

HOUSE COMMITTEE ON
BUSINESS, LABOR AND CONSUMER AFFAIRS

February 05, 2003 Hearing Room E
8:30 A.M. Tapes 18 - 21

MEMBERS PRESENT: Rep. Betsy Close, Chair
 Rep. Derrick Kitts, Vice-chair
 Rep. Diane Rosenbaum, Vice-chair
 Rep. Mary Gallegos
 Rep. Bill Garrard
 Rep. Jeff Merkley
 Rep. Mike Schaufler

STAFF PRESENT: Megan Palau, Administrator
 Pam Cox, Administrative Support

MEASURE/ISSUES HEARD: **HB 2341 – Public Hearing**

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 18, A		
005	Rep. Close	Opens committee meeting at 8:37 a.m. Opens public hearing on HB 2341.
<u>HB 2341 - PUBLIC HEARING</u>		
008	Dugan Petty	Department of Administrative Services. Testifies in favor of HB 2341.
047	Rep. Merkley	Asks for clarification on cost plus contracting.
052	Petty	Explains.
160	Chair Close	Asks for clarification on prior notice for inspections.
161	Petty	Clarifies and explains contracting needs.
TAPE 19, A		
001	Petty	Continues.
050	Chair Close	Asks for clarification on paper fiber type.
066	Petty	Describes notification standards of recycled and virgin paper.
070	Bill Nesley	Oregon Department of Justice. Testifies on Oregon bidding laws.
149	Rep. Schaufler	Asks what happens if an agreement cannot be made.
150	Nesley	Describes the process and continues to testify.
233	Chair Close	Asks for clarification on how attorney fees are paid.
234	Nesley	Answers.
238	Petty	Clarifies issues. Defers to Jessica Harris.
273	Jessica Harris	Associated General Contractors. Testifies on Sections in ORS regarding Architectural Engineering.
365	Rep. Merkley	Asks what is done if there is a disagreement in price.
368	Nesley	Describes.
379	Rep. Rosenbaum	Asks if the language of the law has been changed.
392	Harris	Acknowledges.
439	Harris	Describes the new language of HB 2341.
TAPE 18, B		
040	Harris	Continues to testify.

129	Rep. Kits	Asks how the lowest and responsive bidder would be.
135	Harris	Clarifies standards.
159	Rep. Kitts	Asks for clarification of integrity.
164	Harris	Describes guidelines.
185	Rep. Schaufler	Asks for further clarification on integrity.
187	Harris	Describes concerns on standards of integrity.
201	Rep. Kitts	Indicates his concern on interpretation of integrity.
228	Harris	Acknowledges.
244	Chair Close	Describes authority as to the value of judgment.
266	Rep. Merkley	Asks for a clarification on monetary guidelines.
273	Harris	Defers to Nesley.
285	Nesley	Notes the requirements as to maintenance on structures.
292	Harris	Describes difference in Public Works and Public Improvements
313	Nesley	Explains prevailing wage.
330	Harris	Outlines additional Sections of ORS.
396	Rep. Merkley	Asks for clarification on Section 115.
397	Harris	Clarifies.
359	Rep. Kitts	Asks for clarification on Section 116.
360	Harris	Clarifies.
TAPE 19, B		
019	Rep Kitts	Asks for further description on Section 116, bid shopping.
036	Harris	Explains disqualification procedures.
074	Rep. Kitts	Asks about compliance.
075	Harris	Outlines requirements of compliance.
108	Bill Leach	Willamette Education Service District. Testifies for HB 2341 (EXHIBIT A).
155	Grover Simmons	Pacific Training and Imaging Association. Testifies on businesses being sent out of state (EXHIBITS B, C, D).
295	Rep. Rosenbaum	Asks for clarification on statute.
274	Rep. Schaufler	Comments we would possibly be sued by Canadians.
275	Simmons	Answers negatively.
TAPE 20, A		
005	Darin Matthews	Director of Procurements and Distribution, Portland Public Schools. Testifies for HB 2341 and gives examples of positive change (EXHIBIT E).
030	Sandra Bishop	Fair Competition Alliance. Testifies in opposition to HB 2341 and explains (EXHIBITS F, G, H, I, J, K, L, N, M).
267	Chair Close	Asks about movement to put Bill in ORS.
270	Jerry Egger	Mid Valley Presort. Testifies in opposition to HB 2341 (EXHIBIT O).
280	Rep. Merkley	Asks how many individuals and business are involved.
329	Ken Cropper	Service Employees International Union (SEIU) Portland. Comments on employing the disabled.
372	Rep. Garrard	Testifies on being on previous committee which made no agreement with this agency.
380	Bishop	Comments to this issue.
TAPE 21, A		
005	Janine Daloni	Developmental Disabilities Coalition. Testifies on behalf of Kathryn Weit (EXHIBIT P).
022	Chair Close	Asks about agencies saying they employ the disabled when in fact only 20% are.
029	Daloni	Responds on allegations.
040	Stewart Brannon	Oregon Disabilities Commission. Comments on disabled not

being represented in the workforce (**EXHIBIT Q**).
Closes public hearing on HB 2341. Adjourns committee meeting
at 11:56 a.m.

EXHIBIT SUMMARY

- A – HB 2341, written testimony, B Leach, 2 pp**
- B – HB 2341, written testimony, G. Simmons, 4 pp**
- C – HB 2341, Bill for an Act, G. Simmons, 7 pp**
- D – HB 2341, proposed legislation, G. Simmons, 2 pp**
- E – HB 2341, written testimony, D. Matthews, 3 pp**
- F – HB 2341, copies of ORS 279.835 -279.855, S. Bishop, 2 pp**
- G – HB 2341, copies of ORS 276.412 -280.075, S. Bishop, 4 pp**
- H – HB 2341, Senate Bill 369, S. Bishop, 2 pp**
- I – HB 2341, application for DAS, S. Bishop, 4 pp**
- J – HB 2341, application for Rehabilitation Facility, S. Bishop, 9 pp**
- K – HB 2341, report to the Public Purchasing and Contracting Sub-committee, S. Bishop,
5 pp**
- L - HB 2341, written testimony, S. Bishop, 6 pp**
- M – HB 2341, article Sunday Business, Private insecurity, S. Bishop, 1 p**
- N – HB 2341, article by John Rumler, Helping Others by Helping Themselves, S. Bishop,
1 p**
- O – HB 2341, written testimony, J. Egger, 2 pp**
- P – HB 2341, written testimony by S. B. Branam, 1 p**
- Q – HB 2341, written testimony of Kathryn Weit, by J. Daloni, 1 pp**