

June 24, 2020

The Honorable Speaker Tina Kotek
900 Court St. NE, Rm. 269
Salem, OR 97301

The Honorable Senate President Peter Courtney
900 Court St. NE, S-201
Salem, OR 97301

Dear Co-Chairs Kotek and Courtney:

My name is Kathy Temple and I support an amendment to HB 4212 to provide liability protection to entities who are following all state and federal mandates to limit COVID-19 exposure in the workplace. I'm asking for protection against litigation abuse from both employees and customers who may feel that we didn't do quite enough. Governor Brown's executive orders have set forth very clear guidelines which have resulted in a flattening of the COVID-19 curve. My concern is that the ever-changing regulatory environment leaves us with tremendous exposure.

I'm asking that you amend HB 4212 to include the following language:

"A person or entity acting in good faith shall not be subject to civil damages resulting from acts or omissions that complied with an executive order or regulation or were in accordance with guidance regarding COVID-19, unless the damages result from the person or entity's gross negligence or from the person or entity's reckless, wanton or intentional misconduct. This section applies to all causes of action that accrue during the complete duration of the COVID-19 emergency declaration, EO 20-03 issued March 9, 2020."

We are experiencing uncertain times and need assurance that our legislators understand the need in both public and private sectors to mitigate the potential damages that a suit of this nature could bring.

Thank you in advance for understanding the precarious position that many of us find ourselves in today as we follow both state and federal public health guidelines and Governor Brown's phased reopening plan.

Sincerely,



Kathy Temple
Mid Columbia Producers, Inc.