

SENATE COMMITTEE ON
RULES AND ELECTIONS

Hearing Room
Tapes - 97

MEMBERS PRESENT:

Sen. Randy Miller, Chair
Sen. Paul Phillips, Vice-Chair
Sen. Brady Adams
Sen. Shirley Gold
Sen. Dick Springer

STAFF PRESENT:

Kristina McNitt, Committee Administrator
Gretchen Haber, Committee Assistant

MEASURES HEARD: HB 2004 A-Eng. - Public Hearing

HB 2450 A-Eng. - Public Hearing
SB 229 - Public Hearing and Work Session
HJR 55 - Public Hearing and Work Session
HB 3387-A - Public Hearing and Work Session
HB 3217-A - Public Hearing and 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 , A

003 CHAIR MILLER: calls the meeting to order at 1:15 p.m.

006 CHAIR: opens public hearing on HB 2044-A Engrossed

Witnesses:

Rep. Eldon Johnson
Kevin Earls, Associated Oregon Industries
Joan Hader, Dept. of Consumer and Business Services
Rich Elliott, Dept. of Consumer and Business Services

007 REPRESENTATIVE ELDON JOHNSON: testifies in favor of HB 2044.
--Bill consolidates six funds currently in Workers Compensation Division
--Purpose is to keep the funds from being raided
--All funds will be allocated for specific purposes; director will have to
estimate expenditures for the year, and maintain an additional six months
reserve
--With amendment there will be about a \$100 million savings to employers
and employees

032 REP. JOHNSON: Introduces -A3 amendments dated 6-2-95 (EXHIBIT D), which
are conflict amendments to address conflicts with SB 369.

035 REP. JOHNSON: introduces -A4 amendments dated 6-2-95 (EXHIBIT E).

038 KEVIN EARLS, ASSOCIATED OREGON INDUSTRIES: explains the -A4 amendments
(Exhibit E)
--There would be a one-time reduction in assessments; in order to stabilize

the assessment, the amendment will result in a 20 percent reduction each
year for five years.

--Language in the -A4 amendments requires the Management-Labor Advisory
Committee on Workers Compensation to review any proposed changes to
assessments or programs funded from the assessment in the future.

054 SEN. SPRINGER: asks if there is information clarifying how much money
is in reserve. Feels a great deal of money is involved.

063 REP. JOHNSON: refers to information provided by the Division staff and
suggests the agency heads explain the dollar amounts in the funds.

065 SEN. SPRINGER: recalls the 1991 decision to make rehabilitation
decisions a care cost and asks if eligibility will remain as it is under
existing law so that the employer or the Department can regulate, restrict
or deny the opportunity for vocational assistance.

070 REP. JOHNSON: answers that there is not a change to the eligible
services paid for by the dollars discussed in the measure.

090 JOAN HADER, ADMINISTRATOR, BUSINESS ADMINISTRATION DIVISION, DEPT. OF
CONSUMER AND BUSINESS SERVICES: testifies in favor of HB 2044. Presents
written testimony (EXHIBIT A).

109 SEN. PHILLIPS: asks if the measure is critical to her agency.

110 HADER: answers that it isn't critical to the operations of the department.

116 SEN. PHILLIPS: asks if it would make the operation and management of funds and programs better.

117 HADER: answers that it sets a legislative direction for the agency to follow and believes it would.

122 SEN. PHILLIPS: asks if employers and injured employees would benefit from the measure.

124 HADER: answers she believes they would benefit through keeping the funds secure for the purposes for which they were originally raised.

130 RICK ELLIOTT, FINANCIAL ECONOMIST AND ACTUARY, DEPT. OF CONSUMER AND BUSINESS SERVICES: testifies in favor of HB 2044.

--Would encourage management efficiency if all funds were combined and the existing cash balances of the reserves could be co-mingled

--Currently each reserve is statutorily specified; prior to the 1993 laws which amended the set per-day money, revenues flowed into the reserves irrespective of the cash balance needs of each of the reserves

--HB 2348 (1993) amended ORS 656.506 and gave the director the authority to

set the overall set per-hour rate and gave the director the authority to allocate new revenues amongst the reserves according to their needs.

--Explains that there are imbalances currently; measure is needed to provide co-mingling of budgets

182 SEN. SPRINGER: asks if assessments pay for the operations of the Worker's Compensation Division.

176 ELLIOTT: answers no. Assessments discussed here are cents-per-hour assessments, which are dedicated to particular reserve programs. The non-complying employer reserve which would be incorporated into the new fund would continue to be funded by the WCD Earned-Premium assessments.

203 SEN. SPRINGER: asks if the impact of the measure without amendments would reduce to zero the amounts assessed for the next year, and possibly beyond, for the specific purposes.

209 ELLIOTT: answers yes because the bill specifies that the department set the rate within the parameter that it meet the targeted six-month cash balance expenditure as soon as responsible.

229 CHAIR: closes public hearing on HB 2044 A-Eng.

230 CHAIR: opens public hearing on HB 2450A-Eng.

Witnesses:

Rep. Liz VanLeeuwen

222 REPRESENTATIVE LIZ VANLEEUEWEN: testifies in favor of HB 2450.

--Measure is a simple change in statute

--Feels measure is not a "spanking" bill, but a "physical control" bill.

250 SEN. PHILLIPS: comments (2) through (11) seem to say that teachers and (others) may use physical force to stop threatening or disrupting behavior or to deal with intoxication or someone who is going to harm him/herself, and it says "...school board shall adopt written policies to implement this subsection..."

275 REP. VANLEEUEWEN: Notes that schools have interpreted current statute differently, and that the measure is needed to clarify the issue.

306 SEN. PHILLIPS: comments he understands Rep. VanLeeuwen's desire for the legislation and believes they should be able to use restraint, but believes the law already says they shall do that.

318 SEN. GOLD: refers to Lines 22 and 23 of the measure. Feels that current law is not specific enough.

349 REP. VANLEEUEWEN: discusses the use of the "no spanking" legislation from previous legislative session by youngsters who know the teachers cannot touch them. Feels language in lines 15-19 needs to be explicitly put in policies adopted by the local school boards.

421 CHAIR: suggests reasonable physical force can be used under current law in order to maintain order in the school, classroom or at an activity.

477 REP. VANLEEUEWEN: comments that some policies have not be developed with clarity.

477 CHAIR: closes public hearing on HB 2450 A-Eng.

Tape 96, A

CHAIR: opens public hearing on SB 229.

Witnesses:
Dani Wilke, Sporting and Social Gaming Association
Hedy Rijken, Sporting and Social Gaming Association
Elizabeth Harchenko, Dept. of Justice

001 DANI WILKE, Sporting and Social Gaming Association: testifies on SB 229
--Believes everyone's intentions are good and believes the Lottery
Commission has backed off on the rule change; however, they are considering

retailers with lottery contracts to attend another class
--Lottery has no jurisdiction over social gaming and is not expert in what
is and is not legal; local governments have the jurisdiction
--Amendment would stop the lottery from passing rule changes and/or
requiring retailers to attend classes at additional expenses in order to
attain lottery contracts
--Requested Lottery Commission to slow down for 18 months to allow everyone
to work on the new statute
--Hopes to walk hand in hand with the Lottery Commission and the Dept. of
Justice next session to pass a new social gaming statute.

024 HEDY RIJKEN, Sporting and Social Gaming Association: comments she will
answer questions later.

026 ELIZABETH HARCHENKO, SPECIAL COUNSEL TO THE ATTORNEY GENERAL: comments
she has not seen the amendment to SB 229. The bill is a product of an
internal Department of Justice Task Force which recommends a number of
changes in the law to tighten regulation and to make sure illegal gambling
does not belong in Oregon.

035 SEN. SPRINGER: questions if there may be a problem caused by the
proposed legislation in light of the Constitutional provision passed by the
people.

040 WILKE: Comments they have talked to a lot of people who play social and
lottery games. The integrity of the lottery is not jeopardized by social
gaming.

050 MS. HARCHENKO: comments the legislature's authority to direct the
conduct of the Lottery and its decision making is limited and the Lottery
has authority to adopt such rules it considers necessary for the integrity
of the games.
--Concerned that the amendment might run into constitutional problems.
--Lottery is attempting to deal with the issue of social gaming because not

all social gaming is conducted according to the statutes or local ordinance
--Illegal gambling has turned up in places where lottery games are
available; the Lottery is concerned

071 RIJKEN: agrees there is concern and investigation of bad games in
various areas.
--Concern is Lottery is using broad brush concerning these activities
--There is confusion between local ordinances, how the games should be run
and how much latitude they have
--Retailers feel they have to choose between lottery games and social games
under their local ordinances

106 CHAIR: closes public hearing on SB 229.

112 CHAIR: opens public hearing on HJR 55.

Witnesses:
Jane Stoller, for Rep. Patti Milne
Marie Bell, Children's Justice Task Force
Nancy Miller, Citizens Review Board, for State Court Administrator and
Chief Justice

JEANNE STOLLER, LEGISLATIVE ASSISTANT TO REP. PATTI MILNE: submits and
reads a prepared statement on behalf of Rep. Milne in support of HJR 55
(EXHIBIT C).

134 MARIE BELL, CHILDREN'S JUSTICE TASK FORCE: comments that Children First
has shown a great interest in HJR 55 and testifies in support of HJR 55.

--Legislative recommendations are usually focused on "system" problems
because people complain nothing is happening
--There is lack of training in the judicial system
--Some counties do not offer legal representation for parents or children
--The average days in foster care for a child with legal representation is
seven months less than a child without legal representation; it costs less
to get the child good representation to begin with
--Complaints are received about judges using their discretionary abilities
to say whether expert witnesses can be used
--Believes judges should be accountable for their influence on the lives of

children and families
--HJR 55 will provide more access to the system
--Many people don't have the money to appeal a judge's decision

180 NANCY MILLER, ADMINISTRATOR, CITIZEN'S REVIEW BOARD, ADMINISTRATOR,
APPEARING ON BEHALF OF THE STATE COURT ADMINISTRATOR AND THE CHIEF JUSTICE:

testifies in favor of HJR 55.
--Received a \$88,000 federal grant to conduct study

--Judicial Department has contracted with the Juvenile Rights Project
--Study will focus on eight counties (Multnomah, Marion, Jackson, Linn,
Lincoln, Douglas, Malheur and Baker), and will do file reviews and conduct
written surveys to all courts in all counties
--Study will focus on juvenile court procedures
--Will report back to the next legislative assembly

207 CHAIR: closes public hearing on HJR 55.

210 Opens work session on HJR 55.

215 MOTION: SEN. SPRINGER moves that HJR 55 be sent to the Floor with the
recommendation that it BE ADOPTED.

223 VOTE: CHAIR MILLER, hearing no objection to the motion, declares the
motion PASSED. SENS. ADAMS AND PHILLIPS ARE EXCUSED.

224 CHAIR: closes work session on HJR 55 and declares the meeting in recess
until 3:15 p.m. due to a call of the Senate.

232 CHAIR: calls the meeting back to order.

233 CHAIR: opens public hearing on HB 3387.

Witnesses:
Bill Sizemore, Oregon Taxpayers United
Mike Greenfield, Deputy Secretary of State
Bob Cantine, Association of Oregon Counties
Lee Hazelwood, Governor's Commission On Senior Services
David Fidanque, Executive Director, American Civil Liberties Union
Catherine Deist, Public Affairs Director, Eugene Public School District
Tom O'Connor, Oregon Municipal Electric Utilities
Sarah Hackett, League Of Oregon Cities
Hassima Cassim, Special Districts
Colleen Sealock, Director, Elections Division, Secretary Of State's Office

224 BILL SIZEMORE, OREGON TAXPAYERS UNITED: testifies on HB 3387.

--Introduces -A10 amendments dated 6-5-95 (EXHIBIT G)
--Amendments narrow the scope of the bill; it now only covers measures on
the ballot that have a revenue impact upon a particular public entity
--An entity would be restricted in the information they can put out if they

have a measure on the ballot
--Bill is compromise to earlier version, but will stop those publications
from going out that were "puffery" and would influence an election but were

not in violation of current statutes concerning advocacy

268 MIKE GREENFIELD, DEPUTY SECRETARY OF STATE: testifies on HB 3387.

--Would prefer the A-Engrossed bill, but the amendments represent a
workable compromise
--One outstanding issue is on the \$500 minimum amount based on a formula
for the fine

SEN. PHILLIPS AND MR. GREENFIELD: discuss the negotiations on the fine.
MR. GREENFIELD suggest other witnesses may want to address the issue.

301 BOB CANTINE, ASSOCIATION OF OREGON COUNTIES: testifies on HB 3387.

--Participated in discussions
--Position has been concern that county commissioners not lose their role
that the public expects them to take positions on ballot measures and other

public policy questions

--Bill tends to diminish that
--Requests the committee consider the provision that allows the county
commissioners to rely on their legal counsel; there are gray areas in the
bill
--Concerned that things are continually being added that "lay open the
pocket book of someone who wants to run for office"
--Cites newsletter sent out by Sherman County two weeks prior to election
dealing with an operating levy; they talk about what it does and why it is
important the community. The newsletter would not be allowed under the
legislation.

379 CHAIR: asks about fine in Section 5 of the -A10 amendments (Exhibit G).

367 CANTINE: answers that the fines were the result of a compromise.

404 Discussion continues on the fine, who should pay the fine and where the
fine moneys should be deposited.

Tape 95, B

010 CHAIR: notes that since there is no prohibition against public
officials being recognized by the media to express their points of views on
issues.

018 CANTINE: There is a set of amendments which define more than it has
been limited in the past. The elected official had far broader exemption
than the appointed official. The Secretary of State proposed amendments to
limit that.

026 LEE HAZELWOOD, GOVERNOR'S COMMISSION ON SENIOR SERVICES, testifies against HB 3387.
--Feels measure is conceptually flawed
--Measure would not allow organization to produce materials it is statutorily required to create
--A major thrust of HB 3387 and amendments, unlike the original HB 3387, is aimed at expenditures of public funds for political purposes; believes this precluded by ORS 294.100
--The primary problem with HB 3387 as amended is it appears to make more difficult provisions than already in ORS 260.432 which precludes the commission from doing what they were appointed to do
--Measure would put a damper on citizens' participation on government-related commissions, boards and committees

070 DAVID FIDANQUE, EXECUTIVE DIRECTOR, AMERICAN CIVIL LIBERTIES UNION: testifies against HB 3387.
--Submits and reviews ORS 294.100 (EXHIBIT H)
--Option would be to add a provision to allow recovery of attorney fees by a successful plaintiff in a taxpayer lawsuit

091 CATHERINE DEIST, PUBLIC AFFAIRS DIRECTOR, EUGENE PUBLIC SCHOOL DISTRICT: testifies against HB 3387.
--Duties include preparation and distribution of materials about the financial well being of the district whether or not there is a measure before the voters
--Voter's pamphlet does not include information about specific bond issues because the district does not extend throughout the county
--District prepares factual, extensive information about proposed bond measures and the effects passage or failure would have on the district
--District distributes the information to all postal customers within the school district
--Assumes the A-10 amendments would allow the district to mail to targeted audience

122 TOM O'CONNOR, OREGON MUNICIPAL ELECTRIC UTILITIES: testifies against HB 3387 and the A-10 amendments.
--Measure unfairly restricts ability of public agencies to communicate to service users
--Oppose the personal liability section of the bill
--Counterparts in the private sector have no such limitation on their ability to communicate with their ratepayers and use ratepayer dollars to do so

137 SARAH HACKETT, LEAGUE OF OREGON CITIES: testifies against HB 3387.
--Feels measure has been made clearer by the -A10 amendments; prohibitions are narrower but they are still prohibitions
--Fines are too large and there is no way for indemnification even where legal counsel is used
--Will cause more appeals to the state, create additional court costs to the state and the Secretary of State's office
--Believes it is the responsibility of locally elected officials to participate on behalf of local governments in the discussions
--There is much greater burden on citizens to seek out information from their local government
--Believes citizens will think their local governments are not being accountable by not sharing information if this law were approved

158 HASSIMA CASSIM, SPECIAL DISTRICTS: testifies against HB 3387.
--Represents about 700 districts and 300 have no paid staff, which limits the ability to comply with the measure
--Feels measure will stop districts from sending any information to the voters

180 O'CONNOR: explains impact on small communities.

190 CHAIR: asks if private, out-of-state interests are always opposed to the actions taken by the government. Asks if the ability of elected officials to communicate would be stopped by the measure.

200 O'CONNOR: answers no. Discusses impact of money on such elections.

218 COLLEEN SEALOCK, DIRECTOR, ELECTIONS DIVISION, SECRETARY OF STATE'S OFFICE: explains differences between the A-10 amendments, the A-Engrossed version, and current law
--Fiscal sections have been tightened in scope
--Refers to routine business documents: it will be okay to mail such documents without sign-off

260 --Currently, informational pieces can be put out by public entities as long as they do not promote or oppose

273 --Explains in detail information that may be provided

311 --Explains fine of \$500

322 --Fiscal impact has yet to be determined; may have to go to Emergency Board if the cost is high

343 CHAIR: closes public hearing on HB 3387.

346 CHAIR: recesses committee due to a call of the Senate.

351 CHAIR: reconvenes committee.

351 CHAIR: Opens public hearing on HB 3217 A-Eng.

Witnesses:
Joe DeLillo, OLCC Retailer and member, Board of Directors, Oregon Retail Liquor Association

346 JOE DELILLO, OLCC RETAILER AND MEMBER, BOARD OF DIRECTORS, OREGON RETAIL

LIQUOR ASSOCIATION: Advises members that the proponents on the House side made it clear that there are flaws in the bill; the House passed the bill with the intention of Rep. Johnston and representatives of the Oregon Retail Liquor Association working on an amended package.

385 --Presents a prepared explanation of HB 3217-A with the HB 3217--A17 amendments (EXHIBIT F)

Tape 96, B

002 DELILLO: continues testimony

045 SEN. SPRINGER: asks for a general estimate on gross sales ratio between alcoholic and non-alcoholic products sold in stores.

052 DELILLO: answers that an attempt to establish a ratio would be guessing; that is one of the reasons the proposed amendments do not allow differentiation between the value of liquor product goodwill and non-liquor product goodwill. It looks at the profitability of the store as a whole.

060 SEN. SPRINGER AND MR. DELILLO: discuss the six classes of liquor stores and non-exclusive stores.

084 CHAIR: closes the public hearing on HB 3217 A-Eng.

087 CHAIR: opens work session on HB 3387.

095 MOTION: SEN. PHILLIPS moves that the HB 3387-A10 amendments BE ADOPTED.

096 VOTE: CHAIR MILLER, hearing no objection to the motion, declares the amendments ADOPTED. SENS. GOLD AND SPRINGER ARE EXCUSED.

102 CHAIR: closes work session on HB 3387 A-Eng.

106 CHAIR: opens work session on SB 229.

111 MOTION: CHAIR MILLER moves that the SB 229-1 amendments BE ADOPTED.

VOTE: CHAIR MILLER declares the amendments ADOPTED. SEN. SPRINGER OBJECTS TO THE AMENDMENTS. SEN. GOLD IS EXCUSED.

114 MOTION: CHAIR MILLER moves that SB 229, as amended, be sent to the Floor with a DO PASS RECOMMENDATION.

116 VOTE: In a roll call vote, SENS. ADAMS, PHILLIPS AND CHAIR MILLER VOTE AYE. SEN. SPRINGER VOTES NO. SEN. GOLD IS EXCUSED.

118 CHAIR MILLER: declares the motion PASSED.

118 CHAIR: closes work session on SB 229.

138 CHAIR: reopens public hearing on HB 3217 A-Eng.

Witnesses:

Russ Spencer, American Brewers Association
Paul Romaine, Oregon Beer and Wine Distributors Association
Chuck Adams, Microbreweries of America
Chris Lyons, Administrator, Oregon Liquor Control Commission

145 RUSS SPENCER, AMERICAN BREWERS ASSOCIATION, testifies in favor of HB 3217. --Presents -A20 amendments dated 6-5-95 (EXHIBIT I)
--Amendment would remove production cap for malt beverages in brew pub licensees

164 PAUL ROMAIN, OREGON BEER AND WINE DISTRIBUTORS ASSOCIATION, testifies on HB 3217.

--The -A20 amendment removes the cap on brew pubs and allows them to function with an unlimited brewing capacity with the market being the limit
--Portland has more brewery pubs than any area of the world except for Munich, Germany
--Will allow concept that has proven to be very successful to grow
--Also supports Mr. Adams' amendments
--Beer and Wine Distributors take no position on the A-17 amendments

205 CHUCK ADAMS, MICROBREWERY OF AMERICA, testifies on HB 3217.
--Introduces -A18 amendments dated 5-31-95 (EXHIBIT L)
--Amendment would allow for a single-day retail license for events--festivals, etc. Would allow extra cases of beer or wine to be sold under this license
--There needs to be a \$10 fee consistent with current fees for a similar day license

241 SEN. GOLD: asks if the -A17, -A18 and -A20 amendments are in conflict with each other.

246 MR. ROMAIN: responds that the -A18 and -A20 have no conflict.

257 CHRIS LYONS, ADMINISTRATOR, OREGON LIQUOR CONTROL COMMISSION: testifies

against HB 3217 on the direction of the Commission.
--Also opposes -A17 amendments; makes a bad situation worse
--Commission believes the State of Oregon would be giving away the goodwill

value developed in the business for the past 65 years and the State of Oregon would become a 20 percent partner in its own business.
--Measure is not in the best interests of Oregon citizens

286 CHAIR: closes public hearing on HB 3217 A-Eng.

288 CHAIR: opens the work session on HB 3217 A-Eng.

287 MOTION: SEN. PHILLIPS moves that the HB 3217-A17 amendments
BE ADOPTED.

VOTE: CHAIR MILLER, hearing no objection, declares the amendments
ADOPTED.

290 MOTION: SEN. PHILLIPS moves that the HB 3217-A18 amendments
BE ADOPTED.

292 VOTE: CHAIR MILLER, hearing no objection, declares the amendments
ADOPTED.

294 MOTION: SEN. PHILLIPS moves that the HB 3217-A20 amendments
BE ADOPTED.

VOTE: CHAIR MILLER, hearing no objection, declares the amendments
ADOPTED.

298 MOTION: SEN. PHILLIPS moves that HB 3217, as amended, be sent to
the Floor with a DO PASS RECOMMENDATION.

300 MOTION: CHAIR MILLER declares the motion PASSED. SEN. SPRINGER
VOTES NO. All members are present.

321 CHAIR: opens public hearing on SB 1152.

329 CHAIR: closes public hearing on SB 1152,

331 CHAIR: opens work session on HB 3387 A-Eng.

340 MOTION: SEN. PHILLIPS moves that the HB 3387-A10 amendment
BE ADOPTED.

VOTE: SEN. SPRINGER OBJECTS TO THE AMENDMENTS.

VOTE: In a roll call vote, SENS. ADAMS, PHILLIPS AND CHAIR MILLER
VOTE AYE. SENS. GOLD AND SPRINGER VOTE NO.

350 CHAIR MILLER: declares the motion PASSED.

351 CHAIR: closes work session on HB 3387.

352 SEN. SPRINGER: serves notice of possible minority report.

359 SEN. GOLD: joins Sen. Springer in notice of a possible minority report.

369 CHAIR: opens public hearing on SB 1152.

Witnesses:
Lynn Parton
EMILY CEDARLEAF, MULTIFAMILY HOUSING COUNCIL OF OREGON

348 LYNN PARTON: testifies in favor of SB 1152.
--Citizens are not afforded protection of landlord/tenant law
--Citizens make significant investments in the properties

406 SEN. PHILLIPS: asks for a legal definition of "park model"

410 MS. PARTON: reviews definition of recreational vehicle defined in ORS
446.003. Does not specify "park model"; it specifies park trailer.
--Building Codes has the power to change the definition of "park trailer"
to "park model" and believes they are willing to change it

453 SEN. PHILLIPS: questions whether there is a definition of "short term
use".

Tape 97, A

020 PARTON: answers that she does not represent the regulatory agency.
Provides general definition.

025 SEN. PHILLIPS: questions the lack of clarity offered by the
definitions. Concerned that the measure would go forth without additional
definition of terms.

030 EMILY CEDARLEAF, MULTIFAMILY HOUSING COUNCIL OF OREGON: answers that
the bill says if it is 30 days or less, it is transient occupancy; if it is

more than 30 days, then it is short-term use. The local health departments

have the authority to make the determination. The City of McMinnville has
adopted an ordinance that says it is nine months--a school year.

--Are asking for a two-year interim to get it on the record for those
people who buy the structure thinking they are buying a manufactured
dwelling, when, in fact they are buying a recreational vehicle.

--Codes division has committed to creating some kind of definition and code requirement

050 SEN. SPRINGER: asks if we are talking about recreational vehicles that may or may not be used for long term permanent residency.

060 CEDARLEAF: Clarifies which types of homes meet certain building codes.

075 Closes public hearing on SB 1152.

080 CHAIR: opens public hearing on HB 2001 A-Eng..

Witnesses:
Randy Hilderbrand, Chief of Staff, Office of the Speaker of the House of Representatives
John Powell, North Pacific Insurance Company

083 RANDY HILDEBRAND, CHIEF OF STAFF, OFFICE OF THE SPEAKER OF THE HOUSE OF REPRESENTATIVES: testifies in favor of HB 2001 A-Eng. on behalf of Speaker Bev Clarno.

--Bill would provide the private sector the opportunity to bid on some state agency functions

109 SEN. SPRINGER: asks if Speaker Clarno supports the -A6 amendments.

110 HILDEBRAND: answers that the office supports the amendments, as long as they do not hinder the bill's passage.

115 JOHN POWELL, NORTH PACIFIC INSURANCE COMPANY testifies on HB 2001.
--Explains that SB 955 was passed by the 1993 legislature and created a requirement for the insurance companies to interface with the Dept. of Motor Vehicles, giving their book of business--the electronic transfer, and

subsequently reporting cancellations, terminations and new writings
--SB 955 required approximately 10 large insurance companies to meet the requirements in March 1996; all other carriers would be required to meet the requirement by March 1997

--System is behind the timelines
--HB 2001-A6 amendments (EXHIBIT N) would delay the initial requirement to March 1997 so all insurers would be required to come on line at the same time. Amendment would not prohibit insurers from voluntarily reporting at anytime the system is up and running

138 SEN. PHILLIPS: asks why the amendment should not go into effect in six months.

143 POWELL: answers that he does not think a final date has been set. Explains that the implementation of the computer program will be complex, and will take a while.

170 POLK COUNTY, provides further clarification on the timeline for implementation. Explains that the delay will not harm the intent of the bill.

182 KELLY TAYLOR, MOTOR VEHICLE DIVISION, OREGON DEPT. OF TRANSPORTATION testifies on HB 2001-A Eng.

--Uninsured motorist rate is at least 12 percent
--Uninsured motorists rates have dropped to 4% in North Carolina, where similar policies have been adopted
--Have agreed to use industry-standard computer formatting to simplify use
220 --DMV and industry are working together
--Would be more difficult for DMV to bring all the insurance companies on line at once

CHAIR: closes public hearing and opens work session on HB 2001 A-Eng.

239 MOTION: SEN. PHILLIPS moves that HB 2001-A Eng. be sent to the
with a DO PASS RECOMMENDATION.

Floor

242 SEN. SPRINGER: asks how many vehicles in the motor pool would be involved.

238 CHAIR: answers 200.

240 SEN. SPRINGER: asks if the benefits of the E-plate designation will be lost.

263 HILDEBRAND: would be happy to add to the contract that the vehicles would have to have some kind of marking.

277 VOTE: CHAIR MILLER, hearing no objection, declares the motion PASSED. All members are present

281 CHAIR: closes work session on HB 2001 A-Eng.

283 CHAIR: adjourns the meeting at 5:40 p.m.

Submitted by,

Annetta Mullins
Committee Assistant

EXHIBIT SUMMARY

A - HB 2044, prepared statement, Joan Hader, 8 pp
B - NOT USED
C - HJR 55, prepared statement, Jan Stoller, 1 p
D - HB 2044, HB 2044-A3 amendments, Rep. Johnson, 15 pp
E- HB 2044, HB 2044-A4 amendments, Rep. Johnson, 3 pp
F - HB 3217, HB 3217-A17 amendments, Joe DeLillo, 6 pp
G - HB 3387, HB 3387-A10 amendments, Bill Sizemore, 6 pp
H - HB 3387, ORS 294.100, David Fidanque, 1 p
I - HB 3217, HB 3217-A20 amendments, Paul Romain, 2 pp
J - NOT USED
K - NOT USED
L - HB 3217, HB 3217-A18 amendments, Chuck Adams, 1 p
M - NOT USED
N - HB 2001, HB 2001-A6 amendments, John Powell