

HOUSE COMMITTEE ON
BUSINESS, LABOR, AND CONSUMER AFFAIRS

January 26, 2005 Hearing Room B

8:30 A.M. Tape 13

MEMBERS PRESENT: Rep. Alan Brown, Chair

Rep. Sal Esquivel, Vice-Chair

Rep. Mike Schaufler, Vice-Chair

Rep. George Gilman

Rep. Paul Holvey

Rep. Derrick Kitts

Rep. Chip Shields

STAFF PRESENT: Janet Adkins, Committee Administrator

Katie Howard, Committee Assistant

MEASURES HEARD:

HB 2063 – Work Session

HB 2064 – Work Session

HB 2255 – Public Hearing and Work Session

HB 2263 – Public Hearing and Work Session

HB 2189 – Public Hearing

HB 2153 – Public Hearing and Work Session

Introduction of Committee Measures – Work Session

These minutes are in compliance with Senate and House Rules. Only text enclosed in quotation marks reports a speaker's exact words. For complete contents, please refer to the tapes.

TAPE/#	Speaker	Comments
TAPE 13, A		
003	Chair Brown	Calls the meeting to order at 8:32 a.m. Welcomes students. Opens work session on HB 2063.
<u>HB 2063 - WORK SESSION</u>		
013	Janet Adkins	Committee Administrator. Explains HB 2063.
024	Rep. Esquivel	MOTION: Moves HB 2063 to the floor with a DO PASS recommendation.
032		VOTE: 6-0-1 AYE: In a roll call vote, all members present vote Aye. EXCUSED: 1 - Kitts (NOTE: See tape 13A, 290 on page 4 for Rep. Kitts' vote.)
	Chair Brown	The motion CARRIES.
036	Rep. Esquivel	MOTION: Moves HB 2063 be placed on the CONSENT CALENDAR.
		VOTE: 6-0-1 EXCUSED: 1 - Kitts
	Chair Brown	Hearing no objection, declares the motion CARRIED.

038 Chair Brown Closes the work session on HB 2063 and opens the work session on HB 2064.

HB 2064 - WORK SESSION

039 Janet Adkins Committee Administrator. Explains HB 2064. References fiscal statement for HB 2064.

059 Rep. Esquivel **MOTION: Moves HB 2064 to the floor with a DO PASS recommendation.**

065 **VOTE: 6-0-1**

AYE: In a roll call vote, all members present vote Aye.

EXCUSED: 1 - Kitts

(NOTE: See tape 13A, 290 on page 4 for Rep. Kitts' vote.)

Chair Brown The motion CARRIES.

074 Rep. Schaufler **MOTION: Moves HB 2064 be placed on the CONSENT CALENDAR.**

VOTE: 6-0-1

EXCUSED: 1 - Kitts

Chair Brown Hearing no objection, declares the motion CARRIED.

076 Chair Brown Closes the work session on HB 2064 and opens the public hearing on HB 2255.

HB 2255 - PUBLIC HEARING

078 Janet Adkins Committee Administrator. Explains HB 2255.

090 Rep. Esquivel Speaks in support of HB 2255. Talks about the history of the bill.

097 Rep. Schaufler Speaks in support of HB 2255. Asks for clarification of what the bill does.

101 Adkins Explains HB 2255.

105 Rep. Schaufler Asks if the whole section would be repealed if HB 2255 does not go into effect.

107 Adkins Confirms that it would be completely repealed.

111 Chair Brown Closes the public hearing on HB 2255 and opens the work session on HB 2255.

HB 2255 - WORK SESSION

118 Rep. Esquivel **MOTION: Moves HB 2255 to the floor with a DO PASS recommendation.**

123 **VOTE: 6-0-1**

AYE: In a roll call vote, all members present vote Aye.

EXCUSED: 1 - Kitts (NOTE: Votes aye on tape 13A, 290.)

Chair Brown The motion CARRIES.

130 Rep. Esquivel **MOTION: Moves HB 2255 be placed on the CONSENT CALENDAR.**

VOTE: 6-0-1

EXCUSED: 1 - Kitts

(NOTE: See tape 13A, 290 on page 4 for Rep. Kitts' vote.)

Chair Brown Hearing no objection, declares the motion CARRIED.

133 Chair Brown Closes the work session on HB 2255 and opens the public hearing on HB 2263.

HB 2263 - PUBLIC HEARING

135 Janet Adkins Committee Administrator. Explains HB 2263.

- 146 Chair Brown Asks if the only change is on line 30 of HB 2263.
- 147 Adkins Affirms that it is the only change. Further explains the bill.
- 159 Chair Brown Closes the public hearing on HB 2263 and opens the work session on HB 2263.

HB 2263 - WORK SESSION

165 Rep. Kitts **MOTION: Moves HB 2263 to the floor with a DO PASS recommendation.**

169 **VOTE: 7-0-0**

AYE: In a roll call vote, all members present vote Aye.

Chair Brown The motion CARRIES.

172 Rep. Schaufler **MOTION: Moves HB 2263 be placed on the CONSENT CALENDAR.**

VOTE: 7-0-0

Chair Brown Hearing no objection, declares the motion CARRIED.

175 Chair Brown Closes work session on HB 2263 and opens public hearing on HB 2189.

HB 2189 - PUBLIC HEARING

177 Janet Adkins Committee Administrator. Explains HB 2189.

193 John Radford Controller, Department of Administrative Services (DAS). Submits and summarizes prepared testimony in support of HB 2189 **(EXHIBIT A)**. Offers to answer any questions.

195 Steve Delaney Legislative Coordinator, Public Employees Retirement System (PERS). Submits and summarizes prepared testimony in support of HB 2189 **(EXHIBIT B)**. Offers to answer any questions.

- 201 Rep. Schaufler Asks if the money that is being discussed would be covered under PERS and whether it is currently covered under statute.
- 203 Delaney Says that the money would be covered under PERS should HB 2189 pass and that currently under statute it is not covered.
- 210 Chair Brown Closes public hearing on 2189 and opens public hearing on HB 2153

HB 2153 - PUBLIC HEARING

- 215 Janet Adkins Committee Administrator. Explains HB 2153.
- 230 Floyd Lanter Administrator, Division of Finance and Corporate Securities, Department of Consumer and Business Services. Submits prepared testimony in support of HB 2153 (**EXHIBIT C**). Explains HB 2153.
- 265 Chair Brown Closes public hearing on HB 2153 and opens work session on HB 2153.

HB 2153 - WORK SESSION

- 270 Rep. Kitts **MOTION: Moves HB 2153 to the floor with a DO PASS recommendation.**
- 276 **VOTE: 7-0-0**
- AYE: In a roll call vote, all members present vote Aye.**
- Chair Brown **The motion CARRIES.**
- 285 Rep. Kitts **MOTION: Moves HB 2153 be placed on the CONSENT CALENDAR.**
- VOTE: 7-0-0**
- Chair Brown **Hearing no objection, declares the motion CARRIED.**
- 288 Chair Brown Closes the work session on HB 2153. Opens the work session on HB 2063, HB 2064, and HB 2255.

HB 2063, HB 2064, and HB 2255 – WORK SESSION

- 290 Rep. Brown **MOTION: Requests unanimous consent that the rules be SUSPENDED to allow REP. KITTS to BE RECORDED as voting AYE on the motions to move HB 2063, HB 2064, and HB 2255 to the floor with a DO PASS recommendation.**
- 394 **VOTE: 7-0-0**
- Chair Brown **Hearing no objection, declares the motion CARRIED.**
- 395 **VOTE: 7-0-0**
- (NOTE: See tape 13A at 032 on page 1 for the original vote on HB 2063.)**
- Chair Brown **Hearing no objection, declares the motion CARRIED.**
- 396 **VOTE: 7-0-0**
- (NOTE: See tape 13A at 065 on page 2 for the original vote on HB 2064.)**
- Chair Brown **Hearing no objection, declares the motion CARRIED.**
- 398 **VOTE: 7-0-0**
- (NOTE: See tape 13A at 123 on page 2 for the original vote on HB 2255.)**
- Chair Brown **Hearing no objection, declares the motion CARRIED.**
- 300 Chair Brown Closes the work session on HB 2063, HB 2064, and HB 2255 and opens work session for the purpose of introducing committee bills.

INTRODUCTION OF COMMITTEE MEASURE – WORK SESSION

- 309 Janet Adkins Committee Administrator. Introduces LC 1246 **(EXHIBIT D)**.
- 310 Chair Brown

Reiterates that sponsoring a committee bill does not mean that committee members support it.

312 Rep. Kitts **MOTION: Moves LC 1246 BE INTRODUCED as a committee bill.**

VOTE: 7-0-0

Chair Brown Hearing no objection, declares the motion CARRIED.

315 Adkins Gives committee information that was requested from Maureen Bock **(EXHIBIT E)**.

351 Chair Brown Adjourns the meeting at 8:57 a.m.

EXHIBIT SUMMARY

- A. **HB 2189, prepared testimony, John Radford, 1 p**
- B. **HB 2189, prepared testimony, John Radford, 1 p**
- C. **HB 2153, prepared testimony, Floyd Lanter, 2 pp**
- D. **Introductions, LC 1246, staff, 13 pp**
- E. **Workers' Compensation Division, requested information, Janet Adkins, 5 pp**