

**HOUSE COMMITTEE ON COMMERCE**

**SUBCOMMITTEE ON BUSINESS**

April 29, 1997 Hearing Room 357

8:15 A.M. Tapes 44 - 45

**MEMBERS PRESENT:**

Rep. Roger Beyer, Chair

Rep. Richard Devlin

Rep. Bob Montgomery

Rep. Jackie Taylor

**MEMBER EXCUSED:**

**STAFF PRESENT:**

Keith Putman, Administrator

Timaree Whitty, Administrative Support

**MEASURE/ISSUES HEARD:**

HB 2696 Public Hearing

HB 3384 Public Hearing

HB 2550 Public Hearing

SB 82 Public Hearing

SB 398 Public Hearing

SB 324 Work Session

HB 2347 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 44, A		

003	Chair Beyer	Opens meeting at 8:20 a.m. Opens work session on HB 2347.
<b><u>HB 2347 WORK SESSION</u></b>		
005	Bill Cross	Oregon Landscape Contractor's Association, reviews -5 amendments. Urges support of amendments.
025	Rep. Montgomery	MOTION: Moves to ADOPT HB 2347-5 amendments dated 04/28/97.
	Chair Beyer	Hearing no objection, declares the motion CARRIED.
028	Rep. Montgomery	MOTION: Moves HB 2347 to the full committee with a DO PASS AS AMENDED recommendation.
	Chair Beyer	Hearing no objection, declares the motion CARRIED. CHAIR BEYER will lead discussion in full committee.
032	Chair Beyer	Closes work session on HB 2347. Opens public hearing on HB 2696.
<b><u>HB 2696 PUBLIC HEARING</u></b>		
038	Emily Cedarleaf	Multifamily Housing Council, presents testimony on HB 2696 and -1 amendments. Describes how the account helps with housing and organizations that support the measure.
074	Rep. Taylor	Asks for clarification on the fee.
078	Cedarleaf	Responds.
083	Chair Beyer	Asks about fees when landlords file for eviction notices.
086	Cedarleaf	Responds with breakdown of fees.
091	Chair Beyer	Does the landlord have to pay the fees to the court?
097	Cedarleaf	Responds with eviction procedures, timelines for eviction to actually occur.
113	Chair Beyer	Asks about excessive amounts of fees - where do they end?
115	Cedarleaf	Responds with total costs from start to finish to evict a tenant, not including time and lost rent during the process.
120	Chair Beyer	Asks for clarification and definitions from sections 4 and 5 of amendments. What defines "very low?"
129	Cedarleaf	Responds with definitions and dollar amounts associated with these definitions.
141	Rep. Montgomery	Asks about "very low income" in Salem.
142	Cedarleaf	Responds
144	Chair Beyer	Asks where people who qualify for the program would go.
146	Cedarleaf	Responds
160	Chair Beyer	Asks about restrictions on these funds.

170	Cedarleaf	Will ask Lynn Schoessler to respond to that question. Explains.
178	Lynn Schoessler	Deputy Director, Housing and Community Services Department; gives testimony in support of HB 2696 as amended.
192	Chair Beyer	Asks about the different types of funds and housing units.
196	Schoessler	Responds.
208	Chair Beyer	Asks for background on the law as it stands today.
213	Schoessler	Responds and states the industry changed its means of operation. Explains.
227	Chair Beyer	Asks if they currently have \$400,000 in a biennium? The fiscal doesn't reflect that.
229	Schoessler	Responds, asks Ms. Cedarleaf to address how they came up with their numbers.
241	Cedarleaf	Responds with how they reached their number. When the market is soft the landlords don't charge deposits. The agency spent \$79,000 last year.
266	Chair Beyer	Asks of this fund only paid \$79,000 to very low income people last year.
268	Schoessler	Responds this was matched with other federal funds for a combined funding of around \$300,000.
273	Chair Beyer	Asks the average amount a family of four would receive.
278	Schoessler	Believes it is approximately \$1,900 per tenant.
280	Chair Beyer	Asks if this is for three or four months.
283	Schoessler	Responds yes, that is the average.
284	Cedarleaf	Adds this is an average and it fluctuates.
289	Chair Beyer	Asks if they look for these people in need by working through local organizations.
294	Schoessler	Responds agencies provide support through contacts with local organizations.
313	Shawn Miller	Oregon Rental Housing Association, gives testimony in support of HB 2696 as amended.
320	Chair Beyer	Asks what will your people do with their deposits if they don't have to put it in a fund.
322	Miller	Responds. This is a better way to fund low income housing.
330	Chair Beyer	Asks again what will happen to the deposits.
345	Cedarleaf	Responds real estate licensees are not allowed to use deposits as their own money. Deposit funds must be put into an account. Explains.
382	Frank Brawner	President, Oregon Bankers Association gives testimony in support of HB 2696 and proposed amendments. Explains.
TAPE 45, A		

000	Peter Grundfossen	Representative, Association of Oregon Housing Authorities gives testimony in support of HB 2696 and proposed amendments (EXHIBIT A). Reviews the facts that support the need for this program.
033	Chair Beyer	Closes public hearing on HB 2696. Opens public hearing on HB 2550.
<b><u>HB 2550</u></b> <b><u>PUBLIC</u></b> <b><u>HEARING</u></b>		
050	Chair Beyer	Asks if everyone has copy of amendments from the Independent Auto Dealers.
054	Richard Larrowe	Oregon Council of Vehicle Associations, gives testimony in opposition to HB 2550 and explains their concerns with the measure.
083	Chair Beyer	Comments this is current law today. Asks if he is aware of this.
090	Jack Kinney	Member of local hot rod club and member of the Salem Auto Club Council, gives testimony in opposition to HB 2550. Explains concerns of hobbyists.
106	Rep. Devlin	Asks if they have read the subsection on page 9 of the bill which gives exception to hobbyist.
108	Kinney	Responds that hobbyist may have more than two cars under construction during the year.
112	Rep. Devlin	Asks how we distinguish between a hobbyist and a dealer.
	Kinney	Responds that it should be based upon how many cars he sells.
122	Rep. Devlin	Asks how to make the distinction is the intent was to sell.
124	Kinney	Responds that if their intent was to sell, they would be dealers.
128	Chair Beyer	Asks if he is clear on what the intent of the bill is and how it would affect current law.
134	Kinney	Responds that he understands, but his concern is with the dealer certificate if they sell more than two cars. Explains.
148	Chair Beyer	Asks if he generally works on old cars.
149	Kinney	Responds yes, general, but may add quite a number of new parts to the older cars.
154	Chair Beyer	How old are your cars normally?
156	Kinney	1927 up to late model cars.
159	Chair Beyer	Do you normally resell the older cars?
162	Rep. Taylor	Asks for clarification - even if a new engine is being used, what does that do to the age of the car?
169	Kinney	Explains use of late model engine and how he obtains his parts.
180	Ron Terry	Chairman of Oregon Dealer Advisory Committee; Representative, Oregon Independent Auto Dealers Association, reads written testimony (EXHIBIT B).
233		Asks about the average life of an automobile.

	<b>Rep. Montgomery</b>	
237	<b>Terry</b>	<b>Responds this is relative to the model of the automobile.</b>
243	<b>Chair Beyer</b>	<b>Asks about branded titles for cars that are totalled.</b>
245	<b>Terry</b>	<b>Some totalled cars have branded titles, some don't. Explains.</b>
250	<b>Jack Frost</b>	<b>Employed by Foster Auto Parts as a salvage buyer, gives testimony on HB 2550. States his disagreement with amendment and striking the exemption. Makes suggestion on how to deal with problem that new and used car dealers are dealing with.</b>
321	<b>Rep. Taylor</b>	<b>How is a person who rebuilds and resells more than two cars a year not a business?</b>
330	<b>Frost</b>	<b>Responds if you buy a car with the intent to sell you are considered a dealer.</b>
354	<b>Rep. Devlin</b>	<b>Asks why the shouldn't be licensed as a dealer.</b>
362	<b>Frost</b>	<b>Responds he is a licensed dealer, explains his concern is for the casual buyer losing the opportunity to purchase from companies like his.</b>
380	<b>Rep. Devlin</b>	<b>Asks how we weigh the ability of one person being able to purchase a car at a lower price against the safety of the public in general?</b>
387	<b>Frost</b>	<b>Responds and estimates that 500 cars per week are being sold for purposes of being rebuilt.</b>
<b>TAPE 44, B</b>		
020	<b>Rep. Devlin</b>	<b>Comments this state is being dumped on by dealers from other states.</b>
024	<b>Frost</b>	<b>Responds that there is protection.</b>
030	<b>Brian Doherty</b>	<b>Representative, Insurance Auto Auctions gives testimony in opposition to HB 2550 (EXHIBIT C). Doesn't believe amendment clarifies ambiguity.</b>
080	<b>Doherty</b>	<b>Continues testimony.</b>
124	<b>Rep. Montgomery</b>	<b>Questions \$95 fee on page 9.</b>
126	<b>Doherty</b>	<b>Responds.</b>
129	<b>Rep. Montgomery</b>	<b>Asks for clarification - people building twelve hobby cars a year do not need a license?</b>
133	<b>Doherty</b>	<b>Depends upon the way you read the bill.</b>
142	<b>Darrel Fuller</b>	<b>Oregon Auto Dealers Association, gives testimony in support of HB 2550. This is viewed as a housekeeping bill. Encourages committee to support.</b>
145	<b>Chair Beyer</b>	<b>Will bring this bill back for a work session. Adjourns meeting.</b>

Submitted By, Reviewed By,

**Timaree Whitty, Keith Putman,**

**Administrative Support Administrator**

**Transcribed by,**

**Carolyn Brooks**

**EXHIBIT SUMMARY**

**A - HB 2696, written testimony, Peter Grundfossen, 1 p**

**B - HB 2550, written testimony, Ron Terry, 2 pp**

**C - HB 2550, written testimony, Brian Doherty, 9 pp**