

## SENATE COMMITTEE ON COMMERCE

May 23, 2007 Hearing Room B  
3:00 PM Tapes 71 - 72

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

**MEMBER EXCUSED:**

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

**MEASURES/ISSUES HEARD:**

**HB 2256 A – Public Hearing and Work Session**  
**HB 2258 A – Public Hearing and Work Session**  
**HB 2460 – Public Hearing**  
**HB 2485 – Public Hearing and Work Session**  
**HB 2622 – Public Hearing and Work Session**  
**HB 2635 – Public Hearing**  
**HB 2261 A – Public Hearing and Work Session**  
**HB 3400 – Public Hearing and Work Session**  
**HB 2203 A – Work Session**  
**HB 2204 A – 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
71A	003	Chair Prozanski calls the meeting to order at 3:10 p.m.
<b><u>HB 2256 A – PUBLIC HEARING</u></b>		
	017	Anna Braun, Committee Administrator
	020	Chair Prozanski
	028	Dan Gardner, Commissioner, Bureau of Labor and Industries <b>(EXHIBITS A – C)</b>
	058	Sen. Monroe
	062	Vice-Chair Beyer
	066	Nargess Shadbeh, Director, Oregon Law Center <b>(EXHIBIT D)</b>
	086	Gardner
	088	Sen. Monroe
	089	Gardner
71A	093	Vice-Chair Beyer
<b><u>HB 2256 A – WORK SESSION</u></b>		
	<b>098</b>	<b>MOTION: Sen. Monroe moves to ADOPT HB 2256A-5 amendments dated 5/23/07.</b>
	<b>101</b>	<b>VOTE: 4-0-1</b> <b>EXCUSED: 1 - Prozanski</b> <b>Vice-Chair Beyer, hearing no objection, declares the motion CARRIED.</b>

	103	<b>MOTION: Sen. Monroe moves HB 2256A to the floor with a DO PASS AS AMENDED recommendation.</b>
	105	<b>VOTE: 4-0-1</b> <b>EXCUSED: 1 - Prozanski</b> <b>Vice-Chair Beyer, hearing no objection, declares the motion CARRIED.</b> <b>SEN. MONROE will lead discussion on the floor.</b>
	107	Vice-Chair Beyer
	<b><u>HB 2258 A – PUBLIC HEARING</u></b>	
	109	Anna Braun, Committee Administrator
	112	Dan Gardner, Commissioner, Bureau of Labor and Industries <b>(EXHIBIT E)</b>
	130	Vice-Chair Beyer
	133	Gardner
	148	Vice-Chair Beyer
	<b><u>HB 2258 A – WORK SESSION</u></b>	
	153	<b>MOTION: Sen. Avakian moves HB 2258A to the floor with a DO PASS recommendation.</b>
	155	<b>VOTE: 4-0-1</b> <b>EXCUSED: 1 - Prozanski</b> <b>Vice-Chair Beyer, hearing no objection, declares the motion CARRIED.</b> <b>SEN. AVAKIAN will lead discussion on the floor.</b>
	155	Vice-Chair Beyer
	<b><u>HB 2622 – PUBLIC HEARING</u></b>	
	177	Anna Braun, Committee Administrator
	187	Mary Botkin, AFSCME
	203	Colleen Savage, AFSCME
	213	Sen. Monroe
	218	Vice-Chair Beyer
	223	Botkin
	234	Sen. Gordly
	237	Savage
	254	Sen. Gordly
	260	Vice-Chair Beyer
71A	263	Botkin
	265	Vice-Chair Beyer
	275	Botkin
	284	Vice-Chair Beyer
	<b><u>HB 2622 – WORK SESSION</u></b>	
	299	<b>MOTION: Sen. Gordly moves HB 2622 to the floor with a DO PASS recommendation.</b>
	302	<b>VOTE: 5-0-0</b> <b>Vice-Chair Beyer, hearing no objection, declares the motion CARRIED.</b> <b>SEN. GORDLY will lead discussion on the floor.</b>
	305	Vice-Chair Beyer
	<b><u>HB 2635 – PUBLIC HEARING</u></b>	
	308	Anna Braun, Committee Administrator <b>(EXHIBITS F – G)</b>
	317	Vice-Chair Beyer
	324	Felisa Hagins, SEIU Local 503

333 George Okulit, Oregon Trial Lawyers Association  
366 Patty Rissberger, Oregon Trial Lawyers Association  
395 Hagins  
399 Sen. Monroe

**HB 2261 A – PUBLIC HEARING**

72A 003 Anna Braun, Committee Administrator (**EXHIBIT H**)  
006 Vice-Chair Beyer  
009 Dan Gardner, Commissioner, Bureau of Labor and Industries  
(**EXHIBIT I**)  
016 Steve Simms, Oregon State Apprenticeship and Training Council  
055 Vice-Chair Beyer  
057 Simms  
059 Vice-Chair Beyer  
065 Braun  
071 Simms  
073 Sen. Avakian  
075 Gardner  
077 Vice-Chair Beyer  
079 Simms  
081 Bob Shiprack, Oregon Building and Construction Trades Council  
105 Vice-Chair Beyer  
107 Shiprack  
116 Vice-Chair Beyer  
118 Shiprack  
72A 122 Gardner  
131 Sen. Gordly  
135 Shiprack  
137 Simms  
179 Sen. Gordly  
183 Shiprack  
186 Sen. Gordly  
188 Simms  
190 Sen. Gordly  
194 Simms  
215 Sen. Gordly  
217 Simms  
239 Vice-Chair Beyer  
243 Gardner  
252 Vice-Chair Beyer  
254 Simms  
257 Vice-Chair Beyer  
261 Gardner  
272 Vice-Chair Beyer  
275 Simms  
294 Vice-Chair Beyer  
300 Sen. Gordly  
306 Simms  
323 Vice-Chair Beyer

**HB 2261 A – WORK SESSION**

343 Anna Braun, Committee Administrator

346 Sen. Beyer  
352 Sen. Gordly  
355 Sen. Monroe

**HB 3400 – PUBLIC HEARING**

367 Anna Braun, Committee Administrator  
372 Chair Prozanski  
382 Kevin Jensen, Business Manager, Ironworkers Local 29  
**(EXHIBIT J)**  
71B 016 Chair Prozanski  
024 Michael Wood, Administrator, Oregon OSHA, Department of  
Consumer and Business Services **(EXHIBIT K)**  
041 Bob Shiprack, Oregon Building and Construction Trades Council  
046 Sen. Beyer  
054 Shiprack  
71B 059 Sen. Beyer  
062 Jensen  
066 Sen. Beyer  
072 Chair Prozanski  
077 Jessica Adamson, Oregon Association of General Contractors  
105 Chair Prozanski  
109 Adamson  
112 Sen. Beyer  
114 Adamson  
117 Sen. Monroe  
120 Adamson  
124 Chair Prozanski

**HB 3400 – WORK SESSION**

128 **MOTION: Sen. Avakian moves HB 3400 to the floor with a  
DO PASS recommendation.**  
131 Sen. Beyer  
151 Sen. Avakian  
161 Sen. Monroe  
174 Sen. Beyer  
181 **VOTE: 4-1-0**  
**AYE: 4 - Avakian, Gordly, Monroe, Prozanski**  
**NAY: 1 - Beyer**  
**Chair Prozanski declares the motion CARRIED.**  
**SEN. AVAKIAN will lead discussion on the floor.**  
185 Chair Prozanski

**HB 2460, HB 2485 – PUBLIC HEARING**

196 Diane Rosenbaum, State Representative, District 42 **(EXHIBITS  
L – M)**  
282 Chair Prozanski  
292 Rosenbaum **(EXHIBIT N)**  
334 Sen. Monroe  
337 Sen. Beyer  
342 Rosenbaum  
353 Dan Gardner, Commissioner, Bureau of Labor and Industries  
**(EXHIBIT O)**  
366 Chair Prozanski

**HB 2485 – PUBLIC HEARING**

377  
**HB 2485 – WORK SESSION**

408  
71B 411  
413

416  
**HB 2460 – PUBLIC HEARING**

72B 004  
014  
025  
044  
049  
063  
067  
092

**HB 2261 A – WORK SESSION**

096  
098

102  
**HB 2203 A – WORK SESSION**

108  
121  
130  
132  
136  
138

140  
**HB 2204 A – WORK SESSION**

146  
158  
72B 174  
216  
219

Marcia Kelly, American Federation of University Women

**MOTION: Sen. Avakian moves HB 2485 to the floor with a DO PASS recommendation.**

Sen. Beyer

**VOTE: 4-1-0**

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

**NAY: 1 - Beyer**

**Chair Prozanski declares the motion CARRIED.**

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

Chair Prozanski

Chair Prozanski

Steve Lanning, Oregon AFL-CIO

Neajuna Nixon-Clarey, State Operated Community Group Homes (**EXHIBIT P**)

Joe Thurman, AFSCME

Dr. Lorraine Scatch, AFSCME (**EXHIBIT Q**)

Chair Prozanski

Lisa Trussell, Association of Oregon Industries

Chair Prozanski

**MOTION: Sen. Beyer moves HB 2261 to the floor with a DO PASS recommendation.**

**VOTE: 5-0-0**

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

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

Chair Prozanski

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

Chair Prozanski

**MOTION: Sen. Avakian moves to ADOPT HB 2203A-8 amendments dated 5/23/07.**

**VOTE: 5-0-0**

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

**MOTION: Sen. Avakian moves HB 2203A to the floor with a DO PASS AS AMENDED recommendation.**

**VOTE: 4-1-0**

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

**NAY: 1 - Beyer**

**Chair Prozanski declares the motion CARRIED.**

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

Chair Prozanski

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

Tina Kotek, State Representative, District 44 (**EXHIBIT T**)

Galen Gamble (**EXHIBIT U**)

Chair Prozanski

**MOTION: Sen. Avakian moves to ADOPT HB 2204A-4 amendments dated 4/27/07.**

223	Sen. Gordly
226	Sen. Beyer ( <b>EXHIBIT V</b> )
237	Sen. Monroe
243	Braun
<b>252</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>260</b>	<b>MOTION: Sen. Beyer moves to ADOPT HB 2204A-5 amendments dated 5/22/07.</b>
269	Braun
273	Sen. Beyer
288	Sen. Avakian
292	Chair Prozanski
318	Sen. Monroe
322	Sen. Beyer
<b>326</b>	<b>VOTE: 2-3-0</b> <b>AYE: 2 - Beyer, Gordly</b> <b>NAY: 3 - Avakian, Monroe, Prozanski</b> <b>Chair Prozanski declares the motion FAILED.</b>
329	Chair Prozanski
<b>339</b>	<b>MOTION: Sen. Avakian moves HB 2204A to the floor with a DO PASS AS AMENDED recommendation.</b>
343	Sen. Beyer
348	Sen. Gordly
358	Sen. Beyer
<b>362</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. PROZANSKI will lead discussion on the floor.</b>
372	Chair Prozanski adjourns the meeting at 5:03 p.m.

## EXHIBIT SUMMARY

- A. HB 2256 A, prepared testimony, Dan Gardner, 2 pp
- B. HB 2256 A, -A3 amendment, staff, 1 p
- C. HB 2256 A, -A5 amendment, staff, 1 p
- D. HB 2256 A, prepared testimony, Nargess Shadbeh, 1p
- E. HB 2258 A, prepared testimony, Dan Gardner, 2 pp
- F. HB 2635, -1 amendment, staff, 1 p
- G. HB 2635, -2 amendment, staff, 1 p
- H. HB 2261 A, -A2 amendment, staff, 1 p
- I. HB 2261 A, prepared testimony, Dan Gardner, 3 pp
- J. HB 3400, prepared testimony, Kevin Jensen, 32 pp
- K. HB 3400, prepared testimony, Michael Wood, 2 pp
- L. HB 2460, prepared testimony, Diane Rosenbaum, 1 p
- M. HB 2460, -1 amendment, staff, 1 p
- N. HB 2485, prepared testimony, Diane Rosenbaum, 1 p

- O. **HB 2485, prepared testimony, Dan Gardner, 2 pp**
- P. **HB 2460, prepared testimony, Neajuana Nixon-Clarey, 1 p**
- Q. **HB 2460, prepared testimony, Lorraine Skach, 2 pp**
- R. **HB 2203 A, -A8 amendment, staff, 4 pp**
- S. **HB 2204 A, -A4 amendment, staff, 3 pp**
- T. **HB 2204 A, prepared testimony, Tina Kotek, 1 p**
- U. **HB 2204 A, prepared testimony, Galen Gamble, 2 pp**
- V. **HB 2204 A, -A5 amendment, staff, 1 p**