

**SENATE COMMITTEE ON BUSINESS, LABOR AND ECONOMIC  
DEVELOPMENT**

May 9, 2001 Hearing Room C  
3:00 PM Tapes 94 - 99

**MEMBERS PRESENT:**       **Sen. Roger Beyer, Chair**  
                                  **Sen. Avel Gordly, Vice-Chair**  
                                  **Sen. Tony Corcoran**  
                                  **Sen. Ryan Deckert**  
                                  **Sen. Charles Starr**

**MEMBER EXCUSED:**       **Sen. Steve Harper**  
                                  **Sen. Jason Atkinson**

**STAFF PRESENT:**         **Keith Putman, Committee Administrator**  
                                  **Pam Brunell, Committee Assistant**

**MEASURE/ISSUES HEARD:**       **Informational – Workers’ Compensation Insurance Market**  
                                  **SB 830 – Public Hearing**  
                                  **HB 2856A – Public Hearing and Work Session**  
                                  **HB 2014 – Public Hearing**  
                                  **HB 2759A – Work Session**  
                                  **HB 2630A – Work Session**  
                                  **HB 2617A – Public Hearing and Work Session**  
                                  **HB 3665A – Public Hearing and Work Session**  
                                  **HB 3573A – Public Hearing and Work Session**  
                                  **HB 2153A – Public Hearing and Work Session**  
                                  **HB 2728A – Public Hearing and Work Session**  
                                  **HB 3500A – Public Hearing and Work Session**  
                                  **HB 2257 – Public Hearing and Work Session**

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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.

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<b>TAPE/#</b>	<b>Speaker</b>	<b>Comments</b>
<b>TAPE 94, A</b>		
001	Chair Beyer	Calls meeting to order at 3:00 p.m. and opens work session on HB 2630A.
<b><u>HB 2630A – WORK SESSION</u></b>		
005	Keith Putman	Committee Administrator. Explains HB 2630A and introduces – A3 amendments ( <b>EXHIBIT A</b> ).
020	Steve Vincent	Avista Utilities. Introduces HB 2630A and states his position on the issues. Explains the changes in the –3 amendments.
036	Paul Graham	Oregon Department of Justice. Reviews the –3 amendments to HB 2630A.
<b>080</b>	<b>Sen. Gordly</b>	<b>MOTION: Moves to ADOPT HB 2630A--3 amendments.</b>
		<b>VOTE: 5-0</b>
	<b>Chair Beyer</b>	<b>EXCUSED: 2 - Atkinson, Harper</b> <b>Hearing no objection, declares the motion CARRIED.</b>

085	Sen. Gordly	<b>MOTION: Moves HB 2630A to the floor with a DO PASS AS AMENDED recommendation.</b>
	Chair Beyer	<b>VOTE: 5-0</b> <b>EXCUSED: 2 - Atkinson, Harper</b> <b>Hearing no objection, declares the motion CARRIED.</b> <b>SEN. CORCORAN will lead discussion on the floor.</b>
088	Chair Beyer	Closes work session on HB 2630A and opens work session on HB 2759A.
<b><u>HB 2759 A – WORK SESSION</u></b>		
090	Putman	Explains HB 2759A.
119	Sen. Deckert	<b>MOTION: Moves to ADOPT HB 2759A-2 amendments.</b>
	Chair Beyer	<b>VOTE: 4-0</b> <b>EXCUSED: 3 - Atkinson, Corcoran, Harper</b> <b>Hearing no objection, declares the motion CARRIED.</b>
121	Sen. Deckert	<b>MOTION: Moves HB 2759A to the floor with a DO PASS AS AMENDED recommendation.</b>
	Chair Beyer	<b>VOTE: 4-0</b> <b>EXCUSED: 3 - Atkinson, Corcoran, Harper</b> <b>Hearing no objection, declares the motion CARRIED.</b> <b>SEN. DECKERT will lead discussion on the floor.</b>
125	Chair Beyer	Closes work session on HB 2759A and opens public hearing on SB 830.
<b><u>SB 830 – PUBLIC HEARING</u></b>		
128	Putman	Explains SB 830.
160	Chair Beyer	Closes public hearing on SB 830 and opens informational meeting.
<b><u>Analysis of Oregon Workers' Compensation Insurance Market</u></b>		
177	Michael Ileo	Consultant. Presents informational discourse on Workers' Compensation Insurance Market ( <b>EXHIBIT B</b> ).
290	Scott Lefkowitz	Principal Actuary. Continues with analysis of State Accident Insurance Fund (SAIF) market.
<b>TAPE 95, A</b>		
030	Lefkowitz	Continues with analysis.
060	Ileo	Compares ratio of market shares between insurance companies.
135	Ileo	Winds up his comparative analyses on Workers' Compensation Insurance Markets.
275	Staff	Submits written executive summary ( <b>EXHIBIT C</b> ).
300	Chair Beyer	Opens public hearing on HB 2014.
<b><u>HB 2014 – PUBLIC HEARING</u></b>		
310	Rep. Kafoury	House District 18. Introduces HB 2014 and adds her support to the bill.
385	Rep. Mark Simmons	Speaker of the House. Expresses support of HB 2014 and the Qualification Based Selection (QBS) ( <b>EXHIBIT D</b> ).
<b>TAPE 94, B</b>		
075	Marshall Coba	Consulting Engineers Council. Describes the workability of QBS and HB 2014 ( <b>EXHIBIT E</b> ).
220	Mike Schmid	President, Consulting Engineers Council of Oregon (CECO). Testifies in support of HB 2014 ( <b>EXHIBIT F</b> ).
320	Gary Katsion	Legislative Chair, CECO. Testifies in support of HB 2014 ( <b>EXHIBIT G</b> ).
460	Jeanne Caswell	HNTB Architects Engineers Planners. Testifies in support of HB 2014 ( <b>EXHIBIT H</b> ).
480	Staff	Submits written testimony from Phillip Fell, City of Eugene

**(EXHIBIT I).**

**TAPE 95, B**

030 Schmid Discusses the ambiguities in HB 2014.  
100 John Elegant Director of General Services, City of Salem. Describes the issues that cause concerns with HB 2014. Maintains that the decisions made on the local level are adequate and totally acceptable **(EXHIBIT J)**

285 Ben Gillespie Finance Director, City of Woodburn. Testifies in opposition to HB 2014.

322 Joseph Schweinhart League of Oregon Cities. Testifies in opposition to HB 2014 **(EXHIBIT K).**

**TAPE 96, A**

035 Chair Beyer Closes public hearing on HB 2014 and opens public hearing on HB 2856A.

**HB 2856A – PUBLIC HEARING**

040 Putman Presents HB 2856A  
051 Rep. Winters House District 31. Testifies in support of HB 2856A and highlights the issues involved with HB 2856A.  
112 Matt Markee Oregon Collectors Association. Testifies in favor of HB 2856 **(EXHIBIT L).**  
150 Jon Dufrene Department of Administrative Services. Explains the department's position on HB 2856A **(EXHIBIT M).**  
180 David Nebel Oregon Law Center. Testifies in opposition to HB 2856.  
278 Chair Beyer Closes public hearing on HB 2856A and opens work session on HB 2856A.

**HB 2856A – WORK SESSION**

276 Sen. Gordly **MOTION: Moves to ADOPT HB 2856A-3 amendments.**  
**VOTE: 4-0**  
**EXCUSED: 3 - Atkinson, Corcoran, Harper**  
**Hearing no objection, declares the motion CARRIED.**

282 Chair Beyer **MOTION: Moves HB 2856A to the floor with a DO PASS**  
Sen. Gordly **AS AMENDED recommendation and BE**  
**REFERRED to the committee on Ways and**  
**Means.**  
**VOTE: 4-0**  
**EXCUSED: 3 - Atkinson, Corcoran, Harper**  
**Hearing no objection, declares the motion CARRIED.**

300 Chair Beyer Closes work session on HB 2856A and reopens public hearing on HB 2014.

**HB 2014 – PUBLIC HEARING**

325 Bill Penhollow Association of Oregon Counties. Concurs with policy of HB 2014 and believes that current law provides sufficient direction **(EXHIBIT N).** Opposes certain issues in –3 amendments.  
490 Jon Oshel Association of Oregon Counties. Stresses that the control needs to stay on the local level.

**TAPE 97, A**

030 Oshel Continues with testimony on HB 2014.  
110 Anthony Bieda Lane County Board of Commissioners. Testifies in opposition to HB 2014 –2 and –3 amendments.  
250 John Baker Oregon Chapter of American Institute of Architects (AIA). Testifies in support of SB 2014 **(EXHIBIT O).**  
340 Ruth Spetter City Attorney's Office, City of Portland. Opposes HB 2014 **(EXHIBIT P).**

**TAPE 96, B**

020	Spetter	Continues taking umbrage with issues promoted by HB 2014. Special Districts Associations. Testifies in opposition to HB 2014.
130	Hasina Squires	
189	Ken Armstrong	Oregon Ports Group. Expresses disagreement with the legislation in HB 2014.
236	Chair Beyer	Closes public hearing on HB 2014 and opens public hearing HB 2617A.

**HB 2617A – PUBLIC HEARING**

240	Putman	Explains HB 2617A.
262	Bob Shiprack	Oregon Building Trades. Discusses issues in HB 2617A and supports the bill.
288	Staff	Submits written testimony from Rep. Dan Gardner, House District 13 ( <b>EXHIBIT Q</b> ).
288	Chair Beyer	Closes public hearing on HB 2617A and opens work session on HB 2617A.

**HB 2617A – WORK SESSION**

290	Sen. Deckert	<b>MOTION: Moves HB 2617A to the floor with a DO PASS recommendation.</b> <b>VOTE: 4-0</b> <b>EXCUSED: 3 - Atkinson, Corcoran, Harper</b> <b>Hearing no objection, declares the motion CARRIED.</b> <b>SEN. STARR will lead discussion on the floor.</b>
	Chair Beyer	
296	Chair Beyer	Closes work session on HB 2617A and opens public hearing on HB 3665A.

**HB 3665A – PUBLIC HEARING**

300	Putman	Explains HB 3665A.
310	Dennis Dotson	Legislative Assistant, Rep. Allan Brown. Describes the issues in HB 3665A and declares support.
344	Lisa Noah	Economic Development Director for Newport. Expresses support of HB 3665A ( <b>EXHIBIT R</b> ).
438	Mark Jones	Mayor of Newport. Adds his support for HB 3665A.
466	Chair Beyer	Closes public hearing to HB 3665A and opens work session on HB 3665A.

**HB 3665A – WORK SESSION**

468	Sen. Deckert	<b>MOTION: Moves HB 3665A to the floor with a DO PASS recommendation.</b> <b>VOTE: 5-0</b> <b>EXCUSED: 2 - Atkinson, Harper</b> <b>Hearing no objection, declares the motion CARRIED.</b> <b>SEN. GORDLY will lead discussion on the floor.</b>
	Chair Beyer	
480	Chair Beyer	Closes work session on HB 3665A and opens public hearing on HB 3573A.

**HB 3573A – PUBLIC HEARING**

**TAPE 97, B**

001	Putman	Explains HB 3573A.
005	David Sparks	Deputy Administrator, Oregon OSHA. Testifies on HB 3573A ( <b>EXHIBIT S</b> ).
012	Lynn Parfin	Housing and Community Services Department. Supports HB 3573A.
030	Chair Beyer	Closes public hearing on HB 3573A and opens work session on

**HB 3573A – WORK SESSION**

040 Sen. Deckert

Chair Beyer

048 Chair Beyer

**HB 2153A – PUBLIC HEARING**

053 Putman

065 Joe Brewer

150 Chair Beyer

**HB 2153A – WORK SESSION**

082 Sen. Deckert

Chair Beyer

090 Chair Beyer

**HB 2728A – PUBLIC HEARING**

092 Putman

100 Ken Keudell

170 Staff

174 Chair Beyer

**HB 2728A – WORK SESSION**

175 Sen. Deckert

Chair Beyer

180 Chair Beyer

**HB 3500A – PUBLIC HEARING**

190 Putman

200 Schelly Jenson

230 Phil Nyegaard

240 Chair Beyer

**HB 3500A – WORK SESSION**

244 Sen. Deckert

HB 3573A.

**MOTION: Moves HB 3573A to the floor with a DO PASS recommendation.**

**VOTE: 5-0**

**EXCUSED: 2 - Atkinson, Harper**

**Hearing no objection, declares the motion CARRIED.**

**SEN. CASTILLO will lead discussion on the floor.**

Closes work session on HB 3573A and opens public hearing on HB 2153A.

Explains HB 2153A.

Building Codes. Supports HB 2153A (**EXHIBIT T**).

Closes public hearing on HB 2153A and opens work session on HB 2153A.

**MOTION: Moves HB 2153A to the floor with a DO PASS recommendation.**

**VOTE: 5-0**

**EXCUSED: 2 - Atkinson, Harper**

**Hearing no objection, declares the motion CARRIED.**

**SEN. DECKERT will lead discussion on the floor.**

Closes work session on HB 2153A and opens public hearing on HB 2728A.

Explains HB 2728A.

Administrator, Construction Contractors Board. Expresses support of HB 2728A.

Submits written testimony from Business Credit Services (**EXHIBIT U**) and National Electric Contractors Association (**EXHIBIT V**) and Plumbing and Mechanical Contractors Association (**EXHIBIT W**).

Closes public hearing on HB 2728A and opens work session on HB 2728A.

**MOTION: Moves HB 2728A to the floor with a DO PASS recommendation.**

**VOTE: 5-0**

**EXCUSED: 2 - Atkinson, Harper**

**Hearing no objection, declares the motion CARRIED.**

**SEN. STARR will lead discussion on the floor.**

Closes work session on HB 2728A and opens public hearing on HB 3500A.

Explains HB 3500A.

Verizon. Reports on HB 3500A and the advantages the bill offers.

Administrator, Public Utilities Commission (PUC). Testifies that the PUC is neutral on this issue.

Closes public hearing on HB 3500A and opens work session on HB 3500A.

**MOTION: Moves HB 3500A to the floor with a DO PASS**

**recommendation.**

**VOTE: 5-0**

**EXCUSED: 2 - Atkinson, Harper**

**Hearing no objection, declares the motion CARRIED.**

**SEN. ATKINSON will lead discussion on the floor.**

245 Chair Beyer Closes work session on HB 3500A and opens public hearing on HB 2257.

**HB 2257 PUBLIC HEARING**

251 Putman Explains HB 2257.

263 Jack Kenny Oregon Housing and Community Services. Points out that there is no opposition and supports HB 2257 (**EXHIBIT X**).

273 Jon Gail Oregon Housing and Community Services. Testifies in support on HB 2257.

290 Chair Beyer Closes public hearing on HB 2257 and opens work session on HB 2257.

**HB 2257 – WORK SESSION**

292 Sen. Deckert **MOTION: Moves HB 2257 to the floor with a DO PASS recommendation.**

**VOTE: 5-0**

**EXCUSED: 2 - Atkinson, Harper**

**Hearing no objection, declares the motion CARRIED.**

**SEN. HARPER will lead discussion on the floor.**

300 Chair Beyer Closes work session on HB 2257 and reopens public hearing on SB 830.

**SB 830 – PUBLIC HEARING**

340 Brian Delashmutt Oregon Council of Police Associations (OCPA). Testifies in opposition to SB 830.

360 Robert King Portland Police Association. Testifies that SB 830 undermines the rights of police officers and opposes the bill.

500 Staff Submits testimony Patrick Mosey (**EXHIBIT Y**).

**TAPE 98, A**

030 John Hoag Council to Public Employees. Testifies in opposition to SB 830 (**EXHIBIT Z**).

160 John Carlon President, Police Association of Bend, OR. Testifies against SB 830.

220 Mark Toledo General Counsel, Oregon Education Association. Testifies against SB 830 (**EXHIBIT AA**).

263 Monica Smith Council for Oregon Education Association. Testifies in opposition to SB 830.

**TAPE 99, A**

030 Smith Continues with testimony on SB 830.

215 Tim Botwinis President, Oregon State Police Officers' Association (OSPOA). Testifies against SB 830 (**EXHIBIT BB**).

335 Tricia Smith Oregon School Employees Association. Testifies in opposition to SB 830 (**EXHIBIT CC**).

**TAPE 98, B**

010 Rich Peppers Service Employees International Union (SEIU). States that SB 830 is not needed.

049 Bob Livingston Oregon State Fire Fighters Council (OSFFC). Opposes SB 830 and cites examples of arbitration.

228 Marie Keltner League of Oregon Cities. Testifies on the culpability of cities and the unfair comparisons.

314 Hasina Squires Special Districts Association of Oregon. Testifies on the –2 amendments to SB 830.

Submitted By,

Reviewed By,

Pam Brunell  
Committee AssistantKeith Putman,  
Committee Administrator**EXHIBIT SUMMARY**

- A – HB 2630, written material, staff, 4 pp.**
- B – Informational – Workers’ Comp. Insurance Market, 24 pp.**
- C – Informational – Workers’ Comp. Insurance Market, 3 pp.**
- D – HB 2014, written testimony, Speaker Simmons, 1 p.**
- E – HB 2014, written material, Marshall Coba, 29 pp.**
- F – HB 2014, written testimony, Mike Schmid, 3 pp.**
- G – HB 2014, written testimony, Gary Katsion, 3 pp.**
- H – HB 2014, written testimony, Jeanne Caswell, 2 pp.**
- I – HB 2014, written material, Phillip Fell, 1 p.**
- J – HB 2014, written testimony, John Elegant, 3 pp.**
- K – HB 2014, written material, Joseph Schweinhart, 1 p.**
- L – HB 2856, written material, Matt Markee, 2 pp.**
- M – HB 2856, written material, Jon DuFrene, 1 p.**
- N – HB 2014, written material, Bill Penhollow, 2 pp.**
- O – HB 2014, written material Jim Baker, 3 pp.**
- P – HB 2014, written material, Ruth Spetter, 5 pp.**
- Q – HB 2617, written testimony, Rep. Dan Gardner, 1 p.**
- R – HB 3665, written material, Lisa Noah, 13 pp.**
- S – HB 3573, written material, David Sparks, 1 p.**
- T – HB 2153, written material, Joe Brewer, 2 pp.**
- U – HB 2728, written material Patrick Jones 1 p.**
- V – HB 2728, written material, Brian Krieg, 1 p.**
- W – HB 2728, written material, Brian Krieg, 1 p.**
- X – HB 2257, written material, Jack Kenny, 1 p.**
- Y – SB 830, written material, Patrick Mosey, 44 pp.**
- Z – SB 830, written material, John Hoag, 2 pp.**
- AA – SB 830, written material, Mark Toledo, 3 pp.**
- BB – SB 830, written testimony, Jim Botwinis, 2 pp.**
- CC – SB 830, written material, Tricia Smith, 2 pp.**