

HOUSE COMMITTEE ON
BUSINESS, LABOR, AND CONSUMER AFFAIRS

March 09, 2005 Hearing Room B

8:30 A.M. Tapes 50 - 51

Corrected 09/27/05

MEMBERS PRESENT: Rep. Alan Brown, Chair

Rep. Sal Esquivel, Vice-Chair

Rep. Mike Schaufler, Vice-Chair

Rep. Paul Holvey

Rep. George Gilman

Rep. Derrick Kitts

Rep. Chip Shields

STAFF PRESENT: Janet Adkins, Committee Administrator

Katie Howard, Committee Assistant

MEASURES/ISSUES HEARD:

HB 2160 – Work Session

HB 2091 – Public Hearing

HB 2405 – Public Hearing and Work Session

HB 2590 – 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/#	Speaker	Comments
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TAPE 50, A

003	Chair Brown	Calls the meeting to order at 8:36 a.m.
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007	Rep. Holvey	Welcomes BJ Goldsmith from Churchill High School.
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010	Chair Brown	Opens the work session for HB 2160.
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HB 2160 – WORK SESSION

013	Janet Adkins	Committee Administrator. Explains HB 2160 and the -2 amendments (EXHIBIT A).
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044	Rep. Shields	MOTION: Moves to ADOPT HB 2160-2 amendments dated 03/07/05.
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046		VOTE: 6-0-1
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EXCUSED: 1 - Kitts

	Chair Brown	Hearing no objection, declares the motion CARRIED .
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047	Rep. Shields	MOTION: Moves HB 2160 to the floor with a DO PASS AS AMENDED recommendation.
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050		VOTE: 6-0-1
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AYE: In a roll call vote, all members present vote Aye.

EXCUSED: 1 - Kitts

	Chair Brown	The motion CARRIES.
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REP. HOLVEY will lead discussion on the floor.

NOTE: See tape 51 A, page 4 of this tape log for Rep. Kitts vote.

057	Chair Brown	Closes the work session on HB 2091. Opens the public hearing on HB 2091.
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HB 2091 – PUBLIC HEARING

060	Janet Adkins	Committee Administrator. Explains HB 2091 and the -1 amendments (EXHIBIT B) .
090	John Shilts	Administrator, Workers' Compensation Division, Department of Consumer and Business Services. Submits written testimony in support of HB 2091 (EXHIBIT C) . Mentions that HB 2091 is not a comment on the Office of Administrative Hearings and that HB 2091 is simply a regulatory streamlining proposal. States that there are about 200 cases a year and this number can be absorbed by the Workers' Compensation Board. Discusses how it will improve the workers' compensation contested case hearings.
123	Shilts	Explains the error that was made in the drafting of HB 2091 and wants to hold the bill over so that the error can be corrected.
139	Bruce Miller	Office of the State Court Administrator. States that the Office of the State Court Administrator has no official position on HB 2091. Explains section 19 and says that since it is retrospective makes the appeals process confusing. Says that the -1 amendments take care of their concerns.
	Maureen Brock	Submits informational statement on HB 2091 without oral testimony (EXHIBIT D) .
157	Chair Brown	Closes the public hearing on HB 2091 and opens the public hearing on HB 2405.

HB 2405 – PUBLIC HEARING

163	Janet Adkins	Committee Administrator. Explains HB 2405 and the -1 amendments (EXHIBIT E) .
183	Martin Alvey	Attorney, Martin L. Alvey, P.C. Submits written testimony in support of HB 2405 (EXHIBIT F) . States that the bill would allow a worker to submit a claim report and a medical report separately. Discusses how the provision in SB 369 (1995) established the requirement for both the medical report and the claim report to be submitted to the insurer at the same time.
227	Alvey	

Explains how HB 2405 would change the timeline for the reimbursement of paid time loss. Says that HB 2405 will improve the claims process.

251	Susan Lavier	City County Insurance Services.
257	William Bartel	Claims Manager, Special Districts Association of Oregon.
260	Lavier	Speaks in support of HB 2405. Asserts that the bill would make the process of filing insurance claims for injured workers more clear.
276	Linda Barno	Legislative Co-chair, Oregon Self Insurance Association. Speaks in support of 2405 and the -1 amendments.
288	Chair Brown	Closes the public hearing on HB 2405 and opens the work session on HB 2405.

HB 2405 – WORK SESSION

291	Rep. Kitts	MOTION: Moves to ADOPT HB 2405-1 amendments dated 02/24/05.
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395		VOTE: 7-0-0
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	Chair Brown	Hearing no objection, declares the motion CARRIED.
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396	Rep. Kitts	MOTION: Moves HB 2405 to the floor with a DO PASS AS AMENDED recommendation.
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302		VOTE: 7-0-0
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		AYE: In a roll call vote, all members present vote Aye.
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	Chair Brown	The motion CARRIES.
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307	Rep. Kitts	MOTION: Moves HB 2405 be placed on the CONSENT CALENDAR.
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310		VOTE: 7-0-0
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Chair Brown

Hearing no objection, declares the motion CARRIED.

315 Chair Brown Closes the work session on HB 2405 and opens the public hearing on HB 2590.

HB 2590 – PUBLIC HEARING

317 Janet Adkins Committee Administrator. Explains HB 2590. Submits -2 amendments **(EXHIBIT H)**.

344 Andrew Leisinger Chairman, State Landscape Architect Board. Submits informational packet in support of HB 2590 **(EXHIBIT G)**.

368 Susanne Knight Contract Administrator, State Landscape Architect Board (SLAB). Discusses the audit that was done by the Fiscal Office of the SLAB. Talks about some of the problems that were found with the SLAB. Gives an example of how past administrators changed rules without going through the proper procedure to change the rules. Explains that she is trying to get the SLAB back into line with the law.

TAPE 51, A

014 Rep. Schaufler Praises Ms. Knight's work.

018 Knight Talks about how administrators are in very powerful positions because they control the flow of information. Notes that the past administrator withheld past audit information. Talks about why it is important to put the registration date into statute.

060 Knight Says that, as a staff of one, HB 2590 makes sense for her workload.

065 Rep. Kitts Praises Ms. Knight's work.

069 Rep. Schaufler Says that the legislature is here to help.

072 Leisinger States that they are trying to running a good board and that Ms. Knight has everything on track for the SLAB.

083 Knight Explains the honor of being an administrator. States that the audit review has put into place a committee to help educate new board

members about what the best practices are and this helps board members figure out what to watch for as members. Gives credit to the fiscal office and the review that was done.

107 Rep. Esquivel Praises Ms. Knight's work.

115 Chair Brown Closes the public hearing on HB 2590 and opens the work session on HB 2590

HB 2590 – WORK SESSION

117 Rep. Esquivel **MOTION: Moves to ADOPT HB 2590-2 amendments dated 03/09/05.**

122 **VOTE: 7-0-0**

Chair Brown **Hearing no objection, declares the motion CARRIED.**

124 Rep. Kitts **MOTION: Moves to RESCIND the SUBSEQUENT REFERRAL to the committee on Ways and Means for HB 2590.**

129 **VOTE: 7-0-0**

Chair Brown **Hearing no objection, declares the motion CARRIED.**

134 Rep. Esquivel **MOTION: Moves HB 2590 to the floor with a DO PASS AS AMENDED recommendation.**

139 **VOTE: 7-0-0**

Chair Brown **Hearing no objection, declares the motion CARRIED.**

REP. KITTS will lead discussion on the floor.

148 Adkins Mentions that Adrienne Sexton was instrumental in a lot of the oversight of the small boards.

153 Rep. Kitts Asks for other people's names to be emailed to him who were instrumental in the process.

157	Chair Brown	Closes the work session on HB 2590 and opens the work session on HB 2160 for the purpose of allowing Rep. Kitts to vote.
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HB 2160 – WORK SESSION

158	Rep. Esquivel	MOTION: Requests unanimous consent that the rules be SUSPENDED to allow REP. KITTS to BE RECORDED as voting AYE on the motion to move HB 2160 to the floor with a DO PASS AS AMENDED recommendation.
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162 **VOTE: 7-0-0**

Chair Brown **Hearing no objection, declares the motion CARRIED.**

185 Janet Adkins Committee Administrator. Mentions that the amendments came out for HB 2214 on the Senate side. Offers to provide the amendments for the committee.

190 Chair Brown Closes the work session on HB 2160 for the purpose of allowing Rep. Kitts to vote. Adjourns the meeting at 9:19 a.m.

EXHIBIT SUMMARY

- A. HB 2160, -2 amendments, staff, 2 pp
- B. HB 2091, -1 amendments, staff, 1 p
- C. HB 2091, written testimony, John Shilts, 2 pp
- D. HB 2091, written testimony, Maureen Brock, 2 pp
- E. HB 2405, -1 amendments, staff, 4 pp
- F. HB 2405, written testimony, Martin Alvey, 3 pp
- G. HB 2590, informational packet, Andrew Leisinger, 21 pp
- H. HB 2590, -2 amendments, staff, 1 p