

HOUSE COMMITTEE ON
BUSINESS, LABOR AND CONSUMER AFFAIRS

April 11, 2003 Hearing Room E
8:00 A.M. Tapes 88 - 89

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: Megan Palau, Committee Administrator
Mike Reiley, Committee Assistant

MEASURE/ISSUES HEARD: HB 2577 – Public Hearing
HB 2710 – Public Hearing
HB 2712 – Public Hearing
HB 2715 – Public Hearing
HB 2965 – Public Hearing
HB 2973 – Public Hearing
HB 3048 – Public Hearing
HB 3086 – Public Hearing
HB 3117 – Public Hearing
HB 3148 – Public Hearing
HB 3170 – Public Hearing
HB 3262 – Public Hearing
HB 3420 – Public Hearing
HB 3458 – Public Hearing
HB 3467 – Public Hearing
HB 3486 – Public Hearing
HB 3528 – Public Hearing
HB 3575 – Public Hearing
HB 2640 – Public Hearing
HB 3392 – Public Hearing
HB 3369 – Public Hearing
HB 3322 – Public Hearing
HB 3088 – Public Hearing
HB 3543 – Public Hearing
HB 2665 – Public Hearing
HB 2785 – Public Hearing
HB 3266 – Public Hearing
HB 3276 – Public Hearing
HB 3300 – Public Hearing
HB 3316 – Public Hearing
HB 3400 – Public Hearing
HB 3464 – Public Hearing
HB 3491 – Public Hearing

HJR 5 – Public Hearing
HB 3174 – Work Session
HB 3218 – Public Hearing and Work Session
HB 2304 – Public Hearing and Work Session
HB 3313 – Public Hearing and Work Session
HB 2881 – Public Hearing
HB 3544 – Public Hearing
HB 2368 – Public Hearing and Work Session
HB 2555 – Public Hearing
HB 2433 – Public Hearing
HB 3541 – Public Hearing
HB 3043 – Public Hearing
HB 3476 – Public Hearing
HB 3325 – Work Session
HJR 40 – 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 88, A 003	Chair Close	Calls meeting to order at 8:06 a.m. Opens public hearing on HB 2577.
<u>HB 2577 – PUBLIC HEARING</u>	Chair Close	Closes public hearing on HB 2577. Opens public hearing on HB 2710.
<u>HB 2710 – PUBLIC HEARING</u>	Chair Close	Closes public hearing on HB 2710. Opens public hearing on HB 2712.
<u>HB 2712 – PUBLIC HEARING</u>	Chair Close	Closes public hearing on HB 2712. Opens public hearing on HB 2715.
<u>HB 2715 – PUBLIC HEARING</u>	Chair Close	Closes public hearing on HB 2715. Opens public hearing on HB 2965.
<u>HB 2965 – PUBLIC HEARING</u>	Chair Close	Closes public hearing on HB 2965. Opens public hearing on HB 2973.
<u>HB 2973 – PUBLIC HEARING</u>	Chair Close	Closes public hearing on HB 2973. Opens public hearing on HB 3048.
<u>HB 3048 – PUBLIC HEARING</u>	Chair Close	Closes public hearing on HB 3048. Opens public hearing on HB 3086.
<u>HB 3086 – PUBLIC HEARING</u>	Chair Close	Closes public hearing on HB 3086. Opens public hearing on HB 3117.
<u>HB 3117 – PUBLIC HEARING</u>	Chair Close	Closes public hearing on HB 3117. Opens public hearing on HB 3148.
<u>HB 3148 – PUBLIC HEARING</u>	Chair Close	Closes public hearing on HB 3148. Opens public hearing on HB 3170.

HB 3170 – PUBLIC HEARING

Chair Close

Closes public hearing on HB 3170. Opens public hearing on HB 3262.

HB 3262 – PUBLIC HEARING

Chair Close

Closes public hearing on HB 3262. Opens public hearing on HB 3420.

HB 3420 – PUBLIC HEARING

Chair Close

Closes public hearing on HB 3420. Opens public hearing on HB 3458.

HB 3458 – PUBLIC HEARING

Chair Close

Closes public hearing on HB 3458. Opens public hearing on HB 3467.

HB 3467 – PUBLIC HEARING

Chair Close

Closes public hearing on HB 3467. Opens public hearing on HB 3486.

HB 3486 – PUBLIC HEARING

Chair Close

Closes public hearing on HB 3486. Opens public hearing on HB 3528.

HB 3528 – PUBLIC HEARING

Chair Close

Closes public hearing on HB 3528. Opens public hearing on HB 3575.

HB 3575 – PUBLIC HEARING

Chair Close

Closes public hearing on HB 3575. Opens public hearing on HB 2640.

HB 2640 – PUBLIC HEARING

Chair Close

Closes public hearing on HB 2640. Opens public hearing on HB 3392.

HB 3392 – PUBLIC HEARING

Chair Close

Closes public hearing on HB 3392. Opens public hearing on HB 3369.

HB 3369 – PUBLIC HEARING

Chair Close

Closes public hearing on HB 3369. Opens public hearing on HB 3322.

HB 3322 – PUBLIC HEARING

Chair Close

Closes public hearing on HB 3322. Opens public hearing on HB 3088.

HB 3088 – PUBLIC HEARING

Chair Close

Closes public hearing on HB 3088. Opens public hearing on HB 3543.

HB 3543 – PUBLIC HEARING

Chair Close

Closes public hearing on HB 3543. Opens public hearing on HB 2665.

HB 2665 – PUBLIC HEARING

Chair Close

Closes public hearing on HB 2665. Opens public hearing on HB 2785.

HB 2785 – PUBLIC HEARING

Chair Close

Closes public hearing on HB 2785. Opens public hearing on HB 3266.

HB 3266 – PUBLIC HEARING

Chair Close

Closes public hearing on HB 3266. Opens public hearing on HB 3276.

HB 3276 – PUBLIC HEARING

Chair Close

Closes public hearing on HB 3276. Opens public hearing on HB 3300.

HB 3300 – PUBLIC HEARING

Chair Close

Closes public hearing on HB 3300. Opens public hearing on HB 3316.

HB 3316 – PUBLIC HEARING

Chair Close

Closes public hearing on HB 3316. Opens public hearing on HB 3400.

HB 3400 – PUBLIC HEARING

Chair Close

Closes public hearing on HB 3400. Opens public hearing on HB 3464.

HB 3464 – PUBLIC HEARING

Chair Close

Closes public hearing on HB 3464. Opens public hearing on HB 3491.

HB 3491 – PUBLIC HEARING

Chair Close

Closes public hearing on HB 3491. Opens public hearing on HJR 5.

HJR 5 – PUBLIC HEARING

068

Chair Close

Closes public hearing on HJR 5. Opens work session on HB 3174.

HB 3174 – WORK SESSION

066

Megan Palau

Committee Administrator. Summarizes HB 3174.

075

Rick Thomas

Independent Electrical Contractors of Oregon. Explains and testifies in support of HB 3174.

080

Rep. Kitts

MOTION: Moves to ADOPT HB 3174-2 amendments dated 4/10/03 (EXHIBIT A).

VOTE: 7-0

Hearing no objection, declares the motion CARRIED.

085

Chair Close

Rep. Kitts

MOTION: Moves HB 3174 to the floor with a DO PASS AS AMENDED recommendation.

VOTE: 7-0

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

REP. SCHAUFLER will lead discussion on the floor.

095

Chair Close

Closes work session on HB 3174. Opens public hearing on HB 3218.

HB 3218 – PUBLIC HEARING

118

Megan Palau

Committee Administrator. Summarizes HB 3218 and -1 amendment (EXHIBIT B).

125

Neil Bryant

Attorney, Bend. Submits and summarizes prepared testimony in support (EXHIBIT C).

150

Chair Close

Closes public hearing on HB 3218. Opens work session on HB 3218.

HB 3218 – WORK SESSION

155

Rep. Rosenbaum

MOTION: Moves to ADOPT HB 3218-1 amendments dated 4/2/03.

VOTE: 7-0

Hearing no objection, declares the motion CARRIED.

160

Chair Close

Rep. Rosenbaum

MOTION: Moves HB 3218 to the floor with a DO PASS AS AMENDED recommendation.

VOTE: 7-0

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

REP. KITTS will lead discussion on the floor.

170

Chair Close

Closes work session on HB 3218. Opens public hearing on HB

HB 2304 – PUBLIC HEARING

175	Megan Palau	Committee Administrator. Summarizes HB 2304.
180	Bill Penhollow	Association of Oregon Counties; Oregon Telecommunication Coordinating Council. Testifies in support of HB 2304.
225	Anne Steves	Community Services Director, City of Coquille; Oregon Telecommunication Coordinating Council. Submits and summarizes prepared testimony in support of HB (EXHIBIT D) .
273	Rep. Rosenbaum	Asks if HB 2304 would authorize anything currently not authorized under Oregon law.
276	Steves	Explains provisions of HB 2304.
292	Rep. Garrard	Notes that economic development is also consideration for HB 2304.
300	Steves	Concurs.
305	Penhollow	Notes intent of HB 2577 and coordination with objectives of HB 2304.
310	Rep. Kitts	Asks why vice-chair of committee that developed bill is opposed.
319	Penhollow	Answers that he is unaware of opposition.
335	Chair Close	Closes public hearing on HB 2304. Opens work session on HB 2304.

HB 2304 – WORK SESSION

345	Rep. Rosenbaum	Notes that witnesses mentioned forthcoming amendments.
350	Chair Close	Closes work session on HB 2304. Opens public hearing on HB 3313.

HB 3313 – PUBLIC HEARING

360	Gary Oxley	Fred Meyer, Inc., Safeway, Inc. Testifies in support of HB 3313.
400	Rep. Schaufler	Asks if stores may keep container deposits rather than return them to customers.
402	Oxley	Answers no.
405	Rep. Garrard	Asks about standards for redeemable containers.
408	Oxley	Offers clarification of redeemable container standards.
410	Chair Close	Asks if damaged containers could be redeemed at checkout.
415	Oxley	Answers yes and explains qualifying containers.

TAPE 89, A

018	Paul Romain	Oregon Beer and Wine Distributors Association. Testifies in support of HB 3313.
030	Chair Close	Asks about redemption of non-Oregon containers.
035	Romain	Answers and explains redemption of non-Oregon containers.
045	Chair Close	Asks how determination is made whether or not container is redeemable in Oregon.
050	Romain	Explains deposit labeling of containers.
055	Chair Close	Closes public hearing on HB 3313. Opens work session on HB 3313.

HB 3313 – WORK SESSION

058	Rep. Garrard	MOTION: Moves HB 3313 to the floor with a DO PASS recommendation.
		VOTE: 6-0
		AYE: In a roll call vote, all members present vote Aye.
		EXCUSED: 1 - Kitts
		The motion CARRIES.
		REP. GARRARD will lead discussion on the floor.
063	Chair Close	Closes work session on HB 3313. Opens public hearing on HB 2881.

HB 2881 – PUBLIC HEARING

068	Megan Palau	Committee Administrator. Summarizes HB 2881 and -1 amendment (EXHIBIT E).
074	Bob Shiprack	Executive Secretary, Oregon Building Trades Council; Management Labor Advisory Council on Workers Compensation. Testifies in support of HB 2881.
114	John Shilts	Administrator, Workers Compensation Department. Testifies in support of HB 2881. Explains problems with -1 amendment.
125	Chair Close	Asks if -2 amendments will be forthcoming.
128	Shilts	Answers yes.
130	Rep. Rosenbaum	Asks for clarification of amendment language in HB 2881.
133	Shilts	Responds.
139	Chair Close	Closes public hearing on HB 2881. Opens public hearing on HB 3544.

HB 3544 – PUBLIC HEARING

146	Darrell Fuller	Regulatory Affairs Director, Oregon Auto Dealers Association. Submits and summarizes prepared testimony in support of HB 3544 (EXHIBIT F).
185	Dan Gardner	Commissioner, Bureau of Labor and Industries. Submits and summarizes prepared testimony in opposition to HB 3544 (EXHIBIT G).
202	Chair Close	Closes public hearing on HB 3544. Opens public hearing on HB 2368.

HB 2368 – PUBLIC HEARING

210	Megan Palau	Committee Administrator. Summarizes HB 2368 and -2 and -3 amendments (EXHIBIT H).
216	Matt McCauley	Senior Assistant Attorney General, Organized Crime Section, Criminal Division, Oregon Department of Justice (DOJ); Oregon Tobacco Compliance Task Force. Summarizes prepared information in support of HB 2368 and -2 and -3 amendments (EXHIBIT I).
282	Chair Close	Recesses meeting at 8:53 a.m. Reconvenes meeting at 9:07 a.m.
289	McCauley	Continues testimony.
314	Rep. Gallegos	Asks for clarification of types of tobacco products addressed by HB 2368.
317	McCauley	Explains types of tobacco addressed by bill. Continues overview of HB 2368 and amendments.
347	Chair Close	Asks about amount of tax revenue lost.
352	Victoria Clear	Tobacco Program Manager, Department of Revenue. Explains tax revenue lost.
359	McCauley	Clarifies that DOJ estimate is between \$10-100 million.
365	Rep. Garrard	Offers example of payment of distributor tax and retailer responsibility.
381	McCauley	Offers clarification of distributor tax provision.
425	Chair Close	Asks if -2 and -3 amendments are both necessary and asks for explanation of amendments.

TAPE 88, B

004	McCauley	Explains amendments.
025	Chair Close	Closes public hearing on HB 2368. Opens work session on HB 2368.

HB 2368 – WORK SESSION

030	Rep. Kitts	MOTION: Moves to ADOPT HB 2368-2,3 amendments dated 4/8/03 & 4/9/03.
		VOTE: 7-0

035	Chair Close Rep. Kitts	Hearing no objection, declares the motion CARRIED. MOTION: Moves HB 2368 to the floor with a DO PASS AS AMENDED recommendation and BE REFERRED to the committee on Revenue by prior reference. VOTE: 7-0 AYE: In a roll call vote, all members present vote Aye. The motion CARRIES.
048	Chair Close Chair Close	Closes work session on HB 2368. Opens public hearing on HB 2555.
<u>HB 2555 – PUBLIC HEARING</u>		
055	Megan Palau	Committee Administrator. Summarizes HB 2555 and -1 amendment (EXHIBIT J) .
068	Sandra Friend	Legislative Chair, Oregon Coalition for Professional Design. Testifies in support of HB 2555.
127	Bill Cross	Oregon Coalition for Professional Interior Design. Submits and summarizes prepared information in support of HB 2555 (EXHIBIT K) .
170	Rep. Merkley	Asks about provisions in bill addressing qualification for licensed interior designers.
176	Cross	Explains provisions addressing interior designer licensing.
185	Rep. Merkley	Asks about potential changes to building codes in bill.
188	Cross	Explains potential changes in bill.
210	Carol Halford	Administrator, Oregon Board of Architect Examiners. Submits and summarizes prepared testimony and information in opposition to HB 2555 (EXHIBIT L) .
259	Cindy Robert	American Institute of Architects (AIA). Testifies in opposition to HB 2555.
307	John Baker	Vice-President of Legislative Affairs, AIA Oregon; Chairman, Licensing Committee, National Board, AIA. Testifies in opposition to HB 2555.
368	Chair Close	Asks for clarification of regulation of interior designers.
382	Baker	Explains regulation of interior designers.
403	Chair Close	Asks if objections extend to -1 amendments.
TAPE 89, B		
002	Baker	Answers yes. Explains objections.
014	Mark Long	Administrator, Building Codes Division. Testifies in regard to HB 2555. States that he would like opportunity to work with stakeholders and bring bill back.
029	Rep. Merkley	Asks for explanation of effect of adoption of new code and licensing provisions after work group is completed.
032	Long	Responds that he will provide information when bill is heard again.
034	Chair Close	Closes public hearing on HB 2555. Opens public hearing on HB 2433.
<u>HB 2433 – PUBLIC HEARING</u>		
	Chair Close	Closes public hearing on HB 2433. Opens public hearing on HB 3541.
<u>HB 3541 – PUBLIC HEARING</u>		
059	Chair Close	Closes public hearing on HB 3541. Recesses meeting at 9:47 a.m.
070	Chair Close	Reconvenes meeting at 1:32 p.m. Opens public hearing on HB 3043.

HB 3043 – PUBLIC HEARING

Chair Close

Closes public hearing on HB 3043. Opens public hearing on HB 3476.

HB 3476 – PUBLIC HEARING

Chair Close

Closes public hearing on HB 3476. Opens work session on HB 3325.

HB 3325 – WORK SESSION

Chair Close

Closes work session on HB 3325. Opens work session on HJR 40.

HJR 40 – WORK SESSION

075

Chair Close

Closes work session on HJR 40. Adjourns meeting at 1:33 p.m.

EXHIBIT SUMMARY

- A – HB 3174, -2 amendment, staff, 2 pp
- B – HB 3218, -1 amendment, staff, 1 p
- C – HB 3218, written testimony, Neil Bryant, 3 pp
- D – HB 2304, written testimony, Anne Steves, 9 pp
- E – HB 2881, -1 amendment, staff, 1 p
- F – HB 3544, written testimony, Darrell Fuller, 1 p
- G – HB 3544, written testimony, Dan Gardner, 2 pp
- H – HB 2368, -2 & -3 amendments, staff, 18 pp
- I – HB 2368, written testimony, Matt McCauley, 3 pp
- J – HB 2555, -1 amendment, staff, 4 pp
- K – HB 2555, written testimony, Bill Cross, 7 pp
- L – HB 2555, written testimony, Carol Halford, 7 pp