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SENATE COMMITTEE ON BUSINESS, LAW, & GOVERNMENT

May 21, 1997 Hearing Room A

1:00 PM Tapes 237 - 238

MEMBERS PRESENT:

Sen. Neil Bryant, Chair

Sen. Randy Miller, Vice-Chair

Sen. Kate Brown

Sen. Gene Derfler

Sen. Randy Leonard

Sen. David Nelson

STAFF PRESENT:

Brian Krieg, Administrator

Anne Tweet, Administrator

Jan Nordlund, Administrator

Jim Stembridge, Administrator

Jennifer Peck, Administrative Support

MEASURE/ISSUES HEARD:

HB 2402 Public Hearing and Work Session

HB 2074 Reconsideration and Work Session

SB 876 Reconsideration and Work Session

SB 467 Work Session

SB 235 Work Session

SB 1109 Work Session

SB 867 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 |
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| TAPE 237, A | | |
| 003 | Chair Bryant | Convenes meeting at 3:17 p.m. and opens public hearing on HB 2402. |
| <u>HB 2402</u> <u>PUBLIC</u> <u>HEARING</u> | | |
| 004 | | Staff presents public letters submitted prior to meeting (EXHIBIT A). |
| 005 | Jim Stembridge | Committee Administrator. Notes the letters. |
| 010 | Laura Culberson | Consumer Advocate, Oregon State Public Interest Research Group. Presents testimony in support of HB 2402 (EXHIBIT B). Explains benefits for reducing amount of paper used in government. States opposition to the amendments. |
| 070 | Chair Bryant | Discusses section 2 (2) of bill. |
| 085 | Culberson | States they are not in support of section 2 (2) language because it would create an injustice. |
| 100 | Sen. Leonard | Discusses section 2 (2) of bill. |
| 119 | Sen. Leonard | Discusses penalties and asks how it can be determined whether or not paper is printed on recycled paper. |
| 127 | Culberson | States it is difficult to tell. |
| 133 | Chair Bryant | Asks how the law would be enforced. |
| 135 | Culberson | Discusses the intent of HB 2402. |
| 150 | Paul Cosgrove | American Forest and Paper Association. Presents and discusses the -A2 amendments (EXHIBIT C). |
| 185 | Chair Bryant | Discusses ORS 279.545. |
| 190 | Cosgrove | Continues discussing the -A2 amendments. |

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| 220 | Sen. Brown | Asks if there are paper recycling programs in every Oregon county. |
| 222 | Cosgrove | States there are not and discusses recycling programs. |
| 263 | Rep. Bill Markham | District 46. Supports HB 2402. |
| 295 | Sen. Nelson | Asks how many board feet it takes to create a ton of paper. |
| 300 | Cosgrove | Discusses paper processing. |
| 320 | Sen. Brown | Comments on enforcement procedures. |
| 321 | Doug Meyers | Association of Oregon Recyclers. Submits written testimony in support of HB 2402 (EXHIBIT D). |
| 343 | Chair Bryant | Closes public hearing on HB 2402 and opens work session on HB 2402. |
| <u>HB 2402</u> <u>WORK</u> <u>SESSION</u> | | |
| 349 | Chair Bryant | MOTION: Moves to ADOPT HB 2402-A2 amendments dated 05/16/97. |
| | Chair Bryant | Hearing no objection, declares the motion CARRIED. |
| 353 | Chair Bryant | Discusses page 1, line 11 of HB 2402, specifically mandating language. |
| 369 | Sen. Leonard | States concern about weakening language. |
| 388 | Chair Bryant | Closes work session on HB 2402 and opens work on HB 2074. |
| <u>HB 2074</u> <u>WORK</u> <u>SESSION</u> | | |
| 392 | Chair Bryant | MOTION: Moves to SUSPEND the rules for the purpose of RECONSIDERING HB 2074 . |
| | Chair Bryant | Hearing no objection, declares the motion CARRIED. |
| 395 | Chair Bryant | MOTION: Moves to RECONSIDER the vote by which HB 2074 was sent to the floor with a DO PASS recommendation. |
| | Chair Bryant | Hearing no objection, declares the motion CARRIED. |
| | | Staff presents the proposed -B5 amendments to HB 2074 (EXHIBIT E). |
| 420 | Brian Krieg | Committee Administrator. Explains the amendments to resolve conflicts. |
| 449 | Sen. Brown | MOTION: Moves to ADOPT HB 2074-B5 amendments dated 05/16/97. |
| | Chair Bryant | Hearing no objection, declares the motion CARRIED. |
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| 460 | Krieg | Discusses fiscal impacts of HB 2074. |
| TAPE 238, A | | |
| 003 | Chair Bryant | MOTION: Moves HB 2074 to Ways and Means committee with a DO PASS AS AMENDED recommendation. |
| | Chair Bryant | Hearing no objection, declares the motion CARRIED. |
| | Chair Bryant | Closes work session on HB 2074 and opens work session on SB 876. |
| SB 876 WORK SESSION | | |
| 008 | Sen. Leonard | MOTION: Moves to SUSPEND the rules for the purpose of RECONSIDERING SB 876. |
| | Chair Bryant | Hearing no objection, declares the motion CARRIED. |
| 011 | Sen. Leonard | MOTION: Moves to RECONSIDER the vote by which HB SB 876 was sent to the floor with a DO PASS as amended recommendation. |
| | Chair Bryant | Hearing no objection, declares the motion CARRIED. |
| | | Staff presents the proposed -2 and -3 amendments to SB 875 (EXHIBIT F). |
| 014 | Jan Nordlund | Committee Administrator. Explains the amendments. |
| 042 | Sen. Leonard | Comments on the -3 amendments. |
| 051 | Sen. Brown | Restates the purpose of SB 876. |
| 055 | Chair Bryant | Explains SB 876. |
| 062 | Sen. Leonard | MOTION: Moves to ADOPT SB 876-3 amendments dated 05/22/97. |
| | Chair Bryant | Hearing no objection, declares the motion CARRIED. |
| | | MOTION: Moves SB 876 to the floor with a DO PASS AS AMENDED recommendation and the SUBSEQUENT REFERRAL to the committee on Ways and Means BE RESCINDED. |
| | Chair Bryant | Hearing no objection, declares the motion CARRIED. |
| | | SEN. LEONARD will lead discussion on the floor. |
| 088 | Chair Bryant | Closes work session on SB 876 and opens work session on SB 467. |
| SB 467 WORK SESSION | | |

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| 100 | Chair Bryant | Explains SB 467. |
| | | Staff presents the proposed -5 amendments to SB 467 (EXHIBIT G). |
| 110 | Anne Tweedt | Committee Administrator . Explains the -5 amendments. |
| 163 | Chair Bryant | Comments on Trial Lawyers Association and Oregon Medical Association's support of amendments. |
| 210 | Chair Bryant | MOTION: *Moves to ADOPT SB 467 -5 amendments dated 05/20/97 with conceptual amendments in (EXHIBIT G). |
| | Chair Bryant | Hearing no objection, declares the motion CARRIED. *Adopted amendments later became SB 467 -6 amendments dated 05/22/97. |
| 216 | Chair Bryant | MOTION: Moves SB 467 to the floor with a DO PASS AS AMENDED recommendation. |
| | Chair Bryant | Hearing no objection, declares the motion CARRIED. SEN. BRYANT will lead discussion on the floor. |
| 218 | Chair Bryant | Closes work session on SB 467 and opens work session on SB 235. |
| <u>SB 235 WORK SESSION</u> | | |
| 234 | | Staff presents the proposed -10 amendments to SB 235 (EXHIBIT H). |
| 235 | Anne Tweedt | Committee Administrator. Explains the -10 amendments. |
| 271 | Tweedt | Explains the possible impacts of SB 235. Discusses the process established by SB 235. |
| 359 | Chair Bryant | Explains the need for SB 235 and discusses the effects of its passage. |
| <u>TAPE 237, B</u> | | |
| 001 | Chair Bryant | Explains the -10 amendments and supports the amendments. |
| 030 | Sen. Nelson | Discusses anecdotal evidence in support of SB 235. |
| 032 | Chair Bryant | Discusses anecdotal evidence in support of SB 235. |
| 041 | Sen. Brown | States the issue is how professionals will be encouraged to present evidence. Asks for clarification regarding "public disclosure." |
| 060 | Chair Bryant | Discusses public disclosure issues and explains the process established by SB 235. |
| 140 | Sen. Brown | Comments on the peer review process and contrasts it with the SB 467 proposal. |
| 150 | Chair Bryant | MOTION: *Moves to ADOPT SB 235 -10 amendments dated 05/19/97 with conceptual amendments noted in (EXHIBIT H). |

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| | Chair Bryant | Hearing no objection, declares the motion CARRIED. *Adopted amendments corrected (filed as SB 235 -11 amendments dated 05/23/97). |
| 158 | Chair Bryant | Closes work session on SB 235 and opens work session on SB 1109. |
| SB 1109 WORK SESSION | | |
| 169 | | Staff presents the proposed -4 amendments to SB 1109 (EXHIBIT I). |
| 170 | Jim Stenbridge | Committee Administrator. Explains the -2 amendments and compares them to the -4 amendments. Discusses ORS 294.351 and 294.145. |
| 250 | Chair Bryant | States the Governor does not want to appoint board members. |
| 262 | Chuck Pearson | State Board of Engineering and Surveying Examiners. Comments on the -2 and -4 amendments. |
| 287 | Chair Bryant | Asks what the ramifications would be of deleting section 7 of the -4 amendments. |
| 292 | Pearson | States that removing section 7 would cause problems with the elections process. |
| 343 | Sen. Leonard | Expresses concern with having the regulatory board appointed by those being regulated. |
| 341 | Chair Bryant | Explains perceived reasons why the Governor may not want to appoint members. |
| 384 | Stenbridge | Discusses page 2, lines 13 and 14 of the -4 amendments. |
| 386 | Stenbridge | Contrasts the -4 amendments to the -2 amendments. |
| 423 | Chair Bryant | MOTION: Moves to ADOPT SB 1109 -4 amendments and that the amendments be FURTHER AMENDED by deleting language from page 1, line 22 through page 2, line 3. |
| | Chair Bryant | Hearing no objection, declares the motion CARRIED. |
| 465 | Chair Bryant | MOTION: Moves to ADOPT SB 1109-2 amendments dated 05/12/97. |
| | Chair Bryant | Hearing no objection, declares the motion CARRIED. |
| 470 | Sen. Leonard | States concerns about SB 1109 as amended. |
| 475 | Chair Bryant | MOTION: *Moves SB 1109 to the floor with a DO PASS AS AMENDED recommendation. |
| | Chair Bryant | Hearing no objection, declares the motion CARRIED. *Adopted amendments later became SB 1109 -5 amendments dated 05/27/97. |

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| TAPE 238, B | | |
| 006 | Chair Bryant | Closes work session on SB 1109 and re-opens work session on SB 235. |
| <u>SB 235 WORK SESSION</u> | | |
| 008 | Chair Bryant | MOTION: Moves SB 235 to the floor with a DO PASS AS AMENDED recommendation. |
| 009 | Sen. Leonard | Expresses concern with SB 235. |
| | Chair Bryant | Hearing no objection, declares the motion CARRIED. SEN. BRYANT will lead discussion on the floor. |
| 015 | Chair Bryant | Closes work session on SB 235 and opens public hearing on SB 867. |
| <u>SB 867 PUBLIC HEARING</u> | | |
| 014 | | Staff presents the proposed -2 and -3 amendments to SB 867 (EXHIBIT J). |
| 015 | Jim Stembridge | Committee Administrator. Explains the -2 and -3 amendments. Compares the amendments. |
| 095 | Chair Bryant | Comments on reasons for amendments and discusses the need for SB 867. Discusses the perceived impact of SB 867. |
| 136 | Sen. Brown | Asks for an explanation of how SB 867 saves money. |
| 139 | Peggy Annick | Health Insurance Association of America. Explains the -2 amendments and discusses the need for SB 867. Discusses the perceived impact. |
| 233 | Sen. Leonard | Expresses concern with the impact on small school districts. |
| 252 | Chair Bryant | Closes public hearing on SB 867 and opens work session on SB 867. |
| <u>SB 867 WORK SESSION</u> | | |
| 254 | Chair Bryant | MOTION: Moves to ADOPT SB 867-2 amendments dated 05/21/97 and that the amendments be FURTHER AMENDED on page 3, line 15 by inserting "assessment in accordance with" after the first "to". |
| | Chair Bryant | Hearing no objection, declares the motion CARRIED. |
| 315 | Chair Bryant | MOTION: Moves SB 867 to the floor with a DO PASS AS AMENDED recommendation. |
| | Chair Bryant | Hearing no objection, declares the motion CARRIED. |

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| | | SEN. BRYANT will lead discussion on the floor. |
| 327 | Chair Bryant | Closes work session on SB 867 and re-opens work session on HB 2402. |
| <u>HB 2402 - WORK SESSION</u> | | |
| 345 | Sen. Leonard | MOTION: Moves to AMEND SB 2402 on page 1, line 11 by replacing "must" with "should" and inserting ", if paper is readily available." after "ORS 279.545". |
| | | VOTE: 0-0 EXCUSED: 2 - Derfler, Miller |
| | Chair Bryant | Hearing no objection, declares the motion CARRIED. |
| | Chair Bryant | |
| 350 | Sen. Leonard | MOTION: Moves HB 2402 to the floor with a DO PASS AS AMENDED recommendation. |
| | Chair Bryant | Hearing no objection, declares the motion CARRIED. SEN. LEONARD will lead discussion on the floor. |
| 355 | Chair Bryant | Closes work session on HB 2402 and adjourns meeting at 3:14 p.m. |

Submitted By, Reviewed By,

Jennifer Peck, Jim Stembridge,

Administrative Support Administrator

Reviewed By, Reviewed By,

**Jan Nordlund, Brian Krieg,
Administrator Administrator**

Transcribed By, Reviewed By,

**Paul Zolezzi, Anne Tweedt,
Administrative Support Administrator**

EXHIBIT SUMMARY

A - HB 2402, public letters submitted prior to meeting and written testimony, staff, 6 pp

B - HB 2402, written testimony, Laura Culberson, 4 pp

C - HB 2402, proposed -A2 amendments, Paul Cosgrove, 1 p

D - HB 2402, written testimony, Doug Meyers, 1 p

E - HB 2074, proposed -B5 amendments, staff, 2 pp

F - SB 876, proposed -2 and -3 amendments, staff, 4 pp

G - SB 467, proposed -5 amendments, staff, 27 pp

H - SB 235, proposed -10 amendments, staff, 50 pp

I - SB 1109, proposed -2 amendments, staff, 37 pp

J - SB 867, proposed -2 and -3 amendments, staff, 7 pp
