

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.

HOUSE COMMITTEE ON HOUSING AND URBAN DEVELOPMENT

May 21, 1991Hearing Room D 8:00 a.m.Tape 97 - 99

MEMBERS PRESENT:Rep. Bob Repine, Chair Rep. Judy Bauman, Vice-Chair
Rep. Marie Bell Rep. Rod Johnson Rep. Dave McTeague Rep. Gail Shibley
Rep. Ron Sunseri

STAFF PRESENT: Janet McComb, Committee Administrator Kimberly
Burt, Committee Assistant

MEASURES CONSIDERED: SB 125-A (PAW) SB 127-A (PAW) SB
128-A (PAW) SB 107-A (PAW) SB 145-A (PUB) SB 442 (PAW) HB 3134 (WRK)
HB 2770 (WRK) HB 2930 (WRK)

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TAPE 97, SIDE A

005 CHAIR REPINE: Calls the hearing to order. (8:00 a.m.)

Roll Call: Representatives Repine & Sunseri answer "present"; Shibley, Johnson & McTeague are excused.

PUBLIC HEARING ON SB 125, 127 & 128 Witnesses:Gary Wicks, Administrator, Building Codes Agency Pat Lewis, Building Codes Agency Don Miner, Oregon Manufactured Housing Association Jane Cummings, League of Oregon Cities

010 GARY WICKS, ADMINISTRATOR, BUILDING CODES AGENCY: Submits written testimony in support of SB 125, 127 & 128, (EXHIBIT A).

Staff submits impact statements & SMS's, (EXHIBIT B).

REP. JOHNSON arrives. (8:07 a.m.)

070 WICKS: The point of this is to allow people who need the permits to obtain them at the local level rather than having to travel to county or state offices; here again we have worked with the manufactured home, recreational vehicle industries and the Oregon building officials and all support the passage of SB 128-A.

REP. BELL: Is there opposition any of the three?

WICKS: No.

PAT LEWIS, BUILDING CODES AGENCY: I am here to answer questions.

REP. BAUMAN arrives. (8:10 a.m.)

107 DON MINER, OREGON MANUFACTURED HOUSING ASSOCIATION: Testifies in support of SB 125, 127 & 128.

CHAIR REPINE: Can you give us insight on the aspect of open or closed and the problems that could occur?

MINER: An open component is a wall, for instance, an open panel has no sheet rock, a closed panel is covered.

Currently both the state and local governments have to inspect both and under the bill the local government would inspect the open panel and the state government would inspect the closed panel.

131 JANE CUMMINGS, LEAGUE OF OREGON CITIES: There seems to be no opposition; SB 127 & 128 both have features that will facilitate implementation of the one stop permit process and the delegation to municipalities for recreational parks and picnic parks will help facilitate.

WORK SESSION ON SB 125

145 MOTION: REP. BAUMAN moves SB 125-A to the floor with a do pass recommendation.

150 VOTE: In a roll call vote the motion carries unanimously. Members excused: McTeague & Shibley CARRIER: JOHNSON

WORK SESSION ON SB 127

155 MOTION: REP. BAUMAN moves SB 127-A to the floor with a do pass recommendation.

160 VOTE: In a roll call vote the motion carries unanimously. Members excused: McTeague & Shibley CARRIER: BELL

WORK SESSION ON SB 128

JANET MCCOMB, COMMITTEE ADMINISTRATOR: There is a conflict that exists between SB 125 and SB 128; there is a conflict amendment, (EXHIBIT C) that is labeled SB 128 -A3 that takes out a reference to some subsections as there will be re-numbering done.

172 MOTION: REP. BAUMAN moves the (-A3) amendments to SB 128.

VOTE: Hearing no objection the motion carries.

MOTION: REP. BAUMAN moves SB 128 as amended to floor with a do pass recommendation.

181 VOTE: In a roll call vote the motion carries unanimously. Members excused: McTeague & Shibley CARRIER: REPINE

PUBLIC HEARING ON SB 107 Witnesses: Gary Wicks, Administrator, Building Codes Agency Glenn Havener, Executive Director, Oregon Building

Officials Association Jane Cummings, League of Oregon Cities

200 GARY WICKS, BUILDING CODES AGENCY: Submits written testimony in support of SB 107 , (EXHIBIT D).

CHAIR REPINE: If someone isn't in an inspection position, but wants to maintain some kind of current licensing, does anything allow for exceptions through a point of inactivity so they are able to put there licensing or certification on a holding pattern so costs wouldn't be incurred?

280 WICKS: My understanding of current law is that nothing would allow that kind of process; continuing education must be maintained.

SB 107 says that the administrator may, upon notice, suspend or revoke the certification; I'm sure that if a person couldn't meet the continuing education requirements because of illness the administrator could take that into consideration and not revoke.

315 REP. BELL: How does the national exam compare with what Oregon tests for and, in preparing this bill was there input from people in the field?

WICKS: We had the input from the building officials and the League of Cities and they presumably have a good idea of what the requirements were for their inspectors; we are asking for the authority to use national exams when appropriate.

360 GLENN HAVENER, EXECUTIVE DIRECTOR, OREGON BUILDING OFFICIALS ASSOCIATION: Submits written testimony in support of SB 107-A, (EXHIBIT E).

We do feel that annual continuing education is a goal and the statutory language does give the agency the leeway to work with the building departments throughout the state to allow municipalities to maintain the continuing education requirement.

We understand the agencies intent is to require continuing education for an individual to maintain certification.

435 JANE CUMMINGS, LEAGUE OF OREGON CITIES: We understand that in section 5 BCA is proposing to require continuing education at the time of code changes while local jurisdictions will be given the responsibility otherwise and we think that this approach will insure that instructors are adequately trained and will also allow specific local needs and resources to be taken in to account.

The time period is changed in section 3; we urge your support.

WORK SESSION ON HB 3134 Witnesses:Rep. Kevin Mannix, House District 32 Emily Cedarleaf, Multi-Family Housing Council Frank Brawner, Oregon Bankers' Association Morella Larsen, Real Estate Commission, State of Oregon Lynn Partin, Program Representative, Low Income Rental Housing Fund, Oregon Housing Agency Kelly Ross, Oregon Association of Realtors & Portland Building Owners & Managers Association

470 REP. SUNSERI: Describes (-4) amendments, (EXHIBIT F).

I would like to thank Lynn Partin for helping me get this together; I also appreciate the cooperation of Morella Larsen, the Real Estate

Division and Mark Weiner, who were all involved in putting this together, along with the Committee Administrator, Janet McComb.

TAPE 98, SIDE A

REP. SUNSERI: On line 9 the original intent was to create a program where monies would go into a single client trust account; there was a problem in the market place as some property managers have several client trust accounts.

To facilitate that we are allowing agents to have more than one client trust account.

065 REP. SUNSERI: On line 15 pre-paid rents are not subject to the requirements.

On page 2, line 5, we returned the rule writing authority to the Real Estate Agency.

Line 13, page 2; this will eliminate the option of property managers to opt out so that the IRS won't impute the interest to the tenants.

All existing contracts will remain; November 1 all new contracts will be different.

130 REP. KEVIN MANNIX, HOUSE DISTRICT 32: Testifies in support of HB 3134; we are allowing a decision so that contracts can be changed.

We aren't creating a liability, but we aren't eliminating the liability to November 1 and we are allowing them to make the decision to change their contracts or not.

REP. MANNIX: All interested parties are satisfied at this point.

200 EMILY CEDARLEAF, MULTI-FAMILY HOUSING COUNCIL: Section 2, line 23, the goal is the ultimate amount of money in the account and currently the regulations require that if I get a check for rent and deposit, it must go into the interest bearing account first, then the rent is written over into the general operating account.

To solve that by allowing the rent to go into the client trust account/general operating account, then into the interest bearing account insert, on line 23, "ultimately".

On page 1 line 32, when we are talking about multiple accounts, there are additional fees charged, so we would request that the last line read "all reasonable bank transfer fees associated with any additional accounts".

240 CEDARLEAF: We want it clear that all existing contracts between owner and management and management and tenant stand.

252 FRANK BRAWNER, OREGON BANKERS' ASSOCIATION: We have been charging fees for expenses on these accounts and they have been no more, no less than what we have been charging on IOLTA; there is no set up fee for a bank account, but there is a fee charged when someone uses the account by writing checks.

Is this to be a co-mingled account with funds that will earn interest that will go to the state and funds that will not earn interest for the

state?

REP. SUNSERI: No; the concern is that sometimes there is a deposit taken you end up with the monthly rent and the deposit in one check and we want to be able to deposit that in the interest bearing trust account.

BRAWNER: We are to divide the expenses for the checks written to other accounts?

288 CEDARLEAF: No; there are two accounts, one is the general clients trust account which rent goes into and the second is interest bearing; we want the ability to put both rent and deposit in the general account with the deposit going to the interest bearing account eventually.

BRAWNER: There will be no judgement call on the part of the bank as to account expenses; each account will be handled individually?

CHAIR REPINE: That is the intent; do you have a comment on the amendments proposed by Cedarleaf?

BRAWNER: For the record, I would understand that we aren't responsible for what "ultimately" means; the time frame is not our concern.

CEDARLEAF: We recognize that the Real Estate Division will write rules and decide if it will be 3 days or 5 days or whatever.

330 MORELLA LARSEN, REAL ESTATE COMMISSION, STATE OF OREGON: The Real Estate Agency supports the bill; we are satisfied with where it is in our rule writing authority.

343 LYNN PARTIN, PROGRAM REPRESENTATIVE, LOW INCOME RENTAL HOUSING FUND, OREGON HOUSING AGENCY: This bill is the product of discussion and compromise with a lot of people and I think that we have reached agreement on all the major points.

Submits written testimony, (EXHIBIT G).

REP. SHIBLEY arrives. (8:55 a.m.)

370 REP. SUNSERI: Can we put a statement in the Real Estate Agency news letter to licensees regarding the contracts?

LARSEN: We would be glad to do that; we will be working to educate licensees on the entire bill as soon as it is enacted.

388 KELLY ROSS, OREGON ASSOCIATION OF REALTORS & PORTLAND BUILDING OWNERS & MANAGERS ASSOCIATION: Testifies in support of HB 3134.

WORK SESSION ON HB 3134

406 MOTION: REP. SUNSERI moves the (-4) amendments to HB 3134.

VOTE: Hearing no objection the motion carries.

412 MOTION: REP. SUNSERI moves that on line 23, page 1, after the word "shall" insert the word "ultimately" and that on line 32 after the word "all", insert "reasonable transfer".

VOTE: Hearing no objection the motion carries.

340 MOTION: REP. SUNSERI moves HB 3134 as amended to the floor with a do pass recommendation.

REP. BAUMAN: I'm not comfortable with "ultimately"; are we now going to have a statutory definition that says it means within two or three days?

REP. MANNIX: The intent is for "ultimately" to mean two to five days pass through time; it is stated on the record and it is understood by the people who will be writing the rules.

REP. BAUMAN: Shouldn't we make this more clear?

463 REP. SUNSERI: There is already a 3 day requirement to get the money into an account; the pass through to the subsequent account may never take place.

REP. BAUMAN: My concern is that it may never happen and that the possibility that it may never happen undoes the purpose.

CEDARLEAF: I am comfortable with the agency rules stating the time frame.

TAPE 97, SIDE B

037 MOTION: REP. BAUMAN moves that on line 23, page 1 of the hand engrossed (-4) amendment the word "ultimately" be deleted and "within a time established by rule of the Real Estate Agency" be inserted.

063 VOTE: Hearing no objection the motion carries. Members excused: McTeague

066 MOTION: REP. SUNSERI moves HB 3134 as amended to the floor with a do pass recommendation.

VOTE: In a roll call vote the motion carries. Members excused: McTeague CARRIER: MANNIX & SUNSERI

PUBLIC HEARING ON SB 442 Witnesses:Rep. Ray Baum, House District 58

080 REP. RAY BAUM, HOUSE DISTRICT 58: Testifies in support of SB 442-A.

I understand that there was a slight amendment, but unless there are questions, I would just encourage the committee to pass the bill.

My area has a farm labor camp of a first class variety, with 2 & 3 bedroom apartments and suddenly the revenue Department decided to start treating them as a taxable entity and they were looking at possibly closing down the camp.

That would have disenfranchised a lot of migrant families who have a day care center and all the entities that they need; it is a model camp, one of the best in the state and we want to keep it there to keep those people and their families taken care of so that they may provide the necessary labor to take care of the orchards.

WORK SESSION ON SB 442

110 MOTION: REP. SUNSERI moves SB 442-A to the floor with a do pass recommendation.

VOTE: In a roll call vote the motion carries unanimously. Members excused:

McTeague CARRIER: BAUM

122 JANET MCCOMB, COMMITTEE ADMINISTRATOR: HB 3134 needs to go to the Committee on Ways and Means.

WORK SESSION ON HB 3134

127 MOTION: REP. JOHNSON moves that the rules be suspended to reconsider the vote by which HB 3134 was passed.

VOTE: Hearing no objection the motion carries.

136 MOTION: REP. JOHNSON moves that the vote by which HB 3134 was sent to the floor be reconsidered.

VOTE: Hearing no objection the motion carries.

147 MOTION: REP. JOHNSON moves that HB 3134 as amended be referred to the Committee on Ways and Means with a do pass recommendation.

VOTE: In a roll call vote the motion carries unanimously. Members excused: Bauman & McTeague

CHAIR REPINE: We will leave HB 3134 open for Rep. Bauman to vote.

We will recess for a break. (9:10 a.m.)

160 CHAIR REPINE: Calls the hearing to order. (9:20 a.m.)

PUBLIC HEARING ON SB 145 Witnesses: Gary Wicks, Administrator, Building Codes Agency Mary Botkin, AFSCME

165 GARY WICKS, ADMINISTRATOR, BUILDING CODES AGENCY: Submits written testimony in support of SB 145, (EXHIBIT H).

REP. BELL returns. (9:24 a.m.)

200 REP. SHIBLEY: Can we add a sub 4, of section 1 saying that "no state employees shall be displaced as a result of using contract personnel"?

WICKS; Yes; we would have no problem with that.

212 MARY BOTKIN, AFSCME: We have no problem with SB 145; we appreciate Mr. Wicks intent being on the record.

REP. BAUMAN returns. (9:26 a.m.)

BOTKIN: We do support the bill and the amendment.

It is my understanding that there is no intent to reduce personnel.

WORK SESSION ON SB 145

250 MOTION: REP. SHIBLEY moves that on line 27 of the bill "no state employee shall be displaced as a result of using contract personnel" be

inserted.

REP. JOHNSON: This allows the Building Codes Agency to contract out for inspections when there is already staff to do these inspections.

WICKS: We envision this as being a temporary problem.

If there is a jurisdiction that opted out and we couldn't find someone to go inspect, we may contract out while we are hiring someone permanent.

We won't use it often, but it is important.

283 VOTE: Hearing no objection the motion carries.

MOTION: REP. SHIBLEY moves SB 145 as amended to the floor with a do pass recommendation.

VOTE: In a roll call vote the motion carries unanimously. Members excused: McTeague CARRIER: SHIBLEY

CHAIR REPINE: Rep. Bauman, how do you vote on HB 3134?

REP. BAUMAN: Aye.

WORK SESSION ON 2930 Witnesses: Doug Wilson, Legislative Fiscal Office Jeff Gulfof, Deputy Director, Department of Insurance & Finance, (DIF) Jack Pompei, Administrator, OR OSHA, Department of Insurance & Finance, (DIF)

320 MOTION: REP. SHIBLEY moves that the rules be suspended for the purposes of reconsidering the vote on HB 2930.

VOTE: In a roll call vote the motion carries. Members excused: McTeague

333 MOTION: REP. SHIBLEY moves that the vote by which HB 2930 was sent to the floor be reconsider.

REP. SHIBLEY: There is now a discrepancy within the executive branch; they are claiming that they need to take another look at the fiscal impact of the bill.

365 VOTE: In a roll call vote the motion carries unanimously. Members excused: McTeague

REP. SHIBLEY: HB 2930 deals with the housing study and farm worker housing; now there are people in OR OSHA that have decided that the previous fiscal impact is no longer valid.

405 DOUG WILSON, LEGISLATIVE FISCAL ANALYST, FISCAL OFFICE: We rely on the agency largely as we create many fiscal impact statements per week.

We received a phone call saying that the impact is \$200,000 rather than \$10,000; this needs to go to Ways and Means to get the authority for the Housing Agency to spend this money.

Depending on what is intended, the language needs to be clarified as the difference in the fiscal impact statement is caused by the interpretation of the language.

454 REP. SHIBLEY: How could the interpretation result in such a drastic difference in the fiscal impact?

WILSON: It deals with whether you are talking about housing violations, field violations or all violations.

The language talks about civil penalties collected from employers of workers engaged in field activities for growing and harvesting of food crops; are the penalties collected from all employers of workers for all violations or just the violations associated with workers in the fields of those employers?

497 CHAIR REPINE: What was the interpretation of the language for the original fiscal impact statement?

TAPE 98, SIDE B

WILSON: I believe they were just talking about field violations; when you talk about all the violations of those employers, it increases substantially.

CHAIR REPINE: What was the intent?

050 REP. SHIBLEY: The legislative intent is to include fines collected as a result of inspections and of infractions of rules regarding farm worker housing.

REP. BELL: Is the \$200,000 figure based on the fines from the last biennium?

WILSON: The figure is from OR OSHA and it is based on 1990 figures of approximately \$131,000 of fines; that works out to be \$262,000.

I would suggest that the Department of Insurance and Finance have a chance to say how they have read the language in the bill as they collect the fines.

080 JEFF GULFOY, DEPUTY DIRECTOR, DEPARTMENT OF INSURANCE AND FINANCE, (DIF): We oppose the bill simply because of the fiscal impact that the proposed method for financing the bill.

OR OSHA collects approximately three million dollars per biennium for fines and civil penalties and of that, approximately four hundred thousand is re-directed to occupational safety and health grants, with the remainder being used to partially offset the cost of OR OSHA's administration of its statutory programs.

That means that what administration isn't paid for from civil penalties is assessed as part of the Department of Insurance and Finance's assessment to workers' compensation insurance companies and self insured employers.

100 GULFOY: If we divert part of the civil penalties to another purpose, we use more assessment against those workers' compensation insurance companies so we would end up billing those companies to fund the amount of revenue we lose for diverting those monies.

REP. BAUMAN: You are subsidizing workers' compensation with fines and

penalties you collect from farm workers?

GULFOY: We have 2 sources of revenue; one is the fines and penalties assessed against employers and the other is an insurance assessment against workers compensation insurers and the combination of those revenues is how OR OSHA is financed.

We don't feel that it is appropriate to hold workers compensation insurers responsible for making up the difference in the money lost in this program.

125 GULFOY: Finally we oppose the bill because it isn't included in the governors budget recommendation for DIF or for the Housing Agency.

REP. BAUMAN: Does the governor oppose this bill?

GULFOY: This wasn't included in the budget.

REP. BAUMAN: That wasn't my question.

GULFOY: I won't speak for the governor, but it isn't included in the budget.

140 CHAIR REPINE: Where were you on 3335?

GULFOY: We didn't testify; Mr. Pompei's staff did that fiscal.

REP. SHIBLEY: HB 3335 included what is in HB 2930; the addition is on page 3, line 4 of the (-6) amendments, (EXHIBIT I).

The transfer of money from OR OSHA to the Housing Agency is the same, but we specified what the Housing Agency is to do with it after it gets the money.

REP. BAUMAN: I believe that it should be prohibited for the state to allow farm labor violations to finance workers' compensation; that isn't a tie that is appropriate.

200 JACK POMPEI, ADMINISTRATOR, OR OSHA, DEPARTMENT OF INSURANCE AND FINANCE, (DIF): The fines and penalties aren't on the workers, but the employers and we fine all types of employers, not employees.

The OSHA law says that the agra grower must maintain this and by law, we cite and penalize; we don't penalize to subsidize the budget.

The OSHA law says it is the employers responsibility to maintain healthy and safe work places.

The penalty monies go to the workers compensation reserve fund; I don't know why, but my budget is for consultative services and education and these monies are used for this.

REP. BAUMAN: We are financing the workers compensation trust fund off the violations of employers which put their employees in situations where they can lose arms, legs and their lives.

It is inappropriate to argue to this committee that the amendment that would direct civil penalties from employers violations in the field shouldn't go to the development account of the Housing Agency because they currently go to support workers compensation.

We will clarify the language on page 3 of the (-6) amendments so that section 1 sub 5 refers specifically to kinds of violations that occur in the field.

POMPEI: The three million dollars goes to OR OSHA, not to fund workers compensation; my budget is much more than the \$3 million.

When 3335 was there we were under the impression that we were dealing with field sanitation and I felt that it would have involved everything in agricultural fines and assessments and if that bill would have come to a hearing I would have testified to that extent.

300 POMPEI: There was a discrepancy in the fiscal impact statements out and that is why I called the Legislative Fiscal Office.

REP. BAUMAN: Should we define the statutory references, limiting this section 1, sub 5, to fines collected under particular statutory authority?

REP. SUNSERI: Does OR OSHA write the rules that the farmers have to comply with?

POMPEI: We adopt federal OSHA rules; under administrative rules employers have the right for an informal conference with us, then they go to the workers compensation board and then the appeals courts of this state up to and including the supreme court.

REP. SUNSERI: You write the rules, set the penalties and enforce them and then put the money into OR OSHA; that gives tremendous incentive to keep the violation process going.

POMPEI: We aren't out to cite and penalize everyone in the state; we cite and penalize for violations of the OSHA laws and we aren't making tons of money or increasing bureaucracy with this money coming in.

REP. SUNSERI: What would happen if there were no violations?

POMPEI: I wish all employers would comply with the occupational health and safety rules, there would be a great savings to the state.

It would put us out of work, insurance carriers would be out and Oregon would have a lot of money.

455 REP. SHIBLEY: Where did the \$9,000 figure come from?

POMPEI: With HB 3335 I was lead to believe we were looking at field sanitation and that was \$5 - \$15,000 dollars; when I read the bill, the scope included everything.

REP. SHIBLEY: Where does the \$9,000 come from?

POMPEI: We had approximately \$15,270 in fines and some was from christmas trees and things like that and we extrapolated that and were left with approximately \$9,000.

TAPE 99, SIDE A

REP. SHIBLEY: The \$131,000 for calendar year 1990; where does that come from?

040 POMPEI: That is a combination of the \$15,270 and the \$116,620.

REP. SHIBLEY: \$116,620 is fines for what?

POMPEI: Migrant housing violations.

REP. SHIBLEY: Why would the inspection of field toilets and potable water supply go to the Housing Agency?

POMPEI: It was the people working in the fields of edible food products and from that we derived the figure of \$116.620.

REP. SHIBLEY: Do you recall an agricultural labor commission meeting in March of 1991?

POMPEI: I should.

REP. SHIBLEY: Do you recall a discussion there about fines from growers regarding farm worker housing?

POMPEI: Yes.

066 REP. SHIBLEY: Do you remember quoting a figure of \$68,000 to \$70,000?

POMPEI: Yes.

REP. SHIBLEY: Can you provide context for where that figure came from?

POMPEI: The 1989 we had \$24,000 in penalties for migrant housing and the figure I had was for the fiscal year; we had approximately \$70,000 in penalties, but our figures weren't complete yet.

REP. SHIBLEY: For the calendar year of 1989 there was a total of \$24,000 collected by OR OSHA in fines and penalties for farm worker housing?

POMPEI: Yes.

REP. SHIBLEY: How does that relate to the \$68,000 to \$70,000?

POMPEI: I was going on the fiscal year and at that time the head of our agricultural section came up with those figures.

In 1988 the migrant housing violations were \$65,330 so that may have been the year quoted.

092 CHAIR REPINE: We will put this back on the agenda Thursday.

108 MOTION: REP. BAUMAN moves that on page 3 of the (-7), insert "civil penalties collected for housing violations" and that the bill be sent to the Committee on Ways and Means.

REP. SHIBLEY: I would offer a friendly amendment; after "civil", "fines and".

REP. BAUMAN: That is accepted.

142 VOTE: Hearing no objection the motion carries.

143 MOTION: REP. BAUMAN moves HB 2930 as amended to the Committee on Ways and Means with a do pass recommendation.

145 VOTE: In a roll call vote the motion carries unanimously. Members excused: McTeague

REP. BELL: Mr. Pompei did meet with a large group of advocates from the farm workers and migrant workers that wanted OR OSHA to be involved with registration of their camps rather than BOLI and they came in large groups to testify that OR OSHA could do it better and that would save money as far as registration fees, so we aren't in disagreement regarding helping the farmers and migrant labor camps.

POMPEI: Thank you.

WORK SESSION ON HB 2770

JANET MCCOMB, COMMITTEE ADMINISTRATOR: Hand engrossed copy of (-2) of HB 277 0, (EXHIBIT J).

165 MOTION: REP. JOHNSON moves the hand engrossed version of the (-2) amendments to HB 2770.

REP. JOHNSON: The bill as opposed was burdensome to landlords and this is a better version.

181 VOTE: Hearing no objection the motion carries.

MOTION: REP. JOHNSON moves HB 2770 as amended to the floor with a do pass recommendation.

REP. BAUMAN: There are still strong objections from cities that provide sewer services and I will be voting no.

192 VOTE: In a roll call vote the motion carries. Members voting no: BAUMAN & SHIBLEY Members excused: McTeague CARRIER: JOHNSON

WORK SESSION ON SB 107

205 GARY WICKS, ADMINISTRATOR, BUILDING CODES AGENCY: We have an amendment that would take care of the problem raised.

On page 2 of the A-engrossed bill, at the end of line 13, insert "not withstanding the requirements of sections 1 - 4 of this section, the administrator may create procedures by rule (a) allowing certification to be placed on in-active status (b) extending continuing education compliance requirements in cases of illness or hardship".

240 MOTION: CHAIR REPINE moves that on page 2, line 13 insert "not withstanding the requirements of sections 1 - 4 of this section, the administrator may create procedures by rule (a) allowing certification to be placed on in-active status (b) extending continuing education compliance requirements in case of illness or hardship".

WICKS: Insert a (5) in front of that language to properly identify it.

252 VOTE: Hearing no objection the motion carries unanimously. Members excused: McTeague

255 MOTION: REP. SUNSERI moves HB 107 as amended to the floor do pass recommendation.

260 VOTE: In a roll call vote the motion carries unanimously. Members excused: McTeague CARRIER: Repine

265 CHAIR REPINE: We will carry SB 309 to Thursday.

We are adjourned. (10:25 a.m.)

Submitted by: Reviewed by:

Kimberly Burt Janet McComb Assistant Administrator

EXHIBIT SUMMARY:

A - SB 125, 127 & 128 written testimony submitted by WICKS, pp 4 B - SB 125, 127, 128 SMS, revenue and fiscal impact statements submitted by staff, pp 6 C - SB 128 conflict amendments submitted by staff, pp 1 D - SB 107 written testimony submitted by WICKS, pp 2 E - SB 107 written testimony submitted by HAVENER, pp 1 F - HB 3134 (-4) amendments submitted by staff, pp 5 G - HB 3134 written testimony submitted by PARTIN, pp 2 H - SB 145 written testimony submitted by WICKS, pp 2 I - HB 2930 (-6) amendments submitted by staff, pp 5 J - HB 2770 (-2) amendments submitted by staff, pp 1 K - HB 3134 SMS submitted by staff, pp 1 L - SB 145 SMS, fiscal & revenue impact statements & written testimony from BOTKIN submitted by staff, pp 4 M - SB 442 SMS, fiscal & revenue impact statements submitted by staff, pp 3