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SENATE COMMITTEE ON BUSINESS, LAW, AND GOVERNMENT

April 14, 1997 Hearing Room A

1:00 P.M. Tapes 157 - 160

MEMBERS PRESENT:

Sen. Neil Bryant, Chair

Sen. Randy Miller, Vice-Chair

Sen. Kate Brown

Sen. Gene Derfler

Sen. Randy Leonard

Sen. David Nelson

STAFF PRESENT:

Jan Nordlund, Administrator

Donna Arens, Administrative Support

MEASURES HEARD:

SB 1030 Public Hearing and Work Session

SB 391 Work Session

SB 39 Work Session

SB 356 Work Session

SB 719 Work Session

SB 161 Public Hearing

SB 837 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 157, A		
006	Chair Bryant	Opens meeting at 1:15 pm, and opens public hearing on SB 1030.
<u>SB 1030 - PUBLIC HEARING</u>		
007	Michelle Kennedy	Employment Department, gives testimony in support of SB 1030 (EXHIBIT A).
067	Chair Bryant	Asks about attorney fees and funds, and need for additional full-time employees.
080	Betsy Earls	Associated Oregon Industries (AOI), testifies in support of SB 1030.
096	Chair Bryant	Closes public hearing on SB 1030 and opens work session on SB 391.
<u>SB 391 -WORK SESSION</u>		
102	Cecil Monroe	Department of Administrative Services (DAS), gives background of his employment.
134	Chair Bryant	Questions Monroe about state-chartered banks and credit unions.
139	Monroe	Responds to Chair Bryant's questions.
189	Monroe	Continues responding to Chair Bryant's questions.
241	Sharlyn Rayment	Department of Consumer and Business Services (DCBS), Insurance Division, gives examples of credit unions and banks.

TAPE 158, A		
022	Chair Bryant	Questions Rayment about changes in current law concerning SB 391.
030	Rayment	Responds to Chair Bryant's questions.
055	Chair Bryant	Questions Monroe about fees.
058	Monroe	Responds, comments on differences between individual banks and credit unions.
079	Chair Bryant	Comments that any tax issues must be discussed within the revenue committees.
089	Chair Bryant	Addresses committee on issues regarding SB 391.
103	Monroe	Discusses advantages and disadvantages between banks and credit unions.
126	Sen. Brown	Questions which sections of SB 391 may be amended.
131	Chair Bryant	States that sections A, B, and C may be deleted.
143	Sen. Miller	Questions consequence of committee's action.
153	Monroe	Responds that the result is "not much."
156	Sen. Leonard	Asks if SB 391 passes with current language, it will be a market issue.
159	Monroe	Responds that SB 391 will be a market issue.
169	Steve Rodeman	Oregon Credit Union League, discusses community chartered credit unions.
250	Sen. Derfler	Comments on present law and adding associations.
286	Chair Bryant	Discusses federal credit unions converting to a state credit union.
290	Rodeman	Responds.
308	Chair Bryant	Discusses multiple groups, questions significance.
310	Rodeman	Comments on authority of credit unions.
TAPE 157, B (Due to audio problems, tape 158 A was not used in its entirety)		
010	Sen. Derfler	Asks about fields of membership.
014	Rodeman	Responds that much depends on the Supreme Court.
035	Frank Brawner	Oregon Bankers Association, states concerns about SB 391, comments that proposal should be re-worded.
083	Sen. Leonard	Question about fairness and taxation.
088	Brawner	Responds, comments on marketplace choice.
124	Sen. Brown	Comments about taxing non-profit organizations.
127	Brawner	Responds.

141	Chair Bryant	Asks for direction on SB 391.
152	Sen. Leonard	MOTION: Moves SB 391 to the floor with a DO PASS recommendation.
156	Chair Bryant	States that he would like amendments to SB 391 before passing bill.
209	Chair Bryant	Calls Cecil Monroe back to witness stand.
216	Cecil Monroe	Discusses amendment that has "status quo" language.
232	Chair Bryant	Discusses language that was mentioned earlier.
236	Sen. Nelson	Questions Monroe on scenario involving U.S. Supreme Court.
241	Monroe	Responds.
258	Sen. Brown	Questions Monroe on definition of "groups" within statute.
268	Rayment	States that there would need to be a common employer.
290	Chair Bryant	Asks Sen. Leonard to withdraw his motion.
296	Sen. Leonard	Agrees to withdraw his motion.
316	Chair Bryant	Closes work session on SB 391 and re-opens public hearing on SB 1030.
<u>SB 1030 - PUBLIC HEARING</u>		
317	Chair Bryant	Asks if anyone else would like to testify.
321	Chair Bryant	Closes public hearing on SB 1030 and opens work session on SB 1030.
<u>SB 1030 - WORK SESSION</u>		
323	Sen. Miller	MOTION: Moves SB 1030 to the floor with a DO PASS recommendation.
345	Chair Bryant	Hearing no objection, declares the motion CARRIED. SEN. DERFLER will lead discussion on the floor.
359 Chair Bryant Closes work session on SB 1030 and opens work session on SB 39.		
<u>SB 39 - WORK SESSION</u>		
360	Chair Bryant	Discusses prevailing wage.
375	Sen. Derfler	Gives example regarding prevailing wage.
TAPE 158, B (due to audio problems, tape 157 B was not used in its entirety)		

001	Chair Bryant	Continues discussing SB 39.
012	Chair Bryant	MOTION: Moves to ADOPT SB 39-6 amendments dated 3/25/97.
015	Chair Bryant	Hearing no objection, declares the motion CARRIED.
016	Chair Bryant	MOTION: Moves SB 39 to the floor with a DO PASS AS AMENDED recommendation.
017	Chair Bryant	Hearing no objection, declares the motion CARRIED. SEN. BRYANT will lead discussion on the floor.
019	Chair Bryant	Closes work session on SB 39 and opens work session on SB 356.
<u>SB 356 - WORK SESSION</u>		
019	Chair Bryant	Discusses testimony from previous meetings on SB 356.
056	Jan Nordlund	Committee Administrator, comments on -5 amendments drafted by work group.
072	Sen. Leonard	MOTION: Moves to AMEND SB 356-5 amendments dated 4/11/97 to state that contracts less than \$10 million dollars cannot be exempt from competitive bidding procedures.
093	Sen. Derfler	Asks questions regarding percentage of contracts.
103	Jack Kalinoski	Cites statistics regarding public works contracts.
114	Chair Bryant	Asks why \$10 million should be the limit.
115	Kalinoski	Discusses \$10 million limit.
129	Sen. Derfler	Questions if SB 356 prohibits negotiated contracts.
131	Kalinoski	Responds.
152	Chair Bryant	Comments on exemptions.
162	Sen. Nelson	Questions about evaluation process.
168	Kalinoski	Responds.
180	David Douthwaite	Associated General Contractors (AGC), discusses \$10 million limit.
194	Sen. Derfler	Asks about small contractors and competitiveness.
197	Douthwaite	Discusses competitiveness between small contractors.
237		VOTE: 3-3 AYE: 3 - Derfler, Leonard, Miller NAY: 3 - Brown, Nelson, Bryant
250	Chair	The motion FAILS.

	Bryant	
243	Chair Bryant	MOTION: Moves to ADOPT SB 356-5 amendments dated 4/11/97.
253	Carlton Chayer	City of Portland, discusses SB 356-5 amendments.
262	Sen. Derfler	Asks question about emergency situation.
265	Chayer	Responds.
274		VOTE: 5-1 AYE: 4 - Brown, Derfler, Miller, Nelson, Bryant NAY: 1 - Leonard
275	Chair Bryant	The motion CARRIES.
277	Chair Bryant	MOTION: Moves SB 356 to the floor with a DO PASS AS AMENDED recommendation.
		VOTE: 4-2 AYE: 4 - Derfler, Miller, Nelson, Bryant NAY: 2 - Brown, Leonard
280	Chair Bryant	The motion CARRIES. Sen. BRYANT will lead discussion on the floor.
285	Chair Bryant	Closes work session on SB 356 and opens work session on SB 719.
<u>SB 719 - WORK SESSION</u>		
290	Sen. Derfler	MOTION: Moves SB 719 to the floor with a DO PASS recommendation.
293	Sen. Leonard	MOTION: Moves to amend Sen. Derfler's motion on SB 719 by restoring deleted language on page 1.
308	Sen. Leonard	States Commissioner Roberts did not oppose leaving that language in.
318	Sen. Derfler	States he opposes that move, because it would allow them to not do the surveys.
329	Sen. Leonard	Explains this language still requires an independent wage survey, and his motion does not delete that language.
333		Discussion continues on issue of language.
		VOTE: 2-4 AYE: 2 - Brown, Leonard

		NAY: 4 - Derfler, Miller, Nelson, Bryant
343	Chair Bryant	The motion FAILS.
345	Chair Bryant	Asks Sen. Derfler if he would accept a "friendly amendment" to change the word "twice" to "once" on line 28.
358	Chair Bryant	MOT MOTION: Moves SB 719 to the floor with a DO PASS recommendation, and that the bill be amended on page 2, line 28, by replacing the word "twice" with the word "once."
		VOTE: 5-1 AYE: 4 - Brown, Derfler, Nelson, Miller, Bryant, NAY: 1 - Leonard The motion CARRIES. Sen. DERFLER will lead discussion on the floor.
370	Chair Bryant	Closes work session on SB 719, opens public hearing on SB 161.
<u>SB 161 - PUBLIC HEARING</u>		
386	Karen Roach	Department of Corrections, offers -3 amendments and testifies in support of SB 161 (EXHIBIT B).
<u>TAPE 159, A</u>		
030	Roach	Continues testimony.
060	Chair Bryant	Asks for and receives verification that the -3 amendments are Roach's. Explains there are also -2 and -4 amendments in members' packets, states the -2's are offered by Oregon Health Sciences University (OHSU), and the -4's are offered by Polk County.
080	Roz Elms-Sutherland	OHSU, testifies in support of SB 161 with -2 amendments (EXHIBIT C).
094	David Blair	OHSU, comments on purpose of OHSU's amendments.
103	Brian DeLashmutt	Oregon Nurses Association (ONA), comments on OHSU's amendments
128	Randi Post	ONA, testifies in opposition to SB 161 with -2 amendments.
153	Brian DeLashmutt	Oregon State Police Officers Association, submits testimony on behalf of Jim Botwinis (EXHIBIT D).
160	Larry Burlison	Association of Oregon Corrections Employees (AOCE), gives testimony in opposition to SB 161.
178	Gary Harkins	AOCE, gives testimony in oppositon to SB 161 (EXHIBIT E).

258	Harkins	Continues testimony.
341	John Anderson	Polk County Administrative Officer, offers -4 amendments and testifies in support of SB 161 with proposed amendments (EXHIBIT F) .
TAPE 160, A		
025	Anderson	Continues testimony.
061	Mary Botkin	American Federation of State, County, and Municipal Employees (AFSCME), gives testimony in opposition to SB 161, discusses -2 amendments.
129	Rich Peppers	Oregon Public Employees Union (OPEU), testifies in opposition to SB 161 (EXHIBIT G) .
169	Chair Bryant	Comments on bargaining units.
173	Botkin	Comments on Employment Relations Board (ERB) and mixed bargaining units.
202	Gary Harkins	Comments on strike-prohibited bargaining units.
224	Elms-Sutherland	Clarifies -2 amendments.
234	David Blair	Comments on negotiating bargaining units.
266 Chair Bryant Closes public hearing on SB 161, opens work session on SB 837.		
<u>SB 837 - WORK SESSION</u>		
267	Bill Warren	Public Utility Commission, discusses wording of SB 837.
320	Jim Anderson	PacifiCorp, introduces Bill Griffith.
324	Bill Griffith	PacificCorp, states he supports use of "may" over "shall" in SB 837 -1 amendments.
359	Sen. Brown	MOTION: Moves SB 837 -1 amendments dated 4/10/97.
	Chair Bryant	Hearing no objection, declares the motion CARRIED.
360	Sen. Brown	MOTION: Moves SB 837 to the floor with a DO PASS AS AMENDED recommendation.
366	Chair Bryant	Hearing no objection, declares the motion CARRIED. SEN. BROWN will lead discussion on the floor.
371	Chair Bryant	Closes work session on SB 837 and adjourns meeting at 3:50 pm.

Submitted By, Reviewed By,

Donna Arens, Jan Nordlund,

Administrative Support Administrator

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EXHIBIT SUMMARY

A - SB 1030, written testimony, Michelle Kennedy, 6 pp

B - SB 161, written testimony, Karen Roach, 4 pp

C - SB 161, proposed amendments, David Blair, 1p.

D - SB 161, written testimony, Oregon State Police Officers Association 1 p.

E - SB 161, written testimony, Gary Harkins, 11 pp.

F - SB 161, written testimony, John Anderson, 8 pp. G- SB 161, written testimony, Rich Peppers, 2 pp.
