

## SENATE COMMITTEE ON PUBLIC AFFAIRS

July 16, 1999 Hearing Room B

8:30 a.m. Tape 103

**MEMBERS PRESENT:** Sen. Charles Starr, Chair

Sen. Marylin Shannon

Sen. Veral Tarno

**MEMBER EXCUSED:** Sen. Joan Dukes, Vice-Chair

Sen. Thomas Wilde

**STAFF PRESENT:** Marjorie Taylor, Administrator

Patrick Brennan, Administrative Support

**MEASURES HEARD:** HB 2938-A 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
<b>TAPE 103, A</b>		
003	Chair Starr	Calls the meeting to order at 9:07 a.m. Opens a work session on HB 2938-A.
<b><u>HB 2938-A WORK SESSION</u></b>		
006	Marjorie Taylor	<p>Committee Administrator. Indicates that amendments were discussed during the work session on 7-15-99. Says that the ñA13 amendments (<b>EXHIBIT A</b>) resolve conflicts with SB 483. Gives a brief description of the ñA13 amendments. Describes a conceptual amendment to the ñA13 amendments necessary to correct a grammar error:</p> <ul style="list-style-type: none"><li>• On page 1, line 6, insert the word "and" after "construction"</li></ul>

		<p>Says that an additional change must be made to the A-engrossed bill to bring consistency with language related to the Office of Energy:</p> <ul style="list-style-type: none"> <li>On page 1, line 6, delete "283.305" and add "469.185"</li> </ul>
045	Sen. Tarno	<b>MOTION: Moves to ADOPT HB 2938-A13 amendments dated 7/16/99 and that the amendments BE AMENDED on page 1, line 6, by inserting "and" after "construction".</b>
050		<p><b>VOTE: 3-0-2</b></p> <p><b>EXCUSED: 2 - Dukes, Wilde</b></p>
	Chair Starr	<b>Hearing no objection, declares the motion CARRIED.</b>
054	Sen. Tarno	<b>MOTION: Moves to ADOPT AS AMENDED HB 2938-A13 amendments dated 7/16/99.</b>
055		<p><b>VOTE: 3-0-2</b></p> <p><b>EXCUSED: 2 - Dukes, Wilde</b></p>
	Chair Starr	<b>Hearing no objection, declares the motion CARRIED.</b>
059	Sen. Tarno	<b>MOTION: Moves to AMEND HB 2938-A on page 1, in line 6, by deleting "ORS 283.305," and inserting "ORS 469.185".</b>
063		<p><b>VOTE: 3-0-2</b></p> <p><b>EXCUSED: 2 - Dukes, Wilde</b></p>
	Chair Starr	<b>Hearing no objection, declares the motion CARRIED.</b>
070	Sen. Tarno	<b>MOTION: Moves HB 2938-A to the floor with a DO PASS AS AMENDED recommendation.</b>
072		<p><b>VOTE: 3-0-2</b></p> <p><b>AYE: In a roll call vote, all members present vote Aye.</b></p> <p><b>EXCUSED: 2 - Dukes, Wilde</b></p>

	Chair Starr	<p><b>The motion CARRIES.</b></p> <p><b>SEN. STARR will lead discussion on the floor.</b></p>
		Final amendments submitted by staff ( <b>EXHIBIT B</b> ).
077	Chair Starr	Indicates that the bill will be assigned to a conference committee to address concerns brought by counties. Closes the work session on HB 2938-A and adjourns the meeting at 9:18 a.m.

Submitted By, Reviewed By,

Patrick Brennan, Marjorie Taylor,  
Administrative Support Administrator

#### **EXHIBIT SUMMARY**

**A ñ HB 2938, -A13 amendments, staff, 3 pp.**

**B ñ HB 2983, -A16 amendments, staff, 3 pp.**

**SENATE COMMITTEE ON PUBLIC AFFAIRS**

July 16, 1999 Hearing Room B

12:00 p.m. Tape 104

**MEMBERS PRESENT:** Sen. Charles Starr, Chair

Sen. Marylin Shannon

Sen. Veral Tarno

**MEMBER EXCUSED:** Sen. Joan Dukes, Vice-Chair

Sen. Thomas Wilde

**STAFF PRESENT:** Brian Smith, Administrator

Patrick Brennan, Administrative Support

**MEASURE/ISSUES HEARD:** SB 875 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
<b>TAPE 104, A</b>		
004	Chair Starr	Calls the meeting to order at 12:17 p.m. Opens a work session on SB 875.
<b><u>SB 875 WORK SESSION</u></b>		
008	Sen. Shannon	Indicates that she has submitted the ñ7 amendments ( <b>EXHIBIT A</b> ). Gives a brief description of the amendments.
018	Sen. Tarno	<b>MOTION: Moves to ADOPT SB 875-7 amendments dated 7/16/99.</b>

021		<p><b>VOTE: 3-0-2</b></p> <p><b>EXCUSED: 2 - Dukes, Wilde</b></p>
	<b>Chair Starr</b>	<b>Hearing no objection, declares the motion CARRIED.</b>
022	Chair Starr	Mentions that there was disagreement whether disagreements would be subject to collective bargaining.
033	Dan Kennedy	Director of Personnel and Labor Relations, Department of Human Resources (DHR). States that members of collective bargaining units currently have the opportunity to bring safety issues to the agency for resolution. Expresses concern that the bill would replace collective bargaining with a contested case process.
044	Sen. Shannon	Comments that the change was made to implement an appeals process. Inquires whether the requester of the bill desired to create an appeals process.
054	David Hayden	Requester of the bill. Says he is unaware of any objection to the bill.
058	Chair Starr	Explains that there is objection to the replacement of collective bargaining with a contested case process.
064	Sen. Shannon	Asks Mr. Kennedy for suggestions as to how to make the proposed system work in a way that would be equitable to all sides.
066	Kennedy	Replies that the current process is equitable for dealing with safety issues, including employees who desire to carry guns in the workplace.
069	Sen. Shannon	Asks whether there would be an appeals process if the contested case language were removed from the bill.
072	Kennedy	Responds that collective bargaining is part of the grievance procedure, adding that it is a variant of an appeals process. Reiterates that safety issues are part of the collective bargaining process.
076	Sen. Shannon	Comments that the majority of employees may not wish to go through a collective bargaining process to achieve safety gains for a handful of fellow workers. Wonders how workers in isolated areas are to be protected.
086	Kennedy	Reiterates that collective bargaining is the best way to resolve disputes, as it brings to bear the greatest number of experts and interested parties.
090	Sen. Tarno	Compares the issue to past efforts to allow parole and probation officers to carry

		firearms on the job. Suggests that the bill be moved to the House, where further changes could be made.
102	Sen. Shannon	<b>MOTION: Moves SB 875 to the floor with a DO PASS AS AMENDED recommendation.</b>
105		<b>VOTE: 3-0-2</b>  <b>AYE: In a roll call vote, all members present vote Aye.</b>  <b>EXCUSED: 2 - Dukes, Wilde</b>
	Chair Starr	<b>The motion CARRIES.</b>  <b>SEN. SHANNON will lead discussion on the floor.</b>
107	Chair Starr	Closes the work session on SB 875 and adjourns the meeting at 12: 22 p.m.

Submitted By, Reviewed By,

Patrick Brennan, Brian Smith,  
Administrative Support Administrator

#### **EXHIBIT SUMMARY**

**A ñ SB 875, -7 amendments, Sen. Marylin Shannon, 2 pp.**