

SENATE COMMITTEE ON BUSINESS, HOUSING AND CONSUMER AFFAIRS

April 14, 1993 Hearing Room 343 3:00 p.m. Tapes 52 - 53

MEMBERS PRESENT: Sen. Bill Dwyer, Chair Sen. Bill Kennemer, Vice-Chair
Sen. Brady Adams Sen. Ron Cease Sen. Karsten Rasmussen

MEMBER EXCUSED:

VISITING MEMBER: Sen. Cliff Trow, District 18

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

MEASURES CONSIDERED: Work Session: SB 498 - Requires
approval of State Fire Marshal or designee before certificate
of occupancy

is issued. Public Hearing and Possible Work Session: SB 946 -
Requires retail dealers of oxygenated gasoline to post
label or notice

prescribed by federal Clean Air Act. SB 994 - Authorizes
certain nonprofit charitable corporations to pay charitable
gift

annuities. SB 844 - Requires telecommunications
utilities to respond to customer complaint in writing

upon customer request. SB 560 - Prohibits sale or use
of certain smoke detectors.

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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 52, SIDE A

014 CHAIR DWYER: Calls the meeting to order at 3:09 p.m.

SB 498 - REQUIRES APPROVAL OF STATE FIRE MARSHAL OR DESIGNEE
BEFORE CERTIFICATE OF OCCUPANCY IS ISSUED - WORK SESSION Witnesses:
Glenn Havener, Oregon Building Officials Association Gary Underwood,
Fire Marshal's Office

020 CHERIE COPELAND, COMMITTEE ADMINISTRATOR: Gives summary of
bill and committee history.

043 CHAIR DWYER: Asks about the -4 amendments

048 CHERIE COPELAND: The -4 amendments went beyond what the committee wanted.

057 SEN. KENNEMER: We've worked out a compromise that works.

062 CHAIR DWYER: Asks if there are any objection to -5 amendments.

067 GLENN HAVENER, OREGON BUILDING OFFICIALS ASSOCIATION: I'm here in place of Don Woodley. Reads Don Woodley's comments. Is there a directive for

local officials to establish a plan to cooperate with the fire marshal? Why does it apply only to municipal? Questions use of codes in the amendments.

101 SEN. KENNEMER: When did you last talk to Woodley?

105 HAVENER: The 12th.

107 SEN. KENNEMER: This makes me angry because on Friday he said he was fine on the bill. 117 HAVENER: I'm reflecting as best I can the information from Mr. Woodley.

CHAIR DWYER: We are going to pass this bill out. You can take up your concerns in the House.

124 SEN. KENNEMER: Marion County is on board. Can we have Mr. Underwood explain the process?

128 GARY UNDERWOOD, STATE FIRE MARSHAL'S OFFICE: Explains the process they will use. It will mimic the federal certification and they will

periodically check the certifications for accuracy.

183 SEN. KENNEMER: You'll work with the local people?

UNDERWOOD: Yes

191 MOTION: Sen. Kennemer moves to adopt the -5 amendments.

194 CHAIR DWYER: Hearing no objection SO ORDERED.

MOTION: Sen. Kennemer moves SB 498 to the floor with a Do Pass recommendation.

VOTE: Motion passes 3-0, Sen. Rasmussen and Sen. Cease excused.

Sen. Kennemer will carry.

(Tape 52, Side A)

SB 946 - REQUIRES RETAIL DEALERS OF OXYGENATED GASOLINE TO POST LABEL OR NOTICE PRESCRIBED BY FEDERAL CLEAN AIR ACT - PUBLIC HEARING
Witnesses: Roger Martin, BP Oil Company Ken Simila, Oregon Department

of Agriculture

219 ROGER MARTIN, BP OIL COMPANY: Testifies in support of the bill. Introduces (EXHIBIT B) and gives a brief history of ethanol.

354 SEN. KENNEMER: My owner's manual says not to use more than 5% ethanol or the warranty is void.

358 MARTIN: I had not heard that before. The federal requirement is 10%.

369 CHERIE COPELAND, COMMITTEE ADMINISTRATOR: I asked Jim Austin, of the Auto Manufacturers Association, if the warranty was in conflict with the bill and he said no.

382 MARTIN: In Washington this law is passed.

394 KEN SIMILA, MEASUREMENT STANDARDS DIVISION, OREGON DEPARTMENT OF AGRICULTURE: Testifies against the bill. Introduces (EXHIBITS C-F) and

reads from testimony.

TAPE 53, SIDE A

089 SEN. ADAMS: Is there any service station that uses more than a 10% blend?

095 SIMILA: I can't answer that.

097 SEN. ADAMS: If we had a labeling requirement, would it be applicable to only those cases where there is more than a 10% ethanol blend?

105 SIMILA: The manufacturers are currently manufacturing vehicles that will satisfy that requirement.

112 SEN. ADAMS: Do service stations sell blends with methanol?

115 SIMILA: They can, but methanol can't compete economically right now.

128 SEN. ADAMS: There may be an issue about methanol labeling and cases where the blend is over 10%. Does that summarize your position?

135 SIMILA: Yes, and there is an issue about setting two standards.

SEN. ADAMS: Can those seven counties sell ethanol or methanol?

SIMILA: Yes.

148 SEN. KENNEMER: Reads acceptable gasoline blends from owner's manual. 157 CHAIR DWYER: Closes public hearing on SB 946.

(Tape 53, Side A) SB 560 - PROHIBITS SALE OR USE OF CERTAIN SMOKE DETECTORS - PUBLIC HEARING Witnesses: Senator Cliff Trow, District 18

164 SEN. CLIFF TROW, DISTRICT 18: Reads from prepared testimony (EXHIBIT E). Testifies in support of the measure, with amendments (EXHIBIT H).

202 CHAIR DWYER: Do you think there should be a grace period for manufacturers?

208 SEN. TROW: That would be fine. The problem needs to be addressed.

225 CHAIR DWYER: Closes public hearing on SB 560.

(Tape 53, Side A) SB 946 - REQUIRES RETAIL DEALERS OF OXYGENATED GASOLINE TO POST LABEL OR NOTICE PRESCRIBED BY FEDERAL CLEAN AIR ACT - PUBLIC HEARING Witnesses: Larry Hill, Gasoline Dealers Association

229 LARRY HILL, GASOLINE DEALERS ASSOCIATION: Testifies in support of the bill. Would like an amendment.

274 SEN. KENNEMER: What is the best way to inform the consumers?

283 HILL: Go with the brand you know and trust.

289 SEN. KENNEMER: Is there any gas sold in Oregon that violates automobile manufacturers requirements?

292 HILL: I don't know.

298 CHAIR DWYER: Closes the public hearing.

(TAPE 53, SIDE A) SB 560 - PROHIBITS SALE OR USE OF CERTAIN SMOKE DETECTORS. - PUBLIC HEARING Witnesses: Peter Lee, Hearing Aid Manufacturer Herb Frolander, Citizen Jim Davis, United Seniors of Oregon Emily Cedarleaf, Multifamily Housing Council

318 PETER LEE, HEARING AID MANUFACTURER: Testifies in support of the bill. Introduces (EXHIBIT I) and gives a demonstration.

TAPE 52, SIDE B

015 CHAIR DWYER: Is there a difference in cost? 023 HERB FROLANDER, CITIZEN: Testifies in support. The old ones are the cheapest.

051 CHAIR DWYER: Do most people know what their hearing range is?

060 FROLANDER: No.

064 CHAIR DWYER: What about the effective date of this act?

070 FROLANDER: In some shops you can test it right there.

073 CHAIR DWYER: We're making law, not sausage.

077 SEN. CEASE: Sometimes we make law that's sausage.

082 LEE: Maybe it should have a decibel rating.

087 CHAIR DWYER: Maybe it should state that you should try it.

089 FROLANDER: None of the new ones are in that range.

091 SEN. CEASE: At a certain frequency level, most people can hear. Why are they being made with too high of a frequency range?

097 LEE: I don't really know.

104 SEN. CEASE: You could give them a year or two to comply. We need more information about what to require.

114 SEN. KENNEMER: Has anyone been in touch with Underwriter's Labs?

124 FROLANDER: Once this is known by the public the liability is mind boggling.

130 JIM DAVIS, UNITED SENIORS OF OREGON: Testifies in support of the bill. Reads from prepared testimony (EXHIBIT J).

167 CHAIR DWYER: Work with Cherie to work this out.

174 SEN. KENNEMER: How available are knock-knock devices and what do they cost?

177 DAVIS: I don't no.

180 SEN. CEASE: Let's ask the fire departments for information.

191 EMILY CEDARLEAF, MULTIFAMILY HOUSING COUNCIL: Testifies against the bill.

218 CHAIR DWYER: What about the fact that low frequency one was only ten dollars?

220 CEDARLEAF: They picked the high frequency because it's the most intrusive. 240 SEN. CEASE: Why are these devices more expensive?

249 CEDARLEAF: Hearing impaired devices must be hard-wired in.

259 CHAIR DWYER: Closes the public hearing.

(Tape 52, Side B) SB 994 - AUTHORIZES CERTAIN NONPROFIT CHARITABLE CORPORATIONS TO PAY CHARITABLE GIFT ANNUITIES - PUBLIC HEARING
Witnesses: Senator Ron Cease, District 10 Jerry Tucker, United Way Kay Van Liew, United Way

Terry Meagher, Department of Insurance and Finance Gloria King,
Willimette View Foundation Ulisse Pardini, Red Cross Jerry Westersund,
Oregon Community Foundation

275 SENATOR CEASE, DISTRICT 10: Testifies in support of the bill.

298 SEN. KENNEMER: Are colleges included?

303 JERRY TUCKER, UNITED WAY: I don't know. Testifies in support of the bill and reads from written testimony (EXHIBIT K).

337 KAY VANLIEW, UNITED WAY: Testifies in support of the bill.

358 TERRY MEAGHER, DEPARTMENT OF INSURANCE AND FINANCE:
Testifies in support of the bill and reads from written testimony (EXHIBIT L).

370 GLORIA KING, WILLAMETTE VIEW FOUNDATION: Testifies in support
of the bill and reads from written testimony (EXHIBIT M).

405 ULISSE PARDINI, RED CROSS: Testifies in support of the bill
and introduces (EXHIBIT N).

TAPE 53, SIDE B

019 JERRY WESTERSUND, OREGON COMMUNITY FOUNDATION: Testifies in
support of the bill. Reads from written testimony (EXHIBIT O).

(Tape 53, Side B) SB 944 - AUTHORIZES CERTAIN NONPROFIT CHARITABLE
CORPORATIONS TO PAY CHARITABLE GIFT ANNUITIES - WORK SESSION

035 MOTION: Sen. Cease moves SB 944 to the floor with a Do
Pass recommendation.

VOTE: Motion passes 5-0. Sen. Cease will carry.

SB 844 - REQUIRES TELECOMMUNICATIONS UTILITIES TO RESPOND TO
CUSTOMER COMPLAINT IN WRITING UPON CUSTOMER REQUEST - PUBLIC HEARING
Witnesses: Ginny Lang, US WEST Communications Bob Jenks, Citizens'
Utility Board Gary Bauer, Oregon Independent Telephone Association Joyce
Bay, Public Utility Commission

048 SEN. CEASE: Explains the bill.

060 GINNY LANG, US WEST COMMUNICATIONS: Testifies against the bill.

079 CHAIR DWYER: Why shouldn't people get a response in writing?

088 LANG: I don't know why.

099 CHAIR DWYER: Do you have company policy to encourage responses
other than in writing?

104 LANG: We try to respond in the effective way.

109 CHAIR DWYER: Asks the same question.

LANG: Not that I'm aware of.

116 SEN. CEASE: We can take care of the problem of people writing on
their bill.

136 BOB JENKS, CITIZENS' UTILITY BOARD: Testifies in support of the
bill. Introduces (EXHIBIT Q).

147 GARY BAUER, OREGON INDEPENDENT TELEPHONE ASSOCIATION: Testifies
against the bill.

162 CHAIR DWYER: Find out the companies' response policies for me.

174 JOYCE BAY, PUBLIC UTILITY COMMISSION: Does not support or
oppose the bill. Introduces written testimony (EXHIBIT P).

178 SEN. KENNEMER: What would you do if a consumer contacted your
office because they couldn't get a written response from their
telephone

company?

181 BAY: We would contact the company and the consumer would get a response in writing.

186 SEN. KENNEMER: If someone contacted the regulatory body the response would have to be in writing?

193 BAY: We wouldn't have to insist.

195 CHERIE COPELAND: Is there a notice in the phone book that consumers can contact the PUC?

198 BAY: Yes.

202 SEN. KENNEMER: Aren't the telephone companies, when contacted by a consumer, required to notify the consumer who they can contact?

204 BAY: Yes.

205 CHAIR DWYER: Adjourns the meeting at 4:46 p.m.

Submitted by:

Reviewed by:

Willie Tiffany
Administrator

Richard Day-Reynolds Assistant

EXHIBIT LOG:

A - Amendments to SB 498 - Staff - 3 pages B - Testimony on SB 946 - Roger Martin - 1 page C - Testimony on SB 946 - Ken Simila - 1 page D - Testimony on SB 946 - Ken Simila - 1 page E - Testimony on SB 946 - Ken Simila - 1 page F - Testimony on SB 946 - Ken Simila - 2 pages G - Testimony on SB 560 - Sen. Trow - 2 pages H - Witness Registration - Staff - 4 pages I - Testimony on SB 560 - Peter Lee - 1 page J - Testimony on SB 560 - Jim Davis - 1 page K - Testimony on SB 994 - Jerry Tucker - 1 page L - Testimony on SB 994 - Terry Meagher - 1 page M - Testimony on SB 994 - Gloria King - 1 page N - Testimony on SB 994 - Sam Jones - 1 page O - Testimony on SB 994 - Jerry Westersund - 1 page P - Testimony on SB 844 - Joyce Bay - 1 page Q - Testimony on SB 844 - Bob Jenks - 10 pages