

**SENATE COMMITTEE ON GENERAL GOVERNMENT,
CONSUMER, AND SMALL BUSINESS PROTECTION**

May 08, 2013
3:00 PM

Hearing Room B

MEMBERS PRESENT: Sen. Chip Shields, Chair
Sen. Larry George, Vice-Chair
Sen. Herman Baertschiger
Sen. Laurie Monnes Anderson
Sen. Floyd Prozanski

STAFF PRESENT: Channa Newell, Committee Administrator
Jenny Craig, Committee Assistant

MEASURES/ISSUES HEARD: HB 2654 A – Work Session
HB 2528 – Work Session
HB 2914 – Work Session
HB 2241 – Public Hearing
HB 3160 A – Public Hearing

Recording Log

3:03:11 PM Meeting Called to Order by Chair Shields

3:04:39 PM **HB 2654 A - Work Session**

3:04:42 PM Channa Newell, Committee Administrator

3:05:09 PM Chair Shields

3:05:24 PM MOTION: SEN. MONNES ANDERSON MOVES HB 2654 DO PASS AS AMENDED

3:05:32 PM Chair Shields

3:05:41 PM VOTE: 4-0-1

3:05:42 PM AYES: BAERTSCHIGER, MONNES ANDERSON, PROZANSKI, SHIELDS

3:05:43 PM EXCUSED: GEORGE

3:05:50 PM Chair Shields

3:05:54 PM Newell

3:05:59 PM Chair Shields

3:06:09 PM Newell

3:06:10 PM Chair Shields

3:06:11 PM Newell

3:06:14 PM Chair Shields
3:06:16 PM CARRIER: SEN. STARR AND SEN. BURDICK WILL LEAD DISCUSSION
ON THE FLOOR
3:06:19 PM Sen. Baertschiger
3:06:21 PM Newell
3:06:23 PM Chair Shields
3:06:27 PM Newell
3:06:28 PM Sen. Monnes Anderson
3:06:29 PM Chair Shields
3:06:37 PM Sen. Prozanski
3:06:38 PM Chair Shields

3:06:49 PM **HB 2528 - Work Session**
3:06:52 PM Channa Newell, Committee Administrator
3:07:17 PM Chair Shields
3:07:19 PM MOTION: SEN. MONNES ANDERSON MOVES HB 2528 DO PASS
3:07:23 PM Chair Shields
3:07:33 PM VOTE: 4-0-1
3:07:34 PM AYES: BAERTSCHIGER, MONNES ANDERSON, PROZANSKI,
SHIELDS
3:07:35 PM EXCUSED: GEORGE
3:07:43 PM Chair Shields
3:07:44 PM CARRIER: SEN. PROZANSKI WILL LEAD DISCUSSION ON THE
FLOOR
3:07:45 PM Chair Shields

3:07:51 PM **HB 2914 - Work Session**
3:07:53 PM Channa Newell, Committee Administrator
3:08:09 PM Chair Shields
3:08:10 PM MOTION: SEN. MONNES ANDERSON MOVES HB 2914 DO PASS
3:08:15 PM Chair Shields
3:08:25 PM VOTE: 4-0-1
3:08:26 PM AYES: BAERTSCHIGER, MONNES ANDERSON, PROZANSKI,
SHIELDS
3:08:27 PM EXCUSED: GEORGE
3:08:34 PM Chair Shields
3:08:37 PM CARRIER: SEN. MONNES ANDERSON WILL LEAD DISCUSSION ON
THE FLOOR
3:08:39 PM Chair Shields

3:08:44 PM **HB 2241 - Public Hearing**
3:08:46 PM Channa Newell, Committee Administrator
3:09:40 PM Chair Shields
3:09:41 PM {Exhibit} 1-2: Lou Savage, Insurance Commissioner, Insurance Division,
Department of Consumer and Business Services, State of Oregon
3:11:07 PM {Exhibit} 3: Russell Latham, Chief Examiner, Insurance Division,

Department of Consumer and Business Services, State of Oregon

3:15:55 PM Chair Shields
3:15:57 PM Sen. Baertschiger
3:16:04 PM Latham
3:17:27 PM Savage
3:17:49 PM Sen. Baertschiger
3:18:18 PM Latham
3:20:09 PM Sen. Baertschiger
3:20:24 PM Savage
3:21:07 PM Chair Shields
3:21:18 PM Savage
3:21:24 PM Chair Shields
3:21:34 PM Savage
3:21:57 PM Chair Shields
3:21:59 PM Savage
3:22:00 PM Chair Shields
3:22:01 PM Savage
3:22:08 PM Chair Shields
3:22:35 PM John Mangan, Regional Vice-President, American Council of Life Insurers
3:23:49 PM Chair Shields
3:24:16 PM Mangan
3:24:57 PM Chair Shields
3:25:01 PM Mangan
3:25:43 PM Chair Shields
3:27:22 PM {Exhibit} 4: witness registration
3:27:23 PM Meeting Recessed
4:00:58 PM Meeting Reconvened
4:00:59 PM Chair Shields

4:01:48 PM **HB 3160 A - Public Hearing**
4:01:54 PM Chair Shields
4:01:55 PM {Exhibit} 5: Jan Meekoms, National Federation of Independent Business
4:03:59 PM Chair Shields
4:04:00 PM {Exhibit} 6: Justin Delaney, Vice President of Corporate Legal and Public Affairs, The Standard Insurance
4:08:40 PM Chair Shields
4:08:48 PM Vice-Chair George
4:09:15 PM Delaney
4:09:51 PM Chair Shields
4:10:46 PM {Exhibit} 7: Jim Keogh, Economic Policy Analyst, Policy and Legislative Affairs, Washington State Office of the Insurance Commissioner
4:18:31 PM Chair Shields
4:18:35 PM Keogh
4:18:51 PM Chair Shields
4:18:52 PM Vice-Chair George
4:20:03 PM Keogh

4:22:33 PM Chair Shields
4:22:34 PM Keogh
4:22:38 PM Vice-Chair George
4:23:39 PM Keogh
4:24:53 PM Chair Shields
4:24:54 PM Sen. Monnes Anderson
4:25:14 PM Keogh
4:25:31 PM Sen. Monnes Anderson
4:25:50 PM Keogh
4:26:03 PM Chair Shields
4:26:05 PM Sen. Prozanski
4:26:24 PM Chair Shields
4:26:36 PM Sen. Prozanski
4:26:37 PM Chair Shields
4:27:27 PM Patrick Allen, Director, Oregon Department of Consumer and Business Services
4:28:53 PM Chair Shields
4:28:54 PM Sen. Monnes Anderson
4:29:39 PM Allen
4:30:33 PM Sen. Monnes Anderson
4:30:37 PM Allen
4:30:42 PM Sen. Monnes Anderson
4:30:54 PM Allen
4:31:07 PM Sen. Monnes Anderson
4:31:08 PM Chair Shields
4:31:09 PM Vice-Chair George
4:31:38 PM Allen
4:32:07 PM Vice-Chair George
4:32:09 PM Allen
4:32:40 PM Chair Shields
4:33:19 PM {Exhibit} 8: Elaine Beeble, Mt. Hood Women's Health
4:33:20 PM Chair Shields
4:33:39 PM Beeble
4:33:54 PM Chair Shields
4:34:01 PM Beeble
4:38:08 PM Chair Shields
4:38:12 PM Beeble
4:38:13 PM Chair Shields
4:38:15 PM Beeble
4:38:17 PM Chair Shields
4:38:21 PM Sen. Monnes Anderson
4:38:29 PM Beeble
4:38:31 PM Sen. Monnes Anderson
4:38:37 PM Beeble
4:39:17 PM Sen. Monnes Anderson
4:39:36 PM Beeble

4:39:57 PM Chair Shields
4:40:15 PM Beeble
4:40:33 PM Chair Shields
4:41:05 PM Jim Guse, attorney, Ball Janik, Portland, Oregon
4:50:46 PM Chair Shields
4:50:49 PM Vice-Chair George
4:51:46 PM Guse
4:51:47 PM Vice-Chair George
4:52:00 PM Guse
4:53:50 PM Chair Shields
4:53:52 PM Vice-Chair George
4:54:43 PM Guse
4:56:26 PM Chair Shields
4:56:51 PM {Exhibit} 9: Joan Weaver, resident, Corvallis, Oregon
4:57:06 PM Jerry Weaver, resident, Corvallis, Oregon
4:57:08 PM Joan Weaver
5:03:17 PM Chair Shields
5:03:17 PM Sen. Monnes Anderson
5:03:30 PM Joan Weaver
5:04:33 PM Chair Shields
5:04:36 PM Joan Weaver
5:04:40 PM Chair Shields
5:05:02 PM Sen. Prozanski
5:05:06 PM Chair Shields
5:05:16 PM Sen. Prozanski
5:05:18 PM Chair Shields
5:05:45 PM Lloyd Bernstein, Oregon Association of Defense Counsel
5:10:23 PM Chair Shields
5:10:33 PM Bernstein
5:10:35 PM Chair Shields
5:10:40 PM Dan Thenell, attorney, Portland, Oregon; Oregon Association of Defense
Counsel
5:16:12 PM Chair Shields
5:16:17 PM Vice-Chair George
5:16:33 PM Thenell
5:16:39 PM Vice-Chair George
5:16:42 PM Thenell
5:17:26 PM Vice-Chair George
5:17:34 PM Chair Shields
5:17:41 PM Vice-Chair George
5:17:58 PM Thenell
5:18:10 PM Chair Shields
5:18:20 PM Vice-Chair George
5:18:20 PM Chair Shields
5:18:22 PM Larry Frank, Vice President and Associate Counsel, The Standard
Insurance Company

5:22:33 PM Chair Shields
5:22:59 PM Vice-Chair George
5:23:01 PM Chair Shields
5:23:33 PM Claire Paris, former insurance adjuster, Oregon
5:27:09 PM Chair Shields
5:27:21 PM Paris
5:27:38 PM Chair Shields
5:27:40 PM {Exhibit} 10: Eric Squires, resident, Aloha, Oregon
5:32:14 PM Chair Shields
5:32:20 PM Paris
5:32:24 PM Squires
5:32:30 PM Chair Shields
5:32:33 PM Paris
5:32:35 PM Squires
5:32:41 PM Chair Shields
5:32:49 PM {Exhibit} 11: Rob Bruce, resident, Oregon
5:36:15 PM Gina Royell, resident, Oregon
5:40:01 PM Chair Shields
5:40:02 PM Sen. Monnes Anderson
5:40:12 PM Royell
5:40:30 PM Bruce
5:40:36 PM Sen. Monnes Anderson
5:40:46 PM Chair Shields
5:41:22 PM {Exhibit} 12: James Dorrigan, The Doctors Company
5:45:22 PM Chair Shields
5:45:29 PM {Exhibit} 13: Paul Danner, Counsel, State Farm Insurance Companies
5:49:32 PM Chair Shields
5:49:39 PM John Mangan, Regional Vice-President, American Council of Life Insurers
5:51:02 PM Chair Shields
5:51:36 PM {Exhibit} 14-15: Lee Mercer, Main Street Alliance of Oregon
5:54:02 PM Chair Shields
5:54:11 PM {Exhibit} 16: Edward Davis, Senior Account Executive, MAPS Insurance
6:00:13 PM Chair Shields
6:00:15 PM Vice-Chair George
6:01:04 PM Davis
6:02:58 PM Chair Shields
6:03:41 PM Chris Davie, SAIF Corporation
6:07:09 PM Chair Shields
6:07:13 PM Sen. Baertschiger
6:07:17 PM Davie
6:07:18 PM Sen. Baertschiger
6:07:26 PM Davie
6:07:35 PM Sen. Baertschiger
6:07:36 PM Sen. Monnes Anderson
6:07:43 PM Davie
6:08:02 PM Sen. Monnes Anderson

6:08:03 PM Chair Shields
6:08:13 PM {Exhibit} 17: Joel Fischer, Senior Policy Analyst, Oregon Business Association
6:09:15 PM Chair Shields
6:09:38 PM Vice-Chair George
6:09:41 PM Chair Shields
6:10:01 PM {Exhibit} 18: David Sugerman, Oregon Trial Lawyers Association
6:15:08 PM Chair Shields
6:15:10 PM Sugerman
6:16:29 PM Chair Shields
6:16:30 PM Vice-Chair George
6:17:11 PM Sugerman
6:17:57 PM Vice-Chair George
6:17:58 PM Sugerman
6:18:02 PM Vice-Chair George
6:18:03 PM Sugerman
6:19:01 PM Chair Shields
6:19:19 PM Sugerman
6:19:46 PM Chair Shields
6:19:47 PM Vice-Chair George
6:20:48 PM Sugerman
6:21:25 PM Vice-Chair George
6:21:27 PM Sugerman
6:21:31 PM Vice-Chair George
6:21:37 PM Sugerman
6:21:39 PM Chair Shields
6:21:41 PM Vice-Chair George
6:21:44 PM Chair Shields
6:22:01 PM Allen
6:22:54 PM Chair Shields
6:23:38 PM {Exhibit} 19: witness registration
6:23:39 PM The following written testimony is submitted for the record without public testimony:
6:23:40 PM {Exhibit} 20: Carolyn Carter, National Consumer Law Center
6:23:41 PM {Exhibit} 21: James Edmonds, Fetherston Edmonds LLP
6:23:42 PM {Exhibit} 22: Mike Dewey and Fawn Barrie, Oregon Liability Reform Coalition
6:23:43 PM {Exhibit} 23: Scott Kaplan, Stoel Rives LLP
6:23:44 PM {Exhibit} 24: Stephen Michael, Main Street Alliance of Oregon
6:23:45 PM {Exhibit} 25-26: Shawn Miller, Property Casualty Insurers Association of America; Oregon's Insurers and Producers
6:23:46 PM {Exhibit} 27: Richard Skayhan, insurance broker, Portland, Oregon
6:23:47 PM {Exhibit} 28: J.L. Wilson, Associated Oregon Industries
6:23:48 PM Meeting Adjourned by Chair Shields

Exhibit Summary

- 3:09:41 PM** {Exhibit} 1: HB 2241, written testimony, Lou Savage, 1 p
3:09:41 PM {Exhibit} 2: HB 2241, written testimony, Lou Savage, 1 p
3:11:07 PM {Exhibit} 3: HB 2241, written testimony, Russell Latham, 4 pp
3:27:22 PM {Exhibit} 4: HB 2241, witness registration, staff, 1 p
4:01:55 PM {Exhibit} 5: HB 3160 A, written testimony, Jan Meekcoms, 2 pp
4:04:00 PM {Exhibit} 6: HB 3160 A, written testimony, Justin Delaney, 1 p
4:10:46 PM {Exhibit} 7: HB 3160 A, PowerPoint presentation, Jim Keogh, 8 pp
4:33:19 PM {Exhibit} 8: HB 3160 A, written testimony, Elaine Beeble, 17 pp
4:56:51 PM {Exhibit} 9: HB 3160 A, written testimony, Joan Weaver, 2 pp
5:27:40 PM {Exhibit} 10: HB 3160 A, written testimony, Eric Squires, 5 pp
5:32:49 PM {Exhibit} 11: HB 3160 A, written testimony of Guy Harrison, Rob Bruce, 1 p
5:41:22 PM {Exhibit} 12: HB 3160 A, written testimony, James Dorrigan, 3 pp
5:45:29 PM {Exhibit} 13: HB 3160 A, written testimony, Paul Danner, 63 pp
5:51:36 PM {Exhibit} 14: HB 3160 A, written testimony, Lee Mercer, 1 p
5:51:36 PM {Exhibit} 15: HB 3160 A, written testimony, Lee Mercer, 1 p
5:54:11 PM {Exhibit} 16: HB 3160 A, information packet, Edward Davis, 11 pp
6:08:13 PM {Exhibit} 17: HB 3160 A, written testimony, Joel Fischer, 1 p
6:10:01 PM {Exhibit} 18: HB 3160 A, written testimony, David Sugerman, 1 p
6:23:38 PM {Exhibit} 19: HB 3160 A, witness registration, staff, 2 pp
6:23:40 PM {Exhibit} 20: HB 3160 A, report, Carolyn Carter, 32 pp
6:23:41 PM {Exhibit} 21: HB 3160 A, written testimony, James Edmonds, 1 p
6:23:42 PM {Exhibit} 22: HB 3160 A, written testimony, Mike Dewey and Fawn Barrie, 2 pp
6:23:43 PM {Exhibit} 23: HB 3160 A, memorandum, Scott Kaplan, 5 pp
6:23:44 PM {Exhibit} 24: HB 3160 A, written testimony, Stephen Michael, 2 pp
6:23:45 PM {Exhibit} 25: HB 3160 A, written testimony, Shawn Miller, 3 pp
6:23:45 PM {Exhibit} 26: HB 3160 A, written testimony, Shawn Miller, 1 p
6:23:46 PM {Exhibit} 27: HB 3160 A, written testimony, Richard Skayhan, 1 p
6:23:47 PM {Exhibit} 28: HB 3160 A, written testimony, J.L. Wilson, 1 p
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