

SENATE COMMITTEE ON
LABOR AND GOVERNMENT OPERATIONS

Hearing Room
Tapes 16 - 117

MEMBERS PRESENT:

Sen. Gene Derfler, Chair
Sen. Brady Adams, Vice-Chair
Sen. Bob Kintigh
Sen. Bill McCoy
Sen. Randy Leonard
President Gordon Smith

MEMBER EXCUSED:

Sen. Neil Bryant

STAFF PRESENT:

Rita Thomas, Committee Counsel
Amy Baker, Committee Assistant

MEASURES HEARD:

SB 1038 - Work Session
SB 750 - Work Session
SB 566 - Public Hearing & Work Session
SB 1012 - Public Hearing & Work Session
SB 230 - 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 116, A

005 CHAIR DERFLER: Opens Work Session on SB 1038.

010 MOTION: SEN. ADAMS MOVES SB 1038 BE RETURNED TO THE PRESIDENT'S DESK WITH
A LETTER REQUESTING THAT THE BILL BE REFERRED TO THE WATER AND LAND USE
COMMITTEE WITHOUT A RECOMMENDATION AS TO ITS PASSAGE.

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

018 CHAIR DERFLER: Opens PUBLIC HEARING on SB 566.

020 RITA THOMAS: Gives background information on SB 566.

024 REP. LUNDQUIST: Testifying in favor of SB 566

052 LAURA PRYOR: Begins testimony in favor of SB 566.[EXHIBIT A]

069 MIKE MCHANEY: The money has been a great help to the counties.

075 BILL PENHOLLOW: Representing Associated Oregon Counties. AOC does support this program.

093 MIKE DEWEY: Representing the Oregon Wheat Grower's League. In support of SB 566.

110 SEN. MCCOY: Why was the sunset clause put into this law in the first place?

114 MIKE DEWEY: It is my opinion that the prior chair supported this program but wanted to review it every two years.

159 LAURA PRYOR: The moneys that we are requesting for the roads is not anymore than currently requested.

174 SEN. KINTIGH: The effect on the top counties is very minimal.

183 CHAIR DERFLER: Closes PUBLIC HEARING on SB 566.

187 CHAIR DERFLER: Opens PUBLIC HEARING on SB 230.

198 RITA THOMAS: Gives background on SB 230.

201 BOB ANDREWS: Representing PERS, in support of SB 230.[EXHIBIT B]
[EXHIBIT C]

249 BOB ANDREWS: Gives an example of the effect of the bill on how the "415" limits work.[EXHIBIT C]

287 SEN. LEONARD: Can the public employee do a "catch up"?

289 BOB ANDREWS: Yes.

307 BOB ANDREWS: It would impact on that salary that we use for testing compliance.

317 ELIZABETH HARCHENKO: The limitations in 415 approach this issue from two directions.

358 SEN. LEONARD: Is there anything that can be done in SB 230 to address the problem of calculation?

360 ELIZABETH HARCHENKO: That is a federal law problem.

407 BOB ANDREWS: We would not be opposed to an amendment that would require PERS to notify employees of potential problems when participating in deferred comp. plans (457).

TAPE 117, A

020 SEN. ADAMS: Closes PUBLIC HEARING on SB 230.

027 SEN. ADAMS: Opens PUBLIC HEARING on SB 1012.

033 STEVEN KAFOURY: Begins testimony on SB 1012.

075 STEVEN KAFOURY: Continues testimony on the cost related issues of contracting out public services with a fee.

112 STEVEN KAFOURY: Discusses the SB 1012-1 amendments.

142 SEN. KINTIGH: Would this apply to engineer services used by ODOT?

150 STEVEN KAFOURY: I had intended this bill to apply to those situations were there is a competitive bid.

175 SEN. LEONARD: The main point of your bill is to say that a public entity should not be subsidized with public dollars if they are competing, is that correct?

180 STEVEN KAFOURY: The issue is that the price that public company is bidding should not be subsidized.

181 SEN. LEONARD: Should I assume that then the private ambulance companies should not be publicly subsidized?

182 STEVEN KAFOURY: There should no assist in the bid for private or public companies, unless that assist is equally given to both.

240 CHAIR DERFLER: Closes PUBLIC HEARING on SB 1012.

243 CHAIR DERFLER: Opens WORK SESSION on 566.

245 MOTION: SEN. ADAMS MOVES THAT SB 566 BE MOVED TO THE FLOOR WITH A DO PASS RECOMMENDATION.

VOTE: 4-1
AYE: DERFLER, ADAMS, LEONARD, KINTIGH
NO: MCCOY
EXCUSED: BRYANT

251 CHAIR DERFLER: Closes WORK SESSION on SB 566.

252 CHAIR DERFLER: Reopens PUBLIC HEARING on SB 1012.

260 BURTON WEAST: Begins testimony against SB 1012.

325 BURTON WEAST: Discusses the current programs set up in the public sector to provide services that are fee-based.

375 BURTON WEAST: Discusses the lack of definitions in the bill to determine the requirements for the public sector.

TAPE 116, B

007 JACK LYNCH: Oregon City Fire Chief. Testifying against SB 1012, describing the unanticipated impacts of this bill.

050 JACK LYNCH: Discusses the current operations of the Oregon Fire Association.

065 LORI HAMM: Representing Care Ambulance Service. Testifying in opposition of SB 1012.

100 LORI HAMM: Discusses the possible impacts of SB 1012 on the government's ability to eliminate private companies.

133 CHAIR DERFLER: Closes PUBLIC HEARING on SB 1012.

134 CHAIR DERFLER: Opens WORK SESSION on SB 1012.

148 MOTION: SEN. LEONARD MOVES TO TABLE SB 1012 WITHOUT POSSIBLE RECONSIDERATION.

VOTE: 4-0

AYE: DERFLER, ADAMS, KINTIGH, LEONARD
NO:
EXCUSED: MCCOY, BRYANT

- 162 CHAIR DERFLER: Closes WORK SESSION on SB 1012.
- 163 CHAIR DERFLER: Recess hearing for five minutes.
- 165 CHAIR DERFLER: Opens hearing.
- 165 CHAIR DERFLER: Opens WORK SESSION on SB 750.
- 167 RITA THOMAS: Gives background on SB 750-3 and SB 750-4 amendments.
- 188 RITA THOMAS: Continues description of SB 750 amendments.
- 235 RITA THOMAS: Discusses section 7 of SB 750 referring to the amendments to this section.
- 260 RITA THOMAS: Discusses SB 750-4 amendments.
- 293 MOTION: SEN. LEONARD MOVES TO TABLE SB 750.
- VOTE: 2-4
AYE: MCCOY, LEONARD
NO: DERFLER, KINTIGH, ADAMS, PRESIDENT SMITH
EXCUSED: BRYANT
- 300 MOTION: SEN. ADAMS MOVES TO PASS SB 750-3 AND SB 750-4 AMENDMENTS.
- VOTE: 4-2
AYE: DERFLER, KINTIGH, ADAMS, PRESIDENT SMITH
NO: MCCOY, LEONARD
EXCUSED: BRYANT
- 305 MOTION: SEN. ADAMS MOVES SB 750 AS AMENDED TO THE FLOOR WITH A DO PASS RECOMMENDATION.
- 313 SEN. LEONARD: Discusses his opposition to SB 750.
- 385 SEN. LEONARD: Continues discussion of problems he sees with SB 750.
- TAPE 117, B
- 021 SEN. LEONARD: Continues discussion of effect of SB 750 on firefighters and police.
- 055 SEN. LEONARD: Concludes by saying that this is an attack on public employees.
- 058 PRESIDENT SMITH: Discusses the other side of the debate. Addressing the problems that this bill does resolve.
- 080 SEN. ADAMS: Points out the conclusion he has drawn which favors SB 750 has come from the same testimony that Sen. Leonard has heard.
- 081 VOTE: 4-2
AYE: DERFLER, KINTIGH, ADAMS, PRESIDENT SMITH
NO: MCCOY, LEONARD
EXCUSED: BRYANT
- 090 CHAIR DERFLER: Closes WORK SESSION on SB 750.
- 092 CHAIR DERFLER: Adjourns meeting.

Submitted by, Reviewed by,

Amy Baker Rita Thomas
Committee Assistant Committee Counsel

EXHIBIT SUMMARY:

- A - Written testimony on SB 566 - Judge Laura Pryor - 14 pages
- B - Written testimony on SB 230 - Bob Andrews - 5 pages
- C - Written testimony on SB 230 - Bob Andrews - 1 page