

**SENATE COMMITTEE ON BUSINESS, TRANSPORTATION AND
WORKFORCE DEVELOPMENT**

May 30, 2007 Hearing Rooms B, C
1:00 P.M. Tapes 125 - 128

MEMBERS PRESENT: Sen. Rick Metsger, Chair
 Sen. Bruce Starr, Vice-Chair
 Sen. Ryan Deckert
 Sen. Larry George
 Sen. Laurie Monnes Anderson

STAFF PRESENT: Janet Adkins, Committee Administrator
 Adam Hicks, Committee Assistant

MEASURES/ISSUES HEARD:
 HB 2548A – Work Session
 HB 2435A – Work Session
 HB 2537A – Work Session
 HB 2654A – Work Session
 HB 3485A – Work Session
 HB 2487 – Work Session
 HB 2498A – Work Session
 HB 2864A – Public Hearing and Work Session
 HB 2171A – Public Hearing and Work Session
 HB 2726A – Public Hearing
 HB 2269 – Public Hearing and Work Session
 HB 2677A – Public Hearing and Work Session
 HB 3182A – Public Hearing and Work Session
 HB 3512A – Public Hearing and Work Session
 HB 3386A – Public Hearing and Work Session
 HB 3186A – Public Hearing and Work Session
 HB 3082A – Public Hearing and Work Session

This tape log is in compliance with Senate and House Rules. For complete contents, please refer to the cassette tapes.

TAPE # AND SIDE	COUNTER NUMBER	BRIEF DESCRIPTION OF SUBJECT MATTER OR CHANGE IN SPEAKER
125A	003	Chair Metsger calls the meeting to order at 1:13 p.m.
	005	Sen. Starr
	006	Chair Metsger
<u>HB 2548A – WORK SESSION</u>		
	007	Chair Metsger (EXHIBIT A)
	008	MOTION: Sen. Starr moves to SUSPEND the rules for the purpose of reconsidering the 5/23/2007 vote on HB 2548.
	009	VOTE: 4-0-1 EXCUSED: 1 - Sen. Monnes Anderson
125A	010	Chair Metsger, hearing no objection, declares the motion CARRIED.
	011	MOTION: Sen. Starr moves to RECONSIDER the vote by which the Committee passed HB 2548.
	013	VOTE: 4-0-1

EXCUSED: 1 - Sen. Monnes Anderson
Chair Metsger, hearing no objection, declares the motion CARRIED.

014 **MOTION: Sen. Starr moves to ADOPT HB 2548-A5**
amendments dated 5/28/07 in addition to the –A3
amendments adopted on 5/23/2007.

017 Chair Metsger

018 Janet Adkins, Committee Administrator

020 **VOTE: 4-0-1**

EXCUSED: 1 - Sen. Monnes Anderson
Chair Metsger, hearing no objection, declares the motion CARRIED.

022 **MOTION: Sen. Starr moves HB 2548 to the floor with a DO**
PASS AS AMENDED recommendation.

023 **VOTE: 4-0-1**

EXCUSED: 1 - Sen. Monnes Anderson
Chair Metsger, hearing no objection, declares the motion CARRIED.

SEN. STARR will lead discussion on the floor.

027 Chair Metsger

HB 2435A – WORK SESSION

034 Chair Metsger

035 Janet Adkins, Committee Administrator (**EXHIBIT B**)

045 **MOTION: Sen. Starr moves to ADOPT HB 2435-A3**
amendments dated 5/30/07.

046 Chair Metsger

047 Sen. L. George

049 **VOTE: 4-0-1**

EXCUSED: 1 - Sen. Monnes Anderson
Chair Metsger, hearing no objection, declares the motion CARRIED.

051 **MOTION: Sen. Starr moves HB 2435 to the floor with a DO**
PASS AS AMENDED recommendation.

052 **VOTE: 4-0-1**

EXCUSED: 1 - Sen. Monnes Anderson
Chair Metsger, hearing no objection, declares the motion CARRIED.

SEN. L. GEORGE will lead discussion on the floor.

056 Chair Metsger

HB 2537A – WORK SESSION

125A 056 Janet Adkins, Committee Administrator

064 Chair Metsger

065 **MOTION: Sen. Starr moves HB 2537 to the floor with a DO**
PASS recommendation.

067 Sen. Starr

070 Chair Metsger

071 **VOTE: 4-0-1**

EXCUSED: 1 - Sen. Deckert
Chair Metsger, hearing no objection, declares the motion CARRIED.

SEN. METSGER will lead discussion on the floor.

HB 2654A – WORK SESSION

075 Janet Adkins, Committee Administrator (**EXHIBIT C**)
086 MOTION: Sen. Starr moves to ADOPT HB 2654-A4 amendments dated 5/30/07.
087 Chair Metsger
088 Sen. Starr
092 Sen. L. George
096 Chair Metsger
099 Adkins
108 Chair Metsger
109 VOTE: 4-0-1
EXCUSED: 1 - Sen. Deckert
110 Chair Metsger, hearing no objection, declares the motion CARRIED.
111 MOTION: Sen. Starr moves HB 2654 to the floor with a DO PASS AS AMENDED recommendation.
112 Sen. Starr
115 Chair Metsger
117 VOTE: 4-0-1
EXCUSED: 1 - Sen. Deckert
121 Chair Metsger, hearing no objection, declares the motion CARRIED.
SEN. METSGER will lead discussion on the floor.
123 Chair Metsger

HB 3485A – WORK SESSION

125 Janet Adkins, Committee Administrator (**EXHIBITS D - F**)
141 Chair Metsger
142 Adkins
143 Chair Metsger
144 MOTION: Sen. Starr moves to ADOPT HB 3485-A2 amendments dated 5/30/07.
145 VOTE: 4-0-1
EXCUSED: 1 - Sen. Deckert
125A 148 Chair Metsger, hearing no objection, declares the motion CARRIED.
150 Chair Metsger
152 MOTION: Sen. Starr moves to ADOPT HB 3485-A3 amendments dated 5/30/07.
153 Sen. L. George
154 Adkins
155 VOTE: 4-0-1
EXCUSED: 1 - Sen. Deckert
156 Chair Metsger, hearing no objection, declares the motion CARRIED.
160 Chair Metsger
164 MOTION: Sen. Starr moves HB 3485 to the floor with a DO PASS AS AMENDED recommendation.
169 Sen. Monnes Anderson
170 Chair Metsger
172 Sen. Monnes Anderson
174 VOTE: 5-0-0

179 Sen. Deckert
182 **Chair Metsger, hearing no objection, declares the motion CARRIED.**
SEN. DECKERT will lead discussion on the floor.
187 Chair Metsger

HB 2487 – WORK SESSION

203 Janet Adkins, Committee Administrator (**EXHIBIT G**)
214 **MOTION: Sen. Starr Moves to ADOPT HB 2487-2 amendments dated 5/16/07.**
215 **VOTE: 5-0-0**
216 **Chair Metsger, hearing no objection, declares the motion CARRIED.**
217 **MOTION: Sen. Starr moves HB 2487 to the floor with a DO PASS AS AMENDED recommendation.**
218 Sen. Deckert
220 Adkins
226 **VOTE: 5-0-0**
228 **Chair Metsger, hearing no objection, declares the motion CARRIED.**
SEN. STARR will lead discussion on the floor.

HB 2498A – WORK SESSION

235 Chair Metsger
238 Janet Adkins, Committee Administrator (**EXHIBITS H, I**)
254 Chair Metsger
263 Harlan Levy, Director of Governmental Affairs, Oregon Association of Realtors (OAR)
268 Chair Metsger
273 **MOTION: Sen. Starr moves to ADOPT HB 2498-A5 amendments dated 5/30/07.**
125A 274 Sen. Starr
276 Sen. Monnes Anderson
278 Sen. Deckert
279 **VOTE: 5-0-0**
280 **Chair Metsger, hearing no objection, declares the motion CARRIED.**
281 Sen. Starr
282 Chair Metsger
283 Adkins
284 Chair Metsger
288 Levy
289 Chair Metsger
290 Sen. Starr
291 Chair Metsger
292 Adkins
293 Sen. Starr
297 **MOTION: Sen. Metsger moves HB 2498 to the floor with a DO PASS AS AMENDED recommendation.**
299 **VOTE: 5-0-0**
300 **Chair Metsger, hearing no objection, declares the motion CARRIED.**
SEN. STARR will lead discussion on the floor.

	313	Chair Metsger
<u>HB 2864A – PUBLIC HEARING</u>		
	314	Janet Adkins, Committee Administrator
	325	Chair Metsger
	336	Ty Cochrane, Legislative Liaison, Cemetery Association of Oregon
	351	David Tatman, Administrator, Division of Finance and Corporate Securities, Department of Consumer and Business Services (DCBS) (EXHIBIT J)
	426	Chair Metsger
	427	Adkins
<u>HB 2864A – WORK SESSION</u>		
	433	MOTION: Sen. Starr moves HB 2864 to the floor with a DO PASS recommendation.
	435	VOTE: 4-0-1
		EXCUSED: 1 - Sen. Deckert
125A	437	Chair Metsger, hearing no objection, declares the motion CARRIED.
		SEN. MONNES ANDERSON will lead discussion on the floor.
	444	Chair Metsger
<u>HB 2171A – PUBLIC HEARING</u>		
	451	Janet Adkins, Committee Administrator (EXHIBIT K)
	475	Chair Metsger
126A	034	Gary Conkling, Representative, Oregon Winegrowers Association (EXHIBIT L)
	069	Chair Metsger
	070	Judith Bracanovich, Administrative Policy and Process Director, Oregon Liquor Control Commission, (OLCC) (EXHIBIT M)
	074	Chair Metsger
	075	Conkling
	089	Chair Metsger
	090	Chair Metsger
<u>HB 2726A – PUBLIC HEARING</u>		
	095	Janet Adkins, Committee Administrator
	099	Chair Metsger
	100	Rep. Chip Shields, State Representative, House District #43
	129	Lisa Zavala, Senior Associate Director of Government Relations, Oregon University System, (OUS)
	137	Sen. Deckert
	146	Zavala
	155	Sen. Monnes Anderson
	165	Rep. Shields
	169	Sen. Monnes Anderson
	171	Sen. Deckert
	174	Rep. Shields
	178	Sen. Starr
	192	Zavala
	219	Sen. Starr
	229	Sen. Deckert
	230	Rep. Shields

	236	Sen. Monnes Anderson
	244	Rep. Shields
	258	Chair Metsger
	<u>HB 3082A – PUBLIC HEARING</u>	
	261	Chair Metsger
	263	Janet Adkins, Committee Administrator
126A	269	Rep. Dave Hunt, State Representative, House District #40
	291	Chair Metsger
	<u>HB 2171A – PUBLIC HEARING</u>	
	303	Chair Metsger
	306	Kurt Widmer, Co-Founder, Widmer Brothers Brewing
	344	Chair Metsger
	366	Widmer
	375	Chair Metsger
	385	Chris Girard, President, Plaid Pantry
125B	017	Chair Metsger
	018	Girard
	023	Chair Metsger
	024	Girard
	026	Brian Butenschoen, Executive Director, Oregon Brewers Guild
	041	Chair Metsger
	049	Bill Perry, Director of Government Relations, Oregon Restaurant Association
	076	Chair Metsger
	079	Perry
	080	Chair Metsger
	082	Perry
	085	Chair Metsger
	086	Perry
	109	Sen. Deckert
	126	Perry
	140	Sen. Monnes Anderson
	158	Perry
	182	Chair Metsger
	201	Mel Vietzke, Member, Cully Association of Neighbors
	236	Chair Metsger
	237	Art Schlack, Policy Director, Association of Oregon Counties (AOC)
	271	Chair Metsger
	<u>HB 2171A – WORK SESSION</u>	
	280	MOTION: Sen. Monnes Anderson moves to ADOPT HB 2171-A2 amendments dated 5/29/07.
	299	Chair Metsger
	303	Sen. Deckert
	337	Chair Metsger
	342	Sen. L. George
125B	360	VOTE: 3-2-0
		AYE: 3 - George L., Monnes Anderson, Metsger
		NAY: 2 - Deckert, Starr
	363	Chair Metsger declares the motion CARRIED.

364 **MOTION: Sen. Monnes Anderson moves HB 2171 to the floor with a DO PASS AS AMENDED recommendation.**
365 **VOTE: 3-2-0**
AYE: 3 - George L., Monnes Anderson, Metsger
NAY: 2 - Deckert, Starr
373 **Chair Metsger declares the motion CARRIED.**
CHAIR METSGER will lead discussion on the floor.
374 Sen. Starr serves notice of a possible Minority Report for HB 2171A.

HB 3082A – PUBLIC HEARING

388 Janet Adkins, Committee Administrator
394 Leslie Lewis, Commissioner, Yamhill County
462 Chair Metsger
466 Lewis
126B 032 Chair Metsger

HB 2269 – PUBLIC HEARING

036 Janet Adkins, Committee Administrator (**EXHIBIT N**)
049 Chair Metsger
065 Jack Evans, Legislative Liaison, Oregon Department of Transportation (ODOT) (**EXHIBIT O**)
081 Chair Metsger
083 Art Schlack, Policy Director, Association of Oregon Counties (AOC)
113 Bob Russell, President, Oregon Trucking Association (OTA)
121 Chair Metsger
124 Craig Campbell, Representative, AAA Portland
136 Doug Tindall, Deputy Director, ODOT
145 Chair Metsger
155 Sen. L. George
161 Chair Metsger
167 Linda Ludwig, Deputy Legislative Director, League of Oregon Cities
172 Sen. Deckert
173 Ludwig
176 Chair Metsger

HB 2269 –WORK SESSION

177 **MOTION: Sen. Starr moves to ADOPT HB 2269-1 amendments dated 5/29/07.**
178 **VOTE: 5-0-0**
179 **Chair Metsger, hearing no objection, declares the motion CARRIED.**
126B 180 **MOTION: Sen. Starr moves HB 2269 to the floor with a DO PASS AS AMENDED recommendation.**
182 Sen. Starr
196 Chair Metsger
219 **VOTE: 5-0-0**
225 **Chair Metsger, hearing no objection, declares the motion CARRIED.**
SEN. STARR AND SEN. METSGER will lead discussion on the floor.
230 Chair Metsger

231	Chair Metsger recesses the meeting at 2:55 p.m.	
127A	Chair Metsger reconvenes the meeting at 5:05 p.m.	
<u>HB 2677A – PUBLIC HEARING</u>		
012	Chair Metsger (EXHIBIT P)	
014	Donna Vandall, Technical Services Coordinator, Oregon Liquor Control Commission (OLCC) (EXHIBIT Q)	
033	Chair Metsger	
036	Vandall	
041	Chair Metsger	
045	Gary Conkling, Representative, Oregon Winegrowers Association (OWA) (EXHIBIT R)	
080	Chair Metsger	
081	Conkling	
084	Chair Metsger	
086	Sen. Starr	
092	Vandall	
098	Sen. Starr	
099	Vandall	
102	Conkling	
114	Sen. Starr	
116	Chair Metsger	
121	John DiLorenzo, Representative, Metro Family Housing Association	
124	Sen. Starr	
126	Chair Metsger	
129	Sen. Starr	
130	Chair Metsger	
134	Vandall	
145	Sen. Starr	
147	Vandall	
148	Chair Metsger	
<u>HB 2677A – WORK SESSION</u>		
127A	151	MOTION: Sen. Starr moves to ADOPT HB 2677-A7 amendments dated 5/29/07.
	153	VOTE: 3-0-2
	154	EXCUSED: 2 - Sen. Monnes Anderson, Sen. Deckert Chair Metsger, hearing no objection, declares the motion CARRIED.
	155	Chair Metsger
	156	Sen. Starr
	157	Chair Metsger
	157	MOTION: Sen. Starr moves HB 2677 to the floor with a DO PASS AS AMENDED recommendation.
	158	VOTE: 3-0-2
	162	EXCUSED: 2 - Sen. Monnes Anderson, Sen. Deckert Chair Metsger, hearing no objection, declares the motion CARRIED.
		SEN. METSGER will lead discussion on the floor.
	163	Chair Metsger
<u>HB 3182A – PUBIC HEARING</u>		
	167	Janet Adkins, Committee Administrator

	177	Chair Metsger
	179	David Tatman, Administrator, Division of Finance and Corporate Securities, Department of Consumer and Business Services (DCBS)
	184	Chair Metsger
	185	Rep. Paul Holvey, State Representative, House District #8 (EXHIBIT S)
	242	Chair Metsger
	245	Tatman
	250	Peter Threlkel, Director, Corporation Division, Secretary of State
	300	Chair Metsger
	312	Sen. Monnes Anderson
	316	Chair Metsger
	320	Sen. Starr
	330	Threlkel
	334	Chair Metsger
	340	Rep. Holvey
	356	Sen. Starr
	366	Tatman
	370	Threlkel
	388	Sen. Starr
	392	Tatman
	397	Sen. Starr
127A	404	Tatman
	405	Sen. Starr
	408	Tatman
	409	Threlkel
128A	005	Sen. Starr
	007	Threlkel
	021	Sen. Starr
	023	Chair Metsger
<u>HB 3182A – WORK SESSION</u>		
	023	MOTION: Sen. Starr moves HB 3182 to the floor with a DO PASS recommendation and the SUBSEQUENT REFERRAL to the committee on Ways and Means BE RESCINDED.
	024	Sen. Starr
	025	Chair Metsger
	026	VOTE: 3-1-1 AYE: 3 - George L., Monnes Anderson, Metsger NAY: 1 - Starr EXCUSED: 1 - Deckert
	028	Chair Metsger declares the motion CARRIED. SEN. METSGER will lead discussion on the floor. Chair Metsger
<u>HB 3512A – PUBLIC HEARING</u>		
	038	Chair Metsger
	040	Janet Adkins, Committee Administrator
	048	Chair Metsger
	049	Don Schellenberg, Associate Director of Government Affairs,

064 Oregon Farm Bureau
Chair Metsger
065 Schellenberg
074 Chair Metsger
077 Sen. Monnes Anderson
080 Chair Metsger
083 Schellenberg
084 Sen. Starr
086 Chair Metsger

HB 3512A – WORK SESSION

088 **MOTION: Sen. Starr moves HB 3512 to the floor with a DO PASS recommendation and the SUBSEQUENT REFERRAL to the committee on Ways and Means BE RESCINDED.**

089 **VOTE: 4-0-1**

128A 093 **EXCUSED: 1 - Sen. Deckert
Chair Metsger, hearing no objection, declares the motion CARRIED.**

SEN. MONNES ANDERSON will lead discussion on the floor.

099 Chair Metsger

HB 3386A – PUBLIC HEARING

101 Janet Adkins, Committee Administrator (**EXHIBIT T**)
110 Chair Metsger
112 John Powell, Representative, National Vehicle Protection Association (NVPA)
119 Chair Metsger
125 Powell
143 Chair Metsger
144 Victor Smith, Executive Director and General Counsel, NVPA
163 Chair Metsger

HB 3386A – WORK SESSION

167 **MOTION: Sen. Starr moves to ADOPT HB 3386-A2 amendments dated 5/22/07.**

168 **VOTE: 4-0-1**

169 **EXCUSED: 1 - Sen. Deckert
Chair Metsger, hearing no objection, declares the motion CARRIED.**

170 **MOTION: Sen. Starr moves HB 3386 to the floor with a DO PASS AS AMENDED recommendation.**

171 **VOTE: 4-0-1**

175 **EXCUSED: 1 - Sen. Deckert
Chair Metsger, hearing no objection, declares the motion CARRIED.**

SEN. L. GEORGE will lead discussion on the floor.

176 Chair Metsger
180 Sen. L. George
181 Chair Metsger

HB 3186A – PUBLIC HEARING

182 Janet Adkins, Committee Administrator (**EXHIBITS U, V**)
203 Chair Metsger
205 Sen. Avel Gordly, State Senator, Senate District #23

	266	Chair Metsger
	267	Rep. Chip Shields, State Representative, House District #43
	324	Chair Metsger
	330	Adkins (EXHIBIT W)
	349	Chair Metsger
	350	Ian Slingerland, Executive Director, Community Alliance of Tenants (EXHIBIT X)
	390	Chair Metsger
	393	John DiLorenzo, Representative, Metro Family Housing Association
127B	023	Chair Metsger
	025	Sen. Starr
	027	Slingerland
	028	Sen. Starr
	036	DiLorenzo
	050	Sen. Starr
	052	DiLorenzo
	054	Sen. Starr
	065	DiLorenzo
	069	Slingerland
	078	Chair Metsger
	082	David Bennett, Attorney, Landye Bennett Blumstein LLP (EXHIBIT Y)
	088	Sen. Monnes Anderson
	146	Bennett
	157	Sen. Monnes Anderson
	172	Bennett
	214	Chair Metsger
	216	Bennett
	238	Chair Metsger
	239	Karna Gustafson, Attorney, Landye Bennett Blumstein LLP
	303	Chair Metsger
	309	Bennett
	311	Chair Metsger
	312	Sen. Monnes Anderson
	317	Chair Metsger
	318	Harlan Levy, Director of Governmental Affairs, Oregon Association of Realtors (OAR)
128B	006	Gustafson
	023	Chair Metsger
	025	Levy
	027	Chair Metsger
	029	Rep. Shields
	042	Sen. L. George
	052	Rep. Shields
	064	Sen. Starr
	066	Sen. Monnes Anderson
128B	069	Rep. Shields
	076	Chair Metsger

078	Chair Metsger
079	Chair Metsger
<u>HB 3082A – WORK SESSION</u>	
080	Chair Metsger
083	Chair Metsger adjourns the meeting at 6:35 p.m.

EXHIBIT SUMMARY

- A. **HB 2548A, -A5 amendments, staff, 1 p**
- B. **HB 2435A, -A3 amendments, staff, 2 pp**
- C. **HB 2654A, -A4 amendments, staff, 40 pp**
- D. **HB 3485A, -A2 amendments, staff, 1p**
- E. **HB 3485A, -A3 amendments, staff, 1 p**
- F. **HB 3485A, -A4 amendments, staff, 2 pp**
- G. **HB 2487A, -A2 amendments, staff, 1 p**
- H. **HB 2498A, -A5 amendments, staff, 1 p**
- I. **HB 2498A, -A6 amendments, staff, 1 p**
- J. **HB 2864A, written testimony, David Tatman, 3 pp**
- K. **HB 2171A, -A2 amendments, staff, 1 p**
- L. **HB 2171A, written testimony, Gary Conkling, 1 p**
- M. **HB 2171A, written testimony, Judith Bracanovich, 2 pp**
- N. **HB 2269, -1 amendments, staff, 4 pp**
- O. **HB 2269, Measure Overview, Jack Evans, 1 p**
- P. **HB 2677A, -A7 amendments, staff, 2 pp**
- Q. **HB 2677A, written testimony, Donna Vandall, 1 p**
- R. **HB 2677A, written testimony, Gary Conkling, 1 p**
- S. **HB 3182A, Informational Packet, Rep. Paul Holvey, 31 pp**
- T. **HB 3386A, -A2 amendments, staff, 2 pp**
- U. **HB 3186A, -A6 amendments, staff, 1 p**
- V. **HB 3186A, -A7 amendments, staff, 1 p**
- W. **HB 3186A, Informational Packet, staff, 5 pp**
- X. **HB 3186A, written testimony, Ian Slingerland, 1 p**
- Y. **HB 3186A, written testimony, David Bennett, 3 p**