

SENATE COMMITTEE ON
BUSINESS AND CONSUMER AFFAIRS

Hearing Room
Tapes 53, 54, 55 & 56

MEMBERS PRESENT:

Sen. Bill Kennemer, Chair
Sen. John Lim, Vice-Chair
Sen. Gene Derfler
Sen. Joan Dukes
Sen. William McCoy

MEMBER EXCUSED:

STAFF PRESENT:

Darrell W. Fuller, Committee Administrator
Carol A. Smith, Committee Assistant

MEASURES HEARD:

SB 13 Public Hearing and Work Session

SB 431 Work Session
SB 413 Work Session
SB 462 Work Session
SB 552 Public Hearing
SB 658 Public Hearing
SB 559 Public Hearing
SB 892 Public Hearing
SB 623 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 53, SIDE A

002 CHAIR: Calls the meeting to order at 3:00 p.m.

002 CHAIR: Opens PUBLIC HEARING on SB 13.

DARRELL FULLER, Committee Administrator: We have -1 and -2 amendments.
There is no subsequent referral
and no impact.

014 WITNESSES: Paul Romain, Oregon Beer and Wine Distributors Association
 Bill Cross, Willamette Valley Vineyards
 Gary Conkling, Oregon Winegrowers Association

021 CHAIR: Gives comments on relationship of opposition, to passage out of committee on first hearing.

(3:07 P.M. SEN. DERFLER joins the meeting.)

028 PAUL ROMAIN, Oregon Beer and Wine Distributors Association: Refers to previous legislation stating that the Oregon Wine Growers guaranteed they would not do any intrastate wine sales. That was in 1987. Explains interstate wine shipments; wine coming from California. States you can get Oregon wine cheaper by mail from California than buying in Oregon. Mentions premium Oregon wines; quantities, taxes, quid pro quo's, percentages of wine sales by

mail.

(3:30 p.m. SEN. DUKES enters the meeting.)

070 ROMAIN: It was the Oregon wine growers who asked for it; now they are complaining because they are in competition with it.

083 ROMAIN: Another argument in favor is how does a person from Burns get wine? There is no restriction. If an Oregon winery wants wines to go there, they just ask what shop is nearest to you, call them; we will ship it to you. The wineries can do their own distribution. States what that they can do. Explains that basically their product is tax exempt. Most Oregon wineries pay no tax. Refers to:
112 --cost by mail.
114 --delivery problem--this is a blind sale.
120 --UPS delivery. They are not going to not deliver it. They are not going to check I.D.; they are trained to deliver.

141 SEN. MCCOY: Conversation regarding training.

147 ROMAIN: We would suggest this be referred to the Revenue Committee to look at the totality of the bill and breaks given to the Oregon wine growers.

154 SEN. DUKES: Question regarding long-term problems.

157 ROMAIN: Gives an example of long-term consequences. Addresses the quality factor.

190 ROMAIN: Gives examples of who would carry which products. The fear is that the allocated wine will be held by the wineries.

250 BILL CROSS, Willamette Valley Vineyards: Submits written testimony (EXHIBIT A). One of the questions asked last week was regarding quantities that could be shipped through this statute. Ben Wolf was able to research, including California. They are allowing two cases per month via reciprocal statutes.

272 CHAIR: Closes PUBLIC HEARING on SB 13.

274 CHAIR: Opens WORK SESSION on SB 13.

278 FULLER: Explains the amendments in response to a question from SEN. DUKES.

290 MOTION: SEN. DUKES moves to ADOPT the SB 13-2 amendments.

295 SEN. DERFLER: Question regarding the amendments.

312 PAUL WILLIAMSON, Oregon Liquor Control Commission: The amendments simply mirror the language allowing interstate.

314 VOTE: The motion to ADOPT the SB 13-2 amendments PASSES,
WITH OBJECTION, from SEN. DERFLER.

315 MOTION: SEN. DUKES moves SB 13, AS AMENDED, to the Floor with a DO PASS recommendation.

326 FULLER: Explains another question regarding the amendments, in response to SEN. LIM who was gone last week.

358 SEN. LIM: Asks a question referring to ROMAIN and the cost by mail, versus in store.

380 CROSS: Explains that California has discount laws that allow for pricing; we do not. It is the same price; one or 100 bottles.

395 Discussion between SEN. LIM and CROSS on pricing.

424 ROMAIN: Refers to Oregon Wine Growers in respect to pricing of the wines and uniformity.

TAPE 54, SIDE A

008 ROMAIN: Explains uniformity of wholesale price for retailers. Every other price can be at any price the winery wants

to have it at. There is absolutely no control over it.

018 SEN. DUKES: Poses a question regarding quantity discount.

023 CROSS: Explains regarding distributor.

042 ROMAIN: Responds to SEN. DUKES the problem is the existing system. That system was created in 1987 at the request of the Oregon Winegrowers.

057 GARY CONKLING, Oregon Winegrowers Association: The major impetus for our interest is from the small volume producers. These also are the men and women who cannot find access into the normal distribution channels. We want to give an avenue to our customers to small volume producers.

076 VOTE: MOTION PASSES.
AYES: DUKES, MCCOY and KENNEMER
NAYS: DERFLER and LIM
CARRIER : KENNEMER

078 CHAIR: Closes WORK SESSION on SB 13.

080 CHAIR: Opens WORK SESSION on SB 431.

090 DARRELL FULLER, Committee Administrator: Gives overview and history; the bill is regarding the landlord tenant act. Before the committee are the -1 amendments. No fiscal or revenue impact. There is no subsequent referral.

WITNESSES: Larry Harvey, Oregon Lodging Association
David Nebal, Oregon Legal Aid Services

092 LARRY HARVEY, Oregon Lodging Association: Is the requester of the amendments. Refers to areas of the bill where the amendments would apply. The issue and contention surrounds hotel owner; gives the suggestions of changes to be made.

122 DAVID NEBAL, Oregon Legal Aid Services: States he has a technical point to make about Page Two; refers to period of occupancy and suggests it be changed to a lesser amount than 30 days.

153 HARVEY: "It is unclear in my mind why it should be changed. I think the definition of the business is determined by the owner when they look at the criteria and determine whether they are running a residency business or a transient occupancy business. You could put any number in there and it wouldn't apply if an owner is trying to get around that law. It is clear to me that if someone is accepting weekly rent they are doing it with an eye toward tenancy and we firmly believe that Landlord Tenancy protections should be provided for those residents. It is not clear, nor has a case been made clearly to establish a different definition and I am convinced that we would have a clear conflict between when do you collect occupancy tax and when do you not." Refers to the city of Portland; states they may run into a terrible quagmire.

176 CHAIR: Agrees on the less than thirty-day requirement creating a problem with city tax. Asks HARVEY about concerns regarding NEBAL's suggestion regarding deletion of Lines 7 and 8 on Page Two, "hotel or motel?"

177 HARVEY: In response to a question from the CHAIR, states this was a suggestion from Legislative Counsel, not his.

180 FULLER: If LC put them in they probably had a reason for it. Chair suggests a conceptual amendment.

188 SEN. DUKES: I think we have to give intention.

193 NEBAL: Thinks left over from the original bill. Explains that now that hotel or motel is out, I don't think that it is needed.

195 CHAIR: We will have the drafter from Legislative Counsel testify on the amendment.

196 CHAIR: Temporarily Closes WORK SESSION on SB 431.

CHAIR: Opens WORK SESSION on SB 413.

225 DARRELL FULLER, Committee Administrator: Gives overview. Alternative rate regulation plan, public hearing on march 14, PAUL ROMAIN requested amendments. The -1 amendments were reviewed at another hearing. The committee did not adopt the amendments. Legislative Fiscal office indicated in a statement that the measure has an indeterminate fiscal impact (EXHIBIT B). No subsequent referral.

228 SEN. MCCOY: Where is the statement?

240 FULLER: States that it says that since we don't know what the alternative rate regulation is going to be we don't know what kind of fiscal impact it is going to have.

242 CHAIR: I think it would be appropriate that we would have an indeterminate amount.

MOTION: SEN. DUKES moves SB 413 to the floor with a DO PASS recommendation.

274 VOTE: MOTION PASSES, UNANIMOUSLY. All members are present.

CARRIER: KENNEMER

276 CHAIR: Closes WORK SESSION on SB 413.

284 CHAIR: Opens WORK SESSION on SB 462.

286 DARRELL FULLER, Committee Administrator: Reads overview, the -1 amendments were adopted. We did not adopt the -2 amendments.

290 SEN. DUKES: Question regarding adoption of the -1 amendments.

297 MOTION: SEN. DERFLER moves to ADOPT the SB 462-2 amendments.

300 SEN. MCCOY: Asks the chair to explain the -2 amendments.

308 SEN. DERFLER: It allows the insurance company to underwrite policies that they write.

311 EILEEN RASMUSSEN: The amendments would undo the bill; the purpose of the bill was to allow the home child care providers to continue to have their homeowner's insurance.

320 CHAIR: That would make it essentially optional with the insurance carrier instead of mandatory, as your bill would require?

326 SEN. LIM: Question regarding the amendments, and reads.

336 RASMUSSEN: Responds.

SEN. LIM: Further explains, this creates very difficult questions to tackle in the future.

348 RASMUSSEN: Cites a Portland case and the courts ruling. The case was denied by the court and it was upheld by the appellate.

VOTE: MOTION FAILS.
AYES: DERFLER and LIM
NAY: DUKES, MCCOY and KENNEMER

360 MOTION: SEN. DUKES moves SB 462, AS AMENDED, with the -1 amendments, to the Floor with a DO PASS recommendation.

380 VOTE: MOTION PASSES.
AYES: DUKES, MCCOY, LIM and KENNEMER
NAY: DERFLER
CARRIER: DUKES

390 CHAIR: Closes WORK SESSION on SB 462.

400 CHAIR: Re-opens WORK SESSION on SB 431.

401 WITNESS: Cindy Hunt, Legislative Counsel

402 CHAIR: The question arose in the amendments whether or not on Page Two

we need the addition that you have with
regard to hotel or motel as that term is defined in ORS 699.005.

402 CINDY HUNT, Legislative Counsel: States that addition was in the
original bill. It does not hurt anything to have
that in there; you can leave it in or take it out.

MOTION: SEN. DERFLER moves to ADOPT the SB 431-1
amendments.

VOTE: CHAIR: Hearing no objection the SB 431-1 amendments
are ADOPTED.

423 MOTION: SEN. DERFLER moves SB 431, AS AMENDED, to the
Floor with a DO PASS recommendation.

430 VOTE: MOTION PASSES.
AYES: DERFLER, MCCOY, LIM and KENNEMER
EXCUSED: DUKES
CARRIER: KENNEMER

435 CHAIR: Closes WORK SESSION on SB 431.

TAPE 53, SIDE B

018 CHAIR: Opens PUBLIC HEARING on SB 552.

DARRELL FULLER, Committee Administrator: Gives overview of the bill and
measure it amends. It applies to
both greyhound and horse races.

WITNESSES: Glen Knickerbocker, Oregon Horsemen's Benevolent Protective
Association and Josephine County Fair
Lonnie D. Craig, Lone Oak Racing, Incorporated
Steve Barham, Oregon Racing Commission
Mike Dewey, Multnomah Greyhound Park
Dick Cummings, Multnomah Greyhound Park

020 GLEN KNICKERBOCKER, Oregon Horsemen's Benevolent Protective Association
and Josephine County
Fair: Testimony in support of SB 552 (EXHIBIT D). Clarifies he is not a
sponsor as shown on the bill; it should have
been shown as Josephine County Fairgrounds requester.

033 --Explains that there are two things that the amendment would do.
Addresses allowance of organizations to simulcast
and requirement of Oregon Racing Commission to place preference for
simulcasting with a live meet. Explains when
this would occur.

059 --Four reasons why bill should pass.

070 SEN. DERFLER: Asks if this allows you to simulcast either dog or horse
races?

078 KNICKERBOCKER: The intent is if there are overlapping meets, then each
of the breeds would simulcast their own
breed.

086 LONNIE CRAIG, President, Lone Oak Racing in Oregon: Submits written
testimony in support of the bill
(EXHIBIT C). Gives economic impact as a reason for the bill. States
SB 552 allows small racing to share in the simulcasting and in the
livelihood in the community.

119 SEN. LIM: Questions the time frame of the greyhound and horse racing.

130 CRAIG: Explains that during that whole time there is an overlap.

SEN. LIM: You see no problem in the future?

134 CRAIG: Yes, but hope for future legislation.

144 KNICKERBOCKER: Explains the primary thrust behind this. We are
competing for the same resources. Indian
gaming has not helped us in that regard.

150 CHAIR: Announces we will lay over SB 586 to Thursday.

158 MIKE DEWEY, Multnomah Greyhound Park: Testimony in opposition to the
bill. Gives history of simulcast in
Oregon. Gives amounts of money lost to video lottery. States simulcast is
designed to help them. Gave amount lost

two years ago, through tax legislation. The bill would have a tremendous financial impact. Refers to policy and its effect on simulcast on horse racing and greyhound racing. If the bill passes there would be no simulcast and explains. Suggests how to solve inequities.

221 DICK CUMMINGS, President, Multnomah Greyhound Park: Testimony in support of the bill (EXHIBIT F). We lost ten times as much as they did last year. Explains elements of industry. Refers to:

--page 4;
--racing schedules for horses and dogs;
250 --months of operation;
--monopoly;
--Multnomah Park;
--five months which should be both;
--policy allows for lone oak racing and gives time frame;
2280 --off track betting, etc.

289 DEWEY: Refers to page one of the memo; explains the discrepancy.

309 STEVE BARHAM, Oregon Racing Commission: Testimony in opposition to SB 552. Addresses the problems with trying to juggle all of the simulcast going on. Refers to second to last page; gives suggestions.

CHAIR: We are now in subcommittee. (SEN. LIM and SEN. DUKES have left.)

337 CHAIR: Closes PUBLIC HEARING on SB 552.

340 CHAIR: Opens PUBLIC HEARING on SB 658.

DARRELL FULLER, Committee Administrator: Gives overview of the bill.

WITNESSES: Charles Williamson, Oregon Greyhound Breeders Association
Mike Dewey, Multnomah Greyhound Park
Kristi Crombie, Oregon Greyhound Breeders Association
Dick Cummings, Multnomah Greyhound Park
Paul Romain, Oregon Greyhound Racing Association
Jack Bennett, Oregon Greyhound Association
Steve Barham, Executive Director of Racing Commission

350 CHARLES WILLIAMSON, Oregon Greyhound Breeders Association: Explains associations. Refers to Kristi Crombie:

382 KRISTI CROMBIE, Executive Director Oregon Greyhound Breeders association: Submits written testimony in support of the bill (EXHIBIT G). Reads from something,

407 (SEN. LIM returns to the meeting.)

TAPE 54, SIDE B

011 PAUL ROMAIN, Oregon Greyhound Racing Association: Testimony in support of the bill. States they are hoping to have a compromise on it.

027 JACK BENNETT, Oregon Greyhound Association: States he also doesn't understand the opposition to the bill.

036 MIKE DEWEY, Multnomah Greyhound Park: Gives current practice. Refers to:

--racing commission;
--purse structure;
--quandary if unable to reach an agreement;
--advertise;
--management;
--owners having the handle.

072 DICK CUMMINGS, Multnomah Greyhound Park: Testimony in opposition to the bill. Refers to:

--associations and their authority;
--operators;
--sequencing of the language;
--McPark; without being a licensee;
--the racing commission having no jurisdiction;
087 --statutes;
--need for ability to enter into contractual relationships.

120 SEN. DERFLER: Do you have a solution?

132 DEWEY: We think this is flawed. Negotiations have been there and
always have run. We have solved conflicts. We
have an investment to run.

149 SEN. DERFLER: Leave it as it is?

155 DEWEY: Addresses regulation; licensing and other factors to be taken
into consideration.

170 (SEN. DUKES returns to meeting 4:45.)

186 STEVE BARHAM, Executive Director of Racing Commission: In response to a
question from SEN. DERFLER,
refers to:

--five-member commission;
--challenges to their authority in court;
--horse racing statutes;
201 --the position that the racing commission would take.

210 SEN. DERFLER: It also leaves us in a quandary.

217 SEN. MCCOY: Question if BARHAM has a solution to the problem.

223 BARHAM: States it could read that if they can't agree the commission
would decide.

235 CHAIR: Suggests they work with FULLER.

CHAIR: Closes PUBLIC HEARING on SB 658.

240 CHAIR: Opens PUBLIC HEARING on SB 623.

DARRELL FULLER, Committee Administrator: Reads overview to the measure.

WITNESSES: Cliff Brotherton
Wanda Wahus, Oregon Independent Auto Dealers Association
Ron Terry, Oregon Independent Auto Dealers Association

245 CLIFF BROTHERTON: Submits written testimony in support of the bill
(EXHIBIT H). Outlines the problem of
cars being bought and sold. They require smaller bonds than dealers do.

261 CHAIR: qualifies.

266 BROTHERTON: responds.

269 SEN. MCCOY: Have you heard of cars being brought up from California
floods?

274 BROTHERTON: In the past yes, now none.

277 WANDA WAHUS, Oregon Independent Auto Dealers Association: Submits
written testimony in support of the
bill (EXHIBIT I).

308 SEN. DUKES: Question regarding licensing, bonding and insurance.

312 WAHUS: Explains licenses, bond, insurance. States there is no
protection other than that for the consumer.

373 BROTHERTON: testimony.

CHAIR: Closes PUBLIC HEARING on SB 623.

382 CHAIR: Opens PUBLIC HEARING on SB 559.

WITNESSES: Tom Berry, Northwest Natural Gas
Gary Hyatt, Northwest Natural Gas
Roger Hamilton, Public Utility District
Jack Denim, Public Utility Commission
Paul Graham, Department of Justice
Diane Cowan, Oregon Public Utility Districts
Gary Bauer, Oregon Independent Telephone Association

TAPE 55, SIDE A

CHAIR: We will not have a work session today on this bill nor on the
next.

002 TOM BERRY, Northwest Natural Gas: Submits written testimony in support
of SB 559 (EXHIBIT J). Refers to:
--breaking of utility lines;
--safety problems;

--twenty-five states having a one-call system.

029 GARY HYATT, Northwest Natural Gas: Testimony in support of the bill. Explains the thrust of the bill. There are five one-call centers. Gives capability of one of the one call centers. Gives areas excluded. States their goal is to have a single one-call center with an 800 number to be called. Refers to excavation.

045 BERRY: Paul Graham will have the amendments.

048 ROGER HAMILTON, Public Utility Commission: Testimony in support of SB 559. Shows a piece of pipe that was hit by a borer. This was a natural gas pipe. There is more digging in the ground. The dangers are increasing drastically. This would fill these gaps. In many cases the excavator may not know of existence of. Forty-one states already have a toll free number. Refers to the PUC, consideration for the small operators.

084 SEN. LIM: Is there a fiscal impact?

094 HAMILTON: No. We would be the enforcer.

089 JACK DENIM, Public Utility Commission: Testimony in support of the bill. Explains the way the system could work. Addresses the cost arrangements. When excavator goes out he knows where the "stuff" is at. Whoever owns the "stuff" pays the 90 cents.

111 SEN. LIM: Could the gas company pay for this?

119 DENIM: Explains.

121 SEN. DUKES: I had people in my office in Tillamook. They asked why they should have to pay more money for this when they already have a system?

128 HAMILTON: Addresses SEN. DUKES question.

136 PAUL GRAHAM, Department of Justice: Submits written testimony in support of the bill (EXHIBIT K). Refers to:

- a cap;
- the maximum per year;
- economies of scale;
- doubts that the small players would pay more than a few more bucks a year.

152 HAMILTON: Testimony in support of the bill. Refers to:

- building a comprehensive inventory
- public safety;
- existing uncertainty out there;
- new jersey apartments that were blown up.

176 (SEN. MCCOY leaves the meeting.)

178 DENIM: Tillamook center does not have a one-call center. They have a number they can call. If a contractor comes in he has to carry all these numbers with him. It leaves a real problem for the excavator and many times they find it with a backhoe.

211 GRAHAM: States the cost is pennies for the protection affords.

217 CHAIR: Asks GRAHAM to address the amendments. States the bill will not move today. These should have been in Legislative Counsel form.

221 GRAHAM: Members of the industry would be a part of this. Refers to:

- administration of rules;
- helping set rates;
- rates funding the center;
- retaining an independent contractor to provide the services;
- manning the phones;
- how the system would operate;
- Section one of the bill.

255 CHAIR: We have one person in opposition to the bill. We have others who have checked in the middle of the bill. I want to wrap up and want Mr. Berry to bring people together to work on the

bill.

272 DIANE COWAN, Oregon Public Utility Districts: Submits written testimony in opposition to the bill (EXHIBIT L). Refers to Public Utility Districts along the Columbia and the coast. States it was her folks from Tillamook that went to see SEN. DUKES. States they are not opposed to a one-call system. They are opposed to a state agency and mandatory participation. Their population is so sparse that they have more cows there than they do people. Their concern is about another board being set up. I cannot support the bill.

307 GARY BAUER, Oregon Independent Telephone Association: We have members that want, the bill and those who do not. Addresses concerns from people who get calls from the excavator and deal directly with him. I am here to give you an argument with any direction you want to go.

340 SEN. DUKES: Ask where PTI stands on the bill.

350 CHAIR: Let the record show that HYATT responded from the audience they are in support of the bill.

355 CHAIR: Closes PUBLIC HEARING on SB 559.

368 CHAIR: Opens PUBLIC HEARING on SB 892.

378 DARRELL FULLER, Committee Administrator: Gives overview and highlights of the bill. Addresses revenue impact against local governments; the committee has not heard from Legislative Fiscal office.

WITNESSES:

Jim Gardner, Budget, Hertz, Avis
Al Elkins, CATRALA
Kevin Neary, CATRALA
Therese Chapdelaine, Dollar Rent A Car
Diana Godwin, Dollar Rent A Car
Susan Schneider, City of Portland
Gozan Sparman, City of Portland
Linda Menz, City of Portland
Larry Harvey, Oregon Lodging Association

395 JIM GARDNER, Budget, Hertz and Avis: Submits written testimony in support of the bill (EXHIBIT M).
Explains it is a Portland only bill; will give examples. Refers to:
--photoradar bill as a uniquely Portland/ Beaverton bill;
--problems unique to the Portland area;
--procedural protections for all motor vehicles;
--second provision for certificate of non-liability for rental cars
426 --notice placement.

TAPE 56, SIDE A

020 GARDNER, continues:
--contesting parking violations;
--verification of receipt of notice;
--Part Two of the bill;
--parking citation;
--Oregon Appellate Court decision interpretation;
--problem under current procedure;
--mandatory payment first;
--photoradar;
--court enforcement;
--prima-facie language;
--towing rental cars of tourists;
--deleterious effect on tourism.

054 LARRY HARVEY, Oregon Lodging Association: We were asked if we had an opinion on towing rental cars. Of course we would. Anytime you begin taking away the rental vehicles of unaware persons. There needs to be some processes that need to be addressed. It is out of the question to require an innocent person who rented a car to find out that someone else was irresponsible and miss a cab, an appointment, a plane, et cetera, unbeknownst to them. We do not support mandatory towing.

079 GARDNER: Have crafted something for the bill; similar to the Photoradar.

084 SUSAN SCHNEIDER, City Of Portland: Testimony in opposition the bill. It applies only to city of Portland.

Refers to JUDGE ABRAHAM.

104 CHAIR: We will enter into the record the letter from ABRAHAM (EXHIBIT Q).

108 SCHNEIDER: Wants to respond to a couple of things. We are not planning to tow the cars.

118 SEN. DUKES: If I understand the letter from ABRAHAM.

121 SCHNEIDER: We want to pursue a way to avoid towing rental cars.

131 SCHNEIDER: Refers to Photoradar certificate of innocence.

138 LINDA MANNING, Portland City Attorney's Office: Have brought copies of ABRAHAM'S memo and would like to reiterate items from it. Refers to:
--history of negotiation;
--enforcement of their city code;
--making a special class of people;
--mandate by statute;
--double bureaucracy;
--split of the money collected and change in that;
--courts' concerns;
-- enforcement within its boundaries.

200 (4:40 SEN. DUKES leaves the meeting.)

204 GOZAN SPARRMAN, City of Portland: Submits written testimony in opposition to the bill (EXHIBIT P).
Refers to:

Courts' desires;
--\$148,00 of unpaid bills;
240 --on street parking;
-- enforcement mechanism.
250 --reference to car rental agreements; Lake Oswego;
260 --creation of a new entity;
270 --district court;
283 --visitors cars being towed;
--suggested solution;
300 --another bureaucracy.

335 CHAIR: Does Alamo eat this cost?

340 AL ELKINS, CATRALA: Submits written testimony in support of the bill (EXHIBIT R). A year ago in a courtroom we asked what was being done with these names. Their response was, absolutely nothing. What has happened here is that a system that is working from our side. The city of Portland and decided not to collect the money.

386 KEVIN NEARY, CATRALA: Testimony in support of the bill. Refers to:
--city looking for deep pockets for dollars;
--negligence over the by never following up on the collections;
--courtesy notification given by the city 100 days after the parking citation.

TAPE 55, SIDE B

NEARY, continues: States he was in the room when the city was asked what they were doing with all the affidavits they had been spending time providing for four years and the quote was: "Well, we simply recycle that paper." Refers to specific part of the bill.

027 CHAIR: If that were turned in to you in less than 30 days would you be adverse to applying it to charges to the credit cards that were used.

030 ELKINS: Yes. Explains that much of their business is those whose cars have been damaged or are in shop for repairs and maintenance. Refers to credit cards and the feasibility of using those.

028 DIANA GODWIN, Dollar Rent A Car: Testimony in support of the bill. Responds to points raised by people from city of Portland. Refers to Judge Abraham and states that their testimony makes their case; all or none of us getting towed. States that the Judge is not responsible to watch out for hospitality factor. States the City said they can

create a special class, boot, not tow and addresses the problem that would create.

030 THERESE CHAPDELAINE, Dollar Rent A Car: Submits written testimony in support of the bill (EXHIBIT S).
Received a letter from the City of Portland in January regarding fines.
Refers to her written testimony and time frame.
States their credit card agreement is that they are not able to charge that back to their customers. The customers do not view them as a law enforcement agency. Refers to:

- customers showing willful neglect;
- incentive defeating purpose of parking meters;
- concern with customers here on business;
- collecting from people who actually owe the money.

100 CHAIR: We will take all the testimony into consideration.

86 CHAIR: Closes PUBLIC HEARING on SB 892.

091 CHAIR: Adjourns the meeting at 6:00 p.m.

Submitted by, Reviewed by,

Carol A. Smith Darrell W. Fuller
Committee Assistant Committee Administrator

EXHIBIT SUMMARY:

A - Testimony on SB 13, Bill Cross, Willamette Valley Vineyards - 1 page
B - Testimony on SB 413, Legislative Fiscal - 1 page
C - Testimony on SB 552, Lonnie Craig, Lone Oak Racing - 1 page
D - Testimony on SB 552, Glen Knickerbocker, Oregon Horsemen's Benevolent & Protective Association - 2 pages
E - Testimony on SB 552, Oregon Racing Commission - 4 pages
F - Testimony on SB 552, Dick Cummings, Multnomah Greyhound Park - 14 pages
G - Testimony on SB 658, Kristi Crombie, Oregon Greyhound Breeders Association - 3 pages
H - Testimony on SB 623, Cliff Brotherton - 1 page
I - Testimony on SB 623, Wanda Wahus, Oregon Independent Auto Dealers Association - 1 page
J - Proposed SB 559 amendments, Tom Berry, Northwest Natural Gas - 3 pages
K - Testimony on SB 559, Paul Graham, Department of Justice - 5 pages
L - Testimony on SB 559, Diane Cowan, Oregon People's Utility District Association - 1 page
M - Testimony on SB 892, Jim Gardner, Budget, Hertz and Avis - 10 pages
N - Testimony on SB 892, Kingsley Click, Judicial Department - 1 page
O - Testimony on SB 559, submitted on behalf of Jim Holzer, Utility Notification Center - 4 pages
P - Testimony on SB 892, Gorman Sparrman, City of Portland - 3 pages
Q - Testimony on SB 892, submitted on behalf of The Honorable Philip T. Abraham - 9 pages
R - Testimony on SB 892, Al Elkins, CATRALA - 2 pages
S - Testimony on SB 892, Therese Chapdelaine - 4 pages