

SENATE COMMITTEE ON BUSINESS AND LABOR

April 14, 2003
1:00 PM

Hearing Room C
Tapes 58-59

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

MEMBER EXCUSED: **Sen. Rick Metsger**

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

MEASURE/ISSUES HEARD: **SB 710 – Work Session**
 SB 711 – Work Session
 SB 713 – Work Session
 SB 714 – Work Session
 SB 715 – Work Session
 HB 2075A – Public Hearing and Work Session
 HB 2161 – Public Hearing and Work Session
 HB 2163 – Public Hearing and Work Session
 HB 2210 – 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 58, A		
005	Chair Nelson	Calls the committee to order at 1:10 PM. Opens a work session on SB 710, SB 711, SB 713, SB 714 and SB 715.
<u>SB 710, 711, 713, 714, 715 – WORK SESSION</u>		
007	Mark Long	Administrator, Building Codes Division. Discusses and reviews amendments and the changes they made to SB 711, SB 713, SB 714, and SB 715. Expresses those who worked on the changes are all in agreement.
073	Chair Nelson	MOTION: Moves to ADOPT SB 710-2 amendments dated 04/14/03. (EXHIBIT F)
073		VOTE: 3-0
		EXCUSED: 1 - Sen. Metsger
	Chair Nelson	The motion Carries.
074	Chair Nelson	MOTION: Moves SB 710A to the floor with a DO PASS AS AMENDED recommendation and BE REFERRED to the committee on Ways and Means by prior reference.
074		VOTE: 3-0
		EXCUSED: 1 - Sen. Metsger
	Chair Nelson	The motion Carries.
		CHAIR NELSON will lead discussion on the floor.
080	Chair Nelson	Notes with the understanding that some work needs to be done on the -2 amendments but in general the work group has reached a consensus.

083 Chair Nelson MOTION: Moves to ADOPT SB 711-2 amendments dated 04/14/03. (EXHIBIT G)

085 VOTE: 3-0
EXCUSED: 1 - Sen. Metsger

Chair Nelson The motion Carries.

085 Chair Nelson MOTION: Moves SB 711A to the floor with a DO PASS AS AMENDED recommendation and the SUBSEQUENT REFERRAL to the committee on Ways and Means BE RESCINDED.

086 VOTE: 3-0
EXCUSED: 1 - Sen. Metsger

Chair Nelson The motion Carries.

CHAIR NELSON will lead discussion on the floor.

102 Chair Nelson MOTION: Moves to ADOPT SB 713-2 amendments dated 04/11/03. (EXHIBIT H)

102 VOTE: 3-0
EXCUSED: 1 - Sen. Metsger

Chair Nelson The motion Carries.

103 Chair Nelson MOTION: Moves SB 713A to the floor with a DO PASS AS AMENDED recommendation and the SUBSEQUENT REFERRAL to the committee on Ways and Means BE RESCINDED.

106 VOTE: 3-0
EXCUSED: 1 - Sen. Metsger

Chair Nelson The motion Carries.

CHAIR NELSON will lead discussion on the floor.

110 Sen. Walker Notes this is a good idea to make the building codes more accessible. Asks if there is a reason why this bill is a pilot project in only three counties and why these specific.

112 Long Answers they were stationed in the tri-county area to learn from their successes and then proceed state wide.

124 Chair Nelson MOTION: Moves to ADOPT SB 714-1 amendments dated 03/31/03. (EXHIBIT I)

124 VOTE: 3-0
EXCUSED: 1 - Sen. Metsger

Chair Nelson Hearing no objection, declares the motion CARRIED.

130 Chair Nelson MOTION: Moves SB 714A to the floor with a DO PASS AS AMENDED recommendation and the SUBSEQUENT REFERRAL to the committee on Ways and Means BE RESCINDED.

133 VOTE: 3-0
EXCUSED: 1 - Sen. Metsger

Chair Nelson Hearing no objection, declares the motion CARRIED.
CHAIR NELSON will lead discussion on the floor.

141 Chair Nelson MOTION: Moves to ADOPT SB 715-2 amendments dated 04/14/03. (EXHIBIT J)

142 VOTE: 3-0
EXCUSED: 1 - Sen. Metsger

Chair Nelson Hearing no objection, declares the motion CARRIED.

143 Chair Nelson MOTION: Moves SB 715A to the floor with a DO PASS AS AMENDED recommendation and the SUBSEQUENT REFERRAL to the committee on Ways and Means BE RESCINDED.

146 **Chair Nelson** **VOTE: 3-0**
EXCUSED: 1 - Sen. Metsger
Hearing no objection, declares the motion CARRIED.
CHAIR NELSON will lead discussion on the floor.

152 Chair Nelson Notes to Mark Long to continue to work on the amendments and keep the committee up to date on them.

145 Chair Nelson Close all work sessions on SB 710, SB 711, SB 713, SB 714 and SB 715 and opens a public hearing on HB 2075A.

HB 2075A – PUBLIC HEARING

155 Dennis Dotson Committee Administrator. Provides overview of HB 2075A.
 166 Andrew Morrow Legislative Chair, Oregon State Bar Business, Law Section.
 Testifies in favor of HB 2075A. Explains the bill is a product of committee work on behalf of the Oregon State Bar Business Law Section which has supported the Business Corporation Act since the adoption of the current version of it in 1987. Submits written testimony (**EXHIBIT A**).

178 Robert Art Professor, Corporate Law. Testifies in favor of HB 2075A. Explains they were given the assignment last year to review the Business Corporation Act to see where it needed to be updated in technical ways. Submits written testimony (**EXHIBIT B**).

206 Chair Nelson Asks if they had gone over the amendments thoroughly.
 209 Art Answers on the Rural Electrical Cooperative asked for clarification of them taking advantage of the conversion and merger provisions.

215 Sen. Walker Refers to an article in the Register Guard about these new start up companies selling stock and investments in their company that were negatively affected. Asks if there is a way to protect shareholders.

223 Morrow Responds this would be better addressed in the securities law.
 229 Sen. Walker Expresses trying to get access to the corporations board of directors.

239 Morrow Responds this would b better addressed in securities law.
 291 Chair Nelson Closes the public hearing on HB 2075A and opens a work session on HB 2075A.

HB 2075A – WORK SESSION

301 **Sen. Walker** **MOTION: Moves HB 2075A to the floor with a DO PASS recommendation.**

303 **VOTE: 3-0**
EXCUSED: 1 - Sen. Metsger
Chair Nelson **Hearing no objection, declares the motion CARRIED.**
SEN. WALKER will lead discussion on the floor.

307 Chair Nelson Closes the work session on HB 2075A and opens a public hearing on HB 2161.

HB 2161 – PUBLIC HEARING

313 Dotson Provides an overview of HB 2161.
 334 Bryant Tax Manager, Unemployment Insurance/Employment Department. Testifies in favor of HB 2161. Submits written testimony explaining that legislature passed a law requiring employers who employ domestic employees to report annually.

343 Chair Nelson Closes the public hearing on HB 2161 and opens a public hearing on HB 2163.

HB 2163 – PUBLIC HEARING

356 Dotson Provides an overview of HB 2163.
 365 Thomas Ewing Chief, Hearing Officer. Testifies in favor of HB 2163. Notes this

384	Chair Nelson	has been the hearing officer's duties for years. Submits written testimony explaining the purpose of the bill (EXHIBIT D). Closes the public hearing on HB 2163 and opens a work session on HB 2163.
<u>HB 2163 – WORK SESSION</u>		
386	Chair Nelson	MOTION: Moves HB 2163 to the floor with a DO PASS recommendation.
386		VOTE: 3-0
	Chair Nelson	EXCUSED: 1 - Sen. Metsger
		Hearing no objection, declares the motion CARRIED.
		SEN. BEYER will lead discussion on the floor.
408	Chair Nelson	Closes the work session on HB 2163 and opens a work session on HB 2161.
<u>HB 2161 – WORK SESSION</u>		
409	Sen. Walker	MOTION: Moves HB 2161 to the floor with a DO PASS recommendation.
410		VOTE: 3-0
	Chair Nelson	EXCUSED: 1 - Sen. Metsger
		Hearing no objection, declares the motion CARRIED.
		SEN. BEYER will lead discussion on the floor.
422	Chair Nelson	Closes the work session on HB 2161 and opens a public hearing on HB 2210.
<u>HB 2210 – PUBLIC HEARING</u>		
431	Dotson	Provides an overview of HB 2210.
TAPE 59, A		
005	Adam Sussman	Legislative Coordinator, Water Resources Department. Testifies in favor of HB 2210. Informs the committee that his department regulates and licenses well constructors in Oregon. States they are proposing an increase in the bond the well drillers carry. Submits written testimony (EXHIBIT E).
026	Chair Nelson	Asks how much the bond would increase.
029	Sussman	Responds the cost is \$120 and the increase would be an additional \$150.
036	Sen. Beyer	Asks how many contractors know about this bill.
039	Sussman	Responds having extensive communication with the well drillers.
046	Sen. Walker	Asks if there were any representatives at the House Committee hearings.
050	Sussman	Responds there were but they did not oppose to the bill.
057	Sen. Walker	Asks what happens when bond is not enough to cover a mishap.
061	Sussman	Answers the landowner is responsible for the difference.
066	Chair Nelson	Comments on concerns of Senator Beyer with costs issue.
071	Sussman	Expresses not knowing why there are no representatives at this hearing.
076	Sen. Walker	Ask how long ago were the well drillers notified.
079	Sussman	Responds at least six months ago.
087	Chair Nelson	Asks if this is an annual bond he is speaking about.
088	Sussman	Answers yes it is.
089	Chair Nelson	Notes the payment would be two hundred and seventy this year,
091	Sussman	Answers that is correct.
092	Sen. Beyer	Requests to hold the bill up for a few days and see if there is a better response.
122	Chair Nelson	Closes the public hearing on HB 2210. Adjourns the committee meeting at 1:47 PM.

EXHIBIT SUMMARY

- A – HB 2075A, written testimony, Andrew Morrow, 4 pp**
- B - HB 2075A, written testimony, Robert Art, 4 pp**
- C – HB 2161, additional written testimony for the record, Renee Bryant, 1 p**
- D – HB 2163, written testimony, Thomas Ewing, 1 p**
- E – HB 2210, written testimony, Adam Sussman, 2 pp**

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

- F – SB 710, -2 amendments dated 04/14/03, staff, 15 pp**
- G – SB 711, -2 amendments dated 4/14/03, staff, 2 pp**
- H – SB 713, -2 amendments dated 4/11/03, staff, 2 pp**
- I – SB 714, -1 amendments dated 03/31/03, staff, 4 pp**
- J – SB 715, -2 amendments dated 4/14/03, staff, 3 pp**