

SENATE COMMITTEE ON BUSINESS, HOUSING, AND CONSUMER AFFAIRS

February 1, 1993 Hearing Room 343 3:00 p.m. Tapes 6 - 7

MEMBERS PRESENT: Sen. Peg Jolin, Chair Sen. Bill Kennemer, Vice Chair
Sen. Brady Adams Sen. Ron Cease Sen. Bill Dwyer

MEMBER EXCUSED:

VISITING MEMBER:

STAFF PRESENT: Cherie Copeland, Committee Administrator Richard
Day-Reynolds, Committee Assistant

MEASURES CONSIDERED: Executive Appointment: David J. Lau SB
1 - Provides protection for persons giving certain
information in good faith to State Board of Engineering Examiners -
Public Hearing and Possible Work Session SB 38 - Increases
license and other fees relating to consumer electronic
entertainment equipment service - Public Hearing and Possible Work
Session

WITNESSES: David J. Lau, Executive Appointment Candidate Ed
Graham, SB 1 Ernest Moore, SB 38

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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 6, SIDE A

007 CHAIR JOLIN: Calls meeting to order at 3:04 p.m.

(Tape 6, Side A) EXECUTIVE APPOINTMENT - DAVID J. LAU

012 DAVID J. LAU: Real estate appraiser here in Salem since 1970.
Member of Appraisal Institute.

022 SEN. KENNEMER: What are your areas of expertise? What are your
areas of interest on the board?

026 LAU: Industrial and commercial real estate, and a
background in agricultural properties. My primary interest is to
increase the

professionalism of the board, and to comply with federal law.

036 SEN. KENNEMER: Do you have any specific ideas or concerns for the
board to increase professionalism?

LAU: Pending confirmation, I've been appointed to the enforcement subcommittee and the legislative subcommittee.

049 SEN. DWYER: Have license fees increased?

LAU: Yes. Oregon has second highest fees. The Board has a surplus, wants to lower fees.

SEN. DWYER: How would you help get licenses in a timely manner.

LAU: Most licenses are issued in December. They should be issued on birthdates. There are no administrative rules that allow staff to process paperwork between board meetings, and the board only meets every three months. These are problems that can be worked out.

096 SEN. DWYER: Do you see the exorbitant fees going down?

LAU: The office is short-staffed and the Emergency Board has not authorized the board to fill the two staff positions currently empty.

109 SEN. KENNEMER: There is an undersupply of appraisers in the state. Is this accurate?

LAU: The refinancing surge has taxed the system.

128 CHAIR JOLIN: As we learned last session, there is not a disastrous shortage, but there could be more appraisers in the system.

SEN. KENNEMER: I wanted to know if new, qualified people were going to be able to get into the system.

140 LAU: There may be a perception in the public that new appraisers are being shut out of the system, but it isn't true. The refinancing surge, coupled with having to comply with federal guidelines, has backed up the system somewhat.

SEN. KENNEMER: Do you have any outstanding complaints against you before the board?

LAU: No, I don't.

154 MOTION: Sen. Dwyer moves that the appointment of David J. Lau to the Appraiser Certification and Licensure Board be confirmed.

157 CHAIR JOLIN: No Objections? SO ORDERED.

(Tape 6, Side A) SB 1 - PROVIDES PROTECTION FOR PERSONS GIVING CERTAIN INFORMATION IN GOOD FAITH TO STATE BOARD OF ENGINEERING EXAMINERS - PUBLIC HEARING Witness(es): Ed Graham, Board of Engineering Examiners

170 ED GRAHAM, EXECUTIVE SECRETARY, OREGON BOARD OF ENGINEERING EXAMINERS: The Board is in favor of SB 1. Individuals have historically been

reluctant to come before the board. SB 1 would protect good faith testimony. It would not protect perjurious or libelous testimony.

194 SEN. DWYER: What is good faith? Could you define it?

199 GRAHAM: An honest attempt to present testimony that is truthful and not intended to defame or injure another person.

SEN. DWYER: Could you lie in good faith?

GRAHAM: No, I don't believe you could lie in good faith.

209 SEN. KENNEMER: Is this pretty consistent language?

CHAIR JOLIN: Yes. It's pretty standard language.

SEN. KENNEMER: Is there subsequent referral for this bill?

CHAIR JOLIN: No.

226 GRAHAM: I found twelve occasions in statutes with similar language.

(Tape 6, Side A) SB 1 - PROVIDES PROTECTION FOR PERSONS GIVING CERTAIN INFORMATION IN GOOD FAITH TO STATE BOARD OF ENGINEERING EXAMINERS -
WORK SESSION

234 MOTION: Sen. Dwyer moves SB 1 to the floor with a Do Pass recommendation.

VOTE: In a roll call vote, the motion passed 5-0.

(Tape 6, Side A) SB 38 - INCREASES LICENSE AND OTHER FEES RELATING TO CONSUMER ELECTRONIC ENTERTAINMENT EQUIPMENT SERVICE - PUBLIC HEARING
Witness(es): Ernest Moore, Bureau of Labor and Industries Paul Tiffany, Wage and Hour Division

263 ERNEST MOORE, BUREAU OF LABOR AND INDUSTRIES: Introduces PAUL TIFFANY, ADMINISTRATOR, WAGE AND HOUR DIVISION. Continuing, Moore states that

license fees support program, but there will be insufficient fees to carry the program through to the next biennium. The Bureau supports the measure.

289 CHAIR JOLIN: Why increase only four fees?

MOORE: [QUOTE] "We felt it wasn't necessary to increase all of them."

305 SEN. DWYER: These are substantial fee increases. Are consumers going to get better service for the increase?

314 TIFFANY: They'll get the same service as now if we get the fee increase. The costs to produce those services have gone up. Without an

increase in fees, there may have to be service cuts.

349 SEN. DWYER: What service?

361 TIFFANY: We couldn't process complaints or shop inspections.

SEN. DWYER: You're saying you're going to take the money but not provide services unless we give you the increases? I want to see a list of complaints and a list of inspections and see how they were resolved.

377 SEN. CEASE: Have your costs gone up as well? Has there been a corresponding increase in the amount consumers of your services charge

for their products?

TIFFANY: Yes, there has been.

SEN. CEASE: When the cost of staff for a fee-funded program goes up, there has to be a way to deal with it.

423 JIM ROLISON, ELECTROMATIC, INC.: Oregon has few complaints because of expertise of shop management and technical expertise. The one inspector is quite knowledgeable and I don't see how you could decrease that cost at all.

459 SEN. CEASE: The staff size is probably as small as it can get. What about increased customer costs from the dealer?

TAPE 7, SIDE A

036 ROLISON: The fee increase would be almost insignificant to the individual customer.

SEN. CEASE: Do these increases reflect a hardship?

041 ROLISON: The potential for inadequate quality of repair represents a far greater financial hardship than would the increase in fees.

047 SEN. ADAMS: [QUOTE] "The purpose of these licenses is consumer protection?"

MOORE: That is correct.

056 SEN. DWYER: I want to see the figures. This has happened before. People are going to be angry when you raise the fees.

ROLISON: People are going to complain when the costs go up. The individual costs are going to be negligible.

076 SEN. DWYER: Once costs go up, they never come down.

ROLISON: I agree. Quality service demands a certain level of expertise, however.

083 CHAIR JOLIN: We raised the fees in 1989 and we need to see the figures. We're going to hold off today. Submit those figures in advance of the

work session.

(Tape 7, Side A) 098 INTRODUCTION OF COMMITTEE BILLS: LC 1311, LC 2258 - WORK SESSION Witness(es): Cherie Copeland, Committee Administrator

103 CHERIE COPELAND, COMMITTEE ADMINISTRATOR: Both LC drafts, LC 1311 and LC 2258, deal with mobile home landlord-tenant relationships..

125 MOTION: Sen. Dwyer moves that LC 1311 and LC 2258 be introduced as committee bills.

132 CHAIR JOLIN: Hearing no objection, SO ORDERED.

136 - Adjourns the meeting at 3:41 p.m.

Submitted by:

Reviewed by:

Richard Day-Reynolds
Administrator

Cherie Copeland Assistant

EXHIBIT LOG:

A - Testimony on SB 1 - Edward Graham - 1 page B - Testimony on SB 1 - William Pease - 1 page C - Testimony on SB 38 - Ernest Moore - 1 page D - Witness registration sheets - Staff - 3 pages E - Biographical Information packet (David J. Lau) - Staff - 7 pages