

SENATE COMMITTEE ON
LABOR AND GOVERNMENT OPERATIONS

Hearing Room
Tapes 10 - 111

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 1020 - Work Session
SB 84 - Public Hearing
SB 83 - Public Hearing
SB 454 - Public Hearing

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 10, A

005 CHAIR DERFLER: Opens Work Session on SB 1020.

014 MOTION: SEN. MCCOY MOVES SB 1020 BE RETURNED TO THE PRESIDENT'S DESK WITH

A LETTER REQUESTING THAT THE BILL BE REFERRED TO THE WAYS AND MEANS COMMITTEE WITHOUT A RECOMMENDATION AS TO ITS PASSAGE.

016 VOTE: HEARING NO OBJECTIONS THE MOTION CARRIES. Sen. Bryant and Sen. Adams are excused.

017 CHAIR DERFLER: Opens PUBLIC HEARING on SB 83.

024 RITA THOMAS: Gives background information on SB 83.

030 COLIN HANDFORTH: Begins testimony on SB 83.[EXHIBIT A]

083 SEN. MCCOY: By making the board semi-independent, does this make you privatized?

085 COLIN HANDFORTH: No, we are not trying to make ourselves a private agency. We still want to be a state agency.

117 SEN. BRYANT: Would you still be subject to audits by the Secretary of State's Office.

125 COLIN HANDFORTH: Yes, we would. We would essentially be budgetary independent.

160 COLIN HANDFORTH: Discusses the retention of the Attorney General's services for legal council.

200 COLIN HANDFORTH: Discusses the control of the board in respect to the "old boys" syndrome.

218 COLIN HANDFORTH: Responds to Sen. Kintigh's regarding the support from the profession, he indicates that the profession is in favor of this legislation.

285 COLIN HANDFORTH: Gives a listing of associations in favor of SB 83.

295 MARK WIRFS: Begins testimony on SB 83, in support of the legislation.

327 SEN. KINTIGH: What is your major area of enforcement?

329 MARK WIRFS: The board mainly responds to complaints. Usually, people who do not complete work and/or work outside of their area of specialty.

349 RAYMOND MILLER: Gives testimony in favor of SB 83.

374 BRIAN WEIGART: Gives testimony in favor of SB 83. Discusses his investigations for the board.

TAPE 111, A

014 BRIAN WEIGART: Continues testimony on surveyors.

025 COLIN HANDFORTH: With this law the employees remain public employees.

048 COLIN HANDFORTH: By trying to create an amendment to allow the board greater flexibility without enacting this law would still leave the board subject to Dept. of Administrative Services. Which creates a very agonizing budgetary process.

087 COLIN HANDFORTH: The Governor's office neither supports or opposes this bill.

100 BILL MCGEE: Representing the Dept. of Administrative Services. The \$2000.00 that was referred to was cut by the legislative fiscal office.

139 BILL MCGEE: Discusses the budgetary instructions sent out by DAS.

165 BILL MCGEE: Responds to Sen. Leonard's question of why other agencies may want to be independent.

191 SUZANNE CRANE: Testifying in support of SB 83.

230 BILL MCGEE: Discusses the motives of boards and agencies to become independent or semi-independent.

295 BILL MCGEE: No, the current investigators do not have to be certified as police officers.

310 COLIN HANDFORTH: Describes that the law enforcement handbook of the

board.

361 SEN. MCCOY: Clarifies Sen. Leonard's question on who disciplines the board.

400 BILL MCGEE: States that currently and also with the enactment of this new legislation the board would still be involved in disciplinary actions.

TAPE 110, B

030 COLIN HANDFORTH: Discusses the rules that the board must follow to set fines.

053 CHAIR DERFLER: Closes PUBLIC HEARING on SB 83.

055 CHAIR DERFLER: Opens PUBLIC HEARING on SB 84.

056 COLIN HANDFORTH: Discusses SB 84.[EXHIBIT B]

090 SEN. KINTIGH: Discusses the make up of the board.

093 COLIN HANDFORTH: Responds to the different types of engineering areas.

130 COLIN HANDFORTH: Discussing the possibilities of an earthquake and the responsibility for continuing education for engineers.

150 SEN. LEONARD: Can the Governor remove a member from the board?

153 COLIN HANDFORTH: Yes, the law says that the Governor can remove for cause.

162 SEN. BRYANT: Clarifies the difference between for cause and just cause for the removal of board members.

196 BRIAN WEIGART: Testimony in favor of SB 84. On behalf of the professional land surveyors of Oregon.

210 SUZANNE CRANE: Testifying in favor of SB 84 and the changes it makes to the current laws.

230 CHAIR DERFLER: Closes PUBLIC HEARING on SB 84.

231 CHAIR DERFLER: Opens WORK SESSION on SB 83.

235 MOTION: SEN. MCCOY: Moves that a sunset amendment on SB 83, ending on December 31, 1999 be adopted.

VOTE: HEARING NO OBJECTIONS THE MOTION CARRIES. Sen. Adams is excused.

255 MOTION: SEN. BRYANT: Moves to ADOPT THE 83-1 AMENDMENTS AND THE AMENDMENTS TO 83-1[EXHIBIT E].

VOTE: HEARING NO OBJECTIONS THE MOTION CARRIES. Sen. Adams is excused.

275 MOTION: SEN. KINTIGH: Moves SB 83 AS AMENDED TO THE SENATE FLOOR with a DO PASS recommendation.

VOTE: 5-0 MOTION PASSES

AYE: BRYANT, LEONARD, KINTIGH, MCCOY, DERFLER

NO: NONE

EXCUSED: ADAMS

278 CHAIR DERFLER: Closes WORK SESSION on SB 83.

279 CHAIR DERFLER: Opens WORK SESSION on SB 84.

298 MOTION: SEN. BRYANT: Moves to ADOPT THE 84-2 AMENDMENTS.
VOTE: HEARING NO OBJECTIONS THE MOTION CARRIES. Sen. Adams is excused.

300 MOTION: SEN. LEONARD: Moves to ADOPT AN AMENDMENT TO HAVE THE MEMBERS OF
THE BOARD OF ENGINEER EXAMINERS SERVE AT THE PLEASURE OF THE GOVERNOR.
VOTE: HEARING NO OBJECTIONS THE MOTION CARRIES. Sen. Adams is excused.

305 MOTION: SEN. MCCOY: Moves SB 84 AS AMENDED TO THE SENATE FLOOR with a DO
PASS recommendation.
VOTE: 5-0 MOTION PASSES
AYE: BRYANT, LEONARD, KINTIGH, MCCOY, DERFLER
NO: NONE
EXCUSED: ADAMS

307 CHAIR DERFLER: Closes WORK SESSION on SB 84.

308 CHAIR DERFLER: Opens PUBLIC HEARING on SB 454.

315 RITA THOMAS: Gives background on SB 454.
326 SAMPLE LINDHOLM: Representing the Manufactured Housing Communities of
Oregon.(MHCO). Testifying in favor of SB 454. [EXHIBIT C]

374 PAUL KOCH: Mobile home park owner. Testifying in favor of SB 454.
[EXHIBIT D]

430 PAUL KOCH: Continues testimony discussing the duties of mobile home
park managers.
TAPE 111, B

030 SEN. MCCOY: Discusses benefits for resident managers.

051 SEN. MCCOY: Discusses the lack of health care for their employees.

072 SEN. LEONARD: This law does not exclude those who are hired as outside
contract workers.

097 ALLEN CONLEY: Mobile home park owner, with RV slots. Testifying in
favor of SB 454.

135 ALLEN CONLEY: Continues testimony on SB 454, describing the work of the
resident managers.

145 SEN. BRYANT: Discusses a proposed amendment to specify RV parks as part
of the exclusion from minimum wage law.

170 SEN. LEONARD: Was there an incident that caused the drafting of this
legislation.

186 SAMPLE LINDHOLM: Describes case, Baxter vs. MJB.

203 PAUL Tiffany: Bureau of Labor & Industries. Discusses an incident that
may have provoked this legislation.

220 SEN. LEONARD: Is there a philosophical difference in your mind or the

department that makes a mobile home park resident manager different from a apt. manager.

221 paul TIFFANY: No

230 SEN. MCCOY: Are the mobile home park owners currently violating the wage per hour laws?

233 Paul tiffany: No. Discusses the duties of the parks manager and the clarifications made by this legislation.

261 SEN. BRYANT: Closes PUBLIC HEARING on SB 454

262 SEN. BRYANT: Opens WORK SESSION on SB 454.

264 MOTION: SEN. LEONARD: Moves SB 454 TO THE SENATE FLOOR with a DO PASS recommendation.

VOTE: 4-0 MOTION PASSES
AYE: BRYANT, LEONARD, KINTIGH, MCCOY
NO: NONE
EXCUSED: ADAMS, DERFLER

282 SEN. BRYANT: Closes WORK SESSION on SB 454
Adjourns meeting.

Submitted by, Reviewed by,

Amy Baker Rita Thomas
Committee Assistant Committee Counsel

EXHIBIT SUMMARY:

- A - Testimony on SB 83 - Colin Handforth - 1 page
- B - Testimony on SB 84 - Colin Handforth - 1 page
- C - Testimony on SB 454 - Sample Lindholm - 1 page
- D - Testimony on SB 454 - Paul Koch - 2 pages
- E - Proposed on SB 83 - Colin Handforth - 1 page
- F - Written testimony on SB 83 - Emile Mortier - 7 pages