

HOUSE COMMITTEE ON BUSINESS AND CONSUMER AFFAIRS

March 31, 1999 Hearing Room E

8:15 a.m. Tapes 71 -73

MEMBERS PRESENT: Rep. Roger Beyer, Chair

Rep. Dan Gardner, Vice-Chair

Rep. Tim Knopp, Vice-Chair

Rep. Jason Atkinson

Rep. Bill Morrisette

Rep. Terry Thompson

Rep. Jackie Winters

STAFF PRESENT: Keith Putman, Administrator

Frances Thomas, Administrative Support

MEASURE/ISSUES HEARD: SB 436 Public Hearing and Work Session

HB 2661 Public Hearing and Work Session

HB 3333 Public Hearing and Work Session

HB 2057 Work Session

HB 2383 Work Session

HB 2486 Work Session

HB 2813 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.

TAPE/#	Speaker	Comments
TAPE 71, A		

001	Chair Beyer	Calls the meeting to order at 8:15 a.m.
<u>SB 436 Public Hearing</u>		
015	Chair Beyer	Opens a public Hearing on SB 436.
020	Keith Putman	Committee Administrator presents overview of SB 436. Summarizes that SB 436 allows title companies to jointly maintain title plants. Extends requirement to maintain back records for 50 years. Deletes time requirement for exclusive ownership and maintenance of title plant.
032	Jack Munro	Oregon Land Title Association. Testifies in support of SB 436. Explains background of SB 436. Describes how SB 436 would change the existing statute to fit modern practices. Highlights that the industry is moving towards a fifty year standard.
070	Munro	Summarizes that this bill would have a very limited impact.
110	Chair Beyer	Closes public hearing on SB 436 and opens a work session on SB 436.
<u>SB 436 WORK SESSION</u>		
115	Rep. Gardner	MOTION: Moves SB 436 to the floor with a DO PASS recommendation.
120		VOTE: 7-0 AYE: In a roll call vote, all members present vote AYE.
125	Chair Beyer	The motion CARRIES. REP. Gardner will lead discussion on the floor.
131	Chair Beyer	Closes Work Session SB 436 and opens a public hearing on HB 2661.
<u>HB 2661 PUBLIC HEARING</u>		
137	Putman	Presents overview. Summarizes that HB 2661 would authorize the State Board of Architectural Examiners to adopt continuing education (CE) requirements for architects holding certificates of registration. Sets conditions for such CE, and any temporary waivers of CE requirements the board might entertain.

150	Rep. Devlin	Testifies in support of HB 2661. Details that this bill was produced by the architectural board, and that he thinks it is a very positive sign that they believe there is a need for continuing education in their field.
160	Stephen Kafoury	Oregon Council of Architects (part of American Institute of Architects). Supports HB 2661. Introduces Robert Hastings.
170	Robert Hastings	President, Architects Council of Oregon. American Institute of Architects (AIA). Testifies in support of HB 2661. Details what the bill would require. States that this bill would create more stringent requirements than in most states.
190	Kafoury	Remarks that Oregon is a net exporter of architectural planning. Illustrates the benefits of having a strong architectural industry.
200	Kafoury	Elaborates on the willingness of the architects in the state to pay for added training.
218	Putnam	Asks for clarification of new standard. As high as AIA standards.
220	Kafoury	Answers yes.
221	Putnam	Clarifies for committee that this requirement is implied in section 16-21 of HB 2661.
234	Roger Meyer	Chairman, Board of Architect Examiners. Testifies in support of HB 2661. Expresses concerns about lines 16, and 22 of HB 2661. Suggests amendment to alleviate concerns. Presents reasons for suggested changes. Explains he wants a national standard for architects.
280	Meyer	Reiterates this is part of a national change in the way architects maintain their skills.
317	Rep. Morrisette	Asks about changes to line 20.
	Meyer	Responds that AIA would require 8 hrs on life safety. States that the National Council of Architectural Registration Boards would set a standard of 12 hours of education. Restates belief in continuing education.
	Rep. Morrisette	Asks what the state wants in terms of hours as opposed to what the national board wants. Which organization wants to reduce hours.
354	Meyer	Explains that the national board of examiners represents public not the board of architects.

370	Meyer	Goes on to describe the board structure.
375	Chair Beyer	Asks if it is a geographic representation.
380	Meyer	Responds that members are appointed by the governor.
386	Chair Beyer	Asks if they are appointed for a term.
390	Meyer	Responds yes, 4 years terms.
393	Jeanette Bartell	Oregon Board of Architect Examiners. Testifies that state sets standards for education not boards.
423	Bartell	Speaks about fiscal impact.
430	Chair Beyer	Discussion continues about knowledge of HB 2661, and what would be required to implement the bill.
465	Chair Beyer	Asks about the membership of the associations.
475	Kafoury	Responds that about 60% of profession join associations voluntarily.
TAPE 72, A		
018	Hastings	President, Architects Council of Oregon. Speaks for the bill. (EXHIBIT A)
034	Kafoury	Emphasis that a good working relationship exist with examiners board. Feels bill is good as drafted.
046	Hastings	Remarks that other states are looking at changes. Presently a spirit has developed to work with state board.
050	Chair Beyer	Asks if he would be opposed to suggested amendments.
055	Hastings	Feels that the bill is good as it is, but does not oppose the amendments.
060	Chair Beyer	Closes Public Hearing on HB 2661.
063	Chair Beyer	Cannot move HB 2661 with fiscal.

068	Chair Beyer	Opens a public hearing on HB 3333.
<u>HB 3333 PUBLIC HEARING</u>		
075	Putnam	Presents overview. Defines the difference between Interior Designer and interior decorator. Submits that substantial amendments are still needed for the bill to be workable.
098	Larry Harvey	Oregon Coalition of Professional Interior Designers. Testifies in support of HB 3333.
100	Robert Becker	Principal, Robert Becker Interior Design. Testifies in support of HB 3333. Explains how the term "interior designer" has come about. Explains the need for a professional organization. (EXHIBIT B)
140	Becker	Summarizes that this bill would eliminate confusion, and result in safer designs.
172	Rep. Morrisette	Asks about the definition of a "sick building."
175	Becker	Responds with a definition of the term "sick building."
180	Chair Beyer	Asks if interior designers are involved with air circulation system.
185	Becker	Responds that interior designers are not directly involved.
187	Rep. Gardner	Asks about license length, and what is normal education is now.
190	Becker	Responds that his own background is Bachelor of Architecture degreeÖ5 years.
199	Rep. Gardner	Clarifies question. Asks what kind of substantial differences there are presently in current education.
200	Becker	Responds that the major difference is in the depth of understanding.
205	Rep. Gardner	Asks about specific point on Page 3 line 8 in regards to the provision for 6 years of experience.
208	Harvey	Speaks about amendments and how they will change the bill. States that the 6 years of experience is a kind of grandfathering clause.
226	Rep. Lundquist	Asks about the need for bill. Wonders if there is a problem that needs to be fixed.

239	Becker	Yes. Problems surface through inadequate plans during permit process. Speaks about specific issues.
256	Paul Scardina	Part of many interior design organizations. (EXHIBIT C) . Testifies in support of HB 3333. Speaks about issues of competency.
300	Scardina	Illustrates the type of education HB 3333 would require.
345	Scardina	Speaks about benchmarks that HB 3333 would establish.
370	Chair Beyer	Asks for clarification on where the bill establishes criteria.
375	Scardina	Responds that they will use the NCIQ exam.
386	Chair Beyer	Clarifies that it is an actual test.
390	Scardina	Agrees.
400	Harvey	Explains that HB 3333 does not specify an actual exam because. States that under Oregon statute the bill cannot tie local board to a national standard over which board has no control.
408	Sandy Friend	Ashland. Practicing interior designer. Testifies in support of HB 3333. Details the educational requirements in HB 3333. Highlights how the new process of certification would actually work. (EXHIBIT D) .
TAPE 71, B		
037	Rep. Morrisette	Asks if section 9 line 19 regarding renewal of licenses is standard.
040	Friend	Responds that it is Standard to have an initial fee for registering.
047	Rep. Morrisette	Asks for further clarification regarding renewal pay fee or additional exam.
049	Friend	Responds that there would be a fee plus proof of fulfillment of education requirements
050	Putman	Asks if the grandfathering clause is in the amendment.
051	Friend	Responds yes.

053	Atkinson	Asks about what HB 3333 does to people who have been in field for 2-3 years.
063	Friend	Responds that they would have to become qualified. Speculates about scenario to answer question.
078	Atkinson	Refers to furniture stores who provide interior design services. What will happen to a person who has been in business for 15 years.
090	Friend	Answers that under this bill they would be exempt.
093	General Noise	General disagreement among witnesses about this point
098	Harvey	Talks about additional need for work to be done on HB 3333. Address scenario within the context of design. States that there is a need under this scenario for understanding building codes.
118	Chair Beyer	Asks when plans would need to be submitted to county, or city inspectors.
122	Friend	Answers plans only need to be submitted if required for permits. The rest of the time it is up to the interior designers to know the building codes.
130	Harvey	Speaks about broad support of additional associations. Stresses bill is not designed to constraint trade, but for protection of public. Speaks about the oddity that this state has three schools that teach interior design, but no licensing board to regulate them.
180	Chair Beyer	Suggest expanding an existing board to encompass designers.
185	Harvey	Answers that seems unlikely because the architectural board is opposing them. However he goes on to state that it is their intention to self fund the board through fees in order to minimize the finical impact.
190	Wyman Johnson	Retired. Former Director, University of Oregon. Testifies in support of HB 3333. Explains professional background and qualifications to speak about this issue. Reiterates that it is strange that Oregon offers a degree in interior design, and yet no license. Explains that this leads to hiring difficulty.
254	Johnson	Continues testimony. States that the lack of an Oregon licensing has lead to the adoption of national standards. Summarizes that Oregon has a long history of having this degree.
264	Lundquist	Ask if students seek employment out of state because that is only place where they are recognized.

270	Johnson	Responds that it depends on interest of the individual.
299	Lundquist	Clarifies by asking does the lack of a licensing board increase employment opportunity for the students
304	Johnson	States that it does tend to drive them out of state because they are overqualified in this state.
310	Putman	Asks if his information is correct that 33 other states have leg or are contemplating similar legislation.
314	Harvey	Responds that 21 other states currently have enacted similar legislation. States that he will submit a list of other states that have enacted legislation.
380	Jeanette Bartell	Administrator, board of architects. (EXHIBIT E) Testifies in opposition to HB 3333. Details board's concerns of board if interior designers are granted access to licensing process.
420	Bartell	States that those interior designers that have undergone such training should become registered architects. Explains that there is no need to create another board when a comparable board already exists.
432	Rep. Morrisette	Asks if she sees a threat to the professional architects
435	Bartell	Replies that she doesn't see a threat.
460	Diane Majormat	Legislative Representative, Architects Council of Oregon. Gives background of opposition to HB 3333. States that a non-binding accord is already in existence between architects and interior designers. This accord prohibits them the kind of design work that this bill would allow them to do.
TAPE 72, B		
015	Majormat	States that their concern really is focused around the issue of practice registration as opposed to title registration.
020	Robert Hastings	Testifies in opposition to HB 3333. States that he is not against interior designers. He is concerned about the implications of allowing practice registration. Suggests an association along the lines of that which exists between the landscape board and the architectural board.
045	Diane	Defines the advantages of title registration. Compares this to Landscape Architecture. Expresses concerns about elevating profession. Talks about amendments.

081	Rep. Morrisette	Asks if a fiscal impact has been finished.
085	Diane	States that the numbers the committee have come from the costs of administering architectural boards.
089	Putman	Ask about new language proposal. Wonders where they heard about it and where is that in the legislative process.
096	Bartell	Answers that she understands that that is proposed legislation that is likely to pass nationally.
106	Diane	States she will get copy and make available.
121	Eric Blackledge	Blackledge Furniture in Corvallis. Testifies in opposition to HB 3333. Gives professional background. States that this bill would make services currently available in his stores illegal. HB 3333 would be detrimental to consumers. (EXHIBIT H)
189	Blackledge	Continues testimony. Only real function is to restrict services. References the small number of practicing accredited interior designers as evidence of the lack of need for their services. Sees no reason to regulate another aspect of the market.
224	Rep. Lundquist	Asks if there are people in his business who do both interior design and interior decorating.
230	Blackledge	Responds interior design and decorating overlap. States that there is no clear cut way to differentiate between them.
244	Sam Taylor	Associated Designed Consultants. Testifies in support of HB 3333. States Federal government recognizes a difference. Defines the distinction between designer and decorator.
280	Chair Beyer	States that the committee must wait until amendments are ready to take any further action on the bill.
285	Chair Beyer	Closes public hearing on HB 3333 and opens a work session on HB 2057.
<u>HB 2057 WORK SESSION</u>		
295	Chair Beyer	Chair explains legislative history of bill.
302	Putman	States HB 2057 does not need to go to Ways and Means since it is included in Governor's budget.

325	Ken Keudell	Administrator, Contractors board. Gives no testimony.
350	Chair Beyer	Asks for a motion to move bill to Ways and Means.
358	Rep. Gardner	MOTION: Moves HB 2057 to Ways and Means with a DO PASS recommendation.
		VOTE: 7-0
365	Chair Beyer	The motion CARRIES
370	Chair Beyer	Opens work session on HB 2383.
<u>HB 2383 WORK SESSION</u>		
378	Chair Beyer	Comments on what the committee has done with the bill.
390	Rep. Thompson	Remarks that the committee is moving very quickly though the bills.
403	Chair Beyer	Comments on 7 amendments.
410	Rep. Gardner	MOTION: Moves to ADOPT HB 2383 -7 amendments 3/29/99.
414	Chair Beyer	Hearing no objections, declared the motion CARRIED.
415	Rep. Gardner	MOTION: Moves HB 2383 to the floor with a DO PASS AS AMENDED recommendation.
420	Rep. Linquist	Remarks that he is not sure this is a good bill.
423	Rep. Thompson	States that there are flaws in the bill, but that some work can be done on floor. It is the best that has been produced so far.
425	Chair Beyer	Agrees with Thompson that it has some problems that will need to be worked out on the floor.
		VOTE: 7 - 0
430	Chair Beyer	The motion CARRIES.

		REP. WELSH will lead discussion on the floor.
431	Chair Beyer	Closes the work session on HB 2383 and opens a work session on HB 2813.
<u>HB 2813 WORK SESSION</u>		
444	Putman	Speaks about fiscal impact. States that the costs are down about 25% because the amendments require the victims to take certain actions to remove themselves from danger. Continues that the Speakers office has assured him that the bill does not need to go to the committee on ways and means.
358	Rep. Gardner	MOTION: Moves HB 2813 to the floor with a DO PASS AS AMENDED recommendation.
		VOTE: 7-0
TAPE 73, A		
000	Chair Beyer	The motion CARRIES
		REP. Morrisette
030	Chair Beyer	Closes work Session
047	Beyer	Adjourned meeting at 10:20 a.m.

Submitted By, Reviewed By,

FRANCES THOMAS, KEITH PUTMAN,

Administrative Support Administrator

SCOTT D. GRAHAM,

Support Staff

EXHIBIT SUMMARY

A ñ HB 2661, testimony, Bob Hastings, 1 p

B ñ HB 3333, testimony, Robert Becker, 2 pp

C ñ HB 3333, testimony, Paul Scardina, 2 pp

D ñ HB 3333, testimony, Sandy Friend, 2 pp

E ñ HB 3333, testimony, Candace Robertson, 3 pp

F ñ HB 3333, testimony, David F. Costa, 1 p

G ñ HB 3333, testimony, Bob Hastings, 1 p

H ñ HB 3333, testimony, Eric Blackledge, 2 pp