

HOUSE COMMITTEE ON COMMERCE

April 2, 1999 Hearing Room 350

3:00 p.m. Tape 32 - 33

MEMBERS PRESENT: Rep. Jim Hill, Chair

Rep. Jerry Krummel

Rep. Bob Montgomery

Rep. Mark Simmons

Rep. Bill Witt

MEMBERS EXCUSED: Rep. Ryan Deckert, Vice Chair

Rep. Al King

Rep. Anitra Rasmussen

Rep. Diane Rosenbaum

STAFF PRESENT: Jason Cody, Administrator

Nancy Geisler, Administrative Support

MEASURE/ISSUES HEARD: Y2K Update Public Hearing

HB 3025 Public Hearing

HB 2005 Work Session

HB 2819 Work Session

HB 2821 Work Session

HB 2822 Work Session

HB 2823 Work Session

HB 2669 Work Session

HB 2586 Work Session

HB 2588 Work Session

HB 2665 Work Session

SB 218A Work Session**HB 3025 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 33, A		
004	Chair Hill	Opens meeting at 1:02 p.m. and opens public hearing on Y2K Update.
<u>Y2K UPDATE - PUBLIC HEARING</u>		
006	Chair Hill	Explains that the Department of Corrections (DOC) has come back to committee because they were showing red regarding inmate sentencing calculations.
014	Barbara Jensen	Manager, Statewide Year 2000 Project Office. Notes they are at the meeting to provide information concerning the State of Oregon Year 2000 (Y2K) status. Adds the DOC has made changes and progress in their Y2K project.
023	Glenn Riley	Assistant Director and Chief Information Officer, Oregon DOC. Introduces himself and presents (EXHIBIT A).
025	Chair Hill	Asks when the DOC will have an approved plan to take their system from red to yellow.
028	Riley	Answers they have already moved from red to green.
030	Chair Hill	Clarifies they are now green.
032	Riley	Answers yes.
033	Chair Hill	Reiterates they are signed off, certified green.
035	Jensen	Responds the DOC is almost certified green.
040	Riley	Comments that, in the previous committee meeting, they provided inadequate documentation regarding the status of the project.
(NOTE: There is a gap in the tape here).		

047	Chair Hill	Notes the committee has written testimony from the DOC, and the only facility left at red is the Department of Administration (DAS). States the committee will assist with agencies which are not forthcoming concerning their status.
049	Chair Hill	Closes the public hearing on the Y2K Update. Opens public hearing on HB 3025.
<u>HB 3025 ñ PUBLIC HEARING</u>		
052	Jason Cody	Administrator. Explains HB 3025.
070	Tom Wrosch	Notary Public Supervisor, Secretary of State. Presents testimony in support of HB 3025 (EXHIBIT B). Introduces the ñ1 amendments to HB 3025 (EXHIBIT C).
079	Eugene Organ	Executive Director, Oregon Disabilities Commission (ODC). Presents testimony in support of HB 3025 (EXHIBIT D). Explains that he also supports (EXHIBIT C). Indicates the ODC wants people with disabilities to be able to use signatures stamps before notary publics.
097	Chair Hill	Notes they need copies of (EXHIBIT C) and will return to work session on HB 3025 when those are available. Closes public hearing on HB 3025 and opens work session on HB 2005.
<u>HB 2005 ñ WORK SESSION</u>		
100	Rep. Krummel	States the committee does not have the amendments to HB 2005.
104	Cody	Explains the amendments have already been adopted.
106	Chair Hill	Announces the other subcommittee has not seen the amendments yet.
100	Cody	Summarizes the ñ2 amendments (EXHIBIT E) to HB 2005.
110	Chair Hill	Inquires if the subcommittee recommended that the subsequent referral be rescinded.
124	Rep. Krummel	Answers yes, and that HB 2005 should be moved to floor.
126	Chair Hill	Asks if Rep. Krummel discussed this with the Speaker.
128	Rep. Krummel	Replies he did not, but did discuss it with her staff and Mr. Harvey.

132	Chair Hill	States he does not want to move a bill to the floor and then discover there are problems with it.
135	Rep. Krummel	Explains the amendments made in HB 2005 removed the fiscal impact.

136 Chair Hill Reports the amendments did not remove the fiscal impact from HB 2005. Suggests sending HB 2005 to Ways and Means.

146 Rep. Witt Inquires if the Cultural Joint Interim Task Force (hereinafter "the Task Force") and legislation enacting it is repealed effective 1/1/2002 according to HB 2005.

149 Chair Hill Answers yes.

154 Rep. Krummel Asks where Rep. Witt saw this.

146 Rep. Witt Replies he saw this in Section 2 of HB 2005.

148 Rep. Krummel Verifies that the legislation will be repealed in 2002.

150 Rep. Krummel MOTION: Moves HB 2005 to the floor with a DO PASS AS AMENDED recommendation and BE REFERRED to the committee on Ways and Means by prior reference.

154 Rep. Montgomery Notes he will vote yes on HB 2005 with the understanding that no full time employee (FTE) will be added.

156 Rep. Witt Comments the Fiscal Analysis shows there is one and a quarter FTE needed to run the program.

170 Chair Hill States the Fiscal Analysis notes just one FTE.

172 Rep. Montgomery Announces he will defer to the Chairman because he was told something different concerning FTE.

177 Rep. Krummel Announces he understood the amendments to HB 2005 removed the FTE and the fiscal impact.

180 Rep. Simmons Inquires if this is in regard to the original Fiscal Analysis.

182 Chair Hill Notes it is in **(EXHIBIT E)**.

190	Larry Harvey	Lobbyist. Explains the Governor's budget allocation regarding the Task Force. Notes that the Oregon Arts Commission budgeted for a temporary employee if no other staff were available. Comments they added language in the bill which authorizes contracting to temporarily staff the Task Force. Reiterates that the Economic Development Department (EDD) will ultimately determine whether there is an FTE.
218	Chair Hill	Asks if there is an increase in FTEs.
221	Harvey	Answers there is the potential for an increase in FTEs.
225	Rep. Montgomery	Suggests sending HB 2005 to the committee on Ways and Means with the understanding that the committee on Commerce does not support the FTE.
229	Rep. Witt	States it will take some employee time to do the work required in HB 2005, and this requires either utilizing a current employee or hiring another employee. Adds employee time is inherent in HB 2005.
235	Chair Hill	Remarks that HB 2005 would not necessarily require a new employee, but could utilize an existing employee. Adds he believes Rep. Montgomery's concern is about a new employee rather than an employee's time.
242	Harvey	Comments there is a budget appropriation to accommodate this policy if it is passed.
246	Chair Hill	Announces the duties and responsibilities of the Task Force show one FTE. Adds this issue will be addressed by the committee on Ways and Means.
250	Rep. Montgomery	Notes HB 2005 can be voted on when it gets to the floor.
258	Rep. Witt	Asks if HB 2005 implies there is one member on the Task Force from each of seven areas of interest listed.
264	Rep. Krummel	Answers yes. States there will be a member from each of those seven areas and two people at-large, since the Task Force has nine members.
271	Rep. Witt	States that since the Governor will appoint seven members, the language should be clear that he will appoint one from each separate area of interest.
284	Rep. Krummel	Clarifies HB 2005 specifically provides that all seven areas will be represented.
292	Rep. Witt	Comments the language is vague.

294 **VOTE: 5-0**

AYE: In a roll call vote, all members present vote Aye.

EXCUSED: 4 - Deckert, King, Rasmussen, Rosenbaum

296 Chair Hill The motion CARRIES.

REP. ROSENBAUM will lead discussion on the floor.

300 Chair Hill Closes work session on HB 2005 and opens work session on HB 2819

HB 2819 ñ WORK SESSION

302 Rep. Witt Explains HB 2819.

**304 Rep. Witt MOTION: Moves HB 2819 to the floor with a DO
PASS AS AMENDED recommendation.**

307 Rep. Krummel Asks if the implication of HB 2819 is that the Board of Boiler Rules does not
have the power to revoke a license.

309 Rep. Witt Replies the Board did not think their power was clear in statute. Addresses the ñ1
amendments (**EXHIBIT F**). The Board wants to be able to immediately suspend
or revoke a license when the bearer poses a danger to the public, pending a
hearing within 45 days of suspension.

311 VOTE: 5-0

AYE: In a roll call vote, all members present vote Aye.

EXCUSED: 4 - Deckert, King, Rasmussen, Rosenbaum

313 Chair Hill The motion CARRIES.

REP. WITT will lead discussion on the floor.

314 Chair Hill Closes work session on HB 2819 and opens work session on HB 2821.

HB 2821 ñ WORK SESSION

316 Rep. Witt Explains HB 2821.

320 Rep. Witt MOTION: Moves HB 2821 to the floor with a DO PASS

recommendation.

VOTE: 5-0

AYE: In a roll call vote, all members present vote Aye.

EXCUSED: 4 - Deckert, King, Rasmussen, Rosenbaum

326 Chair Hill The motion CARRIES.

REP. RASMUSSEN will lead discussion on the floor.

330 Chair Hill Closes work session on HB 2821 and opens work session on HB 2822.

HB 2822 ñ WORK SESSION

335 Rep. Witt Explains HB 2822.

340 Rep. Witt MOTION: Moves HB 2822 to the floor with a DO PASS recommendation.

344 Rep. Krummel Inquires what type of regulation of water heaters is addressed in HB 2822.

348 Cody States he believes it is the installation of automatic utility hot water heaters.

352 Rep. Krummel Clarifies that duplicative language regarding installation of water heaters will make the installation more consistent.

358 Cody Answers the language is simply duplicative.

360 Chair Hill Reiterates HB 2822 does not effect the state of regulation; it just cleans up the statutes.

362 VOTE: 5-0

AYE: In a roll call vote, all members present vote Aye.

EXCUSED: 4 ñ Deckert, King, Rasmussen, Rosenbaum

366 Chair Hill The motion CARRIES.

REP. RASMUSSEN will lead discussion on the floor.

376 Chair Hill Closes work session on HB 2822 and opens work session on HB 2823.

TAPE 33, A

HB 2823 ñ WORK SESSION

005 Rep. Witt Explains HB 2823.

007 Rep. Witt **MOTION: Moves HB 2823 to the floor with a DO PASS recommendation.**

VOTE: 5-0

AYE: In a roll call vote, all members present vote Aye.

EXCUSED: 4 ñ Deckert, King, Rasmussen, Rosenbaum

011 Chair Hill **The motion CARRIES.**

REP. WITT will lead discussion on the floor.

013 Chair Hill Closes work session on HB 2823 and opens work session on HB 2669.

HB 2669 - WORK SESSION

015 Rep. Krummel Explains HB 2669.

092 Rep. Witt Explains he has ñ1 amendments that do not seem to belong to HB 2669.

097 Cody Explains that the ñ1 amendments **(EXHIBIT G)** make it an unlawful trade practice if a person ignored the tenets of HB 2669.

100 Rep. Witt Clarifies this pertains to a person going outside the language of HB 2669.

102 Cody Answers yes, it becomes an unlawful practice whereby the Department of Justice would be involved.

104 Chair Hill Suggests this comes under the consumer protection statutes.

106 Rep. Krummel MOTION: Moves HB 2669 to the floor with a DO PASS AS AMENDED recommendation.

VOTE: 5-0

AYE: In a roll call vote, all members present vote Aye.

EXCUSED: 4 - Deckert, King, Rasmussen, Rosenbaum

110 Chair Hill The motion CARRIES.

REP. DECKERT will lead discussion on the floor.

118 Chair Hill Closes work session on HB 2669 and opens work session on HB 2586.

HB 2586 - WORK SESSION

120 Rep. Krummel Explains HB 2586.

130 Rep. Krummel MOTION: Moves HB 2586 to the floor with a DO PASS recommendation.

VOTE: 5-0

AYE: In a roll call vote, all members present vote Aye.

EXCUSED: 4 - Deckert, King, Rasmussen, Rosenbaum

134 Chair Hill The motion CARRIES.

REP. DECKERT will lead discussion on the floor.

138 Chair Hill Closes work session on HB 2586 and opens work session on HB 2588.

HB 2588 - WORK SESSION

145 Rep. Witt Explains HB 2588 and 2 amendments (EXHIBIT H).

165 Rep. Witt MOTION: Moves HB 2588 to the floor with a DO PASS AS AMENDED recommendation.

VOTE: 5-0

AYE: In a roll call vote, all members present vote Aye.

EXCUSED: 4 - Deckert, King, Rasmussen, Rosenbaum

168 Chair Hill The motion CARRIES.

REP. KING will lead discussion on the floor.

176 Chair Hill Closes work session on HB 2588 and opens work session on HB 2665.

HB 2665 - WORK SESSION

178 Rep. Witt Explains HB 2665 and ñ1 amendments (**EXHIBIT I**).

180 Rep. Witt MOTION: Moves HB 2665 to the floor with a DO PASS AS AMENDED recommendation.

184 Rep. Montgomery Asks if HB 2665 requires every home built to have two telephone lines coming into it.

192 Chair Hill Answers no. Explains that the facilities will be built in a manner which supports advanced technology.

200 Rep. Montgomery Clarifies that it is already possible to install two telephone lines in homes, but HB 2665 will enact a law which will enable us to actually do it now.

202 Chair Hill Answers that HB 2665 will enact a law which will require that the technology be reviewed when recommendations are made for the Building Code.

207 Rep. Witt Points out that HB 2665 requires the Director of the Department of Consumer and Business Services to review the installations, but does not mandate anything for homeowners or the construction industry.

VOTE: 5-0

AYE: In a roll call vote, all members present vote Aye.

EXCUSED: 4 - Deckert, King, Rasmussen, Rosenbaum

219 Chair Hill The Motion CARRIES.

REP. RASMUSSEN will lead discussion on the floor.

220 Chair Hill Closes work session on HB 2665 and opens work session on SB 218A.

SB 218A - WORK SESSION

224 Rep. Witt Explains SB 218A. Comments that Rep. Vicki Walker has a bill relative to student travel, and some of the provisions of her house bill have been incorporated into SB 218A as the ñ5 amendments **(EXHIBIT J)**.

230 Rep. Witt **MOTION: Moves SB 218A to the floor with a DO PASS AS AMENDED recommendation.**

240 Rep. Krummel Asks if SB 218A, as amended, would be an unfunded mandate to the school districts.

253 Rep. Witt Answers no.

256 Chair Hill Draws Rep. Krummel's attention to the Fiscal Analysis regarding Ballot Measure 30.

260 Rep. Krummel Clarifies he wants to ensure that the school boards not think this is an unfunded mandate.

270 **VOTE: 5-0**

AYE: In a roll call vote, all members present vote Aye.

EXCUSED: 4 - Deckert, King, Rasmussen, Rosenbaum

274 Chair Hill **The motion CARRIES.**

REP. WALKER will lead discussion on the floor.

282 Chair Hill Closes work session on SB 218A and opens work session on HB 3025.

HB 3025 - WORK SESSION

290 Rep. Montgomery **MOTION: Moves to ADOPT HB 3025-1 amendments dated 03/17/99.**

294	Rep. Krummel	Asks what is the difference between the ñl amendments (EXHIBIT K) and HB 3025.
297	Wrosch	Explains they are adding language to direct the notary to ensure they witness a signature when it is stamped. Notes they are also adding language to state the signature was stamped by impression. Explains this language ensures that there was no fraudulent use of the signature stamp.
313	Chair Hill	Clarifies that (EXHIBIT K) ensures that the notary has to see the person sign the document.
317	Wrosch	Answers that is correct.
319		<p>VOTE: 5-0</p> <p>EXCUSED: 4 - Deckert, King, Rasmussen, Rosenbaum</p>
322	Chair Hill	Hearing no objection, declares the motion CARRIED.
324	Rep. Krummel	<p>MOTION: Moves HB 3025 to the floor with a DO PASS AS AMENDED recommendation and BE REFERRED to the committee on .</p> <p>VOTE: 5-0</p> <p>AYE: In a roll call vote, all members present vote Aye.</p> <p>EXCUSED: 4 - Deckert, King, Rasmussen, Rosenbaum</p>
326	Chair Hill	<p>The motion CARRIES.</p> <p>REP. DEVLIN will lead discussion on the floor.</p>
328	Chair Hill	Closes work session on HB 3025 and adjourns meeting at 1:55 p.m.

Submitted By, Reviewed By,

Nancy Geisler, Jason Cody,

EXHIBIT SUMMARY

A ñ Y2K Update, written testimony, Glenn Riley, 4 pp

B ñ HB 3025, written testimony, Tom Wrosch, 1 p

C ñ HB 3025, proposed ñ1 amendments, Tom Wrosch, 1 p

D ñ HB 3025, written testimony, Eugene Organ, 1 p

E ñ HB 2005, proposed ñ2 amendments, staff, 1 p

F ñ HB 2819, proposed ñ1 amendments, staff, 1 p

G ñ HB 2669, proposed ñ1 amendments, staff, 4 pp

H ñ HB 2588, proposed ñ2 amendments, staff, 2 pp

I ñ HB 2665, proposed ñ1 amendments, staff, 2 pp

J ñ SB 218A, proposed ñ5 amendments, staff, 2 pp

K ñ HB 3025, proposed ñ1 amendments, Tom Wrosch, 1 p