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SENATE COMMITTEE ON BUSINESS, LAW, & GOVERNMENT

March 31, 1997 Hearing Room A

1:00 PM Tapes 125 - 126

MEMBERS PRESENT:

Sen. Neil Bryant, Chair

Sen. Randy Miller, Vice-Chair

Sen. Kate Brown

Sen. Gene Derfler

Sen. Randy Leonard

Sen. David Nelson

MEMBER EXCUSED:

STAFF PRESENT:

Brian Krieg, Administrator

Vicki Champ, Administrative Support

MEASURES/ HEARD:

SB 556 Public Hearing and Work Session

SB 721 Public Hearing and Work Session

HB 2179 Public Hearing and Work Session

HB 2180 Public Hearing and Work Session

HB 2185 Public Hearing and Work Session

HB 2237 Public Hearing and Work Session

SB 544 Possible Reconsideration and Work Session

SB 526 Work Session

HB 2257 Public Hearing and Work Session

HB 2258 Public Hearing and Work Session

HB 2316 Public Hearing and Work Session

HB 2509 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 125, A		
015	Chair Bryant	Opens the meeting at 1:15 p.m.
<u>SB 556</u> <u>PUBLIC</u> <u>HEARING</u>		
	Chair Bryant	Opens public hearing on SB 556.
	Chair Bryant	Recognizes Sen. Hamby.
022	Sen. Jeannette Hamby	District 5, Refers to the proposed -1 amendments (EXHIBIT A) .
025	Paul Carlson	Oregon Industrial Hygiene Council, presents and explains testimony in favor of SB 556 with proposed -1 amendments (EXHIBIT B) .
062	Bruce Poinsette	President of Columbia Willamette Chapter American Society of Safety Engineers, presents and explains testimony in favor of SB 556 (EXHIBIT C) .
097	Sen. Derfler	Questions testimony in regards to taking an industrial hygienist to court without credentials. Why can't this be done now without this bill?

115	Chair Bryant	Clarifies this. Reminds the members that there is a hand engrossed copy in their summary with the amendments. Refers to hand engrossed amendment in their packet.
160	Pete Shepherd	Assistant Attorney General, Department of Justice, presents (EXHIBIT D) .
	Chair Bryant	Closes public hearing on SB 556 and opens work session on SB 556.
<u>SB 556 WORK SESSION</u>		
184	Chair Bryant	MOTION: Moves to CONCEPTUALLY AMEND SB 556 on page 1a, lines 29-30 to delete "the court or jury may award punitive damages" and just leave in "the court may provide such equitable relief". Objections?
191	Sen. Brown	I object.
193	Chair Bryant	Hearing no other objections, declares the motion CARRIED.
194	Chair Bryant	MOTION: Moves to AMEND SB 556 on page 4, lines 1 and 2, delete the emergency clause.
	Chair Bryant	Hearing no objection, declares the motion CARRIED.
		SEN. HAMBY will lead discussion on the floor.
	Chair Bryant	Closes work session on SB 556 and opens public hearing on SB 721.
<u>SB 721 PUBLIC HEARING</u>		
213	Dave Nelson	Oregon Life Underwriters Association, presents and explains testimony which has proposed amendments attached (EXHIBIT E) .
346	Joel Ario	Insurance Division, Department of Consumer and Business Services Association speaks on the proposed amendments.
<u>TAPE 126, A</u>		
037	Sen. Brown	I'm not sure that the sub-section 3 helps out.
044	Ario	Clarifies amendment.
062	Chair Bryant	Closes public hearing on SB 721 and opens work session on SB 721.
<u>SB 721 WORK SESSION</u>		
	Chair Bryant	MOTION: Moves adoption of SB 721-1, dated March 27, 1997, and SB 721 to the floor with a DO PASS as amended recommendation.
	Chair Bryant	Hearing no objection, declares the motion CARRIED.
		SEN. HANNON will lead discussion on the floor.

066	Chair Bryant	Closes work session on SB 721 and opens public hearing on HB 2179.
<u>HB 2179 PUBLIC HEARING</u>		
078	Darren Bond	Director of Finance, Oregon State Treasury reads testimony (EXHIBIT F) .
125		Continues testimony.
140	Chair Bryant	Closes public hearing on HB 2179 and opens work session on HB 2179.
<u>HB 2179 WORK SESSION</u>		
143	Sen. Brown	MOTION: Moves HB 2179 be sent to the floor with a DO PASS recommendation.
	Chair Bryant	Hearing no objection, declares the motion CARRIED.
		SEN. NELSON will lead discussion on the floor.
	Chair Bryant	Closes work session on HB 2179 and opens Public Hearing on HB 2180.
<u>HB 2180 PUBLIC HEARING</u>		
162	Darren Bond	Director of Finance, Oregon State Treasury, explains HB 2180.
217	Grattan Kerans	Oregon State System of Higher Education introduces Mike Green, Controller for Oregon State System of Higher Education.
220	Mike Green	Would like to re-iterate treasury's testimony about the way in which agencies will file the division of audits.
274	Susan Browning	Department of Revenue, presents and explains testimony for HB 2180, (EXHIBIT G) .
<u>TAPE 125, B</u>		
012	Chair Bryant	Close public hearing on HB 2180 and opens work session on HB 2180.
<u>HB 2180 WORK SESSION</u>		
013	Sen. Nelson:	MOTION: Moves HB 2180 to the floor with a DO PASS recommendation.
	Chair Bryant	Hearing no objection, declares the motion CARRIED.
		SEN. NELSON will lead discussion on the floor.
018	Chair Bryant	Closes work session on HB 2180 and opens public hearing on HB 2509.

<u>HB 2509 PUBLIC HEARING</u>		
022	Chuck Wilson	Legislative Counsel, gives but does not present testimony in favor of HB 2509.
056	Chair Bryant	Closes public hearing on HB 2509 and opens work session on HB 2509.
<u>HB 2509 WORK SESSION</u>		
059	Chair Bryant:	MOTION: Moves HB 2509 be sent to the floor with a DO PASS recommendation.
	Chair Bryant	Hearing no objection, declares the motion CARRIED.
		SEN. BROWN will lead discussion on the floor.
066	Chair Bryant	Closes work session on HB 2509 and opens public hearing on HB 2185.
<u>HB 2185 PUBLIC HEARING</u>		
072	Chuck Smith	Director of Debt Management Division of the Oregon State Treasury, presents and explains (EXHIBIT H).
103	Gene Reddemann	Presents testimony in support of Sen. Miller's amendment that he will be offering (EXHIBIT I).
109	Sen. Miller	Presents amendments to A- engrossed HB 2185 (EXHIBIT J).
123	Reddemann	This amendment is appropriate.
155	Chair Bryant	Closes public hearing on HB 2185 and opens work session on HB 2185.
<u>HB 2185 WORK SESSION</u>		
158	Chair Bryant	Since the amendment changes the bill we will try to give people a little notice before the bill is moved.
172	Chair Bryant	Jefferson County has accepted the location of proposed jail.
182	Sen. Brown	There is some concern that the bill, with this amendment will run into trouble somewhere along the line.
196	Chair Bryant	Closes work session on HB 2185 and opens public hearing on HB 2237.
<u>HB 2237 PUBLIC HEARING</u>		
209	Frank	President, Oregon Bankers Association and Independent Community

	Brawner	Banks of Oregon presents and explains testimony (EXHIBIT K).
258	Chair Bryant	Closes public hearing on HB 2237 and opens work session on HB 2237.
<u>HB 2237</u> <u>WORK</u> <u>SESSION</u>		
260	Sen. MILLER:	MOTION: Moves HB 2237 to the floor with a DO PASS recommendation.
	Chair Bryant	Hearing no objection, declares the motion CARRIED.
		SEN. BROWN will lead discussion on the floor.
271	Chair Bryant	Closes work session on HB 2237 and opens work session on SB 544.
<u>SB 544</u> <u>WORK</u> <u>SESSION</u>		
271	Chair Bryant	This bill was passed out but we had to bring it back because the amendment that was offered by SAIF was not within the relating clause.
277		Are there any objections to suspending the rules and bringing back SB 544? Hearing none so ordered. The bill is now before us. Brian Krieg, Committee Administrator we need to withdraw the motion to the amendment that was offered by SAIF, dated March 24, 1997.
283	Chair Bryant	MOTION: Moves SB 544 with SAIF's amendment deleted be sent to the floor with a DO PASS recommendation. Hearing no objection, declares the motion CARRIED.
305	Sen. Brown	Isn't it possible for us to amend the relating to clause?
	Chair Bryant	There is a process but I have never done it before.
	Chris Davie	Government Affairs Coordinator, SAIF, explains the relating to clause.
359	Chair Bryant	MOTION: Moves SB 544 to the floor with a DO PASS recommendation.
	Chair Bryant	VOTE: 4-2
		AYE: 4 - Miller, Nelson, Bryant, Derfler
		NAY: 2 - Brown, Leonard
	Chair Bryant	The motion CARRIES.
		SEN. NELSON will lead discussion on the floor.
<u>SB 526</u> <u>WORK</u> <u>SESSION</u>		
		MOTION: Moves SB 526 to the floor with a DO PASS

372	Sen. Miller	recommendation.
		VOTE: 4-2
		AYE: 4 - Miller, Nelson, Bryant, Derfler
		NAY: 2- Brown, Leonard
	Chair Bryant	The motion CARRIES.
		SEN. MILLER will lead discussion on the floor.
390	Sen. Brown	Serves notice of a minority report.
	Chair Bryant	Closes work session on SB 526 and opens public hearing on HB 2257.
<u>HB 2257</u>		
<u>PUBLIC</u>		
<u>HEARING</u>		
416	Craig Chisholm	Real Estate Legislative Committee of the Oregon State Bar, Real Estate and Land Use Section, presents testimony for HB 2257 (EXHIBIT K).
470	Chair Bryant	Closes public hearing on HB 2257 and opens work session on HB 2257
<u>HB 2257</u>		
<u>WORK</u>		
<u>SESSION</u>		
TAPE 126, B		
031	Sen. Derfler	MOTION: Moves HB 2257 to the floor with a DO PASS recommendation.
	Sen. Bryant	Hearing no objection, declares the motion CARRIED.
		SEN. DERFLER will lead discussion on the floor.
032	Sen. Bryant	Closes work session on HB 2257 and opens public hearing on HB 2258.
<u>HB 2258</u>		
<u>PUBLIC</u>		
<u>HEARING</u>		
034	Craig Chisholm	Real Estate Legislative Committee of the Oregon State Bar, Real Estate and Land Use Section, presents and explains his testimony for HB 2258 (EXHIBIT M).
049	Chair Bryant	Closes public hearing on HB 2258 and opens work session on HB 2258.
<u>HB 2258</u>		
<u>WORK</u>		
<u>SESSION</u>		
051	Sen. Derfler	MOTION: Moves HB 2258 to the floor with a DO PASS recommendation.

	Chair Bryant	Hearing no objection, declares the motion CARRIED.
		SEN. DERFLER will lead discussion on the floor.
054	Chair Bryant	Closes work session on HB 2258 and opens public hearing on HB 2316.
<u>HB 2316 PUBLIC HEARING</u>		
056	Ronelle Shankle	Department of Justice, support Enforcement Division, presents
		and explains (EXHIBIT N).
115	Chair Bryant	Closes public hearing on HB 2316 and opens public hearing on HB 2136.
<u>HB 2316 WORK SESSION</u>		
116	Sen. Brown:	MOTION: Moves HB 2316 be sent to the floor with a DO PASS recommendation.
	Chair Bryant	Hearing no objection, declares the motion CARRIED.
		SEN. BROWN will lead discussion on the floor.
127	Chair Bryant	Closes work session on HB 2316 and adjourns meeting.

Submitted By, Reviewed By,

Vicki Champ, Brian Krieg,

Administrative Support Administrator

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EXHIBIT SUMMARY

A - SB 556, proposed -1 amendments, Rep. Jeanette Hamby, 2 pp

B - SB 556, written testimony, Paul Carlson, 2pp

C - SB 556, written testimony, Bruce Poinsette, 3pp

D - SB 556, written testimony, Peter D. Shepherd, 1p

E - SB 721, written testimony, Dave Nelson, 4 pp

F - HB 2179, written testimony, Darren Bond, 7 pp

G - HB 2180, written testimony, graphs, Susan Browning, 4 pp

H - HB 2185, written testimony, Chuck Smith, 1 p

I - HB 2185, written testimony, Gene Reddemann, 1p

J - HB 2185, proposed -A6 amendments, Sen. Miller, 1p

K - HB 2237, written testimony, Frank Brawner, 2pp

L - HB 2257, written testimony, Craig Chisholm, 2 pp

M - HB 2258, written testimony, Craig Chisholm, 3 pp

N - HB 2316, written testimony, Ronelle Shankle, 2 pp
