

HOUSE COMMITTEE ON
LABOR

Hearing Room
Tapes -77

MEMBERS PRESENT:

Rep. John Watt, Chair
Rep. Lee Beyer, Vice-Chair
Rep. Kate Brown
Rep. Chuck Carpenter
Rep. Lynn Lundquist
Rep. Lynn Snodgrass

MEMBER EXCUSED:

Rep. Mike Fahey

STAFF PRESENT:

Aaron Felton, Committee Counsel
Paula Gilmer Purcell, Committee Assistant

MEASURES HEARD:

Public Hearing on House Bill 3114
Public Hearing on House Bill 2580
Public Hearing on House Bill 2748

These minutes contain materials which paraphrase and/or summarize statements made during this session. Only text enclosed in quotation marks

report a speaker's exact words. For complete contents of the proceedings, please refer to the tapes.

TAPE , A

05 CHAIR WATT: Brings the meeting to order at 1:45 p.m.

Opens Public Hearing on House Bill 3114

Witnesses: Rep. Oakley
Bill Stoller
Gail Auguston
Jack Roberts
Doug Jarmer
Juanita Pierman
Cindy Maxwell
Doug Reiter
Irv Fletcher

15 REPRESENTATIVE CAROLYN OAKLEY, SPONSOR OF THE BILL: Testifies in favor of House Bill 3114.

30 BILL STOLLER, EXPRESS SERVICES: Testifies in favor of House Bill 3114. Testifies to why he feels the bill should be passed.

60 We created a hot line for those people who have complaints. Also, the bill creates a testing program.

96 There is opposition to the bill in our industry.

100 Those who oppose the bill want to restrict people from entering our profession.

106 The licensing program is just cumbersome clerical position..

111 GAIL AUGUSTON, AUGUSTON & ASSOCIATES: Testifies in favor of House Bill 3114.

138 Many states have already deregulated their programs.

158 We do not want special treatment, but equal treatment.

174 Many firms move to Vancouver, Washington so they do not have to be regulated.

207 JACK ROBERTS, COMMISSIONER OF THE BUREAU OF LABOR AND INDUSTRIES: Testifies in support of House Bill 3114.

220 We are not sure that we should deregulated the applicant pay part of the program.

236 We have had some civil penalties. Mostly against the applicant pay.

259 We will actually lose revenue on this program.

266 DOUG JARMER, OPERATIONS DIRECTOR OF KELLY SERVICES: Testifies in favor of House Bill 3114.

292 We have over twenty-two million dollars of payroll in Oregon each year.

309 The process to become licensed is very extensive.

359 Continues with testimony.

388 I find the testing process strange when I can just refer to the administrative rules.

420 JUANITA PIERMAN, KELLY SERVICES: Testifies in favor of House Bill 3114.

465 CINDY MAXWELL, KELLY SERVICES: Testifies in favor of House Bill 3114.

TAPE 76, SIDE A

34 DOUG REITER, DOUGLAS REITER COMPANY: Testifies in favor of House Bill 3114.

61 IRV FLETCHER, AFL-CIO: Testifies on House Bill 3114. Our concern is the

redress for the applicants who pay for their positions.

70 CHAIR WATT: The commissioner said that there was protection for that.

Closes Public Hearing on House Bill 3114

Opens Public Hearing on House Bill 2580

Witnesses: Heide Anderson
David Ewing
Dick Ballard
Ken Kuedell
Don Miner
Eric Bonner
Gary Wright
Heather Taylor
Jed Sampson
Bonnie Sullivan
Ric McNall
Kim Mingo
Mary Mann

98 HEIDE ANDERSON, OREGON REMODELERS ASSOCIATION: Testifies in favor of House Bill 2580. Submits written testimony [EXHIBIT A].

114 We are requesting continuing education.

123 The bill would also exempt people who are already under a continuing education program.

133 There are approximately ten thousand claims filed against contractors with the Construction Contractors Board.

148 DAVID EWING, CONTRACTOR: Testifies in favor of House Bill 2580.

169 Our industry is changing constantly. We need to keep up with the new changes.

179 It is too easy to get involved in this business.

185 Most people have no business skills.

196 We mostly work under fixed fee contracts.

211 DICK BALLARD, REMOLDING CONTRACTOR: Testifies in favor of House Bill 2580.

236 This will help the consumers by creating some more professionalisMin this business.

255 CHAIR WATT: This bill has generated lots of letters to my office. Can your associations offer continuing education?

268 EWING: Yes.

281 CHAIR WATT: For the health and safety of Oregonions are they asking for this.

287 ANDERSON: Not that many contractors are part of the trade associations.
I do not know why the Board did not bring this bill up.

302 BALLARD: We are a small part of the registered contractors in Oregon.

330 CHAIR WATT: Is your education free?

332 BALLARD: Yes.

345 REP. SNODGRASS: Would this be an incentive to up your membership?

350 BALLARD: I do not see where this would be an incentive.

355 EWING: Our associations are very typical throughout the United States.

357 CHAIR WATT: If there were not many people in you association, then it would fall on the Board?

389 ANDERSON: We would have to go to a fee based charge. And would contract the education.

399 REP. LUNDQUIST: It seems to me the bottom line is that you would hope there would be less complaints over time.

402 ANDERSON: I could get the information for you.

404 REP. SNODGRASS: Who qualifies to take the test?

424 ANDERSON: There is no test, it is just courses. Those who are registered with the Board and are a corporation can designate someone in their office to take the courses.

439 REP. LUNDQUIST: If this is an effective program, would the enforcement be lessened?

451 ANDERSON: Yes.

455 EWING: Yes, it goes back to the root cause of the need for this bill.

TAPE 75, SIDE B

44 KEN KUEDELL, ADMINISTRATOR OF THE CONTRACTORS BOARD: Testifies in favor of this bill.

52 CHAIR WATT: Is there a fiscal?

53 KEUDELL: Yes.

55 CHAIR WATT: I am concerned that this is causing more problems. Will it lessen your load today?

56 KEUDELL: Not today, but later on it would.

81 CHAIR WATT: What about full time employees?

82 KEUDELL: A quarter FTE the first year, one FTE there after.

87 CHAIR WATT: Why did you not bring up this bill?

88 KEUDELL: We have our hands full with legislation that we have proposed.

90 REP. SNODGRASS: Go over the regulations you have now.

92 KEUDELL: There is no licensing requirement right now.

106 REP. BEYER: There are more requirements for Lynn's business to put in a yard than for someone to build my house.

108 KEUDELL: That is correct.

113 REP. SNODGRASS: Maybe there should be requirements before you get your contractors license?

117 KEUDELL: The Board is looking at that for the future.

130 REP. BEYER: Does the Construction Contractors Board provide the training?

143 KEUDELL: The Board does not teach any classes.

158 REP. LUNDQUIST: Do other states do a continuing education program, and is it effective?

166 KEUDELL: Oregon is the only state that has an open of a claim system that we have.

168 REP. LUNDQUIST: So our state is different on how we handle claims than the other states?

169 KEUDELL: That is correct

200 DON MINER, OREGON MANUFACTURED HOUSING ASSOCIATION: Testifies in favor of House Bill 2580. Submits written testimony [EXHIBIT B].

218 We would like to be exempt from this requirement.

227 ERIC BONNER, OREGON CONTRACTORS EDUCATION SERVICES: Testifies in favor of House Bill 2580.

239 I do a lot of teaching in this area. We have nine instructors with the expertise that I do not have.

263 Our classes are about fifteen dollars an hour.

286 Let me give a list of the things that we teach.

299 The burden is five hours a year.

326 Contractors need to improve their business practices.

362 We offer our classes on tapes and video.

377 REP. BROWN: Did you say that the prices would go down as this program would continue.

379 BONNER: Yes.

392 REP. BROWN: The prices of my classes do not go down.

409 GARY WRIGHT: Testifies in favor of House Bill 2580.

440 HEATHER TAYLOR: Testifies in favor of House Bill 2580.

TAPE 76, SIDE B

45 JED SAMPSON, DIRECTOR, BUREAU OF BUILDINGS FOR THE CITY OF PORTLAND:
Testifies in favor of House Bill 2580. [EXHIBIT C].

50 BONNIE SULLIVAN: Testifies against House Bill 2580.

93 Continues with testimony.

123 Continues with testimony.

142 REP. BROWN: Are you opposed to the bill?

143 SULLIVAN: Yes.

147 REP. BROWN: What is the harm in a few little courses? And what to you suggest as an alternative?

161 RIC MCNALL, OREGON STATE HOME BUILDERS ASSOCIATION: Testifies against House Bill 2580.

197 The Board cannot show us that the claims have gone down since they started continuing education requirements.

216 Their trade association should start a study course.

235 REP. LUNDQUIST: The bill does not say they have to be registered. They already have to be registered.

238 MCNALL: Correct.

245 REP. BROWN: So, you do not think there is a consumer problem?

247 MCNALL: I do not see that there is a connection between the effort to protect the consumer and consumer protection. The current laws enacted have not protected the consumer.

256 REP. BROWN: Then why are so many professional organizations moving towards continuing education?

267 REP. BEYER: Your position is there is no need for any regulation, that we would be better off with the consumer practicing their own decision and appropriate concern?

270 MCNALL: I feel it should be rolled back more than it is.

278 KIM MINGO, ASSOCIATED GENERAL CONTRACTORS: Testifies in support of House Bill 2580.

300 MARY MANN, OREGON CONTRACTORS ASSOCIATION: Testifies against House Bill

2580. Submits written testimony [EXHIBIT D].

Closes Public Hearing on House Bill 2580

Witnesses: Roger Martin
Jim Mooney
Senator Randy Leonard
Tom Chamberlain
Pat West
David Jorling

Opens Public Hearing on House Bill 2748

394 ROGER MARTIN, WASHINGTON COUNTY PROFESSIONAL FIRE FIGHTERS: Testifies in favor of House Bill 2748.

433 JIM MOONEY, PRESIDENT, WASHINGTON COUNTY FIRE FIGHTERS: Testifies in favor of house Bill 2748.

TAPE 77, SIDE A

44 Continues with testimony.

87 Continues with testimony.

88 CHAIR WATT: How would you prove clear and convincing that prostate in men arose as a result of being a fire fighter?

100 MOONEY: I cannot answer that.

134 SENATOR RANDY LEONARD, SPONSOR OF HOUSE BILL 2748: Testifies in support of House Bill 2748.

166 REP. SNODGRASS: Does your bill address the prostate problem or family history?

170 SEN. LEONARD: There is a rebuttable presumption.

181 REP. SNODGRASS: Family hereditary too?

185 SEN. LEONARD: Yes.

198 FIRE FIGHTER: Testifies in favor of House Bill 2748. I have cancer.

204 TOM CHAMBERLAIN: Testifies in support of House Bill 2748. Provides written testimony [EXHIBIT E]. Discusses the statistics from Harbor View Medical Center in Seattle, Washington.

218 PAT WEST, OREGON STATE FIRE FIGHTERS COUNSEL: Testifies in favor of House Bill 2748.

235 DAVID JORLING, PORTLAND RISK MANAGEMENT: Testifies against House Bill 2748 [EXHIBIT F].

260 Continues with testimony.

Closes Public Hearing on House Bill 2748

338 CHAIR WATT: Hearing is adjourned at 4:00p.m.

Submitted by, Reviewed by,

Paula Gilmer Purcell	Aaron Felton
Committee Assistant	Committee Counsel

EXHIBIT SUMMARY:

- A - Testimony on House Bill 2580, submitted by Heide Anderson
- B - Testimony on House Bill 2580, submitted by Don Miner
- C - Testimony on House Bill 2580, submitted by Jed Sampson
- D - Testimony on House Bill 2580, submitted by Mary Mann
- E - Testimony on House Bill 2748, submitted by Tom Chamberlain
- F - Testimony on House Bill 2748, submitted by David Jorling
- G - Magazine article submitted for House Bill 2748, submitted by Tom Chamberlain
- H - Video on House Bill 2748, submitted by Tom Chamberlain
- I - Testimony on House Bill 2748, submitted by Chris Davie