

HOUSE COMMITTEE ON CONSUMER PROTECTION

**May 11, 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: SB 438A – Public Hearing and Work Session
SB 239A – Public Hearing and Work Session
SB 240 – Public Hearing and Work Session
SB 386A – Public Hearing

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

HCP

5/11/2009 3:06:14 PM

3:06:18 PM Meeting Called to Order
3:06:20 PM Chair Holvey
3:06:36 PM SB 438A-Public Hearing
3:06:42 PM Victoria Cox, Committee Administrator
3:07:17 PM Chair Holvey
3:07:32 PM Pam Leavitt, Senior Vice-President of Governmental Affairs, Credit Union Association of Oregon
3:07:33 PM {Exhibit} 1: Leavitt
3:09:10 PM Hal Scoggins, Attorney, Farleigh Wada Witt
3:09:11 PM {Exhibit} 2: Scoggins
3:12:20 PM Scott Burgess, President/CEO, Rivermark Community Credit Union
3:12:21 PM {Exhibit} 3: Burgess
3:19:20 PM Chair Holvey
3:20:23 PM Scoggins
3:21:57 PM Chair Holvey
3:22:34 PM Scoggins
3:23:34 PM Chair Holvey
3:23:47 PM Vice-Chair Riley
3:24:25 PM Burgess
3:24:50 PM Leavitt
3:25:27 PM Scoggins
3:26:06 PM Vice-Chair Riley
3:26:18 PM Chair Holvey
3:26:19 PM Rep. Tomei
3:26:56 PM Leavitt
3:28:34 PM Rep. Tomei
3:28:35 PM Chair Holvey
3:28:37 PM Rep. Tomei
3:29:03 PM Leavitt
3:29:06 PM Burgess
3:29:34 PM Rep. Tomei
3:29:36 PM Scoggins
3:29:37 PM Rep. Tomei
3:29:38 PM Scoggins
3:31:14 PM Rep. Tomei
3:31:22 PM Burgess
3:31:42 PM Rep. Tomei
3:31:43 PM Chair Holvey
3:31:45 PM Rep. Barton

3:32:15 PM Leavitt
3:32:33 PM Scoggins
3:33:29 PM Rep. Barton
3:34:05 PM Chair Holvey
3:34:37 PM Rep. Barton
3:34:43 PM Vice-Chair Riley
3:34:44 PM Rep. Barton
3:34:46 PM Chair Holvey
3:34:53 PM Scoggins
3:35:35 PM Chair Holvey
3:36:04 PM SB 438A-Work Session
3:36:22 PM Vice-Chair Riley
3:36:23 PM Chair Holvey
3:36:25 PM MOTION: Rep. Riley moves SB438A DO PASS
3:36:30 PM Chair Holvey
3:36:45 PM VOTE: 9-0-1
3:36:45 PM Ayes: Barton, Gilliam, Krieger, Matthews, Tomei, Wingard, Weidner, Riley, Holvey; Excused: Cowan
3:37:10 PM Chair Holvey
3:37:21 PM Rep. Barton
3:37:23 PM Chair Holvey
3:37:24 PM Rep. Barton
3:37:27 PM Chair Holvey
3:37:29 PM Rep. Barton
3:37:31 PM Rep. Matthews
3:37:35 PM Chair Holvey
3:37:39 PM Rep. Tomei
3:37:47 PM Rep. Barton
3:37:49 PM Chair Holvey
3:37:54 PM Rep. Barton
3:38:06 PM Chair Holvey
3:38:09 PM Rep. Barton
3:38:10 PM Chair Holvey
3:38:14 PM CARRIER: REP. BARTON will lead discussion on the floor
3:38:38 PM SB 239A-Public Hearing
3:38:45 PM Victoria Cox, Committee Administrator
3:39:19 PM Chair Holvey
3:39:31 PM Gary Blacklidge, Member, Oregon State Bar
3:39:32 PM {Exhibit} 4: Blacklidge
3:44:49 PM Chair Holvey
3:44:50 PM Vice-Chair Riley
3:45:22 PM Blacklidge
3:45:32 PM Vice-Chair Riley
3:45:33 PM Blacklidge
3:46:48 PM Vice-Chair Riley
3:46:49 PM Chair Holvey

3:46:50 PM Vice-Chair Riley
3:47:09 PM Blacklidge
3:47:15 PM Vice-Chair Riley
3:47:16 PM Blacklidge
3:47:29 PM Chair Holvey
3:47:30 PM Vice-Chair Riley
3:47:45 PM Blacklidge
3:47:47 PM Vice-Chair Weidner
3:47:50 PM Blacklidge
3:47:56 PM Vice-Chair Riley
3:47:59 PM Chair Holvey
3:48:00 PM Vice-Chair Riley
3:48:25 PM Blacklidge
3:49:36 PM Vice-Chair Riley
3:49:39 PM Chair Holvey
3:49:41 PM Rep. Gilliam
3:49:42 PM Chair Holvey
3:49:43 PM Rep. Gilliam
3:50:23 PM Blacklidge
3:51:00 PM Rep. Gilliam
3:51:03 PM Chair Holvey
3:51:12 PM Rep. Gilliam
3:51:16 PM Chair Holvey
3:51:18 PM Rep. Tomei
3:51:31 PM Blacklidge
3:51:33 PM Chair Holvey
3:51:52 PM SB 239A-Work Session
3:51:59 PM Vice-Chair Riley
3:52:00 PM MOTION: Rep. Riley moves SB239A DO PASS
3:52:05 PM Chair Holvey
3:52:17 PM VOTE: 9-0-1
3:52:17 PM Ayes: Barton, Gilliam, Krieger, Matthews, Tomei, Wingard,
Weidner, Riley, Holvey; Excused: Cowan
3:52:41 PM Chair Holvey
3:52:52 PM Vice-Chair Riley
3:52:53 PM CARRIER: REP. RILEY will lead discussion on the floor
3:53:05 PM SB 240-Public Hearing
3:53:14 PM Victoria Cox, Committee Administrator
3:53:55 PM Chair Holvey
3:54:03 PM Mark Comstock, Attorney, Salem, Oregon
3:54:04 PM {Exhibit} 5: Comstock
3:57:05 PM Chair Holvey
3:57:07 PM Rep. Barton
3:57:57 PM Comstock
3:59:11 PM Rep. Barton
3:59:12 PM Chair Holvey

3:59:13 PM Rep. Barton
3:59:54 PM Comstock
4:00:44 PM Rep. Barton
4:00:46 PM Chair Holvey
4:01:20 PM SB 240-Work Session
4:01:25 PM Vice-Chair Riley
4:01:26 PM MOTION: Rep. Riley moves SB240 DO PASS
4:01:31 PM Chair Holvey
4:01:37 PM Rep. Gilliam
4:02:00 PM Chair Holvey
4:02:21 PM Rep. Gilliam
4:02:22 PM Chair Holvey
4:02:40 PM VOTE: 10-0-0
4:02:40 PM Ayes: Barton, Cowan, Gilliam, Krieger, Matthews, Tomei, Wingard, Weidner, Riley, Holvey
4:04:01 PM Chair Holvey
4:04:15 PM CARRIER: REP. GILLIAM will lead discussion on the floor
4:04:17 PM Rep. Gilliam
4:04:18 PM Chair Holvey
4:04:40 PM SB 438A-Work Session
4:04:43 PM MOTION: Rep. Holvey moves that the RULES BE SUSPENDED to allow Rep. Cowan to VOTE: AYE on SB 438A
4:04:51 PM Rep. Cowan
4:04:52 PM VOTE: 10-0-0
4:04:52 PM Ayes: Barton, Cowan, Gilliam, Krieger, Matthews, Tomei, Wingard, Weidner, Riley, Holvey
4:04:56 PM Chair Holvey
4:05:12 PM SB 239A-Work Session
4:05:15 PM MOTION: Rep. Holvey moves that the RULES BE SUSPENDED to allow Rep. Cowan to VOTE: AYE on SB 239A
4:05:27 PM Rep. Cowan
4:05:28 PM VOTE: 10-0-0
4:05:28 PM Ayes: Barton, Cowan, Gilliam, Krieger, Matthews, Tomei, Wingard, Weidner, Riley, Holvey
4:05:28 PM Chair Holvey
4:05:43 PM SB 386A-Public Hearing
4:05:50 PM Victoria Cox, Committee Administrator
4:06:29 PM Chair Holvey
4:06:48 PM Senator Suzanne Bonamici, Senate District 17
4:06:49 PM {Exhibit} 6: Sen. Bonamici
4:13:56 PM Chair Holvey
4:14:00 PM Rep. Cowan
4:14:03 PM Sen. Bonamici
4:14:05 PM Rep. Cowan
4:14:24 PM Sen. Bonamici
4:15:10 PM Chair Holvey

4:15:15 PM Vice-Chair Weidner
4:15:18 PM Sen. Bonamici
4:15:20 PM Vice-Chair Weidner
4:15:54 PM Sen. Bonamici
4:16:17 PM Vice-Chair Weidner
4:16:25 PM Sen. Bonamici
4:16:54 PM Chair Holvey
4:16:57 PM Rep. Wingard
4:17:06 PM Chair Holvey
4:17:17 PM Sen. Bonamici
4:17:19 PM Chair Holvey
4:17:40 PM Justin Baxter, Consumer Lawyer, Baxter & Baxter, LLP, Attorneys
at Law
4:17:41 PM {Exhibit} 7: Baxter
4:21:50 PM Chair Holvey
4:21:52 PM Rep. Wingard
4:22:04 PM Baxter
4:22:14 PM Rep. Wingard
4:22:15 PM Chair Holvey
4:22:19 PM Rep. Wingard
4:22:27 PM Baxter
4:24:17 PM Rep. Wingard
4:24:18 PM Chair Holvey
4:24:20 PM Rep. Wingard
4:24:41 PM Baxter
4:25:26 PM Rep. Wingard
4:25:42 PM Baxter
4:26:43 PM Rep. Wingard
4:26:45 PM Chair Holvey
4:26:47 PM Rep. Matthews
4:27:10 PM Baxter
4:28:40 PM Chair Holvey
4:29:14 PM Keith Karnes, Attorney-at-Law, Olsen, Olsen and Daines
4:29:27 PM Chair Holvey
4:29:30 PM Sherie Coila, Victim, Identify Theft
4:33:23 PM Karnes
4:35:22 PM Chair Holvey
4:35:25 PM Vice-Chair Weidner
4:35:47 PM Karnes
4:36:24 PM Chair Holvey
4:36:25 PM Rep. Tomei
4:36:47 PM Karnes
4:38:00 PM Rep. Tomei
4:38:01 PM Chair Holvey
4:38:03 PM Rep. Matthews
4:38:06 PM Chair Holvey

4:38:09 PM Vice-Chair Weidner
4:38:24 PM Karnes
4:38:55 PM Chair Holvey
4:39:44 PM Jim Markee, Representative, Oregon Collector's Association
4:39:45 PM {Exhibit} 8: Markee
4:50:50 PM Chair Holvey
4:51:01 PM Paul Cosgrove, Representative, Oregon Financial Services Association
4:51:58 PM Rep. Tomei
4:52:00 PM Chair Holvey
4:52:02 PM Rep. Tomei
4:52:12 PM Cosgrove
4:52:50 PM Rep. Tomei
4:52:52 PM Chair Holvey
4:53:27 PM Markee
4:53:34 PM Chair Holvey
4:54:07 PM Markee
4:54:31 PM Chair Holvey
4:54:54 PM Angela Martin, Representative, Our Oregon
4:54:55 PM {Exhibit} 9: Martin
4:54:56 PM Chair Holvey
4:54:58 PM Martin
4:59:49 PM Chair Holvey
4:59:51 PM Vice-Chair Riley
5:00:16 PM Rep. Krieger
5:00:17 PM Chair Holvey
5:00:18 PM Rep. Krieger
5:00:35 PM Chair Holvey
5:01:18 PM The following written testimony was submitted for the record without public testimony:
5:01:19 PM {Exhibit} 10: Rick Bennett, Representative, AARP
5:01:19 PM {Exhibit} 11: Matt Wallace, Consumer Advocate, OSPIRG
5:01:19 PM {Exhibit} 12: Sybil Hebb, Representative, Oregon Law Center
5:01:19 PM Meeting Adjourned

HCP

5/11/2009 3:06:14 PM

- 3:07:33 PM {Exhibit} 1: SB 438A, written testimony, Pam Leavitt, 2 pp
 - 3:09:11 PM {Exhibit} 2: SB 438A, written testimony, Hal Scoggins, 3 pp
 - 3:12:21 PM {Exhibit} 3: SB 438A, written testimony, Scott Burgess, 2 pp
 - 3:39:32 PM {Exhibit} 4: SB 239A, written testimony, Gary Blacklidge, 2 pp
 - 3:54:04 PM {Exhibit} 5: SB 240, written testimony, Mark Comstock, 2 pp
 - 4:06:49 PM {Exhibit} 6: SB 386A, written testimony, Sen. Bonamici, 3 pp
 - 4:17:41 PM {Exhibit} 7: SB 386A, written testimony, Justin Baxter, 2 pp
 - 4:39:45 PM {Exhibit} 8: SB 386A, written testimony, Jim Markee, 2 pp
 - 4:54:55 PM {Exhibit} 9: SB 386A, written testimony, Angela Martin, 2 pp
 - 5:01:19 PM {Exhibit} 10: SB 386A, written testimony, Rick Bennett, 1 p
 - 5:01:19 PM {Exhibit} 11: SB 386A, written testimony, Matt Wallace, 1 p
 - 5:01:19 PM {Exhibit} 12: SB 386A, written testimony, Sybil Hebb, 2 pp
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