

SENATE COMMITTEE ON BUSINESS, HOUSING AND CONSUMER AFFAIRS

June 2, 1993            Hearing Room 343 3:00 p.m.    Tapes 82 - 83

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

MEMBER EXCUSED:

VISITING MEMBER:

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

MEASURES CONSIDERED:            Public Hearing and Possible Work Session: HB  
2968-A            Modifies            landlord            and            tenant law  
concerning responsibility for maintenance of    smoke            detectors,  
week-to-week

tenancies, 24-hour    eviction,    applicant

screening fees, garbage    receptacles and

minors contracting    for necessities of

residential dwelling units. HB    2156-A            Establishes            formula  
to            determine maximum amount of veteran's home loan. HB    2157-A  
Eliminates            authority            of            Director of Veterans'    Affairs  
for            cancelling or

otherwise settling accounts,    other than

principle, payable to    director under

veterans' loan program. HB    2202            Abolishes            separate  
accounts within telecommunications    Residential    Service

Protection Fund.

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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 82, SIDE A

018    CHAIR DWYER:    Calls the meeting to order at 3:08 p.m.

(Tape 82, Side A) HB 2968-A - MODIFIES LANDLORD AND TENANT LAW CONCERNING RESPONSIBILITY FOR MAINTENANCE OF SMOKE DETECTORS, WEEK-TO-WEEK TENANCIES, 24-HOUR EVICTION, APPLICANT SCREENING FEES, GARBAGE RECEPTACLES AND MINORS CONTRACTING FOR NECESSITIES OF RESIDENTIAL DWELLING UNITS - PUBLIC HEARING Witnesses: John Vanlandingham, Lane County Legal Aid

028 JOHN VANLANDINGHAM, LANE COUNTY LEGAL AID: Testifies in support of the bill.

033 CHAIR DWYER: This is a balance between the various interests. A lot of work went into this bill and I don't wish to change it.

036 SEN. ADAMS: Does the Fair Credit Reporting Act allow for the release of information?

042 VANLANDINGHAM: Yes, I understand that does allow the release of credit information.

048 CHAIR DWYER: Part of my application fee bill has been put into this bill and I think it's a good approach.

052 SEN. KENNEMER: Is everyone still on board?

054 VANLANDINGHAM: Lists the participants in the negotiations and states that they are still in agreement.

(Tape 82, Side A) HB 2968-A - MODIFIES LANDLORD AND TENANT LAW CONCERNING RESPONSIBILITY FOR MAINTENANCE OF SMOKE DETECTORS, WEEK-TO-WEEK TENANCIES, 24-HOUR EVICTION, APPLICANT SCREENING FEES, GARBAGE RECEPTACLES AND MINORS CONTRACTING FOR NECESSITIES OF RESIDENTIAL DWELLING UNITS - WORK SESSION

060 MOTION: SEN. KENNEMER moves HB 2968-A to Judiciary Committee by prior reference with a Do Pass recommendation.

064 VOTE: 3-0 MOTION PASSES. SEN. CEASE, SEN. RASMUSSEN excused.

HB 2202 ABOLISHES SEPARATE ACCOUNTS WITHIN TELECOMMUNICATIONS RESIDENTIAL SERVICE PROTECTION FUND - PUBLIC HEARING Witnesses: Jack Cassell, Oregon Telephone Assistance Program Peg Ralston, Public Utility Commission

078 JACK CASSELL, ADMINISTRATOR, OREGON TELEPHONE ASSISTANCE PROGRAM, TELECOMMUNICATION DEVICE ACCESS PROGRAM: Gives informational overview

of the two programs. Reads from prepared testimony in support of the bill (EXHIBIT B).

183 CHAIR DWYER: Why haven't the low income accounts been tapped? Why haven't we been more aggressive in administering the low income program? And, why should we take money from one program, which wasn't used right, and give it to another program?

198 PEG RALSTON, PUBLIC UTILITY COMMISSION: We have actively seeked recipients for the low-income program and only a low number of

people

have accepted the assistance.

214 CHAIR DWYER: I have a problem with spending money for something that it wasn't earmarked for. I want to know how aggressive you actually were.

I'm concerned that there is \$3.5 million out there for low-income people that was never utilized.

230 RALSTON: When we started out we had no idea what the usage was going to be and we just didn't hit those numbers right.

CHAIR DWYER: You levied a lot more money for the deaf program than the low-income program and you say that you don't have enough for the deaf program when I know that there are a lot more low-income people out there than deaf people.

248 SEN. CEASE: Makes comment about assistance program.

267 CHAIR DWYER: Gives personal history with the bill. Before I move this bill, I want to see data about how aggressive the PUC was in pushing

this program.

288 CASSELL: We have been aggressive in the deaf assistance program. I agree, we need to be more aggressive in promoting this low income

program.

310 CHAIR DWYER: If we combine these accounts, what's left for low income?

316 RALSTON: There should be plenty there to support both programs.

330 SEN. CEASE: The access money is in the account which only collects the one cent tax?

337 CHAIR DWYER: That's exactly my point. If we merge the two programs into one, I'm afraid the low-income program will totally lose it's

identity.

345 RALSTON: Would you like a letter describing to you what has been done in the past with the low-income program.

353 CHAIR DWYER: Yes. I'd say something is wrong somewhere.

356 SEN. KENNEMER: The subsidy for the low-income is \$7 per person, what's the subsidy for the deaf program?

363 CASSELL: We have a \$6 million cost for the relay system plus our overhead.

373 SEN. CEASE: I would like to see more information. Gives information about the history of legislative intent.

394 SEN. KENNEMER: It might be appropriate to look at moving the cap.

408 RALSTON: The build up of the balance we have now was caused by the original tax of 15 cents for low-income and 10 cents for the deaf

program.

TAPE 83, SIDE A

016 SEN. ADAMS: We have to address the issue of compliance with the Americans with Disabilities Act (ADA).

023 CHAIR DWYER: Maybe Ways and Means should deal with it.

032 SEN. CEASE: More information will help. I'm not satisfied at this point.

038 CASSELLS: Explains budget figures in the Governor's budget. More and more individuals are using the low income program.

056 SEN. RASMUSSEN: Can we raise the cap on one, and leave the two programs separate?

067 CASSELLS: I can't answer for the PUC. I would like to see the cap remain where it is. This bill would allow allotments to be changed and

leave the cap alone.

088 SEN. CEASE: The legislative cap is 25 cents. Is this other cap you are talking about something set up by the PUC?

092 RALSTON: The cap was lowered by the PUC.

100 SEN. CEASE: The hearing impaired program is in the right place. Maybe the low income program is in the wrong place.

117 RALSTON: Offers to give the committee information.

128 CHAIR DWYER: How did this bill get this far?

132 CASSELLS: The same as what we are doing now.

137 SEN. CEASE: Asks again for information.

142 CHAIR DWYER: I'll give them that opportunity, but at this point I'm not convinced.

147 CASSELLS: Compares Oregon statistics with other states and offers to get the committee more information. We would still have to go to the

E-Board for approval to use the \$3 million.

(Tape 83, Side A) HB 2156-A - ESTABLISHES FORMULA TO DETERMINE MAXIMUM AMOUNT OF VETERAN'S HOME LOAN - PUBLIC HEARING Witnesses: Jon Mangis, Oregon Department of Veterans' Affairs Frank Wallace, Oregon Department of Veterans' Affairs

183 JON MANGIS, OREGON DEPARTMENT OF VETERANS' AFFAIRS: Introduces FRANK WALLACE OREGON DEPARTMENT OF VETERANS' AFFAIRS. Reads from prepared

testimony (EXHIBIT C) and testifies in support of the bill.

237 CHAIR DWYER: Will this hurt your program?

240 MANGIS: Actually, this will help.

246 CHAIR DWYER: This doesn't include an emergency clause?

249 MANGIS: We would appreciate an emergency clause.

259 SEN. ADAMS: Declares a potential conflict of interest. Does this include the exceptions allowed for Alaska and Hawaii?

268 MANGIS: No.

272 SEN. KENNEMER: This is a prudent measure.

CHAIR DWYER: It's an equal opportunity act.

(Tape 83 , Side A) HB 2156-A - ESTABLISHES FORMULA TO DETERMINE MAXIMUM AMOUNT OF VETERAN'S HOME LOAN - WORK SESSION

282 MOTION: SEN. CEASE moves an emergency clause be added.

284 CHAIR DWYER: Hearing no objection, SO ORDERED.

286 MOTION: SEN. CEASE moves HB 2156-A as amended to the floor with a Do Pass recommendation.

VOTE: The motion carries 4-0, Sen. Rasmussen excused. Sen. Adams will carry.

(Tape 83, Side A) HB 2157-A - ELIMINATES AUTHORITY OF DIRECTOR OF VETERANS' AFFAIRS FOR CANCELING OR OTHERWISE SETTLING AMOUNTS, OTHER THAN PRINCIPAL PAYABLE TO DIRECTOR UNDER VETERANS' LOAN PROGRAM - PUBLIC HEARING Witnesses: Jon Mangis, Oregon Department of Veterans' Affairs

296 JON MANGIS, OREGON DEPARTMENT OF VETERANS' AFFAIRS: Testifies in support of the bill. Reads from prepared testimony (EXHIBIT D).

(Tape 83, Side A) HB 2157-A - ELIMINATES AUTHORITY OF DIRECTOR OF VETERANS' AFFAIRS FOR CANCELING OR OTHERWISE SETTLING AMOUNTS, OTHER THAN PRINCIPAL PAYABLE TO DIRECTOR UNDER VETERANS' LOAN PROGRAM - WORK SESSION

309 MOTION: SEN. CEASE moves to the floor with a Do Pass recommendation.

VOTE: The motion carries 4-0, Sen. Rasmussen excused. Sen. Cease will carry.

321 CHAIR DWYER: Adjourns the meeting at 3:59 p.m.

Submitted by:

Reviewed by:

Willie Tiffany  
Administrator

Richard Day-Reynolds Assistant

EXHIBIT LOG:

A - Testimony on HB 2968 - Kevin Hanway - 12 pages B - Testimony on HB 2202 - Jack Cassell - 24 pages C - Testimony on HB 2156 - Jon Mangis - 1 page D - Testimony on HB 2157 - Jon Mangis - 1 page