SENATE COMMITTEE ON GENERAL GOVERNMENT

April 28, 2005
3:10 P.M.

Hearing Room B
Tapes 68 - 71

MEMBERS PRESENT: Sen. Frank Shields, Chair

Sen. Gary George, Vice-Chair

Sen. Bruce Starr Sen. Joanne Verger Sen. Vicki Walker

STAFF PRESENT: Judith Callens, Committee Administrator

Linda K. Gatto, Committee Assistant

MEASURES/ISSUES HEARD:

HB 2395A - Public Hearing and Work Session

HJM 10 – Public Hearing and Work Session

SB 420 – Work Session SB 500 – Work Session SB 578 – Work Session HB 2005 – Work Session

SB 1031 – Public Hearing and Work Session HB 2133 – Public Hearing and Work Session HB 2135 – Public Hearing and Work Session HB 2161 – Public Hearing and Work Session HB 2173 – Public Hearing and Work Session HB 2214 – Public Hearing and Work Session HB 2674 – Public Hearing and Work Session HB 2352 – Public Hearing and Work Session

HJM 6 – Work Session HB 2474 – Work Session SB 310 – Work Session SB 984 – Work Session SB 1003 – 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
TAPE 68, A	1	
004	Vice Chair George	Calls the meeting to order at 3:12 p.m. as a subcommittee and opens the public hearing on HB 2395A.
HB 2395A -	- PUBLIC HEARING	
007	Judith Callens	Committee Administrator. Reviews the provisions of HB 2395A.
008	Rep. Greg	House District 38. Provides background information and explains
	Macpherson	the purpose of the bill is to remove the middle man and allow a direct investment in stock.
046	Brent Petty	Arnevich Massena, Portland. States that they represent local municipalities that negotiate with vendors that provide deferred compensation. States the bill is a benefit to participates by reducing fees.
062	Vice Chair George	Closes the public hearing on HB 2395A and opens the public hearing on HJM 10.

HJM 10 – PU	BLIC HEARING	
065	Judith Callens	Committee Administrator. Explains the provisions of HJM 10.
081	Vicki McConnell	Director, Oregon Department of Geology and Mineral Industries (DOGMI). Submits and reviews a prepared statement on tsunami risk reduction background and actions (EXHIBIT A).
104	Vice-Chair George	Asks how well is Oregon prepared compared to California or Washington.
104	McConnell	Responds that all five of the pacific states when compared to the international community are very well prepared. Explains the importance of continued education on hazards and warnings.
118	Vice-Chair George	Closes the public hearing on HJM 10 and opens the work session on HJM 10.
HJM 10 – W	ORK SESSION	
153	Sen. Walker	MOTION: Moves HJM 10 be sent to the floor with a BE ADOPTED recommendation.
160		VOTE: 3-0-2 EXCUSED: 2 - Shields, Starr B.
	Vice-Chair George	Hearing no objection, declares the motion CARRIED. SEN. VERGER will lead discussion on the floor.
160	Vice-Chair George	Closes the work session on HJM 10 and opens the work session on HB 2395A.
	WORK SESSION	
167	Judith Callens	Committee Administrator. Reviews HB 2395A.
177	Sen. Walker	MOTION: Moves HB 2395A to the floor with a DO PASS recommendation.
182		VOTE: 3-0-2 EXCUSED: 2 - Shields, Starr B.
	Vice-Chair George	Hearing no objection, declares the motion CARRIED. SEN. WALKER will lead discussion on the floor.
187	Vice-Chair George	Closes the work session on HB 2395A and opens the work session on SB 420, SB 500, SB 578 and HB 2005 for the purpose
CD 420 CD 54	00 CD 550 111D 2005	of referring the measures to the Committee on Rules.
	00, SB 578 and HB 2005 –	
198	Sen. Walker	MOTION: Moves SB 420, SB 500, SB 578 and HB 2005 to the floor WITHOUT RECOMMENDATION as
		to passage and BE REFERRED to the committee
205		on Rules. VOTE: 4-0-1
205		EXCUSED: 1 - Shields
	Vice-Chair George	Hearing no objection, declares the motion CARRIED.
213	Vice-Chair George	Closes the work session on SB 420, SB 500, SB 578 and HB 2005 and opens the public hearing on SB 1031.
SR 1031 DI	BLIC HEARING	2003 and opens the public hearing on SB 1031.
217	Judith Callens	Committee Administrator. Reviews the provisions of SB 1031
		and the -1 amendments (EXHIBIT B).
260	Jim Long	Resident of rural Washington County. Submits and summarizes prepared testimony (EXHIBIT C). Refers to the format example (EXHIBIT D).
320	George	Asks Mr. Long if he has seen the -1 amendments.
321	Long	Responds yes and states that he helped put them together. Explains the reason for the amendments is to set the details of the
		rule.
342	David Paulson	Government Affairs Manager, Sprint. Submits and reads prepared

		testimony in opposition to SB 1031 (EXHBIT E). Discusses the
206	C 1 11 T	211 service.
396	Schelly Jensen	Regulatory and Government Affairs Manger, Verizon. Submits
		prepared testimony in opposition to SB 1031 (EXHIBIT F).
		Notes there are limitations to the regulations imposed by the
420	Vice-Chair George	utility commission. Asks how many phone books do not have the blue page directory.
429	•	Responds that he is aware of those put together by the primary
429	Long	telecommunications utilities.
456	Jensen	Comments that if requirements are to be imposed, the
430	Jensen	requirements should not apply to only one segment of the
		business.
470	Paulson	Clarifies that Section 3 (EXHIBIT E) no longer applies because
		of the amendment.
TAPE 69, A		
018	Ginny Lang	Representing Qwest. Clarifies that DEX is a separate publishing
		company and no longer part of the telephone company. Opposes SB 1031 and the -1 amendments.
046	Lang	Discusses errors, deletions and omissions. States concern is over
		getting the details for public and non-profit agencies correct.
060	Vice-Chair George	Closes the public hearing on SB 1031 and transfers the gavel to
		Chair Shields.
		omitted for the record without public testimony by Tom Brian,
062		unty Commissioners, Washington County (EXHIBIT G).
062 HR 2133 PIII	Chair Shields BLIC HEARING	Opens the public hearing on HB 2133.
062	Judith Callens	Committee Administrator. Reviews the provisions of HB 2133.
077	Sen. George	Clarifies for the record that this is for those serving in Oregon.
086	Chair Shields	Closes the public hearing on HB 2133 and opens the work
	Chair Shirtias	session on HB 2133.
HB 2133 – WC	ORK SESSION	
087	Sen. George	MOTION: Moves HB 2133 to the floor with a DO PASS
		recommendation.
088		VOTE: 4-0-1
		EXCUSED: 1 - Starr B.
	Chair Shields	Hearing no objection, declares the motion CARRIED.
0.00	C1 ' C1' 11	SEN. SHIELDS will lead discussion on the floor.
092	Chair Shields	Closes the work session on HB 2133 and opens the public
HD 2125 DIII		hearing on HB 2135.
096	BLIC HEARING Judith Callens	Committee Administrator. Reviews the provisions of HB 2135.
104	Chair Shields	Closes the public hearing on HB 2135 and opens the work
101	Chan billelas	session on HB 2135.
HB 2135 – WC	ORK SESSION	56551511 OH 115 2155.
105	Chair Shields	Asks what are the current circumstances; does this represent the
		change of the new role of the National Guard.
112	Callens	Clarifies that it extends the benefits to those called to federal
		military service recognizing their new role.
123	Sen. George	MOTION: Moves HB 2135 to the floor with a DO PASS
		recommendation.
125		VOTE: 4-0-1
	Chair Clini	EXCUSED: 1 – Starr B.
	Chair Shields	Hearing no objection, declares the motion CARRIED.
		SEN. VERGER will lead discussion on the floor.

128	Chair Shields	Closes the work session on HB 2135 and opens the public hearing on HB 2161.		
HB 2161 – PUBLIC HEARING				
130	Judith Callens	Committee Administrator. Reviews the provisions of HB 2161.		
139	Floyd Lanter	Administrator, Division of Finance and Corporate Securities Department of Consumer and Business Services. Submits prepared testimony in support of HB 2161 (EXHBIT H). Reviews the purpose of the bill.		
165	Chair Shields	Closes the public hearing on HB 2161 and opens the work session on HB 2161.		
HB 2161 - W	ORK SESSION			
172	Sen. George	MOTION: Moves HB 2161 to the floor with a DO PASS recommendation.		
176		VOTE: 4-0-1 EXCUSED: 1 - Starr B.		
	Chair Shields	Hearing no objection, declares the motion CARRIED. SEN. GEORGE will lead discussion on the floor.		
179	Chair Shields	Closes the work session on HB 2161 and opens the public hearing on HB 2173.		
HB 2173 – P	UBLIC HEARING	Č		
187	Judith Callens	Committee Administrator. Reviews the provisions of HB 2173 and the -1 amendments (EXHIBIT I).		
198	Floyd Lanter	Administrator, Division of Finance and Corporate Securities Department of Consumer and Business Services (DCBS). Submits and summarizes prepared testimony in support of HB 2173 with the -1 amendments (EXHIBIT J).		
290	Chair Shields	Closes the public hearing on HB 2173 and opens the work session on HB 2173.		
	VORK SESSION			
291	Sen. George	MOTION: Moves to ADOPT HB 2173-1 amendments dated 3/29/05.		
		VOTE: 4-0-1		
		EXCUSED: 1 - B. Starr		
	Chair Shields	Hearing no objection, declares the motion CARRIED.		
296	Sen. George	MOTION: Moves HB 2173 to the floor with a DO PASS AS AMENDED recommendation.		
303		VOTE: 4-0-1		
		EXCUSED: 1 – Starr B.		
204	Chair Shields	Hearing no objection, declares the motion CARRIED. SEN. WALKER will lead discussion on the floor.		
304	Chair Shields	Closes the work session on HB 2173 and opens the public hearing on HB 2214.		
	<u>UBLIC HEARING</u>			
297	Duggan Petty	Deputy Administrator, State Services Division Department of Administrative Services (DAS). States that the bill makes technical corrections to the procurement code rewrite of last session. Supports the -2 amendments (EXHIBIT K).		
345	Jessica Adamson	Legislative Affairs Manager Associated General Contractors. (AGC). States support for the -2 amendments.		
338	Stephen Kafoury	Representing Johnson Controls. Explains the purpose of the amendments is to address their concern about a possible misunderstanding by clarifying that state and local governments when using energy performance contractors use a procurement		

		$A \rightarrow C \rightarrow A \rightarrow A$
383	Can Vargar	process that fits their needs.
363	Sen. Verger	Asks why the -2 amendments are being provided for the first time today.
405	Chair Shields	Responds that on March 8, 2005 there was a description of a
		proposed amendment (EXHIBIT L) Asks if there is any
		deviation from the list.
429	Adamson	Responds that it is not a significant deviation. Explains that the
		length is due to the corrections needed by Bureau of Labor and
		Industries (BOLI) to add in the language related to hours of labor and the sections that need to be amended.
TAPE 68, B		and the sections that need to be amended.
011	Judith Callens	Clarifies the only difference is on page six, line 21 of the original
		bill. Reads the new language, notes the language added and
		explains that Oregon Department of Transportation (ODOT) may
		not exempt a public improvement contract or class of public
027	V - C	improvement contracts from the competitive bidding process. Clarifies in further detail.
027 089	Kafoury Adamson	States the purpose of the bill is meant to correct errors, not make
00)	Mainson	policy changes.
100	Chair Shields	Closes the public hearing on HB 2214 and opens the work
		session on HB 2214.
	ORK SESSION	NOTION AT A DOPT WE AND A LOCAL DEPT.
101	Sen. George	MOTION: Moves to ADOPT HB 2214-2 amendments dated 4/8/05.
		VOTE: 3-0-2
		EXCUSED: 2 - B. Starr, Walker
	Chair Shields	Hearing no objection, declares the motion CARRIED.
105	Sen. George	MOTION: Moves HB 2214 to the floor with a DO PASS AS
105	Sen. George	AMENDED recommendation.
105	Sen. George	AMENDED recommendation. VOTE: 3-0-2
	J	AMENDED recommendation. VOTE: 3-0-2 EXCUSED: 2 – Starr B., Walker
105 108	Chair Shields	AMENDED recommendation. VOTE: 3-0-2
	J	AMENDED recommendation. VOTE: 3-0-2 EXCUSED: 2 – Starr B., Walker Hearing no objection, declares the motion CARRIED. SEN. SHIELDS will lead discussion on the floor. Closes the work session on HB 2214 and opens the public
108 141	Chair Shields Chair Shields	AMENDED recommendation. VOTE: 3-0-2 EXCUSED: 2 – Starr B., Walker Hearing no objection, declares the motion CARRIED. SEN. SHIELDS will lead discussion on the floor.
108 141 HB 2674 – PU	Chair Shields Chair Shields BLIC HEARING	AMENDED recommendation. VOTE: 3-0-2 EXCUSED: 2 – Starr B., Walker Hearing no objection, declares the motion CARRIED. SEN. SHIELDS will lead discussion on the floor. Closes the work session on HB 2214 and opens the public hearing on HB 2674.
108 141 <u>HB 2674 – PU</u> 145	Chair Shields Chair Shields BLIC HEARING Judith Callens	AMENDED recommendation. VOTE: 3-0-2 EXCUSED: 2 – Starr B., Walker Hearing no objection, declares the motion CARRIED. SEN. SHIELDS will lead discussion on the floor. Closes the work session on HB 2214 and opens the public hearing on HB 2674. Committee Administrator. Reviews the provisions of HB 2674.
108 141 HB 2674 – PU	Chair Shields Chair Shields BLIC HEARING	AMENDED recommendation. VOTE: 3-0-2 EXCUSED: 2 – Starr B., Walker Hearing no objection, declares the motion CARRIED. SEN. SHIELDS will lead discussion on the floor. Closes the work session on HB 2214 and opens the public hearing on HB 2674. Committee Administrator. Reviews the provisions of HB 2674. Notes that written testimony has been submitted for the record
108 141 <u>HB 2674 – PU</u> 145	Chair Shields Chair Shields BLIC HEARING Judith Callens	AMENDED recommendation. VOTE: 3-0-2 EXCUSED: 2 – Starr B., Walker Hearing no objection, declares the motion CARRIED. SEN. SHIELDS will lead discussion on the floor. Closes the work session on HB 2214 and opens the public hearing on HB 2674. Committee Administrator. Reviews the provisions of HB 2674. Notes that written testimony has been submitted for the record from Malissa Minthorn-Winks (EXHIBIT M). Program Manager for Library Development, Oregon State
108 141 <u>HB 2674 – PU</u> 145 151	Chair Shields Chair Shields BLIC HEARING Judith Callens Chair Shields	AMENDED recommendation. VOTE: 3-0-2 EXCUSED: 2 – Starr B., Walker Hearing no objection, declares the motion CARRIED. SEN. SHIELDS will lead discussion on the floor. Closes the work session on HB 2214 and opens the public hearing on HB 2674. Committee Administrator. Reviews the provisions of HB 2674. Notes that written testimony has been submitted for the record from Malissa Minthorn-Winks (EXHIBIT M). Program Manager for Library Development, Oregon State Library. Informs that the State Library Board of Trustees
108 141 <u>HB 2674 – PU</u> 145 151	Chair Shields Chair Shields BLIC HEARING Judith Callens Chair Shields	AMENDED recommendation. VOTE: 3-0-2 EXCUSED: 2 – Starr B., Walker Hearing no objection, declares the motion CARRIED. SEN. SHIELDS will lead discussion on the floor. Closes the work session on HB 2214 and opens the public hearing on HB 2674. Committee Administrator. Reviews the provisions of HB 2674. Notes that written testimony has been submitted for the record from Malissa Minthorn-Winks (EXHIBIT M). Program Manager for Library Development, Oregon State Library. Informs that the State Library Board of Trustees endorses the bill and there is no fiscal impact. States this adds
108 141 <u>HB 2674 – PU</u> 145 151	Chair Shields Chair Shields BLIC HEARING Judith Callens Chair Shields	AMENDED recommendation. VOTE: 3-0-2 EXCUSED: 2 – Starr B., Walker Hearing no objection, declares the motion CARRIED. SEN. SHIELDS will lead discussion on the floor. Closes the work session on HB 2214 and opens the public hearing on HB 2674. Committee Administrator. Reviews the provisions of HB 2674. Notes that written testimony has been submitted for the record from Malissa Minthorn-Winks (EXHIBIT M). Program Manager for Library Development, Oregon State Library. Informs that the State Library Board of Trustees endorses the bill and there is no fiscal impact. States this adds tribal libraries to the type of libraries that can benefit from
108 141 HB 2674 – PU 145 151 155	Chair Shields Chair Shields BLIC HEARING Judith Callens Chair Shields MaryKay Dahlgreen	AMENDED recommendation. VOTE: 3-0-2 EXCUSED: 2 – Starr B., Walker Hearing no objection, declares the motion CARRIED. SEN. SHIELDS will lead discussion on the floor. Closes the work session on HB 2214 and opens the public hearing on HB 2674. Committee Administrator. Reviews the provisions of HB 2674. Notes that written testimony has been submitted for the record from Malissa Minthorn-Winks (EXHIBIT M). Program Manager for Library Development, Oregon State Library. Informs that the State Library Board of Trustees endorses the bill and there is no fiscal impact. States this adds tribal libraries to the type of libraries that can benefit from resource sharing programs.
108 141 <u>HB 2674 – PU</u> 145 151	Chair Shields Chair Shields BLIC HEARING Judith Callens Chair Shields	AMENDED recommendation. VOTE: 3-0-2 EXCUSED: 2 – Starr B., Walker Hearing no objection, declares the motion CARRIED. SEN. SHIELDS will lead discussion on the floor. Closes the work session on HB 2214 and opens the public hearing on HB 2674. Committee Administrator. Reviews the provisions of HB 2674. Notes that written testimony has been submitted for the record from Malissa Minthorn-Winks (EXHIBIT M). Program Manager for Library Development, Oregon State Library. Informs that the State Library Board of Trustees endorses the bill and there is no fiscal impact. States this adds tribal libraries to the type of libraries that can benefit from resource sharing programs. Closes the public hearing on HB 2674 and opens the work
108 141 HB 2674 – PU 145 151 155	Chair Shields Chair Shields BLIC HEARING Judith Callens Chair Shields MaryKay Dahlgreen	AMENDED recommendation. VOTE: 3-0-2 EXCUSED: 2 – Starr B., Walker Hearing no objection, declares the motion CARRIED. SEN. SHIELDS will lead discussion on the floor. Closes the work session on HB 2214 and opens the public hearing on HB 2674. Committee Administrator. Reviews the provisions of HB 2674. Notes that written testimony has been submitted for the record from Malissa Minthorn-Winks (EXHIBIT M). Program Manager for Library Development, Oregon State Library. Informs that the State Library Board of Trustees endorses the bill and there is no fiscal impact. States this adds tribal libraries to the type of libraries that can benefit from resource sharing programs.
108 141 HB 2674 – PU 145 151 155	Chair Shields Chair Shields BLIC HEARING Judith Callens Chair Shields MaryKay Dahlgreen Chair Shields	AMENDED recommendation. VOTE: 3-0-2 EXCUSED: 2 – Starr B., Walker Hearing no objection, declares the motion CARRIED. SEN. SHIELDS will lead discussion on the floor. Closes the work session on HB 2214 and opens the public hearing on HB 2674. Committee Administrator. Reviews the provisions of HB 2674. Notes that written testimony has been submitted for the record from Malissa Minthorn-Winks (EXHIBIT M). Program Manager for Library Development, Oregon State Library. Informs that the State Library Board of Trustees endorses the bill and there is no fiscal impact. States this adds tribal libraries to the type of libraries that can benefit from resource sharing programs. Closes the public hearing on HB 2674 and opens the work session on HB 2674. MOTION: Moves HB 2674 to the floor with a DO PASS
108 141 HB 2674 – PU 145 151 155 170 HB 2674 – WC 172	Chair Shields Chair Shields BLIC HEARING Judith Callens Chair Shields MaryKay Dahlgreen Chair Shields	AMENDED recommendation. VOTE: 3-0-2 EXCUSED: 2 – Starr B., Walker Hearing no objection, declares the motion CARRIED. SEN. SHIELDS will lead discussion on the floor. Closes the work session on HB 2214 and opens the public hearing on HB 2674. Committee Administrator. Reviews the provisions of HB 2674. Notes that written testimony has been submitted for the record from Malissa Minthorn-Winks (EXHIBIT M). Program Manager for Library Development, Oregon State Library. Informs that the State Library Board of Trustees endorses the bill and there is no fiscal impact. States this adds tribal libraries to the type of libraries that can benefit from resource sharing programs. Closes the public hearing on HB 2674 and opens the work session on HB 2674. MOTION: Moves HB 2674 to the floor with a DO PASS recommendation.
108 141 HB 2674 – PU 145 151 155 170 HB 2674 – WC	Chair Shields Chair Shields BLIC HEARING Judith Callens Chair Shields MaryKay Dahlgreen Chair Shields	AMENDED recommendation. VOTE: 3-0-2 EXCUSED: 2 – Starr B., Walker Hearing no objection, declares the motion CARRIED. SEN. SHIELDS will lead discussion on the floor. Closes the work session on HB 2214 and opens the public hearing on HB 2674. Committee Administrator. Reviews the provisions of HB 2674. Notes that written testimony has been submitted for the record from Malissa Minthorn-Winks (EXHIBIT M). Program Manager for Library Development, Oregon State Library. Informs that the State Library Board of Trustees endorses the bill and there is no fiscal impact. States this adds tribal libraries to the type of libraries that can benefit from resource sharing programs. Closes the public hearing on HB 2674 and opens the work session on HB 2674. MOTION: Moves HB 2674 to the floor with a DO PASS recommendation. VOTE: 3-0-2
108 141 HB 2674 – PU 145 151 155 170 HB 2674 – WC 172	Chair Shields Chair Shields BLIC HEARING Judith Callens Chair Shields MaryKay Dahlgreen Chair Shields	AMENDED recommendation. VOTE: 3-0-2 EXCUSED: 2 – Starr B., Walker Hearing no objection, declares the motion CARRIED. SEN. SHIELDS will lead discussion on the floor. Closes the work session on HB 2214 and opens the public hearing on HB 2674. Committee Administrator. Reviews the provisions of HB 2674. Notes that written testimony has been submitted for the record from Malissa Minthorn-Winks (EXHIBIT M). Program Manager for Library Development, Oregon State Library. Informs that the State Library Board of Trustees endorses the bill and there is no fiscal impact. States this adds tribal libraries to the type of libraries that can benefit from resource sharing programs. Closes the public hearing on HB 2674 and opens the work session on HB 2674. MOTION: Moves HB 2674 to the floor with a DO PASS recommendation.
108 141 HB 2674 – PU 145 151 155 170 HB 2674 – WC 172	Chair Shields Chair Shields BLIC HEARING Judith Callens Chair Shields MaryKay Dahlgreen Chair Shields ORK SESSION Sen. George	AMENDED recommendation. VOTE: 3-0-2 EXCUSED: 2 – Starr B., Walker Hearing no objection, declares the motion CARRIED. SEN. SHIELDS will lead discussion on the floor. Closes the work session on HB 2214 and opens the public hearing on HB 2674. Committee Administrator. Reviews the provisions of HB 2674. Notes that written testimony has been submitted for the record from Malissa Minthorn-Winks (EXHIBIT M). Program Manager for Library Development, Oregon State Library. Informs that the State Library Board of Trustees endorses the bill and there is no fiscal impact. States this adds tribal libraries to the type of libraries that can benefit from resource sharing programs. Closes the public hearing on HB 2674 and opens the work session on HB 2674. MOTION: Moves HB 2674 to the floor with a DO PASS recommendation. VOTE: 3-0-2 EXCUSED: 2 – Starr B., Walker

178	Chair Shields	Closes the work session on HB 2674 and opens the public hearing on HB 2352.		
HB 2352 – PUBLIC HEARING				
181	Judith Callens	Reviews the provisions of HB 2352.		
186	Mark Long	Administrator, State Building Codes Division. States that this bill		
	C	eliminates an unnecessary regulatory requirement to inspect used		
		RVs. Urges support for HB 2352.		
196	Shawn Miller	Oregon Recreational Vehicle Dealers Association. Submits		
		prepared testimony in support of HB 2352 (EXHBIT N).		
208	Sen. Verger	Clarifies for the record that the bill does not take away safety		
21.4	C1 : C1: 11	features from the sale or regulations.		
214	Chair Shields	Closes the public hearing on HB 2352 and opens the work		
HD 2252 WC	NDIZ CECCION	session on HB 2352.		
<u>HB 2352 – WC</u> 218	Sen. George	MOTION: Moves HB 2352 to the floor with a DO PASS		
210	Sen. George	recommendation.		
219		VOTE: 4-0-1		
21)		EXCUSED: 1 - Starr B.		
	Chair Shields	Hearing no objection, declares the motion CARRIED.		
		SEN. GEORGE will lead discussion on the floor.		
221	Chair Shields	Closes the work session on HB 2352 and opens a work session on		
		for the purpose of referring HJM 6 and HB 2474 to the committee		
		on Rules.		
	IB 2474 WORK SESSIO			
234	Sen. Walker	MOTION: Moves HJM 6 and HB 2474 to the floor		
		WITHOUT RECOMMENDATION as to passage		
		and BE REFERRED to the committee on Rules.		
225		WOTE 401		
237		VOTE: 4-0-1		
237	Chair Shialds	EXCUSED: 1 - Starr B.		
	Chair Shields	EXCUSED: 1 - Starr B. Hearing no objection, declares the motion CARRIED.		
237247	Chair Shields Chair Shields	EXCUSED: 1 - Starr B. Hearing no objection, declares the motion CARRIED. Closes the work session on HJM 6 and HB 2674. Recesses the		
247	Chair Shields	EXCUSED: 1 - Starr B. Hearing no objection, declares the motion CARRIED. Closes the work session on HJM 6 and HB 2674. Recesses the committee for three minutes.		
		EXCUSED: 1 - Starr B. Hearing no objection, declares the motion CARRIED. Closes the work session on HJM 6 and HB 2674. Recesses the committee for three minutes. Reconvenes the committee and opens the work session on SB		
247	Chair Shields Chair Shields	EXCUSED: 1 - Starr B. Hearing no objection, declares the motion CARRIED. Closes the work session on HJM 6 and HB 2674. Recesses the committee for three minutes.		
247255	Chair Shields Chair Shields	EXCUSED: 1 - Starr B. Hearing no objection, declares the motion CARRIED. Closes the work session on HJM 6 and HB 2674. Recesses the committee for three minutes. Reconvenes the committee and opens the work session on SB		
247 255 SB 310 – WOF	Chair Shields Chair Shields RK SESSION	EXCUSED: 1 - Starr B. Hearing no objection, declares the motion CARRIED. Closes the work session on HJM 6 and HB 2674. Recesses the committee for three minutes. Reconvenes the committee and opens the work session on SB 310. Recaps the status of SB 310. Committee Administrator. Reviews the negotiated language		
247 255 SB 310 – WOF 257	Chair Shields Chair Shields RK SESSION Chair Shields	EXCUSED: 1 - Starr B. Hearing no objection, declares the motion CARRIED. Closes the work session on HJM 6 and HB 2674. Recesses the committee for three minutes. Reconvenes the committee and opens the work session on SB 310. Recaps the status of SB 310. Committee Administrator. Reviews the negotiated language referred to the "new -8" amendments (EXHIBIT O). States that		
247 255 SB 310 – WOF 257 283	Chair Shields Chair Shields RK SESSION Chair Shields Judith Callens	EXCUSED: 1 - Starr B. Hearing no objection, declares the motion CARRIED. Closes the work session on HJM 6 and HB 2674. Recesses the committee for three minutes. Reconvenes the committee and opens the work session on SB 310. Recaps the status of SB 310. Committee Administrator. Reviews the negotiated language referred to the "new -8" amendments (EXHIBIT O). States that this is in respect to independent audits of group contracts		
247 255 SB 310 – WOF 257 283	Chair Shields Chair Shields RK SESSION Chair Shields Judith Callens Chair Shields	EXCUSED: 1 - Starr B. Hearing no objection, declares the motion CARRIED. Closes the work session on HJM 6 and HB 2674. Recesses the committee for three minutes. Reconvenes the committee and opens the work session on SB 310. Recaps the status of SB 310. Committee Administrator. Reviews the negotiated language referred to the "new -8" amendments (EXHIBIT O). States that this is in respect to independent audits of group contracts Notes consensus to draft the "new -8 amendments".		
247 255 SB 310 – WOF 257 283	Chair Shields Chair Shields RK SESSION Chair Shields Judith Callens	EXCUSED: 1 - Starr B. Hearing no objection, declares the motion CARRIED. Closes the work session on HJM 6 and HB 2674. Recesses the committee for three minutes. Reconvenes the committee and opens the work session on SB 310. Recaps the status of SB 310. Committee Administrator. Reviews the negotiated language referred to the "new -8" amendments (EXHIBIT O). States that this is in respect to independent audits of group contracts Notes consensus to draft the "new -8 amendments". Refers to (EXHIBIT P) and reads the language proposed by		
247 255 SB 310 – WOF 257 283 311 328	Chair Shields Chair Shields RK SESSION Chair Shields Judith Callens Chair Shields Chair Shields	EXCUSED: 1 - Starr B. Hearing no objection, declares the motion CARRIED. Closes the work session on HJM 6 and HB 2674. Recesses the committee for three minutes. Reconvenes the committee and opens the work session on SB 310. Recaps the status of SB 310. Committee Administrator. Reviews the negotiated language referred to the "new -8" amendments (EXHIBIT O). States that this is in respect to independent audits of group contracts Notes consensus to draft the "new -8 amendments". Refers to (EXHIBIT P) and reads the language proposed by SAIF.		
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		In the Court world is a single provided at the state of t
		keep from public view sensitive documents that lead to contracts such as drafts, e-mails and correspondence.
057	Chair Shields	Asks what portion of the records delivered to Mr. DiLorenzo was
037	Chan Shields	pursuant to public records law and what portion was delivered
		pursuant to the SAIF statute.
072	Brenda Rocklin	Interim President and Chief Executive Officer, SAIF
· / -	214114411111	Corporation. Responds that the initial request was in 2000 when
		it was assumed that SAIF was under the Oregon Public Records
		Act. Explains that the Marion County Circuit Court concluded
		that SAIF was subject to 656.702 under which the records were
		turned over.
089	DiLorenzo	Refers to correspondence from Harland Jones regarding the
0.04	D 11'	expense to obtain records under Chapter 192.
091	Rocklin	States that many of the documents that Mr. DiLorenzo received
		would have been turned over under the Public Records Act.
		Explains that the advantage to being reconnected to the Public Records Act is that if there is a dispute there is a process that the
		Attorney General can step in and make a decision.
119	DiLorenzo	States there are three reasons not to reconnect SAIF to the Public
11)	DIEGICIEO	Records Act. 1) SAIF is the only state agency that has its own
		trade secrets 2) the legislature has no budgetary supervision over
		SAIF and 3) SAIF is the only state agency in Oregon to be in
		contempt of court.
138	Sen. Walker	States that she cannot support anything less than the -10
		amendments because she wants transparency (EXHIBIT Q).
154	Sen. Verger	Asks for a definition of sensitive materials.
157	DiLorenzo	Responds there is no definition.
161 162	Sen. Verger DiLorenzo Jr.	Asks how he would define a sensitive business record. Responds that he would consider tax returns as a sensitive
102	DILUICIIZO JI.	business record. Explains the problem is that through
		public/private partnerships the government becomes a private
		participate in the marketplace and there should be constraints.
176	Sen. Verger	Asks if he considers PERS to be in the same category.
178	DiLorenzo Jr.	Responds a private account statement could be considered private
		but data copulations and the amounts received are a statewide
		concern. Refers to the chart (EXHIBIT R) and which ones would
		be protected under the -10 amendments.
203	Rocklin	Responds that in regard to sensitive business records compares
247	Can Vargar	SAIF and OHSU.
248	Sen. Verger DiLorenzo Jr.	Asks if SAIF is a semi-independent agency of the government. Responds that when SAIF wants to be the government it is, when
240	DILOICHZO JI.	it wants to be a private competitor it is.
265	Sen. Walker	Comments that Judge Lipscomb ruled that SAIF is a state agency.
274	DiLorenzo Jr.	Affirms that SAIF is a state agency.
267	Davies	Notes that statute says SAIF is an independent public corporation.
		SAIF considers itself part of the executive branch and a state
		agency. Adds that SAIF believes their records should be treated
		as public records under public records law.
290	Chair Shields	States that at this point he does not get the sense that the members
		present are at consensus. Refers to page 7 of 10 (Exhibit C April
274	Con Waller	26, 2005) and asks if there is objection or support on this.
374	Sen. Walker	States she would not support paragraph A would prefer to let the court decide.
358	Sen. Verger	States this is a public agency doing private business and it will
550	2011. 1 21 201	Sames and to a paone agency doing private outliness and it will

386	Cory Streisinger	come down to a philosophy. Director, Department of Consumer and Business Services	
300	cory sucisinger	(DCBS). States there is concern with the employer account record	
		because employers have a right to confidentiality and it is her	
		understanding that the latest ruling from Judge Lipscomb would	
		be putting the privacy interests of those employers at risk.	
468	Sen. George	Inquires if line 19 (EXHIBIT Q) regarding right to inspect does	
45.5	Q. · ·	not apply to employer records.	
475	Streisinger	Responds affirmatively. The question is what does the phrase	
400	Can Caanaa	"employer account records" mean and how was it interpreted.	
499	Sen. George	Asks if this could this go back to court asking for a definition to be rendered.	
TAPE 70, A		be rendered.	
032	Streisinger	Responds that it could be appealed. Notes that if the -10	
052	2 vi v isiii.gvi	amendments were pursued the definitional language could be put	
		into the -10 amendments.	
034	Sen. George	Asks if the most reasonable thing to do would be to let the court	
	C	make the decision on the definition.	
039	Streisinger	Responds that the concern is if the court ruling is upheld it will	
		put "a thumb on the scales" for employers choosing an insurance	
		company unrelated to the insurance product.	
052	Jessica Harris -	Legislative Affairs Manager (AGC). States employers are	
	Adamson	concerned about information being submitted, that employers and	
0.70	C W 11	employees should be protected.	
079	Sen. Walker	Requests information on what the court said that is being referred	
000	Dil orongo	to as a narrow view.	
089	DiLorenzo	Reads the court's statement of what is required and not required to be released.	
125	Sen. George	Refers lines 6 – 11 (EXHIBIT Q, Page 2) regarding public	
123	Sen. George	disclosure and unreasonable invasion of privacy.	
133	Adamson	Responds that broadening the definition of "employer account	
100	11441115011	records" and what that means would be better.	
137	Bill Gary	Harrang/Long/Gary/Rudnick P.C., Representing SAIF in the	
	,	OSIP litigation. State that the problem from SAIF's perspective is	
		whether the document is protected or not depends on the form in	
		which it is kept. Provides an example of what would be exempt	
		and what would not. Concludes that if the goal is to protect	
		sensitive information it should not matter where that information	
		can be found.	
245	Sen. Shields	Suggests that the committee review the material over the	
254	C W	weekend.	
254	Sen. Verger	States the interests of her constituents.	
246	Sen. Walker	Reviews the proposals to SB 310 (Exhibit C April 26, 2005)	
431	Chair Shields	noting her position on the proposed components. Closes the work session on SB 310. Opens the work session	
T 31	Chan Sincius	on SB 984.	
SB 984 – WORK SESSION			
485	Cory Streisinger	Submits prepared testimony on SB 984 (EXHIBIT S) conceptual	
	. J	amendments to SB 984 (EXHIBIT T).	
TAPE 71, A			
500	Brian Boe	Liberty Northwest Insurance. States the SB 984 -1 amendments	
		(EXHIBIT U) reflect the discussions requested by Chair Shields.	
		Provides a brief background on assigned risk pools and four state	
		comparison (EXHIRIT V)	

comparison (EXHIBIT V).

153	Boe	States they are seeking to prevent unfair discrimination in the assignment of rate tiers to employers by basing the assignment of rates on objective data.
197	Streisinger	States that the conceptual amendments are the portions where agreements were reached during discussion. Discusses concern regarding the timeframe of the study portion. Discusses rate filing being open to the public.
289	Chair Shields	Closes the work session on SB 984. Opens the work session on SB 1031.
	<u>ORK SESSION</u>	
334	Sen. George	MOTION: Moves SB 1031 to the floor WITHOUT RECOMMENDATION as to passage and BE
		REFERRED to the committee on Rules.
338		VOTE: 4-0-1
		EXCUSED: 1 - B. Starr
	Chair Shields	Hearing no objection, declares the motion CARRIED.
343	Chair Shields	Closes the work session on SB 1031 and opens the work session on SB 1003.
SB 1003 – W	ORK SESSION	
345	Sen. Walker	Reviews SB 1003, -1 amendments which is her SB 551, -2 amendments which is her SB 753 and -3 amendments which is her SB 754. Refers to documentation on cost shifting (EXHIBIT W) .
TAPE 70, B		
017	Sen. Verger	Comments that there may be logical reasons for the inflated number in the assigned risk pool. Comments on injured workers and states the process needs to be improved, streamlined and more sensitive to workers compensation issues.
061	Sen. Walker	Responds by describing the amendments to SB 1003 in more detail.
	Chair Shields	Closes the work session on SB 1003. Adjourns the meeting at 6:20 p.m.

EXHIBIT SUMMARY

- A. HJM 10, prepared statement, Vicki McConnell, 2 pp
- B. SB 1031, -1 amendments, staff, 1 p
- C. SB 1031, prepared testimony, Jim Long, 2 pp
- D. SB 1031, format example, Jim Long, 1 p
- E. SB 1031, prepared testimony, David Paulson, 1 p
- F. SB 1031, prepared testimony, Schelly Jensen, 1 p
- G. SB 1031, prepared testimony, Tom Brian, 1
- H. HB 2161, prepared testimony, Floyd Lanter, 2 pp
- I. HB 2173, -1 amendments, staff, 1 p
- J. HB 2173, prepared testimony, Floyd Lanter, 4 pp
- K. HB 2214, -2 amendments, staff, 29 pp
- L. HB 2214, proposed amendments staff, 2 pp

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M. HB 2674, written testimony, Malissa Minthorn-Winks, 2 pp
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N. HB 2352, prepared testimony, Shawn Miller, 1 p

O. SB 310, proposed "new -8 amendments", staff, 1 p

P. SB 310, proposed amendments, SAIF, 1 pp

Q. SB 310, -10 amendments, staff, 3 pp

R. SB 310, chart, John DiLorenzo, 1 p

S. SB 984, prepared testimony, Cory Streisinger, 2 pp

T. SB 984, proposed amendments, Cory Streisinger, 2 pp

U. SB 984, -1 amendments, Brian Boe, 4 pp

V. SB 984, risk pool comparison chart, Brian Boe, 1 p

W. SB 1003, cost shifting documentation, Sen. Vicki Walker, 11 pp

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