

**HOUSE COMMITTEE ON CONSUMER
PROTECTION AND GOVERNMENT EFFICIENCY**

March 14, 2013
1:00 PM

Hearing Room D

MEMBERS PRESENT: Rep. Paul Holvey, Chair
Rep. John Lively, Vice-Chair
Rep. Dennis Richardson, Vice-Chair
Rep. Margaret Doherty
Rep. Mark Johnson
Rep. Alissa Keny-Guyer
Rep. Greg Smith
Rep. Kim Thatcher
Rep. Jessica Vega Pederson

STAFF PRESENT: Bob Estabrook, Committee Administrator
Samantha White, Committee Assistant

MEASURES/ISSUES HEARD: HB 2824 – Public Hearing
HB 3159 – Public Hearing
HB 2929 – Public Hearing
HB 2568 – Work Session
HB 2569 – Work Session
HB 2346 – Work Session
HB 2936 – Public Hearing
HB 2525 – Public Hearing
HB 3160 – Public Hearing

Recording Log

1:04:04 PM Meeting Called to Order by Chair Holvey

1:04:05 PM Chair Holvey

1:04:37 PM **HB 2824 and HB 3159 - Public Hearing**

1:04:38 PM Chair Holvey

1:04:55 PM Kevin Jeffries, City Councilor, McMinnville, Oregon

1:10:25 PM Chair Holvey

1:10:53 PM Jeffries

1:11:05 PM Chair Holvey

1:11:26 PM **HB 3159 - Public Hearing**

1:11:27 PM Chair Holvey

1:11:40 PM {Exhibit} 1: Dale Hormann, Chief of Staff, Oregon Department of Transportation
1:12:59 PM Chair Holvey
1:13:10 PM {Exhibit} 2: witness registration

1:13:14 PM **HB 2929 - Public Hearing**
1:13:15 PM Chair Holvey
1:13:29 PM Bob Estabrook, Committee Administrator
1:14:18 PM Chair Holvey
1:14:36 PM {Exhibit} 3: Tori Klein, Associate General Counsel, Gorilla Capital
1:18:02 PM Chair Holvey
1:18:04 PM Rep. Smith
1:18:20 PM Klein
1:18:22 PM Rep. Smith
1:18:40 PM Klein
1:19:32 PM Rep. Smith
1:19:42 PM Klein
1:19:49 PM Rep. Smith
1:19:50 PM Klein
1:19:58 PM Chair Holvey
1:20:15 PM Klein
1:21:31 PM Rep. Smith
1:21:48 PM Klein
1:22:13 PM Rep. Smith
1:22:18 PM Klein
1:22:19 PM Rep. Smith
1:22:23 PM Klein
1:22:24 PM Rep. Smith
1:22:26 PM Klein
1:23:00 PM Rep. Smith
1:23:01 PM Chair Holvey
1:23:21 PM Andrew Shull, Civil Enforcement Division, Oregon Department of Justice
1:24:02 PM Chair Holvey
1:25:05 PM {Exhibit} 4: witness registration

1:25:08 PM **HB 2568 - Work Session**
1:25:11 PM Chair Holvey
1:25:16 PM Bob Estabrook, Committee Administrator
1:25:40 PM Chair Holvey
1:25:43 PM Estabrook
1:25:45 PM Chair Holvey
1:25:54 PM Estabrook
1:26:11 PM Chair Holvey
1:26:14 PM MOTION: VICE-CHAIR LIVELY MOVES HB 2568 DO PASS AND BE PLACED ON THE CONSENT CALENDAR
1:26:19 PM Chair Holvey

1:26:50 PM VOTE: 9-0-0
1:26:51 PM AYES: DOHERTY, JOHNSON, KENY-GUYER, SMITH, THATCHER, VEGA PEDERSON, LIVELY, RICHARDSON, HOLVEY
1:26:55 PM Chair Holvey

1:27:23 PM **HB 2569 - Work Session**
1:27:27 PM Chair Holvey
1:27:31 PM {Exhibit} 5: Bob Estabrook, Committee Administrator
1:28:02 PM Chair Holvey
1:28:03 PM MOTION: VICE-CHAIR LIVELY MOVES TO ADOPT THE -1 AMENDMENTS
1:28:17 PM Chair Holvey
1:28:31 PM VOTE: 9-0-0
1:28:32 PM AYES: DOHERTY, JOHNSON, KENY-GUYER, SMITH, THATCHER, VEGA PEDERSON, LIVELY, RICHARDSON, HOLVEY
1:28:33 PM MOTION: VICE-CHAIR LIVELY MOVES HB 2569 DO PASS AS AMENDED AND BE PLACED ON THE CONSENT CALENDAR
1:28:44 PM Chair Holvey
1:28:51 PM VOTE: 9-0-0
1:28:52 PM AYES: DOHERTY, JOHNSON, KENY-GUYER, SMITH, THATCHER, VEGA PEDERSON, LIVELY, RICHARDSON, HOLVEY
1:29:15 PM Chair Holvey
1:29:27 PM Vice-Chair Richardson
1:29:29 PM Chair Holvey

1:29:52 PM **HB 2346 - Work Session**
1:29:59 PM Chair Holvey
1:30:03 PM {Exhibit} 6: Bob Estabrook, Committee Administrator
1:30:31 PM Chair Holvey
1:30:40 PM Shawn Miller, Asurion
1:31:48 PM Chair Holvey
1:31:55 PM Miller
1:32:00 PM Chair Holvey
1:32:06 PM MOTION: VICE-CHAIR LIVELY MOVES TO ADOPT THE -2 AMENDMENTS
1:32:18 PM Chair Holvey
1:32:35 PM VOTE: 9-0-0
1:32:36 PM AYES: DOHERTY, JOHNSON, KENY-GUYER, SMITH, THATCHER, VEGA PEDERSON, LIVELY, RICHARDSON, HOLVEY
1:32:40 PM MOTION: VICE-CHAIR LIVELY MOVES HB 2346 DO PASS AS AMENDED
1:32:47 PM Chair Holvey
1:32:58 PM Estabrook
1:33:05 PM Chair Holvey
1:33:07 PM VOTE: 9-0-0
1:33:08 PM AYES: DOHERTY, JOHNSON, KENY-GUYER, SMITH, THATCHER,

VEGA PEDERSON, LIVELY, RICHARDSON, HOLVEY

1:33:09 PM CARRIER: REP. THATCHER WILL LEAD DISCUSSION ON THE FLOOR

1:33:27 PM Chair Holvey

1:33:35 PM Rep. Thatcher

1:33:37 PM Chair Holvey

1:33:39 PM Rep. Thatcher

1:33:41 PM Chair Holvey

1:33:58 PM **HB 2936 - Public Hearing**

1:33:59 PM Chair Holvey

1:34:22 PM Bob Estabrook, Committee Administrator

1:34:53 PM Chair Holvey

1:35:12 PM Becky Straus, American Civil Liberties Union of Oregon

1:38:30 PM Chair Holvey

1:38:55 PM Rep. Thatcher

1:39:19 PM Straus

1:40:04 PM Rep. Thatcher

1:40:22 PM Straus

1:41:18 PM Chair Holvey

1:41:55 PM Tim Martinez, Oregon Bankers Association; Independent Community
Banks of Oregon

1:46:28 PM Chair Holvey

1:46:53 PM Vice-Chair Richardson

1:47:11 PM Straus

1:48:54 PM Chair Holvey

1:49:09 PM {Exhibit} 7: witness registration

1:49:12 PM **HB 2525 and HB 3160 - Public Hearing**

1:50:00 PM Chair Holvey

1:51:14 PM {Exhibit} 8: Charley Merten, farmer, North Plains, Oregon

1:58:10 PM Chair Holvey

1:58:12 PM {Exhibit} 9: Angela Martin, Economic Fairness Oregon

2:01:52 PM Chair Holvey

2:02:05 PM Martin

2:02:22 PM Chair Holvey

2:02:51 PM Steve Patterson, Oregon Mutual Insurance

2:07:11 PM Chair Holvey

2:08:11 PM {Exhibit} 10-11: Karen Southworth Weaver, Professor, Insurance Law,
University of Washington School of Law

2:11:56 PM Chair Holvey

2:12:00 PM Weaver

2:14:07 PM Edward Davis, Director and Legislative Chair, Independent Insurance
Agents and Brokers of Oregon; Professional Insurance Agents of
Oregon/Idaho

2:16:41 PM Chair Holvey

2:17:01 PM Vice-Chair Richardson

2:17:05 PM Chair Holvey
2:17:08 PM Vice-Chair Richardson
2:17:09 PM Chair Holvey
2:17:11 PM Vice-Chair Richardson
2:17:14 PM Patterson
2:17:15 PM Vice-Chair Richardson
2:17:18 PM Patterson
2:17:22 PM Vice-Chair Richardson
2:17:41 PM Patterson
2:18:18 PM Vice-Chair Richardson
2:19:12 PM Weaver
2:20:00 PM Vice-Chair Richardson
2:20:09 PM Chair Holvey
2:21:48 PM {Exhibit} 12: Fred Millard, attorney, Portland, Oregon
2:26:17 PM Jason Skelton, attorney, Portland, Oregon
2:28:08 PM {Exhibit} 13: Wendi Rockholt, resident, Mulino, Oregon
2:29:59 PM Skelton
2:30:06 PM Chair Holvey
2:30:08 PM Skelton
2:30:50 PM Chair Holvey
2:30:52 PM Neil Jackson, attorney, Portland, Oregon
2:31:15 PM {Exhibit} 14: Sara Sjostrom, resident, Astoria, Oregon
2:33:50 PM Chair Holvey
2:33:54 PM {Exhibit} 15: David Killion, resident, Astoria, Oregon
2:36:31 PM Chair Holvey
2:37:26 PM {Exhibit} 16: Kathryn Silva, General Counsel, Zidell Companies
2:40:21 PM Chair Holvey
2:40:24 PM Silva
2:40:41 PM Chair Holvey
2:42:52 PM {Exhibit} 17: Don Jacobs, attorney, Vancouver, Washington
2:44:55 PM Chair Holvey
2:45:11 PM {Exhibit} 18-19: Tatiana Terdal, resident, Portland, Oregon
2:48:29 PM Chair Holvey
2:48:31 PM Terdal
2:50:50 PM {Exhibit} 20: Lee Mercer, The Main Street Alliance of Oregon
2:51:58 PM Chair Holvey
2:52:02 PM Drake Hood, attorney, Hillsboro, Oregon; Oregon Association of Defense Counsel
2:54:19 PM Chair Holvey
2:54:20 PM {Exhibit} 21: witness registration
2:54:21 PM {Exhibit} 22: witness registration
2:54:22 PM The following written testimony is submitted for the record without public testimony:
2:54:23 PM {Exhibit} 23: Ann Fisher, AF Legal & Consulting Services
2:54:24 PM {Exhibit} 24: Zita Nyitrai, resident, Astoria, Oregon
2:54:25 PM {Exhibit} 25-26: Marian Blankenship, PacificSource Health Plans

2:54:26 PM {Exhibit} 27-28: Lana Butterfield, The Professional Insurance Agents of Oregon and Idaho
2:54:27 PM {Exhibit} 29-30: Mike Courtney, President, Courtney Insurance Agency, Inc.
2:54:28 PM {Exhibit} 31-32: Wendy Abel-Hatzel, Vice President, Harry Abel Insurance Agency, Inc.
2:54:29 PM {Exhibit} 33-34: Kelsey Wood, Gordon Wood Insurance & Financial Services
2:54:30 PM {Exhibit} 35-36: Peter Ball, President, Corvallis Insurance Services, Inc.
2:54:31 PM {Exhibit} 37-38: Cynthia Powers, LeDoux Insurance Agency
2:54:32 PM {Exhibit} 39-40: Brian Crawford, Smith & Crakes, Inc.
2:54:33 PM {Exhibit} 41-42: Herm Deiss, Mid Valley General Agency LLC
2:54:34 PM {Exhibit} 43-44: Patrick O'Keefe, Cascade Insurance Center
2:54:35 PM {Exhibit} 45-46: Michael Bybee, Stamm Stuart Bybee Insurance Management, Inc.
2:54:36 PM {Exhibit} 47-48: Bob Foster, Rhodes-Warden Insurance Agency
2:54:37 PM {Exhibit} 49-50: Christian Rataj, Western State Affairs Manager, National Association of Mutual Insurance Companies
2:54:38 PM {Exhibit} 51-52: D.J. Vogt, Legislative Director, Oregon Business Association
2:54:39 PM {Exhibit} 53-54: John Powell, Standard Insurance Company; State Farm Insurance Companies; Liberty Mutual
2:54:40 PM {Exhibit} 55: Marilyn Happold-Latham, resident, Portland, Oregon
2:54:44 PM Meeting Adjourned by Chair Holvey

Exhibit Summary

1:11:40 PM {Exhibit} 1: HB 3159, written testimony, Dale Hormann, 2 pp
1:13:10 PM {Exhibit} 2: HB 3159, witness registration, staff, 1 p
1:14:36 PM {Exhibit} 3: HB 2929, written testimony, Tori Klein, 1 p
1:25:05 PM {Exhibit} 4: HB 2929, witness registration, staff, 1 p
1:27:31 PM {Exhibit} 5: HB 2569, -1 amendments, staff, 2 pp
1:30:03 PM {Exhibit} 6: HB 2346, -2 amendments, staff, 1 p
1:49:09 PM {Exhibit} 7: HB 2936, witness registration, staff, 1 p
1:51:14 PM {Exhibit} 8: HB 3160, written testimony, Charley Merten, 2 pp
1:58:12 PM {Exhibit} 9: HB 3160, written testimony, Angela Martin, 2 pp
2:08:11 PM {Exhibit} 10: HB 3160, written information, Karen Southworth Weaver, 5 pp
2:08:11 PM {Exhibit} 11: HB 2525, written information, Karen Southworth Weaver, 5 pp
2:21:48 PM {Exhibit} 12: HB 3160, written testimony of Michael Mckoen, Fred Millard, 2 pp
2:28:08 PM {Exhibit} 13: HB 3160, written testimony, Wendi Rockholt, 1 p
2:31:15 PM {Exhibit} 14: HB 3160, written testimony, Sara Sjostrom, 1 p

2:33:54 PM {Exhibit} 15: HB 3160, written testimony, David Killion, 1 p
2:37:26 PM {Exhibit} 16: HB 3160, written testimony, Kathryn Silva, 1 p
2:42:52 PM {Exhibit} 17: HB 3160, written testimony, Don Jacobs, 1 p
2:45:11 PM {Exhibit} 18: HB 2525, written testimony of Paul Terdal, Tatiana Terdal, 2 pp
2:45:11 PM {Exhibit} 19: HB 3160, written testimony of Paul Terdal, Tatiana Terdal, 2 pp
2:50:50 PM {Exhibit} 20: HB 3160, written testimony, Lee Mercer, 1 p
2:54:20 PM {Exhibit} 21: HB 2525, witness registration, staff, 1 p
2:54:21 PM {Exhibit} 22: HB 3160, witness registration, staff, 2 pp
2:54:23 PM {Exhibit} 23: HB 3160, written testimony, Ann Fisher, 2 pp
2:54:24 PM {Exhibit} 24: HB 3160, written testimony, Zita Nyitrai, 1 p
2:54:25 PM {Exhibit} 25: HB 2525, written testimony of PacificSource Health Plans, Marian Blankenship, 2 pp
2:54:25 PM {Exhibit} 26: HB 3160, written testimony of PacificSource Health Plans, Marian Blankenship, 2 pp
2:54:26 PM {Exhibit} 27: HB 2525, written testimony, Lana Butterfield, 1 p
2:54:26 PM {Exhibit} 28: HB 3160, written testimony, Lana Butterfield, 1 p
2:54:27 PM {Exhibit} 29: HB 2525, written testimony, Mike Courtney, 1 p
2:54:27 PM {Exhibit} 30: HB 3160, written testimony, Mike Courtney, 1 p
2:54:28 PM {Exhibit} 31: HB 2525, written testimony, Wendy Abel-Hatzel, 1 p
2:54:28 PM {Exhibit} 32: HB 3160, written testimony, Wendy Abel-Hatzel, 1 p
2:54:29 PM {Exhibit} 33: HB 2525, written testimony, Kelsey Wood, 1 p
2:54:29 PM {Exhibit} 34: HB 3160, written testimony, Kelsey Wood, 1 p
2:54:30 PM {Exhibit} 35: HB 2525, written testimony, Peter Ball, 1 p
2:54:30 PM {Exhibit} 36: HB 3160, written testimony, Peter Ball, 1 p
2:54:31 PM {Exhibit} 37: HB 2525, written testimony, Cynthia Powers, 1 p
2:54:31 PM {Exhibit} 38: HB 3160, written testimony, Cynthia Powers, 1 p
2:54:32 PM {Exhibit} 39: HB 2525, written testimony, Brian Crawford, 1 p
2:54:32 PM {Exhibit} 40: HB 3160, written testimony, Brian Crawford, 1 p
2:54:33 PM {Exhibit} 41: HB 2525, written testimony, Herm Deiss, 1 p
2:54:33 PM {Exhibit} 42: HB 3160, written testimony, Herm Deiss, 1 p
2:54:34 PM {Exhibit} 43: HB 2525, written testimony, Patrick O'Keefe, 1 p
2:54:34 PM {Exhibit} 44: HB 3160, written testimony, Patrick O'Keefe, 1 p
2:54:35 PM {Exhibit} 45: HB 2525, written testimony, Michael Bybee, 1 p
2:54:35 PM {Exhibit} 46: HB 3160, written testimony, Michael Bybee, 1 p
2:54:36 PM {Exhibit} 47: HB 2525, written testimony, Bob Foster, 1 p
2:54:36 PM {Exhibit} 48: HB 3160, written testimony, Bob Foster, 1 p
2:54:37 PM {Exhibit} 49: HB 2525, written testimony, Christian Rataj, 6 pp
2:54:37 PM {Exhibit} 50: HB 3160, written testimony, Christian Rataj, 6 pp
2:54:38 PM {Exhibit} 51: HB 2525, written testimony, D.J. Vogt, 1 p
2:54:38 PM {Exhibit} 52: HB 3160, written testimony, D.J. Vogt, 1 p
2:54:39 PM {Exhibit} 53: HB 2525, written testimony, John Powell, 88 pp
2:54:39 PM {Exhibit} 54: HB 3160, written testimony, John Powell, 88 pp
2:54:40 PM {Exhibit} 55: HB 3160, written testimony, Marilyn Happold-Latham, 2 pp