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SENATE COMMITTEE ON BUSINESS, LAW, AND GOVERNMENT

May 7, 1997 Hearing Room A

1:00 P.M. Tapes 213 - 214

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

Lori Hayhurst, Administrative Support

MEASURE/ISSUES HEARD:

SB 699 - Work Session

SB 948 - Work Session

HB 2100 - Work Session

HB 3701 - Public Hearing and Work Session

HB 2074 - Public Hearing and Work Session

HB 3168 - Public Hearing and Work Session

HB 2981 - Public Hearing and Work Session

SB 1092 - Public Hearing and Work Session

SB 376 - 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 213, A		
004	Chair Bryant	Opens meeting at 1:14 p.m. and work session on SB 699.
<u>SB 699 - WORK SESSION</u>		
008	Chris Davie	State Accident Insurance Fund (SAIF), testifies in support of -4 amendments with the addition of line 21a on page 2 (EXHIBIT A).
045	Chair Bryant	MOTION: Moves to ADOPT SB 699 -4 amendments dated 05/07/97 and that the measure be FURTHER AMENDED to restore bracketed material in lines 34 to 40 on page 3 of original bill.
	Chair Bryant	Hearing no objection, declares the motion CARRIED.
049	Chair Bryant	MOTION: Moves SB 699 to the floor with a DO PASS AS AMENDED recommendation.
	Chair Bryant	Hearing no objection, declares the motion CARRIED. SEN. DERFLER will lead discussion on the floor.
057	Chair Bryant	Closes work session on SB 699 and opens work session on SB 948.
<u>SB 948 -</u>		

<u>WORK SESSION</u>		
060	Chair Bryant	Discusses -2 amendments by SB 948 sponsor, Mr. Bennett and -3 amendments offered by The Special Districts Association.
067	Chair Bryant	Explains this is a House bill that has been amended to include some of the same language as one in the House Commerce Committee. States he will talk to the House Commerce Committee before taking action on this bill.
072	Sen. Brown	Proposes to adopt the -2 amendments to the bill and move bill out.
074	Chair Bryant	Asks Sen. Brown if she prefers to do it today or have him check with the House Commerce Committee first.
075	Sen. Brown	States preference would be today, but states Chair knows time lines of how long session will be.
077	Chair Bryant	Advises Sen. Brown that if the bill is not moved today, he will be allowed to schedule the bill again.
078	Sen. Brown	States Sen. Ferrioli is very interested in this bill.
080	Chair Bryant	Asks for and receives verification from Sen. Nelson that he is also in favor of the proposed -2 amendments not the -3's.
083	Sen. Brown	MOTION: Moves to ADOPT SB 948 -2 amendments dated 04/23/97.
	Chair Bryant	Hearing no objection, declares the motion CARRIED.
089	Chair Bryant	Closes work session and states it is his understanding there may some future discussion between counties and cities regarding this issue, and asks Committee Administrator Brian Krieg to be available.
093		Discussion held on letter from State Treasurer's Office stating his position on the amendments.
108	Chair Bryant	Closes work session on SB 948 and opens work session on HB 2100A.
<u>HB 2100A - WORK SESSION</u>		
116	Chair Bryant	States there was no opposition to this bill from the previous public testimony.
117	Brian Krieg	Committee Administrator, discusses proposed technical conceptual amendment to correct an inaccurate definition (EXHIBIT B), proposed by the Department of Transportation, which sponsored HB 2100. Bill was amended on the House side. Explains there was a reference to the term of "lot line adjustment", which should have read "property line adjustment" so definitions are clear within the ORS statutes.
131	Chair Bryant	MOTION: Moves to ADOPT HB 2100A -1 conceptual amendments dated 05/07/97.
	Chair Bryant	Hearing no objection, declares the motion CARRIED.

133	Sen. Bryant	MOTION: Moves HB 2100A to the floor with a DO PASS AS AMENDED 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 2100A and opens public hearing on HB 3701.
<u>HB 3701 - PUBLIC HEARING</u>		
145	Sen. Nelson	HB 3701 co-sponsor, explains provisions of HB 3701.
180	Rep. Bob Jenson	District 57, HB 3701 co-sponsor gives testimony in support of HB 3701 (EXHIBIT C)
204	Chair Bryant	Comments on the emergency clause.
206	Sen. Nelson	Explains the need for the emergency clause.
230	Chair Bryant	Closes public hearing on HB 3701 and opens work session on HB 3701.
<u>HB 3701 - WORK SESSION</u>		
231	Sen. Nelson	MOTION: Moves HB 3701 to the floor with a DO PASS recommendation.
235	Chair Bryant	Hearing no objection, declares the motion CARRIED. SEN. NELSON will lead discussion on the floor.
239	Chair Bryant	Closes work session on HB 3701 and opens public hearing on HB 2074.
<u>HB 2074 - PUBLIC HEARING</u>		
241	Pamela Erickson	Administrator of the Oregon Liquor Control Commission (OLCC), testifies in support of HB 2074 (EXHIBIT D) . Explains this bill would allocate an additional 100 Class A Dispenser licenses.
272	Sen. Leonard	Asks for clarification of Class A license.
275	Erickson	Explains they can serve beer, wine, and hard liquor.
293	Chair Bryant	Asks for definition of a Class B license.
294	Erickson	Explains Class B is a private club that can do pretty much the same as a Class A. Class C is a restaurant that cannot have a bar in addition to

		serving.
297	Chair Bryant	Asks what class a tavern is.
298	Erickson	Explains a tavern is a retail malt beverage license.
314	Sen. Leonard	Questions having a population-based limit.
318	Erickson	States the Liquor Control Act has a lot more stringent controls for hard liquor and the idea was that the hard liquor has a higher alcohol content, is a more potent product, and requires more stringent standards.
346	Sen. Leonard	Comments that the marketplace would decide the number of appropriate Class A dispensers and if someone wants to have a hard liquor drink, he doesn't understand the reasoning behind limiting the number at all.
369	Sen. Brown	States it would make more sense to control the number of bottles sold from OLCC stores as opposed to the restaurant owners.
376	Erickson	Explains control mechanisms.
387	Chair Bryant	Asks Erickson if there are any good policy reasons to leave it as is.
390	Erickson	Responds there is a desire by some to have an upper limit.
407	Sen. Derfler	Questions if there are cases of people not being able to get a license. Wonders if this would create a flood of applications.
415	Erickson	Responds that she doesn't feel this would happen.
420	Sen. Miller	Questions effect of statute being removed - eliminate the quota completely.
428	Erickson	Responds.
454	Chair Bryant	Calls Mike McCallum to testify.
456	Mike McCallum	Oregon Restaurant Association (ORA), testifies in favor of HB 2074. States he feels the quota is outdated and unnecessary.
468	Chair Bryant	Questions the increase in teen drinking.
472	Erickson	Responds she doesn't know why. Summarizes highlights of round table meeting in Lincoln City held with teens with drinking problems.
490	McCallum	Describes involvement with Council on Drug and Alcohol Abuse.
TAPE 214, A		
051	Chair Bryant	Closes public hearing on SB 2074 and opens work session on SB 2074.
<u>SB 2074 - WORK SESSION</u>		
055	Sen. Miller	Suggests they repeal all of section ORS 472.105.
060	Sen.	States he objects.

	Nelson	
069	Sen. Brown	Questions practicality of this bill and whether this bill will a) pass the Senate floor and b) pass the House.
075	Sen. Mller	MOTION: Moves to AMEND SB 2074 by deleting lines 4 through 23 and replace them with "<u>SECTION 1</u>, ORS 472.105 is repealed."
	Chair Bryant	Hearing no objection, declares the motion CARRIED.
085	Sen. Miller	MOTION: Moves SB 2074 to the floor with a DO PASS recommendation.
		VOTE: 5-1 AYE: 5 - Brown, Derfler, Leonard, Miller, Bryant NAY: 1 - Nelson
	Chair Bryant	The motion CARRIES. SEN. MILLER will lead discussion on the floor.
100	Chair Bryant	Closes work session on SB 2074 and opens public hearing on HB 3168.
<u>HB 3168 - PUBLIC HEARING</u>		
102	Joe Gilliam	National Federation of Independent Business (NFIB), testifies in favor of HB 3168 (EXHIBITS F, G).
126	Gilliam	Discusses lines 5 and 6 of the amendment.
154	Shawn Miller	Northwest Pay Phone Association (NWPA), testifies in favor of HB 3168 (EXHIBIT H).
164	Miller	Explains the different pay phones available.
190	Miller	Discusses line usage.
239	Chair Bryant	Closes public hearing and open work session on HB 3168
<u>HB 3168 - WORK SESSION</u>		
255	Sen. Derfler	MOTION: Moves HB 3168 to the floor with a DO PASS recommendation.
	Chair Bryant	Hearing no objection, declares the motion CARRIED. SEN. LEONARD will lead discussion on the floor.
259	Chair Bryant	Closes work session on HB 3168 and opens public hearing on HB 2981.
<u>HB 2981 -</u>		

<u>PUBLIC HEARING</u>		
262	Rep. Mike Lehman	District 47, HB 2981 sponsor, explains provisions and testifies in support of HB 2981.
274	Sen. Brown	Asks if judges are allowed to charge a fee for performing marriages on their own hours and if there is a limitation of fees.
279	Rep. Lehman	Responds he doesn't know.
281	Brian Krieg	Explains a judge may charge up to \$100.00 after normal working hours.
286	Sen. Brown	Asks if it would make sense to limit clerks.
293	Rep. Lehman	States he sees no reason to have limits on it.
300	Charles Stern	Oregon Association of County Clerks, Yamhill County, testifies in support of HB 2981.
312	Stern	Explains HB 2982, companion bill to HB 2981.
321	Sen. Brown	Asks about having both bills become one bill.
328	Stern	Explains that one bill is amending 204 and 205 and the other bill is amending 106 and 204.
335	Chair Bryant	Asks for and receives verification that HB 2982 is in this committee.
363	Stern	Continues testimony.
366	Chair Bryant	Closes public hearing on HB 2981 and opens work session on HB 2981.
<u>HB 2981 - WORK SESSION</u>		
386	Sen. Brown	MOTION: Moves HB 2981 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.
396	Chair Bryant	Closes work session on HB 2981 and opens public hearing on SB 1092.
<u>SB 1092 - PUBLIC HEARING</u>		
397	Sen. Avel Gordly	District 10, SB 1092 sponsor testifies in support of SB 1092 and the proposed -1 amendments (EXHIBIT I).
TAPE 213, B		
002	Sen. Gordly	Introduces experts from a number of financial institutions, continues testimony.

055	Leon Smith	Albina Community Bank, testifies in favor of SB 1092 (EXHIBIT J) .
070	Smith	Discusses financial transactions involving Albina Community Bank.
120	Smith	Discusses banking services offered by community and community development banks versus large banks.
154	Pamela Pifher	Oregon Credit Union League, testifies in support of the -1 amendments to SB 1092 (EXHIBIT K) .
194	Frank Brawner	Oregon Bankers Association (OBA), testifies in support of the -1 amendments to SB 1092.
251	Brawner	Discusses grants that have been given to help people purchase homes.
254	Mark Huston	Manager of Business Finance, Oregon Economic Development Department (OEDD), testifies in support of SB 1092 (EXHIBIT L) .
325	Huston	Suggests technical amendments.
334	Chair Bryant	Asks Huston to discuss amendments with Sen. Gordly.
344	Yvonne Addington	Manager of Regional and Community Development Division, OEDD testifies in support of SB 1092.
381	Addington	Continues testimony.
402	Chair Bryant	Questions where money would come from.
410	Addington	States she does not feel it could come from federal Community Development Block Grant Funds.
420	Chair Bryant	Asks Mr. Huston if Sen. Gordly agrees with OEDD amendments.
425	Huston	Advises Sen. Gordly agrees with the amendments.
TAPE 214, B		
008	Chair Bryant	Closes public hearing on SB 1092 and opens work session on SB 1092.
<u>SB 1092 - WORK SESSION</u>		
013	Chair Bryant	MOTION: Moves to AMEND the proposed -1 amendments to SB 1092 as presented in (EXHIBIT L).
	Chair Bryant	Hearing no objection, declares the motion CARRIED.
020	Chair Bryant	MOTION: Moves to ADOPT SB 1092 -1 amendments dated 04/28/97.
	Chair Bryant	Hearing no objection, declares the motion CARRIED.
025	Chair Bryant	MOTION: Moves SB 1092 to the floor with a DO PASS AS AMENDED recommendation and BE REFERRED to the committee on Ways and Means.

	Chair Bryant	Hearing no objection, declares the motion CARRIED.
027	Chair Bryant	Closes work session on SB 1092 and reopens work session on SB 948.
<u>SB 948 - WORK SESSION</u>		
052	Sen. Brown	MOTION: Moves SB 948 to the floor with a DO PASS AS AMENDED recommendation.
		VOTE: 5-1 AYE: 5 - Brown, Derfler, Leonard, Nelson, Bryant NAY: 1 - Miller
	Chair Bryant	The motion CARRIES. SEN. FERRIOLI will lead discussion on the floor.
074	Chair Bryant	Closes work session on SB 948 and opens work session on SB 376.
<u>SB 376 - WORK SESSION</u>		
083	Chair Bryant	Discusses amendment proposed by Mike Dewey which would change line 15.
102	Mike Dewey	Oregon Cable Telecommunications Association (OCTA), testifies in support of SB 376.
127	Chair Bryant	Asks questions regarding fiscal analysis.
139	Dewey	Explains -1 amendments.
143	Chair Bryant	Questions loss of revenue.
149	Dewey	Responds that he doesn't know because it varies. States he has seen an escalation of pole rates that has been quite significant.
163	Dewey	Explains clearance space of 40 inches.
191	Chair Bryant	MOTION: Moves to ADOPT SB 376 -1 amendments dated 05/07/97.
	Chair Bryant	Hearing no objection, declares the motion CARRIED.
193	Chair Bryant	MOTION: Moves SB 376 to the floor with a DO PASS AS AMENDED recommendation.
194	Chair	VOTE: 5-1 AYE: 5 - Brown, Derfler, Leonard, Miller, Bryant

	Bryant	NAY: 1 - Nelson
	Chair Bryant	The motion CARRIES. SEN. BRYANT will lead discussion on the floor.
202	Chair Bryant	Closes work session on SB 376 and adjourns meeting at 2:52 p.m.

Submitted By, Reviewed By,

Lori Hayhurst, Brian Krieg,

Administrative Support Administrator

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EXHIBIT SUMMARY

A - SB 699, written testimony and proposed -3 and -4 amendments, Chris Davie, 18 pp

B - HB 2100A, proposed conceptual amendments, Staff, 1 p.

C - HB 3701A, written testimony, Rep. Bob Jenson, 1 p.

D - HB 2074, written testimony, Pamela S. Erickson, 8 pp

E - HB 2074, OLCC Chart, Pamela S. Erickson, 1 p.

F - HB 3168, statutes, Joe Gillam, 1 p.

G - HB 3168, written testimony, Joe Gillam, 4 pp

H - HB 3168, written testimony, Shawn Miller, 2 pp

I - SB 1092, written testimony, Senator Avel Gordly, 3 pp

J - SB 1092, article, Leon Smith, 1 p.

K - SB 1092, written testimony, Pamela Pifher, 2 pp

L - SB 1092, written testimony, Mark Huston, 2 pp

M - SB 376, proposed amendments, Staff, 1 p.
