

## SENATE COMMITTEE ON COMMERCE

April 30, 2007 Hearing Room B  
3:00 PM Tapes 55 - 56

**MEMBERS PRESENT:** Sen. Floyd Prozanski, Chair  
Sen. Roger Beyer, Vice-Chair  
Sen. Brad Avakian  
Sen. Avel Gordly  
Sen. Rod Monroe

**STAFF PRESENT:** Anna Braun, Committee Administrator  
Brian Egger, Committee Assistant

**MEASURES/ISSUES HEARD:**

**SB 506 – Work Session**

SB 788 – Work Session  
SB 342 – Work Session  
SB 248 – Work Session  
SB 484 – Work Session  
SB 119 – Work Session  
SB 780 – Work Session  
SB 684 – Work Session  
SB 523 – Work Session  
SB 628 – Work Session  
SB 431 – Work Session  
SB 560 – Work Session  
SB 730 – Public Hearing  
SB 314 – Public Hearing and Work Session  
SB 1035 – Work Session

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

| TAPE #   | COUNTER    | BRIEF DESCRIPTION OF SUBJECT MATTER   |
|----------|------------|---|
| AND SIDE | NUMBER     | OR CHANGE IN SPEAKER  |
| 55A      | 003        | Chair Prozanski calls the meeting to order at 3:13 p.m.   |
|          |            | <b><u>SB 506 – WORK SESSION</u></b>   |
|          | 017        | Anna Braun, Committee Administrator ( <b>EXHIBIT A – B</b> )  |
|          | 023        | Chair Prozanski   |
|          | 027        | Sen. Avakian  |
|          | 033        | Chair Prozanski   |
|          | 035        | Sen. Beyer  |
|          | 038        | John Shilts, Administrator, Workers' Compensation Division,<br>Department of Consumer and Business Services |
|          | <b>046</b> | <b>MOTION: Sen. Beyer moves to ADOPT SB 506-2<br/>amendments dated 4/30/07.</b>                             |
|          | <b>048</b> | <b>VOTE: 5-0-0</b>  |
| 55A      |            | Chair Prozanski, hearing no objection, declares the motion<br><b>CARRIED.</b>                               |
|          | <b>049</b> | <b>MOTION: Sen. Beyer moves SB 506 to the floor with a DO<br/>PASS AS AMENDED recommendation.</b>           |
|          | <b>052</b> | <b>VOTE: 5-0-0</b><br>Chair Prozanski, hearing no objection, declares the motion                            |

|                                     |            |   |
|-------------------------------------|------------|---|
|                                     |            | <b>CARRIED.</b>   |
|                                     |            | <b>SEN. PROZANSKI will lead discussion on the floor.</b>                                      |
|                                     |            | Chair Prozanski   |
|                                     | 054        |   |
| <b><u>SB 788 – WORK SESSION</u></b> | 056        | Anna Braun, Committee Administrator ( <b>EXHIBIT C</b> )                                      |
|                                     | 064        | Chair Prozanski   |
|                                     | <b>066</b> | <b>MOTION: Sen. Monroe moves to ADOPT SB 788-2 amendments dated 4/25/07.</b>                  |
|                                     | <b>068</b> | <b>VOTE: 4-1-0</b>  |
|                                     |            | <b>AYE: 4 - Avakian, Gordly, Monroe, Prozanski</b>  |
|                                     |            | <b>NAY: 1 - Beyer</b>   |
|                                     |            | <b>Chair Prozanski declares the motion CARRIED.</b>   |
|                                     | <b>071</b> | <b>Sen. Monroe</b>  |
|                                     |            | <b>MOTION: Moves SB 788 to the floor with a DO PASS AS AMENDED recommendation.</b>            |
|                                     | 074        | Sen. Beyer  |
|                                     | 084        | Sen. Avakian  |
|                                     | <b>090</b> | <b>VOTE: 4-1-0</b>  |
|                                     |            | <b>AYE: 4 - Avakian, Gordly, Monroe, Prozanski</b>  |
|                                     |            | <b>NAY: 1 - Beyer</b>   |
|                                     |            | <b>Chair Prozanski declares the motion CARRIED.</b>   |
|                                     |            | <b>SEN. AVAKIAN will lead discussion on the floor.</b>  |
|                                     | 092        | Chair Prozanski   |
| <b><u>SB 342 – WORK SESSION</u></b> | 094        | Anna Braun, Committee Administrator ( <b>EXHIBIT D</b> )                                      |
|                                     | 101        | Chair Prozanski   |
|                                     | <b>106</b> | <b>MOTION: Sen. Beyer moves to ADOPT SB 342-3 amendments dated 4/27/07.</b>                   |
|                                     | <b>109</b> | <b>VOTE: 5-0-0</b>  |
|                                     |            | <b>Chair Prozanski, hearing no objection, declares the motion CARRIED.</b>                    |
|                                     | <b>342</b> | <b>MOTION: Sen. Beyer moves SB 342 to the floor with a DO PASS AS AMENDED recommendation.</b> |
|                                     | 113        | Sen. Monroe   |
|                                     | <b>126</b> | <b>VOTE: 5-0-0</b>  |
|                                     |            | <b>Chair Prozanski, hearing no objection, declares the motion CARRIED.</b>                    |
|                                     |            | <b>SEN. MONNES ANDERSON will lead discussion on the floor.</b>                                |
|                                     | 129        | Chair Prozanski   |
| <b><u>SB 248 – WORK SESSION</u></b> | 134        | Anna Braun, Committee Administrator ( <b>EXHIBIT E</b> )                                      |
| 55A                                 | 154        | Chair Prozanski   |
|                                     | <b>156</b> | <b>MOTION: Sen. Avakian moves to ADOPT SB 248-2 amendments dated 4/30/07.</b>                 |
|                                     | <b>158</b> | <b>VOTE: 5-0-0</b>  |
|                                     |            | <b>Chair Prozanski, hearing no objection, declares the motion CARRIED.</b>                    |
|                                     | 160        | Sen. Avakian  |
|                                     | 171        | Sen. Gordly   |
|                                     | 173        | Chair Prozanski   |
|                                     | <b>178</b> | <b>MOTION: Sen. Avakian moves SB 248 to the floor with a DO</b>                               |

|                                     |     |   |
|-------------------------------------|-----|---|
|                                     | 181 | <b>PASS AS AMENDED recommendation.</b>                            |
|                                     | 187 | Sen. Gordly   |
|                                     | 193 | Sen. Beyer  |
|                                     | 195 | Braun   |
|                                     | 197 | Sen. Beyer  |
|                                     | 221 | Chair Prozanski   |
|                                     |     | <b>VOTE: 4-1-0</b>  |
|                                     |     | <b>AYE: 4 - Avakian, Gordly, Monroe, Prozanski</b>                |
|                                     |     | <b>NAY: 1 - Beyer</b>   |
|                                     |     | <b>Chair Prozanski declares the motion CARRIED.</b>               |
|                                     |     | <b>SEN. GORDLY will lead discussion on the floor.</b>             |
|                                     | 224 | Chair Prozanski   |
| <b><u>SB 484 – WORK SESSION</u></b> | 233 | Anna Braun, Committee Administrator ( <b>EXHIBIT F – G</b> )      |
|                                     | 261 | Chair Prozanski   |
|                                     | 275 | Sen. Monroe   |
|                                     | 282 | Chair Prozanski   |
|                                     | 284 | Sen. Gordly   |
|                                     | 289 | Chair Prozanski   |
|                                     | 305 | Sen. Avakian  |
|                                     | 323 | Sen. Beyer  |
|                                     | 342 | Sen. Avakian  |
|                                     | 351 | Chair Prozanski   |
|                                     | 368 | Sen. Avakian  |
|                                     | 376 | Sen. Monroe   |
|                                     | 378 | Sen. Gordly   |
|                                     | 387 | <b>MOTION: Sen. Avakian moves to ADOPT SB 484-2</b>               |
|                                     |     | <b>amendments dated 4/30/07.</b>                                  |
|                                     | 391 | <b>VOTE: 4-1-0</b>  |
|                                     |     | <b>AYE: 4 - Avakian, Gordly, Monroe, Prozanski</b>                |
|                                     |     | <b>NAY: 1 - Beyer</b>   |
|                                     |     | <b>Chair Prozanski declares the motion CARRIED.</b>               |
| 55A                                 | 395 | <b>MOTION: Sen. Avakian moves SB 484 to the floor with a DO</b>   |
|                                     |     | <b>PASS AS AMENDED recommendation.</b>                            |
|                                     | 400 | Sen. Beyer  |
| 56A                                 | 002 | Chair Prozanski   |
|                                     | 004 | <b>VOTE: 4-1-0</b>  |
|                                     |     | <b>AYE: 4 - Avakian, Gordly, Monroe, Prozanski</b>                |
|                                     |     | <b>NAY: 1 - Beyer</b>   |
|                                     |     | <b>Chair Prozanski declares the motion CARRIED.</b>               |
|                                     |     | <b>SEN. AVAKIAN will lead discussion on the floor.</b>            |
|                                     | 006 | Chair Prozanski   |
| <b><u>SB 119 – WORK SESSION</u></b> | 009 | Anna Braun, Committee Administrator ( <b>EXHIBIT H</b> )          |
|                                     | 012 | <b>MOTION: Sen. Avakian moves to ADOPT SB 119-2</b>               |
|                                     |     | <b>amendments dated 4/23/07.</b>                                  |
|                                     | 016 | <b>VOTE: 5-0-0</b>  |
|                                     |     | <b>Chair Prozanski, hearing no objection, declares the motion</b> |
|                                     |     | <b>CARRIED.</b>   |
|                                     | 018 | <b>MOTION: Sen. Avakian moves SB 119 to the floor with a DO</b>   |
|                                     |     | <b>PASS AS AMENDED recommendation.</b>                            |

020

Sen. Beyer

025

**VOTE: 4-1-0**

**AYE: 4 - Avakian, Gordly, Monroe, Prozanski**

**NAY: 1 - Beyer**

**Chair Prozanski declares the motion CARRIED.**

**SEN. PROZANSKI will lead discussion on the floor.**

Chair Prozanski

027

**SB 780 – WORK SESSION**

032

Anna Braun, Committee Administrator (**EXHIBIT I**)

045

Chair Prozanski

047

**MOTION: Sen. Monroe moves to ADOPT SB 780-2 amendments dated 4/19/07.**

049

**VOTE: 5-0-0**

**Chair Prozanski, hearing no objection, declares the motion CARRIED.**

051

Braun

055

Chair Prozanski

060

Sen. Monroe

070

Sen. Beyer

079

Sen. Avakian

085

Chair Prozanski

088

**MOTION: Sen. Monroe moves SB 780 to the floor with a DO PASS AS AMENDED recommendation.**

090

**VOTE: 4-1-0**

**AYE: 4 - Avakian, Gordly, Monroe, Prozanski**

**NAY: 1 - Beyer**

**Chair Prozanski declares the motion CARRIED.**

**SEN. MONROE will lead discussion on the floor.**

Chair Prozanski

56A

093

**SB 684 – WORK SESSION**

096

Anna Braun, Committee Administrator (**EXHIBIT J**)

109

**MOTION: Sen. Avakian moves to ADOPT SB 684-5 amendments dated 4/30/07.**

112

Sen. Beyer

124

Chair Prozanski

128

Braun

130

Sen. Gordly

134

Chair Prozanski

146

**VOTE: 3-2-0**

**AYE: 3 - Avakian, Monroe, Prozanski**

**NAY: 2 - Beyer, Gordly**

**Chair Prozanski declares the motion CARRIED.**

149

**MOTION: Sen. Avakian moves SB 684 to the floor with a DO PASS AS AMENDED recommendation.**

159

Sen. Beyer

161

**VOTE: 3-2-0**

**AYE: 3 - Avakian, Monroe, Prozanski**

**NAY: 2 - Beyer, Gordly**

**Chair Prozanski declares the motion CARRIED.**

**SEN. METSGER will lead discussion on the floor.**

Chair Prozanski

162

**SB 523 – WORK SESSION**

|                                     |   |
|-------------------------------------|---|
| 164                                 | Anna Braun, Committee Administrator ( <b>EXHIBIT K</b> )  |
| 175                                 | Chair Prozanski   |
| 188                                 | Chair Prozanski recesses the meeting at 3:55 p.m.   |
| 190                                 | Chair Prozanski reconvenes the meeting at 3:57 p.m.   |
| <b>193</b>                          | <b>MOTION: Sen. Avakian moves to ADOPT SB 523-1 amendments dated 4/24/07.</b>                   |
| 195                                 | Sen. Beyer  |
| 199                                 | Braun   |
| 202                                 | Chair Prozanski   |
| 223                                 | Sen. Beyer  |
| 235                                 | Chair Prozanski   |
| <b>247</b>                          | <b>VOTE: 5-0-0</b>  |
|                                     | <b>Chair Prozanski, hearing no objection, declares the motion CARRIED.</b>                      |
| <b>253</b>                          | <b>MOTION: Sen. Avakian moves SB 523 to the floor with a DO PASS AS AMENDED recommendation.</b> |
| 257                                 | Sen. Beyer  |
| <b>260</b>                          | <b>VOTE: 4-1-0</b>  |
|                                     | <b>AYE: 4 - Avakian, Gordly, Monroe, Prozanski</b>  |
|                                     | <b>NAY: 1 - Beyer</b>   |
|                                     | <b>Chair Prozanski declares the motion CARRIED.</b>   |
|                                     | <b>SEN. MONROE will lead discussion on the floor.</b>   |
|                                     | Chair Prozanski   |
| 262                                 |   |
| <b><u>SB 628 – WORK SESSION</u></b> |   |
| 265                                 | Anna Braun, Committee Administrator ( <b>EXHIBIT L</b> )  |
| <b>272</b>                          | <b>MOTION: Sen. Avakian moves to ADOPT SB 628-2 amendments dated 4/2/07.</b>                    |
| <b>274</b>                          | <b>VOTE: 5-0-0</b>  |
|                                     | <b>Chair Prozanski, hearing no objection, declares the motion CARRIED.</b>                      |
| <b>276</b>                          | <b>MOTION: Sen. Avakian moves SB 628 to the floor with a DO PASS AS AMENDED recommendation.</b> |
| 280                                 | Sen. Gordly   |
| 294                                 | Sen. Beyer  |
| <b>309</b>                          | <b>VOTE: 4-1-0</b>  |
|                                     | <b>AYE: 4 - Avakian, Gordly, Monroe, Prozanski</b>  |
|                                     | <b>NAY: 1 - Beyer</b>   |
|                                     | <b>Chair Prozanski declares the motion CARRIED.</b>   |
|                                     | <b>SEN. WALKER will lead discussion on the floor.</b>   |
| 312                                 | Chair Prozanski   |
| <b><u>SB 431 – WORK SESSION</u></b> |   |
| 324                                 | Anna Braun, Committee Administrator ( <b>EXHIBIT M</b> )  |
| 334                                 | Chair Prozanski   |
| <b>336</b>                          | <b>Sen. Monroe</b>  |
|                                     | <b>MOTION: Moves to ADOPT SB 431-4 amendments dated 4/30/07.</b>                                |
| 339                                 | Sen. Gordly   |
| 346                                 | Sen. Beyer  |
| <b>355</b>                          | <b>VOTE: 5-0-0</b>  |
|                                     | <b>Chair Prozanski, hearing no objection, declares the motion CARRIED.</b>                      |

|     |                                       |  |
|-----|---------------------------------------|--|
|     | 357                                   | <b>MOTION: Sen. Beyer moves SB 431 to the floor with a DO PASS AS AMENDED recommendation.</b>  |
|     | 361                                   | <b>VOTE: 5-0-0</b>   |
|     |                                       | <b>Chair Prozanski, hearing no objection, declares the motion CARRIED.</b>   |
|     |                                       | <b>SEN. GORDLY will lead discussion on the floor.</b>  |
|     | 386                                   | Sen. Gordly  |
|     | 416                                   | Chair Prozanski  |
|     | 424                                   | Sen. Monroe  |
|     | 446                                   | Chair Prozanski  |
|     | <b><u>SB 560 – WORK SESSION</u></b>   |  |
| 55B | 005                                   | Anna Braun, Committee Administrator <b>(EXHIBIT N)</b>   |
|     | 011                                   | <b>MOTION: Sen. Monroe moves SB 560 to the floor WITHOUT RECOMMENDATION as to passage and BE REFERRED to the committee on Rules.</b> |
|     | 016                                   | Sen. Avakian   |
| 55B | 020                                   | Chair Prozanski  |
|     | 025                                   | Sen. Beyer   |
|     | 028                                   | <b>VOTE: 4-1-0</b>   |
|     |                                       | <b>AYE: 4 - Avakian, Gordly, Monroe, Prozanski</b>   |
|     |                                       | <b>NAY: 1 - Beyer</b>  |
|     |                                       | <b>Chair Prozanski declares the motion CARRIED.</b>  |
|     | 030                                   | Chair Prozanski  |
|     | <b><u>SB 730 – PUBLIC HEARING</u></b> |  |
|     | 035                                   | Anna Braun, Committee Administrator  |
|     | 040                                   | Jason Atkinson, State Senator, District 2 <b>(EXHIBIT O)</b>   |
|     | 060                                   | Brian Thompson, Washington Co.   |
|     | 097                                   | Sen. Monroe  |
|     | 105                                   | Thompson   |
|     | 113                                   | Vice-Chair Beyer   |
|     | 115                                   | Thompson   |
|     | 123                                   | Vice-Chair Beyer   |
|     | 125                                   | Thompson   |
|     | 131                                   | Kim Clark, Washington Co.  |
|     | 190                                   | Vice-Chair Beyer   |
|     | 195                                   | Thompson   |
|     | 200                                   | Clark  |
|     | 202                                   | Vice-Chair Beyer   |
|     | 209                                   | Clark  |
|     | 218                                   | Vice-Chair Beyer   |
|     | 227                                   | Al Elkins, Oregon Tow Truck Association  |
|     | 236                                   | Dina Cop   |
|     | 249                                   | Vice-Chair Beyer recesses the meeting at 4:29 p.m.   |
|     | 251                                   | Chair Prozanski reconvenes the meeting at 4:35 p.m.  |
|     | <b><u>SB 314 – PUBLIC HEARING</u></b> |  |
|     | 256                                   | Anna Braun, Committee Administrator <b>(EXHIBIT P – Q)</b>   |
|     | 263                                   | Sen. Beyer   |
|     | 269                                   | Chair Prozanski  |
|     | 271                                   | Alan Campf, ANS Marketing <b>(EXHIBIT R)</b>   |
|     | 344                                   | Sen. Beyer   |

|     |     |                 |
|-----|-----|-----------------|
|     | 346 | Campf           |
|     | 354 | Sen. Monroe     |
|     | 358 | Campf           |
|     | 361 | Sen. Monroe     |
| 55B | 373 | Campf           |
|     | 382 | Chair Prozanski |

**SB 314 – WORK SESSION**

|     |     |  |
|-----|-----|--|
|     | 391 | <b>MOTION: Sen. Avakian moves to ADOPT SB 314-2 amendments dated 4/30/07.</b>  |
|     | 398 | Chair Prozanski recesses the meeting at 4:42 p.m.  |
|     | 399 | Chair Prozanski reconvenes the meeting at 4:47 p.m.  |
|     | 406 | <b>VOTE: 4-1-0</b>   |
|     |     | <b>AYE: 4 - Avakian, Gordly, Monroe, Prozanski</b>   |
|     |     | <b>NAY: 1 - Beyer</b>  |
|     |     | <b>Chair Prozanski declares the motion CARRIED.</b>  |
| 56B | 005 | <b>MOTION: Sen. Avakian moves SB 314 to the floor WITHOUT RECOMMENDATION and BE REFERRED to the committee on Ways and Means.</b> |
|     | 009 | Sen. Beyer   |
|     | 013 | <b>VOTE: 4-1-0</b>   |
|     |     | <b>AYE: 4 - Avakian, Gordly, Monroe, Prozanski</b>   |
|     |     | <b>NAY: 1 - Beyer</b>  |
|     |     | <b>Chair Prozanski declares the motion CARRIED.</b>  |
|     | 019 | Chair Prozanski recesses the meeting at 4:49 p.m.  |
|     | 020 | Chair Prozanski reconvenes the meeting at 4:50 p.m.  |

**SB 1035 – WORK SESSION**

|  |     |   |
|--|-----|---|
|  | 022 | Chair Prozanski   |
|  | 028 | Sen. Gordly   |
|  | 047 | <b>MOTION: Sen. Gordly moves SB 1035 to the floor WITHOUT RECOMMENDATION as to passage and BE REFERRED to the committee on Rules.</b> |
|  | 050 | Sen. Beyer  |
|  | 052 | Sen. Gordly   |
|  | 059 | Sen. Beyer  |
|  | 063 | Sen. Gordly   |
|  | 066 | <b>VOTE: 5-0-0</b>  |
|  |     | <b>Chair Prozanski, hearing no objection, declares the motion CARRIED.</b>  |

The following prepared testimony is submitted for the record without public testimony:

|  |     |  |
|--|-----|--|
|  |     | SB 523, prepared testimony, Ronald Fredrickson, 2 pp |
|  |     | <b>(EXHIBIT S)</b>                                   |
|  | 069 | Chair Prozanski adjourns the meeting at 4:54 p.m.    |

**EXHIBIT SUMMARY**

- A. SB 506, -1 amendment, staff, 1 p
- B. SB 506, -2 amendment, staff, 1 p
- C. SB 788, -2 amendment, staff, 1 p
- D. SB 342, -3 amendment, staff, 1 p
- E. SB 248, -2 amendment, staff, 4 pp

- F. SB 484, -1 amendment, staff, 2 pp
- G. SB 484, -2 amendment, staff, 2 pp
- H. SB 119, -2 amendment, staff, 1 p
- I. SB 780, -2 amendment, staff, 1 p
- J. SB 684, -5 amendment, staff, 10 pp
- K. SB 523, -1 amendment, staff, 2 pp
- L. SB 628, -2 amendment, staff, 4 pp
- M. SB 431, -4 amendment, staff, 3 pp
- N. SB 560, -12 amendment, staff, 1p
- O. SB 730, prepared testimony, Jason Atkinson, 7 pp
- P. SB 314, -1 amendment, staff, 1 p
- Q. SB 314, -2 amendment, staff, 3 pp
- R. SB 314, prepared testimony, Alan Campf, 2 pp
- S. SB 523, prepared testimony, Ronald Fredrickson, 2 pp