

**HOUSE COMMITTEE ON**  
**BUSINESS, LABOR AND CONSUMER AFFAIRS**

April 08, 2003 Hearing Room E  
5:00 P.M. Tapes 83 - 84

**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 3172 – Public Hearing and Work Session**  
                                  **HB 2331 – Public Hearing and Work Session**  
                                  **HB 3274 – Public Hearing**  
                                  **HB 2847 – Public Hearing and Work Session**  
                                  **HB 2172 – Public Hearing and Work Session**  
                                  **HB 3021 – Public Hearing**  
                                  **HB 3376 – Public Hearing**

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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.

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<b>TAPE/#</b>	<b>Speaker</b>	<b>Comments</b>
<b>TAPE 83, A</b>		
001	Chair Close	Calls meeting to order at 5:11 p.m. Opens public hearing on HB 3172.
<b><u>HB 3172 – PUBLIC HEARING</u></b>		
007	Rep. Rob Patridge	House District 6. Testifies in support of HB 3172.
025	Chair Close	Closes public hearing on HB 3172. Opens work session on HB 3172.
<b><u>HB 3172 – WORK SESSION</u></b>		
027	Rep. Garrard	<b>MOTION: Moves HB 3172 to the floor with a DO PASS recommendation.</b>
		<b>VOTE: 7-0</b>
		<b>AYE: In a roll call vote, all members present vote Aye.</b>
	Chair Close	<b>The motion CARRIES.</b>
		<b>REP. PATRIDGE will lead discussion on the floor.</b>
035	Chair Close	Closes work session on HB 3172. Opens public hearing on HB 2331.
<b><u>HB 2331 – PUBLIC HEARING</u></b>		
038	Rep. Tom Butler	House District 60. Testifies in support of HB 2331.
062	Carol Rives	Administrator, Board of Accountancy. Submits and summarizes prepared testimony in support of HB 2331 ( <b>EXHIBIT A</b> ).
105	Rep. Rosenbaum	Asks about fiscal impact of reciprocity.
110	Rives	Explains fiscal impact.

118 Chair Close Closes public hearing on HB 2331. Opens work session on HB 2331.

**HB 2331 – WORK SESSION**

120 Rep. Rosenbaum

**MOTION: Moves HB 2331 to the floor with a DO PASS recommendation.**

**VOTE: 7-0**

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

**REP. BUTLER will lead discussion on the floor.**

Chair Close

127 Chair Close

Closes work session on HB 2331. Opens public hearing on HB 3274.

**HB 3274 – PUBLIC HEARING**

130 Megan Palau Committee Administrator. Summarizes HB 3274.  
138 Roger Nyquist Linn County Commissioner. Testifies in support of HB 3274.  
155 Rep. Kitts Asks about provisions in current statute.  
165 Nyquist Explains mobile food licensing.  
180 Rep. Kitts Asks about permit applications.  
188 Nyquist Explains permit application process.  
191 Rep. Kitts Asks about notification process.  
198 Nyquist Explains licensing and notification.  
207 Chair Close Asks about oral notification for permit process.  
212 Nyquist Clarifies permit process.  
220 Rep. Garrard Emphasizes importance of mobile food unit provisions.  
229 Rep. Merkley Asks about Department of Human Services (DHS) role in license issuing.  
238 Nyquist Clarifies issuing of licenses.  
240 Rep. Merkley Asks for clarification of DHS role in issuing licenses.  
249 Chair Close Offers clarification.  
255 Nyquist Offers further clarification.  
258 Rep. Merkley Asks about vendor licensing and status of mobile vendors.  
270 Nyquist Answers and clarifies licensing process.  
277 Rep. Gallegos Asks about relationship of DHS and County Health Department.  
280 Nyquist Answers.  
283 Rep. Gallegos Asks for further clarification of authority for issuing licenses.  
289 Nyquist Clarifies.  
300 Rep. Schaufler Asks about DHS and county notification.  
311 Chair Close Explains proper notification process.  
317 Nyquist Offers clarification.  
325 Eric Pippert Consultation Services Manager, Department of Human Services. Explains how licenses are issued.  
343 Chair Close Asks about delegate county notification.  
347 Pippert Offers clarification of licensing.  
355 Chair Close Asks if DHS offices are in all counties.  
357 Pippert Answers and explains.  
366 Chair Close Asks for clarification of county notification.  
368 Pippert Clarifies county notification.  
372 Nyquist Offers clarification.  
380 Rep. Rosenbaum Asks about provisions addressing temporary restaurants and mobile units.  
400 Nyquist Responds.  
402 Chair Close Asks if it is a problem to notify delegate counties.  
405 Pippert Answers that it is a non-issue and explains notification process.  
440 Chair Close Asks for additional clarification of notification process.

018	Pippert	Explains licensing provisions and differences between temporary restaurants and mobile units.
026	Nyquist	Clarifies issue.
032	Rep. Merkley	Asks if it is possible to purchase license in one county and use it in another.
040	Pippert	Answers yes.
043	Rep. Merkley	Asks if process exists to require county notification.
045	Pippert	Explains process.
050	Rep. Gallegos	Asks if problem with bill is with temporary restaurants.
053	Nyquist	Answers yes.
055	Rep. Gallegos	Asks if there are reciprocal agreements.
057	Nyquist	Clarifies.
062	Chair Close	Notes need for amendments and intention to hear bill at later time. Closes public hearing on HB 3274. Opens public hearing on HB 2847.

**HB 2847 – PUBLIC HEARING**

075	Megan Palau	Committee Administrator. Summarizes HB 2847.
090	Grover Simmons	Independent Employer Association. Submits and summarizes prepared testimony in support of HB 2847 ( <b>EXHIBIT B</b> ).
122	Rep. Schaufler	Asks about nature of business relationship between license plate manufacturer and State of Oregon.
126	Simmons	Clarifies nature of business.
130	Rep. Schaufler	Asks for clarification of provisions and states support for bill.
135	Simmons	Offers clarification.
141	Chair Close	Closes public hearing on HB 2847. Opens work session on HB 2847.

**HB 2847 – WORK SESSION**

145	Rep. Gallegos	<b>MOTION: Moves to ADOPT HB 2847-1 amendments dated 4/3/03.</b>
		<b>VOTE: 6-0</b>
		<b>EXCUSED: 1 – Kitts</b>
	Chair Close	<b>Hearing no objection, declares the motion CARRIED.</b>
150	Rep. Gallegos	<b>MOTION: Moves HB 2847 to the floor with a DO PASS AS AMENDED recommendation.</b>
153	Rep. Gallegos	Asks about fiscal impact.
155	Chair Close	Clarifies fiscal impact on bill.
		<b>VOTE: 7-0</b>
		<b>AYE: In a roll call vote, all members present vote Aye.</b>
	Chair Close	<b>The motion CARRIES.</b>
		<b>REP. T. SMITH will lead discussion on the floor.</b>
163	Chair Close	Closes work session on HB 2847. Opens public hearing on HB 2172.

**HB 2172 – PUBLIC HEARING**

172	Mylia Christensen	Administrator, Public Employees' Benefit Board (PEBB). Submits and summarizes prepared testimony in support of HB 2172 ( <b>EXHIBIT D</b> ).
222	David Hartwig	Administrator, Risk Division, PEBB. Testifies in support of HB 2172.
242	Christensen	Offers clarification of provisions of HB 2172.
260	Chair Close	Closes public hearing on HB 2172. Opens work session on HB 2172.

**HB 2172 – WORK SESSION**

265	Rep. Kitts	<b>MOTION: Moves HB 2172 to the floor with a DO PASS</b>
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**recommendation and the SUBSEQUENT REFERRAL to the committee on Ways and Means BE RESCINDED.**

270 Rep. Gallegos Asks about potential fiscal impact.  
275 Chair Close Clarifies potential fiscal impact.  
278 Rep. Merkley Notes that fiscal impact would likely be positive.  
**VOTE: 6-0**  
**AYE: In a roll call vote, all members present vote Aye.**  
**EXCUSED: 1 - Garrard**  
**The motion CARRIES.**  
**REP. ROSENBAUM will lead discussion on the floor.**  
290 Chair Close Closes work session on HB 2172. Opens public hearing on HB 3021.

**HB 3021 – PUBLIC HEARING**

300 Megan Palau Committee Administrator. Summarizes HB 3021.  
305 Rep. Vicki Berger House District 20. Testifies in support of HB 3021.  
370 Chair Close Asks about Rep. Berger’s connection to “Bottle Bill”.  
372 Rep. Berger Explains personal history with “Bottle Bill”.  
400 Sandra Bishop Container Recovery Inc. Submits and summarizes prepared testimony in opposition to HB 3021 (**EXHIBIT E**).

**TAPE 83, B**

001 Bishop Continues testimony.  
077 Alex Cuyler Chair, Association of Oregon Recyclers. Submits and summarizes prepared testimony in support of HB 3021 (**EXHIBIT F**).  
120 Paul Romain Oregon Beer and Wine Distributors Association. Testifies in opposition to HB 3021.  
215 Joe Gilliam Oregon Grocery Association (OGA). Submits and summarizes prepared testimony in support of HB 3021 (**EXHIBIT G**).  
262 Rep. Merkley Asks about issue of containers being brought from Washington to Oregon for redemption.  
266 Gilliam Clarifies issue.  
280 Chair Close Asks if amendments are warranted.  
282 Gilliam Answers that they may be.  
290 Rep. Merkley Asks about OGA doing analysis rather than state agencies.  
296 Gilliam Answers.  
305 Ken Pastega Oregon Soft Drink Association. Testifies in opposition to HB 3021.  
389 Rep. Rosenbaum Asks about provisions regarding container redemption.  
391 Rep. Berger Clarifies containers addressed by bottle bill.  
404 Doug Myers Association of Oregon Recyclers. Testifies in support of HB 3021.

**TAPE 84, B**

006 John Matthews Association of Oregon Recyclers, Recycling Coordinator, Garten Services. Testifies in support of HB 3021.  
030 Chair Close Closes public hearing on HB 3021. Recesses meeting. Reconvenes meeting. Opens public hearing on HB 3376.

**HB 3376 – PUBLIC HEARING**

032 Joe Gilliam Oregon Grocery Association. Testifies in support of HB 3376.  
**Note: Due to technical difficulties, the beginning of this testimony was not recorded.**  
082 J.L. Wilson National Federation of Independent Business. Introduces Mr. Tragesser.  
086 Charlie Tragesser President and CEO, Polar Systems. Testifies in support of HB

		3376.
126	Rep. Merkley	Asks for clarification of example cited in testimony by Mr. Tragesser.
131	Tragesser	Clarifies his example.
142	Wilson	Testifies in support of HB 3376.
164	Rep. Gallegos	Asks if PUC was consulted with HB 3376.
168	Gilliam	Answers and offers clarification.
186	Roy Hemingway	Chair, Oregon Public Utility Commission (PUC). Testifies in regard to HB 3376 and explains power supply. Notes that it is problem that does not require legislative solution.
245	Lee Beyer	Commissioner, PUC. Offers further clarification of energy supply situation.
275	Chair Close	Notes concern about time frame to opt out of power agreements.
281	Beyer	Concurs. Explains energy contracting. Clarifies language in HB 3376.
307	Chair Close	Expresses concern about ability to forecast energy purchasing.
316	Beyer	Explains energy purchasing.
327	Rep. Merkley	Asks about transition costs.
331	Hemingway	Explains transition costs.
375	Rep. Gallegos	Asks if small business would be accommodated for working in energy supply evaluation process.
388	Hemingway	Explains intent for energy supply evaluation process.
404	Beyer	Explains PUC outreach with businesses.
428	Cindy Finlayson	Portland General Electric. Submits and summarizes prepared testimony in opposition to HB 3376 ( <b>EXHIBIT H</b> ).
474	Chair Close	Closes public hearing on HB 3376. Adjourns meeting at 7:18 p.m.

## **EXHIBIT SUMMARY**

- A – HB 2331, written testimony and information, Carol Rives, 4 pp**
- B – HB 2847, written testimony, Grover Simmons, 2 pp**
- C – HB 2847, -1 amendment, staff, 1 p**
- D – HB 2172, written testimony, Mylia Christensen, 2 pp**
- E – HB 3021, written testimony and information, Sandra Bishop, 20 pp**
- F – HB 3021, written information, Alex Cuyler, 2 pp**
- G – HB 3021, written testimony, Joe Gilliam, 1 p**
- H – HB 3376, written testimony, Cindy Finlayson, 1 p**