

HOUSE COMMITTEE ON
BUSINESS, LABOR AND CONSUMER AFFAIRS

March 10, 2003 Hearing Room E
8:30 A.M. Tapes 52 – 53

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, Committee Administrator
Mike Reiley, Committee Assistant

MEASURE/ISSUES HEARD: HB 2313 – Public Hearing and Work Session
SB 353 – Public Hearing and Work Session
HB 2762 – 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 52, A		
002	Chair Close	Calls meeting to order at 8:33 a.m. Opens public hearing on HB 2313.
<u>HB 2313 – PUBLIC HEARING</u>		
007	Megan Palau	Committee Administrator. Summarizes HB 2313.
011	Ted Reutlinger	Legislative Counsel. Explains changes in language in HB 2313. Notes that changes are technical in nature, rather than substantive.
038	Chair Close	Asks for clarification of changes being made.
041	Reutlinger	Clarifies language and changes in HB 2313.
053	Darrell Fuller	Oregon Auto Dealers Association. Testifies in support of HB 2313.
068	Chair Close	Closes public hearing on HB 2313. Opens work session on HB 2313.
<u>HB 2313 – WORK SESSION</u>		
075	Rep. Kitts	MOTION: Moves HB 2313 to the floor with a DO PASS recommendation.
080	Rep. Garrard	MOTION: Moves HB 2313 be placed on the CONSENT CALENDAR.
		VOTE: 7-0
		AYE: In a roll call vote, all members present vote Aye. The motion CARRIES.
090	Chair Close Chair Close	Closes work session on HB 2313. Opens public hearing on SB 353.
<u>SB 353 – PUBLIC HEARING</u>		
095	Dave Barrows	Complementary Health Care Insurance. Testifies in support of

103	Andrea Gioia	SB 353. President, Complementary Health Care Insurance. Submits and summarizes prepared testimony in support of SB 353 (EXHIBIT A).
118	Rep. Garrard	Asks if SB 353 would help reduce liability insurance.
120	Gioia	Answers yes and offers clarification.
124	Barrows	Offers additional testimony in support of SB 353.
140	Steven Kafoury	Oregon Acupuncture Association, Oregon Physical Therapy Association. Testifies in support of SB 353.
160	Chair Close	Asks about statute language regarding referral by practitioner.
162	Kafoury	Explains that it is in statute and offers clarification.
170	Chair Close	Closes public hearing on SB 353. Opens work session on SB 353.

SB 353 – WORK SESSION

175	Rep. Kitts	MOTION: Moves SB 353 to the floor with a DO PASS recommendation.
		VOTE: 7-0
		AYE: In a roll call vote, all members present vote Aye.
	Chair Close	The motion CARRIES.
		REP. ROSENBAUM will lead discussion on the floor.
182	Chair Close	Closes work session on SB 353. Opens public hearing on HB 2762.

HB 2762 – PUBLIC HEARING

187	Megan Palau	Committee Administrator. Summarizes HB 2762.
193	Rep. Jeff Kruse	House District 7. Testifies in support of HB 2762.
208	Rep. Rosenbaum	Asks about application of definition of collective bargaining.
217	Rep. Kruse	Answers and explains process of collective bargaining.
223	Chair Close	Asks if any other states have similar process.
224	Rep. Kruse	Answers no.
228	Rep. Schaufler	States objections to HB 2762.
245	Rep. Kruse	Discusses standards for government.
268	Rep. Garrard	States support for HB 2762.
277	Rep. Kruse	Acknowledges support. Notes concerns of Rep. Rosenbaum.
287	Rep. Kitts	Asks how HB 2762 will address “sunshine laws.”
300	Rep. Kruse	Addresses concerns.
317	Rep. Gallegos	Asks about open caucus meetings.
324	Rep. Kruse	Explains difference between caucus meetings and collective bargaining meetings.
340	Rep. Merkley	Asks about intent for HB 2762.
342	Rep. Kruse	Addresses concerns and intent for HB 2762.
362	Jim Botwinis	President, Oregon State Police Officers Association. Testifies in opposition to HB 2762. Notes that public already has access to collective bargaining meetings.

TAPE 53, A

029	Chair Close	Asks for clarification of statute cited by Mr. Botwinis.
033	Botwinis	Clarifies statute.
049	Chair Close	Asks for further clarification.
055	Rep. Garrard	Asks if votes are taken in caucus meetings.
057	Botwinis	Answers no and explains meeting process.
066	Rep. Garrard	Asks if any member of public was present at last contractual meeting.
068	Botwinis	Answers no.
070	Rep. Gallegos	Asks if public would be allowed.
072	Botwinis	Answers they would.

079	Tricia Smith	Oregon School Employees Association (OSEA). Testifies in opposition to HB 2762.
119	Victor Musial	Director of Field Operations, OSEA. Testifies in opposition to HB 2762.
180	Rep. Schaufler	Asks why HB 2762 applies only to collective bargaining meetings.
185	Chair Close	Cites Rep. Kruse's testimony that reason for bill is due to public expenditures of tax money.
197	Rep. Rosenbaum	Asks for explanation of collective bargaining process.
206	Musial	Explains collective bargaining process.
228	Chair Close	Asks if there is time frame for public to examine agreements before vote is taken.
232	Musial	Answers that there is time.
239	Chair Close	Asks if agreement should go to media before vote.
243	Musial	Answers that media can at times unduly influence process.
249	Chair Close	Asks if agreements should be made public before vote.
252	Merlene Martin	President, OSEA. Explains that negotiations are already public.
265	Chair Close	Asks for clarification of negotiation process.
267	Martin	Explains negotiation process and public notification.
281	Smith	Notes that public has opportunity to provide input.
293	Chair Close	Asks for clarification of public notification of votes.
297	Musial	Explains public notification.
324	Rep. Merkley	Asks if media would be allowed into executive sessions.
335	Musial	Answers that it is possible and explains current provisions.
357	Rep. Merkley	Notes similarities between executive sessions and caucus meetings.
369	Rep. Gallegos	Asks about objections to HB 2762 that do not relate to convenience.
380	Musial	Explains concerns with HB 2762.
421	Rep. Gallegos	Asks for clarification of concerns with HB 2762.
429	Smith	Explains concerns and negotiation process.
TAPE 52, B		
018	Rep. Garrard	Asks if meetings could be tape recorded to avoid bias of minutes.
020	Musial	Explains possibilities for obtaining accurate record of meetings.
045	Tricia Bosak	Oregon Education Association. Testifies in opposition to HB 2762.
103	Chair Close	Asks about grievance process.
107	Bosak	Answers and explains public notification.
112	Mary Botkin	American Federation of State, County and Municipal Employees Council 75. Testifies in opposition to HB 2762.
135	Chair Close	Asks about executive sessions and contract negotiations.
137	Botkin	Clarifies nature of executive sessions and contract negotiations.
148	Rep. Garrard	Comments on nature of public and private contract negotiations.
150	Rep. Schaufler	Comments on collective bargaining process and contract negotiations.
167	Botkin	Notes possibilities of information being used in detrimental manner.
203	Chair Close	Notes that press is allowed into meetings under some circumstances.
210	Rep. Kitts	Asks if collective bargaining process is addressed with HB 2762.
228	Bosak	Clarifies potential effects of HB 2762.
242	Rep. Garrard	Notes importance of trust among public officials.
256	John Marshall	Oregon School Boards Association. Testifies in opposition to HB 2762.

349	Chair Close	Explains considerations involved in legislative meeting laws and addresses Rep. Kruse's intent in proposing bill.
364	Marshall	Explains differences between legislative requirements for meeting notice and collective bargaining meeting notification.
383	Rep. Rosenbaum	Asks if HB 2762 would prevent deals being reached and cites example of Portland school teachers negotiations.
400	Marshall	Addresses concerns about providing notice.
450	Rep. Schaufler	Notes consideration of legislative rules.
469	Chair Close	Closes public hearing on HB 2762. Adjourns meeting at 10:00 a.m.

EXHIBIT SUMMARY

A – SB 353, written testimony, Andrea Gioia, 7 pp