

SENATE COMMITTEE ON
RULES AND ELECTIONS

Hearing Room
Tapes - 79

MEMBERS PRESENT: Sen. Randy Miller, Chair
Sen. Paul Phillips, Vice-Chair
Sen. Shirley Gold
Sen. Dick Springer

MEMBER EXCUSED:
Sen. Brady Adams

STAFF PRESENT: Kristina McNitt, Committee Administrator
Gretchen Haber, Committee Assistant

MEASURES HEARD: SB 184 - Work Session
HB 2143 - Public Hearing and Possible Work Session
HB 3094 - Public Hearing and Possible Work Session
SB 9: - Public Hearing and Possible Work Session
SCR 11 - Public Hearing and Possible Work Session
HB 2152 - Public Hearing and Possible 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 , SIDE A

003 CHAIR MILLER: Calls the meeting to order at 3:10 p.m. Reviews agenda.

SCR 11 - Public Hearing/Work Session (EXHIBIT A)

Witnesses: Sen. Tom Hartung, Senate District 3
Mary Eng Samual,

008 SEN. TOM HARTUNG: Presents amendments (EXHIBIT B).
- I became interested in Taiwan when a Taiwan family moved next to me.
- I have visited Taiwan and was impressed with the connection between
Taiwan and the U.S. - have the officials have degrees from the U.S.
- Refers to article in Wall Street Journal (EXHIBIT C), and article in
Oregonian (EXHIBIT D).
- The amendments would extend the courtesies of the U.S. so the President
of Taiwan could come to the U.S. to address his class in Cornell.
- Reviews amendments.

081 MARY ENG-SAMUEL: Testifies in favor of SCR 11. There is a delicate
situation between mainland China and Taiwan. If the amendments pass, most
Asians would support the measure.

MOTION: Sen. Phillips moves adoption of the SCR-1 amendments.

VOTE: Hearing no objection, the amendments are adopted.

MOTION: Sen. Phillips moves SCR 11 to the Senate Floor with a do pass recommendation.

VOTE: Hearing no objection, the motion is adopted. Sen. Hartung will carry the bill.

HB 3094 - Public Hearing (EXHIBIT E)

Witnesses: Sen. Joan Dukes, Senate District 1
Sen. Brenda Brecke, Senate District 24

108 SEN. JOAN DUKES: Testifies in favor of HB 3094. Presents the -18 (EXHIBIT F) and -19 (EXHIBIT G) amendments which address issues raised on the Floor.

120 SEN. BRENDA BRECKE: Testifies in favor of the amendments; they represent a compromise among the fishermen.

129 CHAIR MILLER: Rep. Tarno was interested in testifying on this bill, and we will close the hearing until he has an opportunity to do so, but the bill will have a work session today.

132 SEN. PHILLIPS: Has Paul Hanneman been contacted?

135 SEN. DUKES: Yes; Mr. Hanneman supports the measure with the proposed amendments.

HB 2143 - Public Hearing/Work Session (EXHIBIT H)

Witnesses: Rep. Lynn Snodgrass, House District 10
Ken Kuedell, Landscapers Contractors Board
Bill Cross, Oregon Landscape Contractors Association

151 REP. LYNN SNODGRASS: Testifies in favor of HB 2143 and is available for questions.

- Measure passed easily through the House of Representatives.

161 KEN KUEDELL: This bill represents what the board and the industry thought was necessary to improve regulation of landscape contractors.

- It makes it clear that the board can suspend or refuse to license a contractor who owes any money from a court order, arbitration award, a civil penalty, or landscape activity in another state.

- It clarifies limited irrigation backflow devices.

- It clarifies that the bond posted is for the exclusive purpose of the board.

- The maximum civil penalty is increased from \$1,000 to \$2,000.

- It allows the board to collect up to 20% of the civil penalty collected to pay cost of collecting.

- Repeals two sections of law: one is unnecessary (allows case to be taken to Court of Appeals, which has always been allowed), and other we cannot comply with (maintain complaint log).

- Is not aware of any opposition to the measure.

210 BILL CROSS: Testifies in favor of HB 2143 (EXHIBIT I).

220 CHAIR MILLER: How many landscapers belong to the association, and what percentage of all landscapers does that number represent?

224 CROSS: The association probably represents over half of all contractors operating in the business, and most of the large companies.

235 SNODGRASS: The Association is only about six years old, and more professionalisMhas entered the field. This would require the "pick up truckers" to be legal.

249 CHAIR MILLER: Will keeping the 20% of the funds collected result in more penalties being levied?.

258 KUEDELL: That the amount represents about \$5,000. per biennium, which would not be a significant amount. That is about the cost of getting the money.

273 SEN. SPRINGER: Is a profile on the industry that is available?

279 KUEDELL: There are about 800 licensed businesses, and about 1100 licensed contractors.

MOTION: Sen. Springer moves HB 2143 to the Senate Floor with a do pass recommendation.

VOTE: Hearing no objections, the motion is adopted.

HB 2143 - Work Session

MOTION: Sen. Springer moves HB 2143 to the Senate Floor with a do pass recommendation.

VOTE: Hearing no objection, the motion is adopted.

HB 3094 - Public Hearing/Work Session

312 SEN. PHILLIPS: I spoke with Rep. Tarno, who assured me that he supported the amendments.

MOTION: Sen. Phillips moves the -18 and -19 amendments.

VOTE: Hearing no objections, the motion is adopted.

MOTION: Sen. Phillips moves HB 3094 to the Senate Floor with a do pass recommendation.

VOTE: Hearing no objection, the motion is adopted.

SB 9 - Public Hearing/Work Session (EXHIBIT J)

Witnesses: Sen. Bill Kennemer, Senate District 12
Genoa Ingram-Read, Oregon Assn. of Realtors

327 SEN. KENNEMER: Testifies in favor of SB 9.
- This is one of the few administrative heads the Senate does not confirm.

Lists other directors of similar offices.

- Because the office is currently vacant, an emergency clause might be appropriate (EXHIBIT K).

409 GENOA INGRAM-READ: Testifies in favor of SB 9 (EXHIBIT L).
--Encourages Senate participation in the appointment of such positions.

Tape 79, Side A

MOTION: Sen. Gold moves adoption of the SB 9-1 amendments.

VOTE: Hearing no objections, the motion is adopted.

MOTION: Sen. Gold moves SB 9 as amended to the Senate Floor with a do pass recommendation.

VOTE: Hearing no objections, the motion is adopted. Sen. Kennemer will carry the bill on the Senate Floor.

HB 2152 - Public Hearing/Work Session (EXHIBIT M)

Witnesses: Colleen Sealock, Elections Division, Office of the Secretary of State
Rick Hannon, Elections Division, Office of the Secretary of State
Vicki Irvin, Director of Elections, Multnomah County

012 COLLEEN SEALOCK: Introduces Rick Hannon, who has worked to implement the National Voter's Registration Act, and Vickie Irvin. Testifies in favor of HB 2152 (EXHIBIT N).

- HB 2152 is a result of our office trying to implement the National Voter's Registration Act very rapidly, last session. This bill cleans up errors and oversights, and puts into law some new administrative rules.

031 RICK HANNON: The bill is fairly technical; reviews summary provided in Exhibit N.

055 VICKI IRVIN: We do support the bill; the process last session was harried, and it a surprise the bill isn't bigger.

MOTION: Sen. Gold moves HB 2152 to the Senate Floor with a do pass recommendation

VOTE: Hearing no objection, the motion is adopted. Sen. Gold will carry the measure.

SB 184 - Public Hearing/Work Session

071 MCNITT: SB 184 had a prior referral to Ways & Means, and an incorrect motion was made to send the bill directly to the Floor, however, the reason

for the referral was removed by the amendments, so it would now be appropriate to rescind the referral.

MOTION: Chair Miller asks unanimous consent to suspend the rules in order to reconsider the vote by which the committee passed SB 184.

VOTE: Hearing no objections, the rules are suspended.

MOTION: Chair Miller moves to rescind the referral to the Committee on Ways and Means and move SB 184 to the Senate Floor with a do pass recommendation.

VOTE: Hearing no objections, the motion is adopted.

094 CHAIR MILLER: Adjourns the committee at 3:50 p.m.

Submitted by,

Committee Assistant

EXHIBIT SUMMARY

- A - staff measure summary, SCR 11, staff, 1 pg.
- B - proposed amendments, SCR 11, Hartung, 2 pgs.
- C - news article, SCR 11, Hartung, 1 pg.
- D - news article, SCR 11, Hartung, 1 pg.
- E - staff measure summary, HB 3094, staff, 1 pg.
- F - proposed amendments, HB 3094, Dukes, 1 pg.
- G - proposed amendments, HB 3094, Dukes, 1 pg.
- H - staff measure summary, HB 2143, staff, 1 pg.
- I - testimony, HB 2143, Cross, 1 pg.
- J - staff measure summary, SB 9, staff, 1 pg.
- K - proposed amendments, SB 9, Kennemer, 1 pg.
- L - testimony, SB 9, Ingram-Read, 1 pg.
- M - staff measure summary, HB 2152, staff, 1 pg.
- N - testimony, HB 2152, Sealock, 7 pgs.