

HOUSE COMMITTEE ON BUSINESS AND CONSUMER AFFAIRS

April 30, 1999 Hearing Room E

8:15 a.m. Tapes 99 - 100

MEMBERS PRESENT: Rep. Roger Beyer, Chair

Rep. Dan Gardner, Vice-Chair

Rep. Tim Knopp, Vice-Chair

Rep. Jason Atkinson

Rep. Bill Morrisette

Rep. Lynn Lundquist

MEMBER EXCUSED: Rep. Terry Thompson

STAFF PRESENT: Keith Putman, Administrator

Frances Thomas, Administrative Support

MEASURE/ISSUES HEARD: HB 2661 Work Session

HB 2520 Work Session

HB 3434 Work Session

HB 2238 Public Hearing and Work Session

HB 2830 Work Session

HB 3055 Work Session

HB 3288 Work Session

HB 2401 Work Session

HB 2403 Work Session

HB 2332 Work Session

HB 3115 Work Session

TAPE/#	Speaker	Comments
TAPE 99, A		
003	Chair Beyer	Calls the meeting to order at 8:35 a.m., opens a work session on 2661.
<u>HB 2661 WORK SESSION</u>		
012	Keith Putman	Administrator. Reviews HB 2661-1 amendment fiscal impact. (EXHIBIT A)
022	Rep. Gardner	MOTION: Moves to ADOPT HB 2661-1 amendments dated 4/26/99.
		VOTE: 6-0 EXCUSED: 1 - Rep. Thompson
	Chair Beyer	Hearing no objection, declares the motion CARRIED.
026	Rep. Gardner	MOTION: Moves HB 2661 to the floor with a DO PASS AS AMENDED recommendation.
		VOTE: 6-0 AYE: In a roll call vote, all members present vote Aye. EXCUSED: 1 - Rep. Thompson
	Chair Beyer	The motion CARRIES. REP. ATKINSON will lead discussion on the floor.
045	Chair Beyer	Closes work session on HB 2661, and opens a work session on 2520.
<u>HB 2520 WORK SESSION</u>		

050	Putman	Explains n1 amendment. (EXHIBIT B)
060	Tom Holt	Executive Director, Oregon State Pharmacy Association. Speaks in support of HB 2520.
084	Rep. Morrisette	Asks if this would be cheaper for the consumer.
086	Holt	Replies affirmatively.
087	Chair Beyer	Comments.
102	Rep. Lundquist	Asks if the insurance industry has had any part in drafting these amendments.
105	Chair Beyer	States that the insurance industry is not supporting the amendments. Explains that the amendments do not change current practice.
117	Rep. Morrisette	Asks about current practices in regard to length of prescriptions.
119	Holt	Responds that longer prescriptions would still require special permission from a doctor.
130	Rep. Morrisette	Comments.
133	Chair Beyer	Comments on how HB 2520 would affect 90 day prescriptions.
148	Holt	Clarifies that presently insurance companies are not required to cover 90 day prescriptions.
160	Rep. Gardner	Comments.
164	Rep. Knopp	Comments that he will support the bill.
173	Rep. Lundquist	Discusses 90 day grant.
198	Rep. Morrisette	Comments.
201	Chair Beyer	Makes comments about the need for the bill.
218	Rep. Gardner	MOTION: Moves to ADOPT HB 2530-1 amendments dated 4/27/99.

220		VOTE: 6-0
	Chair Beyer	Hearing no objection, declares the motion CARRIED .
223	Rep. Gardner	MOTION: Moves HB 2520 to the floor with a DO PASS AS AMENDED recommendation.
230		VOTE: 6-0 AYE: In a roll call vote, all members present vote Aye. EXCUSED: 1 - Rep. Thompson
	Chair Beyer	The motion CARRIES. REP. MONTGOMERY will lead discussion on the floor.
239	Chair Beyer	Closes work session on HB 2520, and opens a work session on HB 3434.
<u>HB 3434 WORK SESSION</u>		
245	Chair Beyer	Comments on new amendments.
250	Keith Putman	Administrator. States that ñ4 amendments will finish the work that the ñ3 amendments were supposed to do. (EXHIBIT C)
258	Chair Beyer	Comments that the ñ3 and ñ4 amendments do not address all of his concerns.
285	Gary Conkling	Oregon Association of Broadcasters (OAB). Comments on amendments. States that all parties associated with HB 3434 are not satisfied.
314	Chair Beyer	Asks if the OAB would rather work on this during the interim.
320	Conkling	Agrees.
327	Rep. Morrisette	Comments that there is a need for a written record of legal notices.
340	Conkling	States electronic media does keep a written record, but that this record is not

		available to the general public.
367	Rep. Morrisette	States that something written does need to be available.
370	Conkling	Speaks to Morrisette's concerns.
374	Rep. Gardner	Comments on the need for more work during the interim.
382	Chair Beyer	Closes the work session on HB 3434, and opens a public hearing on HB 2238.
<u>HB 2238 PUBLIC HEARING</u>		
410	Kevin Mannix	HD 32. Testifies in support of HB 2238. Discusses §3 and §4 amendments. (EXHIBITS D, & E)
460	Rep. Mannix	Explains how HB 2238 would effect independent contractors.
TAPE 100, A		
022	Rep. Gardner	Asks if §3 would meet federal conformity issues.
030	Rep. Mannix	Affirms that the §3 amendments would meet conformity issues. States Legislative Council has prepared a letter which confirms this. (EXHIBIT F)
040	Nancy Kaib	Pharmacist. Testifies in support of HB 2238. Presents §4 amendments. Testifies in support of §3 amendments. (EXHIBIT G)
90	Kaib	Summarizes by saying that HB 2238 is a fairness bill.
100	Annette Talbott	Legislative Coordinator, Employment Department. Testifies in opposition to HB 2238. Offers to review issues with proponents of HB 2238. Comments on §3 amendment. Comments on §4 amendments.
140	Talbott	Explains that HB 2238 would have a greater impact than is intended.
150	Rep. Lundquist	Asks about amount of Federal tax independent employers would incur.
151	Talbott	Answers now independent employers pay between 1-5.4%. States if they are excluded from Oregon tax then they will have to pay the full 6.2% of Federal tax.

160	Chair Beyer	Asks who would be covered by HB 2238.
170	Donna Hunter	Tax Manager, Employment department. Explains the 4 amendments would only cover temporary agencies.
191	Chair Beyer	Asks what would trigger the IRS requirements.
193	Hunter	Replies she is not sure what would trigger the IRS.
200	Rep. Lundquist	Asks how many would not meet the IRS criteria.
205	Hunter	Replies that most would be considered employees and consequently would not meet the requirements.
230	Chair Beyer	Closes public hearing on HB 2238, and calls a recess.
RECESSES MEETING		
245	Chair Beyer	Reconvenes meeting, opens a work session on HB 2238.
<u>HB 2238 WORK SESSION</u>		
245	Chair Beyer	Reviews each amendment present before committee.
270	Rep. Knopp	MOTION: Moves to ADOPT HB 2238-1 amendments dated 3/11/99.
		VOTE: 6-0 EXCUSED: 1 - Rep. Thompson
		Chair Beyer Hearing no objection, declares the motion CARRIED.
279	Rep. Knopp	MOTION: Moves to ADOPT HB 2238-2 amendments dated 4/20/99.
281		VOTE: 6-0 EXCUSED: 1 - Rep. Thompson

	Chair Beyer	Hearing no objection, declares the motion CARRIED.
281	Rep. Knopp	MOTION: Moves to ADOPT HB 2238-3 amendments.
		<p>VOTE: 4-2</p> <p>AYE: 4 - Atkinson, Knopp, Lundquist, Beyer</p> <p>NAY: 2 - Gardner, Morrisette</p> <p>EXCUSED: 1 ñ Thompson</p>
	Chair Beyer	The motion CARRIES.
305	Rep. Knopp	MOTION: Moves to ADOPT HB 2238-4 amendments dated 4/29/99.
		<p>VOTE: 4-2</p> <p>AYE: 4 - Atkinson, Knopp, Lundquist, Beyer</p> <p>NAY: 2 - Gardner, Morrisette</p> <p>EXCUSED: 1 ñ Thompson</p>
	Chair Beyer	The motion CARRIES.
328	Rep. Gardner	Comments that he will vote no on HB 2238 because of the ñ3 and ñ4 amendments.
335	Rep. Morrisette	States that he will vote against the bill.
347	Chair Beyer	Comments that as the session continues more amendments will arrive at "the last hour."
350	Rep. Knopp	MOTION: Moves HB 2238 to the floor with a DO PASS AS AMENDED recommendation.
		<p>VOTE: 4-2</p> <p>AYE: 4 - Atkinson, Knopp, Lundquist, Beyer</p> <p>NAY: 2 - Gardner, Morrisette</p>

		EXCUSED: 1 ñ Thompson
	Chair Beyer	The motion CARRIES. REP. MANNIX will lead discussion on the floor.
370	Chair Beyer	Closes work session on 2238, and opens a work session on 2830.
<u>HB 2830 WORK SESSION</u>		
371	Chair Beyer	Explains new amendments. States they will be ready at a later date.
360	Rep. Gardner	Comments on concerns. States he will vote against HB 2830.
370	Rep. Morrisette	Comments on concerns. States he will vote against HB 2830.
376	Chair Beyer	Explains that consensus among the parties concerned seems to at hand.
425	Rep. Knopp	MOTION: Moves HB 2830 to the floor WITHOUT RECOMMENDATION as to passage and BE REFERRED to the committee on Rules and Election.
		VOTE: 4-2 AYE: 4 ñ Atkinson, Knopp, Lundquist, Beyer NAY: 2 ñ Gardner, Morrisette EXCUSED: 1 ñ Thompson
	Chair Beyer	The motion CARRIES.
426	Chair Beyer	Closes work session on HB 2830, and opens work session on HB 3055.
<u>HB 3055 WORK SESSION</u>		
428	Chair Beyer	Explains HB 3055 also needs more work. States he would like HB 3055 to go to Rules and Elections.

438	Rep. Knopp	MOTION: Moves HB 3055 to the floor WITHOUT RECOMMENDATION as to passage and BE REFERRED to the committee on Rules and Elections.
		VOTE: 6-0 EXCUSED: 1 - Rep. Thompson
	Chair Beyer	Hearing no objection, declares the motion CARRIED.
442	Chair Beyer	Closes work session on HB 3055, and opens work session on HB 3288.
<u>HB 3288 WORK SESSION</u>		
443	Chair Beyer	Asks Keith Putman if the sponsors of HB 3288 are in agreement.
444	Putman	Explains the interested parties have reached a non-Legislative solution.
465	Chair Beyer	Closes work session on HB 3288, and opens work session on HB 2401.
<u>HB 2401 WORK SESSION</u>		
469	Chair Beyer	States he would like to move HB 2401 and HB 2403 to the Committee on Rules and Election.
492	Rep. Knopp	MOTION: Moves HB 2401 to the floor WITHOUT RECOMMENDATION as to passage and BE REFERRED to the committee on Rules and Elections.
		VOTE: 6-0 EXCUSED: 1 - Rep. Thompson
	Chair Beyer	Hearing no objection, declares the motion CARRIED.
501	Chair Beyer	Closes work session on HB 2401, and opens work session on HB 2403.
<u>HB 2403 WORK SESSION</u>		

504	Chair Beyer	Comments on HB 2403.
506	Rep. Knopp	MOTION: Moves HB 2403 to the floor WITHOUT RECOMMENDATION as to passage and BE REFERRED to the committee on Rules and Elections.
TAPE 99, B		
040		VOTE: 6-0 EXCUSED: 1 - Rep. Thompson
	Chair Beyer	Hearing no objection, declares the motion CARRIED.
048	Chair Beyer	Closes work session on HB 2403, and opens work session on HB 2332.
<u>HB 2332 WORK SESSION</u>		
50	Chair Beyer	Asks if anyone would like to testify on HB 2332. (No one answers.)
58	Rep. Knopp	MOTION: Moves HB 2332 to the floor WITHOUT RECOMMENDATION as to passage and BE REFERRED to the committee on Rules and Elections.
		VOTE: 6-0 EXCUSED: 1 - Rep. Thompson
	Chair Beyer	Hearing no objection, declares the motion CARRIED.
60	Chair Beyer	Closes work session on HB 2332, and opens work session on HB 3115.
<u>HB 3115 WORK SESSION</u>		
62	Chair Beyer	Suggests the bill should be moved to Rules and Elections.
64	Rep. Knopp	MOTION: Moves HB 3115 to the floor WITHOUT RECOMMENDATION as to passage and BE REFERRED to the committee on Rules and Elections.

		VOTE: 6-0 EXCUSED: 1 - Rep. Thompson
	Chair Beyer	Hearing no objection, declares the motion CARRIED.
065	Chair Beyer	Closes work session on HB 3115, and adjourns meeting at 9:50 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 2661, proposed ñ1 amendments, staff, 1 p
B ñ HB 2520, proposed ñ1 amendments, staff, 1 p
C ñ HB 3434, proposed ñ4 amendments, staff, 3 pp
D ñ HB 2238, proposed ñ3 amendments, staff, 2 pp
E ñ HB 2238, proposed ñ4 amendments, staff, 1 p
F ñ HB 2238, letter, Kevin Mannix, 2 pp
G ñ HB 2238, testimony, Nancy Kaib, 2 pp