

# HOUSE COMMITTEE ON BUSINESS & LABOR

## TAPE LOG

April 04, 2007 Hearing Room D  
3:00 P.M. Tapes 59 - 60

**MEMBERS PRESENT:** Rep. Mike Schaufler, Chair  
Rep. Paul Holvey, Vice-Chair  
Rep. Vicki Berger  
Rep. Chris Edwards  
Rep. Diane Rosenbaum

**MEMBERS EXCUSED:** Rep. Sal Esquivel, Vice-Chair  
Rep. Patti Smith

**STAFF PRESENT:** Theresa Van Winkle, Committee Administrator  
Kristen Miller, Committee Assistant

**MEASURES/ISSUES HEARD:**  
HB 3339 – Public Hearing  
HB 2943 – Public Hearing  
HB 2943 – Work Session  
HB 3353 – Public Hearing  
HB 3353 – Work Session  
HB 3354 – Public Hearing  
HB 3354 – Work Session

This tape log is in compliance with Senate and House Rules. For complete contents, please refer to the cassette tapes.

TAPE #	COUNTER	BRIEF DESCRIPTION OF SUBJECT MATTER
AND SIDE	NUMBER	OR CHANGE IN SPEAKER
59A	002	Chair Schaufler calls the meeting to order at 3:06 p.m.
<u>HB 3339 – PUBLIC HEARING</u>	004	Chair Schaufler
	005	Theresa Van Winkle, Administrator
	009	Chair Schaufler
	013	Representative Brad Witt, State Representative, House District # 31
	025	Rep. Witt
	050	Rep. Witt
	075	Rep. Witt
	100	Rep. Witt
	112	Chair Schaufler
	118	Rep. Berger
	119	Chair Schaufler
59A	121	Jeff Smith, President, International Longshore and Warehouse Union (ILWU) Local 8 ( <b>EXHIBIT A</b> )
	140	Smith
	160	Smith
	161	Ric Ball, Lead Representative, United Food and Commercial Workers (UFCW) Local 555 ( <b>EXHIBIT B</b> )

	178	Tom Chamberlain, President, Oregon American Federation of Labor and Congress of Industrial Organizations (AFL-CIO) <b>(EXHIBIT C)</b>
	189	Chair Schaufler
	192	Gary Oxley, Representative, Fred Meyer/Safeway
	199	Melinda Merrill, Director of Public Affairs, Fred Meyer <b>(EXHIBIT D)</b>
	225	Merrill
	250	Merrill
	275	Merrill
	280	Steve Erdmann, Director Labor Relations, Safeway
	300	Erdmann
	325	Erdmann
	350	Erdmann
	375	Erdmann
	400	Erdmann
	425	Erdmann
	450	Erdmann
	475	Erdmann
<b>60A</b>	019	Erdmann
	025	Erdmann
	050	Erdmann
	062	Chair Schaufler
	063	Rep. Rosenbaum
	065	Erdmann
	070	Rep. Rosenbaum
	072	Merrill
	075	Rep. Rosenbaum
	076	Erdmann
	094	Rep. Rosenbaum
	100	Merrill
	116	Chair Schaufler
	125	Chair Schaufler
	130	Rep. Holvey
	136	Erdmann
<b>60A</b>	149	Rep. Holvey
	170	Rep. Holvey
	175	Erdmann
	198	Merrill
	220	Rep. Holvey
	229	Erdmann
	250	Erdmann
	251	Rep. Holvey
	255	Erdmann
	269	Oxley
	273	Rep. C. Edwards
	284	Erdmann
	300	Erdmann
	312	Chair Schaufler
	314	Rep. Berger

	316	Chair Schaufler
	323	Dan Floyd, Vice President of Political Affairs, Northwest Grocers Association
	367	Chair Schaufler
	368	Floyd
	371	Chair Schaufler
	373	Elizabeth Cushwa, Representative, United Food and Commercial Workers Union (UFCW) Local 555 <b>(EXHIBIT E)</b>
	400	Cushwa
	425	Cushwa
	450	Cushwa
	470	Chair Schaufler
<b>59B</b>	020	Omar Avina-Tryo, Union Representative, UFCW
	030	Chair Schaufler
	031	Rep. Berger
	041	Cushwa
	048	Rep. Berger
	060	Rep. Berger
	068	Cushwa
	071	Rep. Berger
	073	Cushwa
	075	Chair Schaufler
	077	Cushwa
	078	Chair Schaufler
<b>59B</b>	089	Cushwa
	096	Chair Schaufler
	100	Rep. Holvey
	109	Cushwa
	112	Rep. Holvey
	118	Cushwa
	120	Chair Schaufler
	125	Tom Byerley, Assistant Director, Oregon Employment Department
	133	Rep. Berger
<b><u>HB 2943 – PUBLIC HEARING</u></b>		
	136	Rep. Berger
	138	Theresa Van Winkle, Administrator
	147	Rep. Berger
	152	Hasina Squires, Representative, ndependent medical Examination Association (IMEA) <b>(EXHIBIT F)</b>
	175	Squires
	183	Chair Schaufler
	184	John Shilts, Administrator, Department of Consumer and Business Services (DCBS) <b>(EXHIBIT G)</b>
	200	Shilts
	201	Chair Schaufler
<b><u>HB 2943 - WORK SESSION</u></b>		
	203	Chair Schaufler
	204	<b>MOTION: Rep. Rosenbaum moves to ADOPT HB 2943-1 amendments dated 03/15/07. (EXHIBIT H)</b>

205	<b>VOTE: 5-0-2</b>
207	<b>EXCUSED: 2 - Rep. Esquivel, Rep. P. Smith</b>
209	<b>Chair Schaufler, hearing no objection, declares the motion CARRIED.</b>
210	<b>MOTION: Rep. Rosenbaum moves HB 2943 to the floor with a DO PASS AS AMENDED recommendation.</b>
212	<b>VOTE: 5-0-2</b>
215	<b>AYE: In a roll call vote, all members present vote Aye.</b>
	<b>EXCUSED: 2 - Rep. Esquivel, Rep. P. Smith</b>
	<b>Chair Schaufler declares the motion CARRIED.</b>
	<b>REP. BERGER will lead discussion on the floor.</b>
	Chair Schaufler
<b><u>HB 3353 - PUBLIC HEARING</u></b>	
218	Chair Schaufler
220	Theresa Van Winkle, Administrator
225	John Gawlista, Owner, Professional Grounds Management, Inc.
<b>59B</b>	<b>(EXHIBIT I)</b>
250	Gawlista
275	Gawlista
283	Bill Cross, Representative, Oregon Landscape Contractors Association (OLCA)
300	Cross
310	Chair Schaufler
312	Rep. C. Edwards
315	Gawlista
318	Rep. C. Edwards
319	Rep. Holvey
323	Cross
326	Chair Schaufler
330	Terry Witt, Executive Director, Oregonians for Food and Shelter
350	<b>(EXHIBIT J)</b>
353	Witt
361	Chair Schaufler
372	Lisa Hanson, Deputy Director, Oregon Department of Agriculture (ODA) <b>(EXHIBIT K)</b>
377	Chris Kirby, Administrator, ODA
184	Rep. C. Edwards
189	Kirby
397	Rep. C. Edwards
403	Kirby
413	Rep. Berger
416	Chair Schaufler
421	Rep. Holvey
	Chair Schaufler
<b><u>HB 3353 – WORK SESSION</u></b>	
423	Chair Schaufler
425	<b>MOTION: Rep. Holvey moves to ADOPT HB 3353-1 amendments dated 04/02/07. (EXHIBIT L)</b>
430	<b>VOTE: 5-0-2</b>
432	<b>EXCUSED: 2 - Rep. Esquivel, Rep. P. Smith</b>
	<b>Chair Schaufler, hearing no objection, declares the motion</b>

	437	<b>CARRIED.</b>
		<b>MOTION: Rep. Holvey moves HB 3353 to the floor with a DO PASS AS AMENDED recommendation.</b>
	439	<b>VOTE: 5-0-2</b>
		<b>AYE: In a roll call vote, all members present vote Aye.</b>
	441	<b>EXCUSED: 2 - Rep. Esquivel, Rep. P. Smith</b>
		<b>Chair Schaufler declares the motion CARRIED.</b>
		<b>REP. HOLVEY will lead discussion on the floor.</b>
<b>59B</b>	443	Chair Schaufler
<b><u>HB 3354 – PUBLIC HEARING</u></b>		
	445	Chair Schaufler
	448	Theresa Van Winkle, Administrator
	459	Chair Schaufler
<b>60B</b>	020	John Stone, Owner, J.P. Stone Contractors, Inc. <b>(EXHIBIT M)</b>
	039	Bill Cross, Representative, Oregon Landscape Contractors Association (OLCA)
	042	Chair Schaufler
	043	Rep. Berger
	048	Stone
	052	Chair Schaufler
	053	Stone
	055	Chair Schaufler
<b><u>HB 3354 - WORK SESSION</u></b>		
	056	Chair Schaufler
	057	<b>MOTION: Rep. Holvey moves to ADOPT HB 3354-1 amendments dated 04/03/07. (EXHIBIT N)</b>
	059	<b>VOTE: 5-0-2</b>
		<b>EXCUSED: 2 - Rep. Esquivel, Rep. P. Smith</b>
	060	<b>Chair Schaufler, hearing no objection, declares the motion CARRIED.</b>
	061	<b>MOTION: Rep. Holvey moves HB 3354 to the floor with a DO PASS AS AMENDED recommendation.</b>
	063	<b>VOTE: 5-0-2</b>
		<b>AYE: In a roll call vote, all members present vote Aye.</b>
		<b>EXCUSED: 2 - Rep. Esquivel, Rep. P. Smith</b>
	065	<b>Chair Schaufler declares the motion CARRIED.</b>
		<b>REP. SCHAUFLEER will lead discussion on the floor.</b>
	066	Chair Schaufler
	067	Chair Schaufler adjourns the meeting at 4:43 p.m.

## **EXHIBIT SUMMARY**

- A. HB 3339, written testimony, Jeff Smith, 1 p
- B. HB 3339, written testimony, Ric Ball, 1 p
- C. HB 3339, written testimony, Tom Chamberlain, 1 p
- D. HB 3339, written testimony, Melinda Merrill, 2 pp
- E. HB 3339, written testimony of Steve Konopa, Elizabeth Cushwa, 1 p
- F. HB 2943, written testimony, Hasina Squires, 4 pp
- G. HB 2943, written testimony, John Shilts, 4 pp
- H. HB 2943, -1 amendment, staff 1 p
- I. HB 3353, written testimony, John Gawlista, 2 pp

- J. **HB 3353, written testimony, Terry Witt, 1 p**
- K. **HB 3353, written testimony, Lisa Hanson, 1 p**
- L. **HB 3353, -1 mendment, staff, 1 p**
- M. **HB 3354, written testimony, John Stone, 1 p**
- N. **HB 3354, -1 amendment, staff, 1 p**