

HOUSE COMMITTEE ON
COMMERCE SUB-COMMITTEE ON BUSINESS

Hearing Room
Tapes - 58

MEMBERS PRESENT:

REP. LYNN LUNDQUIST, Chair
REP. TONY FEDERICI, Vice-Chair
REP. LARRY WELLS
REP. LYNN SNODGRASS

MEMBER EXCUSED:

STAFF PRESENT:

DANIEL JARMAN, Committee Administrator
JODIE HALL, Committee Assistant

MEASURES HEARD:

HB 2664 - Work Session
HB 2367 - Work Session
HB 2469 - Public Hearing
HB 2777 - Public Hearing
HB 2559 - Public Hearing
HB 2143 - Public Hearing
HB 3276 - Public Hearing

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 , A

001 CHAIR LUNDQUIST OPEN MEETING AT 2:40 PM.

002 OPENS WORK SESSION ON HB 2664.

003 DAN JARMAN, Committee Administrator: Summarize HB 2664 and the -1 Amendments before the committee. Exhibit A.

029 MOTION: CHAIR LUNDQUIST: Moves to adopt the -1 amendments.

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

032 MOTION: REP. FEDERICI: Moves to send HB 2664, AS AMENDED, to the Full Commerce Committee with a DO PASS recommendation.

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

037 CHAIR LUNDQUIST: The MOTION CARRIES.

038 REP. FEDERICI will carry HB 2664 to the Full Commerce Committee.

039 CLOSES WORK SESSION ON HB 2664.

040 OPENS WORK SESSION ON HB 2367.

WITNESSES:

FRED VANNATTA, Oregon State Home Builders Association
GORDON FULTZ, Association of Oregon Counties

041 DAN JARMAN, Committee Administrator: Summarizes HB 2367 and the -1 amendments adopted by the Committee. Refers the Committee to the -1 Fiscal Statement. Exhibit B.

066 FRED VANNATTA, Oregon State Home Builders Association: Responds to Chair Lundquist explaining the intentions of HB 2367 further.

096 -In response to Chair Lundquist: Does not agree with the fiscal impact statement on HB 2367, explains why. Does not agree with the county estimation on the number of rules adopted monthly by counties.

130 -In further response to Chair Lundquist: Explains further that he believes that most regulations come from cities not counties in the area of housing.

157 -In response to Chair Lundquist: Explains that systems development changes most affect costs of housing. Zoning changes may or may not change

the cost of housing, HB 2367 requires counties and cities to consider this when making changes.

178 GORDON FULTZ, Association of Oregon Counties: Explains fiscal impact of the counties. How the figures were obtained. (Refer to Exhibit B.)
-See HB 2367 as an unfunded mandate for counties.

210 CLOSES WORK SESSION ON HB 2367.

214 OPEN PUBLIC HEARING ON HB 2469.

WITNESSES:

REP. JOHN SCHOON, District 34
BOB WILSON, Chair, Conference of Local Environmental Health Officials,
Coalition of Local Health Officials

216 REP. JOHN SCHOON, District 34: Testifies in SUPPORT of HB 2469. Explains that this bill would limit counties abilities to charge fees to \$5.00.

277 -In response to Rep. Wells: Briefly explains the inspections.

301 -Defines "benevolent" at the Committees request.

314 -In response to further inquiries of Chair Lundquist: Is not certain exactly which lodgings are affected.

327 REP. FEDERICI: Comments that he visits each and every charitable function in his district.

344 BOB WILSON, Chair, Conference of Local Environmental Health Officials,
Coalition of Local Health Officials: Testifies in SUPPORT of HB 2469.
Exhibit C.

433 -In response to Rep. Federici: Explains that the fee for temporary benevolent restaurants is issued county by county.

TAPE 57, SIDE A

035 -In response to Chair Lundquist: Yes, in Benton county, the fee for a temporary benevolent restaurant is \$50. Explains that the license application addresses food handling problems.

049 -In response to Rep. Federici: Explains the purpose of the inspection process.

053 CLOSES PUBLIC HEARING ON HB 2469.

055 OPENS PUBLIC HEARING ON HB 2777.

WITNESSES:

REP. GEORGE EIGHMEY, District 14
DOUG JARMER, Oregon Association of Temporary Services
GREG LOWELL , Personnel Service

057 REP. GEORGE EIGHMEY, District 14: Testifies in SUPPORT of HB 2777.
(Exhibit D.) Refers to the -3 Amendments he introduced. (Exhibit E.)
126 -In response to Rep. Wells: The -3 Amendments completely replace the
bill.
159 -In response to Chair Lundquist: Explains further that this does not
apply to a situation where an individual is hired on a temporary basis.

171 CHAIR LUNDQUIST: Re-clarifies his question.

174 REP. EIGHMEY: Responds to Chair Lundquist: Explains that the example
given would be a leasing situation.
186 -In response to Rep. Snodgrass: Explains reason 90 days was chosen.
210 -Responds further to Rep. Snodgrass concerning reason for 90 days.
224 -In response to Rep. Federici: Is open to amending the bill to "180
days" and adding "consecutive days."
239 -In response to further inquiries of Rep. Federici: Attempts to clarify
"person" as referred to in current statutes.
243 -In response to further inquiries of Rep. Snodgrass: The fiscal
statement is on the original bill.

269 DOUG JARMER, Oregon Association of Temporary Services: Testifies in
SUPPORT of HB 2777 with some simple changes. (Exhibit F.)

307 GREG LOWELL , Personnel Service: Comments further on HB 2777. Explains
that temporary agencies can apply workers compensation insurance coverage
to one individual. Worker leasing companies must provide workers
compensation for an entire entity.

358 -In response to Chair Lundquist: Explains "period of time."

362 JARMER: Responds further to Chair Lundquist defining "period of time."
382 -Responds to Rep. Wells concerning farm labor contractors.

395 LOWELL: Responds further to Rep. Wells.

411 JARMER: Responds to Rep. Federici concerning agricultural businesses.

TAPE 56, SIDE B

014 OPENS PUBLIC HEARING ON HB 2559.

WITNESS:

NIKKI WHITTY, Coos, Curry, Douglas, Business Development Corporation

025 NIKKI WHITTY, Coos, Curry, Douglas, Business Development Corporation:
Testifies in SUPPORT of HB 2559. (Exhibit G.) Submits -1 amendment to the

bill. (Exhibit H.)

058 -In response to Rep. Federici: Explains the difference between HB 2559
and the Regional Strategies Program.

067 -Further defines "business incubator" for Rep. Wells.

086 -Clarifies tax exemptions for Rep. Wells.

094 -In response to Rep. Wells: Explains that applies to new as well as old
buildings and property. Explains that a citizen group will work within each

city and county on exemptions.

111 -In response to Rep. Federici: Explains variance between each county
and city. Explains that property which counties and cities own upon which a

private business is located, are levied property taxes.

128 -In response to Rep. Snodgrass: Further defines "economically

distressed." Refers the Committee to Page 3 of Exhibit G.

150 REP. SNODGRASS: Requests more clarification on "distressed" and "depressed."

161 WHITTY: Explains perhaps the amendment should say "distressed."

171 CLOSES PUBLIC HEARING ON HB 2559.

174 CHAIR LUNDQUIST: Explains that a public hearing on HB 2950 and HB 2951 will be at a later date.

187 OPENS PUBLIC HEARING ON HB 2143.

WITNESSES:

KENNETH K. KEUDELL, Administrator, Landscape Contractors Board
MIKE SNYDER, Landscape Contractor in the Portland area, Past President,
Landscape Contractors Board

188 KENNETH K. KEUDELL, Administrator, Landscape Contractors Board:
Testifies in SUPPORT of HB 2143. (Exhibit I.) Refers the Committee to the
-1 Amendment. (Exhibit J.)

297 -In response to Chair Lundquist: Explains that indeed, there is a
change from \$5000 to \$2000.

307 MIKE SNYDER, Landscape Contractor in the Portland area, Past President,
Landscape Contractors Board: Testifies in SUPPORT of HB 2143. (Exhibit
K.)

353 KEUDELL: In response to Rep. Wells: Explains what action the Board can
currently take with a court order.

380 REP. WELLS: Explains his concerns that taking away a license will
inhibit an individual from the ability to solve their personal financial
problems.

407 REP. SNODGRASS: Responds to Rep. Wells inquiries, explaining that
perhaps the individual would be able to be an employee and not an owner.

429 SNYDER: Responds to Rep. Federici explaining that the industry defines
landscape contractors as individuals who make over \$5000 a year or over
\$500 a job.

TAPE 57, SIDE B

037 SNYDER: Responds to Rep. Snodgrass concerning taking actions to court.

047 CLOSES PUBLIC HEARING ON HB 2143.

064 OPENS PUBLIC HEARING ON HB 3276.

WITNESS:

DR. GORDON MILLER

067 DR. GORDON MILLER: Testifies in SUPPORT of HB 3276. (Exhibit L.)

-Goes through the diagram on page 22 of Exhibit L.

-Explains that capitation is where a gatekeeper keeps any money left over
in assisting a patient. Explains that physician does not have to tell you
that you are in a capitated program.

-Believe capitation gives too much power to physicians.

-HB 3276 prohibits capitating directly to the care giver.

-Recommend time spent be left out of the bill.

202 -In response to Rep. Federici: Explains how HB 3276 prevents
capitation. Prohibits all money being at risk to the physician or health
care provider.

242 REP. WELLS: Clarifies capitation as he sees it. A contract for a specific amount, beyond which the physician retains the money for his own benefit.

273 MILLER: Further clarifies capitation for Rep. Federici. Pay through a third party all money up front. For example, \$1000 a year. If health care costs provider more than \$1000 a year, makes nothing. If provider can put off your care as long as possible, provider can keep excess money not spent on tests, etc.

319 REP. WELLS: Comments further on how he defines capitation.

330 CLOSES PUBLIC HEARING ON HB 3276.

332 VICE-CHAIR FEDERICI ADJOURNS MEETING AT 4:25 PM.

Submitted by, Reviewed by,

JODIE HALL DANIEL JARMAN
Committee Assistant Committee Administrator

EXHIBIT SUMMARY:

A - HB 2664 -1 Amendments - Dan Jarman, Committee Administrator - 1 page
B - HB 2664 Fiscal Statement - Jarman - 1 page
C - Testimony in OPPOSITION to HB 2469 - Bob Wilson, Chair, Conference of Local Environmental Health Officials, Coalition of Local Health Officials - 1 page
D - Testimony in SUPPORT of HB 2777 - Rep. George Eighmey, District 14 - 1 page
E - HB 2777 -3 Amendments - Rep. Eighmey - 1 page
F - Testimony in SUPPORT of HB 2777 - Doug Jarmer, Oregon Association of Temporary Services - 1 page
G - Testimony in SUPPORT of HB 2559 - Nikki Whitty, Coos, Curry, Douglas Business Development Corporation - 5 pages
H - HB 2559 -1 Amendment - Whitty - 3 pages
I - Testimony in SUPPORT of HB 2143 - Kenneth Keudell, Administrator, Landscape Contractors Board - 5 pages
J - HB 2143 - 1 Amendments - Keudell - 1 page
K - Testimony in SUPPORT of HB 2143 - Mike Snyder, Landscape Contractor in the Portland area, Past President, Landscape Contractors Board - 1 page
L - Testimony in SUPPORT of HB 3276 - Dr. Gordon Miller - 30 pages