

HOUSE COMMITTEE ON BUSINESS AND CONSUMER AFFAIRS

May 10, 1999 Hearing Room E

8:15 .m. Tape 107 - 108

MEMBERS PRESENT: Rep. Roger Beyer, Chair

Rep. Tim Knopp, Vice Chair

Rep. Dan Gardner, Vice-Chair

Rep. Lynn Lundquist

Rep. Terry Thompson

Rep. Jason Atkinson

Rep. Bill Morrisette

MEMBER EXCUSED:

STAFF PRESENT: Keith Putman, Administrator

Frances Thomas, Administrative Support

MEASURE/ISSUES HEARD: SB 490A Public Hearing and Work Session

SB 623 Public Hearing and Work Session

SB 359 Public Hearing and Work Session

SB 938 Public Hearing and Work Session

SB 791 Public Hearing and 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 107, A

003	Chair Beyer	Calls the meeting to order at 8:15 a.m.
<u>SB 490A PUBLIC HEARING</u>		
005	Chair Beyer	Opens a Public Hearing on SB 490A.
006	Keith Putman	Committee Administrator. Presents overview of SB 490A. Explains HB 490A excludes non-licensed persons who provide opinions of the value of real estate for tax purposes or who represent taxpayers under ORS 305.230 or 309.100 from requirement to obtain a real estate license.
018	Gary Carlson	Associated Oregon Industries (AOI). Testifies in support of SB 490A. Explains motivation for this proposed legislation.
035	David Canary	Attorney, Garvey, Schubert & Barer, Portland. States his expertise is property tax appeals. Testifies in support of SB 490A (EXHIBIT A). States a statutory conflict exists with out-of-state appraisers who may be involved with a property tax appeal.
079	Rep. Gardner	Asks if other states allow Oregonis licensed appraisers to testify in court cases.
080	Canary	States most other states have a reciprocal appraisal licensing statute.
087	Chair Beyer	Closes the Public Hearing on SB 490A.
<u>SB 490A WORK SESSION</u>		
088	Chair Beyer	Opens a Work Session on SB 490A.
089	Rep. Gardner	MOTION: Moves SB 490A to the floor with a DO PASS recommendation.
096		VOTE: 5-0 AYE: In a roll call vote, all members present vote Aye. EXCUSED: 2 - Lundquist, Thompson
	Chair Beyer	The motion CARRIES.

		REP. MORRISETTE will lead discussion on the floor.
097	Chair Beyer	Closes the Work Session on SB 490A.
<u>SB 623 PUBLIC HEARING</u>		
102	Chair Beyer	Opens a Public Hearing on SB 623.
108	Putman	Presents an overview of SB 623. Explains SB 623 increases the amount a cooperative corporations may pay in redemption or refund of capital credits or retains owned by a deceased person.
122	Gary Bauer	Oregon Telecommunications Association. Testifies in support of SB 623. States SB 623 would increase the capital credit refund a cooperative may pay from \$250 under current statute, to \$2500 (EXHIBIT B).
150	Rep. Atkinson	Asks how much money is involved in a typical retain payment.
160	Bauer	Explains retain payment process for cooperatives.
178	John McCulley	Agriculture Cooperative Council of Oregon. Testifies in support of SB 623. Explains passage of this bill will enable a larger payment to the deceasedis estate.
179	Rep. Lundquist	Comments that the payment of retains and its effects on the operation of cooperatives. Suggest raising payment amount as high as possible.
203	Putman	Explains the Senate committee discussion regarding a maximum payment.
218	Rep. Lundquist	Suggests he has a conflict of interest as a member of a cooperative.
229	Chair Beyer	Asks if a bankruptcy issue of a cooperative effects this retain payment.
231	McCulley	States that retained earnings in a cooperative are at risk if bankruptcy is filed by the cooperative.
240	Chair Beyer	Comments on the level of payments and the stability of some cooperatives.
261	Rep. Gardner	Discusses a conceptual amendment to increase the payment to \$10,000.

270	Rep. Lundquist	Denotes that language in the bill states "may" as an operative word. Comments the figure the committee sets will be a maximum amount not a guaranteed amount.
275	Chair Beyer	Closes the Public Hearing on SB 623.
<u>SB 623 WORK SESSION</u>		
278	Chair Beyer	Opens a Work Session on SB 623.
279	Chair Beyer	Comments on ñ1 amendment dated 5/10/99 with a \$5,000 figure. (EXHIBIT C) . Suggests a conceptual amendment to raise that figure to \$10,000.
300	Rep. Atkinson	Expresses concern about a small cooperative with possible cash flow problem.
314	Rep. Lundquist	Reiterates this figure is not a required amount. States SB 623 would allow this payment and presents the possibility of keeping an estate out of probate.
356	Chair Beyer	MOTION: Moves to SUSPEND the rules for the purpose of conceptually amending SB 623.
		VOTE: 7-0
	Chair Beyer	Hearing no objection, declares the motion CARRIED.
364	Chair Beyer	MOTION: Moves to ADOPT SB 623 the -1 amendment dated 5/10/99 as conceptually amended.
		VOTE: 7-0
	Chair Beyer	Hearing no objection, declares the motion CARRIED.
370	Chair Beyer	Declares suspension of rules has concluded.
375	Rep. Gardner	MOTION: Moves SB 623 to the floor with a DO PASS AS CONCEPTUALLY AMENDED recommendation.
378	Rep. Lundquist	Declares a potential Conflict of Interest. States he has retained earnings in a cooperative.

379	Chair Beyer	Declares a potential Conflict of Interest. States he also has retained earnings in a cooperative.
383		VOTE: 7-0 AYE: In a roll call vote, all members present vote Aye.
	Chair Beyer	The motion CARRIES. REP. LUNDQUIST will lead discussion on the floor.
392	Chair Beyer	Closes the Work Session on SB 623.
<u>SB 359 PUBLIC HEARING</u>		
399	Chair Beyer	Opens a Public Hearing on SB 359.
402	Putman	Presents overview on SB 359. Explains SB 359 repeals the requirement that persons who rent airplanes to others inform the renter whether insurance coverage is provided and the nature of the coverage.
419	Ann Crook	Oregon Department Of Transportation (ODOT) Aeronautics Division. Testifies in support of SB 359 (EXHIBIT D). Explains there is no administrative rule in place to implement current law. States ODOT recommends this obsolete language be deleted from statute.
488	Rep. Gardner	Asks why, rather than repealing the law, not just notify the renter of any existing insurance.
492	Crook	States there is no real simple way of accomplishing that.
502	Rep. Gardner	Continues discussion of a simple solution to the notification process.
TAPE 108, A		
010	Crook	Clarifies by referring to written testimony (EXHIBIT D, page 3).
012	Rep. Morrisette	Asks about commonality of a renter supplying insurance.
024	Crook	States it is common for people who rent aircraft to provide their own insurance.

027	Putman	States he is a licensed pilot with a commercial rating. Comments on insurance for licensed pilots.
041	Rep. Gardner	Asks if those in a flight instruction situation are covered.
044	Crook	States yes.
047	Chair Beyer	Closes the Public Hearing on SB 359.
<u>SB 359 WORK SESSION</u>		
050	Chair Beyer	Opens a Work Session SB 359.
061	Rep. Lundquist	MOTION: Moves SB 359 to the floor with a DO PASS recommendation.
		VOTE: 6-0 AYE: In a roll call vote, all members present vote Aye. EXCUSED: 1 ñ Thompson
	Chair Beyer	The motion CARRIES. REP. GARDNER will lead discussion on the floor.
070	Chair Beyer	Closes the Work Session on SB 359.
<u>SB 938 PUBLIC HEARING</u>		
071	Chair Beyer	Opens a Public Hearing on SB 938.
077	Chair Beyer	Closes the Public Hearing on SB 938.
<u>SB 938 WORK SESSION</u>		
078	Chair Beyer	Opens a Work Session on SB 938.
079	Rep. Gardner	MOTION: Moves SB 938 to the floor with a DO PASS

		recommendation.
082	Chair Beyer	Comments on advice sought from Rep. Hill regarding electronic voting.
		<p>VOTE: 6-0</p> <p>AYE: In a roll call vote, all members present vote Aye.</p> <p>EXCUSED: 1 ñ Thompson</p>
	Chair Beyer	The motion CARRIES.
094	Chair Beyer	Closes the Work Session on SB 938.
<u>SB 791A PUBLIC HEARING</u>		
095	Chair Beyer	Opens Public Hearing on SB 791A.
098	Putman	Presents overview on SB 791A. Explains that SB 791A allows local joint committees of the Apprenticeship and Training Council to select apprenticeship applicants for employment with applicantsí current employers under specified conditions. Distributes the ñ2 amendment, dated 5/10/99 (EXHIBIT E).
107	Shawn Miller	Independent Electrical Contractors and Associated Builders and Contractors. Testifies in support of SB 791 (EXHIBIT F).
129	Miller	Explains apprenticeship selection processes.
180	Miller	Discusses equal employment opportunity issue.
225	Miller	Urges adoption of the ñ2 amendment and passage of SB 791A.
229	Rep. Gardner	Discusses minimum qualifications for the apprenticeship programs.
236	Miller	Responds.
280	Rep. Gardner	Comments on the language of the bill.
302	Burton Weast	Oregon Association of Plumbing, Heating and Cooling Contractors. Testifies in support of SB 791A. States the intent is to retain the ability to pass family businesses on to our sons and daughters.

338	Weast	Addresses the discriminatory issue.
378	Trish Conrad	Oregon Apprenticeship Coalition (OAC). Testifies in support of SB 791A. States this bill received unanimous support in the Senate committee.
400	Conrad	Continues testimony.
454	Conrad	Comments on affirmative action.
500	Conrad	Concludes testimony.
TAPE 107, B		
020	Jack Roberts	Commissioner, Oregon Bureau of Labor and Industries (BOLI) and Chair of the Oregon State Apprenticeship Council. Testifies in opposition to SB 791A. Expresses concerns in the event this bill passes.
070	Roberts	Explains current method of selection.
115	Roberts	Continues testimony. The intent is to have a fair, uniform, non-discriminatory system.
153	Jerry Galarnlau	Training Coordinator for Sheet Metal Apprenticeship. Testifies in opposition to SB 791A.
199	Dick OiConnor	Executive Director, Oregon Building Congress. Testifies in opposition of SB 791A. Explains recruitment for apprenticeship programs.
250	OiConnor	Comments on the ability for minorities to access the apprenticeship programs.
266	Chair Beyer	Closes the Public Hearing on SB 791A.
276	Chair Beyer	Adjourns the meeting at 9:45 a.m.

Submitted By, Reviewed By,

Frances Thomas, Keith Putman,

Administrative Support Administrator

EXHIBIT SUMMARY

A ñ SB 490 A, Written testimony, David Canary, 3 pp

B ñ SB 623, Written testimony, Gary Bauer, 1 p

C ñ SB 623, -1 Amendment, dated 5/10/99, Staff, 1 p

D ñ SB 359, Written testimony, Ann Crook, 4 pp

E ñ SB 791, -1 Amendment, Staff, 1 p

F ñ SB 791, Written testimony, Shawn Miller, 2 pp