

HOUSE COMMITTEE ON BUSINESS AND CONSUMER AFFAIRS

April 28, 1999 Hearing Room E

8:15 a.m. Tapes 97 - 98

MEMBERS PRESENT: Rep. Roger Beyer, Chair

Rep. Gardner, Vice-Chair

Rep. Tim Knopp

Rep. Terry Thompson

Rep. Atkinson

Rep. Bill Morrisette

Rep. Lynn Lundquist

STAFF PRESENT: Keith Putman, Administrator

Frances Thomas, Administrative Support

MEASURE/ISSUES HEARD: HB 3136 Public Hearing

HB 3059 Public Hearing

HB 3580 Work Session

HB 2608 Work Session

HB 2021 Public Hearing & 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 97, A		

001	Chair Beyer	Calls the meeting to order at 8:15 a.m., and opens a public hearing on HB 3136.
<u>HB 3136 PUBLIC HEARING</u>		
010	Keith Putman	Administrator. Explains that HB 3136 permits medical service providers, who are not members of a Managed Care Organization (MCO), to provide compensable medical treatment to an injured worker by complying with all MCO rules.
020	Jennifer Webber	Oregon Workers Compensation Attorneys. Testifies in support of HB 3136. Explains how HB 3136 would provide additional choices for patients. (EXHIBIT A).
047	Chris Moore	Attorney, Eugene. Testifies in support of HB 3136. Explains need for HB 3136.
089	Rep. Morrisette	Asks if HB 3136 would expand the list of treatable conditions.
097	Webber	States HB 3136 does not expand the list.
108	Rep. Morrisette	Asks how the referral system works.
107	Moore	Explains that the referral system is governed by contract.
130	Chris Davie	SAIF Corporation. Testifies in opposition to HB 3136. (EXHIBIT B). States impact of the bill: - HB 3136 would provide a supply of patients to physicians without joining the MCO. - MCOs could not bar a physician based on prior violations of their rules.
179	Rep. Morrisette	Discusses treatment of a constituent.
190	Davie	Comments about the treatment of Rep. Morrisette's constituent.
197	Chair Beyer	Asks if the sponsors of HB 3136 would like to take this bill to MLAC in order to satisfy Governor's concerns.
218	Chair Beyer	Closes public hearing on HB 3136, and opens a public hearing on HB 3059.
<u>HB 3059 PUBLIC HEARING</u>		
225	Putman	Gives a brief overview of HB 3059.

238	Judy Crockett	Legislative Chairperson, Association of Oregon Recycles. Testifies in support of HB 3059 (EXHIBIT C) .
260	Crockett	States that container manufactures have been unwilling to cooperate.
297	Bob Danko	Dept of Environmental Quality (DEQ). Testifies in support of HB 3059. (EXHIBIT D) . States fiscal impact is minimal.
334	Danko	Addresses confidentially issues.
380	Danko	Explains that survey results were too limited to draw conclusions.
388	Rep. Thompson	Asks about industry's cooperation with the survey.
398	Danko	Responds.
428	Rep. Thompson	Comments on responses to DEQ survey.
436	Rep. Knopp	Asks how the state government is involved in recycling process.
442	Danko	Answers that the government is involved in the administration of the bottle bill.
464	Rep. Knopp	Expresses concerns about how the information from the survey will be used.
TAPE 98, A		
020	Crockett	Explains the information would be used to prevent recyclable material from ending up in trash.
031	Rep. Knopp	Explains he remains unconvinced HB 3059 is necessary. States he has received very little public comment.
044	Chair Beyer	Referring to testimony, asks why doing a study is necessary if they already have the information. (EXHIBIT D)
047	Danko	Responds that they are required by the state to do continuous studies of landfills, but these figures are inconclusive.
050	Rep. Gardner	Clarifies that Danko does studies of samples from landfills.
060	Danko	Explains studies are representative samplings from across the state.

074	Rep. Gardner	Asks how they determine where the containers come from.
076	Danko	Responds that he cannot determine where they originated.
079	Rep. Morrisette	Asks about the of recycling goals set by previous sessions.
083	Crockett	Responds that Oregon has met one set of goals, but is unlikely to meet the second set of goals.
095	Chair Beyer	Questions the data provided from Portland.
100	Danko	Responds that he does not have good information from Portland. States that it is these questions which require a survey. Goes on to note that Portland is not representative of state.
107	Chair Beyer	Discusses areas of state that refund more deposits because they are net importers of bottles and cans.
130	Crockett	Responds that without a survey they do not have accurate information about refunds or deposits.
153	Danko	Addresses questions on the availability of money.
174	Sandra Bishop	Container Recovery Inc. (CRINC). Testifies in opposition to HB 3059. Explains the operation of CRINC.
215	Bishop	Discusses difficulty of administering recycling programs.
230	Bishop	Comments on waste composition studies.
269	Chair Beyer	Asks for CRINC's recycling numbers.
280	Rep. Lundquist	Asks about the number of containers that are only aluminum cans.
282	Bishop	Responds that she does not know how many containers are entirely cans.
290	Chair Beyer	Asks what the figures represent.
292	Bishop	Responds by asking why Rep. Beyer is asking this.
293	Chair Beyer	Addresses question.

294	Rep. Knopp	Asks how the expense of collecting the recyclables is calculated.
307	Rep. Thompson	Asks if some containers have a larger deposit then five cents.
318	Bishop	States that all containers covered by the bottle bill have a five cent return. (EXHIBIT E)
335	Chair Beyer	Comments that the committee is not going to move HB 3059.
339	Chair Beyer	Closes the public hearing on HB 3059, and opens a work session on 3580.
<u>HB 3580 WORK SESSION</u>		
360	Putman	Presents overview of HB 3580. Comments on differences from the original bill.
376	Joe Brewer	Building Codes Division. Testifies as a neutral on HB 3580. Comments on code violations from last year.
399	Staff	(EXHIBIT F) Distributed by staff.
401	Brian Kreig	Plumbers and Mechanical contractors. Testifies in support of HB 3580. Speaks to the ñ1 amendments dated 4/22/99. (EXHIBIT G)
460	Staff	Distributed HB 2021-1 amendments.
467	Rep. Gardner	Asks about the maximum civil penalty for contractors.
477	Chair Beyer	Comments about a possible conceptual amendment that would increase the civil penalty.
480	Rep. Knopp	MOTION: Moves to ADOPT HB 3580-1 amendments dated 4/22/99. And that the measure be FURTHER AMENDED on page 1, line 9, by deleting "\$10,000" and on page 1, line 9, by inserting "\$5000", and on page 1, line 23, by deleting "\$10,000" by inserting "5,000", and on page 2, line 17, by deleting "\$10,000" and inserting "\$5,000."
TAPE 97, B		
		VOTE: 7-0

	Chair Beyer	Hearing no objection, declares the motion CARRIED.
027	Putman	Comments on minimal fiscal impact statement. Explains that he does not believe that the bill will be adversely affected by the conceptual amendment.
036	Rep. Knopp	MOTION: Moves HB 3580 to the floor with a DO PASS AS AMENDED recommendation.
		VOTE: 7-0 AYE: In a roll call vote, all members present vote Aye.
	Chair Beyer	The motion CARRIES. REP. MORRISETTE will lead discussion on the floor.
040	Chair Beyer	Closes work session on HB 3580, and opens a work session on HB 2608.
<u>HB 2608 WORK SESSION</u>		
048	Putman	Updates committee on the last action taken on HB 2608. Explains changes in law on Personal Injury Protection (PIP).
067	Rep. Gardner	MOTION: Moves to ADOPT HB 2608-1 amendments dated 4/22/99.
		VOTE: 7-0
	Chair Beyer	Hearing no objection, declares the motion CARRIED.
o70	Rep. Gardner	MOTION: Moves HB 2608 to the floor with a DO PASS AS AMENDED recommendation.
		VOTE: 7-0 AYE: In a roll call vote, all members present vote Aye.

	Chair Beyer	<p>The motion CARRIES.</p> <p>REP. ATKINSON will lead discussion on the floor.</p>
076	Chair Beyer	Closes work session on HB 2608.
<u>HB 2021 PUBLIC HEARING</u>		
087	Putman	Presents a brief overview of 2021 and -1 amendment. (EXHIBIT H)
107	Nancy Bieber	Workers Compensation Division. Testifies in support of HB 2021 and the ñ1 amendments. (EXHIBIT I)
154	Jim Anderson	Oregon Medical Association (OMA). Testifies in support of HB 2021 and the ñ1 amendments. States that the OMA helped to draft the ñ1 amendments.
		Closes public hearing on HB 2021, and opens work session HB 2021.
<u>HB 2021 WORK SESSION</u>		
182	Rep. Gardner	MOTION: Moves to ADOPT HB 2021-1 amendments dated 4/22/99.
		<p>VOTE: 6-0</p> <p>EXCUSED: 1 - Rep. Thompson</p>
	Chair Beyer	Hearing no objection, declares the motion CARRIED.
190	Rep. Gardner	MOTION: Moves HB 2021 to the floor with a DO PASS AS AMENDED recommendation.
		<p>VOTE: 6-0</p> <p>AYE: In a roll call vote, all members present vote Aye.</p> <p>EXCUSED: 1 - Rep. Thompson</p>
	Chair Beyer	The motion CARRIES.

		REP. MORRISETTE will lead discussion on the floor.
201		Closes the work session on HB 2021, and adjourns the meeting at 9:30 a.m.

Submitted By, Reviewed By,

Frances Thomas, Keith Putman,
Administrative Support Administrator

Transcribed By,

Scott D. Graham,
Support Staff

EXHIBIT SUMMARY

A ñ HB 3136, written testimony, Jennifer Webber, 2 pp

B ñ HB 3136, written testimony, Chris Davie, 1 p

C ñ HB 3059, written testimony, Judy Crockett, 1 p

D ñ HB 3059, written testimony, Bob Danko, 3 pp

E ñ HB 3059, written testimony, Sandra Bishop, 4 pp

F ñ HB 3580, proposed -1 amendments, staff, 2 pp

G ñ HB 3580, testimony, Brian Kreig, 1 p

H ñ HB 2021, proposed ñ1 amendments, staff, 11 pp

I ñ HB 2021, written testimony, Mary Neidig, 2 pp