

SENATE COMMITTEE ON GENERAL GOVERNMENT

March 31, 2003
3:00 p.m.

Hearing Room B
Tapes 29-30

MEMBERS PRESENT: Sen. Tony Corcoran, Chair
Sen. John Minnis, Vice-Chair
Sen. Bruce Starr
Sen. Vicki Walker

STAFF PRESENT: Mark Ellsworth, Committee Administrator
Heather Gravelle, Committee Assistant

MEASURE/ISSUES HEARD: SB 783 – Public Hearing
SB 724 – Work Session
HB 2004 A – Public Hearing
HB 2005 A – Work Session
HB 2130 A – 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.

<u>TAPE/#</u>	<u>Speaker</u>	<u>Comments</u>
TAPE 29, A		
005	Chair Corcoran	Calls the meeting to order at 3:10 p.m. Opens public hearing on SB 783.
<u>SB 783 – PUBLIC HEARING</u>		
015	Mark Ellsworth	Committee Administrator. Provides an overview of SB 783.
030	Sen. Ginny Burdick	District 18. Testifies in support of SB 783. Provides written testimony. (EXHIBIT A) .
040	Rep. Robert Ackerman	District 13. Testifies in support of SB 783. Provides written testimony (EXHIBIT B) . Explains SB 783 would benefit nursing mothers as they return to the job market. Adds breast feeding helps to promote better health and nutrition.
050	Rep. Diane Rosenbaum	District 42. Testifies in support of SB 783. States providing the opportunity for mothers to breast feed in the workplace is a win-win situation.
087	Dan Gardner	Commissioner, Bureau of Labor and Industries. Testifies as neutral on SB 783. Provides written testimony (EXHIBIT C) .
100	Gardner	Explains SB 783 attaches itself to ORS chapter 653, which covers General Conditions of Employment including Minimum Wage. Feels it would be more appropriate to place it in chapter 659 A, which includes the unlawful practice laws over which the Bureau has jurisdiction.
135	Chair Corcoran	Closes the public hearing on SB 783. Opens a work session on SB 724.
<u>SB 724 – WORK SESSION</u>		
137	Bill Perry	Oregon Restaurant Association. Explains the -2 amendments to SB 724. Specifies why the changes were necessary.
165	Sen. Minnis	MOTION: Moves adoption of the -2 amendments to SB 724. VOTE: 3-0

170 **Chair Corcoran**
175 **Sen. Minnis** **EXCUSED: 1 –Sen. Walker**
 Hearing no objection, declares the motion CARRIED.
 MOTION: Moves SB 724 to the floor with a DO PASS AS
 AMENDED recommendation.
 VOTE: 3-0

180 **Chair Corcoran** **EXCUSED: 1 –Sen. Walker**
 Hearing no objection, declares the motion CARRIED.
185 Chair Corcoran **SEN. CORCORAN will lead discussion on the floor.**
 Closes the work session on SB 724. Re-opens a public hearing
 on SB 783.

SB 783 – PUBLIC HEARING

195 Cynthia Good-Mojab Testifies in support of SB 783. Provides written testimony
 (EXHIBIT D). Explains the need to allow women to breast
 feeding in the workplace.
290 Kate Dessommes Testifies in support of SB 783. Provides written testimony
 (EXHIBIT E). States the necessity of being able to breast feed at
 the workplace. Adds own personal experience of having to
 utilize the bathroom, which is an unsanitary location.
325 Sen. Minnis Inquires if the employer was supportive of her situation.
335 Dessommes Responds yes. States she is here today to support other mothers
 whose employers aren't supportive of breast feeding in the
 workplace.
345 Sen. Minnis Asks if Deshommes knows any women who have been denied
 breast feeding rights.
350 Dessommes Responds yes. Provides specific examples.
360 Sen. Minnis Comments the language may need to be amended.
400 Chair Corcoran Suggest discussing the language after the amendments from the
 Bureau of Labor and Industries are drafted by Legislative
 Counsel.

TAPE 30, A

020 Donalda Dodson Administrator, Department of Human Services. Testifies in
 support of SB 783. Provides written testimony **(EXHIBIT F)**.
025 Dodson Explains how SB 783 will contribute to improving the health of
 Oregon's women and children. States the bill will prohibit
 discrimination due to breastfeeding, and will provide employers
 the opportunity to be designated as a "Breastfeeding Mother
 Friendly Employer."
030 Sen. Starr Asks about the length of time required to express milk, and if it
 would vary between women.
035 Dessommes Responds it does vary between women. Explains stress
 contributes to the productivity of expressing the milk.
050 Good-Mojab States support of the employer, privacy and a comfortable
 location is key.
090 Laura Knittel Testifies in support of SB 783. Provides written testimony
 (EXHIBIT G). Explains her own experience of breastfeeding in
 the workplace. States one of the factors which provided her the
 opportunity to breastfeed was a very supportive supervisor.
150 Martha Johnson Certified Lactation Consultant, Proponent of SB 783. Testifies in
 support of SB 783. Provides written testimony **(EXHIBIT H)**.
 States there are ten states which have enacted laws that deal with
 the needs of breastfeeding mothers in the workplace.
185 Johnson Explains SB 783 is closely modeled on enacted legislation from
 Connecticut, Illinois, Minnesota, California and Hawaii. Adds

her own experience as a new mother who expressed milk at her workplace, and fortunately, had the full support of her supervisor.

205 Chair Corcoran Closes the public hearing on SB 783. Opens a public hearing on HB 2004 A.

The following prepared testimony is submitted for the record without public testimony for SB 783.

Julie Brandis Submits written testimony (EXHIBIT I).

Mellissa Norton Submits written testimony (EXHIBIT J).

United States BreastFeeding Community....Submits written testimony (EXHIBIT K).

HB 2004 A – PUBLIC HEARING

235 Brian DeLashmutt Association of Oregon Corrections Employees. Explains the -17 amendments to HB 2004 A.

300 Bill Gary Attorney. Explains the -18 and the-19 amendments. States they deal with the provision that provides for a look back when applying updated actuary tables.

345 Chair Corcoran Asks for further clarification on the -18 amendments.

350 Gary Provides specific details.

TAPE 29, B

005 Gary Addresses Legislative Counsel’s memo to Sen. Corcoran. Mentions Judge Lipscomb’s decision regarding PERS and members receiving the full benefit of his decision.

015 Chair Corcoran Asks what the benefit of Judge Lipscomb’s decision is.

018 Gary States there are two aspects of Judge Lipscomb’s decision. One, the PERS Board is required to go back and re-calculate employer contribution rates. Describes the second aspect is a declaration of what the law provides. Explains it will affect the way the PERS Board conducts business in the future.

045 Gary Explains the intent of HB 2004 A further. States if the Supreme Court declares that Judge Lipscomb is correct, the look back will be taken away, eliminating a provision that he feels is not provided in current law.

055 Chair Corcoran Comments it is a tenuous agreement. Adds it seems to give the employers an unfair advantage.

085 Sen. Minnis Agrees with Gary. Explains the House came back with an alternate proposal, it seems like a Fair resolution.

165 Gary Explains the -20 amendments to HB 2004 A.

205 Chair Corcoran Declares none of the amendments will be acted on today. Closes the work session on SB 2004 A. Opens a work Session on HB 2005 A.

HB 2005 A – WORK SESSION

225 Mark Ellsworth Committee Administrator. Explains the A7 amendments to HB 2005 A.

260 **Sen. Starr** **MOTION: Moves adoption of the A7 amendments to HB 2005 A.**
VOTE: 4-0

275 **Chair Corcoran** **Hearing no objection, declares the motion CARRIED.**

280 Sen. Minnis Inquires if the PERS Board is compensated for their work, and if not should they be.

285 Chair Corcoran Responds discussion has ensued on the subject of compensation. Adds there is technical expertise such as investment counselors or attorneys on the Board.

270 Sen. Minnis Suggests holding off taking any action on HB 2005 A until the compensation issue is determined.

310 Chair Corcoran Asks Voytko if PERS funds would be available to compensate the three Board members who are not enrolled in PERS.
315 Voytko States it makes sense to compensate them.
395 Chair Corcoran Suggests Voytko work with Legislative Counsel to come up with a number.

TAPE 30, B

005 Sen. Walker Expresses we are trying to save money, now we are discussing spending money.
010 Chair Corcoran States it won't come out of General Funds.
030 Voytko Seeks permission to work with the Governors appointment staff, to ensure a correct answer. Adds even a modest measure of compensation to attract talent on the new restructured PERS board.
045 Chair Corcoran Closes the work session on HB 2005 A. Opens a public hearing on HB 2130 A.

HB 2130 A – PUBLIC HEARING

050 Mark Ellsworth Committee Administrator. Provides an overview of HB 2130 A.
055 Gary Pelo Legislative Assistant to Rep. Vic Backlund. Testifies in support of HB 2130 A. Provides written testimony (**EXHIBIT L**) on behalf of Leonard A. Hagen, Manager, Regence BlueCross BlueShield.
085 Maxine Mcgiven Department of Insurance. Testifies neutral on HB 2131 A. Provides clarification on the intent of HB 2131 A. States whatever rate is used by the public body either tier of composite would be the same for the active and the retired members.
095 Chair Corcoran Asks if there is any opposition on the House side.
100 Pelo Responds no, just confusion on the fiscal impact. Adds there isn't a fiscal impact.
105 Minnis Asks for the difference between a category rate and the composite rate.
110 Maxine Explains the difference. States the category rate is the same as the tier rate. Adds the rate is established per month, per person.
140

	Chair Corcoran	Closes the public hearing on HB 2130 A. Opens a work session on HB 2130 A.
<u>HB 2130 A – WORK SESSION</u>		
150	Sen. Minnis	MOTION: Moves HB 2130 A to the floor with a DO PASS recommendation. VOTE: 4-0
155	Chair Corcoran	Hearing no objection, declares the motion CARRIED. SEN. MINNIS will lead discussion on the floor.
165	Chair Corcoran	Closes the work session on HB 2130 A. Adjourns the meeting at 4:45 p.m.

EXHIBIT SUMMARY

A – SB 783, written testimony, Sen. Ginny Burdick, 1 p
B – SB 783, written testimony, Rep. Robert Ackerman, 1 p
C – SB 783, written testimony, Dan Gardner, 2 pp
D – SB 783, written testimony, Cynthia Good-Mojab, 3 pp
E – SB 783, written testimony, Kate Dessommes, 1 p
F – SB 783, written testimony, Donalda Dodson, 2 pp
G – SB 783, written testimony, Laura Knittel, 2 pp
H – SB 783, written testimony, Martha Johnson, 2 pp
I – SB 783, additional written testimony for the record, Julie Brandis, 3 pp
J – SB 783, additional written testimony for the record, Mellissa Norton, 2 pp
K – SB 783, additional written testimony for the record, United States Breastfeeding Committee, 4 pp
L – HB 2130 A, written testimony, Leonard Hagen, 1 p