

003 CHAIR REPINE: Calls the meeting to order at 11:05 a.m.

PUBLIC HEARING ON SB 878A

005 JANET McCOMB, COMMITTEE ADMINISTRATOR: Outlines the Preliminary
Staff Measure Summary (EXHIBIT A).

016 DAVID C. YANDELL, OREGON EMERGENCY MANAGEMENT: Submits and
reviews testimony in favor of SB 878 (EXHIBIT B).

035 GARY WILHELMS, US WEST: States their support of SB 878 in its
current form.

042 REP. WOOTEN: How do you notify cellular customers that an
emergency has been declared and they need to get off the phone?

MR. YANDELL: This is an issue to be worked out as they develop the
policy for implementing a priority access program.

-Submitted for the record, testimony from Schelly Jensen, GTE Mobilnet
(EXHIBIT C).

WORK SESSION ON SB 878A

055 MOTION: REP. RIJKEN moves SB 878A to the full Commerce Committee
with a do pass recommendation.

VOTE: Hearing no objection, the motion carries.

PUBLIC HEARING ON SB 1097A

064 JANET McCOMB, COMMITTEE ADMINISTRATOR: Outlines the Preliminary Staff Measure Summary (EXHIBIT D).

068 GENOA INGRAM, OREGON ASSOCIATION OF REALTORS: Testifies in favor of bill and gives the history of SB 1097. -Good consumer protection bill. -Oregon is only one of seven states that does not have agency disclosure legislation.

107 RAY SHAW, ATTORNEY REPRESENTING OREGON ASSOCIATION OF REALTORS: The statutorily mandated forms allow a buyer and/or a seller to know who

represents them and on what basis. -Does not allow a fee agreement. -The bill is not intended to limit representation. -Answers questions from the members.

179 PATRICIA FERRELL-FRENCH, OREGON CONSUMER LEAGUE: Testifies in favor of SB 1097.

225 MS. INGRAM: Addresses proposed amendments. -Answers questions from the members.

383 JAMES BAKER, REAL ESTATE BROKER: Testifies in opposition to SB 1097. -Concern that the bill will make real estate agents out of attorneys.

TAPE 149, SIDE A

-Creates opportunities for attorneys through out the state. -Explains personal experiences. -The bill will open lawsuits for the agent/broker.

052 REP. NAITO: Are there no conflicts occurring today?

MR. BAKER: There are conflicts, although they are always solved. It is to the advantage of the realtor to stay honest.

107 WALTER GOWELL, OREGON STATE BAR ASSOCIATION: The Oregon State Bar/Real Estate Legislative Committee strongly supports the proposed legislation. -Under existing law, the disclosure of the duties of an agent are made

in this bill.

137 STEVE HAWES, OREGON REAL ESTATE AGENCY: Testifies in support of SB 1097. -Speaks of a letter from Morella Larsen, Real Estate Commissioner

(EXHIBIT E).

WORK SESSION ON SB 1097A

167 MOTION: REP. RIJKEN moves the proposed amendments to SB 1097A.

VOTE: Hearing no objection, the motion carries.

191 MOTION: REP. RIJKEN moves SB 1097, as amended, to the full

Commerce Committee with a do pass recommendation.

VOTE: Hearing no objection, the motion carries.

REP. NAITO will lead discussion in the full Commerce Committee.

PUBLIC HEARING ON SB 1095A

204 JANET McCOMB, COMMITTEE ADMINISTRATOR: Outlines the Preliminary Staff Measure Summary ((EXHIBIT F)).

222 GENOA INGRAM, OREGON ASSOCIATION OF REALTORS: Testifies in favor of SB 1095 and outlines the history of the bill.

260 PATRICIA FERRELL-FRENCH, OREGON CONSUMER LEAGUE: SB 1095 was of great concern to the consumers. -Concern with the burden on the consumers. -Supports the bill as amended, with some additional language.

292 MS. INGRAM: Offers proposed amendments.

Committee reviews the proposed amendments.

TAPE 148, SIDE B

001 Committee continues to review proposed amendments.

065 WALTER GOWELL, OREGON STATE BAR ASSOCIATION: Responds to questions from the members.

076 KEVIN HANWAY, OREGON LAND TITLE ASSOCIATION: Outlines the expectation of the bill. -Speaks to proposed amendments.

109 BILL CROSS, BUILDING OWNERS AND MANAGERS ASSOCIATION: Speaks to the proposed SB 1095-8 amendments (EXHIBIT G). -Concern that the application of this disclosure would be for

residential consumer purchases only, not interfering with commercial or investment purchases. -Clarifies time-share property. -Speaks to the intent of the sponsors.

140 TIM MARTINEZ, OREGON BANKERS ASSOCIATION: Speaks to the proposed amendments. -Added mortgage brokers to the language.

193 MS. INGRAM: States their support of the -8 amendments and Mr. Hanway's proposed language.

WORK SESSION ON SB 1095A

218 MOTION: REP. NAITO moves the SB 1095-A8 amendments.

VOTE: Hearing no objection, the motion carries.

230 MOTION: REP. NAITO moves the conceptual language "Are you aware" to SB 1095-A.

VOTE: Hearing no objection, the motion carries.

253 MR. McCOMB: Outlines proposed language.

286 MOTION: REP. RIJKEN moves the proposed language to page 7 of SB 109 5-A.

VOTE: Hearing no objection, the motion carries.

292 MOTION: REP. RIJKEN moves SB 1095-A, as amended, to the full Commerce Committee with a do pass recommendation.

VOTE: Hearing no objection, the motion carries.

307 CHAIR REPINE: Adjourns the meeting at 12:25 p.m.

Submitted by:

Reviewed by:

Debbie Schieno
Administrator

Janet McComb Clerk

EXHIBIT LOG:

A - Staff Measure Summary on SB 878-A - 3 pages B - Testimony on SB 878-A - Yandell -12 pages C - Testimony on SB 878 - Jensen - 1 page D - Staff Measure Summary on SB 1097-A - 2 pages E - Testimony on SB 1097 - Larsen - 1 page F - Staff Measure Summary on SB 1095-A - 2 pages G - Amendments to SB 1095-A8 - 2 pages