

SENATE COMMITTEE ON COMMERCE

May 30, 2007 Hearing Room B
3:00 PM Tapes 73 - 74

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:

HB 2585 A – Work Session
HB 2892 – Work Session
HB 2871 A – Work Session
HB 2891 – Work Session
HB 2397 A – Public Hearing
HB 2619 – Public Hearing and Work Session
HB 2397 A – Public Hearing and Work Session
HB 2783 A – Public Hearing and Work Session
HB 3362 – Public Hearing and Work Session
HB 2513 A – Work Session
HB 2460 – Work Session
HB 2635 – Work Session
HB 2205 A – Work Session
HB 3183 – Public Hearing and Work Session
HB 2224 A – Work Session
HB 2285 – 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
73A	002	Chair Prozanski calls the meeting to order at 3:10 p.m.
		<u>HB 2585 A, HB 2892 – WORK SESSION</u>
	016	MOTION: Sen. Beyer moves HB 2585A and HB 2892 to the floor WITHOUT RECOMMENDATION as to passage and BE REFERRED to the committee on Rules.
	019	VOTE: 5-0-0 Chair Prozanski, hearing no objection, declares the motion CARRIED.
	021	Chair Prozanski
		<u>HB 2871 A – WORK SESSION</u>
	025	Anna Braun, Committee Administrator (EXHIBIT A, B)
73A	035	Chair Prozanski
	037	MOTION: Sen. Monroe moves to ADOPT HB 2871A-22 amendments dated 5/30/07.
	039	VOTE: 5-0-0 Chair Prozanski, hearing no objection, declares the motion CARRIED.

041 Sen. Beyer (**EXHIBIT C**)
044 MOTION: Sen. Beyer moves to ADOPT HB 2871A-11
amendments dated 5/30/07.
058 Chair Prozanski (**EXHIBIT D**)
070 Sen. Gordly
076 Sen. Avakian
093 VOTE: 1-4-0
AYE: 1 - Beyer
NAY: 4 - Avakian, Gordly, Monroe, Prozanski
Chair Prozanski declares the motion FAILED.
095 Sen. Beyer (**EXHIBIT E**)
100 MOTION: Sen. Beyer moves to ADOPT HB 2871A-16
amendments dated 5/24/07.
116 Sen. Monroe
122 Chair Prozanski
143 VOTE: 1-4-0
AYE: 1 - Beyer
NAY: 4 - Avakian, Gordly, Monroe, Prozanski
Chair Prozanski declares the motion FAILED.
145 Chair Prozanski
147 MOTION: Sen. Beyer moves to ADOPT HB 2871A-20
amendments dated 5/25/07.
150 Sen. Gordly
152 Sen. Beyer
160 Sen. Monroe
175 VOTE: 2-3-0
AYE: 2 - Beyer, Gordly
NAY: 3 - Avakian, Monroe, Prozanski
Chair Prozanski declares the motion FAILED.
177 Chair Prozanski
179 MOTION: Sen. Avakian moves HB 2871A to the floor with a
DO PASS AS AMENDED recommendation.
183 Sen. Beyer
190 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.
195 Chair Prozanski

73A

HB 2891 – WORK SESSION

202 Anna Braun, Committee Administrator (**EXHIBIT F**)
208 Ben Westlund, State Senator, District 27
271 Chair Prozanski
284 MOTION: Sen. Avakian moves to ADOPT HB 2891
amendments dated 5/21/07.
287 VOTE: 4-0-1
EXCUSED: 1 - Monroe
Chair Prozanski, hearing no objection, declares the motion
CARRIED.
291 MOTION: Sen. Avakian moves HB 2891 to the floor with a
DO PASS AS AMENDED recommendation.

	293	Sen. Beyer
	306	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.
	310	Chair Prozanski
	<u>HB 2397 A – PUBLIC HEARING</u>	
	331	Anna Braun, Committee Administrator (EXHIBIT G)
	341	Betty Komp, State Representative, District 22 (EXHIBIT H)
	383	Al Shannon, Portland OR (EXHIBIT I)
	405	Brian Boquist, State Representative, District 23
74A	012	Chair Prozanski
	017	Greg Macpherson, State Representative, District 38
	036	Vice-Chair Beyer
	049	Steve Delaney, Director, Public Employees Retirement System
	058	Vice-Chair Beyer
	060	Delaney
	062	Vice-Chair Beyer
	064	Delaney
	066	Vice-Chair Beyer
	068	Delaney
	070	Vice-Chair Beyer
	072	Delaney
	076	Sen. Avakian
	078	Delaney
	081	Chair Prozanski
	<u>HB 2619 – PUBLIC HEARING</u>	
74A	092	Anna Braun, Committee Administrator (EXHIBIT J, K)
	102	Chair Prozanski
	108	Brian DeLashmutt, Government Relations, Oregon Council of Police Associations
	120	Judy Sugnet, State Representative Brad Witt
	151	Beth Anne Danby, Oregon Education Association
	168	DeLashmutt
	177	Chair Prozanski
	185	Brad Witt, State Representative, District 31
	226	Chair Prozanski
	<u>HB 2619 – WORK SESSION</u>	
	233	MOTION: Sen. Avakian moves to ADOPT HB 2619-3 amendments dated 5/21/07.
	239	VOTE: 3-1-1
		AYE: 3 - Avakian, Gordly, Prozanski
		NAY: 1 - Beyer
		EXCUSED: 1 - Monroe
		Chair Prozanski declares the motion CARRIED.
	241	MOTION: Sen. Avakian moves to ADOPT HB 2619-4 amendments dated 5/30/07.
	245	VOTE: 5-0-0
		Chair Prozanski, hearing no objection, declares the motion CARRIED.

	247	MOTION: Sen. Avakian moves HB 2619 to the floor with a DO PASS AS AMENDED recommendation.
		VOTE: 5-0-1
		EXCUSED: 1 - Sen. Monroe
	260	Sen. Beyer
	283	Chair Prozanski, hearing no objection, declares the motion CARRIED.
		SEN. AVAKIAN will lead discussion on the floor.
	287	Chair Prozanski
	<u>HB 2397 A – PUBLIC HEARING</u>	
	295	Greg Macpherson, State Representative, District 38 (EXHIBIT L)
	380	Chair Prozanski
	<u>HB 2397 A – WORK SESSION</u>	
	402	MOTION: Sen. Monroe moves to ADOPT HB 2397A-6 amendments dated 5/11/07.
	410	VOTE: 4-1-0
		AYE: 4 - Avakian, Gordly, Monroe, Prozanski
		NAY: 1 - Beyer
		Chair Prozanski declares the motion CARRIED.
	412	MOTION: Sen. Monroe moves to ADOPT HB 2397A-7 amendments dated 5/23/07.
74A	416	Sen. Gordly
	422	VOTE: 5-0-0
		Chair Prozanski, hearing no objection, declares the motion CARRIED.
	434	MOTION: Sen. Monroe moves HB 2397A to the floor with a DO PASS AS AMENDED recommendation.
	438	Sen. Beyer
73B	010	VOTE: 5-0-0
		Chair Prozanski, hearing no objection, declares the motion CARRIED.
		SEN. GORDLY will lead discussion on the floor.
	015	Chair Prozanski
	<u>HB 2783 A - PUBLIC HEARING</u>	
73B	017	Anna Braun, Committee Administrator (EXHIBIT M)
	024	Chair Prozanski
	031	Shawn Miller, Liberty Northwest
	044	Jerry Managhan, Deputy Administrator, Workers' Compensation Division, Department of Consumer and Business Services (EXHIBIT N)
	051	Chair Prozanski
	<u>HB 2783 A – WORK SESSION</u>	
	056	MOTION: Sen. Beyer moves to ADOPT HB 2783A-3 amendments dated 5/18/07.
	059	VOTE: 5-0-0
		Chair Prozanski, hearing no objection, declares the motion CARRIED.
	061	MOTION: Sen. Beyer moves HB 2783A to the floor with a DO PASS AS AMENDED recommendation.
	063	VOTE: 5-0-0
		Chair Prozanski, hearing no objection, declares the motion

SEN. BEYER will lead discussion on the floor.
Chair Prozanski

Chair Prozanski, hearing no objection, declares the motion

	203	CARRIED. Sen. Avakian MOTION: Moves HB 2635 to the floor with a DO PASS AS AMENDED recommendation.
	213	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
73B	215	
	<u>HB 2205 A – WORK SESSION</u>	
	218	Anna Braun, Committee Administrator (EXHIBIT T)
	232	MOTION: Sen. Avakian moves to ADOPT HB 2205A-3 amendments dated 5/22/07.
	234	VOTE: 5-0-0 Chair Prozanski, hearing no objection, declares the motion CARRIED.
	240	MOTION: Sen. Avakian moves HB 2205A to the floor with a DO PASS AS AMENDED recommendation.
	246	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
	248	
	<u>HB 3183 – PUBLIC HEARING</u>	
	258	Anna Braun, Committee Administrator
	262	Greg Macpherson, State Representative, District 38
	313	Mark Nelson, Association of Oregon Faculties (EXHIBIT U, V)
	355	Macpherson
	362	Sen. Monroe
	<u>HB 3183 – WORK SESSION</u>	
	381	Sen. Gordly
	384	MOTION: Sen. Beyer moves to ADOPT HB 3183-1 amendments dated 5/30/07.
	386	VOTE: 5-0-0 Chair Prozanski, hearing no objection, declares the motion CARRIED.
	389	MOTION: Sen. Beyer moves HB 3183 to the floor with a DO PASS AS AMENDED recommendation.
	393	VOTE: 4-0-1 EXCUSED: 1 - Avakian Chair Prozanski, hearing no objection, declares the motion CARRIED. SEN. MONROE will lead discussion on the floor. Chair Prozanski
	396	
	<u>HB 2224 A – WORK SESSION</u>	
	406	Anna Braun, Committee Administrator
74B	003	Chair Prozanski
	011	MOTION: Sen. Beyer moves HB 2224A to the floor with a DO PASS recommendation.
	015	VOTE: 4-0-1

EXCUSED: 1 - Avakian

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

SEN. GORDLY will lead discussion on the floor.

Chair Prozanski

018

HB 2285 – WORK SESSION

020

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

026

Chair Prozanski

036

Sen. Beyer

041

Steve Delaney, Director, Oregon PERS

105

Sen. Beyer

107

Sen. Gordly

119

Delaney

128

Sen. Gordly

132

Chair Prozanski

140

Sen. Beyer

147

Chair Prozanski

149

Sen. Beyer

154

Chair Prozanski

158

Delaney

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Chair Prozanski

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Delaney

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Sen. Beyer

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Sen. Gordly

178

Chair Prozanski recesses the meeting at 4:51 p.m.

180

Chair Prozanski reconvenes the meeting at 5:04 p.m.

183

MOTION: Sen. Avakian moves to ADOPT HB 2285-1 amendments dated 5/25/07.

185

VOTE: 4-0-1

EXCUSED: 1 - Beyer

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

189

MOTION: Sen. Avakian moves HB 2285 to the floor with a DO PASS AS AMENDED recommendation.

191

VOTE: 4-0-1

EXCUSED: 1 - Beyer

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

SEN. AVAKIAN will lead discussion on the floor.

206

Sen. Gordly

208

Chair Prozanski

236

Sen. Gordly

239

Chair Prozanski

253

Sen. Avakian

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

HB 2619, prepared testimony, Paul Holvey, 1 p (**EXHIBIT X**)

HB 2513 A, prepared testimony, Carolyn Tomei, 2 pp (**EXHIBIT Y**)

257

Chair Prozanski adjourns the meeting at 5:09 p.m.

EXHIBIT SUMMARY

- A. HB 2871 A, -A20 amendment, staff, 1 p
- B. HB 2871 A, -A22 amendment, staff, 12 pp
- C. HB 2871 A, -A11 amendment, Roger Beyer, 1 p
- D. HB 2871 A, LC opinion, Sean Brennan, 3 pp
- E. HB 2871 A,-A16 amendment, Roger Beyer, 1 p
- F. HB 2891, -2 amendment, staff, 3 pp
- G. HB 2397 A, -A6 amendment, staff, 2 pp
- H. HB 2397 A, prepared testimony, Betty Komp, 1 p
- I. HB 2397 A, prepared testimony, Al Shannon, 2 pp
- J. HB 2619, -3 amendment, staff, 2 pp
- K. HB 2619, -4 amendment, staff, 3 pp
- L. HB 2397 A, -A7 amendment, Greg Macpherson, 2 pp
- M. HB 2783 A, -A3 amendment, staff, 5 pp
- N. HB 2783 A, prepared testimony, John Shilts, 1p
- O. HB 3362, -1 amendment, staff, 1 p
- P. HB 3362, prepared testimony, Arthur Towers, 2 pp
- Q. HB 3362, prepared testimony, Julia Huddleston, 2 pp
- R. HB 2460, -2 amendment, staff, 8 pp
- S. HB 2635, -3 amendment, staff, 1 p
- T. HB 2205 A, -A3 amendment, staff , 2 pp
- U. HB 3183, prepared testimony, Mark Nelson, 3 pp
- V. HB 3183, -1 amendment, Mark Nelson, 1 p
- W. HB 2285, -1 amendment, staff, 17 pp
- X. HB 2619, prepared testimony, Paul Holvey, 1 p
- Y. HB 2513, prepared testimony, Carolyn Tomei, 3 pp