

HOUSE COMMITTEE ON CONSUMER PROTECTION

**April 24, 2009
3:00 P.M.**

Hearing Room E

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

MEMBER ABSENT: **Rep. Jim Weidner, Vice-Chair**

STAFF PRESENT: **Victoria Cox, Committee Administrator**
 Cindy Hupp, Committee Assistant

MEASURES/ISSUES HEARD: HB 2962 –Work Session
 HB 3151 – Public Hearing and Work Session
 HB 2383 – Work Session
 HB 2189 – Work Session
 HB 2199 – Work Session
 HB 2191 – Work Session
 HB 3004 – Public Hearing

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

HCP

4/24/2009 3:09:31 PM

3:09:34 PM Meeting Called to Order
3:09:36 PM Chair Holvey
3:11:02 PM HB 2962-Work Session
3:11:32 PM Rep. Cowan
3:11:33 PM John VanLandingham, Consumer Advocate, Lane County Legal
Aid
3:11:35 PM Chair Holvey
3:11:52 PM VanLandingham
3:11:53 PM {Exhibit} 1: VanLandingham
3:13:40 PM Chair Holvey
3:13:44 PM VanLandingham
3:14:35 PM Chair Holvey
3:14:37 PM Rep. Barton
3:14:59 PM Chair Holvey
3:15:36 PM VanLandingham
3:16:17 PM Chair Holvey
3:16:27 PM VanLandingham
3:16:41 PM Chair Holvey
3:16:45 PM Rep. Wingard
3:16:59 PM VanLandingham
3:17:02 PM Rep. Wingard
3:17:03 PM VanLandingham
3:17:05 PM Rep. Wingard
3:17:06 PM Chair Holvey
3:17:07 PM Rep. Wingard
3:17:36 PM VanLandingham
3:17:57 PM Rep. Wingard
3:17:59 PM Chair Holvey
3:18:04 PM Rep. Wingard
3:18:22 PM VanLandingham
3:19:17 PM Rep. Wingard
3:19:18 PM VanLandingham
3:19:19 PM Chair Holvey
3:19:21 PM Rep. Wingard
3:19:52 PM VanLandingham
3:19:55 PM Rep. Wingard
3:20:06 PM Chair Holvey
3:20:09 PM VanLandingham
3:20:12 PM Cowan

3:20:15 PM VanLandingham
3:20:22 PM Chair Holvey
3:20:24 PM Rep. Barton
3:21:01 PM Rep. Wingard
3:21:09 PM Chair Holvey
3:21:10 PM Rep. Wingard
3:21:17 PM VanLandingham
3:21:28 PM Chair Holvey
3:21:48 PM Vice-Chair Riley
3:21:49 PM MOTION: Rep. Riley moves -1 amendments
3:21:55 PM Chair Holvey
3:22:15 PM VOTE: 9-0-1
3:22:15 PM Ayes: Barton, Cowan, Gilliam, Krieger, Matthews, Tomei, Wingard, Riley, Holvey; Excused: Weidner
3:22:33 PM HB 3151-Public Hearing
3:22:39 PM Victoria Cox, Committee Administrator
3:22:46 PM {Exhibit} 2: Cox
3:22:54 PM Chair Holvey
3:23:59 PM Megan Perry, Legislative Assistant, Office of Rep. Chris Harker, House District 34
3:25:09 PM Chair Holvey
3:25:57 PM HB 3151-Work Session
3:25:59 PM Vice-Chair Riley
3:26:00 PM Chair Holvey
3:26:01 PM MOTION: Rep. Riley moves -1 amendments
3:26:05 PM Chair Holvey
3:26:18 PM VOTE: 9-0-1
3:26:18 PM Ayes: Barton, Cowan, Gilliam, Krieger, Matthews, Tomei, Wingard, Riley, Holvey; Excused: Weidner
3:26:31 PM Vice-Chair Riley
3:26:32 PM Chair Holvey
3:26:33 PM MOTION: Rep. Riley moves HB 3151 DO PASS as AMENDED
3:26:38 PM Chair Holvey
3:26:39 PM Vice-Chair Riley
3:26:40 PM Chair Holvey
3:26:53 PM VOTE: 9-0-1
3:26:53 PM Ayes: Barton, Cowan, Gilliam, Krieger, Matthews, Tomei, Wingard, Riley, Holvey; Excused: Weidner
3:27:14 PM Chair Holvey
3:27:24 PM CARRIER: REP. HARKER will lead discussion on the floor
3:27:44 PM HB 2383-Work Session
3:28:04 PM Rep. Nancy Nathanson, House District 13
3:28:05 PM {Exhibit} 3: Rep. Nathanson
3:29:13 PM Chair Holvey
3:29:41 PM Rep. Nathanson
3:29:42 PM Chair Holvey

3:29:45 PM Rep. Nathanson
3:29:48 PM Chair Holvey
3:29:49 PM Rep. Nathanson
3:29:58 PM Chair Holvey
3:30:20 PM Rep. Nathanson
3:30:23 PM Chair Holvey
3:30:29 PM Rep. Barton
3:31:16 PM Chair Holvey
3:31:55 PM John Brenneman, Representative, Manufactured Housing Communities of Oregon
3:34:32 PM John VanLandingham, Consumer Advocate, Lane County Legal Aid
3:34:39 PM Chair Holvey
3:34:40 PM VanLandingham
3:34:42 PM Chair Holvey
3:34:48 PM Rep. Krieger
3:35:06 PM Brenneman
3:35:48 PM Chair Holvey
3:36:10 PM Meeting Recessed
3:38:03 PM Meeting Reconvened
3:38:07 PM Meeting Recessed
3:39:32 PM Meeting Reconvened
3:40:03 PM HB 2189-Work Session
3:40:14 PM Victoria Cox, Committee Administrator
3:41:01 PM {Exhibit} 4: Cox
3:41:21 PM Chair Holvey
3:41:45 PM David Tatman, Administrator, Division of Finance and Corporate Securities, Oregon Department of Consumer and Business Services, DCBS
3:44:05 PM Rep. Wingard
3:44:08 PM Tatman
3:44:11 PM Rep. Cowan
3:44:12 PM Rep. Barton
3:44:13 PM Tatman
3:44:15 PM Rep. Barton
3:44:17 PM Tatman
3:46:04 PM Chair Holvey
3:46:09 PM Rep. Wingard
3:46:25 PM Tatman
3:46:36 PM Rep. Wingard
3:46:38 PM Tatman
3:46:41 PM Rep. Barton
3:46:43 PM Tatman
3:47:01 PM Rep. Wingard
3:47:09 PM Chair Holvey
3:47:26 PM Rep. Barton

3:47:27 PM Tatman
3:47:32 PM Rep. Wingard
3:47:35 PM Paul Cosgrove, Representative, Oregon Financial Services Association
3:47:36 PM {Exhibit} 5: Cosgrove
3:47:40 PM Rep. Wingard
3:47:50 PM Cosgrove
3:49:02 PM Rep. Wingard
3:49:05 PM Chair Holvey
3:49:06 PM Rep. Wingard
3:49:12 PM Cosgrove
3:49:46 PM Rep. Wingard
3:49:48 PM Chair Holvey
3:49:49 PM Rep. Wingard
3:50:09 PM Tatman
3:51:30 PM Chair Holvey
3:51:31 PM Rep. Barton
3:52:19 PM Cosgrove
3:53:10 PM Rep. Barton
3:53:11 PM Cosgrove
3:53:18 PM Vice-Chair Riley
3:53:29 PM Meeting Recessed
3:54:35 PM Chair Holvey
3:54:36 PM Meeting Reconvened
3:55:34 PM Tatman
3:56:22 PM Chair Holvey
3:56:29 PM Tatman
3:56:30 PM Chair Holvey
3:56:56 PM Meeting Recessed
3:58:10 PM Meeting Reconvened
3:58:33 PM HB 2199-Work Session
3:58:49 PM Victoria Cox, Committee Administrator
3:59:28 PM Chair Holvey
3:59:36 PM David Tatman, Administrator, Division of Finance and Corporate Securities, Oregon Department of Consumer and Business Services, DCBS
3:59:46 PM {Exhibit} 6: Tatman
3:59:50 PM {Exhibit} 7: Tatman
3:59:55 PM Chair Holvey
4:00:02 PM Tatman
4:01:11 PM Chair Holvey
4:01:28 PM Vice-Chair Riley
4:01:29 PM Rep. Barton
4:01:31 PM Chair Holvey
4:01:36 PM Vice-Chair Riley
4:01:38 PM Chair Holvey

4:01:40 PM Vice-Chair Riley
4:01:54 PM Chair Holvey
4:01:58 PM Meeting Recessed
4:02:33 PM Meeting Reconvened
4:02:45 PM Rep. Tomei
4:02:47 PM Chair Holvey
4:02:56 PM {Exhibit} 8: Chair Holvey
4:03:06 PM Tatman
4:03:52 PM Chair Holvey
4:03:59 PM MOTION: Rep. Riley moves -1 amendments
4:04:05 PM Chair Holvey
4:04:16 PM VOTE: 8-0-2
4:04:16 PM Ayes: Barton, Cowan, Gilliam, Matthews, Tomei, Wingard, Riley, Holvey; Excused: Krieger, Weidner
4:04:17 PM Chair Holvey
4:04:18 PM MOTION: Rep. Riley moves -3 amendments
4:04:23 PM Chair Holvey
4:04:33 PM VOTE: 8-0-2
4:04:33 PM Ayes: Barton, Cowan, Gilliam, Matthews, Tomei, Wingard, Riley, Holvey; Excused: Krieger, Weidner
4:04:34 PM MOTION: Rep. Riley moves -4 amendments
4:04:40 PM Chair Holvey
4:04:52 PM VOTE: 8-0-2
4:04:52 PM Ayes: Barton, Cowan, Gilliam, Matthews, Tomei, Wingard, Riley, Holvey; Excused: Krieger, Weidner
4:04:56 PM Vice-Chair Riley
4:05:00 PM Chair Holvey
4:05:01 PM Vice-Chair Riley
4:05:02 PM Chair Holvey
4:05:18 PM HB 2189-Work Session
4:05:27 PM MOTION: Rep. Riley moves -7 amendments
4:05:32 PM Chair Holvey
4:05:39 PM Rep. Matthews
4:05:40 PM Chair Holvey
4:05:41 PM Rep. Matthews
4:06:04 PM Chair Holvey
4:07:00 PM Rep. Matthews
4:07:11 PM Chair Holvey
4:07:23 PM VOTE: 8-0-2
4:07:23 PM Ayes: Barton, Cowan, Gilliam, Matthews, Tomei, Wingard, Riley, Holvey; Excused: Krieger, Weidner
4:07:25 PM MOTION: Rep. Riley moves HB 2189 DO PASS as AMENDED & REFER to Ways and Means by prior reference
4:07:35 PM Chair Holvey
4:07:52 PM Rep. Gilliam
4:08:27 PM Chair Holvey

4:10:11 PM Rep. Gilliam
4:10:38 PM Chair Holvey
4:10:52 PM Rep. Barton
4:10:56 PM Chair Holvey
4:11:10 PM Rep. Krieger
4:11:12 PM Chair Holvey
4:11:25 PM Rep. Krieger
4:11:32 PM Chair Holvey
4:11:39 PM Rep. Krieger
4:11:42 PM Chair Holvey
4:11:46 PM VOTE: 6-3-1
4:11:46 PM Ayes: Barton, Cowan, Matthews, Tomei, Riley, Holvey; Nays:
Gilliam, Krieger, Wingard; Excused: Weidner

4:12:12 PM Chair Holvey
4:12:52 PM HB 2191-Work Session
4:13:08 PM Victoria Cox, Committee Administrator
4:13:37 PM {Exhibit} 9: Cox
4:13:41 PM Chair Holvey
4:14:44 PM Rep. Krieger
4:15:35 PM Chair Holvey
4:16:55 PM Rep. Krieger
4:17:03 PM Chair Holvey
4:17:05 PM Rep. Krieger
4:17:08 PM Chair Holvey
4:17:10 PM Rep. Krieger
4:17:12 PM Chair Holvey
4:17:25 PM David Tatman, Administrator, Division of Finance and Corporate
Securities, Oregon Department of Consumer and Business
Services, DCBS

4:18:18 PM Chair Holvey
4:18:51 PM Tatman
4:19:20 PM Chair Holvey
4:19:23 PM Rep. Barton
4:19:24 PM Chair Holvey
4:19:25 PM Rep. Barton
4:19:34 PM {Exhibit} 10: Rep. Barton
4:19:40 PM Chair Holvey
4:21:55 PM Tatman
4:22:33 PM Rep. Barton
4:22:34 PM Chair Holvey
4:22:35 PM Rep. Barton
4:22:42 PM Tatman
4:22:44 PM Rep. Barton
4:23:28 PM Tatman
4:24:32 PM Rep. Barton
4:24:37 PM Chair Holvey

4:24:45 PM MOTION: Rep. Riley moves -1 amendments
4:24:49 PM Chair Holvey
4:24:59 PM Rep. Gilliam
4:27:09 PM Chair Holvey
4:28:53 PM Rep. Gilliam
4:29:06 PM Chair Holvey
4:29:54 PM VOTE: 7-2-1
4:29:54 PM Ayes: Cowan, Krieger, Matthews, Tomei, Wingard, Riley, Holvey;
Nays: Barton, Gilliam; Excused: Weidner
4:30:25 PM Chair Holvey
4:30:34 PM Vice-Chair Riley
4:30:39 PM Chair Holvey
4:31:14 PM Rep. Wingard
4:31:18 PM MOTION: Rep. Riley moves HB 2191 DO PASS as AMENDED and
RESCINDED subsequent referral to WAYS & MEANS
4:31:30 PM Chair Holvey
4:31:52 PM Rep. Wingard
4:33:52 PM Chair Holvey
4:34:45 PM Rep. Barton
4:35:11 PM Chair Holvey
4:36:25 PM VOTE: 7-2-1
4:36:25 PM Ayes: Cowan, Krieger, Matthews, Tomei, Wingard, Riley, Holvey;
Nays: Barton, Gilliam; Excused: Weidner
4:36:57 PM Chair Holvey
4:37:07 PM CARRIER: REP. HOLVEY will lead discussion on the floor
4:37:39 PM HB 3004-Public Hearing
4:38:02 PM Victoria Cox, Committee Administrator
4:38:16 PM {Exhibit} 11: Cox
4:38:17 PM {Exhibit} 12: Cox
4:38:25 PM Chair Holvey
4:38:56 PM Jane Cummins, Constituent, House District 21
4:41:29 PM Chair Holvey
4:41:55 PM Keith Karnes, Attorney, Marion County
4:47:17 PM Chair Holvey
4:48:02 PM Karnes
4:48:29 PM Chair Holvey
4:48:45 PM Rep. Barton
4:48:46 PM Chair Holvey
4:48:48 PM Rep. Barton
4:48:51 PM Chair Holvey
4:48:52 PM Rep. Barton
4:49:02 PM Karnes
4:49:24 PM Rep. Barton
4:49:57 PM Chair Holvey
4:49:59 PM Karnes
4:50:23 PM Vice-Chair Riley

4:50:24 PM Chair Holvey
4:50:25 PM Vice-Chair Riley
4:50:34 PM Karnes
4:50:36 PM Chair Holvey
4:50:51 PM Rep. Barton
4:51:28 PM Karnes
4:51:39 PM Rep. Barton
4:51:44 PM Chair Holvey
4:52:31 PM Chris Shultz, Representative, Gorilla Capital
4:52:32 PM {Exhibit} 13: Shultz
4:52:51 PM Chair Holvey
4:52:55 PM Shultz
4:55:03 PM Chair Holvey
4:55:10 PM Rep. Barton
4:55:16 PM Chair Holvey
4:55:17 PM Rep. Barton
4:55:48 PM Chair Holvey
4:56:32 PM Shultz
4:57:20 PM Chair Holvey
4:57:21 PM Rep. Barton
4:57:55 PM Chair Holvey
4:58:00 PM Rep. Barton
4:58:01 PM Chair Holvey
4:58:03 PM Rep. Barton
4:58:08 PM Chair Holvey
4:58:52 PM Rep. Barton
4:58:56 PM Chair Holvey
4:59:06 PM HB 2383-Work Session
4:59:32 PM Vice-Chair Riley
4:59:34 PM Chair Holvey
4:59:35 PM MOTION: Rep. Riley moves -2 amendments
4:59:40 PM Chair Holvey
5:00:04 PM Rep. Tomei
5:00:05 PM Chair Holvey
5:00:06 PM Rep. Tomei
5:00:17 PM Chair Holvey
5:00:42 PM John VanLandingham, Consumer Advocate, Lane County Legal Aid
5:01:45 PM Chair Holvey
5:01:46 PM Rep. Gilliam
5:02:06 PM VanLandingham
5:02:28 PM Chair Holvey
5:02:30 PM Rep. Wingard
5:03:20 PM VanLandingham
5:04:17 PM Rep. Cowan
5:04:29 PM Rep. Wingard

5:04:32 PM Rep. Cowan
5:04:36 PM VanLandingham
5:04:43 PM Rep. Cowan
5:04:53 PM Chair Holvey
5:04:54 PM Vice-Chair Riley
5:05:16 PM VanLandingham
5:05:44 PM Chair Holvey
5:05:52 PM VanLandingham
5:05:56 PM Chair Holvey
5:06:02 PM Vice-Chair Riley
5:06:04 PM Chair Holvey
5:06:08 PM Vice-Chair Riley
5:06:09 PM Chair Holvey
5:06:15 PM Rep. Gilliam
5:06:16 PM Chair Holvey
5:06:24 PM Vice-Chair Riley
5:06:25 PM Chair Holvey
5:06:29 PM VOTE: 6-2-2
5:06:29 PM Ayes: Barton, Cowan, Matthews, Tomei, Riley, Holvey; Nays:
Gilliam, Wingard; Excused: Krieger, Weidner
5:06:57 PM Chair Holvey
5:07:18 PM Vice-Chair Riley
5:07:19 PM MOTION: Rep. Riley moves HB 2383 DO PASS as AMENDED
5:07:25 PM Chair Holvey
5:07:34 PM Rep. Wingard
5:08:13 PM Chair Holvey
5:08:19 PM Rep. Gilliam
5:08:21 PM Rep. Barton
5:08:22 PM Chair Holvey
5:08:24 PM Rep. Gilliam
5:09:05 PM Chair Holvey
5:10:10 PM VOTE: 6-2-2
5:10:10 PM Ayes: Barton, Cowan, Matthews, Tomei, Riley, Holvey; Nays:
Gilliam, Wingard; Excused: Krieger, Weidner
5:10:45 PM Chair Holvey
5:10:57 PM CARRIER: REP. NATHANSON will lead discussion on the floor
5:11:18 PM Meeting Recessed
5:14:32 PM Meeting Reconvened
5:15:40 PM Meeting Adjourned

HCP

4/24/2009 3:09:31 PM

- 3:11:53 PM {Exhibit} 1: HB 2962, -1 amendments, John VanLandingham, 3 pp
 - 3:22:46 PM {Exhibit} 2: HB 3151, -1 amendments, staff, 2 pp
 - 3:28:05 PM {Exhibit} 3: HB 2383, -2 amendments, Rep. Nathanson, 1 p
 - 3:41:01 PM {Exhibit} 4: HB 2189, -7 amendments, staff, 59 pp
 - 3:47:36 PM {Exhibit} 5: HB 2189, written testimony, Paul Cosgrove, 2 pp
 - 3:59:46 PM {Exhibit} 6: HB 2199, -3 amendments, David Tatman, 1 p
 - 3:59:50 PM {Exhibit} 7: HB 2199, -4 amendments, David Tatman, 4 pp
 - 4:02:56 PM {Exhibit} 8: HB 2199, -1 amendments, staff, 1 p
 - 4:13:37 PM {Exhibit} 9: HB 2191, -1 amendments, staff, 56 pp
 - 4:19:34 PM {Exhibit} 10: HB 2191, -2 amendments, staff, 56 pp
 - 4:38:16 PM {Exhibit} 11: HB 3004, -2 amendments, staff, 4 pp
 - 4:38:17 PM {Exhibit} 12: HB 3004, -3 amendments, staff, 1 p
 - 4:52:32 PM {Exhibit} 13: HB 3004, informational letters, submitted by
Chris Shultz, 5 pp
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