

**HOUSE COMMITTEE ON RULES, REDISTRICTING, AND PUBLIC
AFFAIRS**

April 20, 2001
1:30 PM

Hearing Room D
Tapes 87 - 88

MEMBERS PRESENT: **Rep. Carl Wilson, Chair**
 Rep. Richard Devlin, Vice-Chair
 Rep. Dan Doyle, Vice-Chair
 Rep. Dan Gardner
 Rep. Steve March
 Rep. Bruce Starr
 Rep. Joanne Verger
 Rep. Cheryl Walker

MEMBERS EXCUSED: **Rep. Bill Garrard**

STAFF PRESENT: **Craig Allen, Committee Administrator**
 Cara Filsinger, Committee Administrator
 Jennifer Goodman, Committee Assistant

MEASURE/ISSUES HEARD: **HB 3107 - Public Hearing and Work Session**
 HB 3739 - Work Session
 HB 3371 - Work Session
 HB 2002 - Work Session
 HB 2785 - Public Hearing
 HB 3672 - Public Hearing
 HB 3673 - Public Hearing
 HB 3960 - 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 87, A		
004	Chair Wilson	Calls the meeting to order at 1:34 p.m.
<u>HB 3107 - PUBLIC HEARING</u>		
007	Representative Jeff Kropf	House District 37. Testifies in support of HB 3107. States that this law is too strict. Believes these events are well deserved by the volunteer firefighters. Adds that this law damages the feelings of the spouses who support the volunteers.
053	Genoa Ingram	Oregon Fire District Directors Association. Testifies in support of the bill. Explains that this bill is part of a package to attract volunteers.
061	Chief Lawrence Tucker	Fire Chief, Scio Rural Fire Protection District. Explains his annual banquet. Adds there is a need to recognize the volunteers. Believes that family support is very important to these volunteers.
094	Rep. Verger	Asks if there has been a change in his attendance with the requirement of payment by the spouse.

097 Tucker Responds that he does not know.
 101 Rep. Verger Comments that as mayor she saw attendance fall.
 106 Rep. Walker Responds that there are many volunteers. Asks if there has been any consultation with other departments.
 118 Ingram Responds that this is part of the budget approved by the public.
 124 Rep. Kropf Responds that it extends to relatives only.
 130 Rep. Walker Asks if there is going to be a problem between departments.
 136 Rep. Kropf Explains that his department raised money for the spouses which caused a morale problem.
 152 Chair Wilson Closes the public hearing on HB 3107. Opens a work session on HB 3107.

HB 3107 - WORK SESSION

155 Rep. Starr **MOTION: Moves HB 3107 to the floor with a DO PASS recommendation.**
 156 **VOTE: 5-0**
AYE: In a roll call vote, all members present vote Aye.
EXCUSED: 4 - Devlin, Doyle, Garrard, March
The motion CARRIES.
 166 Rep. Starr **MOTION: Moves HB 3107 be placed on the CONSENT CALENDAR.**
VOTE: 5-0
EXCUSED: 4 - Devlin, Doyle, Garrard, March
Hearing no objection, declares the motion CARRIED.
 Chair Wilson Closes the work session on HB 3107. Opens a work session on
 Chair Wilson HB 3739.

HB 3739 - WORK SESSION

178 Rep. Walker **MOTION: Moves HB 3739 to the floor WITHOUT RECOMMENDATION as to passage and BE REFERRED to the committee on Advancing E-Government.**
VOTE: 5-0
EXCUSED: 4 - Devlin, Doyle, Garrard, March
Hearing no objection, declares the motion CARRIED.
 181 Chair Wilson Closes the work session on HB 3739. Opens a work session on
 182 Chair Wilson HB 3371.

HB 3371 - WORK SESSION

185 Rep. Walker **MOTION: Moves HB 3371 to the floor WITHOUT RECOMMENDATION as to passage and BE REFERRED to the committee on Advancing E-Government.**
VOTE: 5-0
EXCUSED: 4 - Devlin, Doyle, Garrard, March
Hearing no objection, declares the motion CARRIED.
 187 Chair Wilson Closes the work session on HB 3371. Opens a work session on
 188 Chair Wilson HB 2002.

HB 2002 – WORK SESSION

192 Chair Wilson Updates the committee on the amended central voter file bill.
 198 Rep. Starr **MOTION: Moves to ADOPT HB 2002-1 amendments dated 04/04/01.**
 202 **VOTE: 5-0**
EXCUSED: 4 - Devlin, Doyle, Garrard, March
Hearing no objection, declares the motion CARRIED.
 202 Chair **MOTION: Moves HB 2002 to the floor with a DO PASS AS**
 Rep. Starr

AMENDED recommendation and BE REFERRED to the committee on Ways and Means by prior reference.

205

Chair Wilson

208

Chair Wilson

VOTE: 5-0

EXCUSED: 4 - Devlin, Doyle, Garrard, March

Hearing no objection, declares the motion CARRIED.

Closes the work session on HB 2002. Opens a public hearing on HB 2785.

HB 2785 - PUBLIC HEARING

219 Marge Kafoury

City of Portland. Introduces Steve Manton to explain what they are trying to accomplish with this bill.

226 Steve Manton

City of Portland. Submits (**EXHIBIT A**). Explains that if the fund goes away, it will still be on the books, resulting in unfunded liability. States that the recommendation was to find an investment vehicle.

281 Kafoury

States they are working on the technical glitches, and will bring back the -2 amendments for further discussion.

295 Chair Wilson

Closes the public hearing on HB 2785. Opens a public hearing on HB 3672.

HB 3672 - PUBLIC HEARING

320 John Kauffman

Clackamas County Clerk representing the Oregon Association of County Clerks. States that the formatting standards for recordable documents mirror the approach adopted last year by a national property records industry joint task force. Describes changes they have made, including amendments. Submits written testimony (**EXHIBIT B**).

382 Charles Stern

Yamhill County Clerk. Discusses the issues they have been attempting to deal with to make it easier to do business across state lines. Speaks in regards to the amendments. Submits written testimony (**EXHIBIT C**).

435 John Phillips

Reviews the -3 amendments.

445 Rep. Verger

States she believes this appears to be unnecessary, and asks why it should be standard to the size of the margin between states.

458 Stern

Responds that there are standards that differ from state to state.

488 Rep. Verger

Asks if this protects her from being fined in another state.

494 Stern

Responds that it may not be accepted to record.

498 Rep. Verger

Asks if the fee is for anywhere other than Oregon.

Tape 88, A

057 Stern

Responds that those fees are unique to Oregon.

068 Chair Wilson

Closes the public hearing on HB 3672. Opens a public hearing on HB 3673.

HB 3673 - PUBLIC HEARING

078 John Kauffman

Clackamas County Clerk. Remarks that last session's bill regarding specific language put in the statute, causes problems with uniformity. Speaks of proposed amendments expanding their ability to record documents so that they are not so restrictive. Submits written testimony (**EXHIBIT D**).

125 Rep. Doyle

Asks if the clerks can charge a \$20 fee if something is not submitted on 20 pound paper.

129 Kauffman

Responds that it is current law.

141 Craig Chisholm

Representing the Legislative Committee of the Real Estate Land Use section of the Oregon State Bar. Remarks that he believes there is work to be done on the amendments.

155	Jack Munro	Land Title Association. Notes that they are working on the wording and would like to get all the interested groups together.
169	Rep. Verger	Asks where the fees go.
171	Chair Wilson	States that he is not certain.
175	Stern	Describes the fees.
194	Rep. Verger	Asks about the \$20 fee.
196	Stern	Responds that it is a county fee.
209	Chair Wilson	Closes the public hearing on HB 3673. Opens a public hearing on HB 3960.

HB 3960 - PUBLIC HEARING

220	Chair Wilson	Comments that he requested this hearing for the purpose of discussion on the amendments.
236	Gary Conkling	Oregon Winegrowers Association. Testifies and submits (EXHIBIT E) .
273	Paul Romain	Oregon Beer and Wine Distributors. States that he looked at Oregon Liquor Control Commission (OLCC) notes on EFT's, and finds it impossible to do because the funds take too long to be processed. Refers to the -2 amendments (EXHIBIT E) .
409	Joe Gilliam	Oregon Grocery Industry. Explains the -1 amendments, but does not discuss credit terms. Submits (EXHIBIT F) .
470	Rep. Devlin	Asks if he is still extending credit.
488	Gilliam	Replies yes, in a strict sense.
Tape 87, B		
044	Rep. March	Refers to Section 2 page 1 regarding the electronic funds transfer. Asks if the retail licensee can wait until the 5 th day after delivery.
052	Gilliam	Agrees.
055	Chair Wilson	Asks about the usability of this to the client in a practical sense.
063	Gilliam	Responds that many will not use EFT because other services would be needed to have distributor instigation.
084	Romain	Refers to a letter to him regarding EFT and notes that the industry in Ohio created these laws.
116	Gary Oxley	Fred-Meyer/Safeway. Introduces himself.
121	David Deathrudge	Chief Financial Officer, Fred Meyer Stores. Explains the Ohio system. Explains that there is a third party involved that creates additional issues.
157	Rep. March	Remarks that when Fred Meryer receives a delivery and an EFT is initiated the next day, you don't need five days.
162	Deathrudge	Responds that late files and other delays can occur and that 5 days gives room for this.
188	Rep. March	Asks if they use EFT in Ohio.
191	Deathrudge	Replies that they use it in four markets.
195	Chair Wilson	Notes that in the process it can take anywhere up to five days to receive payment.
198	Oxley	Responds in the affirmative.
204	Rep. Devlin	Asks if it takes more than two days if there is any objection to a requirement that it be initiated the day after receipt of the goods.
220	Chair Wilson	Asks for clarification on the time frame.
223	Oxley	Replies that EFT normally takes 24 - 48 hours.
243	Chair Wilson	Comments that he desires to do something on this issue, but it requires more thought. Asks what it would take for distributors to accept credit.
286	Romain	States that most states are cash. Notes that EFT will solve many

331	Chair Wilson	problems and believes that this benefits both parties.
334	Romain	Asks how much money would be lost for a five day credit. Replies that it is the cost of borrowing money and the time it will take to receive the money.
377	Chair Wilson	Asks what the expected costs are.
383	Romain	Responds that it will be bad debt and collection costs.
407	Chair Wilson	Asks if he believes the –1 amendments are a win-win situation.
416	Gilliam	Responds that it does not do much. States that the –2 amendments are only changing the bill by five days.
475	Rep. Devlin	Asks about Mr. Gilliam saying this will not be well used.
Tape 88, B		
041	Gilliam	Replies that they want to try the five days and see what happens.
074	Romain	Comments that wholesalers in Oregon do not buy from the maker.
106	Rep. Doyle	Asks for clarification regarding the 30-day credit terms for grocers, but not for the wholesalers in California.
110	Romain	Replies that doesn't know California's credit terms.
115	Rep. Doyle	Asks if there is any information that states whether breweries would extend credit.
118	Romain	Responds by reading from a list of retailers in Ohio who use EFT.
139	Gilliam	States that the distributors will make a deal with the breweries.
177	Romain	Clarifies that not all wineries extend credit.
184	Rep. Doyle	Asks how he pays by EFT.
185	Romain	States that they would be happy to grant similar credit terms that they get from brewers.
196	Rep. Verger	Asks to explain the –2 amendments EFT transfer.
202	Romain	Responds that EFT has to be completed the next business day not initiated.
217	Rep. Verger	Asks if there are distributors like franchises for beer and wine.
222	Gilliam	Replies just for beer.
239	Sandra Bishop	Wine Institute. Points out that there are not territories for wine.
250	Rep. Verger	Asks if there is any possibility that two privately owned businesses could get together and work it out.
270	Romain	States that it is an issue.
290	Gilliam	Agrees that it is personal but the law will not permit this.
316	Chair Wilson	Closes the public hearing on HB 3960. Adjourns the meeting at 3:08 p.m.

Submitted By,

Reviewed By,

Jennifer Goodman,
Committee Assistant

Cara Filsinger,
Committee Administrator

Transcribed By,

Cheryl Young

Committee Assistant

EXHIBIT SUMMARY

- A – HB 2785, written testimony, Steve Manton, 2pp.**
- B – HB 3672, written testimony, John Kauffman, 1p.**
- C – HB 3672, written testimony, Charles Dern, 5pp.**
- D – HB 3673, written testimony, John Kauffman, 1p.**
- E – HB 3960, written testimony, Gary Conkling, 1p.**
- F – HB 3960, -1 amendment, Staff, 2pp.**
- G – HB 3960 –2 amendment, Staff, 2pp.**