

HOUSE COMMITTEE ON  
COMMERCE

May 11, 1995      Hearing Room  
3:30 PM Tapes 35 - 36

MEMBERS PRESENT:

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

MEMBER EXCUSED:

Rep. Michael Fahey

STAFF PRESENT:

Daniel Jarman, Committee Administrator  
Jodie Hall, Committee Assistant

MEASURES HEARD:

SB 836 - Public Hearing and Work Session  
SB 354 - Work Session  
SB 543 - Work Session  
HB 3048 - Work Session  
HB 3209 - Work Session  
SB 431 - Work Session  
HB 2763 - Work Session  
SB 940 - Work Session  
SB 1047 - Work Session  
SB 1027 - Work Session  
SB 1095 - Work Session  
SB 26 - Work Session  
SB 38 - Work Session  
HB 3278 - Work Session

These minutes contain materials which paraphrase and/or summarize  
statements made during this session. Only text enclosed in quotation marks

report a speaker's exact words. For complete contents of the proceedings,  
please refer to the tapes.

TAPE 35, A

004                    CHAIR LUNDQUIST: Moves to recall SB 836 from the Subcommittee on Trade  
and                    Economic Development.

006                    CHAIR LUNDQUIST: Hearing no objections, the MOTION is ADOPTED.

007                    OPENS PUBLIC HEARING ON SB 836.

WITNESSES: REP. LISA NAITO, District 15  
SEN. RANDY LEONARD, District 9  
MRS. SHEETS, Schoolteacher, Jason Lee Elementary School  
MICHAEL MCMURTRY, 5th Grader at Jason Lee Elementary School, Portland  
COLLEEN HASSELL, 5th Grader, Jason Lee Elementary School, Portland  
COLLEEN HASSELL, 5th Grader, Jason Lee Elementary School, Portland  
LYDIE CHURCHILL, 5th Grader, Jason Lee Elementary School, Portland  
PHIL NGUYEN, 5th Grader, Jason Lee Elementary School, Portland  
PHUONG CHU, 5th Grader, Jason Lee Elementary School, Portland  
TAMMY WHITEA, 5th Grader, Jason Lee Elementary School, Portland  
NGUYEN PHAM, 5th Grader, Jason Lee Elementary School, Portland  
KATIE SCHLEENEY, 5th Grader, Jason Lee Elementary School, Portland  
SARA FISHER, 5th Grader, Jason Lee Elementary School, Portland  
ADAM KNARE, 16 year old student at Madison High School  
LOREN RICE, 5th Grader, Jason Lee Elementary School, Portland

015 REP. LISA NAITO, District 15: Testifies in SUPPORT of SB 836.  
Introduces Mrs. Sheets and her fifth grade class.

027 SEN. RANDY LEONARD, District 9: Testifies in SUPPORT of SB 836.

029 MRS. SHEETS, Schoolteacher, Jason Lee Elementary School: Testifies in  
SUPPORT of SB 836. Exhibit A.

041 MICHAEL MCMURTRY, 5th Grader at Jason Lee Elementary School, Portland:  
Testifies in SUPPORT of SB 836.  
-Explains that the 27 students before the Committee represent over 300  
students in support of SB 836.

064 COLLEEN HASSELL, 5th Grader, Jason Lee Elementary School, Portland:  
Testifies in SUPPORT of SB 836.

080 LYDIE CHURCHILL, 5th Grader, Jason Lee Elementary School, Portland:  
Testifies in SUPPORT of SB 836.  
-Would like Portland to become the leader of the Pacific Rim.

095 PHIL NGUYEN, 5th Grader, Jason Lee Elementary School, Portland:  
Testifies in SUPPORT of SB 836.  
-Explains how he believes the East Bank of the Willamette River can be  
improved.  
-Explains that the theme would be a horticultural theme.

117 MRS. SHEETS: Explains that Ms. Chu has only been in the United States  
for one year.

120 PHUONG CHU, 5th Grader, Jason Lee Elementary School, Portland:  
Testifies in SUPPORT of SB 836.

135 TAMMY WHITEA, 5th Grader, Jason Lee Elementary School, Portland:  
Testifies in SUPPORT of SB 836.  
-Explains how she believes the World Fair could be presented.  
-Believes should have "two-fers" all over Oregon. Would allow two people  
to get in for one.  
-Explains transportation.  
-Explains what would happen with the buildings after the fair.

172 WHITEA: Explains the gold key process for Rep. Federici. It would be  
a ticket that is a key.

185 MRS. SHEETS: Explains that this would be an open World's Fair, the key  
would be a key for the entire state.

191 NGUYEN PHAM, 5th Grader, Jason Lee Elementary School, Portland:  
Testifies in SUPPORT of SB 836. Reads a letter into the record from  
Commissioner Charlie Hales.

219 KATIE SCHLEENEY, 5th Grader, Jason Lee Elementary School, Portland:  
Testifies in SUPPORT of SB 836.

-Explains why the Worlds Fair would benefit Oregon.

234 SARA FISHER, 5th Grader, Jason Lee Elementary School, Portland:  
Testifies in SUPPORT of SB 836.

-Explains that everyone spoken to about the worlds fair has been  
supportive.

263 ADAM KNARE, 16 year old student at Madison High School: Testifies in  
SUPPORT of SB 836.

-Has been working on this project since his 5th grade year.

-Has worked with many political leaders, teachers, businessman, etc.

-Objective would be to beautify Oregon as a whole.

294 -In response to Rep. Federici: Explains that in order to hold a World  
Fair here, would have to be sanctioned in the World Fair Office in Paris.  
May have to go to Paris.

322 LOREN RICE, 5th Grader, Jason Lee Elementary School, Portland:  
Testifies in SUPPORT of SB 836.

-Explains that the students can not do it without the Commerce Committee.

337 MRS. SHEETS: Explains that the students researched each of the members  
of the Committee.

-Wants to stress that the Worlds Fair would benefit all of Oregon.

-Comments on benefits for Central Point.

-Explains that the Mayor of Bend thought this was a great idea.

375 REP. SNODGRASS: Thanks all the kids for their hard work they have put  
into the project.

387 REP. SHIBLEY: Comments that as the representative of the 1905 site of  
the World Fair, hopes the committee does right by the state of Oregon and  
the students of Jason Lee Elementary School.

413 CLOSES PUBLIC HEARING ON SB 836.

415 OPENS WORK SESSION ON SB 836.

417 MOTION: REP. FEDERICI: Moves to send SB 836 to the Floor with a DO  
PASS recommendation.

419 VOTE: In a roll call vote, all members present vote AYE. REP. FAHEY  
EXCUSED.

420 CHAIR LUNDQUIST: The MOTION CARRIES.

423 REP. NAITO will carry SB 836 to the Full Committee on Commerce.

424 CLOSES WORK SESSION ON SB 836.

TAPE 36, SIDE A

030 OPENS WORK SESSION ON SB 354.

031 MOTION: REP. SNODGRASS: Moves that the Rules be Suspended to  
Reconsider the Motion by which SB 354 was sent to the Floor with a Do Pass  
recommendation and the Referral to Ways and Means was not addressed.

032 CHAIR JOHNSON: Hearing no objections, the MOTION CARRIES.

032 MOTION: REP. SNODGRASS: Moves that the Committee Reconsider the Vote  
by which SB 354 was sent to the Floor with a Do Pass Recommendation.

033 CHAIR JOHNSON: Hearing no objections, the MOTION CARRIES.

034 MOTION: CHAIR JOHNSON: Moves to send SB 354, AS AMENDED, to the floor  
with a DO PASS recommendation and the Referral to Ways and Means be  
rescinded.

035                   VOTE: In a roll call vote, all members present vote AYE. REP. FAHEY,  
SHIBLEY               EXCUSED.

037                   CHAIR JOHNSON: The MOTION CARRIES.

038       REP. SNODGRASS will lead discussion of SB 354 on the Floor.

039       CLOSES WORK SESSION ON SB 354.

040       OPENS AND CLOSES WORK SESSION ON HB 3209. (The Trade and Economic  
Development staff was not in the hearing room for consultation.)

045       OPENS WORK SESSION ON SB 543.

046       CHAIR JOHNSON: Explains the intent of SB 543, to settle a lawsuit.

050       REP. WOOTEN: Explains her concerns with the bill.

084       CHAIR JOHNSON: Explains that he has made agreements with Senator Bunn  
that this bill will move even if not used as a vehicle to address concerns.

092                   MOTION: REP. FEDERICI: Moves to send SB 543 to the House Legislative  
Rules.

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

101                   CHAIR JOHNSON: The MOTION CARRIES.

106       CLOSES WORK SESSION ON SB 543.

107       OPENS WORK SESSION ON HB 3048.

WITNESS:            REP. JANE LOKAN, District 25

110       REP. SNODGRASS: Summarizes HB 3048 and the -9 amendments adopted by the  
Subcommittee on Business.

129       REP. JANE LOKAN, District 25: Testifies in SUPPORT of HB 3048.

135       REP. SNODGRASS: Explains that HB 3048 is not looking at all function of  
the Department of Transportation. It is focused, for example on payroll.

152       -In response to Rep. Shibley: Explains why ODOT and not other agencies.  
  
Explains that this is a feasibility study.

220       REP. SNODGRASS: Explains further that it is more useful to engage an  
agency that already contracts out.

238       REP. LOKAN: Explains that payroll is being looked at, but is not  
specified in the legislation.

250       REP. SHIBLEY: Perhaps recommend to the Speaker that there be an interim  
study to look further into this issue.

288       REP. LUNDQUIST: Explains that ODOT was very cooperative on such a short  
notice.

298       REP. WOOTEN: Explains her concerns of the costs of studies.

307       REP. LOKAN: Responds to Rep. Wooten.

328                   MOTION: REP. LUNDQUIST: Moves to send HB 3048, AS AMENDED, to the

Floor with a DO PASS recommendation.

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

CHAIR JOHNSON: The MOTION FAILS.

344 REP. SHIBLEY: Recommends Rep. Lokan to please continue her work towards this issue. Would be willing to assist with this survey.

363 CLOSES WORK SESSION ON HB 3048.

364 OPENS WORK SESSION ON HB 3209.

WITNESS: MARK HUGHES, Oregon Economic Development Department

365 MARK HUGHES, Oregon Economic Development Department: Believes OEDD currently has the authority to provide these loans.

389 DAN JARMAN, Committee Administrator: Explains for Rep. Wells that the bill had failed in committee.

406 REP. WOOTEN: Explains what is currently happening with the bill for Rep. Wells.

TAPE 35, SIDE B

010 REP. WOOTEN: Continues with her response to Rep. Wells.

020 CLOSES WORK SESSION ON HB 3209.

027 OPENS WORK SESSION ON SB 431.

WITNESSES: CINDY HUNT, Legislative Counsel  
LARRY HARVEY, Oregon Lodging Association

041 CINDY HUNT, Legislative Counsel: Addresses the amendments for Rep. Wooten. Exhibit B.

-Addresses the problems with the current drafting of the SB 431 amendments.

079 -In response to Rep. Wooten: Agrees with Rep. Wooten that not much protection is provided for consumers. Explains why.

084 -In response to Rep. Shibley: Explains ways to identify scrupulous and unscrupulous landlords. Possibly shorten the period of occupancy of a tenant.

108 -In response to Rep. Lundquist: Explains how she perceives the effects of decreasing the days on the taxation collected.

118 REP. WOOTEN: No, would not have an effect on taxation.

122 LARRY HARVEY, Oregon Lodging Association: Responds to Rep. Lundquist's concerns about loss of revenues in taxation. Believes changing the definition of transient occupancy would be taking away local control from counties.

150 MOTION: REP. CARPENTER: To floor with a do pass recommendation.

157 REP. WOOTEN: Would appreciate the opportunity to address concerns of Legislative Counsel with the -A3 amendments.

164 REP. SNODGRASS: Comments that the Business Subcommittee addressed the time frames.

170 REP. WOOTEN: Requests Ms. Hunt to please discuss the amendments.

175 CHAIR JOHNSON: Comments that a motion is before the committee.

176 REP. CARPENTER: Reaffirms his motion.

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

188 CHAIR JOHNSON: The MOTION CARRIES.

189 REP. FEDERICI will lead Floor discussion.

191 CLOSES WORK SESSION ON SB 431.

192 OPENS WORK SESSION ON HB 2763.

193 REP. LUNDQUIST: Summarizes HB 2763.

237 REP. SHIBLEY: Requests more information on how class of trade works.

249 REP. LUNDQUIST: Explains class of trade. Is not the same as volume  
discounts.

270 -Responds further to Rep. Shibley: Not sure if there is a difference  
between non-profit and for-profit organizations.

312 -Responds further to Rep. Shibley clarifying class of trade discounts.

332 REP. FEDERICI: Explains further the reason that class trade of  
discounts can be given to HMO's, etc. is due to the effect of higher prices

being charged to individual pharmacies.

358 REP. CARPENTER: Believes that if something is not done, will be driving  
the small businesses out of business. Believes prices are unfair.

372 REP. WOOTEN: Need to look at ways to cut medical costs.

384 CHAIR JOHNSON: Responds to Rep. Federici's questions on Rep. Wooten's  
comments.

-Explains that the bill needs an amendment to determine the amount of civil  
penalty.

390 REP. SNODGRASS: Requests clarification that the bill is going to Ways  
and Means, explains that she is very opposed to the bill, but will support  
a referral to Ways and Means. Believes something needs to be done, yet  
does not want the small pharmacies to go out of business.

TAPE 36, SIDE B

045 MOTION: CHAIR JOHNSON: Moves to insert "\$5,000" as the amount of civil  
penalty.

046 CHAIR JOHNSON: Hearing no objections, the MOTION is ADOPTED.

050 REP. SHIBLEY: Requests information on whether this bill came to the  
Commerce Committee with a referral to Ways and Means?

052 CHAIR JOHNSON: No it did not.

-Responds further to Rep. Shibley: Explains that the leadership believes  
the fiscal is inaccurate.

-In response to Rep. Wooten: The inaccuracy stems from the Department of  
Administrative Services not Legislative Fiscal Office.

060 MOTION: REP. FEDERICI: Moves HB 2763 be sent to the Floor with a DO  
PASS recommendation.

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

EXCUSED.

068 CHAIR JOHNSON: The MOTION CARRIES.

070 REP. CARPENTER will carry HB 2763 to the Floor.

072 CLOSES WORK SESSION ON HB 2763.

077 OPENS WORK SESSION ON SB 940.

083 REP. SNODGRASS: Summarizes SB 940.

094 MOTION: REP. SNODGRASS: Moves to send SB 940 to the Floor with a DO  
PASS recommendation.

095 VOTE: In a roll call vote, all members present vote AYE. REP. FAHEY  
EXCUSED.

097 CHAIR JOHNSON: The MOTION CARRIES.

102 REP. SNODGRASS will carry HB 2763 to the Floor.

104 CLOSES WORK SESSION ON SB 940.

105 OPENS WORK SESSION ON SB 1047.

107 REP. LUNDQUIST: Summarizes SB 1047.

119 MOTION: REP. LUNDQUIST: Moves SB 1047 be sent to the Floor with a DO  
PASS recommendation.

122 VOTE: In a roll call vote, all members present vote AYE. REP. FAHEY  
EXCUSED.

128 CHAIR JOHNSON: The MOTION CARRIES.

130 REP. LUNDQUIST will carry SB 1047 to the Floor.

132 CLOSES WORK SESSION ON SB 1047.

134 OPENS WORK SESSION ON SB 1027.

132 REP. FEDERICI: Summarizes SB 1027.

158 MOTION: REP. FEDERICI: Moves SB 1027 be sent to the Floor with a DO  
PASS recommendation.

165 VOTE: In a roll call vote, all members present vote AYE. REP. FAHEY  
EXCUSED.

169 CHAIR JOHNSON: The MOTION CARRIES.

170 REP. LUNDQUIST will carry SB 1027 to the Floor.

173 CLOSES WORK SESSION ON SB 1027.

174 OPENS WORK SESSION ON SB 1095.

132 REP. SNODGRASS: Summarizes SB 1095.

178 MOTION: REP. SNODGRASS: Moves SB 1095 be sent to the Floor with a DO  
PASS recommendation.

183 VOTE: In a roll call vote, all members present vote AYE. REP. FAHEY  
EXCUSED.

185 CHAIR JOHNSON: The MOTION CARRIES.

187 REP. SNODGRASS will carry SB 1095 to the Floor.  
190 CLOSES WORK SESSION ON SB 1095.  
191 OPENS WORK SESSION ON SB 26.  
192 REP. SNODGRASS: Summarizes SB 26.  
198 MOTION: REP. SNODGRASS: Moves SB 26 be sent to the Floor with a DO  
PASS recommendation.  
199 VOTE: In a roll call vote, all members present vote AYE. REP. FAHEY  
EXCUSED.  
206 CHAIR JOHNSON: The MOTION CARRIES.  
208 REP. SNODGRASS will carry SB 26 to the Floor.  
209 CLOSES WORK SESSION ON SB 26.  
210 OPENS WORK SESSION ON SB 38.  
211 REP. WELLS: Summarizes SB 38.  
219 MOTION: REP. WELLS: Moves SB 38 be sent to the Floor with a DO PASS  
recommendation.  
223 VOTE: In a roll call vote, all members present vote AYE. REP. FAHEY  
EXCUSED.  
224 CHAIR JOHNSON: The MOTION CARRIES.  
226 REP. LUNDQUIST will carry SB 38 to the Floor.  
228 CLOSES WORK SESSION ON SB 38.  
229 OPENS WORK SESSION ON HB 3278.  
230 REP. FEDERICI: Summarizes HB 3278.  
257 MOTION: REP. FEDERICI: Moves HB 3278, AS AMENDED, be sent to the Floor  
with a DO PASS recommendation.  
262 VOTE: In a roll call vote, all members present vote AYE. REP. FAHEY  
EXCUSED.  
264 CHAIR JOHNSON: The MOTION CARRIES.  
265 REP. LUNDQUIST will carry HB 3278 to the Floor.  
267 CLOSES WORK SESSION ON HB 3278.  
268 MEETING ADJOURNED AT 5:20 PM.

Submitted by, Reviewed by,

Jodie Hall Daniel Jarman  
Committee Assistant Committee Administrator

EXHIBIT SUMMARY:

A - "Be a Part of History" - Mrs. Sheets, Schoolteacher, Jason Lee  
Elementary School - 33 pages



B - HB 431 - A3 Amendments - Cindy Hunt, Legislative Counsel - 4 pages