

HOUSE COMMITTEE ON COMMERCE

July 23, 1993 Hearing Room D 8:30 a.m. Tapes 88 - 89

MEMBERS PRESENT: Rep. Eldon Johnson, Chair Rep. Liz VanLeeuwen,
Vice-Chair Rep. Lee Beyer Rep. Lisa Naito Rep. Michael Payne Rep. Bob
Repine Rep. Hedy Rijken Rep. Charles Starr Rep. Bob Tiernan Rep. John
Watt Rep. Cynthia Wooten

STAFF PRESENT: Marilyn Johnston, Committee Administrator Janet
McComb, Committee Administrator Annetta Mullins, Committee Coordinator

MEASURES CONSIDERED: SB 998 B - Work Session SB 377 A - Work
Session SB 905 A - Work Session

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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. [--- Unable To Translate
Graphic ---]

TAPE 88, SIDE A

002 VICE CHAIR VANLEEUEWEN calls the meeting to order at 10:10 a.m.
and recesses the meeting pending the arrival of a quorum, reconvenes
at 10:12 a.m. and opens the work session on SB 998 B.

SB 998 A - WORK SESSION

018 JAN McCOMB, Administrator, explains provisions of the bill and the
SB 998 B-11 amendments submitted by Sen. Kennemer. The Preliminary Staff
Measure Summary (EXHIBIT A) and the SB 998-B11 amendments (EXHIBIT B)
are hereby made a part of these minutes.

028 MOTION: REP. WOOTEN moves to suspend rules for the purpose
of considering proposed amendments to SB 998 B.

VOTE: CHAIR VANLEEUEWEN, hearing no objection to the motion, declares the
motion PASSED.

042 REP. WOOTEN moves that the SB 998-B11 amendments BE
ADOPTED. SEN. KENNEMER explains the SB 998-B11 amendments. >Restricts
the law to urban growth boundary areas with a population of at least
40,000. >If a motorist is stopped on some probable cause they might be
subject to being asked if they have insurance. >Effective date of July
1994 allows adequate time for issuance of cards and for the public to
be notified of the law.

095 REP. REPINE: This does not mandate anything; it provides an
opportunity for cities to participate and creates a framework for
consistency.

103 Issues discussed: >whether motorcycles and recreational vehicles
are also included.

120 VOTE: CHAIR VANLEEUEWEN, hearing no objection to the motion,

declares the amendments ADOPTED.

123 MOTION: REP. WOOTEN moves that SB 998 B, as amended, be sent to the Floor with a DO PASS recommendation.

VOTE: In a roll call vote, REPS. BEYER, NAITO, PAYNE, REPINE, RIJKEN, STARR and WOOTEN vote AYE. REPS. TIERNAN and VANLEEUEWEN vote NO. REP. WATT is EXCUSED.

135 CHAIR JOHNSON declares the motion PASSED. REP. BEYER will lead discussion on the Floor.

(Tape 88, Side A) SB 377 A - WORK SESSION

The Preliminary Staff Measure Summary and Legislative Fiscal and Revenue statements are hereby made a part of these minutes (EXHIBIT C).

143 CHAIR JOHNSON opens the work session on SB 377 A.

143 MOTION: REP. VANLEEUEWEN moves that the rules be suspended for the purpose of considering amendments to SB 377 A.

VOTE: CHAIR JOHNSON, hearing no objection to the motion, declares the motion PASSED.

148 CHAIR JOHNSON proposes that Section 1 be removed from the bill because of the lack of clarity about the confidentiality issue.

155 SEN. KERANS comments he would have no objection to removing Section 1 of SB 377 A.

172 MOTION: REP. TIERNAN moves that SB 377 A be amended by deleting Section 1.

179 REP. WATT questions the need for SB 377 A.

184 SEN. KERANS: It is primarily being done by corporations executive head hunters--high level jobs--and the company is willing to pay the price to get the most exhaustive profile they can before investing in a person. As the costs come down, the practice will become widespread. Even if a marker is identified, there is no evidence that the person will develop the condition.

211 CHAIR JOHNSON reads into the record: "Other states have been having problems and at least 12 states are passing legislation relating to this issue. Law journals have discussed the need for this kind of legislation."

218 REP. BEYER comments that he thinks Section 1 gives certain privacy rights to the individual and would therefore oppose the motion.

244 SEN. KERANS: There are other chapters of law relating to the confidentiality and security of medical records and genetic screening information, if it should be in file.

255 VOTE: In a roll call vote, REPS. BEYER, NAITO, REPINE, RIJKEN, STARR, TIERNAN, WATT, WOOTEN VANLEEUEWEN and CHAIR JOHNSON vote AYE. REP. PAYNE votes NO.

265 CHAIR JOHNSON declares the motion PASSED.

266 MOTION: REP. BEYER moves that SB 377, as amended, be sent to the Floor with a DO PASS recommendation.

271 REP. TIERNAN asks for a definition of genetic screening.

278 SEN. KERANS explains that "generic screening" is a generic term meaning the examination of a person or their bodily fluids, blood, urine, tissue, to screen for a disease or genetic marker that might show a predisposition to a disease or condition. I think that is also understood by the Bureau of Labor and Industries.

305 MARILYN JOHNSTON, Administrator, reads into the record a definition of genetic screening (EXHIBIT D).

325 REP. WATT asks if any studies have been done in Oregon. 348 SEN. KERANS comments that this is the second session this bill has been introduced.

372 REP. NAITO: Some small employers are extremely concerned about the people they hire. They may use this to keep their health insurance costs down.

TAPE 89, SIDE A

038 VOTE: In a roll call vote, REPS. BEYER, NAITO, PAYNE, RIJKEN, WOOTEN and CHAIR JOHNSON vote AYE. REPS. REPINE, STARR, TIERNAN, WATT and VANLEEUEWEN vote NO.

043 CHAIR JOHNSON declares the motion PASSED. REP. WOOTEN will lead discussion on the Floor.

(Tape 89, Side A) SB 905 A - WORK SESSION

046 MOTION: CHAIR JOHNSON moves that the committee rules be suspended in order that the committee consider amendments to SB 905 A.

068 VOTE: CHAIR JOHNSON, hearing no objection to the motion, declares the motion PASSED.

068 CHAIR JOHNSON opens the work session on SB 905 A.

074 JAN MCCOMB reviews the provisions of the bill and the proposed SB 905-A10 amendments proposed by Chair Johnson (EXHIBIT E).

087 MOTION: REP. WATT moves that the SB 905-A10 amendments BE ADOPTED to replace the bill.

098 REP. PAYNE: I will support the motion to make it more likely to pass out of this body.

102 VOTE: In a roll call vote, REPS. BEYER, PAYNE, REPINE, STARR, TIERNAN, WATT, VANLEEUEWEN and CHAIR JOHNSON vote AYE. REPS. NAITO, RIJKEN and REP. WOOTEN vote NO.

107 MOTION: REP. BEYER moves that SB 905 A, as amended, be sent to the Floor with a DO PASS recommendation.

110 CHAIR JOHNSON advises the committee, it is the intent to refer the measure to Rules and Reorganization.

114 MOTION: REP. REPINE moves that the committee recess or adjourn.

The committee discusses parliamentary procedures.

120 REP. PAYNE calls for the QUESTION.

CHAIR JOHNSON declares the meeting in recess at 10:48 a.m.

176 CHAIR JOHNSON reconvenes the meeting at approximately 10:55 a.m.

179 MOTION: REP. WATT moves to amend REP. BEYER'S motion: that SB 905 A, as amended, be sent to the Committee on Rules and Reorganization with a DO PASS recommendation.

184 REP. PAYNE moves to amend REP. WATT'S motion: that SB 905 A, as amended, be sent to the Floor with a DO PASS recommendation. CHAIR JOHNSON rules the motion OUT OF ORDER.

190 The committee again discusses precedence of motions.

195 RAMONA KENADY, Chief Clerk of the House, explains parliamentary procedures and precedence of motions made before a committee.

Discussion continues among members and Ramona Kenady on procedures.

255 REP. PAYNE states his objections to sending the measure to the Committee on Rules and Reorganization, and the attempts to stifle debate and criticism of the process.

271 REP. BEYER states his objection to the motion to amend the original motion because the Rules Committee has no jurisdiction in insurance matters.

273 REP. NAITO also states her reasons for opposition to the motion to amend the original motion.

303 MOTION: REP. REPINE moves that the committee recess for one hour.

307 CHAIR JOHNSON declares the meeting in recess until 12:00 p.m.

319 CHAIR JOHNSON reconvenes the meeting at 12:06 p.m. and requests a roll call vote.

323 VOTE: In a roll call vote, REPS. REPINE, STARR, TIERNAN, WATT, VANLEEUEWEN and CHAIR JOHNSON vote AYE. REPS. BEYER, NAITO, PAYNE, RIJKEN and WOOTEN vote NO.

332 CHAIR JOHNSON declares the motion PASSED.

339 RAMONA KENADY clarifies that the first question before the committee is on the amendment to the original motion; the vote just completed amended the original motion and the question before the committee is the amended motion (that the bill be sent to the Floor

with a Do Pass recommendation as amended and that the bill be referred to the Committee on Rules and Reorganization).

446 VOTE: In a roll call vote, REPS. BEYER, NAITO, REPINE, RIJKEN, STARR, TIERNAN, WATT, WOOTEN VANLEEUEWEN and CHAIR JOHNSON vote AYE. REP. PAYNE votes NO.

456 CHAIR JOHNSON declares the motion PASSED and the meeting adjourned at 12:11 p.m.

Respectfully submitted,

Reviewed by, Reviewed by,

Annetta Mullins Marilyn Johnston Jan McComb Coordinator
Administrator Administrator

EXHIBIT SUMMARY

A - SB 998, Preliminary Staff Measure Summary, staff, 1 p B - SB 998, SB 998-B11 amendment, Sen. Kennemer, 1 p C - SB 377, Preliminary Staff Measure Summary, Legislative Fiscal and Revenue statements, staff, 2 pp D - SB 377, page of Oklahoma Law Review, staff, 1 p E - SB 905, Preliminary Staff Measure Summary, SB 905-A10 amendments and Legislative Fiscal and Revenue statements, staff, 5 pp