

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

March 15, 2013
8:30 AM

Hearing Room B

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

MEMBER EXCUSED: Sen. Herman Baertschiger

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

MEASURES/ISSUES HEARD: SB 512 – Public Hearing
SB 513 – Public Hearing
SB 514 – Public Hearing
SB 686 – Public Hearing

Recording Log

8:39:44 AM Meeting Called to Order by Chair Shields

8:40:33 AM **SB 512, SB 513, SB 514, SB 686 - Public Hearing**

8:40:46 AM Channa Newell, Committee Administrator

8:41:39 AM Chair Shields

8:42:03 AM {Exhibit} 1: Charley Merten, resident, North Plains, Oregon

8:44:38 AM {Exhibit} 2: Rich Vial, attorney, Vial Fotheringham LLP

8:46:52 AM Jim Guse, attorney, Ball Janik LLP

8:51:46 AM Chair Shields

8:51:48 AM Sen. Monnes Anderson

8:52:08 AM Guse

8:53:13 AM Merten

8:53:36 AM Vial

8:54:51 AM Sen. Prozanski

8:54:56 AM Chair Shields

8:55:04 AM Vial

8:55:22 AM Chair Shields

8:55:26 AM Guse

8:56:07 AM Sen. Shields
8:56:57 AM Steve Patterson, Vice President and General Counsel, Oregon Mutual Insurance, McMinnville, Oregon
9:04:11 AM Karen Southworth Weaver, Professor, Insurance Law, University of Washington School of Law
9:12:39 AM Chair Shields
9:12:53 AM Southworth Weaver
9:13:09 AM Chair Shields
9:13:15 AM Southworth Weaver
9:13:48 AM Chair Shields
9:13:51 AM Southworth Weaver
9:13:53 AM Chair Shields
9:13:54 AM Southworth Weaver
9:14:06 AM Chair Shields
9:14:09 AM {Exhibit} 3-46: Edward Davis, Senior Account Executive, MaPS Insurance
9:19:31 AM Chair Shields
9:19:33 AM Vice-Chair George
9:19:50 AM Patterson
9:21:38 AM Chair Shields
9:21:39 AM Vice-Chair George
9:22:08 AM Patterson
9:22:52 AM Chair Shields
9:22:54 AM Sen. Prozanski
9:23:00 AM Patterson
9:23:01 AM Sen. Prozanski
9:23:14 AM Southworth Weaver
9:23:22 AM Sen. Prozanski
9:23:23 AM Southworth Weaver
9:23:25 AM Sen. Prozanski
9:23:33 AM Southworth Weaver
9:23:37 AM Sen. Prozanski
9:23:40 AM Southworth Weaver
9:23:48 AM Sen. Prozanski
9:24:02 AM Southworth Weaver
9:24:06 AM Sen. Prozanski
9:24:12 AM Southworth Weaver
9:24:13 AM Sen. Prozanski
9:24:21 AM Southworth Weaver
9:24:22 AM Sen. Prozanski
9:24:23 AM Southworth Weaver
9:24:28 AM Sen. Prozanski
9:25:16 AM Chair Shields
9:25:33 AM Davis
9:26:13 AM Chair Shields
9:27:33 AM Newell
9:28:18 AM {Exhibit} 47-50: Chair Shields

9:28:50 AM {Exhibit} 51: Michael Mckeon, resident, Merrill, Oregon
9:36:15 AM Chair Shields
9:36:35 AM Fred Millard, attorney, Millard and Bragg
9:38:16 AM Chair Shields
9:38:36 AM Mckeon
9:38:47 AM Chair Shields
9:38:56 AM {Exhibit} 52: Kathryn Silva, general counsel, The Zidell Companies
9:42:46 AM Chair Shields
9:42:47 AM Vice-Chair George
9:43:00 AM Silva
9:43:01 AM Vice-Chair George
9:43:20 AM Silva
9:44:22 AM Chair Shields
9:44:25 AM {Exhibit} 53: Lee Mercer, Main Street Alliance of Oregon
9:46:03 AM Chair Shields
9:47:47 AM {Exhibit} 54-57: Justin Delaney, Vice President of Corporate Legal and Public Affairs, Standard Insurance Company
9:50:07 AM Lawrence Frank, Vice President and Associate Counsel, Standard Insurance Company
9:53:18 AM Chair Shields
9:53:19 AM Sen. Prozanski
9:54:42 AM Delaney
9:56:16 AM Chair Shields
9:57:01 AM Delaney
9:57:26 AM Chair Shields
9:58:07 AM Sen. Prozanski
9:58:10 AM Chair Shields
9:58:35 AM Vice-Chair George
9:59:49 AM Chair Shields
9:59:53 AM {Exhibit} 58: Kathy de Domingo, Director of Performance Improvement, Progressive Rehabilitation Associates
10:02:32 AM Chair Shields
10:02:34 AM {Exhibit} 59: Greg Price, attorney, Vancouver, Washington
10:05:43 AM Chair Shields
10:06:11 AM de Domingo
10:07:14 AM Chair Shields
10:07:19 AM Sen. Monnes Anderson
10:07:39 AM Chair Shields
10:07:56 AM {Exhibit} 60-63: John Powell, attorney; Associate, John Powell and Associates
10:09:00 AM Ralph Spooner, attorney, Spooner and Much
10:17:57 AM Chair Shields
10:18:01 AM Powell
10:18:19 AM Chair Shields
10:18:23 AM Powell
10:19:46 AM Chair Shields

10:20:22 AM {Exhibit} 64: Sarah Sjostrom, resident, Seaside, Oregon
10:22:03 AM Chair Shields
10:22:12 AM {Exhibit} 65: David Killion, resident, Astoria, Oregon
10:24:43 AM Chair Shields
10:25:00 AM {Exhibit} 66-73: Shane Jackson, Autism Speaks
10:26:06 AM {Exhibit} 74-77: Lisa McHenry, resident, Happy Valley, Oregon
10:31:50 AM Chair Shields
10:31:54 AM Jackson
10:33:36 AM Chair Shields
10:33:37 AM {Exhibit} 78-81: witness registration
10:33:38 AM {Exhibit} 82: Associated Oregon Industries
10:33:39 AM {Exhibit} 83-86: Marion Blankenship, PacificSource Health Plans
10:33:40 AM {Exhibit} 87: Mike Dewey and Fawn Barrie, Oregon Liability Reform Coalition
10:33:41 AM {Exhibit} 88: Marilyn Happold-Latham, group administrator, Women's Clinic, PC
10:33:42 AM {Exhibit} 89-90: Howard "Rocky" King, Executive Director, Cover Oregon
10:33:45 AM {Exhibit} 91: Zita Nyitrai, resident, Astoria, Oregon
10:33:46 AM {Exhibit} 92-94: Oregon's leading business associations
10:33:47 AM {Exhibit} 95-98: Christian Rataj, Western State Affairs Manager, National Association of Mutual Insurance Companies
10:33:49 AM {Exhibit} 99: Wendi Rockholt, resident, Mulino, Oregon
10:33:50 AM {Exhibit} 100-103: Senator Chip Shields, Senate District 22, State of Oregon
10:33:51 AM {Exhibit} 104-107: D.J. Vogt, Legislative Director, Oregon Business Association
10:33:52 AM {Exhibit} 108: Ann Fisher, attorney, AF Legal and Consulting Services
10:34:54 AM Sen. Prozanski
10:34:56 AM Meeting Adjourned by Chair Shields

Exhibit Summary

8:42:03 AM {Exhibit} 1: SB 686, written testimony, Charley Merten, 2 pp
8:44:38 AM {Exhibit} 2: SB 686, written testimony, Leland Jaquay, 1 p
9:14:09 AM {Exhibit} 3: SB 512, written testimony, Bob Foster, 1 p
9:14:09 AM {Exhibit} 4: SB 513, written testimony, Bob Foster, 1 p
9:14:09 AM {Exhibit} 5: SB 514, written testimony, Bob Foster, 1 p
9:14:09 AM {Exhibit} 6: SB 686, written testimony, Bob Foster, 1 p
9:14:09 AM {Exhibit} 7: SB 512, written testimony, Michael Bybee, 1 p
9:14:09 AM {Exhibit} 8: SB 513, written testimony, Michael Bybee, 1 p
9:14:09 AM {Exhibit} 9: SB 514, written testimony, Michael Bybee, 1 p
9:14:09 AM {Exhibit} 10: SB 686, written testimony, Michael Bybee, 1 p
9:14:09 AM {Exhibit} 11: SB 512, written testimony, Patrick O'Keefe, 1 p
9:14:09 AM {Exhibit} 12: SB 513, written testimony, Patrick O'Keefe, 1 p
9:14:09 AM {Exhibit} 13: SB 514, written testimony, Patrick O'Keefe, 1 p

9:14:09 AM {Exhibit} 14: SB 686, written testimony, Patrick O'Keefe, 1 p
9:14:09 AM {Exhibit} 15: SB 512, written testimony, Herm Deiss, 1 p
9:14:09 AM {Exhibit} 16: SB 513, written testimony, Herm Deiss, 1 p
9:14:09 AM {Exhibit} 17: SB 514, written testimony, Herm Deiss, 1 p
9:14:09 AM {Exhibit} 18: SB 686, written testimony, Herm Deiss, 1 p
9:14:09 AM {Exhibit} 19: SB 512, written testimony, Brian Crawford, 1 p
9:14:09 AM {Exhibit} 20: SB 513, written testimony, Brian Crawford, 1 p
9:14:09 AM {Exhibit} 21: SB 514, written testimony, Brian Crawford, 1 p
9:14:09 AM {Exhibit} 22: SB 686, written testimony, Brian Crawford, 1 p
9:14:09 AM {Exhibit} 23: SB 512, written testimony, Cynthia Powers, 1 p
9:14:09 AM {Exhibit} 24: SB 513, written testimony, Cynthia Powers, 1 p
9:14:09 AM {Exhibit} 25: SB 514, written testimony, Cynthia Powers, 1 p
9:14:09 AM {Exhibit} 26: SB 686, written testimony, Cynthia Powers, 1 p
9:14:09 AM {Exhibit} 27: SB 512, written testimony, Peter Ball, 1 p
9:14:09 AM {Exhibit} 28: SB 513, written testimony, Peter Ball, 1 p
9:14:09 AM {Exhibit} 29: SB 514, written testimony, Peter Ball, 1 p
9:14:09 AM {Exhibit} 30: SB 686, written testimony, Peter Ball, 1 p
9:14:09 AM {Exhibit} 31: SB 512, written testimony, Kelsey Wood, 1 p
9:14:09 AM {Exhibit} 32: SB 513, written testimony, Kelsey Wood, 1 p
9:14:09 AM {Exhibit} 33: SB 514, written testimony, Kelsey Wood, 1 p
9:14:09 AM {Exhibit} 34: SB 686, written testimony, Kelsey Wood, 1 p
9:14:09 AM {Exhibit} 35: SB 512, written testimony, Wendy Abel-Hatzel, 1 p
9:14:09 AM {Exhibit} 36: SB 513, written testimony, Wendy Abel-Hatzel, 1 p
9:14:09 AM {Exhibit} 37: SB 514, written testimony, Wendy Abel-Hatzel, 1 p
9:14:09 AM {Exhibit} 38: SB 686, written testimony, Wendy Abel-Hatzel, 1 p
9:14:09 AM {Exhibit} 39: SB 512, written testimony, Mike Courtney, 1 p
9:14:09 AM {Exhibit} 40: SB 513, written testimony, Mike Courtney, 1 p
9:14:09 AM {Exhibit} 41: SB 514, written testimony, Mike Courtney, 1 p
9:14:09 AM {Exhibit} 42: SB 686, written testimony, Mike Courtney, 1 p
9:14:09 AM {Exhibit} 43: SB 512, written testimony, Lana Butterfield, 1 p
9:14:09 AM {Exhibit} 44: SB 513, written testimony, Lana Butterfield, 1 p
9:14:09 AM {Exhibit} 45: SB 514, written testimony, Lana Butterfield, 1 p
9:14:09 AM {Exhibit} 46: SB 686, written testimony, Lana Butterfield, 1 p
9:28:18 AM {Exhibit} 47: SB 512, written information, Senator Chip Shields, Senate District 22, State of Oregon, 1 p
9:28:18 AM {Exhibit} 48: SB 513, written information, Senator Chip Shields, Senate District 22, State of Oregon, 1 p
9:28:18 AM {Exhibit} 49: SB 514, written information, Senator Chip Shields, Senate District 22, State of Oregon, 1 p
9:28:18 AM {Exhibit} 50: SB 686, written information, Senator Chip Shields, Senate District 22, State of Oregon, 1 p
9:28:50 AM {Exhibit} 51: SB 686, written testimony, Michael Mckoen, 2 pp
9:38:56 AM {Exhibit} 52: SB 686, written testimony, Kathryn Silva, 1 p
9:44:25 AM {Exhibit} 53: SB 686, written testimony, Lee Mercer, 1 p
9:47:47 AM {Exhibit} 54: SB 512, written testimony, Justin Delaney, 1 p
9:47:47 AM {Exhibit} 55: SB 513, written testimony, Justin Delaney, 1 p

9:47:47 AM {Exhibit} 56: SB 514, written testimony, Justin Delaney, 1 p
9:47:47 AM {Exhibit} 57: SB 686, written testimony, Justin Delaney, 1 p
9:59:53 AM {Exhibit} 58: SB 686, written testimony, Kathy de Domingo, 2 pp
10:02:34 AM {Exhibit} 59: SB 686, written testimony, Greg Price, 1 p
10:07:56 AM {Exhibit} 60: SB 512, written testimony, John Powell, 86 pp
10:07:56 AM {Exhibit} 61: SB 513, written testimony, John Powell, 86 pp
10:07:56 AM {Exhibit} 62: SB 514, written testimony, John Powell, 86 pp
10:07:56 AM {Exhibit} 63: SB 686, written testimony, John Powell, 86 pp
10:20:22 AM {Exhibit} 64: SB 686, written testimony, Sarah Sjostrom, 1 p
10:22:12 AM {Exhibit} 65: SB 686, written testimony, David Killion, 1 p
10:25:00 AM {Exhibit} 66: SB 512, written testimony, Loreta Boskovic, 1 p
10:25:00 AM {Exhibit} 67: SB 513, written testimony, Loreta Boskovic, 1 p
10:25:00 AM {Exhibit} 68: SB 514, written testimony, Loreta Boskovic, 1 p
10:25:00 AM {Exhibit} 69: SB 686, written testimony, Loreta Boskovic, 1 p
10:25:00 AM {Exhibit} 70: SB 512, written testimony, Paul Terdal, 2 pp
10:25:00 AM {Exhibit} 71: SB 513, written testimony, Paul Terdal, 2 pp
10:25:00 AM {Exhibit} 72: SB 514, written testimony, Paul Terdal, 2 pp
10:25:00 AM {Exhibit} 73: SB 686, written testimony, Paul Terdal, 2 pp
10:26:06 AM {Exhibit} 74: SB 512, written testimony, Lisa McHenry, 2 pp
10:26:06 AM {Exhibit} 75: SB 513, written testimony, Lisa McHenry, 2 pp
10:26:06 AM {Exhibit} 76: SB 514, written testimony, Lisa McHenry, 2 pp
10:26:06 AM {Exhibit} 77: SB 686, written testimony, Lisa McHenry, 2 pp
10:33:37 AM {Exhibit} 78: SB 512, witness registration, staff, 2 pp
10:33:37 AM {Exhibit} 79: SB 513, witness registration, staff, 2 pp
10:33:37 AM {Exhibit} 80: SB 514, witness registration, staff, 2 pp
10:33:37 AM {Exhibit} 81: SB 686, witness registration, staff, 2 pp
10:33:38 AM {Exhibit} 82: SB 686, written testimony, Associated Oregon Industries, 1 p
10:33:39 AM {Exhibit} 83: SB 512, written testimony, Marion Blankenship, 2 pp
10:33:39 AM {Exhibit} 84: SB 513, written testimony, Marion Blankenship, 2 pp
10:33:39 AM {Exhibit} 85: SB 514, written testimony, Marion Blankenship, 2 pp
10:33:39 AM {Exhibit} 86: SB 686, written testimony, Marion Blankenship, 2 pp
10:33:40 AM {Exhibit} 87: SB 686, written testimony, Mike Dewey and Fawn Barrie, 1 p
10:33:41 AM {Exhibit} 88: SB 686, written testimony, Marilyn Happold-Latham, 2 pp
10:33:42 AM {Exhibit} 89: SB 512, written testimony, Howard "Rocky" King, 2 pp
10:33:42 AM {Exhibit} 90: SB 513, written testimony, Howard "Rocky" King, 2 pp
10:33:45 AM {Exhibit} 91: SB 686, written testimony, Zita Nyitrai, 1 p
10:33:46 AM {Exhibit} 92: SB 512, written testimony, "Oregon's leading business associations", 1 p
10:33:46 AM {Exhibit} 93: SB 513, written testimony, "Oregon's leading business associations", 1 p
10:33:46 AM {Exhibit} 94: SB 514, written testimony, "Oregon's leading business associations", 1 p
10:33:47 AM {Exhibit} 95: SB 512, written testimony, Christian Rataj, 6 pp
10:33:47 AM {Exhibit} 96: SB 513, written testimony, Christian Rataj, 6 pp
10:33:47 AM {Exhibit} 97: SB 514, written testimony, Christian Rataj, 6 pp

10:33:47 AM {Exhibit} 98: SB 686, written testimony, Christian Rataj, 6 pp
10:33:49 AM {Exhibit} 99: SB 686, written testimony, Wendi Rockholt, 1 p
10:33:50 AM {Exhibit} 100: SB 512, "The Death and Life of Azusa Suzuki",
OregonLive.com, Senator Chip Shields, 4 pp
10:33:50 AM {Exhibit} 101: SB 513, "The Death and Life of Azusa Suzuki",
OregonLive.com, Senator Chip Shields, 4 pp
10:33:50 AM {Exhibit} 102: SB 514, "The Death and Life of Azusa Suzuki",
OregonLive.com, Senator Chip Shields, 4 pp
10:33:50 AM {Exhibit} 103: SB 686, "The Death and Life of Azusa Suzuki",
OregonLive.com, Senator Chip Shields, 4 pp
10:33:51 AM {Exhibit} 104: SB 512, written testimony, D.J. Vogt, 1 p
10:33:51 AM {Exhibit} 105: SB 513, written testimony, D.J. Vogt, 1 p
10:33:51 AM {Exhibit} 106: SB 514, written testimony, D.J. Vogt, 1 p
10:33:51 AM {Exhibit} 107: SB 686, written testimony, D.J. Vogt, 1 p
10:33:52 AM {Exhibit} 108: SB 686, written testimony, Ann Fisher, 2 pp
