

SENATE COMMITTEE ON
LABOR AND GOVERNMENT OPERATIONS

April 5, 1995 Hearing Room B
8:00 AM Tapes 120 - 122

MEMBERS PRESENT:

Sen. Gene Derfler, Chair
Sen. Brady Adams, Vice-Chair
Sen. Bob Kintigh
Sen. Neil Bryant
Sen. Bill McCoy
Sen. Randy Leonard

MEMBER EXCUSED:

STAFF PRESENT:

Rita Thomas, Committee Counsel
Glenda Fields, Committee Assistant

MEASURES HEARD:

SB 1003 PUBLIC HEARING / WORK SESSION
SB 987 PUBLIC HEARING / WORK SESSION
SB 936 PUBLIC HEARING / WORK SESSION
SB 187 PUBLIC HEARING
SB 783 PUBLIC HEARING
SB 666 PUBLIC HEARING / WORK SESSION
SB 486 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 120, A

003 CHAIR DERFLER: Calling meeting to order at 8:08 AM.

004 CHAIR DERFLER: Opening PUBLIC HEARING on SB 1003.

010 DIANE COWAN: Oregon PUD Association, testifying in favor of SB 1003 (EXHIBIT A).

028 CHAIR DERFLER: Could the employees work 4-10s?

044 SEN. KINTIGH: You mentioned a Federal Law. Does it address the 40 hour week?

045 RUTHANN MOGEN: Tillamook People's Utility District, testifying in favor
of SB 1003 (EXHIBIT B).

065 ROD BENNION: Columbia River PUD, testifying in favor of SB 1003.

095 SEN. KINTIGH: Would this come into play in emergency situations?

105 SEN. MCCOY: Have you seen the amendment and do you agree with it?

122 MARIA KELTNER: AOC and LOC, testifying in favor of SB 1003 and
presenting proposed amendment SB 1003-1.

150 SEN. MCCOY: If there are no funds available, then they get compensatory
time?

168 CHAIR DERFLER: I think SEN. MCCOY is questioning the statements about
overtime compensation.

176 SEN. KINTIGH: If employees are taking compensatory time, their work is
not being done.

186 MARIA KELTNER: Continuing testimony.

193 CONNIE WIGGINS: City of Salem, testifying in favor of SB 1003.

205 CHAIR DERFLER: Are you saying this is a win/win bill.

210 GARY HEER: Marion County, testifying in support of SB 1003.

220 CHAIR DERFLER: Closing PUBLIC HEARING on SB 1003.

223 CHAIR DERFLER: Opening WORK SESSION on SB 1003.

MOTION: SEN. BRYANT moves that the Committee accept the SB 1003-1
Amendments.

Hearing no objections, THE SB 1003-1 AMENDMENTS ARE ACCEPTED.

motion: SEN. BRYANT moves SB 1003 as AMENDED to the Senate floor with a do
pass recommendation.

VOTE: 4-0

AYE: Bryant, Kintigh, McCoy, Derfler

NO: None

SEN. KINTIGH will carry the bill.

235 CHAIR DERFLER: Closing WORK SESSION on SB 1003.

240 CHAIR DERFLER: Opening PUBLIC HEARING on SB 987.

254 GARY HEER: Marion County, testifying in favor of SB 987.

278 MICHAEL HANSEN: Legal Counsel, Marion County, testifying in favor of SB
987.

335 CHAIR DERFLER: Closing PUBLIC HEARING on SB 987.

340 CHAIR DERFLER: Opening WORK SESSION on SB 987.

MOTION: SEN. ADAMS moves SB 987 to the Senate floor with a do pass recommendation.

VOTE: 4-0
AYE: McCoy, Adams, Kintigh, Derfler
NO: None
SEN. SHANNON will carry the bill.

350 CHAIR DERFLER: Closing WORK SESSION on SB 987.

353 CHAIR DERFLER: Opening PUBLIC HEARING on SB 936.

360 John McCulley: Tree Fruit Growers, testifying in favor of SB 936 (EXHIBIT E).

406 SEN. MCCOY: Will the city run the lines out there?

420 CHAIR DERFLER: Closing PUBLIC HEARING on SB 936.

422 CHAIR DERFLER: Opening WORK SESSION on SB 936.

MOTION: SEN. ADAMS moves SB 936 to the Senate floor with a DO PASS recommendation.

VOTE: 4-0
AYE: Adams, Kintigh, McCoy, Derfler
NO: None
SEN. HANNON will carry the bill.

445 CHAIR DERFLER: Closing WORK SESSION on SB 936.

448 CHAIR DERFLER: Opening PUBLIC HEARING on SB 187.

460 WALLACE CARSON, JR: Oregon Judicial Department, testifying in favor of SB 187.

TAPE 121, A

045 WALLACE CARSON: We need to evaluate the appropriate salary levels for these three branches.

065 CHAIR DERFLER: If the Commissioner makes a change and the Legislature does not act, then it would take effect?

076 SEN. BRYANT: In Section 2, you have done an excellent job in that the Chief Justice gets to appoint 2 members.

085 BILL LINDEN: Testifying in favor of SB 187 with the amendments.

112 BILL LINDEN: The second part of Section 2 sets out provisions for a non-partisan Commission.

139 BILL LINDEN: Continuing testimony explaining Amendment SB 187-1.

160 BILL LINDEN: Section 2 may need a joint resolution.

174 SEN. MCCOY: Why did you limit the term of Commissioners to 2 terms.

187 SEN. BRYANT: Question regarding PERS pickup.
200 CHAIR DERFLER: I have a problem with who appoints these people.
215 GREG WEST: Judge, testifying in favor of SB 187.
242 GREG WEST: Discussing the problems of the current system.
260 MARK NELSON: Testifying in favor of SB 187.
269 SEN. KINTIGH: Discussing the random selection.
282 CHAIR DERFLER: Closing PUBLIC HEARING on SB 187.
283 CHAIR DERFLER: Opening PUBLIC HEARING on SB 783.
285 REP ELDON JOHNSON: Explaining SB 783.
335 REP. ELDON JOHNSON: Continuing explanation of SB 783.
385 SEN. MCCOY: Do you know anyone who has had a complaint?
415 REP. ELDON JOHNSON: Explaining the delay of payment with BOLI.
430 SEN. MCCOY: Is this an attempt on BOLI's part to downsize?

TAPE 120, B

033 JACK ROBERTS: Commissioner of BOLI, testifying on SB 783. Explaining how BOLI handles claims.
057 JACK ROBERTS: We think the current system is working quite well. We might work on a contract basis with Employment for collection.
095 CHAIR DERFLER: Are you comfortable with the way things are now?
100 SEN. MCCOY: Are you working out a merger and how soon would that take place?
110 JACK ROBERTS: We are not working on a merger between BOLI and Employment Dept. at this time, but I understand there is some legislation in this regard.
125 SEN. MCCOY: What would you think about amending this bill to address the merger of the Departments by next session?
141 CHRIS APGAR: Employment Department, testifying on SB 783 (EXHIBIT G).
156 DONNA HUNTER: Employment Department, explaining concerns of the Department.
200 DONNA HUNTER: This was our first diversion and we were notified that we would need to incorporate tax tables into them. This is addressed in HB 2058.
240 CHAIR DERFLER: Closing PUBLIC HEARING on SB 783.

242 CHAIR DERFLER: Opening PUBLIC HEARING on SB 666.

245 SEN. ROD JOHNSON: Explaining SB 666.

290 SEN. ROD JOHNSON: Explaining problems that employers have in giving recommendations on previous employees.

325 SEN. MCCOY: I think this would be interfering into business.

360 SEN. ROD JOHNSON: AFL-CIO listed this bill as a "watch".

373 SEN. LEONARD: If an Employer gave a good faith and accurate description at the present time, could he be sued successfully?

414 CHAIR DERFLER: I have been advised by attorneys to not say anything in these situations.

430 SEN. KINTIGH: I have found that when I call references there is great reluctance on Employers' part to share information.

TAPE 121, B

030 BETSY BAILEY: AOI , testifying in favor of SB 666.

045 LANA BUTTERFIELD: Testifying in favor of SB 666.

050 CHAIR DERFLER: Closing PUBLIC HEARING on SB 666.

051 CHAIR DERFLER: Opening WORK SESSION on SB 666.

MOTION: SEN. ADAMS moves that SB 666 be moved to the floor with a DO PASS recommendation.

VOTE: 5-1
AYE: Adams, Bryant, Leonard, Kintigh, Derfler
NO: McCoy
SEN. JOHNSON will carry the bill.

060 CHAIR DERFLER: Closing WORK SESSION on SB 666.

064 CHAIR DERFLER: Opening PUBLIC HEARING on SB 486.

070 SUSAN SCHNEIDER: Explaining SB 486.

094 LISSA DRUBACK: City of Portland, testifying in favor of SB 486 (EXHIBIT H & I).

120 LISSA DRUBACK: Explaining problem situation in Portland with sewer systems.

170 LISSA DRUBACK: The City of Portland is very confident that we can reduce these overflows.

177 SEN. MCCOY: What is the procedure to get Minority contractors to work on this project?

195 SEN. MCCOY: Questions about Ramsey Lake wet land.

222 SEN. MCCOY: Right now the overflow is in the Columbia Slough? What is your time table on that?

237 SEN. LEONARD: The Columbia Slough area was once a beautiful and pristine area. Question regarding Johnson Creek area.

274 FRED CUTHERBERTSON: City of Portland, explaining owner-controlled insurance (EXHIBIT J).

310 CHAIR DERFLER: What is the normal cost of insurance for a project this size?

315 LISSA DRUBACK: The cost of the whole project is a minimum of 700 hundred million.

328 FRED CUTHERBERTSON: The cost of workers compensation alone would be 14 million.

354 FRED CUTHERBERTSON: Explaining who would be responsible for administration of insurance program.

400 FRED CUTHERBERTSON: Explaining claims management.

440 CHAIR DERFLER: Did I understand that someone who does not have insurance coverage could bid as a contractor under this program?

460 FRED CUTHERBERTSON: Discussing savings if this bill is passed.

TAPE 122, A

043 CHAIR DERFLER: Why don't most insurance companies do the same thing?

060 FRED CUTHERBERTSON: This would be very attractive to insurance companies.

073 SEN. MCCOY: Is this just one insurance carrier? Do all the bidders know this up front?

088 SEN. KINTIGH: Is there some guarantee that the insurance companies will not lose on this?

100 FRED CUTHERBERTSON: The is motivation for an insurance company to partnership with a program like this.

106 SUSAN SCHNEIDER: Explaining bill section by section.

132 SUSAN SCHNEIDER: Explaining amendment to SB 486.

157 RICHARD McGAVOCK: Consumer and Business, Services Insurance Division, testifying in support of SB 486.

200 RICHARD MCGAVOCK: The protection for the small contractor is foremost rather than monetary.

217 CHAIR DERFLER: What is the down side of this insurance program?

250 RICHARD MCGAVOCK: There is always the long term possibility that the

small contractor would prefer the services of a large broker type agency.

294 CHAIR DERFLER: Does the savings come from claims management?

340 RICHARD MCGAVOCK: There were substantial savings and fewer accidents in the Eugene project.

355 CHAIR DERFLER: Closing PUBLIC HEARING on SB 486.

360 CHAIR DERFLER: Opening WORK SESSION on SB 486.

MOTION: SEN. LEONARD moves that the Amendments to SB 486 be accepted by the Committee.

Hearing no objections, the SB 486-1 Amendments are accepted by the committee.

MOTION: SEN. LEONARD moves SB 486 as Amended to the Senate floor with a DO PASS recommendation.

VOTE: 4-0
AYE: Leonard, Kintigh, McCoy, Derfler
NO: None
SEN. LEONARD will carry the bill.

381 CHAIR DERFLER: Closing WORK SESSION on SB 486.

382 CHAIR DERFLER: Meeting is adjourned at 10:25 AM.

Submitted by, Reviewed by,

Glenda Fields Rita Thomas
Committee Assistant Committee Counsel

EXHIBIT SUMMARY:

- A - Testimony on SB 1003 - Diane Cowan, Oregon People's Utility Dist. - 2 pages
- B - Testimony on SB 1003 - Ruthann Mogen, Tillamook People's Utility Dist. - 1 page
- C - Testimony on SB 1003 - Tom O'Connor, Eugene Water & Electric Board - 1 page
- D - Proposed Amendment SB 1003-1, Maria Keltner - 2 pages
- E - Testimony on SB 936 - John McCully, Professional Administrative Service - 1 page
- F - Proposed Amendment SB 187-1 - Bill Linden - 10 pages
- G - Testimony on SB 783 - Chris Apgar, Employment Department - 8 pages
- H - Testimony on SB 486 - Lissa Druback, City of Portland - 3 pages
- I - Combined Sewer Overflow Program Progress Report, City of Portland - 8 pages
- J - Testimony on SB 486 - Fred Cutherbertson, City of Portland - 3 pages

