

SENATE COMMITTEE ON BUSINESS AND ECONOMIC DEVELOPMENT

April 7, 2005
1:00 P.M.

Hearing Room B
Tapes 56 - 59

Corrected 10/18/05

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 579 – Work Session
 HJR 8A – Public Hearing and Work Session
 SB 171 – Public Hearing and Work Session
SB 151 – Work Session
SB 408 – Work Session
SB 209 – Work Session
SB 210 – Work Session
SB 211 – Work Session
SB 212 – Work Session
SB 997 – Work Session
SB 949 – Work Session
SB 950 – Work Session
SB 672 – Public Hearing
SB 951 – Work Session
SB 952 – Work Session
SB 955 – Work Session
SB 327 – Work Session
SB 385 – Work Session
SB 173 – Work Session
SB 1008 – Public Hearing

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 56, A		
003	Chair Metsger	Calls the meeting to order at 1:07 p.m. Opens a work session on SB 579.
<u>SB 579 – WORK SESSION</u>		
010	Theresa Van Winkle	Committee Administrator. Explains the proposed -3 amendment (EXHIBIT A).
015	Chair Metsger	Clarifies the language changes made.
020	Sen. Atkinson	MOTION: Moves to ADOPT SB 579-3 amendments dated

4/7/05.

021

Chair Metsger
Sen. Atkinson

VOTE: 3-0-2

EXCUSED: 2 - Deckert, Monnes Anderson

Hearing no objection, declares the motion CARRIED.

022

MOTION: Moves SB 579 to the floor with a DO PASS AS AMENDED recommendation.

024

Chair Metsger

VOTE: 3-0-2

EXCUSED: 2 – Deckert, Monnes Anderson

Hearing no objection, declares the motion CARRIED.

SEN. PROZANSKI will lead discussion on the floor.

025

Chair Metsger

Closes work session on SB 579. Opens a public hearing on HJR 8A.

HJR 8A – PUBLIC HEARING

030

Rep. Patti Smith

House District 52. Submits written testimony in favor of HJR 8A (**EXHIBIT B**). Advocates the adoption of the measure making the pear Oregon’s official state fruit.

045

Chair Metsger

Welcomes the Blossom Court from Hood River and others in attendance.

050

Rep. Sal Esquivel

House District 6. Testifies in support of HJR 8A. Comments on the pear industry within the state.

083

Dani Peters

2005 Blossom Court, Hood River Valley High School. Testifies in support of HJR 8A.

089

Lisa Perry

2005 Blossom Court, Hood River Valley High School. Provides comments in favor of HJR 8A

096

Ariel MacMillan

2005 Blossom Court, Hood River Valley High School. Offers her support for the measure.

103

Hannah Mason

2005 Blossom Court, Hood River Valley High School. Speaks in favor of HJR 8A

115

John McCulley

Tree Fruit Growers. Observes that there is no opposition to the measure amongst the various fruit growing groups.

127

Kevin Moffitt

President, Pear Bureau Northwest. Presents written testimony (**EXHIBIT C**) and “Case for Making Pears...” packet (**EXHIBIT D**). Makes the case for the pear being the state fruit.

167

Moffitt

Continues presenting his written testimony.

175

Chair Metsger

Voices his approval for their efforts on this measure.

183

Sen. Monnes
Anderson

Questions how the pear compares with berries in terms of crop value.

187

Moffitt

Compares the pear industry with other fruit industries within the state.

201

Chair Metsger

Closes public hearing on HJR 8A. Opens a work session on HJR 8A.

HJR 8A – WORK SESSION

220

Sen. B. Starr

MOTION: Moves HJR 8A be sent to the floor with a BE ADOPTED recommendation.

223

Sen. Monnes
Anderson

Comments on her bias for berries as the state fruit, but notes she will not oppose this measure.

235

Chair Metsger

VOTE: 5-0-0

Hearing no objection, declares the motion CARRIED.

SEN. METSGER will lead discussion on the floor.

237

Chair Metsger

Closes work session on HJR 8A and opens a public hearing on SB 171.

SB 171 – PUBLIC HEARING

238	Chair Metsger	Reiterates prior discussion on the measure. Points out there are -4 (EXHIBIT E) and -6 amendments (EXHIBIT F) before the committee. Notes his preference for adopting the -6 amendments and then moving the measure to Revenue.
260	Sen. B. Starr	Asks for clarification on the differences between the -4 and -6 amendments.
263	Theresa Van Winkle	Committee Administrator. Offers that the -6 amendments clarify technical issues in the -4 amendments.
268	Chair Metsger	Notes additional modifications.
274	Sen. Monnes Anderson	Clarifies that they are only considering the -6 amendments.
281	Rick Willis	Executive Director, Oregon Public Utilities Commission (PUC). Defers to Mr. Graham to explain the amendments.
285	Chair Metsger	Asks Mr. Graham to provide a walkthrough of the amendments.
290	Paul Graham	Attorney General, PUC. Summarizes the amendments.
297	Sen. B Starr	Asks about for clarification on how a utility would make their case to the PUC.
300	Graham	Explains the process.
320	Sen. B. Starr	Considers the timeframe for the process.
235	Graham	Offers that it is designed to be resolved quickly.
335	Sen. B. Starr	Asks if he has shared the amendments with utilities.
337	Graham	Replies that he has. Explains the various suggestions from utilities. Notes the changes made to the language to address their concerns.
345	Sen. B. Starr	Wonders if PacifiCorp has commented on the amendments.
350	Willis	Prefers to allow PacifiCorp to explain their views.
355	Chair Metsger	Requests for Mr. Lynch to come forward on behalf of PacifiCorp.
360	Kevin Lynch	PacifiCorp. Voices that they have not had time to review the amendments in great detail. Notes they do not have a problem with the rate portion of the amendment.
375	Chair Metsger	Notes there will be an additional public hearing when this measure moves to Revenue. Closes public hearing on SB 171. Opens a work session on SB 171.

SB 171 – WORK SESSION

380	Sen. B. Starr	MOTION: Moves to ADOPT SB 171-6 amendments dated 4/7/05.
381		VOTE: 3-0-2
	Chair Metsger	EXCUSED: 2 - Atkinson, Deckert
	Chair Metsger	Hearing no objection, declares the motion CARRIED.
383	Sen. B. Starr	MOTION: Moves SB 171 to the floor with a DO PASS AS AMENDED recommendation and BE REFERRED to the committee on Revenue.
385	Sen. B. Starr	States he is not entirely comfortable with measure as it is now, and will reconsider it on the floor depending on the action taken in Revenue.
387		VOTE: 3-0-2
	Chair Metsger	EXCUSED: 2 - Atkinson, Deckert
	Chair Metsger	Hearing no objection, declares the motion CARRIED.
390	Chair Metsger	Closes work session on SB 171. Opens a work session on SB 151.

SB 151 – WORK SESSION

393	Chair Metsger	Summarizes the prior public hearing on the measure.
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400	Sen. Alan Bates	Senate District 3. Offers some history of the issue being addressed.
TAPE 57, A		
005	Sen. Bates	Discusses Personal Injury Protection (PIP) minimum amounts and the impact of previous legislation. Notes there are several sets of amendments before the committee. Discusses -2 (EXHIBIT G), -4 (EXHIBIT H), and -5 amendments (EXHIBIT I). Advocates adoption of the -4 amendments.
022	John Powell	State Farm Insurance. Supports the adoption of -4 amendments. Points out they have not have yet had time to assess all the details of the language. Offers that they will continue to evaluate the bill as it moves through the process.
050	Doug Barber	PeaceHealth, Sacred Heart Hospital in Eugene. Relates the previous session's legislation and the need to fix the unintended consequences.
064	Sen. B. Starr	Wonders who will be profiting and who will be losing money as a result of this measure.
070	Sen. Bates	Indicates the intent is to assist hospitals and trauma centers. Discusses the fee schedule rates.
083	Sen. B. Starr	Asks if this will raise interest rates.
085	Barber	Replies in regards to PIP cost limits and potential effects.
100	Sen. Bates	Relays that the current PIP level was set in the 1970s. Notes the change is very small compared to inflation.
109	Barber	Clarifies the cost shift.
117	Sen. Bates	States that this measure will protect trauma centers, which assist those with the most critical needs.
125	Chair Metsger	Mentions they have been primarily discussing the -4 amendments. Asks that they discuss the -2 amendments.
132	Powell	Notes the changes the -2 amendments make to the PIP amounts.
165	Sen. B. Starr	Considers the -5 amendments.
166	Powell	Notes the reason for having the -5 amendment drafted. Advocates the -4 amendment over the -5 version.
174	Sen. B. Starr	MOTION: Moves to ADOPT SB 151-4 amendments dated 4/6/05.
175		VOTE: 4-0-1 EXCUSED: 1 - Deckert Hearing no objection, declares the motion CARRIED.
177	Chair Metsger Sen. B. Starr	MOTION: Moves to ADOPT SB 151-2 amendments dated 3/31/05.
179		VOTE: 4-0-1 EXCUSED: 1 - Deckert Hearing no objection, declares the motion CARRIED.
182	Chair Metsger Sen. B. Starr	MOTION: Moves SB 151 to the floor with a DO PASS AS AMENDED recommendation.
184	Sen. B. Starr	Advocates caution in addressing issues like this. Points out the factors involved, and the desire to keep insurance rates low.
190		VOTE: 4-0-1 EXCUSED: 1 - Deckert Hearing no objection, declares the motion CARRIED. SEN. BATES will lead discussion on the floor.
193	Chair Metsger	Closes work session on SB 151. Opens a work session on SB 408.

217	Sen. Ben Westlund	Senate District 27. Discusses the -3 amendments (EXHIBIT J) which replace the original language of the measure. Advocates the responsible management of forest resources and greater cooperation with native tribes.
253	Michael Mason	Confederated Tribes of Warm Springs. Introduced Mr. Potts to the committee. Submits testimony on behalf of Ron Suppah (EXHIBIT K).
263	Larry Potts	General Manager, Warm Springs Forest Products. Testifies in favor of SB 408 with the -3 amendments. Talks about the jobs that will be created through economic expansion in an environmentally friendly manner.
300	Potts	Explains the long term benefits of the project, including the reduction of wildfires.
335	Potts	Discusses renewable potential of bio-mass fuel.
365	Chair Metsger	Expresses appreciation for the work of Sen. Westlund and members of the tribe.
381	Sen. Westlund	Appreciates the assistance of Chair Metsger.
384	Sen. Monnes Anderson	Notes she supports the bill except for the ability to sell energy above market level. Fears rates will be raised as a result.
400	Sen. Westlund	Clarifies that market forces are at work and there has to be a willing buyer.
TAPE 56, B		
005	Sen. Westlund	Mentions that in the overall picture it is a very small amount of power being generated.
010	Potts	Replies there is no firm quantification of the public benefit. Points out that this pilot project will show very strong social and economic value.
025	Sen. Monnes Anderson	Reiterates her discomfort with the proposal. Feels the costs will outweigh the benefits.
033	Sen. Westlund	Mentions that if this measure prevents even one forest fire, the benefits will outweigh the costs.
045	Sen. B. Starr	MOTION: Moves to ADOPT SB 408-3 amendments dated 4/4/05.
047		VOTE: 3-1-1 AYE: 3 - Atkinson, Starr B., Metsger NAY: 1 - Monnes Anderson EXCUSED: 1 - Deckert The motion CARRIES.
050	Chair Metsger Sen. B. Starr	MOTION: Moves SB 408 to the floor with a DO PASS AS AMENDED recommendation.
053		VOTE: 3-1-1 AYE: 3 - Atkinson, Starr B., Metsger NAY: 1 - Monnes Anderson EXCUSED: 1 - Deckert The motion CARRIES.
	Chair Metsger	SEN. WESTLUND will lead discussion on the floor.
055	Chair Metsger	Closes work session on SB 408. Opens a work session on SB 209.
<u>SB 209 – WORK SESSION</u>		
065	Theresa Van Winkle	Committee Administrator. Explains the provisions of the measure. Points out that there are -1 amendments (EXHIBIT L).
080	Cheryl Pellegrini	Assistant Attorney General, Department of Justice (DoJ). Notes

		that the -1 amendments do not include all the changes requested. Discusses the need for additional revisions.
099	Sen. B. Starr	Asks if these are the only amendments before the committee.
103	Van Winkle	Replies that the -1 amendments were received earlier in the day.
105	Sen. B. Starr	Observes the time since the first public hearing. Wonders why there are not additional amendments.
110	Chair Metsger	Requests that they hold off on this measure.
117	Pellegrini	Reiterates that the language was submitted to legislative counsel.
120	Chair Metsger	Comments that they do not have the proper amendment before them and will not take action at this time. Closes work session on SB 209. Puts the committee at ease at 2:13 p.m.
135	Chair Metsger	Calls the committee back to order at 2:14 p.m. Apologizes for missing that Mr. Nelson wanted to testify on SB 408. Re-opens the work session SB 408.

SB 408 – WORK SESSION

140	Mark Nelson	Industrial Customers of Northwest Utilities. Submits membership list of the utilities (EXHIBIT M). Offers commentary on the language of the measure, commends the work of the Warm Springs Tribe. Presents his concerns for making the proposal economical. Opposes the measure as currently amended by the -3 amendments.
194	Chair Metsger	Offers it is a limited pilot project. Hopes that Mr. Nelson will continue to track the bill through the process.
215	Nelson	States that he hopes to see additional changes made to the measure as it moves forward.
220	Chair Metsger	Closes work session on SB 408. Opens a work session on SB 210.

SB 210 – WORK SESSION

227	Van Winkle	Explains the provisions of the measure. Notes the presence of -2 (EXHIBIT N) and -4 amendments (EXHIBIT O).
237	Sen. B. Starr	Considers which amendments they wish to move.
240	Chair Metsger	Asks that Mr. Powell come forward to explain the -4 amendments. Remarks on the difficulty of finding the proper language for the sign.
249	John Powell	State Farm Insurance. Provides additional explanation of the -4 amendments.
252	Shawn Miller	Property Casualty Insurers Association. Comments that the -4 amendments should be a part of the measure.
255	Chair Metsger	Reiterates that they feel it would be a fair balance.
260	Kevin Neely	Executive Assistant to the Attorney General. Notes he has no concerns with either amendments.
275	Sen. Monnes	Voices her concerns with language in the -4 amendments. Feels the measure does not accomplish anything for the consumer.
292	Anderson Neely	Notes it is valuable for consumers to understand the agreements made between insurance companies and auto shops.
307	Sen. Monnes Anderson	Expresses her feelings that this measure is not reasonable. Relates her feelings that simply posting a sign will not have much impact.
324	Chair Metsger	States they will return to this measure. Closes work session on SB 210. Opens a work session SB 211.

SB 211 – WORK SESSION

330	Fred Boss	Assistant Attorney General, Oregon Department of Justice. Provides details on the -2 amendments (EXHIBIT P).
363	Chair Metsger	Observes the -2 encompass the previous -1 amendments.

370	Sen. B. Starr	MOTION: Moves to ADOPT SB 211-2 amendments dated 4/7/05.
373		VOTE: 4-0-1
	Chair Metsger	EXCUSED: 1 - Deckert
376	Sen. B. Starr	Hearing no objection, declares the motion CARRIED.
		MOTION: Moves SB 211 to the floor with a DO PASS AS AMENDED recommendation.
378		VOTE: 5-0-0
	Chair Metsger	Hearing no objection, declares the motion CARRIED.
		SEN. METSGER will lead discussion on the floor.
382	Chair Metsger	Closes work session SB 211. Opens a work session on SB 212.
<u>SB 212 – WORK SESSION</u>		
405	Van Winkle	Provides an overview of the measure.
415	Cheryl Pellegrini	Begins to offer the background fn the measure.
TAPE 57, B		
005	Pellegrini	Assistant Attorney General, Department of Justice. Continues to discuss the measure. Submits a letter from Charles Harwood (EXHIBIT Q).
039	Sen. B. Starr	MOTION: Moves SB 212 to the floor with a DO PASS recommendation.
049		VOTE: 4-1-0
		AYE: 4 - Deckert, Monnes Anderson, Starr B., Metsger
		NAY: 1 - Atkinson
	Chair Metsger	The motion CARRIES.
		SEN. METSGER will lead discussion on the floor.
051	Chair Metsger	Closes the work session on SB 212. Opens a work session on SB 210.
<u>SB 210 – WORK SESSION</u>		
053	Sen. B. Starr	MOTION: Moves to ADOPT SB 210-2 amendments dated 3/31/05.
055		VOTE: 4-1-0
		AYE: 4 - Atkinson, Deckert, Starr B., Metsger
		NAY: 1 - Monnes Anderson
	Chair Metsger	The motion CARRIES.
057	Chair Metsger	MOTION: Moves SB 210 to the floor with a DO PASS AS AMENDED recommendation.
060	Sen. Atkinson	Remarks that he will oppose this measure.
066		VOTE: 3-2-0
		AYE: 3 - Deckert, Starr B., Metsger
		NAY: 2 - Atkinson, Monnes Anderson
	Chair Metsger	The motion CARRIES.
		SEN. METSGER will lead discussion on the floor.
068	Chair Metsger	Closes the work session on SB 210. Opens a work session on SB 997.
<u>SB 997 – WORK SESSION</u>		
070	Van Winkle	Explains the provisions of SB 997. Notes the -3 amendments before the committee (EXHIBIT R).
082	Darrell Fuller	Oregon Auto Dealers Association. Notes he has just received the -3 amendments. States that the amendments appear to address all prior concerns.
099	Cheryl Pellegrini	Points out additional details of the measure.
105	Sen. Monnes	Inquires about the cost difference between paper and electronic

	Anderson	filing.
107	Pellegrini	Clarifies the costs.
110	Sen. Monnes	Asks what the price is now.
	Anderson	
111	Pellegrini	Replies is has not changed.
114	Fuller	Notes the current difference in statute.
122	Sen. B. Starr	MOTION: Moves to ADOPT SB 997-3 amendments dated 4/7/05.
127		VOTE: 4-0-1
		EXCUSED: 1 - Atkinson
	Chair Metsger	Hearing no objection, declares the motion CARRIED.
130	Sen. B. Starr	MOTION: Moves SB 997 to the floor with a DO PASS AS AMENDED recommendation.
133		VOTE: 4-0-1
		EXCUSED: 1 - Atkinson
	Chair Metsger	Hearing no objection, declares the motion CARRIED.
		SEN. B. STARR will lead discussion on the floor.
140	Chair Metsger	Closes work session on SB 997. Opens a work session on SB 949.
<u>SB 949 – WORK SESSION</u>		
143	Van Winkle	Explains the provisions of the measure. Notes there are -2 amendments to the measure (EXHIBIT S).
153	Neil Jackson	Oregon Trial Lawyers Association. Discusses the method of reaching an agreement through the -2 amendments.
167	Steve Murrell	Claim Attorney, State Farm Insurance. Concurs they have reached an agreement through the -2 amendments.
177	Chair Metsger	Asks if they are comfortable to move this forward.
180	Murrell	Replies they are.
185	Sen. B. Starr	MOTION: Moves to ADOPT SB 949-2 amendments dated 4/4/05.
187		VOTE: 4-0-1
		EXCUSED: 1 - Atkinson
	Chair Metsger	Hearing no objection, declares the motion CARRIED.
190	Sen. B. Starr	MOTION: Moves SB 949 to the floor with a DO PASS AS AMENDED recommendation.
193		VOTE: 4-0-1
		EXCUSED: 1 - Atkinson
	Chair Metsger	Hearing no objection, declares the motion CARRIED.
		SEN. DECKERT will lead discussion on the floor.
195	Chair Metsger	Closes the work session on SB 949. Opens a work session on SB 950.
<u>SB 950 – WORK SESSION</u>		
197	Van Winkle	Describes the provisions of the measure. Points out the -2 amendment before the committee (EXHIBIT T).
203	Murrell	Provides and summary of prior testimony. Testifies in favor to the -2 amendment, aside from some minor technical issues.
237	Chair Metsger	Appreciates their efforts to clarify the law. Wonders if there is any trouble moving this forward.
243	Murrell	Offers that he has no concerns with this measure moving forward. Notes there may be additional issues to be addressed in the other chamber.
249	Sen. Deckert	MOTION: Moves to ADOPT SB 950-2 amendments dated 4/7/05.

253		VOTE: 3-0-2
	Chair Metsger	EXCUSED: 2 - Atkinson, B. Starr
257	Sen. Deckert	Hearing no objection, declares the motion CARRIED.
		MOTION: Moves SB 950 to the floor with a DO PASS AS AMENDED recommendation.
260		VOTE: 3-0-2
	Chair Metsger	EXCUSED: 2 - Atkinson, B. Starr
		Hearing no objection, declares the motion CARRIED.
		SEN. METSGER will lead discussion on the floor.
263	Chair Metsger	Closes the work session on SB 950. Opens a public hearing on SB 672.

SB 672 – PUBLIC HEARING

267	Chair Metsger	Editor/Publisher of the Mount Scott Monitor. Explains the history of the measure. Notes the immense complexity of the measure.
300	Philip Robbins	Resident of Portland. Summarizes the issues being faced. Presents written testimony (EXHIBIT U) and a CD-ROM (EXHIBIT V).
350	Robbins	Details the concerns related to electing condominium representatives.
400	Robbins	Talks about the problems with disclosure.
005	Robbins	Concludes his testimony.
020	Chair Metsger	Summarizes the details of his testimony.
024	Richard Vial	Attorney, Vial Fotheringham LLP. Discusses his experience as part of the Condominium Homeowner’s Association Working Group.
045	Vial	Talks about various administrative election structures.
072	Vial	Discusses the proposed -2 amendments to SB 672 (EXHIBIT W).
081	Chair Metsger	Suggests Mr. Carlson summarize the various amendments before them.
090	Eric Carlson	Senate Majority Office. States the theory behind SB 672 in helping to provide balance among home owner associations. Presents a written summary (EXHIBIT X) to the committee.
125	Carlson	Further discusses the issues addressed by the measure and the -2 amendments. Points out additional -4 amendments (EXHIBIT Y).
155	Chair Metsger	Discusses the need to bring this issue forward at this time. Offers there is a lot of additional work to be done. Asks which issues can be worked out and decided this session.
170	Robbins	Observes that this is a work in progress.
177	Chair Metsger	Asks that they work further on it and present their findings back to the committee.
183	Vial	Proposes they hold a working group on the disclosure issue.
187	Chair Metsger	Relays his concerns. Remarks that they have the expertise to work these issues out.
203	Vial	Reiterates his desire to address the issue and take action.
212	Chair Metsger	Comments that there is a lot more work ahead before this measure can move forward. Closes public hearing SB 672. Opens a work session SB 951.

SB 951 – WORK SESSION

230	Van Winkle	Explains the provisions of the measure and the -1 amendments
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(**EXHIBIT Z**).

240 Neil Jackson Comments that they have been unable to reach a consensus on this measure.

260 Steve Murrell Concurs with Mr. Jackson. Offers that they attempted to check the potential cost changes, but could not find an exact number.

273 Chair Metsger Asks if he has any historical data on this issue.

277 Murrell Relates that there have been changes across different states. Provides some details on the variables.

293 Chair Metsger States that he doesn't feel comfortable moving the bill at this time.

316 Sen. Deckert Feels this is an equity issue. Offers he is willing to pay more to ensure the coverage of family members.

325 Chair Metsger Offers his hopes for working out a solution. Closes work session on SB 951. Opens a work session SB 952.

SB 952 – WORK SESSION

335 Jackson Testifies, that once again they have been unable to find common ground.

347 Chair Metsger Asks for Mr. Murrell's take on this subject.

351 Murrell Comments on the reasons they were unable to reach an agreement.

376 Chair Metsger Wonders about the cost change if this measure went into law.

386 Murrell Offers it hinges on when someone is "made whole" after an injury, which is difficult to quantify.

399 Chair Metsger Remarks that there is more work to be done. Closes work session SB 952. Opens a work session on SB 955.

SB 955 – WORK SESSION

403 Van Winkle Explains the provisions of the measure. Points out there -1 amendments before the committee (**EXHIBIT AA**).

TAPE 59, A

004 Chair Metsger Notes the inclusion of a letter from the Oregon Real Estate Agency (**EXHIBIT BB**).

010 Barry Pack Committee to Protect Condominium Developers and Homeowners. Details the -1 amendments. Advocates their adoption.

027 Chair Metsger Notes the concerns of the committee in regards to impacts on Oregon consumers.

039 Brian DeMarco Oregon Real Estate Agency. Notes he has no opposition to SB 955 as drafted. Discusses his concerns with the -1 amendments.

080 DeMarco Continues addressing his concerns with the -1 amendments.

105 Chair Metsger Expresses his own concerns with the -1 amendments. Observes this measure will not be moving today.

117 Pack Replies that all parties will work for a compromise.

120 DeMarco Discusses a prior workgroup.

121 Vial Supports the idea of addressing these issues. Does not support passing SB 955 without amendments. Feels they need a new set of amendments.

142 Jana Jarvis Oregon Association of Realtors. States they are monitoring the measure at this time.

150 Chair Metsger Asks for the opinion of the committee.

155 Sen. Deckert Feels they should move the base bill.

161 Chair Metsger Offers they should hold the measure to give time to address some of the issues. Closes work session on SB 955. Opens a work session on SB 327.

SB 327 – WORK SESSION

175	Van Winkle	Discusses the provisions of the measure. Notes there are -1 amendments (EXHIBIT CC).
179	Jan Amling	Consumer Credit Counseling Service. Explains the -1 amendments.
203	Sen. B. Starr	MOTION: Moves to ADOPT SB 327-1 amendments dated 3/31/05.
204		VOTE: 3-0-2
	Chair Metsger	EXCUSED: 2 - Atkinson, Deckert
		Hearing no objection, declares the motion CARRIED.
207	Sen. B. Starr	MOTION: Moves SB 327 to the floor with a DO PASS AS AMENDED recommendation.
209		VOTE: 3-0-2
	Chair Metsger	EXCUSED: 2 - Atkinson, Deckert
		Hearing no objection, declares the motion CARRIED.
		SEN. MORSE will lead discussion on the floor.
210	Chair Metsger	Closes work session on SB 327. Opens a work session on SB 209.
<u>SB 209 – WORK SESSION</u>		
212	Chair Metsger	Observes more time is needed to examine the amendments. Closes work session on SB 209. Opens a work session on SB 385.
<u>SB 385 – WORK SESSION</u>		
214	Van Winkle	Explains the provisions of the measure. Notes there are -2 amendments to SB 385 (EXHIBIT DD).
218	Bob Keith	Administrator, Oregon Appraiser Certification and Licensure Board (ACLB). Talks about difficulties with earlier drafts of the measure in regard to fingerprint technology.
230	Chair Metsger	Remarks on the amount of work put into making a compromise.
237	Sen. B. Starr	Questions the extent of changes made by the -2 amendments.
242	Keith	Points out they are primarily to delete the fingerprint requirements.
245	Sen. B. Starr	MOTION: Moves to ADOPT SB 385-2 amendments dated 4/7/05.
247	Sen. Monnes Anderson	Asks if there is a general fund impact.
249	Keith	Replies that civil penalties go into the general fund. States they are attempting to correct that.
253	Sen. Monnes Anderson	Questions the extent of impact.
257	Van Winkle	Clarifies the difference.
260		VOTE: 3-0-2
	Chair Metsger	EXCUSED: 2 - Atkinson, Deckert
		Hearing no objection, declares the motion CARRIED.
263	Sen. B. Starr	MOTION: Moves SB 385 to the floor with a DO PASS AS AMENDED recommendation.
265	Sen. Monnes Anderson	Asks if the measure needs to go to Ways and Means.
267	Chair Metsger	Clarifies that it does not.
270		VOTE: 3-0-2
	Chair Metsger	EXCUSED: 2 - Atkinson, Deckert
		Hearing no objection, declares the motion CARRIED.
		SEN. MONNES ANDERSON will lead discussion on the floor.

280 Chair Metsger Closes work session on SB 385. Observes they no longer have a quorum. Calls for a recess at 3:40 p.m.
300 Chair Metsger Calls the committee back to order at 3:51 p.m. Observes the committee now has a quorum. Opens a work session on SB 173.

SB 173 – WORK SESSION

307 Van Winkle Explains the provisions of the measure.
312 Chair Metsger Summarizes the previous public hearing.
320 Mike Marsh Oregon Department of Transportation (ODOT). Submits a letter to the committee (**EXHIBIT EE**). Summarizes the process changes being made.
357 Chair Metsger Comments on the letter passed out. Asks if he has talked to the other committee members about their earlier concerns.
370 Marsh Replies that the letter was written to address those concerns.
389 Sen. B. Starr Wonders if there is any opposition to the bill.
390 Marsh Relays that they have addressed all concerns.
392 Chair Metsger Asks Mr. Marsh to provide additional feedback.
397 Marsh Provides greater detail on the degree of customer satisfaction and amount of contracts granted.
405 Jessica Harris Associated General Contractors. Notes her support of the measure.
Adamson

TAPE 58, B

003 Sen. B. Starr MOTION: Moves SB 173 to the floor with a DO PASS recommendation.

005 VOTE: 3-0-2
EXCUSED: 2 - Atkinson, Deckert
Chair Metsger Hearing no objection, declares the motion CARRIED.
SEN. DECKERT will lead discussion on the floor.

007 Chair Metsger Closes work session on SB 173. Opens a work session on SB 209.

SB 209 – WORK SESSION

010 Chair Metsger States that they now have the -2 (**EXHIBIT FF**) amendments before them.
015 Pellegrini Reviews the provisions of the -2 amendments.
021 Chair Metsger Asks for the principle changes introduced by the -2 amendments.
025 Pellegrini Details the changes introduced by the -2 amendments to address prior concerns of committee members.
067 Pellegrini Discusses the addition of “safe harbor” language to the bill.
097 Chair Metsger Observes the complications of the issue and the improvements the -2 amendments introduce. Feels this is the type of measure people do not consider until a catastrophe occurs.

119 Sen. Deckert Considers if they inserted the gas provision.
120 Chair Metsger Replies it is now in the measure.
123 Sen. B. Starr **MOTION: Moves to ADOPT SB 209-2 amendments dated 4/7/05.**

125 VOTE: 4-0-1
EXCUSED: 1 - Atkinson
Chair Metsger Hearing no objection, declares the motion CARRIED.

127 Sen. B. Starr MOTION: Moves SB 209 to the floor with a DO PASS AS AMENDED recommendation.

129 VOTE: 4-0-1
EXCUSED: 1 - Atkinson
Chair Metsger Hearing no objection, declares the motion CARRIED.
SEN. METSGER will lead discussion on the floor.

135	Harrison Conley	Legislative Counsel. Praises the efforts of counsel staff in getting the amendment before the committee.
140	Chair Metsger	Expresses his appreciation for their efforts. Closes work session on SB 209. Opens a public hearing on SB 1008.
<u>SB 1008 – PUBLIC HEARING</u>		
150	Chair Metsger	Provides a background on SB 1008. Asks Sen. Deckert to update the committee on the status of the measure.
159	Sen. Deckert	Notes the individuals involved to bring this forward and the groups meeting to work out the details.
177	Sen. Deckert	Discusses the proposed model for a public corporation that operates like a private corporation.
190	Sen. Deckert	Details the governing of the company and working for the public benefit.
210	Sen. Deckert	Offers additional information will be provided at the next meeting.
217	Van Winkle	Notes that they cannot yet post Senate Measures for the next meeting.
223	Chair Metsger	Comments that they will work to bring these issues back as soon as possible. Closes the public hearing on SB 1008. Adjourns the committee at 4:16 p.m.

EXHIBIT SUMMARY

- A. **SB 579, -3 amendments, staff, 2 pp**
- B. **HJR 8A, Written testimony, Rep. Patti Smith, 1 p**
- C. **HJR 8A, Written testimony, Kevin Moffitt, 2 pp**
- D. **HJR 8A, “Presenting the Case for Making Pears...”, Kevin Moffitt, 10 pp**
- E. **SB 171, -4 amendments, staff, 7 pp**
- F. **SB 171, -6 amendments, staff, 7 pp**
- G. **SB 151, -2 amendments, staff, 3 pp**
- H. **SB 151, -4 amendments, staff, 1 p**
- I. **SB 151, -5 amendments, staff, 1 p**
- J. **SB 408, -3 amendments, staff, 2 pp**
- K. **SB 408, Written testimony of Ron Suppah, Michael Mason, 4 pp**
- L. **SB 209, -1 amendments, staff, 2 pp**
- M. **SB 408, Membership List, Mark Nelson, 1 p**
- N. **SB 210, -2 amendments, staff, 1 p**
- O. **SB 210, -4 amendments, staff, 2 pp**
- P. **SB 211, -2 amendments, staff, 2 pp**
- Q. **SB 212, Letter from Charles Harwood, Cheryl Pellegrini, 1p**
- R. **SB 997, -3 amendments, staff, 3 pp**
- S. **SB 949, -2 amendments, staff, 1 pp**
- T. **SB 950, -2 amendments, staff, 6 pp**
- U. **SB 672, Written testimony, Phil Robbins, 5 pp**
- V. **SB 672, CD ROM, Phil Robbins**
- W. **SB 672, -2 amendments, staff, 136 pp**
- X. **SB 672, Summary Proposed Amendments to SB 672, Richard Vial, 7 pp**
- Y. **SB 672, -4 amendments, staff, 2 pp**
- Z. **SB 951, -1 amendments, staff, 1 p**

- AA. SB 955, -1 amendments, staff, 4 pp**
- BB. SB 955, Oregon Real Estate Agency Letter, Brian DeMarco, 3 pp**
- CC. SB 327, -1 amendments, staff, 1 p**
- DD. SB 385, -2 amendments, staff, 1 p**
- EE. SB 173, Written testimony, Mike Marsh, 3 pp**
- FF. SB 209, -2 amendments, staff, 2 pp**