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HOUSE COMMITTEE ON BUSINESS AND CONSUMER AFFAIRS

January 27, 1999 Hearing Room E

8:30 a.m. Tapes 14 - 15

MEMBERS PRESENT: Rep. Roger Chair Beyer, Chair

Rep. Dan Gardner, Vice-Chair

Rep. Tim Knopp, Vice-Chair

Rep. Jason Atkinson

Rep. Bill Morrisette

Rep. Terry Thompson

Rep. Jackie Winters

MEMBER EXCUSED:

STAFF PRESENT: Keith Putman, Administrator

Frances Thomas, Administrative Support

MEASURE/ISSUES HEARD: Informational Meeting

HB 2110 Public Hearing and Work Session

HB 2059 Public Hearing and Work Session

HB 2060 Public Hearing and Work Session

These minutes are in compliance with Senate and House Rules. Only text enclosed in quotation marks reports a speaker's exact words. For complete contents, please refer to the tapes.

TAPE 14, A

003

Chair Beyer

Calls meeting to order at 8:30 a.m.

INFORMATIONAL MEETING

005	Chair Beyer	Opens Information Meeting and welcomes Jack Roberts.
007	Jack Roberts	Commissioner, Bureau of Labor and Industries (BOLI). Explains functions of BOLI. Presents historical background of BOLI.
050	Roberts	Explains need for legislation of BOLI issues.
060	Roberts	Comments on the prevailing wage issue.
102	Roberts	Comments on Oregon Disability Laws passed last legislative session.
110	Roberts	Comments on need for an additional change in the Private Right of Action.
121	Roberts	Comments on the apprenticeship programs for trades. Presents history of this program.
152	Roberts	Expresses concern for BOLI's responsibility in the operation of the apprenticeship programs.
180	Roberts	Explains trade apprenticeship training programs in relationship to BOLI's responsibility of set up and continued operation of these programs.
188	Roberts	Comments that the relationship has changed in recent years between BOLI and the trades. Explains necessity to be fair and provide equal access to everyone involved with apprenticeship.
220	Roberts	Explains use of study done in the Portland area construction trade in connection to apprentice programs.
241	Roberts	Opposes legislative action to allow the perception that one must be related or know someone to get into the building trades. Explains desire to provide the opportunity to everyone who is qualified to get into a trade. Reiterates the need for a system that is fair and available to everyone.
281	Roberts	Explains how each program must have a joint committee for each trade made up of labor representatives and employee representatives. Explains that committees set goals and guidelines for meeting standards.
316	Rep. Morrisette	Comments that HB 2402 exempts small family farms from safety committee requirements. Expresses a concern for young exempt family members and asks who has jurisdiction over "child labor" issues.
332	Roberts	Explains agriculture can be an exception to many rules. Explains what agencies have jurisdiction of child labor. States BOLI does have child labor rules in line

with federal codes and regulation. Comments on exceptions.

- 366 Rep. Morrisette Inquires about obtaining a copy of Hazardous Work Order rules.
- 369 Rep. Morrisette Inquires about BOLI's position on the upcoming training wage bill to lower minimum wage for restaurant entry level workers.
- 376 Roberts Comments that BOLI is in support of training wage legislation. Clarifies he is not sure of the extent of BOLI's involvement.
- 393 Rep. Knopp Inquires about employment levels in BOLI budget.
- 400 Roberts Comments on the history of BOLI's budgeting process. Explains the process of using private contractors for internal programs at less costs and greater efficiency.
- 456 Winters Commends BOLI agency on its streamlining and maintenance of necessary programs.
- 462 Chair Beyer Comments about a mediation program the Department of Agriculture began in the mid 80s. The program was designed to be mediation between landowners and bankers and has been adopted as an accepted method to aide farmer/workers disputes. Inquires of BOLI's responsibility to mediate between employers and workers to insure the payment to employees.
- 489 Roberts Comments that BOLI's responsibility is not typically characterized as mediation. Clarifies BOLI's responsibility as licensing and enforcement.

TAPE 15, A

- 028 Roberts Suggests getting direction from the Farm Bureau.
- 044 Roberts Comments on BOLI's jurisdiction and involvement with workers compensation reform.
- 072 Chair Beyer Inquires about bill number for the John Doe provision.
- 073 Roberts States SB 181.
- 085 Chair Beyer Closes the Informational Meeting.

HB 2059 n WORK SESSION

- 087 Chair Beyer Opens a Work Session on HB 2059.

091 Keith Putman Committee Administrator. Comments there is no new information since last hearing.

096 Rep. Gardner **MOTION: Moves HB 2059 to the floor with a DO PASS recommendation.**

101 **VOTE: 7-0**

Chair Beyer Hearing no objection, declares the motion CARRIED.

REP. ATKINSON will lead discussion on the floor.

110 Chair Beyer Closes the Work Session on HB 2059.

HB 2060 ñ WORK SESSION

112 Chair Beyer Opens a Work Session on HB 2060.

115 Putman Comments on HB 2060, which aggregates claims against a bond on behalf of a property owner for a 90-period.

126 Rep. Gardner **MOTION: Moves HB 2060 to the floor with a DO PASS recommendation.**

128 **VOTE: 7-0**

Chair Beyer Hearing no objection, declares the motion CARRIED.

REP. MORRISETTE will lead discussion on the floor.

148 Chair Beyer Closes the Work Session on HB 2060.

HB 2110 ñ PUBLIC HEARING

150 Chair Beyer Opens Public Hearing on HB 2110.

150 Putman Comments that HB 2110 does have fiscal impact. Explains the cost is \$8,448. States that HB 2110 is included in the governorís budget. Explains that all funds are paid by the licensed private investigators.

172	Elaine Hamm	Interim Executive Director, Board of Investigators. Comments this is a newly created licensing board. States that the Board of Investigators issues licenses for private investigators in this state through a prescribed process.
187	Hamm	Explains HB 2110 authorizes the Board of Investigators to conduct FBI checks in addition to the state police criminal records check.
199	Rep. Morrisette	Inquires if there is any opposition from private investigators to HB 2110.
205	Hamm	States not aware of any opposition to HB 2110.
229	Rep. Gardner	Inquires about FBI's standard practice of returning an individual's fingerprint card once a background check is complete.
233	Hamm	States Oregon State Police will keep the fingerprint card on file. Explains FBI's practice is to shred the fingerprint card submitted for a background check.
240	Rep. Winters	Inquires about a real estate license predicated on a FBI check as being a part of HB 2110.
247	Hamm	States the Board of Investigation has no authority over real estate licensing.
253	Putman	Clarifies this board licenses private investigators and has no relationship with the Real Estate Board.
283	Chair Beyer	Closes Public Hearing on HB 2110.

HB 2110 - WORK SESSION

283	Chair Beyer	Opens a Work Session on HB 2110.
284	Rep. Gardner	MOTION: Moves HB 2110 to the floor with a DO PASS recommendation.
188		VOTE: 7-0
	Chair Beyer	Hearing no objection, declares the motion CARRIED.
		REP. WINTERS will lead discussion on the floor.
303	Chair Beyer	Closes the Work Session on HB 2110.

304	Putman	Explains issues that will be discussed in Friday's committee meeting.
328	Rep. Thompson	States Friday involves overlapping committee meetings.
334	Chair Beyer	Discusses Friday's agenda.
347	Chair Beyer	Adjourns the meeting at 9:23 a.m.

Submitted By, Reviewed By,

FRANCES THOMAS, KEITH PUTMAN,
Administrative Support Administrator

EXHIBIT SUMMARY

A ñ HB 2110, written testimony, Elaine Hamm, 1 p