

## **HOUSE COMMITTEE ON CONSUMER PROTECTION**

**March 13, 2009  
3:00 P.M.**

**Hearing Room E**

**MEMBERS PRESENT:**        **Rep. Paul Holvey, Chair**  
                                     **Rep. Chuck Riley, Vice-Chair**  
                                     **Rep. Jim Weidner, Vice-Chair**  
                                     **Rep. Brent Barton**  
                                     **Rep. Jean Cowan**  
                                     **Rep. Vic Gilliam**  
                                     **Rep. Wayne Krieger**  
                                     **Rep. Greg Matthews**  
                                     **Rep. Carolyn Tomei**  
                                     **Rep. Matt Wingard**

**STAFF PRESENT:**         **Victoria Cox, Committee Administrator**  
                                     **Cindy Hupp, Committee Assistant**

**MEASURES/ISSUES HEARD: HB 2481 – Work Session**  
                                     **HB 2815 – Public Hearing**

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

## HCP

3/13/2009 3:07:09 PM

3:07:32 PM Meeting Called to Order  
3:07:33 PM Chair Holvey  
3:08:48 PM HB 2481-Work Session  
3:08:55 PM Victoria Cox, Committee Administrator  
3:09:11 PM {Exhibit} 1: Chair Holvey  
3:09:23 PM Chair Holvey  
3:09:28 PM Cox  
3:09:34 PM Chair Holvey  
3:10:00 PM Shaun Jillions, Representative, Oregon Association of Realtors  
3:11:36 PM Chair Holvey  
3:11:40 PM Jillions  
3:11:43 PM Chair Holvey  
3:11:45 PM Jillions  
3:11:48 PM Chair Holvey  
3:11:51 PM Rep. Gilliam  
3:12:01 PM Vice-Chair Weidner  
3:12:03 PM Chair Holvey  
3:12:07 PM Rep. Gilliam  
3:12:09 PM Chair Holvey  
3:12:13 PM Rep. Wingard  
3:12:14 PM Chair Holvey  
3:12:15 PM Rep. Wingard  
3:12:26 PM Jillions  
3:12:54 PM Rep. Wingard  
3:12:55 PM Chair Holvey  
3:13:04 PM Jillions  
3:13:06 PM Chair Holvey  
3:13:27 PM Rep. Wingard  
3:13:28 PM Chair Holvey  
3:13:29 PM MOTION: Rep. Wingard moves -1 amendment  
3:13:33 PM Chair Holvey  
3:13:48 PM VOTE: 9-0-1  
3:13:48 PM Ayes: Barton, Gilliam, Krieger, Matthews, Tomei, Wingard,  
Weidner, Riley, Holvey; Excused: Cowan  
3:13:50 PM Rep. Wingard  
3:13:51 PM Chair Holvey  
3:13:52 PM MOTION: Rep. Wingard moves HB 2481 DO PASS as AMENDED  
3:13:59 PM Chair Holvey  
3:14:08 PM Vice-Chair Riley

**3:14:10 PM** Chair Holvey  
**3:14:20 PM** Rep. Gilliam  
**3:14:37 PM** Chair Holvey  
**3:14:43 PM** Rep. Gilliam  
**3:14:46 PM** Chair Holvey  
**3:14:50 PM** VOTE: 9-0-1  
**3:14:50 PM** Ayes: Barton, Gilliam, Krieger, Matthews, Tomei, Wingard, Weidner, Riley, Holvey; Excused: Cowan  
**3:14:55 PM** Chair Holvey  
**3:14:57 PM** Hupp  
**3:15:14 PM** Chair Holvey  
**3:15:24 PM** Rep. Wingard  
**3:15:31 PM** Chair Holvey  
**3:15:43 PM** CARRIER: REP. WINGARD will lead discussion on the floor  
**3:15:47 PM** Rep. Krieger  
**3:15:51 PM** Chair Holvey  
**3:15:55 PM** Rep. Wingard  
**3:15:58 PM** Chair Holvey  
**3:16:13 PM** HB 2815-Public Hearing  
**3:16:20 PM** Victoria Cox, Committee Administrator  
**3:16:54 PM** Chair Holvey  
**3:19:41 PM** Elizabeth Harchenko, Director, Department of Revenue  
**3:19:46 PM** Craig Smith, Administrator, Construction Contractors Board  
**3:19:49 PM** Doug McKean, Deputy Commissioner, Bureau of Labor and Industries  
**3:19:53 PM** Chair Holvey  
**3:19:54 PM** Harchenko  
**3:19:55 PM** {Exhibit} 2: Harchenko  
**3:23:33 PM** Smith  
**3:23:34 PM** {Exhibit} 3: Smith  
**3:25:59 PM** Chair Holvey  
**3:26:07 PM** McKean  
**3:30:04 PM** Chair Holvey  
**3:32:05 PM** McKean  
**3:32:07 PM** Harchenko  
**3:37:47 PM** Chair Holvey  
**3:38:55 PM** Rep. Tomei  
**3:39:15 PM** Smith  
**3:39:27 PM** Rep. Tomei  
**3:39:30 PM** Smith  
**3:39:34 PM** Rep. Tomei  
**3:39:37 PM** Chair Holvey  
**3:39:43 PM** Vice-Chair Weidner  
**3:40:02 PM** Smith  
**3:41:13 PM** Chair Holvey  
**3:42:59 PM** Harchenko

**3:43:22 PM** Chair Holvey  
**3:43:42 PM** Harchenko  
**3:43:43 PM** Chair Holvey  
**3:44:10 PM** Donna Maddux, Attorney in Charge, Organized Crime Section,  
Oregon Department of Justice  
**3:44:11 PM** {Exhibit} 4: Maddux  
**3:52:03 PM** Chair Holvey  
**3:54:37 PM** Maddux  
**3:56:41 PM** Chair Holvey  
**3:56:54 PM** Harchenko  
**3:59:07 PM** Chair Holvey  
**3:59:17 PM** Harchenko  
**3:59:20 PM** Chair Holvey  
**3:59:26 PM** Rep. Gilliam  
**4:00:00 PM** Harchenko  
**4:02:06 PM** Chair Holvey  
**4:02:12 PM** Rep. Cowan  
**4:03:57 PM** Chair Holvey  
**4:04:25 PM** Harchenko  
**4:04:26 PM** Chair Holvey  
**4:05:14 PM** John Littel, Political Director, Pacific Northwest Regional Council of  
Carpenters  
**4:05:15 PM** {Exhibit} 5: Littel  
**4:05:16 PM** {Exhibit} 6: Littel  
**4:14:16 PM** Chair Holvey  
**4:14:32 PM** Carl Hammersburg, Fraud Prevention and Compliance Manager,  
Washington State Department of Labor and Industries  
**4:14:33 PM** {Exhibit} 7: Hammersburg  
**4:14:33 PM** {Exhibit} 8: Hammersburg  
**4:17:38 PM** Chair Holvey  
**4:17:43 PM** Hammersburg  
**4:21:27 PM** Chair Holvey  
**4:21:57 PM** Hammersburg  
**4:23:25 PM** Chair Holvey  
**4:23:55 PM** Mike Roach, Owner, Western Partitions Incorporated  
**4:24:13 PM** Chair Holvey  
**4:24:14 PM** Roach  
**4:24:18 PM** Chair Holvey  
**4:24:20 PM** Roach  
**4:26:36 PM** Chair Holvey  
**4:26:37 PM** Rep. Tomei  
**4:26:41 PM** Roach  
**4:26:42 PM** Rep. Tomei  
**4:26:54 PM** Roach  
**4:27:30 PM** Rep. Tomei  
**4:27:33 PM** Roach

**4:28:12 PM** Chair Holvey  
**4:28:15 PM** Roach  
**4:29:06 PM** Chair Holvey  
**4:29:07 PM** Roach  
**4:29:11 PM** Chair Holvey  
**4:29:20 PM** Roach  
**4:29:35 PM** Chair Holvey  
**4:29:44 PM** Roach  
**4:29:45 PM** Chair Holvey  
**4:30:01 PM** Roach  
**4:30:05 PM** Chair Holvey  
**4:30:18 PM** Roach  
**4:30:26 PM** Chair Holvey  
**4:30:35 PM** Roach  
**4:30:40 PM** Chair Holvey  
**4:32:00 PM** D. Michael Dale, Executive Director, Northwest Workers' Justice Project  
**4:32:01 PM** {Exhibit} 9: Dale  
**4:34:43 PM** Chair Holvey  
**4:35:01 PM** Sybil Hebb, Representative, Oregon Law Center  
**4:36:21 PM** Chair Holvey  
**4:36:29 PM** Jody Wisner, Representative, Tax Fairness Oregon  
**4:36:30 PM** {Exhibit} 10: Wisner  
**4:40:48 PM** Rep. Tomei  
**4:40:50 PM** Chair Holvey  
**4:40:51 PM** Rep. Tomei  
**4:40:57 PM** Wisner  
**4:41:37 PM** Rep. Tomei  
**4:41:41 PM** Wisner  
**4:46:46 PM** Chair Holvey  
**4:47:24 PM** HB 2481-Work Session  
**4:47:38 PM** Rep. Cowan  
**4:47:47 PM** MOTION: Rep. Weidner moves that the RULES BE SUSPENDED to allow Rep. Cowan to VOTE: AYE on HB 2481  
**4:47:55 PM** Chair Holvey  
**4:48:10 PM** Rep. Cowan  
**4:48:17 PM** Chair Holvey  
**4:48:19 PM** Rep. Cowan  
**4:48:19 PM** VOTE: 10-0-0  
**4:48:19 PM** Ayes: Barton, Cowan, Gilliam, Krieger, Matthews, Tomei, Wingard, Weidner, Riley, Holvey  
**4:48:20 PM** Chair Holvey  
**4:48:26 PM** Rep. Wingard  
**4:48:29 PM** Chair Holvey  
**4:48:33 PM** HB 2815-Public Hearing  
**4:48:38 PM** Scott Barrie, Representative, Oregon Home Builders Association

**4:50:45 PM** Chair Holvey

**4:51:35 PM** The following written testimony was submitted for the record without public testimony:

**4:51:36 PM** {Exhibit} 11: Daniel F. Bonham, Executive Director, Oregon and Southwest Washington Fair Contracting Foundation

**4:51:36 PM** Meeting Adjourned

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**HCP**

**3/13/2009 3:07:09 PM**

- 3:09:11 PM** {Exhibit} 1: HB 2481, -1 amendments, staff, 2 pp
  - 3:19:55 PM** {Exhibit} 2: HB 2815, Independent Contractor Steering Committee Report, Elizabeth Harchenko, 9 pp
  - 3:23:34 PM** {Exhibit} 3:HB 2815, Construction Contractors Board 2007- 2009 Biennium Report, Craig Smith, 13 pp
  - 3:44:11 PM** {Exhibit} 4: HB 2815, written testimony, Donna Maddux, 2 pp
  - 4:05:15 PM** {Exhibit} 5: HB 2815, written testimony, John Littel, 1 p
  - 4:05:16 PM** {Exhibit} 6: HB 2815, task force final report, John Littel, 26 pp
  - 4:14:33 PM** {Exhibit} 7: HB 2815, 2008 Annual Fraud Report, Carl Hammersburg, 19 pp
  - 4:14:33 PM** {Exhibit} 8: HB 2815, Unregistered Business Study, Carl Hammersburg, 33 pp
  - 4:32:01 PM** {Exhibit} 9: HB 2815, written testimony, D. Michael Dale, 2 pp
  - 4:36:30 PM** {Exhibit} 10: HB 2815, written testimony, Jody Wiser, 5 pp
  - 4:51:36 PM** {Exhibit} 11: HB 2815, written testimony, Daniel Bonham, submitted by Chair Holvey, 2 pp
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