

SENATE COMMITTEE ON COMMERCE

May 12, 2005
3:10 P.M.

Hearing Room C
Tapes 62 - 63

MEMBERS PRESENT: **Sen. Floyd Prozanski, Chair**
 Sen. Roger Beyer, Vice-Chair
 Sen. Ginny Burdick
 Sen. Charlie Ringo
 Sen. Doug Whitsett

STAFF PRESENT: **Anna Braun, Committee Administrator**
 Karen Scoffield, Committee Assistant

MEASURES/ISSUES HEARD:

SB 1057 – Public Hearing
SB 968 – Work Session
HB 2127 – Work Session
HB 2125 – Public Hearing
HB 2740A – Public Hearing
HB 2294 – Public Hearing
HB 2718 – 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 62, A		
005	Chair Prozanski	Calls the meeting to order at 3:28 p.m. Opens a public hearing on SB 1057. Discusses SB 1057.
<u>SB 1057 – PUBLIC HEARING</u>		
035	Anna Braun	Committee Administrator. Provides an overview of SB 1057. Submits the -1 amendments (EXHIBIT A), -2 amendments (EXHIBIT B), -3 amendments (EXHIBIT C), -4 amendments (EXHIBIT D) and -5 amendments (EXHIBIT E) to SB 1057.
050	Greg Malkasian	Deputy Director, Department of Consumer and Business Services (DCBS). Discusses and submits written testimony in support of SB 1057 and the -2 amendments (EXHIBIT F).
125	Kevin Neely	Public Affairs & Legislative Coordinator, Department of Justice. Discusses and submits written testimony in support of SB 1057 (EXHIBIT G).
198	Bill Seely	Customer Services Manager, Department of Motor Vehicles (DMV). Discusses and submits written testimony with a neutral position to SB 1057 (EXHIBIT H).
245	Chair Prozanski	Asks Seely regarding a bill in 1997 affecting the DMV.
260	Seely	Responds.
297	Christine Arevalo	Director of Recovery, Identity Safeguards. Discusses and submits written testimony in support of SB 1057 and the -1 and -2 amendments (EXHIBIT I).
357	Shannon Callahan	Staff Attorney & Consumer Advocate, Oregon State Public Interest Research Group (OSPIRG). Discusses and submits written testimony in support of SB 1057 and the -1, -2, -3 and -4

amendments (**EXHIBIT J**).

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

Tim Martinez Oregon Bankers Association. Submits written testimony on behalf of the United Financial Lobby in opposition to SB 1057 (**EXHIBIT K**).

408 Chair Prozanski Recesses the public hearing on SB 1057 and opens a work session on SB 968.

TAPE 63, A

SB 968 – WORK SESSION

Anna Braun Committee Administrator. Submits the -5 amendments to SB 968 (**EXHIBIT L**).

005 Sen. Beyer **MOTION: Moves to SUSPEND the rules for the purpose of RECONSIDERING the vote on SB 968.**
VOTE: 5-0-0
Hearing no objection, declares the motion CARRIED.

006 Chair Prozanski
Sen. Beyer **MOTION: Moves to RECONSIDER the vote by which SB 968 was moved to the floor with a DO PASS AS AMENDED recommendation.**

010 Chair Prozanski States that the -5 amendments were drafted because the -4 amendments, which the committee adopted, did not include a necessary provision from the -3 amendments. States that the committee will take action on SB 968 on May 19, 2005.

022 Chair Prozanski **VOTE: 5-0-0**
Hearing no objection, declares the motion CARRIED.

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

Shannon Callahan Staff Attorney & Consumer Advocate, Oregon State Public Interest Research Group (OSPIRG). Submits written testimony in support of SB 968 and the -5 amendments (**EXHIBIT M**).

025 Chair Prozanski Closes work session on SB 968 and reopens the public hearing on SB 1057.

SB 1057 – PUBLIC HEARING

030 Julie Brandis Associated Oregon Industries (AOI). Testifies regarding SB 1057. Discusses concerns with SB 1057.

065 Chair Prozanski Asks Brandis to provide feedback from her clients.

070 Bradd Swank Special Counsel, Government Relations, Oregon Judicial Department. Testifies regarding SB 1057. Discusses concerns with section 5 of SB 1057.

150 Chair Prozanski Comments that SB 1057 needs further amendments.

162 Chair Prozanski Closes public hearing on SB 1057 and opens a work session on HB 2127.

HB 2127 – WORK SESSION

165 Anna Braun Committee Administrator. Provides an overview of HB 2127.

172 Sen. Beyer **MOTION: Moves HB 2127 to the floor with a DO PASS recommendation.**
VOTE: 4-0-1
EXCUSED: 1 - Whitsett
Hearing no objection, declares the motion CARRIED.
SEN. BEYER will lead discussion on the floor.

178 Chair Prozanski Closes work session on HB 2127 and opens public hearing on HB 2125.

HB 2125 – PUBLIC HEARING

182 Anna Braun Committee Administrator. Provides an overview of HB 2125.

190 Pat Delaval Unemployment Insurance Tax Field Operations Manager,

250 Chair Prozanski Oregon Employment Department. Discusses and submits written testimony in support of HB 2125 (**EXHIBIT N**). Closes public hearing on HB 2125 and opens public hearing on HB 2740A.

HB 2740A – PUBLIC HEARING

260 Anna Braun Committee Administrator. Provides an overview of HB 2740A.
265 Shawn Miller Oregon Independent Auto Dealers Association. Discusses and submits written testimony in support of HB 2740A (**EXHIBIT O**).

308 Jose Pinomesa First Vice President, Oregon Independent Auto Dealers Association. Testifies in support of HB 2740A.
325 Eva Tayrose Consumer Protection Financial Fraud Section, Oregon Department of Justice. Discusses and submits written testimony on behalf of Cheryl Pellegrini, Oregon Department of Justice, in support of HB 2740A (**EXHIBIT P**).

350 Joseph McKinney President, OregonRoads, Inc. Discusses and submit written testimony with a neutral position to HB 2740A (**EXHIBIT Q**).

400 Monty King Oregon Vehicle Dealer Association, Inc. Discusses and submits written testimony in support of HB 2740A (**EXHIBIT R**).

TAPE 62, B

025 Chair Prozanski Asks Tayrose for an explanation regarding McKinney’s concerns.
037 Tayrose Responds.
055 Chair Prozanski States understanding of Tayrose’s comments.
057 Tayrose States that Chair Prozanski understands correctly.
060 Chair Prozanski Asks Tayrose to return information to the committee. Discusses the need to address all concerns before the work session on HB 2740A is held.
077 McKinney States that neither a new car dealer or a leasing representative were present at the workgroup. Responds to Tayrose’s comments.
088 King Responds to McKinney’s comments.
100 Larry Campbell American Automobile Association (AAA). Testifies in support of HB 2740A. States that there was representation for the new car dealers at the workgroup for HB 2740A.
133 Braun Asks for a list of the members of the workgroup on HB 2740A.
135 Campbell Offers to return the information to the committee.

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

Pamela Leavitt Credit Union Association of Oregon. Submits written testimony in support of HB 2740A (**EXHIBIT S**).

138 Chair Prozanski Closes public hearing on HB 2740A and opens public hearing on HB 2294.

HB 2294 – PUBLIC HEARING

147 Christopher Moore Oregon State Bar. Discusses and submits written testimony in support of HB 2294 (**EXHIBIT T**). States that the Management Labor Advisory Committee (MLAC) supports HB 2294.
222 Chair Prozanski Closes public hearing on HB 2294 and opens public hearing on HB 2718.

HB 2718 – PUBLIC HEARING

230 Gary Bauer NW Natural. Discusses and submits written testimony in support of HB 2718 (**EXHIBIT U**).

245 Chair Prozanski Closes public hearing on HB 2718. Adjourns the meeting at 4:41 p.m.

EXHIBIT SUMMARY

- A. **SB 1057, -1 amendments, staff, 1 p**
- B. **SB 1057, -2 amendments, staff, 2 pp**
- C. **SB 1057, -3 amendments, staff, 1 p**
- D. **SB 1057, -4 amendments, staff, 1 p**
- E. **SB 1057, -5 amendments, staff, 1 p**
- F. **SB 1057, written testimony, Greg Malkasian, 2 pp**
- G. **SB 1057, written testimony, Kevin Neely, 4 pp**
- H. **SB 1057, written testimony, Bill Seely, 2 pp**
- I. **SB 1057, written testimony, Christine Arevalo, 1 p**
- J. **SB 1057, written testimony, Shannon Callahan, 1 p**
- K. **SB 1057, written testimony of the United Financial Lobby, Tim Martinez, 3 pp**
- L. **SB 968, -5 amendments, staff, 19 pp**
- M. **SB 968, written testimony, Shannon Callahan, 1 p**
- N. **HB 2125, written testimony, Pat Delaval, 2 pp**
- O. **HB 2740A, written testimony, Shawn Miller, 2 pp**
- P. **HB 2740A, written testimony of Cheryl Pellegrini, Eva Tayrose, 3 pp**
- Q. **HB 2740A, written testimony, Joseph McKinney, 2 pp**
- R. **HB 2740A, written testimony, Monty King, 1 p**
- S. **HB 2740A, written testimony, Pamela Leavitt, 1 p**
- T. **HB 2294, written testimony, Christopher Moore, 3 pp**
- U. **HB 2718, written testimony, Gary Bauer, 1 p**