

SENATE COMMITTEE ON
LABOR AND GOVERNMENT OPERATIONS

April 3, 1995 Hearing Room B
8:00 AM Tapes 118 - 119

MEMBERS PRESENT:

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

MEMBER EXCUSED:

Sen. Brady Adams, Vice-Chair
Sen. Bill McCoy

STAFF PRESENT:

Rita Thomas, Committee Counsel
Glenda Fields, Committee Assistant

MEASURES HEARD:

SB 823 PUBLIC HEARING / WORK SESSION
SB 821 PUBLIC HEARING / WORK SESSION
SB 663 PUBLIC HEARING
SB 1002 PUBLIC HEARING
SB 834 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 118, A

002 CHAIR DERFLER: Calling meeting to order at 8:05 AM.

003 CHAIR DERFLER: Opening PUBLIC HEARING on SB 823.

012 SUSAN FORKNER: Testifying in favor of SB 823 (EXHIBIT A).

046 JOE GILLIAM: NFIB, testifying in favor of SB 823 (EXHIBIT B).

068 SHIRLEY BENSON: NFIB, testifying in favor of SB 823.

089 JOE GILLIAM: Explaining SB 823.

095 CHAIR DERFLER: Are they paying this without any way of being involved in the system?

105 LARRY YOUNG: WCD, testifying in favor of SB 823 (EXHIBIT C).

145 SEN. KINTIGH: What did we do wrong last session?

154 LARRY YOUNG: Explaining why this bill is necessary and recommending word changes.

175 SEN. KINTIGH: It sounds like this bill will need an emergency clause.

190 CHAIR DERFLER: How many phone calls have you received?

200 CHAIR DERFLER:: Closing PUBLIC HEARING on SB 823.

201 CHAIR DERFLER: Opening WORK SESSION on SB 823.

MOTION: SEN. BRYANT: Moves that the Committee accept the A and B Amendments presented by the Workers Compensation Division.

215 SEN. KINTIGH: Which Sections are amended?

220 CHAIR DERFLER: We will be leaving Section 2 as is.

222 CHAIR DERFLER: Hearing no objections the Amendments to SB 823 are accepted by the Committee.

MOTION: SEN. KINTIGH moves that SB 823 as amended be moved to the floor with a Do Pass recommendation.

VOTE: 4-0

AYE: Bryant, Kintigh, Leonard, Derfler

NO: None

SEN. KINTIGH will carry the bill.

230 CHAIR DERFLER: Closing WORK SESSION on SB 823.

231 CHAIR DERFLER: Opening PUBLIC HEARING on SB 821.

240 DAVID ANDERSON: Attorney for Port of Umpqua, explaining SB 821.

290 DAVID ANDERSON: Explaining situation with the Board of Port of Umpqua.

320 SEN. BRADBURY: Testifying in support of SB 821.

335 CHAIR DERFLER: How do you become a Port Commissioner?

341 SEN. KINTIGH: At one time did these people seek this position?

353 CHAIR DERFLER: Is there any provision for someone being ill?

367 SEN. KINTIGH: Can you brief me with the procedure for filling the vacancy?

377 CHAIR DERFLER: Closing PUBLIC HEARING on SB 821.

380 CHAIR DERFLER: Opening WORK SESSION on SB 821.

MOTION: SEN. KINTIGH moves that SB 821 be passed to the Senate floor with a do pass recommendation.

VOTE: 4-0

AYE: Kintigh, Leonard, Bryant, Derfler
NO: None
SENATOR BRADBURY will carry SB 821.

387 CHAIR DERFLER: Closing WORK SESSION on SB 821.

391 CHAIR DERFLER: Opening PUBLIC HEARING on 663.

400 MIKE SCOTT: Power Rents, testifying in favor of SB 663 (EXHIBIT D).

450 MIKE SCOTT: Explaining the need for SB 663.

TAPE 119, A

033 JOHN GERVAIS: CIC, testifying in favor of SB 663.

046 CHAIR DERFLER: What are the reasons that they would not get paid?

058 BARBARA JENSEN: Dept. of Administrative Services, testifying against SB
663 (EXHIBIT E).

080 CHAIR DERFLER: I still don't understand your objection to this bill.

095 CHAIR DERFLER: What would you suggest as recourse for this problem?

116 CARLTON CHAYER: City of Portland, testifying against SB 663.

140 SEN. BRYANT: Explaining the legal aspects of the bill. If you require
a bond, it drives up the costs.

160 MIKE SCOTT: When there is not a bond, there is no notification of
problems given to the agency. Explaining the problems that have occurred
that make this bill necessary.

200 CHAIR DERFLER: Doesn't the general contractor have a bond?

222 CHAIR DERFLER: Closing PUBLIC HEARING on 663.

224 CHAIR DERFLER: Opening PUBLIC HEARING on SB 834.

235 TOM BERRY: NW Natural Gas, testifying in favor of SB 834 (EXHIBIT F).

245 CARLA KELLEY: NW Natural Gas, testifying in favor of SB 834.

294 CHAIR DERFLER: If this bill is passed, would you be able to erect a
tower like you spoke of earlier?

297 CARLA KELLEY: No. Explaining situation that NW Natural Gas went
through.

325 CHAIR DERFLER: Closing PUBLIC HEARING on SB 834.

327 CHAIR DERFLER: Opening WORK SESSION on SB 834.

MOTION: SEN. KINTIGH moves that SB 834 be moved to the floor with a DO
PASS recommendation.

VOTE: 4-0

AYE: Leonard, Bryant, Kintigh, Derfler

NO: None

SEN. LEONARD will carry SB 834.

338 CHAIR DERFLER: Closing WORK SESSION on SB 834.

341 CHAIR DERFLER: Opening PUBLIC HEARING on SB 1002.

348 BETSY BAILEY: Testifying in favor of SB 1002.

355 EILEEN DRAKE: Testifying in favor of SB 1002. They would not need this bill if the rule could be changed.

382 PAUL TIFFANY: BOLI, testifying in favor of SB 1002. They can amend their rules to cover this area.

411 BETSY BAILEY: If the rule can be amended we are willing to drop this bill.

420 SEN. LEONARD: Is this an issue that has to do with the criteria that falls under the Fair Labor Standards Act?

430 PAUL TIFFANY: I don't believe it has anything to do with coverage so much as the overtime exemption.

442 EILEEN DRAKE: The Oregon Legislature removed the exemption for the employers covered by the FLSA.

TAPE 118, B

024 SEN. LEONARD: Would you agree with Mr. Tiffany that this rule would not affect the criteria that is used by the Federal Government?

026 EILEEN DRAKE: That is correct.

029 CHAIR DERFLER: Closing PUBLIC HEARING on SB 1002.

034 SEN. LEONARD: Questioning the sponsoring of SB 777?

043 CHAIR DERFLER: Meeting is adjourned at 9:05 AM.

Submitted by, Reviewed by,

Glenda Fields Rita Thomas
Committee Assistant Committee Counsel

EXHIBIT SUMMARY:

- A - Testimony on SB 823 - Susan Forkner - 1 page
- B - Testimony on SB 823 - Joe Gilliam, NFIB - 2 pages
- C - Testimony on SB 823 - Larry Young, WCD - 4 pages

D - Testimony on SB 663 - Mike Scott, Power Rents & Oregon Equipment Rental

Assn. - 2 pages

E - Testimony on SB 663 - Barbara Jensen, DAS - 3 pages

F - Testimony on SB 834 - Tom Berry, NW Natural Gas - 2 pages