

SENATE COMMITTEE ON
LABOR AND GOVERNMENT OPERATIONS

Hearing Room
Tapes - 175

MEMBERS PRESENT:
Sen. Gene Derfler, Chair
Sen. Neil Bryant
Sen. Bob Kintigh
Sen. Bill McCoy
Sen. Randy Leonard

MEMBER EXCUSED:

STAFF PRESENT:
Rita Thomas, Committee Counsel
Amy Baker, Committee Assistant

MEASURES HEARD:
HB 3180 WORK SESSION
HB 2862 PUBLIC HEARING/WORK SESSION
HB 3365 PUBLIC HEARING
HB 3395 PUBLIC HEARING
HB 2535 PUBLIC HEARING/WORK SESSION
HB 2779 PUBLIC HEARING/WORK SESSION
HB 2706 PUBLIC HEARING/WORK SESSION
HB 2564 PUBLIC HEARING/WORK SESSION
HB 2921 PUBLIC HEARING/WORK SESSION

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

002 CHAIR DERFLER: Opens Public Hearing on HB 2862.

006 REP. SCHOON: Testifying in favor of HB 2862.

050 REP. SCHOON: Discusses the intent of this bill and it's effect on the
budget process.

058 PAT PAYNE: Department of Administrative Services, Fiscal; Policy
Analysis Division. Discusses the amendments to HB 2862.

079 CHAIR DERFLER: Closes PUBLIC HEARING on HB 2862.

080 CHAIR DERFLER: Opens WORK SESSION on HB 2862.

081 MOTION: SEN. MCCOY: Moves to ADOPT HB 2862A-4 amendments dated
5/11/95.

VOTE: 3-0
AYE:
EXCUSED:

In a roll call vote, all members present vote Aye.
2 - LEONARD, BRYANT

CHAIR: The motion CARRIES.

084 MOTION: SEN. MCCOY: Moves HB 2862A be sent to the floor with a DO
PASS AS AMENDED recommendation.

VOTE: 3-0
AYE: In a roll call vote, all members present vote Aye.
EXCUSED: 2 - LEONARD, BRYANT

CHAIR: The motion CARRIES.

MCCOY will lead discussion on the floor.

089 CHAIR DERFLER: Closes WORK SESSION on HB 2862.

090 CHAIR DERFLER: Opens Public Hearing on HB 3395.

098 BOB ANDREWS: Oregon Public Retirement Program.

108 GRATTEN KERANS: Discusses the bill and the -5 amendments.

150 BOB ANDREWS: Discusses the -4 amendments, technical corrections.

181 JOHN RAMIG: Representing VALIC. Introduces his amendment -6. [EXHIBIT
A]

241 SEN. LEONARD: Questions page 3, lines 4-5 the 6% contribution for
retirement funds by employees.

255 JOHN RAMIG: Discusses the intent of the legislation.

308 CHAIR DERFLER: Asks the interested parties to work together to combine
their amendments.

330 CHAIR DERFLER: Closes PUBLIC HEARING on 3395.

332 CHAIR DERFLER: Opens PUBLIC HEARING on 3365.

335 REP. TIERNAN: Discusses background on HB 3365.

380 REP. TIERNAN: Discusses studies of the step system and the tiered
system.

TAPE 173, A

020 REP. TIERNAN: Discusses pay-line exceptions and merit pay.

030 REP. TIERNAN: The decision for merit award is generally a supervisory
one.

060 REP. TIERNAN: Notes that the current step system is by statutory
regulation.

095 RICH PEPPERS: Representing Oregon Public Employees Union. [EXHIBIT B]

130 RICH PEPPERS: Discusses the subjectivity of the step increases.

170 RICH PEPPERS: States that this bill fosters favoritism.

207 KEN ALLEN: Representing AFSCME. In opposition to HB 3365. [exhibit C]

240 LEROY CHURCHILL: Representing the Association of Engineering Employees
of Oregon. Testifying against HB 3365. [EXHIBIT D]

290 LEROY CHURCHILL: Discusses the history of the state laws on pay
systems.

335 LEROY CHURCHILL: Discusses the elimination of line 9-10-11 of the bill.

378 CHAIR DERFLER: Closes PUBLIC HEARING on 3365.

383 CHAIR DERFLER: Opens PUBLIC HEARING on HB 2779.

389 REP. CARTER: Testifying in support of HB 2779.[EXHIBIT E]

TAPE 172, B

030 REP. CARTER: Discusses the economic boost that this bill would bring to the North Portland community.

070 REP. CARTER: Speaks to the need for local governments to have control over the conditions of business enterprise zone regulations.

088 JOHN HALL: Representing the Portland Development Commission. Discusses the local control issues. [EXHIBIT F]

113 CHAIR DERFLER: Closes PUBLIC HEARING on 2779.

115 CHAIR DERFLER: Opens WORK SESSION on 2779.

116 MOTION: SEN. MCCOY: Moves HB 2779 be sent to the floor with a DO PASS recommendation.

VOTE: 5-0

AYE: In a roll call vote, all members present vote Aye.

CHAIR: The motion CARRIES.

MCCOY will lead discussion on the floor.

123 CHAIR DERFLER: Opens PUBLIC HEARING on HB 2706.

128 KEN KEUDELL: Representing the Oregon Construction Contractors Board. Testifying in favor of HB 2706. [EXHIBIT G]

180 KEN KEUDELL: Discusses bond requirements.

230 KEN KEUDELL: Discusses section 5 of the bill, relating to the monies kept by the board.

260 KEN KEUDELL: Testifies on the percentage of fines over \$1000.00 and what infraction would allow this level of fines.

294 KEN KEUDELL: Testifies to the reduction of fines by administrative rules.

360 SEN. LEONARD: Speaks to the need for the legislature to review administrative rules.

TAPE 173, B

015 KEN KEUDELL: Discusses the use of the maximum fine.

045 SEN. BRYANT: Discusses the difficulty of legislating the rules of the board.

078 CHAIR DERFLER: Closes PUBLIC HEARING on HB 2706.

080 CHAIR DERFLER: Opens PUBLIC HEARING on HB 2535.

090 JACK ROBERTS: Commissioner of Bureau of Labor and Industries.

125 JACK ROBERTS: Discusses the agreement on loans provided to employees by employers.

160 CHAIR DERFLER: Closes PUBLIC HEARING on HB 2535.

161 CHAIR DERFLER: Opens WORK SESSION on HB 2535.

062 MOTION: SEN. BRYANT: Moves to AMEND HB 2535A by inserting "".

VOTE: 3-0
 AYE: In a roll call vote, all members present vote Aye.
 EXCUSED: 2 - KINTIGH, LEONARD

CHAIR: The motion CARRIES.

065 MOTION: SEN. BRYANT: Moves HB 2535A be sent to the floor with a BE
 ADOPTED AS AMENDED recommendation.

VOTE: 3-0
 AYE: In a roll call vote, all members present vote Aye.
 EXCUSED: 2 - KINTIGH, LEONARD

CHAIR: The motion CARRIES.

170 CHAIR DERFLER: Closes WORK SESSION on HB 2535.

172 CHAIR DERFLER: Opens PUBLIC HEARING on HB 2564.

173 RITA THOMAS: Discusses the background on HB 2564.

187 DELL ISHAM: Representing Oregon Care Providers. [EXHIBIT H]

225 DELL ISHAM: Answers question of Sen. McCoy related to pay in salary vs.
 hourly wages.

270 BOB BUNNELL: Discusses wages, room and board.

330 DELL ISHAM: Discusses other legislation related to adult foster care
 providers.

356 PAUL TIFFANY: Answers Sen. McCoy question related to complaints from
 adult foster care providers.

395 PAUL TIFFANY: Speaks to the number of providers that are in home.

TAPE 174, A

030 CHUCK SHEKETOFF: Multnomah Legal Aide. Discussion of how the
 legislation came about.

070 CHAIR DERFLER: Closes PUBLIC HEARING on HB 2564.

072 CHAIR DERFLER: Opens WORK SESSION on HB 2564.

076 MOTION: SEN. BRYANT: Moves to AMEND HB 2564A by deleting "including
 adult foster homes" on page 2, line 16 of the bill.

VOTE: Hearing no objection the motion CARRIES.

079 MOTION: SEN. BRYANT: Moves HB 2564A be sent to the floor with a DO PASS
 AS AMENDED recommendation.

081 SEN. LEONARD: Discusses the wages for providers at rates lower than
 minimum wage.

120 DELL ISHAM: Discusses the requirements for paid time and benefits.

153 REP. FISHER: District 45. Discusses adult foster care homes.

200 REP. FISHER: Discusses the need for this legislation.

216 DELL ISHAM: Discusses the Bureau of Labor's interruption of resident
 manager.

262 SEN. LEONARD: Discusses the definition of resident manager, suggesting changes to clarify 24 hour occupation of the care home.

317 VOTE: 4-0
AYE: In a roll call vote, all members present vote Aye.
EXCUSED: 1 - MCCOY

CHAIR: The motion CARRIES.

325 CHAIR DERFLER: Closes WORK SESSION on HB 2564.

326 CHAIR DERFLER: Opens PUBLIC HEARING on HB 2921.

335 PAUL TIFFANY: Representing Bureau of Labor and Industries, gives background on bill.

374 MOTION: SEN. KINTIGH: Moves to ADOPT HB 2921-4 amendments dated 4/24/95.

VOTE: 3-0
AYE: In a roll call vote, all members present vote Aye.
EXCUSED: 2 - LEONARD, MCCOY

CHAIR: The motion CARRIES.

376 MOTION: SEN. KINTIGH: Moves HB 2921A be sent to the floor with a DO PASS AS AMENDED recommendation.

VOTE: 3-0
AYE: In a roll call vote, all members present vote Aye.
EXCUSED: 2 - LEONARD, MCCOY

CHAIR: The motion CARRIES.

KINTIGH will lead discussion on the floor.

387 CHAIR DERFLER: Closes WORK SESSION on HB 2921.

388 CHAIR DERFLER: Opens WORK SESSION on HB 3180.

400 NANCY MILLER: Citizen Review Board Administrator. Discusses amendments to HB 3180.[exhibit i]

TAPE 175, A

020 NANCY MILLER: Continues discussion of A-11 amendments.

050 NANCY MILLER: Discusses the family group coordinator.

090 NANCY MILLER: Speaks to the need for the family to have a mechanism to object to the family group conference.

150 KAY TORAN: Assistant Director for Children's Services Division. Discusses concerns for A-11 amendments. [EXHIBIT J]

202 KAY TORAN: Continues discussion of problems with the amendments.

222 BETTY UCHYTIL: Children's Services Division. Discusses section 8.

250 BETTY UCHYTIL: Speaks to section 22.

265 TOM HART: Oregon District Attorney's Association. Discusses needed technical changes.

307 TOM HART: Discusses the mandatory reporters.

355 TOM HART: Speaks to assessment "when possible" in investigation language.

401 TOM HART: Clarifies the team effort between law enforcement and CPS
workers.

TAPE 174, B

035 TOM HART: Discusses the role of protective services.
060 CHAIR DERFLER: Recess meeting for a call of the Senate floor.
061 CHAIR DERFLER: Reconvenes meeting 11:08 am.
065 TOM HART: Continues testimony on changes to HB 3180.
090 TOM HART: Discusses the notification upon the taking of a child.
140 TOM HART: Discusses physical examinations.
190 TOM HART: Discusses need for clarification on probable cause.
240 TOM HART: Speaks to the need for exceptions in visitation rights.
290 TOM HART: Discusses authority of judges and their availability.
335 TOM HART: Speaks to the authority needed for CPSD to order a
perpetrator out of their home.
400 TOM HART: Discusses alternatives to removal of a child. Section 14.

TAPE 175, B

025 TOM HART: Discusses section 15, CPSD responsibilities.
070 TOM HART: Clarifies definitions for those to be present at family
conferences.
125 TOM HART: Discusses changes needed on page 19 of the A-11 amendments,
related to written communications.
161 TOM HART: Looks for clarification of the burden to the state. Who in
the state is the burden upon?
195 NAN WALLER: Multnomah County Commission on Children and Families.
Discusses Multnomah County's concerns with HB 3180.[exhibit K]
260 NAN WALLER: Speaks to the concerns with the family group conference
coordinator.
310 NAN WALLER: Continues discussion of removal of children by affidavit.
340 ANGELA SHERBO: Representing Juvenile Rights Project. Discusses the
intent of the legislation.
400 ANGELA SHERBO: Speaks to the problems in section 11.
455 CHAIR DERFLER: Closes WORK SESSION on HB 3180.
Adjourns meeting.

Submitted by, Reviewed by,

Amy Baker Rita Thomas
Committee Assistant Committee Counsel

EXHIBIT SUMMARY:

A - Testimony on HB 3395 - John Ramig, on behalf of VALIC - 14 pages
B - Testimony on HB 3365 - Rich Peppers, OPEU - 2 pages
C - Testimony on HB 3365 - Ken Allen , AFSCME - 1 page

D - Testimony on HB 3365 - Leroy Churchill, Association of Engineering Employees - 7 pages
E - Testimony on HB 2779 - Rep. Carter - 3 pages
F - Testimony on HB 2779 - John Hall, Portland Development Commission - 8 pages
G - Testimony on HB 2706 - Ken Keudell, Construction Contractors Board - 2 pages
H - Testimony on HB 2564 - Dell Isham, Oregon Care Providers Assn. - 2 pages
I - Testimony on HB 3180 - Nancy Miller, CRB Administrator - 3 pages
J - Testimony on HB 3180 - Kay Toran, CSD - 5 pages
K - Testimony on HB 3180 - Nan Waller, Multnomah County Children and Families - 4 pages