

# HOUSE COMMITTEE ON BUSINESS, LABOR, AND CONSUMER AFFAIRS

April 19, 2001  
1:00 PM

Hearing Room E  
Tapes 84 - 87

**MEMBERS PRESENT:** Rep. Tim Knopp, Chair  
Rep. Diane Rosenbaum, Vice-Chair  
Rep. Cliff Zauner, Vice-Chair  
Rep. Vic Backlund  
Rep. Randy Leonard  
Rep. Jeff Merkley  
Rep. Patti Smith  
Rep. Vicki Walker  
Rep. Carl Wilson

**MEMBER EXCUSED:**

**STAFF PRESENT:** Jim Stenbridge, Committee Administrator  
Sara Noble, Committee Assistant

**MEASURE/ISSUES HEARD:** HB 2800 – Work Session  
HB 2012 – Work Session  
HB 2196 – Work Session  
HB 2792 – Work Session  
HB 3350 – Public Hearing  
HB 3769 – Public Hearing and Work Session  
HB 2912 – Public Hearing  
HB 3005 – Work Session  
HB 3088 – Public Hearing and Work Session  
HB 3784 – Public Hearing  
HB 3863 – Public Hearing  
HB 2993 – Public Hearing  
HB 3759 – Public Hearing  
HB 2958 – 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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TAPE/#	Speaker	Comments
<b>TAPE 84, A</b>		
004	Chair Knopp	Calls the committee to order at 1:10 p.m. and opens a work session on HB 2800.
<b><u>HB 2800 – WORK SESSION</u></b>		
009	Jim Stenbridge	Committee Administrator. Gives background information on HB 2800 and the amendments.
<b>020</b>	<b>Rep. Rosenbaum</b>	<b>MOTION: Moves to AMEND HB 2800 by adding a new section saying this act is effective October 1, 2002.</b>
029	Rep. Merkley	Ask what is the current effective date.
031	Chair Knopp	Responds with January 1, 2002 resulting in the amount of the fiscal statement being lowered.
035	Tom Johnson	Assistant Administrator, Oregon Health Division. Explains what the fiscal will be with the new start up date.
		<b>VOTE: 8-0</b>
		<b>EXCUSED: 1 - Rep. Wilson</b>

040 Chair Knopp  
042 Rep. Rosenbaum

Hearing no objection declares the motion CARRIED.  
**MOTION: Moves HB 2800 to the floor with a DO PASS AS AMENDED recommendation.**

**VOTE: 7-1-0**

**AYE: 7 - Leonard, Merkley, Rosenbaum, Smith P, Walker V, Zauner, Knopp**

**NAY: 1 - Backlund**

**EXCUSED: 1 - Wilson**

**The motion CARRIES.**

**ROSENBAUM will lead discussion on the floor.**

Closes the work session and opens a work session on HB 2012.

048 Chair Knopp

053 Chair Knopp  
**HB 2012 – WORK SESSION**

055 Stembridge

Gives background information on HB 2012 along with the amendments.

065 Chair Knopp

Recesses the work session on HB 2012, and opens a work session on HB 2196.

**HB 2196 – WORK SESSION**

068 Stembridge

Gives background information on HB 2196.

077 Mathew Mortiz

Representing the Oregon Chapter of the American Society of Landscape Architects. Submits conceptual amendments **(EXHIBIT A)** and testifies in support of the amendments.

101 Rep. Merkley

Asks if what had been given to him is the ones just submitted.

105 Mortiz

States yes.

110 Chair Knopp

Asks if Ms. Frances has seen the –2 amendments and with the changes in this bill where are you.

113 Liz Frances

Responds with what she has seen and notes her concerns.

159 Rep. Merkley

Responds that with those changes I would be happy and explains. Submits a landscaping site plan of Ms. Frances work **(EXHIBIT B)** and asks for clarification if landscape designers would be able to do a landscaping site plan under the bill.

182 Jim Figurski

Chair, State Landscape Architect Board. States that there is nothing in the initial review that would violate this statute as proposed and explains.

200 Chair Knopp

Conveys that the amendments will be drafted as described in this committee.

204 Chair Knopp

Closes the work session on HB 2196 and opens a work session on HB 2792.

**HB 2792 – WORK SESSION**

220 Chair Knopp

Recesses the work session on HB 2792 and opens a public hearing on HB 3350.

**HB 3350 – PUBLIC HEARING**

225 Rep. Rob Patridge

House District 50. Testifies in support of HB 3350.

238 Bob Kleker

Representing Eagle Point Youth Baseball. Submits written testimony **(EXHIBIT C)** and testifies in support of HB 3350.

298 Jack Roberts

Commissioner, Bureau of Labor & Industries. Testifies in support of HB 3350.

396 Rep. Leonard

Asks for clarification of how you define public funds under the bill.

**TAPE 85, A**

006 Roberts

Explains his understanding of public funds.

018 Rep. Leonard

Expresses thoughts on the possibility of circumvention.

022 Roberts

States he will support any clarifying language needed.

026 Rep. Patridge

States I would not object to tightening the bill and explains.

043 Rep. Leonard

Notes that I do not have a quarrel with the stated intent and

050	Roberts	explains.
053	Chair Knopp	Recommends that an emergency clause be added.
		Recesses the public hearing on HB 3350 and opens a public hearing on HB 3769.

**HB 3769 – PUBLIC HEARING**

058	Rep. Wayne Krieger	House District 48. Submits written documentation ( <b>EXHIBIT D</b> ) and testifies in support of HB 3769.
116	Rep. Zauner	Asks if there is any opposition to the bill.
118	Rep. Krieger	Responds there may be some that have not been in contact with me.
120	Chair Knopp	Asks about reference to amendments.
122	Rep. Krieger	Responds that amendments were to have been delivered this morning.
124	Chair Knopp	Requests that the amendments be delivered to the committee.
130	Rep. Krieger	Indicates that he will have the amendments delivered.
132	Rep. Rosenbaum	Asks for clarification on connection to the federal law.
135	Rep. Krieger	Responds for status as a non-profit you have to file with the IRS and explains.
139	Rep. Merkley	Asks what one would do if they held a raffle without a license
144	Rep. Krieger	States that can be controlled by the amount of tickets sold.
151	Chair Knopp	Recesses the public hearing on HB 3769 and opens a public hearing on HB 2912.

**HB 2912 – PUBLIC HEARING**

156	Ron Murray	Representing the United Association of Plumbers and Steamfitters, Local 290. Testifies who actually proposed the bill and states that the stakeholders have agreed in concept to the bill and are currently working on the language.
169	Chair Knopp	Closes the public hearing on HB 2912 and reopens the work session on HB 2792.

**HB 2792 – WORK SESSION (CONTINUES)**

175	Rep. Merkley	Submits –2 and –3 amendments ( <b>EXHIBITS E, F</b> ) and explains.
186	<b>Rep. Merkley</b>	<b>MOTION: Moves to ADOPT HB 2792-2 amendments dated 4/4/01.</b>
187	<b>Rep. Merkley</b>	<b>MOTION: Moves to ADOPT HB 2792-3 amendments dated 4/4/01.</b>
		<b>VOTE: 9-0</b>
190	<b>Chair Knopp</b>	<b>Hearing no objection declares the motion CARRIED.</b>
193	Chair Knopp	Acknowledges submitted testimony from Mr. Bennett ( <b>EXHIBIT G</b> ).
205	Richard Vile	Attorney. Testifies that further issues need to be discussed.
227	Stembridge	Clarifies that staff will combine the –2, -3 amendments and hand engross.
233	Chair Knopp	Asks that they be distributed to the member's offices.
242	Harriet Heisey	Private citizen from Bend, OR. Testifies on HB 2792.
277	Chair Knopp	Asks if her understanding that the bill would only apply to about 5% of homeowners associations.
279	Heisey	Responds no and asks if the 1999 bill only applied to 5%.
283	Vile	Conveys that is correct and explains.
307	Heisey	States that I do not agree and explains.
329	Vile	States that Aspen Village does not fall under ORS Chapter 94 and would not be covered by the provisions of that statute.
334	Heisey	References a letter from Mr. Vile and continues with explanation.
370	Chair Knopp	Asks if this information changes Mr. Vile's mind.

372	Vile	States that there is a misunderstanding and explains.
390	Chair Knopp	Closes the work session on HB 2792 and opens a work session on HB 3005.
<b>TAPE 84, B</b>		
<b><u>HB 3005 – WORK SESSION</u></b>		
002	Stembridge	Gives background information on HB 3005 and the amendments.
012	Rep. Zauner	<b>MOTION: Moves to ADOPT HB 3005-5 amendments dated 4/10/01.</b>
		<b>VOTE: 8-0</b>
		<b>EXCUSED: 1 - Rep. P. Smith</b>
014	Chair Knopp	<b>Hearing no objection declares the motion CARRIED.</b>
015	Rep. Leonard	<b>MOTION: Moves HB 3005 to the floor WITHOUT RECOMMENDATION as to passage and BE REFERRED to the committee on by prior reference.</b>
		<b>VOTE: 8-0</b>
		<b>AYE: In a roll call vote, all members present vote Aye.</b>
		<b>EXCUSED: 1 - Rep. P. Smith</b>
018	Chair Knopp	<b>The motion CARRIES.</b>
025	Chair Knopp	Closes the work session on HB 3005 and reopens the public hearing on HB 3769.
<b><u>HB 3769 – PUBLIC HEARING (CONTINUES)</u></b>		
033	Chair Knopp	Explains that the –1 amendments have been submitted <b>(EXHIBIT H)</b>
034	Pete Shepherd	Deputy Attorney General. Testifies in support of the –1 amendments and is neutral on the original bill.
065	M. Kirk Harvey	Chief Investigator, Charitable Activities, Department of Justice. Explains the difference between handle and net profits.
076	Shepherd	States that is important for the Department of Justice.
079	Rep. Rosenbaum	Asks how many complaints have been handled under the current statutes and how many have been in actual violation of the law
082	Harvey	Responds with an approximate number of complaints and explains. Responds most of them are found to be in violation and gives numbers.
101	Rep. Rosenbaum	Asks will this bill change the qualification requirement.
104	Harvey	Responds no.
105	Rep. Backlund	References the mention of 14 and 15 and ask if those were the same organizations or different ones.
106	Harvey	Responds they were different ones.
108	Rep. Zauner	Asks why didn't they qualify.
109	Harvey	Responds they were not non-profit corporations.
112	Rep. P. Smith	Asks for an example of an organization that would be in violation.
114	Harvey	Responds with a case this year where a young woman tried to raffle a house that she did not own.
120	Vice Chair Zauner	Closes the public hearing and opens a work session on HB 3769.
<b><u>HB 3769 – WORK SESSION</u></b>		
129	Rep. Leonard	<b>MOTION: Moves to ADOPT HB 3769-1 amendments dated 4/17/01.</b>
		<b>VOTE: 9-0</b>
133	Chair Knopp	<b>Hearing no objection declares the motion CARRIED.</b>
144	Rep. Leonard	<b>MOTION: Moves HB 3769 to the floor with a DO PASS AS AMENDED recommendation.</b>

**VOTE: 9-0**

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

**KRIEGER will lead discussion on the floor.**

147 Chair Knopp

158 Chair Knopp

Closes the work session on HB 3769 and reopens the public hearing on HB 3350.

**HB 3350 – PUBLIC HEARING (CONTINUES)**

170 Hazel Patton

Private citizen from Salem, OR. Testifies in support of HB 3350.

222 Rep. Backlund

Expresses his thanks for Ms. Patton's leadership with regard to the Carousel Project in River Front Park.

233 Dan Boldt

Director of Public Works, Wasco County. Testifies in support of HB 3350.

276 Edward Glad

Representing the United Brotherhood of Carpenters and Joiners of America. Testifies in opposition of HB 3350.

358 Tom Lindberg

Business representative for Operating Engineers Local 701. Testifies in opposition of HB 3350.

401 Chair Knopp

Closes the public hearing on HB 3350 and opens a public hearing on HB 3088.

**TAPE 85, B**

**HB 3088 – PUBLIC HEARING**

003 Stemberge

Gives background information on HB 3088.

006 Brian Krieg

Representing the National Electrical Contractors Association. Testifies in support of HB 3088.

021 Joe Brewer

Administrator, Building Codes Division (BCD). Submits written testimony (**EXHIBIT I**) and testifies in support of HB 3088.

028 Rep. Leonard

Asks about the large increases.

032 Brewer

Responds they are significant increases and explains.

045 Chair Knopp

Suggests that more input be provided before being discussed in Ways and Means.

049 Chair Knopp

Closes the public hearing and opens a work session on HB 3088.

**HB 3088 – WORK SESSION**

051 Rep. Leonard

**MOTION: Moves HB 3088 to the floor with a DO PASS recommendation and BE REFERRED to the committee on Ways and Means.**

**VOTE: 9-0**

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

055 Chair Knopp

063 Chair Knopp

Closes the work session on HB 3088 and opens a public hearing on HB 3784.

**HB 3784 – PUBLIC HEARING**

066 Stemberge

Gives background information on HB 3784.

073 Jim Markee

Representing the Amalgamated Transit Union (ATU) Division 757. Testifies in support of HB 3784

115 Ron Heintzman

President, Amalgamated Transit Union (ATU) Division 757. Submits written information (**EXHIBIT J**) and testifies in support of HB 3784.

151 Gerald Shorey

Retired paramedic. Testifies in support of HB 3784.

176 Susan Stoner

Representing the Amalgamated Transit Union (ATU) Division 757. Testifies in support of HB 3784.

203 Rep. Leonard

Summarizes what the term posting means. Clarifies that you are not asking for exemptions from responding to emergencies.

225 Stoner

States transport is another issue and explains.

230 Rep. Backlund

Asks during posting the paramedics cannot sleep.

234 Heintzman

Describes a scenario for posting.

237	Rep. Wilson	Asks if this is a wide spread problem.
240	Stoner	Responds that the problem is computer driven dispatching and explains.
248	Denise Giard	President, Oregon Fire Medical Administrators. Submits written information ( <b>EXHIBIT K</b> ) and testifies in opposition of HB 3784.
275	Shawn Baird	President, Oregon State Ambulance Association. Submits written testimony ( <b>EXHIBIT L</b> ) and testifies in opposition of HB 3784.
403	Rep. P. Smith	Asks who would provide the ambulance service if this bill puts you out of business.
<b>TAPE 86, A</b>		
005	Baird	Responds that unfortunately I cannot answer.
006	Rep. Leonard	Asks how many times in the nighttime hours do you move them. Asks how this would effect you and your operation. Clarifies that this bill applies only in those instances when they are told to take the ambulance and go to a standby location. Asks how many times does that happen and do they go there to stay. Asks if you keep a log of this activity. States that he would be interested in seeing an example for a particular car over a weeks time. Asks if they do the posting as described earlier. Asks if the bill spoke to the situation described earlier would it apply to you.
014	Baird	Responds that it is infrequent and explains. States that I would have to eliminate doing 24 hour shifts. Explains that several times a week his crew is moved from one station to another. Responds that it may not happen nightly but there are times when it happens more than once and typically they go to other quarters that are established. States that they do not keep a log. Explains that many times it is initiated by the crew themselves not the dispatcher. Answers no. Hesitates in answering.
063	Jody Fischer	Responds that the passage of this bill would impact dual fire/EMS operations and continues with explanation.
083	Chair Knopp	Closes the public hearing on HB 3784 and opens a public hearing on HB 3863.

#### **HB 3863 – PUBLIC HEARING**

088	Mike Salsgiver	Representing Intel Corporation. Testifies in support of HB 3863.
125	Chair Knopp	Closes the public hearing on HB 3863. Explains that HB 3611 will not be heard today and opens a public hearing on HB 2993, HB 3759 and HB 2958.

#### **HB 2993, HB 3759 AND HB 2958 – PUBLIC HEARING**

128	Stembridge	Gives background information on HB 2958.
133	Rep. Laurie Monnes Anderson	House District 22. Submits written testimony ( <b>EXHIBIT M</b> ) and testifies in support of HB 2958.
150	Tim Nesbitt	President, Oregon AFL-CIO. Submits written testimony and information ( <b>EXHIBITS N, O</b> ) and testifies in support of both HB 3759 and HB 2993.
184	Patrick Morris	Testifies in support of HB 3759.
193	Lonnie Roth	Private citizen from Hood River, OR. Testifies in support of HB 3759.
207	Donald Leigh	Private citizen from Mossier, OR. Testifies in support of HB 3759.
233	Rep. P. Smith	Asks what jobs are they retraining for.
235	Morris	Responds with options available.
242	Gary Beck	President, United Steelworker Local 330. Testifies in support of HB 3759.

260	Bob Tackett	Private citizen. Testifies in support of HB 3759.
285	Sharon Hull	Private citizen from The Dalles, OR. Testifies in support of HB 3759.
304	David Park	Private citizen. Testifies in support of HB 3759.
330	Mark Yoeman	Private citizen. Testifies in support of HB 3759.
358	Vic Borghesi	Private citizen. Testifies in support of HB 3759.
393	Steve Hillesland	Union representative with the Machinist Union in Portland. Testifies in support of HB 3759.
<b>TAPE 87, A</b>		
005	Britt Cornman	Private citizen from Aloha, OR. Testifies in support of HB 3759.
026	Joan Miller	Trustee for Local 1005 Machinist out of Portland. Testifies in support of HB 3759.
053	Robert Rader	President, Chemical Workers Union Local 109C in Portland. Testifies in support of HB 3759 and HB 2993.
074	Brock Grief	Private citizen. Testifies in support of HB 3759.
094	Mike Smith	Business representative for Local 16 Sheet Metal Workers. Testifies in support of HB 3759.
105	Rufus Galloway	Private citizen. Testifies in support of HB 3759.
120	Del Brown	Business representative for Local 16. Testifies in support of HB 3759.
140	Al Dorgan	Represents the employees at Oremet Titanium. Submits written testimony <b>(EXHIBIT P)</b> and testifies in support of HB 3759.
152	Joe Hadley	Dislocated worker from Oremet Titanium. Testifies in support of HB 3759.
161	Stephanie Hadley	Private citizen. Testifies in support of HB 3759.
172	Rep. Rosenbaum	Expresses her appreciation of those that have come today to relate their stories.
185	Bill Kluting	Private citizen from Dallas, OR. Testifies in support of HB 3759.
212	Kenny Smith	Private citizen from Dallas, OR. Testifies in support of HB 2993 and HB 3759.
228	Darryl Middleton	Private citizen from Roseburg, OR. Testifies in support of HB 3759.
	Stembridge	Submits written testimony from Rep. Rosenbaum for HB 3759 <b>(EXHIBIT Q)</b> , written testimony from Rep. Hansen for HB 3759 <b>(EXHIBIT R)</b> , written information from Mike Balanesi for HB 2958 <b>(EXHIBIT S)</b> , written information from Virlena Crosley for HB 3759 <b>(EXHIBIT T)</b> , written information from Virlena Crosley for HB 2993 <b>(EXHIBIT U)</b> , written testimony from Lon Holston for HB 3759 <b>(EXHIBIT V)</b> .
268	Chair Knopp	Closes the public hearing on HB 2993, 3759, 2958 and adjourns the committee at 3:45 p.m.

Submitted By,

Reviewed By,

Sara Noble,  
Committee Assistant

Jim Stembridge,  
Committee Administrator

## **EXHIBIT SUMMARY**

**A – HB 2196, written information, Mathew Moritz, 15 pp.**  
**B – HB 2196, written information, Rep. Merkley, 2 pp.**  
**C – HB 3350, written testimony, Bob Kleker, 2 pp.**  
**D – HB 3769, written information, Rep. Krieger, 11 pp.**  
**E – HB 2792, -2 amendment, Rep. Merkley, 5 pp.**  
**F – HB 2792, -3 amendment, Rep. Merkley, 2 pp.**  
**G – HB 2792, written information, J. David Bennett, 4 pp.**  
**H – HB 3769, -1 amendment, Rep. Knopp, 5 pp.**  
**I – HB 3088, written testimony, Joe Brewer, 2 pp.**  
**J – HB 3784, written information, Ron Heintzman, 16 pp.**  
**K – HB 3784, written information, Denise Giard, 1 p**  
**L – HB 3784, written testimony, Shawn Baird, 2 pp.**  
**M – HB 2958, written testimony, Rep. Monnes Anderson, 1 p**  
**N – HB 3759 & HB 2958, written information, Tim Nesbitt, 1 p**  
**O – HB 3759 & HB 2993, written testimony, Tim Nesbitt, 17 pp.**  
**P – HB 3759, written testimony, Al Dorgan, 2 pp.**  
**Q – HB 3759, written testimony, Rep. Rosenbaum, 1 p**  
**R – HB 3759, written testimony, Rep. Hansen, 1 p**  
**S – HB 2958, written information, Mike Balanesi, 1 p**  
**T – HB 3759, written information, Virlena Crosley, 2 pp.**  
**U – HB 2993, written information, Virlena Crosley, 2 pp.**  
**V – HB 3759, written information, Lon Holston, 1 p**