

# SENATE COMMITTEE ON BUSINESS AND ECONOMIC DEVELOPMENT

April 5, 2005Hearing Room B  
1:00 P.M. Tapes 54 - 55

**MEMBERS PRESENT:** Sen. Rick Metsger, Chair  
Sen. Bruce Starr, Vice-Chair  
Sen. Jason Atkinson  
Sen. Ryan Deckert  
Sen. Laurie Monnes Anderson

**STAFF PRESENT:** Theresa Van Winkle, Committee Administrator  
James Goulding, Committee Assistant

**MEASURES/ISSUES HEARD:**

SB 16 – Work Session  
SB 15 – Work Session  
SB 81 – Work Session  
SB 574 – Work Session  
SB 579 – Work Session  
SB 773 – Work Session  
SB 879 – Work Session

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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.

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TAPE/#	Speaker	Comments
<b>TAPE 54, A</b>		
003	Chair Metsger	Calls the committee to order at 1:09 p.m. Opens a work session on SB 16.
<b>SB 16 – WORK SESSION</b>		
010	Theresa Van Winkle	Explains the provisions of SB 16 as amended by the proposed -1 amendments ( <b>EXHIBIT A</b> ).
017	Chair Metsger	Asks for a brief analysis of the measure.
020	Jim Rose	Director, Oregon Public Education Network (OPEN). Explains the measure as it would be amended by the -1 amendments. Presents his written testimony ( <b>EXHIBIT B</b> ).
036	Sen. David Nelson	Senate District 29. Summarizes the measure and its amendments. Speaks in support of the bill.
043	Sen. B. Starr	Considers the need for this bill to go through the ways and means process.
052	Sen. Nelson	Remarks that he had not considered it, but concurs with Sen. Starr's assessment.
054	Chair Metsger	Concurs.
<b>059</b>	<b>Sen. B. Starr</b>	<b>MOTION: Moves to ADOPT SB 16-1 amendments dated 3/22/05.</b>
<b>060</b>		<b>VOTE: 5-0-0</b>
	Chair Metsger	Hearing no objection, declares the motion <b>CARRIED</b> .
<b>061</b>	<b>Sen. B. Starr</b>	<b>MOTION: Moves SB 16 to the floor with a DO PASS AS</b>

**AMENDED recommendation and BE REFERRED to the committee on Ways and Means.**

062

**Chair Metsger**

063

Chair Metsger

**VOTE: 5-0-0**

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

Closes work session on SB 16 and opens a works session on SB 15.

**SB 15 – WORK SESSION**

065

Sen. Nelson

Testifies in support of SB 15.

095

Sen. Nelson

Clarifies the functions of the Oregon telecommunication coordinating council.

117

Sen. B. Starr

Wonders who provides the staffing for the council.

120

Sen. Nelson

Observes that the county provides the staff.

127

**Sen. B. Starr**

**MOTION: Moves SB 15 to the floor with a DO PASS recommendation.**

129

Sen. Deckert

Voices his support for the measure. Hopes the other chamber can address the setting of urban/suburban rate territories.

140

Sen. Nelson

Replies in regard to the current representation of the council.

147

Sen. B. Starr

Reiterates Sen. Deckert's comment for getting all parties together.

155

Sen. Nelson

Discusses the desire to bring all parties to the table.

163

**Chair Metsger**

**VOTE: 5-0-0**

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

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

Closes work session on SB 15. Opens work session on SB 81.

165

Chair Metsger

**SB 81 – WORK SESSION**

170

Van Winkle

Discusses the provisions of SB 81.

177

Jeff Bissonette

Citizens Utility Board (CUB). Details the proposed -1 amendments to SB 81 (**EXHIBIT C**).

211

Chair Metsger

Wonders if this would change the total amount collected from ratepayers.

214

Bissonette

Relates it would be an increase.

220

Sen. Deckert

Discusses his proposal that was introduced in SB 511. Feels SB 81 could be another solution to this problem. Submits written testimony in regards to the proposed amendments to SB 81 (**EXHIBIT D**).

267

Bissonette

Points out the differences between the proposal in SB 511 and SB 81.

285

Chair Metsger

Expresses his reluctance to move the bill forward without input from any public utilities. Discusses the scenarios for moving this measure forward. States the committee does not wish to move the amendment at this time.

314

Sen. Deckert

Mentions Mr. Bissonett's assistance. Talks about other ways of getting the measure moved through the process.

327

Chair Metsger

Wonders if there are other measures they could use as a vehicle.

335

Sen. Deckert

Discusses other options.

340

Chair Metsger

Remarks that they can hold this over.

343

Sen. B. Starr

Moves SB 81 to the senate floor.

343

**Sen. B. Starr**

**MOTION: Moves SB 81 to the floor with a DO PASS recommendation.**

345

**VOTE: 4-1-0**

**AYE: 4 - Deckert, Monnes Anderson, Starr B., Metsger**

**NAY: 1 - Atkinson**

	<b>Chair Metsger</b>	<b>The motion CARRIES.</b>
360	Chair Metsger	<b>SEN. METSGER will lead discussion on the floor.</b>
370	Sen. B. Starr	Closes work session on SB 81.
<b><u>SB 574 – WORK SESSION</u></b>		Opens a work session on SB 574.
380	Van Winkle	Explains SB 574 and the -1 amendments ( <b>EXHIBIT E</b> ).
390	Scott Barrie	Oregon Home Builders Association. Discusses SB 574 and the process of reaching a consensus through the -1 amendments.
<b>415</b>	<b>Sen. Atkinson</b>	<b>MOTION: Moves to ADOPT SB 574-1 amendments dated 4/5/05.</b>
<b>420</b>		<b>VOTE: 4-0-1</b>
	<b>Sen. B. Starr</b>	<b>EXCUSED: 1 - Metsger</b>
<b>423</b>	<b>Sen. Atkinson</b>	<b>Hearing no objection, declares the motion CARRIED.</b>
		<b>MOTION: Moves SB 574 to the floor with a DO PASS AS AMENDED recommendation.</b>
425	Sen. Atkinson	Declares a potential conflict of interest, stating that he has clients involved in home building.
<b><u>TAPE 55, A</u></b>		
003	Sen. Monnes Anderson	Considers the position of the title industry in regard to the amendment.
005	Barrie	Replies as to some of their concerns.
012	Sen. Monnes Anderson	Asks if any one from the title industry is present to testify.
017	Jack Munro	Oregon Land Title Association. Requests clarification of the question.
019	Sen. Monnes Anderson	Asks if he has seen the amendments and if he has any objections to them.
021	Munro	Replies there are still some concerns with the measure as amended. Offers he will work with Mr. Barrie to address these concerns in the other chamber.
037	Sen. Monnes Anderson	States she will vote “no” as she is not comfortable with passing the measure in its current form.
<b>043</b>	<b>Sen. B. Starr</b>	<b>VOTE: 3-1-1</b>
		<b>AYE: 3 - Atkinson, Deckert, Starr B.</b>
		<b>NAY: 1 - Monnes Anderson</b>
		<b>EXCUSED: 1 - Metsger</b>
		<b>The motion CARRIES.</b>
		<b>SEN. B. STARR will lead discussion on the floor.</b>
048	Sen. B. Starr	Closes the work session on SB 574. Puts the committee at ease at 1:42 p.m.
050	Chair Metsger	Calls the committee back to order at 1:44 p.m. Opens a work session on SB 579.
<b><u>SB 579 – WORK SESSION</u></b>		
052	Van Winkle	Explains the provisions of SB 579 and -2 amendments ( <b>EXHIBIT F</b> ).
063	Sen. Atkinson	Asks if Orange Torpedo is okay with the amendments.
067	Phil Donovan	Oregon Guides and Packers Association. Replies the amendments have been sent to the owner of Orange Torpedo Trips.
077	Chair Metsger	Requests an additional overview of the amendments.
080	Mari Anne Gest	Representing Julia Clark. Discusses the process of finding consensus language to satisfy all parties.
090	Sen. Atkinson	Asks if the measure makes throw bags required in every guide

093	Paul Donheffner	boat. Director, Oregon Marine Board. Replies that language relating to Orange Torpedoes in the amendments is not as clear as he would like.
100	Sen. Atkinson	Wonders what changes he would suggest.
103	Donheffner	Offers his recommendations.
110	Chair Metsger	Notes that they can make changes to the amendment and have it ready for the next committee meeting. Expresses his desire to see if there are other areas to be addressed.
113	Sen. Atkinson	Wonders about the provision for including knives in the safety kits.
117	Donovan	Talks about the resistance in the industry to that proposal. Observes it is not currently included in the measure.
121	Sen. Atkinson	Asks about the training requirements.
123	Donovan	Relates the intent to have "in-house" affordable training.
131	Sen. Atkinson	Expresses his approval of those changes in training.
139	Chair Metsger	States this measure can be moved to Thursday to allow for proper amendments to be drafted.
143	Sen. Monnes Anderson	Clarifies that this applies only to non motorized boats.
145	Gest	Reiterates it is only required on class 3 rapids and higher.
147	Sen. Monnes Anderson	Asks about the provision that exempts vessels inspected by the U.S. Coast Guard.
151	Donovan	Relays concerns for exempting mail boats on the Rogue River, through class 3 and 4 rapids.
165	Sen. Atkinson	Notes existing requirements for motorized crafts.
167	Donheffner	Clarifies the existing safety requirements in law.
180	Chair Metsger	Summarizes the proposed changes to the amendment.
185	Donheffner	Concurs.
187	Chair Metsger	States they will have the new amendments drafted. Closes work session on SB 579. Opens works session on SB 773.

#### **SB 773 – WORK SESSION**

195	Van Winkle	Explains the provisions of SB 773. Discusses the -1 amendments ( <b>EXHIBIT G</b> ).
209	Craig Durbin	Oregon State Police, Drug Enforcement Section. Voices his support of the -1 amendments and the reasons for the changes.
217	<b>Sen. B. Starr</b>	<b>MOTION: Moves to ADOPT SB 773-1 amendments dated 4/4/05.</b>
220		<b>VOTE: 4-0-1</b> <b>EXCUSED: 1 - Atkinson</b> <b>Hearing no objection, declares the motion CARRIED.</b>
223	<b>Chair Metsger</b> <b>Sen. B. Starr</b>	<b>MOTION: Moves SB 773 to the floor with a DO PASS AS AMENDED recommendation.</b>
225		<b>VOTE: 4-0-1</b> <b>EXCUSED: 1 - Atkinson</b> <b>Hearing no objection, declares the motion CARRIED.</b> <b>SEN. MORRISETTE will lead discussion on the floor.</b>
230	Chair Metsger	Closes work session on SB 773. Opens work session on SB 879.

#### **SB 879 – WORK SESSION**

235	Van Winkle	Explains the proposed -1 amendments to SB 879 ( <b>EXHIBIT H</b> ).
245	Ron Papsdorf	City of Gresham. Testifies in favor of SB 879 and the -1 amendments.
258	Sen. Deckert	Asks if industry members are supportive of the amendment.

267	Papsdorf	Replies that there is support for the clarification provided by the amendment.
270	Sen. Deckert	Discusses his hopes that this will apply only to traded sector firms.
287	Papsdorf	Notes the language that specifies this is for traded sector firms.
293	Sen. Monnes Anderson	Comments on how this will assist the city of Gresham.
297	Chair Metsger	Feels this is a valuable tool.
305	<b>Sen. Monnes Anderson</b>	<b>MOTION: Moves to ADOPT SB 879-1 amendments dated 3/17/05.</b>
307		<b>VOTE: 3-0-2</b>
		<b>EXCUSED: 2 - Atkinson, B. Starr</b>
	<b>Chair Metsger</b>	<b>Hearing no objection, declares the motion CARRIED.</b>
310	Chair Metsger	Puts the committee at ease for a moment.
312	Chair Metsger	Calls the committee back to order.
310	<b>Sen. B. Starr</b>	<b>MOTION: Moves SB 879 to the floor with a DO PASS AS AMENDED recommendation.</b>
312		<b>VOTE: 4-0-1</b>
		<b>EXCUSED: 1 - Atkinson</b>
	<b>Chair Metsger</b>	<b>Hearing no objection, declares the motion CARRIED.</b>
		<b>SEN. MONNES ANDERSON will lead discussion on the floor.</b>
315	Chair Metsger	Closes work session on SB 879.
320	Chair Metsger	Discusses the heavy agenda for the next meeting. Adjourns the committee at 2:06 p.m.

## **EXHIBIT SUMMARY**

- A. SB 16, -1 amendments, staff, 4 pp
- B. SB 16, Written testimony, Jim Rose, 1 p
- C. SB 81, -1 amendments, staff, 9 pp
- D. SB 81, Written testimony, Sen. Ryan Deckert, 2 pp
- E. SB 574, -1 amendments, staff, 3 pp
- F. SB 579, -2 amendments, staff, 2 pp
- G. SB 773, -1 amendments, staff, 1 p
- H. SB 879, -1 amendments, staff, 5 pp