

HOUSE COMMITTEE ON CONSUMER PROTECTION

**January 28, 2009
3:00 P.M.**

Hearing Room E

MEMBERS PRESENT:

- Rep. Paul Holvey, Chair**
- Rep. Chuck Riley, Vice-Chair**
- Rep. Jim Weidner, Vice-Chair**
- Rep. Brent Barton**
- Rep. Jean Cowan**
- Rep. Vic Gilliam**
- Rep. Wayne Krieger**
- Rep. Greg Matthews**
- Rep. Carolyn Tomei**
- Rep. Matt Wingard**

STAFF PRESENT:

- Victoria Cox, Committee Administrator**
- Cindy Hupp, Committee Assistant**

MEASURES/ISSUES HEARD: HB 2365 – Work Session
HB 2268, HB 2188, HB 2190, HB 2370, HB 2326 – Public Hearing

This recording log is in compliance with Senate and House Rules. For complete contents, refer to the digital audio recording.

HCP

1/28/2009 3:05:37 PM

3:05:43 PM Meeting Called to Order
3:05:44 PM Chair Holvey
3:06:59 PM HB 2365 - Work Session
3:07:03 PM Victoria Cox, Committee Administrator
3:07:40 PM Chair Holvey
3:09:02 PM Randy Simpson, State Fire Marshall
3:09:48 PM Chair Holvey
3:09:58 PM Rep. Krieger
3:10:21 PM Tim Birr, Member, Fire Safety Coalition
3:10:33 PM Chair Holvey
3:10:59 PM MOTION: Rep. Matthews moves HB 2365 DO PASS
3:11:15 PM Chair Holvey
3:11:28 PM VOTE: 9-0-1
3:11:28 PM Ayes: Barton, Cowan, Krieger, Matthews, Tomei, Wingard,
Weidner, Riley, Holvey; Excused: Gilliam
3:12:07 PM Rep. Matthews
3:12:12 PM CARRIER: REP. MATTHEWS will lead discussion on the floor
3:13:02 PM HB 2268 - Public Hearing
3:13:13 PM Keith Dubanevich, Special Counsel, Office of the Attorney General,
Department of Justice
3:13:16 PM {Exhibit} 1: Dubanevich
3:17:07 PM Chair Holvey
3:18:26 PM HB 2188 - Public Hearing
3:18:59 PM David Tatman, Administrator, Division of Finance and Corporate
Securities, Department of Consumer and Business Services
3:19:00 PM Chair Holvey
3:19:26 PM Tatman
3:19:27 PM {Exhibit} 2: Tatman
3:28:53 PM {Exhibit} 3: Tatman
3:29:07 PM Chair Holvey
3:29:23 PM Rep. Krieger
3:29:37 PM Tatman
3:30:17 PM Chair Holvey
3:30:21 PM Rep. Krieger
3:30:36 PM Chair Holvey
3:30:40 PM Tatman
3:31:45 PM Chair Holvey
3:32:02 PM Tatman
3:32:48 PM Rep. Tomei

3:32:49 PM Chair Holvey
3:32:51 PM Tomei
3:33:01 PM Tatman
3:33:38 PM Chair Holvey
3:33:40 PM Rep. Tomei
3:33:52 PM Tatman
3:34:01 PM Rep. Tomei
3:34:04 PM Chair Holvey
3:34:06 PM Vice-Chair Weidner
3:34:14 PM Tatman
3:35:07 PM Chair Holvey
3:35:40 PM Tatman
3:36:35 PM Chair Holvey
3:37:13 PM John McCulley, Oregon Association of Mortgage Professionals
3:46:07 PM Chair Holvey
3:46:47 PM Sybil Hebb, Director of Legislative Advocacy, Oregon Law Center
3:51:13 PM Chair Holvey
3:51:34 PM Hebb
3:52:30 PM Chair Holvey
3:52:35 PM Rep. Gilliam
3:53:29 PM Hebb
3:54:29 PM Rep. Gilliam
3:54:31 PM Chair Holvey
3:54:38 PM Rep. Gilliam
3:55:09 PM Hebb
3:56:00 PM Chair Holvey
3:56:03 PM Vice-Chair Weidner
3:56:12 PM Hebb
3:56:34 PM Vice-Chair Weidner
3:56:41 PM Chair Holvey
3:57:26 PM Tatman
3:58:56 PM Chair Holvey
3:59:21 PM Tatman
3:59:45 PM Chair Holvey
3:59:48 PM Tatman
3:59:49 PM Chair Holvey
3:59:51 PM Vice-Chair Riley
4:00:05 PM Tatman
4:00:29 PM Chair Holvey
4:00:30 PM Vice-Chair Riley
4:00:50 PM Tatman
4:01:31 PM Chair Holvey
4:01:33 PM Rep. Gilliam
4:02:03 PM Tatman
4:03:50 PM Chair Holvey
4:03:54 PM Tatman

4:04:12 PM Chair Holvey
4:04:30 PM Tatman
4:04:38 PM Chair Holvey
4:04:49 PM Vice-Chair Weidner
4:06:12 PM Tatman
4:07:36 PM Chair Holvey
4:07:38 PM Rep. Tomei
4:07:51 PM Tatman
4:08:57 PM Rep. Tomei
4:09:13 PM Tatman
4:09:17 PM Chair Holvey
4:10:13 PM HB 2190 - Public Hearing
4:10:55 PM Victoria Cox, Committee Administrator
4:11:22 PM Chair Holvey
4:11:30 PM Teresa Miller, Acting Insurance Division Administrator, Department of Consumer and Business Services
4:11:31 PM {Exhibit} 4: Miller
4:18:55 PM Chair Holvey
4:19:08 PM Miller
4:19:23 PM Chair Holvey
4:19:25 PM Miller
4:19:27 PM Chair Holvey
4:19:34 PM Miller
4:19:37 PM Chair Holvey
4:19:41 PM Rep. Tomei
4:19:43 PM Chair Holvey
4:19:48 PM Vice-Chair Weidner
4:19:54 PM Chair Holvey
4:20:29 PM John Powell, Representative, State Farm Insurance Companies
4:20:37 PM Chair Holvey
4:20:41 PM HB 2370-Public Hearing
4:20:46 PM John Powell, Representative, State Farm Insurance Companies
4:20:50 PM {Exhibit} 5-8: Powell
4:22:49 PM Steve Murrell, Claim Attorney, State Farm Insurance Companies
4:30:04 PM Chair Holvey
4:30:05 PM Vice-Chair Riley
4:30:33 PM Murrell
4:30:54 PM Chair Holvey
4:30:55 PM Vice-Chair Riley
4:31:11 PM Murrell
4:31:29 PM Vice-Chair Riley
4:31:36 PM Chair Holvey
4:31:38 PM Rep. Barton
4:31:53 PM Murrell
4:32:12 PM Chair Holvey
4:32:18 PM Murrell

4:32:47 PM Chair Holvey
4:34:13 PM Murrell
4:34:54 PM Chair Holvey
4:35:09 PM Murrell
4:35:50 PM Powell
4:37:10 PM Chair Holvey
4:37:43 PM Murrell
4:38:13 PM Chair Holvey
4:38:17 PM Murrell
4:38:22 PM Chair Holvey
4:38:31 PM Rep. Matthews
4:39:09 PM Murrell
4:39:59 PM Chair Holvey
4:40:05 PM Rep. Barton
4:40:08 PM Chair Holvey
4:40:48 PM Murrell
4:41:47 PM Chair Holvey
4:41:52 PM Rep. Krieger
4:42:33 PM Murrell
4:43:18 PM Powell
4:44:19 PM Chair Holvey
4:44:20 PM Rep. Gilliam
4:44:50 PM Murrell
4:45:34 PM Chair Holvey
4:45:36 PM Rep. Gilliam
4:45:45 PM Murrell
4:46:03 PM Vice-Chair Riley
4:46:04 PM Chair Holvey
4:46:05 PM Vice-Chair Riley
4:47:27 PM Murrell
4:47:53 PM Vice-Chair Riley
4:47:58 PM Rep. Krieger
4:48:10 PM Chair Holvey
4:49:23 PM Murrell
4:50:36 PM Chair Holvey
4:50:46 PM Vice-Chair Weidner
4:50:54 PM Chair Holvey
4:51:24 PM Teresa Miller, Acting Insurance Division Administrator, Department
of Consumer and Business Services
4:51:27 PM Vice-Chair Weidner
4:51:53 PM Miller
4:53:00 PM Chair Holvey
4:53:03 PM Rep. Krieger
4:53:18 PM Miller
4:53:23 PM Rep. Krieger
4:53:25 PM Miller

4:53:53 PM Chair Holvey
4:54:31 PM Shawn Miller, Representative, Property Casualty Insurance Association of America
4:57:13 PM Chair Holvey
4:58:18 PM Mike Barber, Director of Regulatory Affairs,CCC Information Service, Inc.
4:58:20 PM {Exhibit} 9: Barber
5:01:59 PM Chair Holvey
5:02:03 PM Diane Klund, Autotex
5:04:28 PM Chair Holvey
5:04:40 PM Rep. Krieger
5:05:24 PM Klund
5:05:59 PM Chair Holvey
5:06:00 PM Rep. Krieger
5:06:08 PM Klund
5:06:11 PM Chair Holvey
5:06:45 PM HB 2326 - Public Hearing
5:06:54 PM Victoria Cox, Committee Administrator
5:07:12 PM Chair Holvey
5:07:50 PM Neil W. Jackson, Board Member, Oregon Trial Lawyers Association
5:11:05 PM {Exhibit} 10: Jackson
5:13:05 PM Chair Holvey
5:13:09 PM Robert G. Dolton, Attorney, Clackamas County
5:13:28 PM Mark Nichols, citizen, Portland, OR
5:13:30 PM {Exhibit} 11: Nichols
5:15:47 PM Chair Holvey
5:15:48 PM Dolton
5:19:19 PM Chair Holvey
5:19:20 PM Rep. Tomei
5:19:32 PM Chair Holvey
5:19:38 PM Jackson
5:19:43 PM Chair Holvey
5:20:23 PM Jackson
5:20:42 PM Chair Holvey
5:21:03 PM Rep. Barton
5:21:17 PM Chair Holvey
5:22:17 PM Steve Murrell, Claim Attorney, State Farm Insurance Companies
5:22:19 PM {Exhibit} 12: Murrell
5:30:46 PM Chair Holvey
5:30:54 PM Shawn Miller, Representative, Property Casualty Insurance Association
5:30:55 PM {Exhibit} 13: Miller
5:33:44 PM John Powell, Representative, State Farm Insurance Companies
5:36:20 PM Chair Holvey
5:36:45 PM Miller
5:37:01 PM Chair Holvey

5:37:11 PM Rep. Krieger
5:38:05 PM Murrell
5:38:48 PM Chair Holvey
5:38:49 PM Rep. Krieger
5:38:59 PM Murrell
5:39:38 PM Chair Holvey
5:39:39 PM Rep. Krieger
5:39:48 PM Murrell
5:39:55 PM Chair Holvey
5:39:58 PM Murrell
5:40:04 PM Powell
5:40:28 PM Murrell
5:40:37 PM Chair Holvey
5:40:52 PM Vice-Chair Weidner
5:40:54 PM Chair Holvey
5:41:00 PM Vice-Chair Weidner
5:41:23 PM Murrell
5:41:41 PM Vice-Chair Weidner
5:41:55 PM Murrell
5:42:13 PM Powell
5:42:42 PM Chair Holvey
5:43:33 PM Lana Butterfield, Representative, Professional Insurance Agents of
Oregon, Idaho, PIA
5:43:34 PM {Exhibit} 14: Butterfield
5:44:53 PM Jeannie Stalker, Representative, Acclaim Auto Insurance Agency
5:44:54 PM {Exhibit} 15: Stalker
5:46:37 PM Chair Holvey
5:46:48 PM Rep. Matthews
5:47:40 PM Stalker
5:47:51 PM Chair Holvey
5:47:52 PM Rep. Matthews
5:48:48 PM Stalker
5:49:40 PM Rep. Matthews
5:49:47 PM Stalker
5:50:14 PM Chair Holvey
5:50:20 PM Powell
5:51:44 PM Chair Holvey
5:51:47 PM Rep. Matthews
5:52:14 PM Powell
5:53:22 PM Chair Holvey
5:53:23 PM Rep. Cowan
5:54:38 PM Powell
5:55:35 PM Chair Holvey
5:55:51 PM Rep. Cowan
5:56:30 PM Powell
5:58:01 PM Chair Holvey

5:58:34 PM Rep. Tomei
5:58:39 PM Chair Holvey
5:59:36 PM Rep. Tomei
5:59:48 PM Chair Holvey
6:00:08 PM MOTION: Chair Holvey moves that the RULES BE SUSPENDED to allow Rep. Gilliam to VOTE: AYE on HB 2365
6:00:15 PM Rep. Gilliam
6:00:17 PM Chair Holvey
6:00:18 PM Ayes: Cowan, Gilliam, Krieger, Matthews, Tomei, Weidner, Riley, Holvey: Excused: Barton, Wingard
6:00:18 PM VOTE: 8-0-2
6:00:43 PM The following written testimony was submitted for the record without public testimony:
6:00:44 PM {Exhibit} 16: Rick Bennett, Director of Government Relations, AARP
6:00:44 PM Meeting Adjourned

HCP

1/28/2009 3:05:37 PM

- 3:13:13 PM {Exhibit} 1: HB 2268, written testimony, Keith Dubanevich, 3 pp
 - 3:19:27 PM {Exhibit} 2: HB 2188, written testimony, David Tatman, 5 pp
 - 3:28:53 PM {Exhibit} 3: HB 2188, written testimony, David Tatman, 40 pp
 - 4:11:31 PM {Exhibit} 4: HB 2190, written testimony, Teresa Miller, 5 pp
 - 4:20:50 PM {Exhibit} 5: HB 2190, written testimony, John Powell, 1 p
 - 4:20:50 PM {Exhibit} 6: HB 2190, written testimony, John Powell, 3 pp
 - 4:20:50 PM {Exhibit} 7: HB 2190, written testimony, John Powell, 9 pp
 - 4:20:50 PM {Exhibit} 8: HB 2190, written testimony, John Powell, 2 pp
 - 4:58:20 PM {Exhibit} 9: HB 2370, written testimony, Mike Barber, 14 pp
 - 5:11:05 PM {Exhibit} 10: HB 2326, written testimony, Neil Jackson, 1 p
 - 5:13:30 PM {Exhibit} 11: HB 2326, written testimony, Mark Nichols, 1 p
 - 5:22:19 PM {Exhibit} 12: HB 2326, written testimony, Steve Murrell, 2 pp
 - 5:30:55 PM {Exhibit} 13: HB 2326, written testimony, Shawn Miller, 4 pp
 - 5:43:34 PM {Exhibit} 14: HB 2326, written testimony, Lana Butterfield, 3 pp
 - 5:44:54 PM {Exhibit} 15: HB 2326, written testimony, Jeannie Stalker, 1 p
 - 6:00:44 PM {Exhibit} 16: HB 2188, written testimony, Rick Bennett, AARP, 1 p
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