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SENATE COMMITTEE ON BUSINESS, LAW, AND GOVERNMENT

May 14, 1997 Hearing Room A

1:00 P.M. Tapes 225 - 227

MEMBERS PRESENT:

Sen. Neil Bryant, Chair

Sen. Randy Miller, Vice-Chair

Sen. Kate Brown

Sen. Gene Derfler

Sen. Randy Leonard

Sen. David Nelson

MEMBER EXCUSED:

STAFF PRESENT:

Jim Stembridge, Administrator

Brian Krieg, Administrator

Donna Arens, Administrative Support

MEASURE/ISSUES HEARD:

HB 2132 Public Hearing and Work Session

HB 2038 Public Hearing and Work Session

HB 2465A Public Hearing and Work Session

SB 4 Public Hearing and Work Session

SB 867 Public Hearing

SB 390 Work Session

HB 2328A Public Hearing and Work Session

HB 2549A Public Hearing

HB 2112 Public Hearing

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 225, A		
006	Chair Bryant	Opens meeting at 1:00 p.m. and announces he has to testify in another committee.
	Sen. Nelson	Opens the public hearing on HB 2132.
<u>HB 2132 - PUBLIC HEARING</u>		
025	Bill Cross	Oregon Landscape Contractors Association. Introduces Ken Keudell. Submits testimony in support of HB 2132 (EXHIBIT A).
027	Ken Keudell	Landscape Contractors Board. Supports HB 2132.
055	Sen. Nelson	Closes public hearing on HB 2132 and opens work session on HB 2132.
<u>HB 2132 -WORK SESSION</u>		
062	Sen. Derfler	MOTION: Moves HB 2132 to the floor with a DO PASS recommendation.
		VOTE: 5-1 AYE: 5 - Brown, Derfler, Leonard, Nelson, Bryant NAY: 1 - Miller
	Chair Bryant	The motion CARRIES.

		SEN. BROWN will lead discussion on the floor.
070	Chair Bryant	Closes work session on HB 2132 and opens public hearing on HB 2038.
<u>HB 2038 - PUBLIC HEARING</u>		
080	Ken Keudell	Landscape Contractors' Board testifies in favor of HB 2038.
088	Bill Cross	Presents testimony in support of HB 2038 (EXHIBIT B).
098	Sen. Derfler	Asks about make-up of independent contractor.
101	Keudell	Responds.
111	Sen. Leonard	Asks how HB 2038 affects a worker who is an employee, not an independent contractor.
131	Keudell	Responds.
183	Sen. Leonard	Asks about a general contractor being liable for coverage.
188	Keudell	Responds.
204	Sen. Leonard	Asks about subject language.
211	Keudell	Responds.
222	Chair Bryant	Discusses language of the bill.
223	Keudell	Responds.
248	Sen. Brown	Asks about the eight-part test.
255	Keudell	Responds.
261	Chair Bryant	Closes public hearing on HB 2038 and opens work session on HB 2038.
<u>HB 2038 - WORK SESSION</u>		
263	Sen. Derfler	MOTION: Moves to send HB 2038 to the floor with a DO PASS recommendation.
265	Chair Bryant	Hearing no objection, declares the motion CARRIED. SEN. DERFLER will lead discussion on the floor.
267	Chair Bryant	Closes work session on HB 2038 and opens public hearing on HB 2465.
<u>HB 2465 - PUBLIC HEARING</u>		
278	Bill Cross	Oregon Landscape Contractors Association, testifies in support of HB 2465 (EXHIBIT C).
303	Chair Bryant	Closes public hearing HB 2465A and opens work session on HB 2465A.

<u>HB 2465A - WORK SESSION</u>		
306	Chair Bryant	MOTION: MOVES to send HB 2465A to the floor with a DO PASS recommendation.
307	Chair Bryant	Hearing no objection, declares the motion CARRIED. SEN. NELSON will lead discussion on the floor.
308	Chair Bryant	Closes work session on HB 2465A and opens public hearing on SB 4.
<u>SB 4 - PUBLIC HEARING</u>		
320	Chair Bryant	Discusses history of legislation.
341	Harvey Barnes	City of Molalla. Gives testimony in support of SB 4 (EXHIBIT D).
399	Chair Bryant	Asks about boundaries.
<u>TAPE 226, A</u>		
002	Sen. Brown	Asks about annexation.
006	Barnes	Responds.
020	Rep. Roger Beyer	District 28. Supports SB 4.
044	Sen. Marylin Shannon	District 15. Supports SB 4 with her proposed amendment (EXHIBITS E, F).
094	Sen. Shannon	Continues testimony.
144	Sen. Shannon	Continues testimony.
190	Roger Hamilton	Chairman, Public Utility Commission (PUC). Presents testimony in opposition to SB 4 (EXHIBIT G).
244	Hamilton	Continues testimony.
265	Lance Ball	PUC, comments in opposition to SB 4.
287	Chair Bryant	Question.
290	Ball	Responds.
314	Sen. Brown	Comments on increase in rates.
321	Hamilton	Responds.
349	Sen. Brown	Asks for differences between Scappoose and Molalla Extended Area Service (EAS).
<u>TAPE 225, B</u>		
001	Hamilton	Comments on adding other cities to EAS; continues testimony.
		Written testimony of Dianne Helgerson, in support of SB 4, entered into record (EXHIBIT H).
023	Chair Bryant	Closes public hearing on SB 4 and opens work session on SB 4.
<u>SB 4 - WORK</u>		

SESSION		
024	Chair Bryant	MOTION: Moves to ADOPT SB 4 -1 amendments dated 5/6/97.
025	Chair Bryant	Hearing no objection, declares the motion CARRIED.
026	Chair Bryant	MOTION: Moves to send SB 4 to the floor with a DO PASS AS AMENDED recommendation.
027	Sen. Brown	Discusses voting yes and reservations.
032	Sen. Leonard	Discusses voting yes.
036	Chair Bryant	Hearing no objection, declares the motion CARRIED. SEN. SHANNON will lead discussion on the floor.
040	Chair Bryant	Closes work session on SB 4 and opens public hearing on SB 867.
<u>SB 867 - PUBLIC HEARING</u>		
053	John Witty	Crook-Deschutes Education Service District, presents testimony in support of SB 867 (EXHIBIT I).
098	Sen. Eileen Qutub	District 4. Supports SB 867. Introduces Rob Rayfield.
114	Rob Rayfield	Presents testimony in support of SB 867 (EXHIBIT J).
138	Sen. Leonard	Questions.
141	Rayfield	Responds.
159	Sen. Brown	Comments on avoidance of mandates.
169	Rayfield	Responds and continues testimony.
200	Sen. Derfler	Asks about savings in insurance.
208	Rayfield	Responds and continues testimony.
254	Rayfield	Continues testimony.
290	Rayfield	Continues testimony.
323	Chair Bryant	Requests Rayfield to work with Jim Stenbridge to draft amendments.
336	Witty	Comments on an opportunity to provide the same benefits for less money.
340	Ed Nieuburt	Department of Consumer, Business Services, Insurance Division, presents testimony in opposition to SB 867 (EXHIBIT K).
392	Nieuburt	Continues testimony.
400	Chair Bryant	Comments that an amendment to SB 867 will be necessary. Asks why school districts were not included in the initial legislation.
409	Nieuburt	Responds.
<u>TAPE 226, B</u>		
002	Peggy Anet	Health Insurance Association of America. Gives testimony in opposition to SB 867 (EXHIBIT L).

026	Sen. Brown	Asks about mandates.
032	Anet	Responds and continues testimony.
064	Chair Bryant	Asks about public policy.
066	Anet	Responds.
076	Chair Bryant	Closes public hearing on SB 867 and opens work session on SB 390.
<u>SB 390 - WORK SESSION</u>		
079		Staff presents proposed -4 amendments to SB 390 (EXHIBIT M).
080	Sen. Derfler	MOTION: Moves to ADOPT SB 390 -4 amendments dated 5/8/97.
082	Chair Bryant	Hearing no objection, declares the motion CARRIED.
092	Sen. Derfler	Discusses effect of amendments.
110	Sen. Derfler	MOTION: Moves to send SB 390 to the floor with a DO PASS AS AMENDED recommendation.
112	Sen. Leonard	Discusses being in agreement.
132		VOTE: 3-3 AYE: 3-Leonard, Derfler, Bryant NAY: 3-Brown, Nelson, Miller
140	Chair Bryant	The motion FAILS.
142	Chair Bryant	Closes work session on SB 390 and opens public hearing on SB 867.
<u>SB 867 - PUBLIC HEARING</u>		
144	Noel Klein	City County Insurance Services. Opposes SB 867.
162	Mark Nelson	Oregon Clinical Social Workers. Opposes SB 867.
181	Rob Rayfield	Comments on re-insurance.
218	Chair Bryant	Closes public hearing on SB 867 and opens work session on SB 390.
<u>SB 390 - WORK SESSION</u>		
232	Sen. Brown	MOTION: Moves to RECONSIDER vote on SB 390.
233	Chair Bryant	Hearing no objection, declares the motion CARRIED.
237	Sen. Leonard	MOTION: Moves to send SB 390 to the floor with a DO PASS AS AMENDED recommendation.
241		VOTE: 4-2 AYE: 4-Brown, Derfler, Leonard, Bryant

		NAY: 2-Miller, Nelson
245	Chair Bryant	States he may vote nay on the floor.
246	Sen. Brown	States she may also vote nay on the floor.
249	Chair Bryant	The motion CARRIES. SEN. LEONARD will lead discussion on the floor.
251	Chair Bryant	Closes work session on SB 390 and opens public hearing on HB 2328A.
<u>HB 2328A - PUBLIC HEARING</u>		
261	Ross Laybourn	Oregon Department of Justice. Testifies in support of HB 2328A.
320	Laybourn	Continues testimony.
370	Ted Falk	PACC Health Plans, presents testimony in support of HB 2328A (EXHIBIT N).
<u>TAPE 227, A</u>		
002	Falk	Continues testimony.
031	Chuck Sheketoff	Oregon Law Center, Oregon Health Action Campaign. Supports HB 2328A.
040	Dan Field	Oregon Association of Hospitals and Health Systems, presents testimony in support of HB 2328A (EXHIBIT O).
081	Chair Bryant	Asks how many non-profit hospitals there are in Oregon.
086	Field	Responds.
094	Chair Bryant	Closes public hearing on HB 2328A and opens work session on HB 2328A.
<u>HB 2328A - WORK SESSION</u>		
098	Sen. Brown	MOTION: Moves HB 2328A to the floor with a DO PASS recommendation.
099	Chair Bryant	Hearing no objection, declares the motion CARRIED. SEN. BROWN will lead discussion on the floor.
100	Chair Bryant	Closes work session on HB 2328A and opens public hearing on HB 2549A.
<u>HB 2549A - PUBLIC HEARING</u>		
108	Bob Shiprack	Oregon Building Trades Council. Gives testimony in support of HB 2549A.
131	Mike Manley	Information Management Division, Department of Consumer and

		Business Services. Gives fiscal impact of HB 2549A.
		Written testimony of Representative Dan Gardner entered into record (EXHIBIT P); written testimony of Eugene Organ entered into record (EXHIBIT Q).
144	Chair Bryant	Closes public hearing on HB 2549A and opens public hearing on HB 2112.
<u>HB 2112 - PUBLIC HEARING</u>		
152	Greg Jeffrey	Department of Administrative Services. Presents testimony in support of HB 2112 (EXHIBIT R).
197	Chair Bryant	Closes public hearing on HB 2112 and adjourns meeting.

Submitted By, Reviewed By, Reviewed By,

Donna Arens, Jim Stembridge Brian Krieg,

Administrative Support Administrator Administrator

Transcribed by,

Lori Hayhurst

Administrative Support

EXHIBIT SUMMARY

A - HB 2132, Written testimony, Bill Cross, 3 pp

B - HB 2038, Written testimony, Bill Cross, 1 p

C - HB 2465, Written testimony, Bill Cross, 1 p

D - SB 4, Written testimony, Harvey Barnes, 2 pp

E - SB 4, Written testimony, Sen. Marylin Shannon, 20 pp

F - SB 4, -1 Proposed amendments, Sen. Marylin Shannon, 1 p

G - SB 4, Written testimony, Roger Hamilton, 8 pp

H - SB 4, Written testimony, Dianne Helgersen, 68 pp

I - SB 867, Written testimony, John Witty, 1 p

J - SB 867, Written testimony, Rob Rayfield, 15 pp

K - SB 867, Written testimony, Ed Nieuburt, 2 pp

L - SB 867, Written testimony, Peggy Anet, 3 pp

M - SB 390, -4 Proposed amendments, Staff, 3 pp

N - HB 2328A, Written testimony, Ted Falk, 6 pp

O - HB 2328A, Written testimony, Dan Field, 2 pp

P - HB 2549A, Written testimony, Rep. Dan Gardner, 1 p

Q - HB 2549A, Written testimony, Eugene Organ, 2 pp

R - HB 2112, Written testimony, Greg Jeffrey, 2 pp
