

BUSINESS, LABOR, AND CONSUMER AFFAIRS

May 19, 2005 Hearing Room D

5:30 P.M. Tapes 134 - 135

Corrected 09/30/05

MEMBERS PRESENT: Rep. Alan Brown, Chair

Rep. Sal Esquivel, Vice-Chair

Rep. Mike Schaufler, Vice-Chair

Rep. Paul Holvey

Rep. George Gilman

Rep. Derrick Kitts

Rep. Chip Shields

STAFF PRESENT: Janet Adkins, Committee Administrator

Katie Howard, Committee Assistant

MEASURES/ISSUES HEARD:

SB 970 – Public Hearing and Work Session

SB 37B – Public Hearing and Work Session

SB 93 – Public Hearing and Work Session

SB 214A – Public Hearing and Work Session

SB 187A – Public Hearing and 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 134, A

003 Chair Brown Calls the meeting to order at 5:45 p.m. Opens a public hearing on SB 970.

sb 970 – PUBLIC HEARING

007 Janet Adkins Committee Administrator. Explains SB 970.

019 Dan Clem Oregon Commission for Voluntary Action and Service (OCVAS). Speaks in support of SB 970. States SB 970 will realign the AmeriCorps program with the law. Discusses the judicial ruling that has disincented groups from utilizing AmeriCorps employees.

062 Kathleen Joy Executive Director, OCVAS. Submits written testimony in support of SB 970 (**EXHIBIT A**) and references an Unemployment Insurance Program Letter included in the staff packet (**exhibit b**). Discusses the Federal Employment Department's decision not to pay federal unemployment benefits to AmeriCorps members. Relates there is no loss of revenue as AmeriCorps members have never paid into the Unemployment Insurance Fund.

113 Tamara Brickman Legislative Coordinator, Oregon Employment Department (OED). States the OED has not been treating AmeriCorps members as eligible for unemployment benefits. Mentions a recent incident where the Employment Appeals Board awarded benefits to an AmeriCorps participant. Reports SB 970 will provide clarification for the future.

126 Rep. Shields Requests clarification of the issue and why AmeriCorps participants are ineligible for unemployment insurance.

130 Brickman Explains related federal law.

138 Joy References copies of federal law included in the staff packet (**exhibit b**).

144 Chair Brown Reiterates story of the individual who was granted unemployment benefits without consideration of federal law.

146 Brickman Comments the bill adds clarification to the law.

156 Chair Brown Closes the public hearing on SB 970. Opens a work session on SB 970.

SB 970 – work session

161 Rep. Gilman **MOTION: Moves SB 970 to the floor with a DO PASS recommendation.**

165 Rep. Shields Mentions the possibility he may vote no on the floor.

VOTE: 6-0-1

AYE: 6 - Esquivel, Gilman, Holvey, Schaufler, Shields, Brown

EXCUSED: 1 - Kitts

Chair Brown

The motion CARRIES.

REP. GILMAN will lead discussion on the floor.

NOTE: See Tape 135A at 074 for Rep. Kitts' AYE vote on this bill.

174 Closes the work session on SB 970. Opens a public hearing on SB 37B.

sb 37B – PUBLIC HEARING

178 Janet Adkins Committee Administrator. Explains SB 37B. Mentions the fiscal and revenue impact statements (**EXHIBIT C**).

199 Tamara Brickman Legislative Coordinator, Oregon Employment Department (OED). Discusses revenues.

207 Rob Edwards Central Operations Manager, Tax Section, OED. Submits and reviews written testimony in support of SB 37B (**EXHIBIT D**). Discusses the purpose of the bill.

248 Chair Brown Closes the public hearing on SB 37B. Opens a work session on SB 37B.

sb 37B – work session

251 Rep. Schaufler **MOTION: Moves SB 37B to the floor with a DO PASS recommendation.**

VOTE: 6-0-1

AYE: 6 - Esquivel, Gilman, Holvey, Schaufler, Shields, Brown

EXCUSED: 1 - Kitts

316 Chair Brown **Declares the motion CARRIED.**

NOTE: See Tape 135A, 074 for Rep. Kitts aye vote on this bill.

319 Rep. Schaufler **MOTION: Moves SB 37B be placed on the CONSENT CALENDAR.**

321 **VOTE: 6-0-1**

EXCUSED: 1 - Rep. Kitts

Chair Brown **Hearing no objection, declares the motion CARRIED.**

NOTE: See Tape 135A at 074 for Rep. Kitts' AYE vote on this bill.

267 Chair Brown Closes the work session on SB 37B. Opens a public hearing on SB 93.

sb 93 – PUBLIC HEARING

270 Janet Adkins Committee Administrator. Explains SB 93.

286 Pat Delaval Field Operations Manager, Tax Section, OED. Submits and reviews written testimony in support of SB 93 (**EXHIBIT E**).

304 Chair Brown Closes the public hearing on SB 93. Opens a work session on SB 93.

sb 93 – work session

307 Rep. Schaufler **MOTION: Moves SB 93 to the floor with a DO PASS recommendation.**

VOTE: 6-0-1

AYE: 6 - Esquivel, Gilman, Holvey, Schaufler, Shields, Brown

EXCUSED: 1 - Kitts

316 Chair Brown **Declares the motion CARRIED.**

NOTE: See Tape 135A, 074 for Rep. Kitts AYE vote on this bill.

319 Rep. Schaufler **MOTION: Moves SB 93 be placed on the CONSENT CALENDAR.**

321 **VOTE: 6-0-1**

EXCUSED: 1 - Rep. Kitts

Chair Brown **Hearing no objection, declares the motion CARRIED.**

322 Chair Brown Closes the work session on SB 93. Opens a public hearing on SB 214A.

sb 214A – PUBLIC HEARING

326 Robert Roth Assistant Attorney General, Oregon Department of Justice (ODJ). Submits and reviews a memorandum in support of SB 214A **(EXHIBIT F)**. Explains the purpose of the bill.

368 Hal Scoggins Attorney, United Consumer Financial Services (UCFS). Submits and reviews written testimony in support of SB 214A **(EXHIBIT G)**. Relates the value of the bill to UCFS.

398 Rep. Shields References and requests explanation of a statement in Scoggins' testimony.

404 Roth Notes the purpose of the inclusion of the statement.

413 Rep. Shields Questions door-to-door financial services sales.

419 Roth Relates he is unaware of anyone selling financial services in that manner.

435 Chair Brown Closes the public hearing on SB 214A. Opens the work session on SB 214A.

sb 214A – work session

436 Rep. Kitts **MOTION: Moves SB 214A to the floor with a DO PASS recommendation.**

451 **VOTE: 7-0-0**

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

Chair Brown The motion CARRIES.

TAPE 135, A

002 Rep. Kitts **MOTION: Moves SB 214A be placed on the CONSENT CALENDAR.**

003 **VOTE: 7-0-0**

Chair Brown Hearing no objection, declares the motion CARRIED.

009 Chair Brown Closes the work session on SB 214A. Opens a public hearing on SB 187A.

sb 187A – PUBLIC HEARING

010 Janet Adkins Committee Administrator. Explains SB 187A.

023 Greg White

Executive Staff, Oregon Workforce Investment Board. Speaks in support of SB 187A. Reviews the membership requirements of the Board and the changes being made.

053 Chair Brown Closes the public hearing on SB 187A. Opens a work session on SB 187A.

sb 187A – work session

055 Rep. Kitts **MOTION: Moves SB 187A to the floor with a DO PASS recommendation.**

061 **VOTE: 7-0-0**

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

Chair Brown The motion CARRIES.

062 Rep. Schaufler **MOTION: Moves SB 187A be placed on the CONSENT CALENDAR.**

065 **VOTE: 7-0-0**

Chair Brown Hearing no objection, declares the motion CARRIED.

065 Chair Brown Closes the work session on SB 187A. Opens a work session for the purpose of allowing Rep. Kitts to vote on passage of SB 970, SB 37B and SB 93.

sb 970, sb 37B, sb 93 – work session

071 Rep. Schaufler **MOTION: Requests unanimous consent that the rules be SUSPENDED to allow REP. KITTS to BE RECORDED as voting AYE on the passage of SB 970, SB 37B and SB 93.**

VOTE: 7-0-0

Chair Brown Hearing no objection, declares the motion CARRIED.

Rep. Gilman

MOTION: Moves SB 970 be sent to the floor with a DO PASS recommendation.

VOTE: 7-0-0

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

Chair Brown The motion CARRIES.

Rep. Schaufler MOTION: Moves SB 37B be sent to the floor with a DO PASS recommendation.

VOTE: 7-0-0

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

Chair Brown The motion CARRIES.

Rep. Schaufler MOTION: Moves SB 93 be sent to the floor with a DO PASS recommendation.

VOTE: 7-0-0

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

Chair Brown The motion CARRIES.

076 Chair Brown Asks if Rep. Kitts has any objection to SB 37A and SB 93 being placed on the Consent Calendar.

Rep. Kitts Responds that he has no objection to the measures being placed on the Consent Calendar.

078 Chair Brown Closes the work session on SB 970, SB 37B and SB 93. Adjourns the meeting at 6:18 p.m.

EXHIBIT SUMMARY

- A. **SB 970, written testimony and reports, Kathleen Joy, 7 pp**
- B. **SB 970, information packet, staff, 5 pp**
- C. **SB 37B, fiscal and revenue statements, staff, 2 pp**
- D. **SB 37, written testimony, Rob Edwards, 2 pp**
- E. **SB 93, written testimony, Pat Delaval, 2 pp**
- F. **SB 214, memorandum, Robert Roth, 1 p**
- G. **SB 214, written testimony, Harold B. Scoggins, III, 2 pp**