

SENATE COMMITTEE ON BUSINESS & CONSUMER AFFAIRS

April 7, 1999 Hearing Room C

1:00 PM Tapes 77 - 78

MEMBERS PRESENT: Sen. David Nelson, Chair

Sen. Lee Beyer, Vice-Chair

Sen. Rick Metsger

Sen. Randy Miller

Sen. Charles Starr

MEMBER EXCUSED:

STAFF PRESENT: Y. Sherry Sheng, Administrator

Nancy Masee, Administrative Support

MEASURE/ISSUES HEARD:

SB 15 Work Session

SB 577 Public Hearing and Work Session

HB 2086 Public Hearing and Work Session

SB 931 Public Hearing and Work Session

SB 622 Public Hearing and Work Session

SB 623 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 77, A

003	Chair Nelson	Opens meeting at 1:09 PM. Opens work session on SB 15.
<u>SB 15 WORK SESSION</u>		
006	Chair Nelson	SB 15 excludes ear piercing from the definition of body piercing. The interested parties have negotiated, and it has been decided ear piercing is defined as puncturing of the ear lobe, excluding that part of the ear which has cartilage.
012	Sherry Sheng	Committee Administrator. Describes the effect of the ñ1 amendments which will separate ear piercing into a category with less regulation and smaller fees than for body piercing. Presents (EXHIBIT A).
034	Chair Nelson	MOTION: Moves to ADOPT SB 15-1 amendments dated 4/6/99.
035		VOTE: 4-0 EXCUSED: 1 ñ Beyer
036	Chair Nelson	Hearing no objection, declares the motion CARRIED.
037	Sen. Nelson	MOTION: Moves SB 15 to the floor with a DO PASS AS AMENDED recommendation.
038		VOTE: 4-0 EXCUSED: 1 ñ Beyer
	Chair Nelson	Hearing no objection, declares the motion CARRIED. Sen. NELSON will lead discussion on the floor.
036	Chair Nelson	Closes work session on SB 15. Opens public hearing on SB 577.
<u>SB 577 PUBLIC HEARING</u>		
060	Don Miner	Representing Oregon Manufactured Housing Association (OMHA). Explains SB

		577 establishes an account in the Department of Consumer and Business Affairs (DCBA) which allows DCBS to expend these monies for training purposes for the manufactured housing industry. The industry is so large that it has been difficult to find enough personnel to supply the industry. Supports SB 577. Presents (EXHIBIT B) .
103	Joe Brewer	Administrator, Building Codes Division (BCD). Supports SB 577. Says the bill will streamline the process. Presents (EXHIBIT C) .
121	Sheng	Refers to SB 287 which addresses a surcharge increase. Refers to the ñ1 amendments
151	Chair Nelson	Asks about the competitive bidding process.
153	Brewer	Responds that BCD will continue to work through the same established providers.
157	Sen. Miller	Asks why they need to go through OEDD and DCBS.
168	Miner	Answers that this provides training for those who build and install the homes and also trains local inspectors and building officials. Says the goal is to have an efficient training system.
173	Sen. Miller	Asks if trainees cannot be trained through private providers.
189	Miner	Says this bill provides an efficient way to develop and provide training. It enables the state to work with the entire district and collects monies to ensure the expenditures on education.
198	Brewer	Says the statewide perspective can be focused in the training. BCD believes that a higher grade product is the result of training and inspecting by the state.
220	Miner	Says there was no appropriate training to be found anywhere in the United States.
222	Chair Nelson	Closes work session on SB 15. Opens work session on SB 577.
<u>SB 577 WORK SESSION</u>		
236	Sheng	Explains the ñ1 amendments.
290	Sen. Beyer	MOTION: Moves to ADOPT SB 577-1 amendments dated 4/6/99.

		VOTE: 5-0
291	Chair Nelson	Hearing no objection, declares the motion CARRIED.
292	Sen. Beyer	MOTION: Moves SB 577 to the floor with a DO PASS AS AMENDED recommendation.
293		VOTE: 5-0
294	Chair Nelson	Hearing no objection, declares the motion CARRIED. SEN. BEYER will lead discussion on the floor.
295	Chair Nelson	Closes work session on SB 577. Opens public hearing on HB 2086.
<u>HB 2086 PUBLIC HEARING</u>		
315	David Sheelar	Oregon Housing and Community Services, Manufactured Park Ombudsman. Explains HB 2086 which allows a complaining tenant to consent orally to Housing and Community Services Department disclosure of tenants identity. Explains an oral consent waiver which will expire November, 1999. Explains emergency situations of tenants which can be lengthy and cumbersome if written means are needed.
379	Sheelar	Explains prior waiver practice. Program is to assist landlords and tenants. Oral waiver provisions only affect those tenants that own their structures.
404	John Brenneman	Manufactured Housing Communities of Oregon. Supports HB 2086. Says it is a good program that will assist solving disputes.
414	Shawn Miller	Oregon Rental Housing Association. Agrees with Brenneman and Sheelar. Supports HB 2086.
442	Chair Nelson	Asks if they reported there were 33 complaints.
437	Sheelar	Answers, yes over two years these were complaints received in emergency situations.
445	Chair Nelson	Confirms there are 63,000 spaces. Asks for questions.

448	Frank Burleson	Residents Coalition. Supports HB 2086. Says this is needed to aid the ombudsman. His group urges passing the bill.
483	Patricia Schwoch	Manufactured Homeowners of Oregon. Supports HB 2086. Gives explanation of how this bill will help people in emergencies. Explains how residents often wait until the last minute to seek help. Presents (EXHIBIT D).
496	Chair Nelson	Asks the purpose of the sunset.
TAPE 78, A		
040	Burleson	Says there might have been a fear of abuse of the privilege which has not been borne out.
040	Chair Nelson	Asks for comments.
050	Sheelar	Says oral consent may not have been recorded, however, there now is a procedure to follow with no complaints.
051	Chair Nelson	Closes public hearing on HB 2086. Opens work session on HB 2086.
<u>HB 2086 WORK SESSION</u>		
055	Chair Nelson	MOTION: Moves HB 2086 to the floor with a DO PASS recommendation.
		VOTE: 5-0
056	Chair Nelson	Hearing no objection, declares the motion CARRIED. SEN. METSGER will lead discussion on the floor.
057	Chair Nelson	Closes work session on HB 2086. Opens public hearing on SB 931.
<u>SB 931 PUBLIC HEARING</u>		
074	Brian Boe	Representing Portland General Electric (PGE). Says PGE is not aware of opposition to SB 931. This is a housekeeping bill and it increases from \$10,000 to \$100,000 the value of property public utility or telecommunications utility

		may sell or otherwise transfer without obtaining prior approval of Public Utility Commission. Presents (EXHIBIT E.)
090	Roger Hamilton	Public Utility Commissioner (PUC). Supports SB 931. Says PUC has worked with PGE in drafting this bill. Presents (EXHIBIT F.)
121	Chair Nelson	Closes public hearing on SB 931. Opens work session on SB 931.
<u>SB 931 WORK SESSION</u>		
123	Sen. Miller	Moves to change the \$100,000 to \$250,000 in the bill.
124	Chair Nelson	Asks for discussion.
125	Sen. Miller	Says that would allow US West to divest more quickly before PUC throws them out of Oregon, according to the <i>Wall Street Journal</i> .
136	Hamilton	Says the commission will need to look at that figure.
142	Boe	Agrees PGE and PUC would need to agree on that.
146	Chair Nelson	Asks for comments.
149	Sen. Starr	Asks to hear from PUC on that proposal.
156	Sen. Beyer	Asks why the amendment has been made.
158	Sen. Miller	Explains that PUC is reluctant to yield any power they have. Feels PUC should exercise less power.
166	Sen. Beyer	Asks if \$250,000 is more significant than \$100,000.
173	Sen. Miller	Says PUC has too much control at the present.
174	Chair Nelson	Asks the committee to consider Sen. Miller's amendment. Says SB 931 will come back another day. Closes work session on SB 931. Opens public hearing on SB 622.
<u>SB 622 PUBLIC HEARING</u>		
200	Gary Bauer	Oregon Telecommunications Association. Explains that SB 622 designates

		cooperative corporations that provide telecommunications services with same status as telecommunications utilities for specified statutes. Explains that cooperatives have been treated as utilities for years. However, under PUC statutes a cooperative is not considered a utility and is treated differently. Presents (EXHIBIT G) .
263	Sen. Beyer	Asks if this language conforms with the federal language. Asks if anything precludes electric cooperatives from getting into telecommunications.
270	Bauer	Answers there is nothing to preclude anyone from getting into telecommunications. If they were a cooperative in the telecommunications business, they would be included under this bill.
300	Sen. Beyer	Some of the electrical cooperatives are undecided in the business.
306	Bauer	Responds that it is for clarity of statutes.
318	Chair Nelson	Comments utilities, providers, carriers, and cooperatives are mentioned. Asks if there are other terms for these groups in statutes.
327	Bauer	States "carriers" is not used in the other statutes at this point.
333	Chair Nelson	Asks if there have been any specific incidents to cause this.
340	Bauer	Says they look forward to seeing that the laws apply to the cooperatives.
334	Sen. Miller	Asks what "mitigating nematodes" means in the bill on page 26.
356	Sen. Starr	Says they are a parasite.
364	Chair Nelson	Closes public hearing and opens work session on SB 622.
<u>SB 622 WORK SESSION</u>		
381	Chair Nelson	MOTION: Moves SB 622 to the floor with a DO PASS recommendation.
382		VOTE: 5-0
383	Chair Nelson	Hearing no objection, declares the motion CARRIED.

		SEN. NELSON will lead discussion on the floor.
384	Chair Nelson	Closes public hearing on SB 622. Opens public hearing on SB 623.
<u>SB 623 PUBLIC HEARING</u>		
TAPE 77, B		
011	Gary Bauer	Explains SB 623 increases the amount a cooperative corporation may pay in redemption or refund of capital credits. This is typical in other cooperatives. Presents (EXHIBIT H) .
021	John McCulley	Agricultural Cooperative Council. Supports SB 623. Agricultural Cooperative Council, representing farmer-owned cooperatives, supports SB 623.
028	Sen. Miller	Asks why the \$2,500 figure is used.
044	Bauer	Says the board just picked a number that would satisfy the parties involved.
055	Sen. Metsger	Asks if an aggregate amount would trigger probate.
057	McCulley	Responds that could be true.
060	Sen. Starr	Says a farmer might belong to several cooperatives.
074	Chair Nelson	Suggests moving the bill forward. Says it can be looked at it in the House. Closes public hearing on SB 623. Opens work session on SB 623.
<u>SB 623 WORK SESSION</u>		
075	Chair Nelson	MOTION: Moves SB 623 to the floor with a DO PASS recommendation.
076		VOTE: 4-0 EXCUSED: 1 ñ Miller
077	Chair Nelson	Hearing no objection, declares the motion CARRIED.

		SEN. STARR will lead discussion on the floor.
078	Chair Nelson	Closes work session on SB 623. Comments on future meetings and bills coming up. Adjourns meeting at 2:10 PM.

Submitted By, Reviewed By,

Nancy Masee, Y. Sherry Sheng,

Administrative Support Administrator

EXHIBIT SUMMARY

A ñ SB 15, -1 Amendments, Staff, 6 pp

B ñ SB 577, Written testimony, Don Miner, 2 pp

C ñ SB 577, Letter, Joe Brewer, 2 pp

D ñ HB 2086, Written testimony, Patricia Schwock, 1 p

E ñ SB 931, Written testimony, Brian Boe, 2 pp

F ñ SB 931, Written testimony, Roger Hamilton, 1 p

G ñ SB 622, Written testimony, Gary Bauer, 5 pp

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