

SENATE COMMITTEE ON
LABOR AND GOVERNMENT OPERATIONS

February 15, 1995 Hearing Room B
8:00 AM Tapes 45 - 46

MEMBERS PRESENT:

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

MEMBER EXCUSED:

Sen. Brady Adams, Vice-Chair

STAFF PRESENT:

Rita Thomas, Committee Counsel
Amy Baker, Committee Assistant

MEASURES HEARD:

SB 114 - Public Hearing
SB 264 - Public Hearing
SB 143 - Public Hearing & Work Session
SB 145 - 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 459 A

004 CHAIR DERFLER: Opens WORK SESSION on SB 114
007 RITA THOMAS: Discusses background on SB 114
010 JOYCE THORBECK: Representing the State Board of Tax Service Examiners

Discusses the

need for SB 114. [EXHIBIT A]

050 CHAIR DERFLER: What sort of penalties does the board use in violation
citations? ...

061 CHAIR DERFLER: The Tax Board would like to continue to pursue a fine
even when the
violinist lets his/her license lapse?

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063 JOYCE THORBECK: Yes, that is what we are trying to accomplish with this
legislation.

067 SEN. KINTIGH: Do you have any cases where the tax preparer is just plain
incompetent?

070 JOYCE THORBECK: Yes.

090 SEN. BRYANT: I had a constituent who is licensed in California, and he
only prepares
California tax returns, is it correct to say that if a client of his moves
from California, to Oregon
for example, he can no longer prepare their tax returns?

095 JOYCE THORBECK Yes. Like a lawyer, the state in which you practice is
the state in which
you should be licensed.

138 RUTH THOMPSON: Discusses a specific case in which she was involved.

190 CHARI DERFLER: Would the board have authority to penalize violators in
such a case like the
one Ms. Thompson described with this new proposed legislation?

192 JOYCE THORBECK: Potentially, that is correct if the case of misconduct
is proven.

215 JOYCE THORBECK: Revocation of a license is permanent.

220 CHAIR DERFLER: Is there an appeal process?
221 JOYCE THORBECK: Yes.
226 CHAIR DERFLER: Closes PUBLIC HEARING on SB 114.
247 CHAIR DERFLER: Opens PUBLIC HEARING on SB 264.
250 RITA THOMAS: Discusses background on SB 264.
260 ED EDWARDS: Begins testimony on SB 264. [EXHIBIT B] [EXHIBIT C]
321 ED EDWARDS: Continues testimony on SB 264 related to three year
agreement.
375 CHAIR DERFLER: Does the 90 day window period applies to one year, two
year or three year
agreements?
380 ED EDWARDS: Yes, let me also say the 3 year period is a ceiling not a
floor.

TAPE 46, A

010 CHAIR DERFLER: What do other states do in regard to contract periods?

012 ED EDWARDS: I don't know at this time but I can find out.

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015 JOHN DANIELSON: Representing the Oregon Education Association, here to
testify against SB
264. The association does not see the need for the bill. The bill could
effectively create more
problems.

046 JOHN DANIELSON: We don't believe that there is a record of the problems
which this bill
seeks to correct.

070 KEN ALLEN: Representing AFSCME. Here to testify in favor of SB 264.
[EXHIBIT D]

120 KEN ALLEN: Answers questions of the Committee.
142 SEN. LEONARD: Discusses Labor & Management perspectives on union
representation.

160 CHAIR DERFLER: Closes PUBLIC HEARING on SB 264.
170 CHAIR DERFLER: Opens PUBLIC HEARING on SB 143.

173 RITA THOMAS: Gives background on SB 143.

182 BOB ANDREWS: Test)ifies in favor of SB 143. [EXHIBIT E]
207 BOB ANDREWS: Continues testimony.
237 CHAIR DERFLER: If someone was a fireman or police officer with a duty
disability, can they
elect to take the 2% times three years or 50% of their salary?
240 BOB ANDREWS: Yes, that is correct.
260 BOB ANDREWS: Continues testimony in favor of SB 143.
292 CHAIR DERFLER: Closes PUBLIC HEARING on 143.
295 CHAIR DERFLER: Opens PUBLIC HEARING ON 145.
297 RITA THOMAS: Discusses background on SB 145.
310 BOB ANDREWS: Test)ifies on SB 145. [EXHIBIT F1]
340 BOB ANDREWS: References ORS 237.003, subsection (15).
392 BOB ANDREWS: By adding the word 'active"we can continue with the intent
of the original
legislation.
402 CHAIR DERFLER: Closes PUBLIC HEARING on SB 145.
405 CHAIR DERFLER: Ouens WORK SESSION on SB 145.

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408 MOTION: SEN. BRYANT: Moves SB 145 be sent to the floor with a DO PASS recommendation
 VOTE: In roll call vote all members present vote AYE. SEN. ADAMS is excused SEN. MCCOY will lead discussion on the Floor

TAPE 45, B

008 CHAIR DERFLER: Closes WORK SESSION on SB 145.
 011 CHAIR DERFLER: ODens WORK SESSION on SB 143.
 013 MOTION: SEN. KINTIGH: Moves SB 143 be sent to the floor with a DO PASS recommendation.
 VOTE: Hearing no objections the motion CARRIES. SEN. ADAMS is excused SEN. LEONARD will lead discussion on the Floor.

022 CHAIR DERFLER: Adjourns meeting
 Submitted by, Reviewed by,
 Rita Thomas
 Committee Assistant Committee Counsel

EXHIBIT SUMMARY:

- A - Written Testimony of David Kim on SB 114- Joyce Thorbeck- 2 pages
- B - Testimony on SB 264 - Ed Edwards - 4 pages
- C - Cases related to SB 264 - Ed Edwards - 4 pages
- D - Testimony on SB 264 - Ken Allen - 2 pages
- E - Testimony on SB 143 - Bob Andrews - 1 page
- F- Testimony on SB 145 - Bob Andrews - 2 pages

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