

HOUSE COMMITTEE ON
BUSINESS, LABOR AND CONSUMER AFFAIRS

April 04, 2003 Hearing Room E
9:00 A.M. Tapes 79 – 80

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 2233 – Public Hearing**
 HB 3051 – Public Hearing
 HB 3354 – Public Hearing
 HB 3145 – Public Hearing and Work Session
 HB 3160 – Work Session
 HB 2859 – Work Session
 HB 3130 – Work Session
 HB 2019 – Work Session
 HB 3042 – 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 79, A		
003	Vice-Chair Kitts	Calls meeting to order at 9:00 a.m. Opens public hearing on HB 2233.
<u>HB 2233 – PUBLIC HEARING</u>		
015	Megan Palau	Committee Administrator. Summarizes HB 2233.
019	Craig Smith	Administrator, Construction Contractors Board (CCB). Submits and summarizes prepared testimony in support of HB 2233 (EXHIBIT A).
038	Bill Boyd	Manager, Dispute Resolution Program, CCB. Offers summary of HB 2233.
077	Smith	Continues summary of HB 2233.
091	Rep. Rosenbaum	Asks about timeframe for filing complaints.
095	Boyd	Explains timeframe provisions.
106	Rep. Rosenbaum	Asks about filing fees.
110	Boyd	Explains proposed fees.
121	Rep. Garrard	Asks if CCB can raise fees.
122	Boyd	Answers yes.
126	Rep. Merkley	Asks about claim filing and bankruptcy.
133	Smith	Explains that changes in provisions may be necessary.

148	Rep. Merkley	Asks about homeowner paying processing fees.
158	Boyd	Explains bonds and paying of processing fees.
177	Jessica Harris	Associated General Contractors. Testifies in support of HB 2233.
194	Rick Thomas	Independent Electrical Contractors of Oregon. Testifies in support of HB 2233.
205	Scott Barrie	Oregon Building Industry Association. Testifies in support of HB 2233.
231	John Killin	Associated Builders and Contractors. Testifies in support of HB 2233.
241	Steven Kafoury	Oregon Remodelers Association. Testifies in support of HB 2233.
251	Rep. Merkley	Asks if there is support for amendment regarding timeframe.
253	Kafoury	Answers yes.
254	Killin	Answers yes.
256	Rep. Merkley	Asks about bonds and homeowners filing claims.
260	Kafoury	Answers that issue would be resolved in HB 2233.
262	Killin	Concurs that issue would be resolved in HB 2233.
270	Pat Jones	NACM Business Credit Services. Submits and summarizes prepared testimony in opposition to HB 2233 (EXHIBIT B).
328	Rep. Garrard	Asks how many claims have been filed where bond is insufficient.
334	Jones	Explains claims process.
342	Rep. Merkley	Asks about timeframe and effect on claims.
348	Jones	Explains timeframe.
362	Rep. Merkley	Asks if changing timeframe addresses central issue of HB 2233.
371	Jones	Addresses timeframe changes.
380	Rep. Rosenbaum	Asks about process to resolve issue.
392	Jones	Explains efforts to resolve issue.

TAPE 80, A

008	Vice-Chair Kitts	Closes public hearing on HB 2233. Opens public hearing on HB 3051.
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HB 3051 – PUBLIC HEARING

013	Ken Armstrong	Oregon Fire Chiefs Association. Testifies in support of HB 3051.
036	Rep. Garrard	Declares potential conflict of interest.
039	Jeff Johnson	Fire Chief, Tualatin Valley Fire and Rescue. Testifies in support of HB 3051.
072	Vice-Chair Kitts	Declares potential conflict of interest.
074	Nancy Orr	Chief Deputy State Fire Marshal. Submits and summarizes prepared testimony in support of HB 3051 (EXHIBIT C).
095	Eriks Gabliks	Training Director, Department of Public Safety Standards and Training. Submits and summarizes prepared testimony in support of HB 3051 (EXHIBIT D).
111	Rep. Garrard	Asks about revenue associated with training programs.
114	Orr	Explains revenue figures and forecast.
120	Rep. Garrard	Asks for explanation of potential savings.
123	Orr	Explains potential savings.
130	Rep. Rosenbaum	Asks for clarification of nature of surcharge application.
135	Orr	Explains surcharge provisions in HB 3051.
145	Rep. Rosenbaum	Asks for additional clarification.
148	Orr	Offers additional clarification.
150	Vice-Chair Kitts	Closes public hearing on HB 3051. Opens public hearing on

HB 3354.

HB 3354 – PUBLIC HEARING

160	Gary Bauer	Northwest Natural. Submits and summarizes prepared testimony in support of HB 3354 (EXHIBIT E).
213	Mike Grainey	Director, Oregon Office of Energy. Testifies in support of HB 3354.
249	Rep. Garrard	Explains development of power plant in Klamath Falls and states support for HB 3354.
261	Vice-Chair Kitts	Closes public hearing on HB 3354. Opens public hearing on HB 3145.

HB 3145 – PUBLIC HEARING

276	Megan Palau	Committee Administrator. Summarizes HB 3145 and -1 amendment (EXHIBIT F).
286	Jack Munro	American Home Shield Corporation. Testifies in support of HB 3145 and -1 amendment.
390	Rep. Merkley	Asks about inappropriate relationship problems in statute.
396	Munro	Explains issue needing to be remedied.
435	Rep. Rosenbaum	Asks if HB 3145 would prevent action to recover damages for previously completed home repairs.

TAPE 79, B

003	Munro	Explains provisions of HB 3145 that would address situation.
020	Rep. Schaufler	Asks about installation of appliances and potential for home damage.
030	Munro	Explains that insurance coverage would depend on contract.
035	Chair Close	Closes public hearing on HB 3145. Opens work session on HB 3145.

HB 3145 – WORK SESSION

040	Rep. Kitts	MOTION: Moves to ADOPT HB 3145-1 amendments dated 3/20/03.
		VOTE: 7-0
	Chair Close	Hearing no objection, declares the motion CARRIED.
	Rep. Kitts	MOTION: Moves HB 3145 to the floor with a DO PASS AS AMENDED recommendation.
050	Rep. Merkley	Asks for additional time for questions.
055	Chair Close	Notes time restraints and denies request.
		VOTE: 6-1
		AYE: 6 - Gallegos, Garrard, Kitts, Rosenbaum, Schaufler, Close
		NAY: 1 – Merkley
	Chair Close	The motion CARRIES.
		REP. GALLEGOS will lead discussion on the floor.
060	Chair Close	Closes work session on HB 3145. Opens work session on HB 3160.

HB 3160 – WORK SESSION

Written testimony submitted by Laurie Wimmer Whelan, Oregon Education Association, in opposition to HB 3160 (**EXHIBIT G**).

065	Rep. Kitts	MOTION: Moves HB 3160 to the floor WITHOUT RECOMMENDATION as to passage 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.

075	Chair Close Chair Close	The motion CARRIES. Closes work session on HB 3160. Opens work session on HB 2859.
<u>HB 2859 – WORK SESSION</u>		
080	Megan Palau	Committee Administrator. Summarizes HB 2859 and explains that request has been made for bill to be referred to House Committee on Health and Human Services.
090	Rep. Kitts	MOTION: Moves HB 2859 to the floor WITHOUT RECOMMENDATION as to passage and BE REFERRED to the committee on Health and Human Services.
095	Rep. Schaufler	States objection to HB 2859. VOTE: 7-0 AYE: In a roll call vote, all members present vote Aye.
103	Chair Close Chair Close	The motion CARRIES. Closes work session on HB 2859. Opens work session on HB 3130.
<u>HB 3130 – WORK SESSION</u>		
110	Rep. Kitts	MOTION: Moves HB 3130 to the floor WITHOUT RECOMMENDATION as to passage 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.
120	Chair Close Chair Close	The motion CARRIES. Closes work session on HB 3130. Opens work session on HB 2019.
<u>HB 2019 – WORK SESSION</u>		
123	Megan Palau	Committee Administrator. Summarizes HB 2019, -1 amendment (EXHIBIT H) and -2 amendment (EXHIBIT I).
147	Jan Amling	Consumer Credit Counseling. Discusses proposed amendments.
176	Chair Close	Notes that amendments are more extensive than intended.
178	Amling	Asks for clarification of intentions of amendments.
180	Rep. Merkley	Clarifies his position and intentions for HB 2019 and amendments.
195	Chair Close	Clarifies amendments.
200	Amling	States that she will prepare amendments for Legislative Counsel.
217	Chair Close	Closes work session on HB 2019. Opens public hearing on HB 3042.
<u>HB 3042 – PUBLIC HEARING</u>		
225	Megan Palau	Committee Administrator. Summarizes HB 3042.
231	Bob Shiprack	Executive Secretary, Oregon Building Trades Council. Testifies in support of HB 3042.
TAPE 80, B		
009	Jessica Harris	Associated General Contractors. Testifies in opposition to HB 3042.
016	Dan O'Brien	Current Electrical Construction; Oregon Columbia Chapter, AGC; Independent Electrical Contractors of Oregon.

		Submits and summarizes prepared testimony in opposition to HB 3042 (EXHIBIT J).
049	Harris	Clarifies that market determines wage rates.
081	John Killin	Associated Builders and Contractors (ABC). Testifies in opposition to HB 3042.
100	Jon Oshel	County Roads Program Manager, Association of Oregon Counties. Testifies and explains point of opposition to HB 3042.
117	Rep. Rosenbaum	Asks if ABC has been in contact with Bureau of Labor and Industries to address issue.
121	Killin	Answers they have.
123	Oshel	Explains work done on issue.
135	Jerod Broadfoot	National Electrical Contractors Association. Testifies in support of HB 3042.
174	Chair Close	Closes public hearing on HB 3042. Adjourns meeting at 10:46 am.

EXHIBIT SUMMARY

A – HB 2233, written testimony and information, Craig Smith, 18 pp.

B – HB 2233, written testimony, Pat Jones, 1 p.

C – HB 3051, written testimony, Nancy Orr, 2 pp.

D – HB 3051, written testimony, Eriks Gablicks, 2 pp.

E – HB 3354, written testimony, Gary Bauer, 2 pp.

F – HB 3145, -1 amendment, staff, 2 pp.

G – HB 3160, written testimony, Laurie Wimmer Whelan, 3 pp.

H – HB 2019, -1 amendment, staff, 1 p.

I – HB 2019, -2 amendment, staff, 3 pp.

J – HB 3042, written testimony, Dan O’Brien, 3 pp.