

HOUSE COMMITTEE ON BUSINESS AND CONSUMER AFFAIRS

May 7, 1999 Hearing Room E

8:15 a.m. Tapes 105 ñ 106

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. Lynn Lundquist

MEMBER EXCUSED:

STAFF PRESENT: Keith Putman, Administrator

Frances Thomas, Administrative Support

MEASURE/ISSUES HEARD: SB 177A Public Hearing and Work Session

SB 296 Public Hearing and Work Session

SB 378 Public Hearing and Work Session

SB 451A Public Hearing and Work Session

SB 556A Public Hearing and Work Session

SB 562 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 105, A		

001	Chair Beyer	Calls the meeting to order at 8:25 a.m.
<u>SB 215 PUBLIC HEARING</u>		
009	Chair Beyer	Opens a Public Hearing on SB 215.
017	Keith Putman	Committee Administrator. Presents an overview of SB 215.
026	Jim Krueger	Program Manager, Division of Finance and Corporate Securities, Department of Consumer and Business Services. Testifies in support of SB 215 (EXHIBIT A).
064	Jim Markee	Oregon Collectors Association. Testifies in support of SB 215.
078	Chair Beyer	Closes the Public Hearing on SB 215.
<u>SB 215 WORK SESSION</u>		
079	Chair Beyer	Opens a Work Session on SB 215.
080	Rep. Thompson	MOTION: Moves SB 215 to the floor with a DO PASS recommendation.
087		VOTE: 5-0 AYE: In a roll call vote, all members present vote Aye. EXCUSED: 2 - Gardner, Lundquist
	Chair Beyer	The motion CARRIES. REP. THOMPSON will lead discussion on the floor.
089	Chair Beyer	Closes the Work Session on SB 215.
<u>SB 378 PUBLIC HEARING</u>		
090	Chair Beyer	Opens a Public Hearing on SB 378.
097	Putman	Presents an overview of SB 378.

101	Pete Shepherd	Attorney, Financial Fraud/Consumer Protection Section, Department of Justice. Testifies in support of SB 378.
118	Rep. Atkinson	Inquires about why there were so many "no" votes in Senate.
122	Shepherd	Responds. Comments on the objections.
133	Rep. Thompson	Asks how many of these kinds cases would exceed the \$100,000 maximum.
141	Shepherd	Responds.
148	Rep. Thompson	Asks if each party involved will be assessed a maximum of \$500,000.
158	Shepherd	Refers to written testimony page 3 (EXHIBIT B). Cites examples.
163	Rep. Thompson	Discusses adequate amounts to cover the maximum.
193	Rep. Atkinson	Discusses the schedule of penalties. Refers to page 2 EXHIBIT B .
195	Shepherd	Responds.
218	Rep. Atkinson	Asks for direction about the committee action for this bill.
223	Rep. Thompson	Comments on his desire to send it to Judiciary.
227	Rep. Atkinson	Comments on affixing the crime to a person rather than a corporation.
255	Shepherd	Concurs.
265	Rep. Atkinson	Comments.
278	Chair Beyer	Instructs Rep Atkinson to work with sponsors on an amendment to bring before the committee.
297	Chair Beyer	Closes Public Hearing on SB 378.
<u>SB 556 PUBLIC HEARING</u>		
298	Chair Beyer	Opens a Public Hearing on SB 556.

310	Putman	Presents an overview of SB 556.
325	Bruce Poinsette	Past President, Columbia-Willamette Chapter of the American Society of Safety Engineers. Testifies in support of SB 556 (EXHIBIT C).
364	Steve Eversmeyer	Certified Industrial Hygienists. Testifies in support of SB 556.
391	Rep. Morrisette	Asks what has happened to make this legislation necessary.
395	Eversmeyer	Responds.
413	Chair Beyer	Asks what education and experience is required for an Industrial Hygienist.
417	Eversmeyer	Responds with necessary educational requirements and experience combinations, coupled with passing the state board exam.
445	Duane Grange	Vice President, American Society of Safety Engineers, Cascade Chapter. Testifies in support of SB 556 (EXHIBIT D).
483	Grange	Refers to page 3 of written testimony page, EXHIBIT D .
TAPE 106, A		
001	Grange	Continues testimony.
041	Putman	Asks for clarification of educational requirements. Asks how certifications are different from the "Safety Engineer" title.
051	Eversmeyer	Responds.
057	Chair Beyer	Closes the Public Hearing on SB 556.
<u>SB 556 WORK SESSION</u>		
058	Chair Beyer	Opens a Work Session on SB 556.
059	Rep. Morrisette	MOTION: Moves SB 556 to the floor with a DO PASS recommendation.
068		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.
069	Chair Beyer	Closes the Work Session on SB 556.
<u>SB 221 WORK SESSION</u>		
075	Chair Beyer	Opens Work Session on SB 221.
077	Putman	Presents an overview on SB 221.
087	Rep. Gardner	Comments that he will be voting "no" on SB 221. Explains he does not see the need for this legislation.
098	Rep. Knopp	MOTION: Moves SB 221 to the floor with a DO PASS recommendation.
105		VOTE: 5-1 AYE: Atkinson, Beyer, Knopp, Lundquist, Thompson NAY: Gardner EXCUSED: 1 ñ Morrisette
	Chair Beyer	The motion CARRIES. REP. ATKINSON will lead discussion on the floor.
108	Chair Beyer	Closes the Work Session on SB 221.
<u>SB 222A WORK SESSION</u>		
110	Chair Beyer	Opens a Work Session on SB 222A.

112	Putman	Presents an overview of SB 222A. Distributes the ñ2 and ñ3 amendments for Rep. Knopp (EXHIBIT E and F). Explains the amendments.
133	Chair Beyer	Discusses the amendments.
165	Tom Mattis	Deputy Administrator, Workersí Compensation Division. Introduces Carolyn Wynkoop. Testifies in support of SB 222A with the amendments.
187	Carolyn Wynkoop	Chair to the Medical Advisory Committee to the Workersí Compensation Division. Present testimony on behalf of Janet Fabricius, Vice Chair of the Medical Advisory Committee (EXHIBIT G). Testifies in support of SB 222A.
238	Dr. Mark Melgard	Testifies in support of the amendments. States he does not support bill without these amendments. Explains the reasons for his support. States the amendments provide enlargement of services.
293	Chair Beyer	Asks if this bill has been reviewed by the Management Labor Advisory Committee (M-LAC). Requests representatives come forward to answer questions.
312	Steve Talford	M-LAC member. Responds that the committee did review this bill. Comments on flexibility.
330	Chair Beyer	Asks for comments on amendments.
333	Talford	States that neither amendment is necessary. States M-LAC supports the bill as is.
338	Bob Shiprack	Oregon Building Trades, M-LAC member. Comments it is necessary for the medical profession to have a voice in the workersí compensation issues.
346	Rep. Thompson	Comments on concerns for a broad base for input.
356	Talford	Responds. Feels the specialties will be represented.
369	Chair Beyer	Comments on both amendments.
390	Lisa Trussell	Associated Oregon Industries, M-LAC member. Comments on concerns.
415	Rep. Knopp	Comments on flexibility.
440	Chair Beyer	Calls a recess.

454	Chair Beyer	Reconvenes the meeting.
455	Rep. Knopp	MOTION: Moves to ADOPT SB 222A-2 amendments dated 5/6/99.
461		VOTE: 7-0
	Chair Beyer	Hearing no objection, declares the motion CARRIED.
462	Rep. Knopp	MOTION: Moves to ADOPT SB 222A-3 amendments dated 5/6/99.
470	Thompson	Comments on flexibility with direction.
475	Chair Beyer	Objects to the ñ3 amendment.
489		VOTE: 6-1 AYE: 6 - Atkinson, Gardner, Knopp, Lundquist, Morrisette, Thompson NAY: 1 ñ Beyer
	Chair Beyer	The motion Carries.
491	Rep. Knopp	MOTION: Moves SB 222A to the floor with a DO PASS AS AMENDED recommendation.
503		VOTE: 7-0 AYE: In a roll call vote, all members present vote Aye.
	Chair	The motion CARRIES. REP. KNOPP will lead discussion on the floor.
TAPE 105, B		

021	Chair Beyer	Closes the Work Session on SB 222A.
022	Rep. Thompson	Comments on hopes for this legislation.
026	Chair Beyer	Adjourns the meeting at 9:25 a.m.

Submitted By, Reviewed By,

FRANCES THOMAS, KEITH PUTMAN,
Administrative Support Administrator

EXHIBIT SUMMARY

- A ñ SB 215, Written testimony, James Krueger, 3 pp**
- B ñ SB 378, Written testimony, Pete Shepherd, 3 pp**
- C ñ SB 556, Written testimony, Bruce Poinsette, 2 pp**
- D ñ SB 556, Written testimony, Duane Grange, 2 pp**
- E ñ SB 222A,-2 Amendment, dated 5/6/99, Rep. Tim Knopp, 1 p**
- F ñ SB 222A, -3 Amendment, dated 5/6/99, Rep. Tim Knopp, 1 p**
- G ñ SB 222A, Janet Fabricius written testimony, Carolyn Wynkoop 1 p**