

SENATE COMMITTEE ON LABOR AND GOVERNMENT OPERATIONS

April 9, 1993 Hearing Room B 8:00 a.m. Tapes 88-90

MEMBERS PRESENT: Sen. Tricia Smith, Chair Sen. Karsten Rasmussen,
Vice-Chair Sen. Dick Springer Sen. Brady Adams Sen. Wes Cooley

STAFF PRESENT: Stephanie Holmes, Committee Counsel Pamela
Stefani, Committee Clerk Katy Yetter, Committee Clerk Janelle Factora,
Senate Floor Staff

MEASURES CONSIDERED: SB 167 - Creates Department of Consumer
and Business Services

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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 CHAIR SMITH: Calls meeting to order at 8:35 a.m.

PUBLIC HEARING ON SB 167

WITNESSES: Gary Wright, Plumbing Board Gary Weeks, Department of
Insurance and Finance (DIF) Rocky King, Oregon Medical Insurance Pool
(OMIP) Mike Clark, Appraiser Certification and Licensure Board David
Lau, Salem Fee Appraiser Kathleen Sullivan, DIF Gary Wicks, Building
Codes Agency

005 STEPHANIE HOLMES, COMMITTEE COUNSEL: Reviews bill and
amendments. -SB 167 creates the Department of Consumer and Business
Services.

049 GARY WRIGHT, PLUMBING BOARD: Testifies against SB 167.
-Concerned with term limitation because an eight year term is not
unreasonable if the individual is exemplary.

088 ROCKY KING, OREGON MEDICAL INSURANCE POOL: Testifies in favor
of SB 167. -Supports the bill because of link between OMIP and the
Insurance

Division. -Program coordination has been healthy and would be enhanced
by SB 167 . 120 SEN. COOLEY: How is the rulemaking process
accomplished?

127 KING: Both the Board and the Commissioner make rules. Under
amended SB 167, rulemaking authority would be changed in that the
rules would

automatically be accepted by the director. King disagrees with this.
-Indicates to Sen. Cooley the location in the bill (p. 90 line 7-19.)

214 GARY WEEKS, DIRECTOR OF DEPARTMENT OF INSURANCE AND FINANCE:
Discusses with committee the process of recommending and adopting
rules as he

understands it.

285 MIKE CLARK, APPRAISER CERTIFICATION AND LICENSURE BOARD:
Testifies on SB 167.

344 SEN. COOLEY: How are your funds handled in terms of
interest and enforcement?

355 CAL HENRY, APPRAISER CERTIFICATION AND LICENSURE BOARD: Funds go
to the Appraiser's Board account within the General Fund, including
accrual of interest. -Understands that funds that enter the account will
be retained for the Board.

TAPE 89, SIDE A

008 STEPHANIE HOLMES, COMMITTEE COUNSEL: Clarifies by stating
fees/civil penalties go into separate account reserved for the Board
within the new Consumer and Business Services.

020 CLARK: States that the Appraiser's Board does not wish to
directly contribute to the whole of the General Fund.

039 HENRY: Reviews for Sen. Rasmussen the direction of monies
received and accrued by the Appraiser Board. -Public interest is one
primary concern of the Board.

163 DAVID LAW, SALEM FEE APPRAISER: States how the fees will be
affected by the Board in terms of regulation.

178 SEN. ADAMS: Asks Henry if he is satisfied with the separation the
bill gives from the Secretary of State.

180 HENRY: Replies that he is not entirely comfortable with
this separation.

216 CLARK: Expresses concern in regards to the independent
assessment of values in terms of individual financing.

320 HENRY: States that administrative support is granted through
the Secretary of State's office. They also assess fees for the
Human

Resources department.

349 CHAIR SMITH: Asks witnesses to clarify how the merger in
SB 167 violates Federal law.

350 HENRY: Attempts to clarify for the Chair the effects of the merger
upon the Federal law.

TAPE 88, SIDE B

040 STEPHANIE HOLMES: Asks witnesses how the changes in budgeting will be affected by Section 220 (p. 115.)

057 HENRY: States that the new Board will set fees in accordance with the prior year's budget.

087 WEEKS: States that all boards and commissions are under similar regulations in terms of setting budgets. -No reason existing within the bill for the Federal government to

intervene and proclaim the action of the Board to be illegal.

141 SEN. ADAMS: Asks witness about the ability of the Board to engage in disciplinary action.

150 WEEKS: States that this ability is the intent of the bill.

170 CLARK: Indicates that the Board follows the appropriate course of action when engaging in disciplinary action.

236 WEEKS: Reviews Section-by-Section Analysis as presented on 4-7-93 by DIF.

270 GARY WICKS, BUILDING CODES AGENCY: States the Energy Conservation Board has numerous channels for the proposition of changes. This takes time

and energy--which may be unnecessary if this procedure can be more streamlined.

333 CHAIR SMITH: Refers to Section 80 Subsection 2 (p. 46) relating to the types of individuals who serve on the Board.

370 WICKS: Interest of the Board is to have individuals who understand energy conservation. -Not necessarily choosing one person from a each specific philosophy.

TAPE 89, SIDE B

040 KATHLEEN SULLIVAN, DIF: Discusses with committee the ability of the Board to adopt regulations and fee assessment.

116 CHAIR SMITH: Asks witnesses if they think the Board should have the authority to adopt rules if they are not involved in the development

process.

139 WICKS: Responds to question by indicating the entity should develop and instate rules as a whole.

278 WEEKS: Indicates the pages and sections the DIF would cut out of the bill. -For specific reference, see EXHIBIT A

TAPE 90, SIDE A

089 WEEKS: Continues to discuss and review with committee the

analysis of the bill.

142 SEN. RASMUSSEN: Adjourns meeting at 10:40 a.m.

Submitted by:

Reviewed by:

Katy Yetter
Committee Coordinator

Stasi Kitchen Committee Clerk

EXHIBIT LOG:

A - Testimony on SB 167 - Gary Weeks - 17 pages