

SENATE COMMITTEE ON BUSINESS AND LABOR

March 5, 2003
1:00 PM

Hearing Room C
Tapes 25-26

MEMBERS PRESENT: Sen. David Nelson, Chair
Sen. Vicki Walker, Vice-Chair
Sen. Roger Beyer
Sen. Rick Metsger

STAFF PRESENT: Dennis Dotson, Committee Administrator
Romy Dye, Committee Assistant

MEASURE/ISSUES HEARD: HB 2295A – Work Session
SB 205 – Public Hearing and Work Session
SB 253 – Public Hearing and Work Session
HB 2098 – Public Hearing and Work Session
SB 355 – 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 25, A		
005	Chair Nelson	Calls committee to order at 1:10 PM. Opens a work session on HB 2295A.
<u>HB 2295A – WORK SESSION</u>		
007	Sen. Beyer	MOTION: Moves to ADOPT HB 2295A-A4 amendments dated 03/04/03. (EXHIBIT K)
009		VOTE: 3-0
	Chair Nelson	EXCUSED: 1 - Sen. Metsger
010	Sen. Beyer	Hearing no objection, declares the motion CARRIED. MOTION: Moves HB 2295A to the floor with a DO PASS AS AMENDED recommendation.
015	Chair Nelson	VOTE: 4-0 Hearing no objection, declares the motion CARRIED. SEN. BEYER will lead discussion on the floor.
018	Chair Nelson	Closes the work session on HB 2295A and opens a public hearing on SB 205.
<u>SB 205 – PUBLIC HEARING</u>		
020	Dennis Dotson	Committee Administrator. Provides overview of SB 205.
025	Lee Beyer	Commissioner, Public Utility Commission of Oregon. Testifies in favor of SB 205. Submits written testimony (EXHIBIT A).
040	Chair Nelson	Asks for explanation of broad customer interests.
044	Beyer	Responds will go through administrative rule definition and would like to have authority to not lock into narrow groups only.
050	Chair Nelson	Asks about a group of three people.
055	Beyer	Answers would not be group of three.
057	Chair Nelson	Asks if it needs to be an organized facility.
059	Beyer	Responds correct.
068	Roy Hemingway	Chair, Oregon Public Utility Commission. Discusses benefits of funding consumer advocacy could have in Oregon: <ul style="list-style-type: none">• Records will be more complete• Fuller opportunity to decide the issues• Lends credibility to proceedings and results
086	Chair Nelson	Asks whether staffing issues added.
090	Hemingway	Answers negatively.
106	Chair Nelson	Closes the public hearing on SB 205 and opens a work session on SB 205.
<u>SB 205 – WORK SESSION</u>		
109	Sen. Walker	MOTION: Moves to ADOPT SB 205-2 amendments dated

03/03/03. (EXHIBIT L)

112 Chair Nelson **VOTE: 4-0**
114 Sen. Walker **Hearing no objection, declares the motion CARRIED.**
119 Chair Nelson **MOTION: Moves SB 205 to the floor with a DO PASS AS AMENDED recommendation.**
121 Chair Nelson **VOTE: 4-0**
Hearing no objection, declares the motion CARRIED.
CHAIR NELSON will lead discussion on the floor.
Closes the work session on SB 205 and opens a public hearing on SB 253.

The following prepared testimony is submitted for the record without public testimony on SB 205

Paula Pyron Submitted written testimony (EXHIBIT B)
Bob Jenks Submitted written testimony (EXHIBIT C)
Unknown Submitted written testimony (EXHIBIT D)

SB 253 – PUBLIC HEARING

124 Dotson Provides an overview of SB 253.
136 Carl Lundberg Deputy Insurance Administrator, Department of Business and Consumer Services (DCBS). Testifies in support of SB 253. Discusses amendments.
208 Chair Nelson Asks if all parts incorporated into dash-1 amendment.
210 Lundberg Responds correct but broken into three parts to make it easier to understand.
216 Jack Munro Independent Insurance Agents of Oregon. Discusses proposed changes. States private and public sector market are demanding flexibility and changes would provide that. Submits written testimony (EXHIBIT E).
277 Chair Nelson Asks for expansion on insurance regulated at state level and banks regulated on federal level.
280 Munro Elaborates on banks always regulated at national level and insurance always regulated at state level.
338 Sen. Beyer Asks for clarification on the three areas not able to be charged an additional commission.
350 Munro Responds it is correct; elaborates.
361 Chair Nelson Asks about concern with fees.
367 Munro Responds new flexibility is designed to allow flexibility to negotiate a compensation package differing from file commissions.

TAPE 26, A

005 Ed Ellingsen Principal Manager, Nasburg & Company. Testifies in favor of SB 253 due to language in the bill providing greater uniformity among the states and licensing. Submits written testimony (EXHIBIT F).
029 Chair Nelson Closes the public hearing on SB 253 and open a public hearing on HB 2098.

The following prepared testimony is submitted for the record without public testimony for SB 253:

Joel Ario Submits written testimony (EXHIBIT G)

HB 2098 - PUBLIC HEARING

032 Dotson Provides an overview of HB 2098.
038 Ross Laybourn Assistant Attorney General, Oregon Department of Justice. Testifies in favor of HB 2098. Discusses two provisions HB 2098 would add to Charitable Solicitation Act:

- Subsidies
- Remedies

Submits written testimony (EXHIBIT H).
075 Chair Nelson Asks whether section 3 includes out-of-state and in-state people.
077 Laybourn Responds could include in-state but already have direct jurisdiction through the courts.
078 Sen. Beyer Asks how an increased workload would make no fiscal impact.
080 Laybourn Responds today is an easier and more direct way to go at organizations.
087 Sen. Beyer Suggests positive fiscal impact could actually save money.
090 Laybourn Responds positively on an individual case basis.

099	Chair Nelson	Closes the public hearing on HB 2098 and opens a public hearing on SB 355.
<u>SB 355 – PUBLIC HEARING</u>		
102	Dotson	Provides an overview of SB 355.
107	Chair Nelson	2:00 PM AT EASE.
116	Chair Nelson	Closes the public hearing on SB 355 and opens a public hearing on HB 2098.
<u>HB 2098 – PUBLIC HEARING</u>		
	Chair Nelson	Closes the public hearing on HB 2098 and opens a work session on HB 2098.
<u>HB 2098 – WORK SESSION</u>		
123	Chair Nelson	MOTION: Moves HB 2098 to the floor with a DO PASS recommendation.
128	Chair Nelson	VOTE: 4-0 Hearing no objection, declares the motion CARRIED. CHAIR NELSON will lead discussion on the floor.
130	Chair Nelson	Closes the work session on HB 2098 and opens a public hearing on SB 253.
<u>SB 253 – PUBLIC HEARING</u>		
136	Chair Nelson	Closes the public hearing on SB 253 and opens a work session on SB 253.
<u>SB 253 – WORK SESSION</u>		
139	Sen. Walker	MOTION: Moves to ADOPT SB 253-1 amendments dated 03/04/03. (EXHIBIT M)
	Chair Nelson	Hearing no objection, declares the motion CARRIED.
141		VOTE: 4-0
143	Sen. Walker	MOTION: Moves SB 253 to the floor with a DO PASS AS AMENDED recommendation.
148	Chair Nelson	VOTE: 4-0 Hearing no objection, declares the motion CARRIED. CHAIR NELSON will lead discussion on the floor.
152	Chair Nelson	Closes the work session on SB 253 and opens a public hearing on SB 355.
<u>SB 355 – PUBLIC HEARING</u>		
163	Ginny Burdick	Oregon State Senator. Testifies in favor of SB 355. Provides an example that led to creating SB 355. Submits written testimony (EXHIBIT I) .
197	Mark Landa	City of Portland Government Relations. Expresses concern with SB 355 that a penalty would be created so as a result they would be pre-empted to continue to utilize the city code to deal with repeat violators. States criminal instances have been used where certain types of companies are repeat violators. Says problem is stiffer sanction prohibited in certain instances because already a sanction. Suggests working on solution to problem.
239	Chair Nelson	States discussing SB 355 with Senator Minnis.
242	Burdick	States would consider moving SB 355 to judiciary if needed.
245	Sen. Walker	Says this is most likely a judiciary bill.
		The following prepared testimony was submitted for the record without public testimony on SB 355
	James Ferraris	Submits written testimony (EXHIBIT J)
247	Chair Nelson	Closes the public hearing on SB 355 and adjourns the meeting at 2:22 PM.

EXHIBIT SUMMARY

- A – SB 205, written testimony, Lee Beyer, 2 pp**
- B – SB 205, written testimony, Paula Pyron, 3 pp**
- C – SB 205, written testimony, Bob Jenks, 2 pp**
- D – SB 205, written testimony, unknown, 1 p**
- E – SB 253, written testimony, Jack Munro, 1 p**
- F – SB 253, written testimony, Ed Ellingsen, 1 p**
- G – SB 253, written testimony, Joel Ario, 3 pp**
- H – HB 2098, written testimony, Ross Laybourn, 1 p**

I – SB 355, written testimony, Ginny Burdick, 1 p

The following exhibits are listed out of order in the body of the tape log:

J – SB 355, additional testimony for the record, 1 p

K – HB 2295A, -A4 amendments, staff, 1 p

L – SB 205, -2 amendments, staff, 1 p

M – SB 253, -1 amendments, staff, 3 pp