

SENATE COMMITTEE ON COMMERCE

May 09, 2007 Hearing Room B
3:00 PM Tapes 61 - 63

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 2202A – Work Session

HB 2247A – Work Session
HB 2253 – Work Session
HB 2254 – Work Session
HB 2255 – Work Session
HB 2259 – Work Session
HB 2260 – Work Session
HB 2943A – Work Session
HB 2891 – Public Hearing
HB 2892, 2893 – Public Hearing
HB 2891 – Public Hearing
HB 2891, 2892, 2893 – Public Hearing
HB 2220 – Work Session
HB 2891, 2892, 2893 – Public Hearing

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 |
| 61A | 003 | Chair Prozanski calls the meeting to order at 3:11 p.m. |
| <u>HB 2202A – WORK SESSION</u> | | |
| | 016 | Anna Braun, Committee Administrator (EXHIBIT A) |
| | 024 | Chair Prozanski |
| | 026 | MOTION: Sen. Avakian moves to ADOPT HB 2202A-6 amendments dated 5/4/07. |
| | 036 | Braun |
| | 043 | Chair Prozanski |
| | 052 | VOTE: 4-0-1 EXCUSED: 1 - Beyer Chair Prozanski, hearing no objection, declares the motion CARRIED. |
| 61A | 054 | MOTION: Sen. Avakian moves HB 2202A to the floor with a DO PASS AS AMENDED recommendation and the SUBSEQUENT REFERRAL to the committee on Ways and Means BE RESCINDED. |
| | 060 | Sen. Gordly |
| | 064 | Braun |

067

069

Chair Prozanski

VOTE: 4-0-1

EXCUSED: 1 - Beyer

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

SEN. PROZANSKI will lead discussion on the floor.

Chair Prozanski

072

HB 2247A – WORK SESSION

076

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

083

Chair Prozanski

085

Braun

090

Chair Prozanski

092

MOTION: Sen. Avakian moves to ADOPT HB 2247A-2 amendments dated 5/9/07.

094

VOTE: 4-0-1

EXCUSED: 1 - Beyer

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

096

MOTION: Sen. Avakian moves HB 2247A to the floor with a DO PASS AS AMENDED recommendation.

100

VOTE: 4-0-1

EXCUSED: 1 - Beyer

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

SEN. MONROE will lead discussion on the floor.

Chair Prozanski

102

HB 2253 – WORK SESSION

104

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

109

Chair Prozanski

117

MOTION: Sen. Avakian moves HB 2253 to the floor with a DO PASS recommendation.

120

VOTE: 4-0-1

EXCUSED: 1 - Beyer

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

SEN. AVAKIAN will lead discussion on the floor.

Chair Prozanski

121

HB 2254 – WORK SESSION

61A

123

Anna Braun, Committee Administrator

126

Chair Prozanski

129

MOTION: Sen. Monroe moves HB 2254 to the floor with a DO PASS recommendation.

132

VOTE: 4-0-1

EXCUSED: 1 - Beyer

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

SEN. GORDLY will lead discussion on the floor.

Chair Prozanski

134

HB 2255 – WORK SESSION

136

Anna Braun, Committee Administrator

140

Chair Prozanski

142

MOTION: Sen. Monroe moves HB 2255 to the floor with a

146

DO PASS recommendation.

VOTE: 4-0-1

EXCUSED: 1 - Beyer

Chair Prozanski, hearing no objection, declares the motion

CARRIED.

SEN. GORDLY will lead discussion on the floor.

Chair Prozanski

148

HB 2259 – WORK SESSION

150

Anna Braun, Committee Administrator

155

Chair Prozanski

157

MOTION: Sen. Avakian moves HB 2259 to the floor with a DO PASS recommendation.

157

Avakian moves HB 2259 do pass

160

Sen. Avakian

163

Braun

165

Sen. Avakian

170

Braun

172

Chair Prozanski

174

Sen. Avakian

181

Chair Prozanski

186

Sen. Avakian

188

Sen. Monroe

194

Chair Prozanski

201

Sen. Beyer

206

VOTE: 4-0-1

EXCUSED: 1 - Beyer

Chair Prozanski, hearing no objection, declares the motion

CARRIED.

SEN. MONROE will lead discussion on the floor.

Chair Prozanski

61A

208

HB 2260 – WORK SESSION

212

Anna Braun, Committee Administrator

217

Chair Prozanski

220

MOTION: Sen. Avakian moves HB 2260 to the floor with a DO PASS recommendation.

222

Sen. Gordly

241

Sen. Beyer

256

Sen. Avakian

262

Chair Prozanski

265

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

268

HB 2943A – WORK SESSION

275

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

284

MOTION: Sen. Avakian moves to ADOPT HB 2943A-2 amendments dated 5/8/07.

289

Chair Prozanski

297

VOTE: 5-0-0

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| | | Chair Prozanski, hearing no objection, declares the motion CARRIED. |
| | 299 | MOTION: Sen. Avakian moves HB 2943A to the floor with a DO PASS AS AMENDED recommendation. |
| | 308 | VOTE: 5-0-0 Chair Prozanski, hearing no objection, declares the motion CARRIED. |
| | | SEN. AVAKIAN will lead discussion on the floor. |
| | 315 | Chair Prozanski |
| | <u>HB 2891 – PUBLIC HEARING</u> | |
| | 320 | Anna Braun, Committee Administrator (EXHIBIT E) |
| | 339 | Vice-Chair Beyer |
| | 351 | Tom Chamberlain, President, AFL-CIO (EXHIBIT F) |
| | 394 | Sen. Monroe |
| | 397 | Chair Prozanski |
| | 401 | Richard Schwarz, Executive Director, AFT-Oregon (EXHIBIT G) |
| 62A | 028 | John Lepink, Oregon Department of Fish and Wildlife |
| | 066 | Sen. Beyer |
| | 071 | Chamberlain |
| | 075 | Sen. Beyer |
| 62A | 080 | Chamberlain |
| | 087 | Sen. Beyer |
| | 089 | Chamberlain |
| | 095 | Vice-Chair Beyer |
| | 100 | Diane Rosenbaum, State Representative, District 42 |
| | 161 | Sen. Monroe |
| | 165 | Chair Prozanski |
| | <u>HB 2892, 2893 – PUBLIC HEARING</u> | |
| | 169 | Diane Rosenbaum, State Representative, District 42 |
| | 232 | Chair Prozanski |
| | 240 | Sen. Monroe |
| | 246 | Rosenbaum |
| | 258 | Sen. Monroe |
| | 264 | Chair Prozanski |
| | 270 | Bruce Hanna, State Representative, District 7 (EXHIBIT H) |
| | 345 | Sen. Avakian |
| | 356 | Hanna |
| | 366 | Sen. Avakian |
| | 380 | Hanna |
| | 392 | Sen. Avakian |
| | 395 | Hanna |
| | 402 | Sen. Monroe |
| | 421 | Hanna |
| | 424 | Chair Prozanski |
| | 428 | Hanna |
| | 433 | Chair Prozanski |
| 61B | 007 | Mitch Greenlick, State Representative, District 33 |
| | 057 | Sen. Monroe |
| | 075 | Greenlick |

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| | 086 | Hanna |
| | 108 | Chair Prozanski |
| | <u>HB 2891 – PUBLIC HEARING</u> | |
| | 118 | Grover Simmons, Independent Adult Foster Home Association (EXHIBIT I) |
| | 145 | Chair Prozanski |
| | 156 | Simmons |
| | <u>HB 2891, 2892, 2893 – PUBLIC HEARING</u> | |
| | 177 | Bill Perry, Oregon Restaurant Association |
| | 201 | Ana Campean (EXHIBIT J) |
| 61B | 238 | Chair Prozanski |
| | 240 | Sen. Gordly |
| | 253 | Campean |
| | 257 | Chair Prozanski |
| | 267 | Karen Campbell (EXHIBIT K) |
| | 320 | Adrian Nicoala |
| | 343 | Monica Hada |
| | 391 | Chair Prozanski |
| | 404 | Olimpia Sacaciu |
| 62B | 013 | Tudor Roshu |
| | 039 | Bruce Bishop, Oregon Association of Hospitals and Health Systems (EXHIBIT L – N) |
| | 082 | Chair Prozanski |
| | <u>HB 2220 – WORK SESSION</u> | |
| | 089 | Anna Braun, Committee Administrator (EXHIBIT O) |
| | 93 | Chair Prozanski |
| | 105 | Paul Romain, Oregon Farmworkers Association |
| | 132 | Chair Prozanski |
| | 152 | David Tatman, Administrator, Department of Consumer and Business Services |
| | 175 | Gerald Upshaw (EXHIBIT P) |
| | 195 | Chair Prozanski |
| | 198 | Sen. Gordly |
| | 201 | MOTION: Sen. Beyer moves to ADOPT HB 2220-1 amendments dated 3/20/07. |
| | 205 | VOTE: 5-0-0 Chair Prozanski, hearing no objection, declares the motion CARRIED. |
| | 207 | MOTION: Sen. Beyer moves HB 2220 to the floor with a DO PASS AS AMENDED recommendation. |
| | 209 | VOTE: 5-0-0 Chair Prozanski, hearing no objection, declares the motion CARRIED. SEN. BEYER will lead discussion on the floor. |
| | 210 | Chair Prozanski |
| | <u>HB 2891, 2892, 2893 – PUBLIC HEARING</u> | |
| | 212 | Chair Prozanski |
| | 229 | Joe Schafer |
| | 258 | Sen. Gordly |
| | 262 | Joe Schafer |
| | 268 | Sen. Gordly |

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| 62B | 274 | Joe Schafer |
| | 277 | Chair Prozanski |
| | 284 | Joe Schafer |
| | 291 | Tom Chamberlain, President, AFL-CIO (EXHIBITS Q – R) |
| | 327 | Hilary Mortensen (EXHIBIT S) |
| 63A | 398 | Chair Prozanski |
| | 410 | Bill Groesz (EXHIBIT T) |
| | 011 | Russell Evans (EXHIBIT U) |
| | 052 | John Lee, Providence Health System (EXHIBIT V) |
| | 092 | Chair Prozanski |
| | 095 | Bob Scheri, Peace Health |
| | 134 | Sen. Avakian |
| | 149 | Lee |
| | 151 | Chair Prozanski |
| | 159 | Don Schellenberg, Oregon Farm Bureau (EXHIBIT W) |
| | 183 | Jeff Stone, Oregon Association of Nurseries (EXHIBIT X) |
| | 201 | Ann Denecke, Davis Wright Tremaine LLP (EXHIBIT Y) |
| | 231 | Sen. Avakian |
| | 235 | Chair Prozanski |
| | 261 | Ricardo Rodriguez |
| | 299 | Courtney Niebel (EXHIBIT Z) |
| | 364 | Charley Finger (EXHIBIT AA) |

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

HB 2893, LC Letter, Brian Boquist, 3 pp (**EXHIBIT BB**)

HB 2891, 2892, 2893, prepared testimony, Dianne Billings, 1 p (**EXHIBIT CC**)

HB 2893, -1 amendment, staff, 1 p (**EXHIBIT DD**)

HB 2893, -2 amendment, staff, 1 p (**EXHIBIT EE**)

409 Chair Prozanski adjourns the meeting at 5:33 p.m.

EXHIBIT SUMMARY

- A. **HB 2202A, -6 amendment, staff, 1 p**
- B. **HB 2247A, -2 amendment, staff, 8 pp**
- C. **HB 2253, prepared testimony, Marcia Ohlemiller, 2 pp**
- D. **HB 2943, -2 amendment, staff, 1 p**
- E. **HB 2891, -1 amendment, staff, 2 pp**
- F. **HB 2891, prepared testimony, Tom Chamberlain, 2 pp**
- G. **HB 2891, prepared testimony, Richard Schwarz, 6 pp**
- H. **HB 2893, -3 amendment, Bruce Hanna, 1 p**
- I. **HB 2891, prepared testimony, Grover Simmons, 2 pp**
- J. **HB 2891, prepared testimony, Ana Campean, 3 pp**
- K. **HB 2891, prepared testimony, Karen Campbell, 1 p**
- L. **HB 2891, prepared testimony, Bruce Bishop, 6 pp**
- M. **HB 2892, prepared testimony, Bruce Bishop, 4 pp**
- N. **HB 2893, prepared testimony, Bruce Bishop, 3 pp**
- O. **HB 2220, -1 amendment, staff, 2 pp**
- P. **HB 2220, prepared testimony, Gerald Upshaw, 1 p**

- Q. HB 2892, prepared testimony, Tom Chamberlain, 2 pp**
- R. HB 2893, prepared testimony, Tom Chamberlain, 3 pp**
- S. HB 2893, prepared testimony, Hilary Mortensen, 2 pp**
- T. HB 2891, 2892, 2893, prepared testimony, Bill Groesz, 1 p**
- U. HB 2891, 2892, 2893, prepared testimony, Russell Evans, 3 pp**
- V. HB 2893, prepared testimony, Russ Danielson, 2 pp**
- W. HB 2893, prepared testimony, Don Schellenberg, 1 p**
- X. HB 2893, prepared testimony, Jeff Stone, 1 p**
- Y. HB 2893, prepared testimony, Ann Denecke, 3 pp**
- Z. HB 2891, HB 2892, HB 2893, Courtney Niebel, 2 pp**
- AA. HB 2891, HB 2892, HB 2893, Charley Finger, 1 p**
- BB. HB 2893, LC Letter, Brian Boquist, 3 pp**
- CC. HB 2891, 2892, 2893, prepared testimony, Dianne Billings, 1 p**
- DD. HB 2893, -1 amendment, staff, 1 p**
- EE. HB 2893, -2 amendment, staff, 1 p**