

HOUSE COMMITTEE ON
BUSINESS, LABOR AND CONSUMER AFFAIRS

March 24, 2003 Hearing Room E
8:30 A.M. Tapes 68 - 69

MEMBERS PRESENT: Rep. Betsy Close, Chair
 Rep. Derrick Kitts, Vice-Chair
 Rep. Diane Rosenbaum, Vice-Chair
 Rep. Mary Gallegos
 Rep. Bill Garrard
 Rep. Jeff Merkley
 Rep. Mike Schaufler

STAFF PRESENT: Patrick Brennan, Committee Administrator
 Mike Reiley, Committee Assistant

MEASURE/ISSUES HEARD: HB 2967 – 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 68, A		
002	Chair Close	Calls meeting to order at 8:35 a.m. Opens public hearing on HB 2967.
<u>HB 2967 – PUBLIC HEARING</u>		
025	Patrick Brennan	Committee Administrator. Summarizes HB 2967.
032	J.L. Wilson	National Federation of Independent Businesses. Testifies in support of HB 2967.
048	Norm Proctor	Region 10 Advocate, United States Small Business Administration (SBA). Testifies in support of HB 2967. Explains potential impact of HB 2967 on small business regulations.
162	Chair Close	Asks for clarification of money saved by SBA.
164	Proctor	Clarifies amount of money saved.
166	Rep. Garrard	Asks how HB 2967 would affect Endangered Species Act.
169	Wilson	States that he will address it later in his testimony.
172	Rep. Schaufler	Asks for clarification of HB 2967 and its effect on regulation.
189	Wilson	States that he will address it later in his testimony.
192	Rep. Merkley	Asks about problems with current provisions in statute.
204	Wilson	Explains that certain statutes are not being adhered to. Offers overview of HB 2967 and its effect on small business regulation.
357	Chair Close	Asks for difference between judicial review in HB 2967 and current statute.
361	Wilson	Explains difference between them and clarifies language.
TAPE 69, A		
005	Rep. Kitts	Expresses support for HB 2967.
012	Wilson	Notes that HB 2967 is not intended to subvert regulatory goals. Explains relationship between government agencies and private sector.

053	Rep. Gallegos	Asks about role of Oregon Economic and Community Development Department (OECDD).
060	Wilson	Explains role of OECDD.
063	Rep. Gallegos	Asks about distribution of regulatory burden.
071	Wilson	Explains importance of HB 2967.
084	Rep. Merkley	Asks about fiscal impact.
087	Brennan	Explains that there may be fiscal impact forthcoming.
094	Rep. Merkley	Asks about regulatory oversight.
106	Wilson	States that he is open to changing language if necessary.
115	Rep. Rosenbaum	Asks about rulemaking and its effect on funding.
128	Wilson	Clarifies nature of rulemaking and funding.
136	Chair Close	Notes that federal override is commonly used.
138	Rep. Rosenbaum	Asks for clarification of adverse impact language.
145	Wilson	Explains adverse economic impact effect on small business.
166	Rep. Garrard	Expresses skepticism that HB 2967 will achieve desired intent.
177	Wilson	Explains importance of judicial review.
200	Rep. Schaufler	Expresses concern about language and notes frustration about regulation.
234	Wilson	Explains intent for HB 2967.
268	Eric Blackledge	Governor's Small Business Council. Submits and summarizes prepared testimony in support of HB 2967 (EXHIBIT A).
436	Chair Close	Expresses support and future intent for HB 2967.
TAPE 68, B		
014	Patrick Allen	Manager, Office of Regulatory Streamlining, Department of Consumer and Business Services. Submits and summarizes prepared testimony in opposition to HB 2967 (EXHIBIT B).
072	Chair Close	Notes contrast between timber industry and small businesses. Asks about enforcement and judicial review.
084	Allen	Explains issues related to judicial review.
107	Chair Close	Asks about compliance and enforcement.
113	Allen	Explains compliance and enforcement.
128	Mike Burton	Assistant Director, OECDD. Explains procedure regarding small business regulations.
180	Rep. Rosenbaum	Asks for explanation of adverse effect on small business and how to apply objective standards to subjective situations.
190	Burton	Explains small business and relationship to government regulation.
212	Rep. Schaufler	Notes that regulation can have adverse impact on government as well as businesses.
238	Rep. Gallegos	Expresses concern about role of OECDD.
259	Chair Close	Asks for clarification of agency involvement in legislation.
260	Allen	Offers clarification.
261	Chair Close	Asks if there are competing agencies involved.
262	Allen	Offers additional clarification.
263	Chair Close	Asks if it could have gone either way.
264	Burton	Addresses intent of legislation and proponents of HB 2967.
283	Terry Witt	Executive Director, Oregonians for Food and Shelter. Testifies in support of HB 2967.
398	Rep. Schaufler	Asks for clarification of example in testimony of Mr. Witt regarding regulation compliance.
TAPE 69, B		
002	Witt	Clarifies compliance example.
011	Rep. Schaufler	Asks if compliance man hours involved are annual or one-time.
013	Witt	Explains that they are annual and explains regulatory impact.

032	Chair Close	Asks about possibility of having agencies contact business to determine economic and labor impacts before doing analysis.
036	Witt	Explains possibility of contacting businesses before analysis.
050	Chair Close	Closes public hearing on HB 2967. Adjourns meeting at 10:02 a.m.

EXHIBIT SUMMARY

A – HB 2967, written testimony, Eric Blackledge, 2 pp

B – HB 2967, written testimony, Patrick Allen, 2 pp