

HOUSE COMMITTEE ON RULES, REDISTRICTING, AND PUBLIC AFFAIRS

June 15, 2001
8:30 AM

Hearing Room D
Tapes 149-152

MEMBERS PRESENT: Rep. Carl Wilson, Chair
Rep. Richard Devlin, Vice-Chair
Rep. Dan Doyle, Vice-Chair
Rep. Dan Gardner
Rep. Bill Garrard
Rep. Steve March
Rep. Bruce Starr
Rep. Joanne Verger
Rep. Cheryl Walker

MEMBER EXCUSED:

STAFF PRESENT: Cara Filsinger, Committee Administrator
Megan Palau, Committee Administrator
Jim Stembridge, Committee Administrator
Diane Lewis, Committee Administrator
Paula Merritt, Committee Assistant

MEASURE/ISSUES HEARD: SB 485A Public Hearing
SB 439A Work Session
HB 2497A Work Session
SB 383A Work Session
SB 889 Work Session
HJR 50 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 149, A		
003	Chair Wilson	Calls committee to order at 8:40 a.m. and opens a public hearing on SB 383.
<u>SB 383A WORK SESSION</u>		
005	Cara Filsinger	Committee Administrator. Explains SB 383 and the -A17 amendments (EXHIBIT A).
006	Rep. Devlin	MOTION: Moves to ADOPT SB 383A-17 amendments dated 06/12/01.
		VOTE: 9-0
007	Chair Wilson	Hearing no objection, declares the motion CARRIED.
008	Rep. Devlin	MOTION: Moves SB 383A to the floor with a DO PASS AS AMENDED recommendation.
009	Chair Wilson	VOTE: 6-3
		AYE: 6 - Devlin, Doyle, Garrard, Starr, Walker C, Wilson
		NAY: 3 - Gardner, March, Verger
010	Chair Wilson	The motion carries REP. DEVLIN will lead discussion on the floor.
011	Chair Wilson	Closes the work session on SB 383A and opens a work session on SB 889.

SB 889 WORK SESSION

012 **Rep. Starr** **MOTION: Moves SB 889 to the floor with a DO PASS recommendation.**

013 **Rep Starr** **VOTE: 8-1**
AYE: 8 - Devlin, Doyle, Gardner, Garrard, March, Starr, Walker C, Wilson
NAY: 1 - Verger
The motion CARRIES.
REP. STARR will lead discussion on the floor.

014 **Chair Wilson** Comments on the 20 million dollars and states she will vote no because of the cost.

015 Rep. Verger Comments on the highway fund and the need to move the bill.

020 Rep. Starr Closes the work session on SB 889 and opens a work session on SB 439.

025 Chair Wilson

SB 439A WORK SESSION

050 Jim Stembridge Committee Administrator. Explains SB 439A and the -4 amendments (**EXHIBIT B**).

100 Rep. Starr Comments on the amendments. Explains that Sen. Derfler has seen them and believes they make sense.

105 Rep. Devlin Comments on the amendments.

110 Chair Wilson Closes the work session on SB 439 and opens a work session on HB 2497.

HB 2497 WORK SESSION

115 **Rep. Starr** **MOTION: Moves HB 2497 to the floor with a DO PASS recommendation and BE REFERRED to the committee on Ways and Means.**

116 Rep Walker Objects to sending to the Ways and Means Committee and believes that portions of the bill are objectionable. Believes that this bill violates the law and the privacy of a patient.

120 Chair Wilson Explains that there will be testimony regarding HB 2497 heard in Ways and Means.

125 Rep. Devlin Explains that he will be voting for the motion and comments on the amendments.

130 **VOTE: 6-3**
AYE: 6 - Devlin, Doyle, Gardner, Garrard, Starr, Wilson
NAY: 3 - March, Verger, Walker C
The motion CARRIES.

131 **Chair Wilson** States there are a number of things in the bill that he does not like. Closes work session on HB 2497 and opens a public hearing on SB 485A.

140 Chair Wilson

SB 485A PUBLIC HEARING

200 Jim Stembridge Explains SB 485A and the -11 amendments. (**EXHIBIT C**).

350 Sen. Roger Beyer District 15. Explains SB 485A. Presents testimony and says he had not seen the -11 amendments until today. Urges the committee to listen to all testimony before making a decision.

400 John Shilts Administrator, Workers' Compensation Division, Department of Consumer and Business Services. Submits and presents written testimony supporting SB 485A (**EXHIBIT D**). Explains preexisting conditions.

TAPE 150, A

003 Shilts Continues

202 Tim Nesbitt President, Oregon AFL-CIO. Submits and presents written testimony (**EXHIBIT E**) supporting SB 485A.

370	Rep. Verger	Asks if he has heard of any projected costs from the Smother's case.
377	Nesbitt	Responds no he has not.
380	Lisa Trussell	Associated Oregon Industries. Presents testimony. Gives background of this bill and explains that costs were high.
TAPE 149, B		
060	David Wheeler	Senior Staff Consultant for PCC Structural, Inc. Submits and presents written testimony opposing SB 485A (EXHIBIT F).
148	Ken Hector	CNF. Presents testimony opposing SB 485A. Explains that because of the Smother's case, they did vote for this bill
247	J. L. Wilson	National Federation of Independent Businesses. Presents testimony opposing SB 485A. Believes that the Smother's case did change this bill and reverts the system back to the 1980's.
308	Shawn Miller	Oregon Grocery Association. Presents testimony opposing SB 485A. Explains that the Smother's case is their issue. Believes that this bill will create cost increases to businesses. Suggests supporting a scaled down package.
TAPE 150, B		
003	Miller	Continues.
015	Ross Dwinell	Oregon Self-Insurers Association. Submits and presents written testimony (EXHIBIT G) opposing SB 485A.
066	Greg Lowell	Oregon Self-Insurers Association. Presents testimony opposing SB 485A.
085	Jim Egan	Oregon Workers' Compensation Attorney's. Submits and presents written testimony opposing SB 485A (EXHIBIT H). Explains the definition of pre-existing conditions.
198	Chris Moore	Oregon Workers' Compensation Attorney's. Presents testimony opposing SB 485A. Explains the Smother's case. Believes that there was a fix in the 1999 legislative session and believes there are concerns with the -11 amendments. Refers to the amendments and verbiage.
293	Jim Anderson	Oregon Medical Association. Presents testimony opposing SB 485A. Explains the original bill and the -11 amendments. Explains ORS statutes.
TAPE 151, A		
035	Rosie Neisz	Safety Director, Schnitzer Steel Industries, Inc. Submits and presents written testimony opposing SB 485A (EXHIBIT I).
065	Chris Davie	Saif Corp. Presents testimony supporting SB 485A. Explains that Man Lab and their committee have approved. Comments on the -11 amendments. Believes there are issues in these amendments that will have consequences. Comments on claim denial and medical benefits.
120	Jerry Keen	Private worker's firm. Presents testimony opposing the -11 amendments. Believes these are major changes.
164	Jessica Harris	Associated General Contractors. Presents testimony supporting SB 485A. Comments on the Employee Liability Act (ELA). Explains that ELA is a precursor of the Workers Comp law.
257	Rep. Devlin Harris	Comments that the constructive industry oppose this bill. Responds that contractors and third party issues are very prevalent.
293	Susan Olsen	Roseberg Forest Products. Presents testimony opposing SB 485A.
	Chair Wilson	Closes public hearing on SB 485A and opens a work session on HJR 50.

HJR 50 WORK SESSION

300 **Rep. Wilson**

**MOTION: Moves HJR 50 to the Ways and Means
Committee WITHOUT RECOMMENDATION
as to passage.**

301 Rep Devlin

States that he will vote as a courtesy vote only.

302 Rep. March

States that he will vote no.

303 Rep. Gardner

States that he will vote no also.

TAPE 152, A

005 **Chair Wilson**

VOTE: 7-2

**AYE: 7 - Devlin, Doyle, Gardner, Starr, Verger,
Walker C, Wilson**

NAY: 2 - Garrard, March

006 **Chair Wilson**

The motion CARRIES.

010 Chair Wilson

Closes work session on HJR 50 and adjourns committee at 10:58
a.m.

Submitted By,

Reviewed By,

Paula Merritt,
Committee Assistant

Cara Filsinger,
Committee Administrator

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EXHIBIT SUMMARY

A - SB 383A, -17 amendments, staff, 2 pp.

B - SB 439A, -4 amendments, staff, 2 pp.

C - SB 485A, -11 amendments, staff, 52 pp.

D - SB 485A, written testimony, John Shilts, 13 pp.

E - SB 485A, written testiimony, Tim Nesbitt, 4 pp.

F - SB 485A, written testimony, David Wheeler, 1 page

G - SB 485A, written testimony, Ross Dwinell, 1 page

H - SB 485A, written testimony, Jim Egan, 4 pp.

I - SB 485A, written testimony, Rosie Neisz, 2 pp.

HOUSE COMMITTEE ON RULES, REDISTRICTING, AND PUBLIC AFFAIRS

June 15, 2001
2:00 PM

Hearing Room D
Tapes 153

MEMBERS PRESENT: Rep. Carl Wilson, Chair
Rep. Richard Devlin, Vice-Chair
Rep. Dan Doyle, Vice-Chair
Rep. Steve March
Rep. Cheryl Walker

MEMBER EXCUSED: Rep. Dan Gardner
Rep. Bill Garrard
Rep. Bruce Starr
Rep. Joanne Verger

STAFF PRESENT: Cara Filsinger, Committee Administrator
Sandy Thiele-Cirka, Committee Administrator
Sara Noble, Committee Assistant

MEASURE/ISSUES HEARD: HB 3711 – Work Session
HB 3340 – Work Session

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<u>TAPE/#</u>	<u>Speaker</u>	<u>Comments</u>
TAPE 153, A		
004	Chair Wilson	Calls the committee to order at 2:40 p.m. and opens a work session on HB 3711.
<u>HB 3711 – WORK SESSION</u>		
	Staff	Submits the –1 amendment (EXHIBIT A).
009	Sandy Thiele-Cirka	Committee Administrator. Presents information on the –1 amendments.
023	Rep. Jeff Kruse	House District 45. States this is not an attempt to reduce funding for watershed counsels.
027	Rep. Devlin	MOTION: Moves to ADOPT HB 3711-1 amendments dated 5/21/01. VOTE: 5-0-4 EXCUSED: 4 – Rep. Gardner, Rep. Garrard, Rep. Starr, Rep. Verger
029	Chair Wilson	Hearing no objection declares the motion CARRIED.
031	Rep. Devlin	MOTION: Moves HB 3711 to the floor with a DO PASS AS AMENDED recommendation and BE REFERRED to the committee on Ways and Means. VOTE: 5-0-4 AYE: In a roll call vote, all members present vote Aye. EXCUSED: 4 – Rep. Gardner, Rep. Garrard, Rep. Starr, Rep. Verger
032	Chair Wilson	The motion CARRIES.
039	Chair Wilson	Closes the work session on HB 3711 and opens a work session on HB 3340.

HB 3340 – WORK SESSION

041	Staff	Submits the -1 amendment (EXHIBIT B).
066	Rep. Jeff Kruse Rep. Devlin	House District 45. Explains the purpose of the bill. Asks if this involves integration of services that are actually provided in some cases by the counties themselves and by state agencies.
072	Rep. Kruse	Responds he would assume so and explains.
080	Rep. Devlin	MOTION: Moves to ADOPT HB 3340-1 amendments dated 6/5/01. VOTE: 5-0-4 EXCUSED: 4 – Rep. Gardner, Rep. Garrard, Rep. Starr, Rep. Verger Hearing no objection declares the motion CARRIED.
082	Chair Wilson	MOTION: Moves HB 3340 to the floor with a DO PASS AS AMENDED recommendation and BE REFERRED to the committee on Ways and Means.
083	Rep. Devlin	VOTE: 5-0-4 AYE: In a roll call vote, all members present vote Aye. EXCUSED: 4 – Rep. Gardner, Rep. Garrard, Rep. Starr, Rep. Verger The motion CARRIES.
085	Chair Wilson	Closes the work session on HB 3340 and adjourns the meeting at 2:50 p.m.
092	Chair Wilson	

Submitted By,

Reviewed By,

Sara Noble,
Committee Assistant

Cara Filsinger,
Committee Administrator

EXHIBIT SUMMARY

- A – HB 3711, -1 amendment, staff, 4 pp.**
- B – HB 3340, -1 amendment, staff, 2 pp.**