

HOUSE COMMITTEE ON  
COMMERCE

-  
May 4, 1995      Hearing Room E  
5:00 PM Tapes 33 -34

MEMBERS PRESENT:

Rep. Eldon Johnson, Chair  
Rep. Cynthia Wooten, Vice-Chair  
Rep. Chuck Carpenter  
Rep. Michael Fahey  
Rep. Tony Federici  
Rep. Lynn Lundquist  
Rep. Gail Shibley  
Rep. Lynn Snodgrass  
Rep. Larry Wells

MEMBER EXCUSED:

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STAFF PRESENT:

Daniel Jarman, Committee Administrator  
-      Jodie Hall, Committee Assistant

MEASURES HEARD:

HB 2143 - Work Session  
SB 309 - Work Session  
SB 788 - Work Session  
SB 902 - Work Session  
SB 1036 - Work Session  
SB 586 - Work Session  
SB 480 - Work Session  
SB 431 - Work Session  
SB 466 - Work Session  
SB 894 - Work Session  
SB 548 - Work Session  
SB 658 - Work Session  
SB 822 - Work Session  
SB 354 - Work Session

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TAPE 33, A  
HOUSE  
COMMERCE  
May~, 1 ~ -  
Page 2

003      OPENS WORK SESSION ON HB 2143.  
004      MOTION: REP. FEDERICI: Moves that the Rules be Suspended to Reconsider  
the      Motion by which HB 2143 was sent to the Floor with a Do Pass recommendation  
and the      Referral to Ways and Means was not addressed.  
006      CHAIR JOHNSON: Hearing no objections, the MOTION CARRIES.  
007      MOTION: REP. FEDERICI: Moves that the Committee Reconsider the Vote by  
which HB 2143 was sent to the Floor with a Do Pass Recommendation.  
009      CHAIR JOHNSON: Hearing no objections, the MOTION CARRIES.  
011      MOTION: REP. FEDERICI: Moves to send HB 2143, AS AMENDED, to the  
floor with a DO PASS recommendation and the Referral to Ways and Means be  
rescinded.  
015      VOTE: In a roll call vote, all members present vote AYE.  
022      CHAIR JOHNSON: The MOTION CARRIES.  
023      REP. SNODGRASS will lead discussion of HB 2143 on the Floor.  
024      CLOSES WORK SESSION ON HB 2143.  
025      OPENS WORK SESSION ON SB 309.  
027      REP. CARPENTER: Summarizes SB 309 and the -6 amendments adopted by the

Trade and

Economic Development.

- 048 REP. WOOTEN: Comments on the report.  
011 MOTION: REP. CARPENTER: Moves to send SB 309, AS AMENDED, to the floor with a DO PASS recommendation.  
015 VOTE: In a roll call vote, all members present vote AYE.  
022 CHAIR JOHNSON: The MOTION CARRIES.  
023 REP. SNODGRASS will lead discussion of SB 309 on the Floor.  
024 CLOSES WORK SESSION ON SB 309.  
062 OPENS WORK SESSION ON SB 788.  
071 REP. LUNDQUIST: Summarizes SB 788 and the -2 amendments adopted by the

Business

Subcommittee.

-Explains the conceptual amendments adopted by the committee.

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HOUSE COMMERCE

May ~, 1995 - Page 3

098 -In response to Rep. Fahey: Explains that Portland Attorney's assisted in the drafting of the amendments.

109 CHAIR JOHNSON: Explains further the responsibility of the different parties involved.

114 REP. LUNDQUIST: Further explains that it keeps the liability to the specific job which includes the contractors and subcontractors, but does not go beyond that.

123 REP. WELLS: Comments how different levels of insurance are covered.

135 REP. SHIBLEY: Legal definition of the word "negligence".

139 REP. LUNDQUIST: Explains the basis for the definition.

144 -In response to Rep. Fahey: No, workers compensation was not brought up for third party jobs.

147 CHAIR JOHNSON: Responds to Rep. Fahey.

150 MOTION: REP. LUNDQUIST: Moves to send SB 788, AS AMENDED, to the floor with a DO PASS recommendation and the Referral to Ways and Means be rescinded.

152 VOTE: In a roll call vote, REP. CARPENTER, FEDERICI, LUNDQUIST, SHIBLEY, SNODGRASS, WELLS, WOOTEN, JOHNSON vote AYE. REP. FAHEY votes NAY.

155 CHAIR JOHNSON: The MOTION CARRIES.

157 REP. LUNDQUIST will lead discussion of SB 788 on the Floor.

159 CLOSES WORK SESSION ON SB 788.

160 OPENS WORK SESSION ON SB 902.

162 REP. FEDERICI: Summarizes SB 902.

176 REP. WELLS: Clarifies further that SB 902 refers to tenants of mobile home parks.

195 -In response to Chair Johnson: Explains the notice given. Explaining that there is a formal notice requirement.

203 REP. FEDERICI: In response to Rep. Fahey: Explains that late payments refer to non payment.

216 REP. SHIBLEY: Explains that in the 87 or 89 Session there was a restructuring of the Landlord Tenant Law. Has concerns about opening up this complicated piece of statute.

231 MOTION: REP. WELLS: Moves to send SB 902 to the floor with a DO PASS recommendation and the Referral to Ways and Means be rescinded.

234 VOTE: ~ a roll call vote, all members present vote AYE.

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238 CHAIR JOHNSON: The MOTION CAR-PIES.

240 REP. WELLS will lead discussion of SB 902 on the Floor.

243 REP. FAHEY: Declares possible conflict of interest.

245 CLOSES WORK SESSION ON SB 902.

246 OPENS WORK SESSION ON SB 1036.

248 REP. WELLS: Summarizes SB 1036.

305 MOTION: REP. WELLS: Moves to send SB 1036 to the floor with a DO PASS recommendation.

310 VOTE: In a roll call vote, all members present vote AYE.

313 CHAIR JOHNSON: The MOTION CARRIES.

315 REP. WELLS will lead discussion of SB 1036 on the Floor.

317 CLOSES WORK SESSION ON SB 1036.

319 OPENS WORK SESSION ON SB 586.

321 REP. WELLS: Summarizes SB 586.

374 -In response to Rep. Wooten: Explains further what the bill does,  
specifically in reference to  
liability on consumers when they sell used manufactured dwellings.

TAPE 34, SIDE A

027 REP. WOOTEN: Concerned about the impact on consumers especially in  
reference to inspections.

034 REP. WELLS: Clarifies requirements of an owner selling a used  
manufactured home.

046 REP. WOOTEN: Further explains her concerns.

050 REP. LUNDOUIST: Explains that the responsibility of the Building Codes  
Division within this capacity.

052 MOTION: REP. WELLS: Moves to send SB 586 to the floor with a DO PASS  
recommendation.

057 VOTE: In a roll call vote, all members present vote AYE.

059 CHAIR JOHNSON: The MOTION CARRIES.

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HOUSE COMMERCE

May 5, 1995 - Page 5

061 REP. SNODGRASS will lead discussion of SB 586 on the Floor.

063 CLOSES WORK SESSION ON SB 586.

062 OPENS WORK SESSION ON SB 480.

064 REP. SNODGRASS: Summarizes SB 480.

079 MOTION: REP. SNODGRASS: Moves to send SB 480 to the floor with a DO PASS  
recommendation.

082 VOTE: In a roll call vote, all members present vote AYE.

084 CHAIR JOHNSON: The MOTION CARRIES.

086 REP. SNODGRASS will lead discussion of SB 480 on the Floor.

087 CLOSES WORK SESSION ON SB 480.

088 OPENS WORK SESSION ON SB 431.

090 REP. FEDERICI: Summarizes SB 431.

121 REP. WOOTEN: Concerned that farmworkers may be left out because they do

not apply to the

occupancy laws.

-Has concerns about the 30 days. Would instead recommend 14 days.

154 CHAIR JOHNSON: Comments that he hesitates in amending the bill in  
committee.

158 REP. LUNDOUIST: Comments that he does not understand the full impact of  
Rep. Wooten's  
concerns.

160 CHAIR JOHNSON: Recommends holding the bill over until Rep. Wooten's  
concerns have been

addressed.

163 CLOSES WORK SESSION ON SB 431.

169 OPENS WORK SESSION ON SB 466.

171 REP. WELLS: Summarizes SB 466.

194 -In response to Rep. Fahey: Yes, would cover temporary events that are  
mobile events.

200 -In response to Rep. Shibley: Explains that in reference to SB 333, this  
only limits fees to \$25.

206 REP. LUNDOUIST: Fees in statute, therefore would not be affected by SB  
333.

210 REP. SHIBLEY: Expresses her concerns of putting fees in statute.

221 CHAIR JOHNSON: Explains for Rep. Shibley the reason fees are in statute;  
at the request of  
leadership.

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HOUSE COM1\,IERCE  
May4, 1995 - Page 6

226 MOTION: REP. WELLS: Moves to send SB 466 to the floor with a DO PASS  
recommendation.

230 VOTE: ~ a roll call vote, all members present vote AYE.

233 CHAIR JOHNSON: The MOTION CARRIES.

235 REP. WELLS will lead discussion of SB 466 on the Floor.

237 CLOSES WORK SESSION ON SB 466.

238 OPENS WORK SESSION ON SB 894.

WITNESS: FRANK BRAUNER, Oregon Bankers Association

239 REP. WELLS: Summarizes SB 894.

301 -In response to Rep. Fahey: As he understands it, no there is no fee for  
a check guarantee card.

316 FRANK BRAUNER, Oregon Bankers Association: Explains for Rep. Fahey that  
it depends on the bank as to whether or not there is a fee for the service  
of receiving funds on a check guarantee.

342 MOTION: REP. WELLS: Moves to send SB 894 to the floor with a DO PASS  
recommendation.

346 VOTE: In a roll call vote, all members present vote AYE.

350 CHAIR JOHNSON: The MOTION CARRIES.

352 REP. WELLS will lead discussion of SB 894 on the Floor.

354 CLOSES WORK SESSION ON SB 894.

355 CHAIR JOHNSON: Requests unanimous consent to allow Rep. Federici to vote  
on SB 466.

-Hearing no objections, asks Rep. Federici how he votes. REP. FEDERICI  
votes AYE on SB  
466. (Please note line 230 of page 5.)

365 OPENS WORK SESSION ON SB 548.

367 REP. FEDERICI: Summarizes SB 548.

401 CHAIR JOHNSON: Explains that the committee has only one page of a three page amendment.

TAPE 9, SIDE B

020 MOTION: REP. FEDERICI: Moves the SB 548 -5 Amendments be adopted.

024 REP. SHIBLEY: Expresses her concerns about adopting amendments before she sees them.

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HOUSE COMMERCE

May 4, 1995 - Page 7

026 REP. WOOTEN: Expresses her dismay that the process is moving so fast that members are not given adequate time to review amendments.

031 CHAIR JOHNSON: Hearing no objections, MOTION is ADOPTED.

035 MOTION: REP. FEDERICI: Moves to send SB 548, AS AMENDED, to the floor with a DO PASS recommendation.

037 VOTE: In a roll call vote, all members present vote AYE.

040 CHAIR JOHNSON: The MOTION CARRIES.

041 REP. FEDERICI will lead discussion of SB 548 on the Floor.

042 CLOSES WORK SESSION ON SB 548.

043 OPENS WORK SESSION ON SB 658.

WITNESS: CHARLES WILLIAMSON, Oregon Racing Commission

045 CHAIR JOHNSON: Comments that Committee Staff will provide a copy of the amendment to the Committee members.

047 REP. SNODGRASS: Summarizes SB 658.

061 REP. WOOTEN: Expresses concerns of the bill.

063 CHARLES WILLIAMSON, Oregon Racing Commission: Explains that the law is currently

not clear in this area. SB 658 will clarify this issue further

076 MOTION: REP. SNODGRASS: Moves to send SB 658 to the floor with a DO PASS recommendation

079 VOTE: In a roll call vote, all members present vote AYE.

081 CHAIR JOHNSON: The MOTION CARRIES.

083 REP. SNODGRASS will lead discussion of SB 658 on the Floor.

085 CLOSES WORK SESSION ON SB 658.

087 OPENS WORK SESSION ON SB 822.

089 REP. LUNDQUIST: Summarizes SB 822.

98 MOTION: REP. LUNDQUIST: Moves to send SB 822 to the floor with a DO PASS recommendation

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HOUSE COMMERCE

May 4, 1995 - Page 8

101 VOTE: In a roll call vote, all members present vote AYE.

103 CHAIR JOHNSON: The MOTION CARRIES.

105 REP. LUNDQUIST will lead discussion of SB 822 on the Floor.

107 CLOSES WORK SESSION ON SB 822.

108 OPENS WORK SESSION ON SB 354.

WITNESS: JOE D'ALESSANDRO, Oregon Economic Development Department

109 REP. FEDERICI: Summarizes SB 354 and the -3 and 4 amendments adopted by  
the Subcommittee.

153 JOE D'ALESSANDRO, Oregon Economic Development Department: Responds to  
Rep.

Shibley's inquiries concerning page 6, section 14, subsection 2, of the A  
engrossed version.

168 CHAIR JOHNSON: Suggests moving to the floor and if before it reaches the  
floor the answer is

not satisfactory, return to the committee.

176 D'ALESSANDRO: Responds to Rep. Fahey.

183 REP. WELLS: Comments on the language referring to museums.

199 REP. FEDERICI: Explains the -3 and 4 amendments for Rep. Shibley and  
Chair Johnson.

230 CHAIR JOHNSON: Requests to move back to SB 431 later.

231 MOTION: REP. WELLS: Moves to send SB 894 to the floor with a DO PASS  
recommendation.

233 VOTE: In a roll call vote, all members present vote AYE.

234 CHAIR JOHNSON: The MOTION CARRIES.

236 REP. SNODGRASS will lead discussion of SB 894 on the Floor.

238 CLOSSES WORK SESSION ON SB 894.

Submitted by,  
Jodie Hall  
Committee Assistant  
Committee Administrator

Reviewed by,  
Daniel Jarman /

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