HOUSE COMMITTEE ON BUSINESS AND LABOR

April 27, 2009 Hearing Room E 8:00 A.M.

MEMBERS PRESENT: Rep. Mike Schaufler, Chair

Rep. Brent Barton, Vice-Chair Rep. Kevin Cameron, Vice-Chair

Rep. Chris Edwards Rep. Sal Esquivel Rep. Paul Holvey Rep. Bill Kennemer Rep. Greg Matthews Rep. Kim Thatcher Rep. Brad Witt

STAFF PRESENT: Theresa Van Winkle, Committee Administrator

Tamsyn Jameson, Committee Assistant

MEASURES/ISSUES HEARD: HB 3401 – Public Hearing and Work Session

HB 3017 - Public Hearing and Work Session

HB 2430 – Work Session HB 3345 – Work Session HB 3201 – Work Session HB 2910 – Work Session HB 3122 – Work Session HB 3219 – Work Session HB 2950 – Work Session HB 3162 – Work Session HB 2831 – Work Session HB 3462 – Work Session HB 2457 – Work Session

This recording log is in compliance with Senate and House Rules. For complete contents, refer to the digital audio recording.

HBL

4/27/2009 8:07:07 AM

| | Meeting Called to Order |
|--------------|---|
| | Chair Schaufler |
| 8:07:43 AM | HB 3401 - Public Hearing |
| | Theresa Van Winkle, Committee Administrator |
| | {Exhibit} 1: Van Winkle |
| | Brenda Wilson, Lobbyist, Oregon School Boards Association |
| | {Exhibit} 2: Wilson |
| | {Exhibit} 3: Wilson |
| 8:14:29 AM | Kent Hunsaker, Executive Director, Confederation of Oregon |
| | School Administrators |
| | {Exhibit} 4: Hunsaker |
| | Bob Steward, Superintendent, Gladstone School District |
| | Chair Schaufler |
| | Vice-Chair Barton |
| | Ron Naso, Superintendent, North Clackamas School District |
| | Chair Schaufler |
| | Courtney Wilton, Clackamas Community College Paul Cleary, Executive Director, Public Employees Retirement |
| 0.23.32 AIVI | System (PERS) |
| 8·24·01 AM | {Exhibit} 5: Cleary |
| | Chair Schaufler |
| | Vice-Chair Barton |
| 8:25:15 AM | |
| | Vice-Chair Barton |
| 8:26:26 AM | |
| | Chair Schaufler |
| 8:27:00 AM | The following testimony was submitted for the record without public |
| | testimony: |
| 8:27:00 AM | {Exhibit} 6: Heidi Franklin, Chief Financial Officer, Portland Public |
| | Schools |
| | HB 3401 - Work Session |
| 8:27:04 AM | MOTION: Rep. Barton moves HB 3401 WITHOUT |
| | RECOMMENDATION & REFER to Rules |
| _ | Vice-Chair Cameron |
| | VOTE: 10-0-0 |
| 8:27:45 AM | Ayes: Edwards C., Esquivel, Holvey, Kennemer, Matthews, |
| 0.07.50 454 | Thatcher, Witt, Barton, Cameron, Schaufler |
| | HB 3017 - Public Hearing |
| 0:21:39 AM | Theresa Van Winkle, Committee Administrator |

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8:28:15 AM {Exhibit} 7: Van Winkle
8:29:57 AM Rep. Holvey
8:31:44 AM Chair Schaufler
8:31:49 AM Jim Francesconi, Lobbyist, Pacific Northwest Regional Council of
            Carpenters
8:31:50 AM {Exhibit} 8: Francesconi
8:35:47 AM Cherry Harris, Operating Engineers Local 701
8:36:54 AM Chair Schaufler
8:37:03 AM Al Devita, Training Director, Oregon Laborers Training Program
8:38:06 AM Chair Schaufler
8:40:01 AM Francesconi
8:41:03 AM Devita
8:41:40 AM Chair Schaufler
8:42:11 AM Bob Shiprack, Lobbyist, Oregon State Building and Construction
            Trades Council
8:44:57 AM Gene Lawhorn, Carpenter, Salem
8:46:17 AM Chair Schaufler
8:46:30 AM Lawhorn
8:47:02 AM Chair Schaufler
8:47:11 AM Lawhorn
8:48:02 AM Rep. Matthews
8:48:33 AM Lawhorn
8:49:06 AM Rep. Matthews
8:49:49 AM Rep. Holvey
8:51:02 AM Shiprack
8:52:01 AM Chair Schaufler
8:52:05 AM Rep. Thatcher
8:52:38 AM Shiprack
8:53:00 AM Rep. Thatcher
8:53:28 AM Shiprack
8:53:55 AM Rep. Thatcher
8:54:09 AM Shiprack
8:54:24 AM Chair Schaufler
8:54:29 AM Lawhorn
8:55:21 AM Chair Schaufler
8:56:01 AM Rep. Kennemer
8:56:34 AM Chair Schaufler
8:57:04 AM Bill Klutting, Carpenters and Industrial Workers
8:58:25 AM Chair Schaufler
8:59:17 AM HB 3017 - Work Session
8:59:20 AM MOTION: Rep. Edwards C. moves -1 amendment
8:59:39 AM Rep. Kennemer
8:59:45 AM Rep. Esquivel
8:59:50 AM Rep. Thatcher
9:00:14 AM VOTE: MOTION FAILS
9:00:27 AM HB 2430 - Work Session
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9:00:30 AM Theresa Van Winkle, Committee Administrator
9:00:49 AM {Exhibit} 9: Van Winkle
9:01:13 AM Chair Schaufler
9:02:19 AM MOTION: Rep. Cameron moves to SUSPEND HBL RULE # 18
9:02:40 AM VOTE: 10-0-0
9:02:43 AM Ayes: Edwards C., Esquivel, Holvey, Kennemer, Matthews,
            Thatcher, Witt, Barton, Cameron, Schaufler
9:02:48 AM Vice-Chair Cameron
9:02:52 AM Chair Schaufler
9:02:59 AM Van Winkle
9:03:21 AM MOTION: Rep. Cameron moves -1 amendments
9:03:40 AM Rep. Holvey
9:03:52 AM VOTE: 10-0-0
9:03:57 AM Ayes: Edwards C., Esquivel, Holvey, Kennemer, Matthews,
            Thatcher, Witt, Barton, Cameron, Schaufler
9:04:00 AM MOTION: Rep. Cameron moves HB 2430 DO PASS as AMENDED
9:04:22 AM Vice-Chair Barton
9:05:01 AM Rep. Holvey
9:05:38 AM Rep. Witt
9:06:28 AM Chair Schaufler
9:06:31 AM VOTE: 8-2-0
9:06:35 AM Ayes: Edwards C., Esquivel, Kennemer, Matthews, Thatcher, Witt,
            Cameron, Schaufler; Navs: Holvey, Barton
9:06:40 AM CARRIER: REP. SCHAUFLER will lead discussion on the floor
9:07:14 AM HB 3345 - Work Session
9:07:16 AM Theresa Van Winkle. Committee Administrator
9:07:38 AM {Exhibit} 10: Van Winkle
9:08:00 AM MOTION: Rep. Cameron moves -1 amendments
9:08:15 AM VOTE: 10-0-0
9:08:17 AM Ayes: Edwards C., Esquivel, Holvey, Kennemer, Matthews,
            Thatcher, Witt, Barton, Cameron, Schaufler
9:08:19 AM MOTION: Rep. Cameron moves HB 3345 DO PASS as AMENDED
9:08:37 AM VOTE: 10-0-0
9:08:39 AM Ayes: Edwards C., Esquivel, Holvey, Kennemer, Matthews,
            Thatcher, Witt, Barton, Cameron, Schaufler
9:08:43 AM CARRIER: REP. ESQUIVEL will lead discussion on the floor
9:09:02 AM HB 3201 - Work Session
9:09:08 AM Theresa Van Winkle, Committee Administrator
9:09:17 AM {Exhibit} 11: Van Winkle
9:09:18 AM {Exhibit} 12: Van Winkle
9:09:56 AM MOTION: Rep. Edwards C. moves -1 amendments
9:10:12 AM Vice-Chair Cameron
9:10:17 AM VOTE: 9-0-1
9:10:18 AM Ayes: Edwards C., Esquivel, Holvey, Matthews, Thatcher, Witt,
            Barton, Cameron, Schaufler; Excused: Kennemer
9:11:03 AM MOTION: Rep. Edwards moves HB 3201 DO PASS as AMENDED
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9:11:16 AM VOTE: 7-2-1
9:11:17 AM Ayes: Edwards C., Esquivel, Holvey, Matthews, Witt, Barton,
           Schaufler: Navs: Thatcher, Cameron, Excused: Kennemer
9:12:02 AM CARRIER: REP. KOTEK will lead discussion on the floor
9:12:12 AM HB 2910 - Work Session
9:12:14 AM Theresa Van Winkle, Committee Administrator
9:12:35 AM {Exhibit} 13: Van Winkle
9:13:01 AM Chair Schaufler
9:13:19 AM MOTION: Rep. Cameron moves to SUSPEND HBL RULE # 18
9:13:46 AM Rep. Holvey
9:13:55 AM MOTION: Rep. Cameron moves to WITHDRAW motion to
           SUSPEND HBL RULE #18
9:13:58 AM Chair Schaufler
9:14:11 AM MOTION: Rep. Cameron moves to SUSPEND HBL RULE # 18
9:14:13 AM VOTE: 10-0-0
9:14:23 AM Ayes: Edwards C., Esquivel, Holvey, Kennemer, Matthews,
           Thatcher, Witt, Barton, Cameron, Schaufler
9:15:00 AM MOTION: Rep. Cameron moves -3 amendments
9:15:07 AM Chair Schaufler
9:15:20 AM VOTE: 10-0-0
9:15:22 AM Ayes: Edwards C., Esquivel, Holvey, Kennemer, Matthews,
           Thatcher, Witt, Barton, Cameron, Schaufler
9:15:26 AM MOTION: Rep. Cameron moves HB 2910 DO PASS as AMENDED
9:15:31 AM Chair Schaufler
9:15:40 AM VOTE: 10-0-0
9:15:45 AM Aves: Edwards C., Esquivel, Holvey, Kennemer, Matthews.
           Thatcher, Witt, Barton, Cameron, Schaufler
9:15:46 AM CARRIER: REP. SCHAUFLER will lead discussion on the floor
9:15:59 AM HB 3122-Work Session
9:16:02 AM Theresa Van Winkle, Committee Administrator
9:16:20 AM {Exhibit} 14: Van Winkle
9:17:06 AM Rep. Kennemer
9:17:20 AM Chair Schaufler
9:17:27 AM MOTION: Rep. Barton moves -1 amendments
9:17:38 AM Rep. Edwards C.
9:17:49 AM Rep. Cameron
9:17:53 AM Rep. Esquivel
9:18:02 AM VOTE: 7-0-3
9:18:03 AM Ayes: Edwards C., Kennemer, Matthews, Witt, Barton, Cameron,
           Schaufler: Navs: Esquivel, Cameron, Thatcher
9:18:37 AM MOTION: Rep. Barton moves HB 3122 DO PASS as AMENDED
9:18:50 AM Rep. Matthews
9:19:31 AM Chair Schaufler
9:19:44 AM Rep. Matthews
9:19:47 AM Chair Schaufler
9:19:51 AM Rep. Jules Bailey, House District 42
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9:21:17 AM Vice-Chair Cameron
9:21:31 AM Rep. Bailey
9:22:03 AM Chair Schaufler
9:22:10 AM Vice-Chair Cameron
9:22:18 AM Rep. Bailey
9:22:59 AM Chair Schaufler
9:23:00 AM Rep. Thatcher
9:23:41 AM Rep. Bailey
9:24:11 AM Chair Schaufler
9:24:19 AM Rep. Bailey
9:24:36 AM Rep. Holvey
9:24:57 AM Rep. Bailey
9:25:07 AM Chair Schaufler
9:25:16 AM Van Winkle
9:25:44 AM Rep. Holvey
9:25:47 AM Vice-Chair Cameron
9:26:05 AM Rep. Bailey
9:26:21 AM Vice-Chair Cameron
9:27:12 AM Chair Schaufler
9:27:32 AM Rep. Bailey
9:27:50 AM Chair Schaufler
9:28:00 AM Rep. Kennemer
9:28:21 AM Chair Schaufler
9:28:38 AM Vice-Chair Barton
9:28:51 AM Vice-Chair Cameron
9:28:54 AM Chair Schaufler
9:29:00 AM VOTE: 7-3-0
9:29:06 AM Ayes: Edwards, Holvey, Kennemer, Matthews, Witt, Barton,
            Schaufler; Nays: Esquivel, Thatcher, Cameron
9:29:35 AM CARRIER: REP BAILEY will lead discussion on the floor
9:29:39 AM HB 3219 - Work Session
9:29:42 AM Theresa Van Winkle, Committee Administrator
9:30:10 AM Chair Schaufler
9:30:36 AM MOTION: Rep Barton moves HB 3219 DO PASS
9:30:39 AM Vice-Chair Barton
9:30:58 AM Rep. Matthews
9:31:26 AM VOTE: 10-0-0
9:31:29 AM Ayes: Edwards C., Esquivel, Holvey, Kennemer, Matthews,
            Thatcher, Witt, Barton, Cameron, Schaufler
9:31:32 AM CARRIER: REP. SCHAUFLER will lead discussion on the floor
9:31:52 AM HB 2950 - Work Session
9:31:54 AM Theresa Van Winkle, Committee Administrator
9:32:14 AM {Exhibit} 15: Van Winkle
9:32:51 AM Chair Schaufler
9:33:10 AM Mark Long, Administrator of State Building Codes, Department of
            Consumer and Business Services
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9:34:30 AM Chair Schaufler
9:35:23 AM Rep. Kennemer
9:35:31 AM Long
9:36:00 AM Rep. Kennemer
9:36:04 AM Chair Schaufler
9:36:16 AM Long
9:36:21 AM Don Miner, Lobbyist, Oregon Manufactured Housing Association
9:37:07 AM Chair Schaufler
9:37:45 AM Long
9:37:49 AM Rep. Kennemer
9:37:57 AM Miner
9:38:09 AM Chair Schaufler
9:38:18 AM Rep. Esquivel
9:38:40 AM Chair Schaufler
9:38:50 AM Long
9:39:39 AM Chair Schaufler
9:40:12 AM MOTION: Rep. Barton moves -2 amendments
9:40:27 AM VOTE: 10-0-0
9:40:30 AM Ayes: Edwards C., Esquivel, Holvey, Kennemer, Matthews,
           Thatcher, Witt, Barton, Cameron, Schaufler
9:40:36 AM MOTION: Rep. Barton moves HB 2950 DO PASS as AMENDED
9:40:51 AM Rep. Kennemer
9:41:07 AM Chair Schaufler
9:42:16 AM Vice-Chair Cameron
9:42:31 AM VOTE: 9-1-0
9:42:49 AM Aves: Edwards C., Esquivel, Holvey, Kennemer, Matthews.
           Thatcher, Witt, Barton, Schaufler; Nays: Cameron
9:43:43 AM HB 3162 - Work Session
9:43:55 AM Theresa Van Winkle, Committee Administrator
9:44:08 AM {Exhibit} 16: Van Winkle
9:44:32 AM Chair Schaufler
9:44:47 AM MOTION: Rep. Barton moves -1 amendments
9:45:04 AM Rep. Kennemer
9:45:07 AM Van Winkle
9:45:30 AM VOTE: 10-0-0
9:45:33 AM Ayes: Edwards C., Esquivel, Holvey, Kennemer, Matthews,
           Thatcher, Witt, Barton, Cameron, Schaufler
9:45:38 AM MOTION: Rep. Barton moves HB 3162 DO PASS as AMENDED
9:45:58 AM Rep. Thatcher
9:46:29 AM Chair Schaufler
9:47:52 AM Vice-Chair Cameron
9:49:40 AM Chair Schaufler
9:50:13 AM Vice-Chair Cameron
9:50:25 AM Chair Schaufler
9:50:30 AM Rep. Kennemer
9:50:53 AM Chair Schaufler
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9:51:13 AM Vice-Chair Barton
9:51:53 AM Chair Schaufler
9:52:02 AM VOTE: 8-2-0
9:52:11 AM Ayes: Edwards C., Esquivel, Holvey, Kennemer, Matthews, Witt,
            Barton, Schaufler: Nays: Thatcher, Cameron
9:52:31 AM CARRIER: REP. STIEGLER will lead discussion on the floor
9:52:39 AM Van Winkle
9:53:19 AM Rep. Holvey
9:53:20 AM Chair Schaufler
9:53:42 AM Rep. Kennemer
9:53:51 AM Chair Schaufler
9:54:38 AM Meeting Recessed
5:38:13 PM Meeting Reconvened
5:38:18 PM Chair Schaufler
5:38:59 PM Rep. Kennemer
5:39:00 PM Chair Schaufler
5:39:31 PM Vice-Chair Barton
5:39:32 PM MOTION: Rep. Barton moves that the RULES BE SUSPENDED to
            allow Rep. Edwards to WITHDRAW motion
5:39:53 PM VOTE: 10-0-0
5:39:58 PM Ayes: Edwards C., Esquivel, Holvey, Kennemer, Matthews,
            Thatcher, Witt, Barton, Cameron, Schaufler
5:39:58 PM HB 3017 - Work Session
5:40:02 PM MOTION: Rep. Edwards C. WITHDRAWS motion to move -1
            amendments
5:40:03 PM VOTE: 10-0-0
5:40:04 PM Ayes: Edwards C., Esquivel, Holvey, Kennemer, Matthews,
            Thatcher, Witt, Barton, Cameron, Schaufler
5:40:16 PM Chair Schaufler
5:40:29 PM HB 2831 - Work Session
5:40:32 PM Theresa Van Winkle, Committee Administrator
5:41:11 PM {Exhibit} 17: Van Winkle
5:41:12 PM {Exhibit} 18: Van Winkle
5:41:13 PM {Exhibit} 19: Van Winkle
5:41:14 PM {Exhibit} 20: Van Winkle
5:41:15 PM {Exhibit} 21: Van Winkle
5:42:33 PM MOTION: Rep. Cameron moves -9 amendments
5:42:37 PM Chair Schaufler
5:42:50 PM Rep. Esquivel
5:42:54 PM Rep. Kennemer
5:42:57 PM Chair Schaufler
5:43:20 PM VOTE: 9-0-1
5:43:26 PM Ayes: Edwards C., Holvey, Kennemer, Matthews, Thatcher, Witt,
            Barton, Cameron, Schaufler: Navs: Esquivel
5:43:36 PM MOTION: Rep. Cameron moves -10 amendments
5:43:43 PM Rep. Holvey
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5:43:57 PM Van Winkle
5:44:18 PM Rep. Holvey
5:44:33 PM Chair Schaufler
5:44:40 PM Vice-Chair Barton
5:44:44 PM Rep. Witt
5:44:57 PM Vice-Chair Barton
5:45:15 PM Chair Schaufler
5:45:32 PM VOTE: 9-1-0
5:45:32 PM Ayes: Edwards C., Esquivel, Holvey, Kennemer, Matthews,
            Thatcher, Barton, Cameron, Schaufler; Nays: Witt
5:45:58 PM MOTION: Rep. Barton moves HB 2831 DO PASS as AMENDED
5:46:02 PM Chair Schaufler
5:46:09 PM Rep. Kennemer
5:46:27 PM Chair Schaufler
5:46:40 PM VOTE: 6-4-0
5:46:43 PM Ayes: Edwards, Holvey, Matthews, Witt, Barton, Schaufler; Nays:
            Esquivel, Kennemer, Thatcher, Cameron
5:47:07 PM Chair Schaufler
5:47:10 PM CARRIER: REP. SCHAUFLER will lead discussion on the floor
5:47:15 PM Vice-Chair Cameron
5:47:19 PM Rep. Thatcher
5:47:28 PM HB 3462 - Work Session
5:47:30 PM Theresa Van Winkle, Committee Administrator
5:47:55 PM {Exhibit} 22: Van Winkle
5:48:38 PM Chair Schaufler
5:48:43 PM MOTION: Rep. Edwards C. moves -3 amendments
5:48:51 PM Chair Schaufler
5:49:00 PM VOTE: 10-0-0
5:49:03 PM Ayes: Edwards C., Esquivel, Holvey, Kennemer, Matthews,
            Thatcher, Witt, Barton, Cameron, Schaufler
5:49:06 PM MOTION: Rep. Edwards C. moves HB 3462 DO PASS as
            AMENDED
5:49:11 PM Chair Schaufler
5:49:22 PM VOTE: 10-0-0
5:49:26 PM Ayes: Edwards C., Esquivel, Holvey, Kennemer, Matthews,
            Thatcher, Witt, Barton, Cameron, Schaufler
5:49:32 PM CARRIER: REP. THATCHER will lead discussion on the floor
5:49:38 PM HB 2457 - Work Session
5:49:46 PM Theresa Van Winkle, Committee Administrator
5:50:03 PM {Exhibit} 23: Van Winkle
5:50:32 PM Chair Schaufler
5:50:48 PM MOTION: Rep. Edwards C. moves to SUSPEND HBL
            COMMITTEE RULE #18
5:50:57 PM VOTE: 10-0-0
5:50:58 PM Ayes: Edwards C., Esquivel, Holvey, Kennemer, Matthews,
            Thatcher, Witt, Barton, Cameron, Schaufler
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5:51:06 PM MOTION: Rep. Barton moves -2 amendment
5:51:10 PM Chair Schaufler
5:51:29 PM VOTE: 10-0-0
5:51:30 PM Ayes: Edwards C., Esquivel, Holvey, Kennemer, Matthews, Thatcher, Witt, Barton, Cameron, Schaufler
5:51:35 PM MOTION: Rep. Barton moves HB 2457 DO PASS as AMENDED
5:51:40 PM Chair Schaufler
5:51:50 PM VOTE: 10-0-0
5:51:54 PM Ayes: Edwards C., Esquivel, Holvey, Kennemer, Matthews, Thatcher, Witt, Barton, Cameron, Schaufler
5:51:58 PM CARRIER: REP. BARTON will lead discussion on the floor
5:52:02 PM Vice-Chair Cameron
5:52:42 PM Chair Schaufler

5:52:47 PM Meeting Adjourned

HBL 4/27/2009 8:07:07 AM

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8:08:53 AM {Exhibit} 1: HB 3401, -1 amendments, staff, 2 pp
8:11:46 AM {Exhibit} 2: HB 3401, exhibit for HB 3262A, Brenda Wilson, 2 pp
8:12:12 AM {Exhibit} 3: HB 3401, testimony from House Business, Labor and
             Consumer Affairs Committee 2005, Brenda Wilson, 2 pp
8:14:36 AM {Exhibit} 4: HB 3401, informational packet, Kent Hunsaker, 9 pp
8:24:01 AM {Exhibit} 5: HB 3401, informational memo, Paul Cleary, 2 pp
            {Exhibit} 6: HB 3401, written testimony, Heidi Franklin, 1 p
8:27:00 AM
8:28:15 AM {Exhibit} 7: HB 3017, -1 amendments, staff, 4 pp
            {Exhibit} 8: HB 3017, written testimony, Jim Francesconi, 3 pp
8:31:50 AM
9:00:49 AM {Exhibit} 9: HB 2430, -1 amendments, staff, 7 pp
9:07:38 AM {Exhibit} 10: HB 3345, -1 amendments, staff, 2 pp
            {Exhibit} 11: HB 3201, -1 amendments, staff, 5 pp
9:09:17 AM
9:09:18 AM {Exhibit} 12: HB 3201, -2 amendments, staff, 5 pp
9:12:35 AM {Exhibit} 13: HB 2910, -3 amendments, staff, 4 pp
9:16:20 AM {Exhibit} 14: HB 3122, -1 amendments, staff, 1 p
9:32:14 AM {Exhibit} 15: HB 2950, -2 amendments, staff, 31 pp
9:44:08 AM {Exhibit} 16: HB 3162, -1 amendments, staff, 5 pp
5:41:11 PM {Exhibit} 17: HB 2831, -2 amendments, staff, 1 pp
5:41:12 PM {Exhibit} 18: HB 2831, -4 amendments, staff, 1 p
5:41:13 PM {Exhibit} 19: HB 2831, -7 amendments, staff, 1 p
5:41:14 PM {Exhibit} 20: HB 2831, -9 amendments, staff, 8 pp
5:41:15 PM {Exhibit} 21: HB 2831, -10, amendments, staff, 1 p
5:47:55 PM {Exhibit} 22: HB 3462, -3 amendments, staff, 9 pp
5:50:03 PM {Exhibit} 23: HB 2457, -2 amendments, staff, 1 p
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