

**HOUSE SPECIAL SESSION COMMITTEE ON CONSUMER  
PROTECTION AND GOVERNMENT ACCOUNTABILITY**

February 8, 2010  
3:30 P.M.

Hearing Room D

**MEMBERS PRESENT:** Rep. Paul Holvey, Chair  
Rep. Vic Gilliam, Vice-Chair  
Rep. Chuck Riley, Vice-Chair  
Rep. Wayne Krieger  
Rep. Greg Matthews  
Rep. Jefferson Smith  
Rep. Carolyn Tomei  
Rep. Gene Whisnant  
Rep. Matt Wingard

**STAFF PRESENT:** Patrick Brennan, Committee Administrator  
Cindy Hupp, Committee Assistant

**MEASURES/ISSUES HEARD:** HB 3659 - Public Hearing and Work Session  
HB 3694 - Public Hearing and Work Session  
HB 3615 - Public Hearing

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

**HCPGA**

**2/8/2010 3:37:11 PM**

**3:37:15 PM** Meeting Called to Order by Chair Holvey

**3:38:28 PM** **HB 3659-Public Hearing**

**3:38:42 PM** **HB 3659-Work Session**

**3:38:53 PM** {Exhibit} 1: Patrick Brennan, Committee Administrator

**3:40:01 PM** Rep. Whisnant

**3:40:03 PM** Chair Holvey

**3:40:07 PM** Rep. Whisnant

**3:40:18 PM** Chair Holvey

**3:41:08 PM** Tom Jovick, Administrator, Oregon Medical Insurance Pool

**3:41:50 PM** Rep. Whisnant

**3:41:52 PM** Chair Holvey

**3:41:53 PM** Rep. Whisnant

**3:41:58 PM** Jovick

**3:42:25 PM** Vice-Chair Riley

**3:42:26 PM** Chair Holvey

**3:42:27 PM** MOTION: Vice-Chair Riley moves -2 amendments

**3:42:37 PM** Chair Holvey

**3:42:57 PM** VOTE: 9-0-0

**3:42:57 PM** Ayes: Reps. Krieger, Matthews, Smith J., Tomei, Whisnant,  
Wingard, Gilliam, Riley, Holvey

**3:43:19 PM** Chair Holvey

**3:43:28 PM** Vice-Chair Riley

**3:43:31 PM** Rep. Wingard

**3:43:36 PM** Chair Holvey

**3:43:52 PM** Brennan

**3:44:04 PM** Chair Holvey

**3:44:19 PM** MOTION: Rep. Wingard moves -3 amendments

**3:44:38 PM** Chair Holvey

**3:44:40 PM** Meeting Recessed

**3:47:37 PM** Meeting Reconvened

**3:48:30 PM** Rep. Wingard

**3:48:31 PM** Chair Holvey

**3:48:32 PM** {Exhibit} 2-3: Rep. Wingard

**3:49:35 PM** Chair Holvey  
**3:49:45 PM** Rep. Wingard  
**3:50:02 PM** Chair Holvey  
**3:50:06 PM** Rep. Wingard  
**3:50:15 PM** Chair Holvey  
**3:50:17 PM** Rep. Smith J.  
**3:50:18 PM** Chair Holvey  
**3:50:19 PM** Rep. Smith J.  
**3:50:26 PM** Chair Holvey  
**3:50:33 PM** Rep. Smith J.  
**3:51:05 PM** Chair Holvey  
**3:52:02 PM** Rep. Smith J.  
**3:52:03 PM** Chair Holvey  
**3:52:04 PM** Rep. Smith J.  
**3:52:08 PM** Chair Holvey  
**3:52:09 PM** Rep. Smith J.  
**3:52:11 PM** Chair Holvey  
**3:52:18 PM** VOTE: 4-5-0  
**3:52:18 PM** Ayes: Reps. Krieger, Whisnant, Wingard, Gilliam; Nays: Matthews, Smith J., Tomei, Riley, Holvey  
**3:52:37 PM** Chair Holvey  
**3:52:46 PM** Rep. Wingard  
**3:52:47 PM** Chair Holvey  
**3:52:48 PM** MOTION: Rep. Wingard moves -4 amendments  
**3:52:52 PM** Chair Holvey  
**3:53:08 PM** Rep. Wingard  
**3:53:09 PM** Chair Holvey  
**3:53:10 PM** {Exhibit} 4: Rep. Wingard  
**3:54:19 PM** Chair Holvey  
**3:54:23 PM** Rep. Smith J.  
**3:55:05 PM** Chair Holvey  
**3:55:15 PM** Vice-Chair Gilliam  
**3:55:29 PM** Chair Holvey  
**3:55:44 PM** VOTE: 4-5-0  
**3:55:44 PM** Ayes: Reps. Krieger, Whisnant, Wingard, Gilliam, Nays: Matthews, Smith J., Tomei, Riley, Holvey  
**3:56:05 PM** Chair Holvey  
**3:56:16 PM** MOTION: Vice-Chair Riley moves HB 3659 DO PASS as AMENDED & REFER to Ways and Means  
**3:56:28 PM** Chair Holvey  
**3:56:45 PM** VOTE: 9-0-0  
**3:56:45 PM** Ayes: Reps. Krieger, Matthews, Smith J., Tomei, Whisnant, Wingard, Gilliam, Riley, Holvey  
**3:57:04 PM** Chair Holvey

**3:57:58 PM HB 3694-Public Hearing**

**3:58:17 PM** Patrick Brennan, Committee Administrator

**3:58:21 PM** Chair Holvey

**3:58:22 PM** {Exhibit} 5: Brennan

**3:59:06 PM** Chair Holvey

**3:59:18 PM** {Exhibit} 6: Brian Boe, Representative, Cal-Am Properties, Inc.

**4:01:27 PM** Chair Holvey

**4:01:42 PM** Boe

**4:01:44 PM** Chair Holvey

**4:01:47 PM** Boe

**4:01:56 PM** Chair Holvey

**4:02:15 PM** Boe

**4:02:18 PM** Chair Holvey

**4:02:23 PM** Boe

**4:02:26 PM** Chair Holvey

**4:02:28 PM** Boe

**4:02:37 PM** Chair Holvey

**4:03:33 PM** John VanLandingham, Advocate, Lane County Legal Aid and  
Advocacy Center

**4:04:49 PM** Chair Holvey

**4:04:57 PM** VanLandingham

**4:05:12 PM** Chair Holvey

**4:05:19 PM** VanLandingham

**4:06:17 PM** Chair Holvey

**4:06:32 PM** VanLandingham

**4:07:34 PM** Chair Holvey

**4:07:36 PM** Rep. Whisnant

**4:07:45 PM** VanLandingham

**4:08:11 PM** Rep. Whisnant

**4:08:12 PM** Chair Holvey

**4:08:13 PM** Rep. Whisnant

**4:08:18 PM** VanLandingham

**4:08:25 PM** Rep. Whisnant

**4:08:26 PM** Chair Holvey

**4:08:27 PM** Rep. Whisnant

**4:08:28 PM** VanLandingham

**4:08:50 PM** Chair Holvey

**4:09:22 PM HB 3694-Work Session**

**4:09:28 PM** MOTION: Rep. Tomei moves -1 amendments

**4:09:32 PM** Chair Holvey

**4:09:44 PM** VOTE: 9-0-0

**4:09:44 PM** Ayes: Reps. Krieger, Matthews, Smith J., Tomei, Whisnant,  
Wingard, Gilliam, Riley, Holvey

**4:10:04 PM** Chair Holvey

**4:10:40 PM    HB 3615-Public Hearing**

**4:10:52 PM**    {Exhibit} 7: Patrick Brennan, Committee Administrator

**4:11:25 PM**    Chair Holvey

**4:11:38 PM**    Rep. Nick Kahl, House District 49

**4:11:46 PM**    Chair Holvey

**4:11:49 PM**    Rep. Kahl

**4:20:44 PM**    Rep. Krieger

**4:20:45 PM**    Chair Holvey

**4:20:48 PM**    Rep. Krieger

**4:20:54 PM**    Rep. Kahl

**4:20:59 PM**    Chair Holvey

**4:21:00 PM**    Rep. Whisnant

**4:21:13 PM**    Rep. Kahl

**4:22:09 PM**    Chair Holvey

**4:23:27 PM**    {Exhibit} 8: Randy Dagel, Owner, Lents Body Shop, Inc.

**4:28:35 PM**    Chair Holvey

**4:28:43 PM**    Dagel

**4:30:31 PM**    Chair Holvey

**4:30:37 PM**    Jon Bartholomew, Representative, Oregon State Public Interest  
Research Group (OSPIRG)

**4:33:34 PM**    Chair Holvey

**4:33:37 PM**    Rep. Tomei

**4:33:40 PM**    Chair Holvey

**4:33:41 PM**    Rep. Tomei

**4:33:45 PM**    Dagel

**4:33:46 PM**    Rep. Tomei

**4:34:02 PM**    Dagel

**4:34:05 PM**    Rep. Tomei

**4:34:15 PM**    Dagel

**4:34:20 PM**    Rep. Tomei

**4:34:22 PM**    Dagel

**4:34:29 PM**    Rep. Tomei

**4:34:30 PM**    Chair Holvey

**4:35:03 PM**    {Exhibit} 9: John C. Powell, Associate, John Powell & Associates

**4:39:33 PM**    Chair Holvey

**4:39:58 PM**    Powell

**4:39:59 PM**    Chair Holvey

**4:40:02 PM**    Powell

**4:41:51 PM**    Chair Holvey

**4:41:53 PM**    Steve Murrell, Claims Attorney, State Farm Insurance Companies

**4:42:27 PM**    Mike Dewey, Representative, ODS Health Plans, Inc.

**4:43:39 PM**    Chair Holvey

**4:43:42 PM**    Vice-Chair Riley

**4:43:56 PM**    Chair Holvey

**4:43:58 PM** Vice-Chair Gilliam  
**4:44:07 PM** Chair Holvey  
**4:44:18 PM** Brennan  
**4:44:27 PM** Vice-Chair Gilliam  
**4:44:31 PM** Chair Holvey  
**4:44:33 PM** Vice-Chair Gilliam  
**4:44:35 PM** Chair Holvey  
**4:44:38 PM** Vice-Chair Gilliam  
**4:44:56 PM** Powell  
**4:45:10 PM** Murrell  
**4:45:17 PM** Dewey  
**4:45:43 PM** Chair Holvey  
**4:45:47 PM** Rep. Smith J.  
**4:45:51 PM** Chair Holvey  
**4:46:32 PM** {Exhibit} 10: Richard Kingsley, Cammack-Kingsley, Stayton, Oregon  
**4:48:19 PM** Chair Holvey  
**4:48:22 PM** Gala Cheek, Resident, Gresham, Oregon  
**4:49:28 PM** The following written testimony was submitted for the record without public testimony:  
**4:49:29 PM** {Exhibit} 11: Jim Bybee, Co-Owner, Stamm Stuart Bybee Insurance  
**4:49:43 PM** Edward Davis, Representative, Independent Insurance Agents of Oregon  
**4:53:37 PM** Chair Holvey  
**4:53:40 PM** Davis  
**4:53:42 PM** Chair Holvey  
**4:54:18 PM** Angela Martin, Representative, Our Oregon  
**4:54:23 PM** Renee Maxwell, Resident, Portland, Oregon  
**4:56:40 PM** Chair Holvey  
**4:56:42 PM** {Exhibit} 12-13: Martin  
**5:00:00 PM** Chair Holvey  
**5:00:03 PM** Martin  
**5:00:31 PM** Chair Holvey  
**5:00:32 PM** Martin  
**5:00:34 PM** Chair Holvey  
**5:01:03 PM** Rep. Tomei  
**5:01:33 PM** Chair Holvey  
**5:01:41 PM** {Exhibit} 14: Tim Martinez, Representative, Oregon Bankers Association  
**5:03:17 PM** Melissa Briggs, General Counsel, Oregon Bankers Association  
**5:05:03 PM** Paul Cosgrove, Representative, Oregon Financial Services Association  
**5:06:14 PM** Chair Holvey  
**5:06:49 PM** {Exhibit} 15: Phil Goldsmith, Attorney, Portland, Oregon  
**5:10:22 PM** Chair Holvey

**5:10:26 PM** Scott Winkels, Representative, League of Oregon Cities  
**5:11:54 PM** Chair Holvey  
**5:11:58 PM** Rep. Wingard  
**5:11:59 PM** Chair Holvey  
**5:12:00 PM** Rep. Wingard  
**5:12:01 PM** Chair Holvey  
**5:12:02 PM** Rep. Wingard  
**5:12:22 PM** Winkels  
**5:12:58 PM** Rep. Wingard  
**5:13:06 PM** Chair Holvey  
**5:13:08 PM** Rep. Matthews  
**5:13:30 PM** Winkels  
**5:13:51 PM** Rep. Matthews  
**5:13:52 PM** Chair Holvey  
**5:13:53 PM** Rep. Matthews  
**5:14:03 PM** Winkels  
**5:14:28 PM** Rep. Matthews  
**5:15:10 PM** Goldsmith  
**5:15:30 PM** Chair Holvey  
**5:16:20 PM** {Exhibit} 16: Cory Streisinger, Director, Department of Consumer and Business Services  
**5:24:41 PM** Chair Holvey  
**5:24:45 PM** Keith Dubanevich, Chief of Staff, Special Counsel, Office of the Attorney General, Department of Justice  
**5:28:44 PM** Chair Holvey  
**5:29:32 PM** Streisinger  
**5:30:02 PM** Chair Holvey  
**5:30:04 PM** Dubanevich  
**5:30:13 PM** Chair Holvey  
**5:31:05 PM** Dubanevich  
**5:31:39 PM** Chair Holvey  
**5:31:40 PM** Streisinger  
**5:31:46 PM** Chair Holvey  
**5:31:52 PM** Rep. Smith J.  
**5:31:54 PM** Chair Holvey  
**5:31:56 PM** Rep. Smith J.  
**5:32:08 PM** Streisinger  
**5:32:38 PM** Chair Holvey  
**5:32:40 PM** Streisinger  
**5:32:45 PM** Rep. Smith J.  
**5:32:46 PM** Chair Holvey  
**5:32:47 PM** Rep. Smith J.  
**5:33:22 PM** Dubanevich  
**5:33:45 PM** Rep. Smith J.  
**5:33:58 PM** Dubanevich

**5:34:06 PM** Chair Holvey  
**5:34:09 PM** Rep. Wingard  
**5:34:20 PM** Streisinger  
**5:35:45 PM** Rep. Wingard  
**5:35:47 PM** Chair Holvey  
**5:35:48 PM** Rep. Matthews  
**5:36:57 PM** Streisinger  
**5:37:15 PM** Dubanevich  
**5:37:31 PM** Rep. Matthews  
**5:37:45 PM** Chair Holvey  
**5:38:12 PM** Dubanevich  
**5:39:26 PM** Streisinger  
**5:39:52 PM** Chair Holvey  
**5:39:59 PM** Streisinger  
**5:40:00 PM** Chair Holvey  
**5:40:01 PM** Streisinger  
**5:40:18 PM** Chair Holvey  
**5:41:51 PM** The following written testimony was submitted for the record  
without public testimony:  
**5:41:52 PM** {Exhibit} 17: Rick Bennett, Director of Government Relations, AARP  
Oregon  
**5:41:52 PM** {Exhibit} 18: Pam Leavitt, Representative, Credit Union Association  
of Oregon  
**5:41:52 PM** Meeting Adjourned by Chair Holvey

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**HCPGA**

**2/8/2010 3:37:11 PM**

- 3:38:53 PM** {Exhibit} 1: HB 3659, -2 amendments, staff, 2 pp
  - 3:48:32 PM** {Exhibit} 2: HB 3659, -3 amendments, staff, 2 pp
  - 3:48:32 PM** {Exhibit} 3: HB 3659, written testimony, Joan Calhoun, 1 p
  - 3:53:10 PM** {Exhibit} 4: HB 3659, -4 amendments, staff, 2 pp
  - 3:58:22 PM** {Exhibit} 5: HB 3694, -1 amendments, staff, 2 pp
  - 3:59:18 PM** {Exhibit} 6: HB 3694, written testimony, Brian Boe, 1 p
  - 4:10:52 PM** {Exhibit} 7: HB 3615, -1 amendments, staff, 2 pp
  - 4:23:27 PM** {Exhibit} 8: HB 3615, written testimony, Randy Dagel, 10 pp
  - 4:35:03 PM** {Exhibit} 9: HB 3615, statement in opposition, John C. Powell, 79 pp
  - 4:46:32 PM** {Exhibit} 10: HB 3615, written testimony, Richard Kingsley, 1 p
  - 4:49:29 PM** {Exhibit} 11: HB 3615, written testimony, Jim Bybee, 1 p
  - 4:56:42 PM** {Exhibit} 12: HB 3615, written testimony, Angela Martin, 2 pp
  - 4:56:42 PM** {Exhibit} 13: HB 3615, written testimony, Angela Martin, 1 p
  - 5:01:41 PM** {Exhibit} 14: HB 3615, statutes concerning financial institutions, Tim Martinez, 2 pp
  - 5:06:49 PM** {Exhibit} 15: HB 3615, written testimony, Phil Goldsmith, 3 pp
  - 5:16:20 PM** {Exhibit} 16: HB 3615, written testimony, Cory Streisinger, 12 pp
  - 5:41:52 PM** {Exhibit} 17: HB 3615, written testimony, Rick Bennett, 1 p
  - 5:41:52 PM** {Exhibit} 18: HB 3615, written testimony, Pam Leavitt, 3 pp
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