

HOUSE COMMITTEE ON RULES AND PUBLIC AFFAIRS

August 13, 2003 Hearing Room E
3:00 PM Tapes 118 - 119

MEMBERS PRESENT: Rep. Dan Doyle, Chair
Rep. Linda Flores, Vice-Chair
Rep. Laurie Monnes Anderson, Vice Chair
Rep. Vic Backlund
Rep. Phil Barnhart
Rep. Betsy L. Close
Rep. Joanne Verger

STAFF PRESENT: Ray Kelly, Administrator
Janet Adkins, Administrator
Cara Filsinger, Administrator
Annetta Mullins, Committee Assistant

MEASURE/ISSUES HEARD: SB 914 – Work Session
SB 926 A – Public Hearing and Work Session
SB 933 – Public Hearing and Work Session
SB 471 A – Public Hearing and 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.

<u>TAPE/#</u>	<u>Speaker</u>	<u>Comments</u>
Tape 118, A		
004	Chair Doyle	Calls meeting to order at 4:06 p.m., announces order agenda items will be considered, and opens a work session on SB 914.
<u>SB 914 – WORK SESSION</u>		
013	Chair Doyle	Reviews testimony presented to the committee at the public hearing, and history of issue of reducing annual reporting notices on Workers' Compensation Division's activities.
021	Rep. Flores	MOTION: Moves SB 914 to the floor with a DO PASS recommendation.
023	Rep. Barnhart	Asks if the bill only reduces the amount of paperwork.
029	Chair Doyle	Explains the provisions of the bill.
033	Rep. Monnes Anderson	Comments that an amendment was being considered and that it will be in another bill because the Governor has worked out something.
038		VOTE: 7-0-0
	Chair Doyle	AYE: In a roll call vote, all members present vote Aye. The motion CARRIES. REP. VERGER will lead discussion on the floor.
044	Chair Doyle	Closes the work session on SB 914 and opens a public hearing on SB 926 A.
<u>SB 926 A – PUBLIC HEARING</u>		
048	Gary Oxley	Oxley and Associates, representing Fred Meyer and Safeway. Explains that SB 926 A is a duplicate of HB 3313 that passed the House 52-3 and was in the Senate Business Committee when it closed. The bill was revived by the Senate Rules Committee as

061 Oxley SB 926 and passed the Senate 25-0.
Explains that SB 926 A allows retailers to refuse acceptance of containers that are crushed beyond recognition. States that a retailer does not have to accept a beverage container that they do not sell. Currently the retailers are required to accept the crushed containers and the distributors are refusing to accept the crushed containers because they don't know if it is a product that they have sold. This is a fix to allow the retailer to reject those containers. Signs will be posted in the stores saying the consumer cannot return the crushed containers.

078 Doug Myers Association of Oregon Recyclers. States that he supports the testimony by Oxley.

086 Rep. Barnhart Comments he understands that his concern with the bar codes has been taken care of.

085 Oxley Responds the concern has been taken care of on the Senate side.

087 Chair Doyle Closes the public hearing and opens a work session on SB 926 A.

SB 926 A – WORK SESSION

091 Rep. Flores **MOTION: Moves SB 926 A to the floor with a DO PASS recommendation.**

093 Rep. Verger Suggest members visit a site where the cans are collected to see what they must put up with.

093 **VOTE: 7-0-0**
AYE: In a roll call vote, all members present vote Aye. The motion CARRIES.
REP. CLOSE will lead discussion on the floor.

108 Chair Doyle Closes the work session on SB 926 A and opens a public hearing on SB 933.

SB 933 – PUBLIC HEARING

114 Roy Elicker Deputy Director, Oregon Department of Fish and Wildlife. Introduces Ron Anglin, Wildlife Division Administrator. Summarizes statement in support of SB 933 (**EXHIBIT A**).

132 Rep. Barnhart Asks for an explanation of when the department would use an airplane for hunting.

134 Ron Anglin Wildlife Division Administrator, Oregon Department of Fish and Wildlife. Explains a circumstance where they feared tuberculosis may have been spread to wild animals and they wanted to use the helicopter to do testing; they did not have the flexibility to do a massive sampling on the ground. Gives example of the use of a helicopter to locate a collared animal that was causing damage to domestic livestock; under current statute they cannot do that.

152 Rep. Barnhart Asks if this is for sports hunting.
Anglin Responds it does not, it is for management purposes. .

158 Rep. Close Asks if this is used in Idaho and Washington.

172 Anglin Responds affirmatively.

176 Chair Doyle Closes the public hearing and opens work session on SB 933.

SB 933 – WORK SESSION

178 Rep. Flores **MOTION: Moves SB 933 to the floor with a DO PASS recommendation.**

180 **VOTE: 7-0-0**
AYE: In a roll call vote, all members present vote Aye. The motion CARRIES.
Chair Doyle

REP. FLORES will lead discussion on the floor.

185	Chair Doyle	Closes the work session on SB 933 and opens a public hearing on SB 471 A.
<u>SB 471A – PUBLIC HEARING</u>		
181	Bob Russell	Oregon Trucking Association (OTA). Testifies in support of SB 471 A. Shows a portion of a <i>Dateline</i> video on fraud by the moving industry
274	Russell	States this kind of fraud is not only a problem in Las Vegas but is everywhere, even in Oregon. This bill is designed to stop the problem. Comments on activities of the task force that developed SB 471, and efforts at the federal level to address fraud. Explains provisions of SB 471 (EXHIBIT B).
329	Rep. Close Russell	Asks if the people in the <i>Dateline</i> storey received their goods. Responds affirmatively and explains the events leading to resolution of their case.
352	Rep. Backlund Russell	Asks why there were five no votes in the Senate. States that some members of the Senate do not like fees.
367	Rep. Barnhart Russell	Asks if Section 3 relates to the guy who does the work or the one who runs the company. Explains that the word “person” covers the business.
404	Rep. Barnhart Russell	Asks if the “strong backs” are being registered. Responds that the company would be registered, not the casual laborers or employees.
475	Vice-Chair Flores	Notes the fees in Sections 3, 5, and 7.
TAPE 119, A		
020	Russell	Acknowledges there are multiple fees. Explains the fees and states that OTA members support the fees.
035	Vice Chair Flores Russell	Asks if these companies currently pay any fees. Responds that the traditional household carriers pay fees, but not this type. These fees are designed to be outside of the State Highway Fund system to deal with the attorney general’s opinion and they are new fees.
041	Rep. Verger Russell	Asks what the exemptions are in Section 6 of the bill. Explains the exemptions and the reason for the new definition of packers and loaders.
063	Rep. Barnhart Russell	Asks what the agency can do if someone is not licensed or makes a mistake or commits fraud. Explains authority of the Department of Transportation and attorney general.
072	Rep. Barnhart	Asks what happens if someone fails to pay the fee on page 3 in Section 5(5).
089	Russell	Responds that the penalties total to 24 percent interest.
092	Rep. Barnhart Russell	Asks what the reason is for the change in Section 12. Explains why they have shortened the timeframe for lost items from nine to three months.
117	Vice Chair Flores	Closes the public hearing and opens a work session on SB 471 A.
<u>SB 471 A – WORK SESSION</u>		
120	Rep. Backlund	MOTION: Moves SB 471 A to the floor with a DO PASS recommendation.
124	Rep. Close	Comments on new fees.
115	Vice Chair Flores	Comments on the need for the legislation and the new fees.
124	Rep. Barnhart	Comments on the interim study and in support of the motion.

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Chair Doyle

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Vice Chair Flores

VOTE: 6-0-1

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

EXCUSED: 1 - Rep. Doyle

The motion CARRIES.

REP. BARNHART will lead discussion on the floor.

Closes the work session on SB 471 A and adjourns meeting at 4:45 p.m.

EXHIBIT SUMMARY

A – SB 933, prepared statement, Roy Elicker and Ron Anglin, 2 pp

B – SB 471, prepared statement, Bob Russell, 2 pp