

SENATE COMMITTEE ON  
LABOR AND GOVERNMENT OPERATIONS

Hearing Room  
Tapes 25 - 128

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 896 - Public Hearing & Work Session  
SB 738 - Public Hearing  
SB 35 - Public Hearing  
HB 2060 - Public Hearing  
HB 2059 - Public Hearing & Work Session  
HB 2541 - 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 25, A

002 CHAIR DERFLER: Opens PUBLIC HEARING on SB 896.

007 RITA THOMAS: Gives background on SB 896.

015 KEVIN HANWAY: Representing Oregon Land Title Association. Testifying in support of SB 896.

055 SEN. MCCOY: Why doesn't the county handle these liens in the first place?

062 KEVIN HANWAY: I think that is what we are trying to achieve with this bill.

079 SARAH HACKETT: Representing League of Oregon Cities. Discusses the

cities registering liens with counties.

096 CHAIR DERFLER: Closes PUBLIC HEARING on SB 896.

100 CHAIR DERFLER: Opens WORK SESSION on SB 896.

102 MOTION SEN. BRYANT: Moves to ADOPT SB 896-1 AMENDMENTS

VOTE: Hearing no objections the amendments are ADOPTED. Leonard and Adams are excused.

104 MOTION: SEN. BRYANT: Moves SB 896 AS AMENDED TO THE FLOOR with a DO PASS recommendation.

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

112 CHAIR DERFLER: Opens PUBLIC HEARING on SB 1100.

115 RITA THOMAS: Gives background on SB 1100.

122 JOE GILLIAM: Representing National Federation Of Independent Business.

In support of SB 1100. [EXHIBIT A]

200 JOE GILLIAM: Those that do not receive health benefits are generally the working poor, those that make minimum wage.

245 SEN. BRYANT: It is my understanding that there is negotiations to remove the employer mandate from the Oregon Health Plan.

281 JOE GILLIAM: Discusses the waivers that may be part of the Oregon Health Plan.

325 SEN. BRYANT: Discuss the rising costs of health care as it reflects into the cost of implementing the health care mandate.

365 JOE GILLIAM: We believe that the state should not mandate what benefits an employer must give an employee.

387 SEN. LEONARD: In section 1(2), fringe benefits include accident, how will this effect employers that require employees to supply there own car etc. and then reimburse these employees.

TAPE 126, A

005 JOE GILLIAM: Our intent is to prohibit the legislature from saying to employers something like, "you will pay the liability insurance for all your employees".

015 SEN. MCCOY: When the state makes these benefits the cost of doing business in this state then, these benefits are not fringe, but the right of the worker.

045 CHAIR DERFLER: Closes PUBLIC HEARING on SB 1100.

047 CHAIR DERFLER: Opens PUBLIC HEARING on SB 35.

055 GEOFF GUILFOY: Begins testimony on SB 35.

080 PEGGY COLLINS: Begins testimony on proposed amendments to SB 35.[EXHIBIT B], [EXHIBIT C]

120 PEGGY COLLINS: Discusses the cities and counties responsibilities in implementing the programs.

175 PEGGY COLLINS: Responding to Sen., Kintigh, explains what minor labels are and what the implementation of the minor label program involves.

225 PEGGY COLLINS: Discussing the training surcharge.

270 PEGGY COLLINS: Discusses the inclusion of manufactured home inspection programs as part of the dwelling codes program.

340 JANE CUMMINS: Representing the League of Cities. Begins testimony on SB 35 and the proposed amendments.[EXHIBIT D], [EXHIBIT E], [EXHIBIT F]

390 JANE CUMMINS: Discusses the programs currently used in Oregon.[EXHIBIT F]

TAPE 125, B

025 JANE CUMMINS: Speaks to the accommodations made for different parts of the state in order to serve their particular needs.

070 JANE CUMMINS: Talks about the importance of the city-county combination in order to serve customers in a timely and adequate manner.

130 JANE CUMMINS: Concludes by addressing the ruling making that must be carefully made after the implementation of this bill.

205 JOHN GERVAIS: Representing National Electrical Contractors Association. Discusses his concerns with SB 35 and the proposed amendments.

246 SEN. BRYANT: When you say that the costs will go up by 29% what do you mean?

250 JOHN GERVAIS: The county and cities generally charge 29% more than those fees for programs implemented by the state.

300 JOHN GERVAIS: Talks about his concerns with the section that requires a building official for each part of the program.

370 DON MINER: Representing Oregon Manufactured Housing Association. Discusses manufactured structures fee schedule.

TAPE 126, B

002 BOB SHIPRACK: Representing Oregon Building and Constructions Trades Council. Discusses the work group on SB 35.

050 BOB SHIPRACK: Discusses differing interpretations of building codes.

080 BOB SHIPRACK: States that there are some positive points in the current system.

085 JOHN GERVAIS: Discusses the need for good regulation and enforcement.

111 GLENN HAVENER: Representing the Oregon Building Officials Association.  
Testifying in support of SB 35 and the proposed amendments.

160 GLENN HAVENER: Speaks to his group's understanding of the role of the board and the rule making process.

205 GLENN HAVENER: Discusses the building officials role in the future with the passage of this bill.

290 GLENN HAVENER: Discusses the confusion related to which building official is the proper authority for inspections.

340 GLENN HAVENER: It has been my experience that the contractor is willing to pay more for a better service.

TAPE 127, A

002 GLENN HAVENER: Continues testimony on the licensing of qualified personnel for inspection.

040 GLENN HAVENER: The task group has come forth in representing the amendments.

069 RAY KERRIDGE: Representing the City of Portland. Testifies that the city generally supports the amendments to SB 35.

105 RAY KERRIDGE: Continues the testimony in support of SB 35 and the rule making process that will ensue.

160 RAY KERRIDGE: Discusses the predicted result of the city-county program in the Portland area.

200 RAY KERRIDGE: Gives example of how the bill will effect a city in Multnomah county.

260 RAY KERRIDGE: Discusses the fee rates and the changes that will be made with the bill.

325 CHAIR DERFLER: Discusses the areas that still need to be looked at.

340 RON ANDERSON: Representing IECO. Testifying on the amendments to SB 35.

396 RON ANDERSON: Discusses the discipline proceeding currently used in enforcing building codes and fines.

TAPE 128, A

030 RON ANDERSON: This bill probably won't mean a great deal in a populated area. But in the outlying areas this will be very helpful.

060 PEGGY COLLINS: Addresses the surcharges.

120 EMILE MORTIER: Discusses the fees and other problems that his firms has

with the proposed legislation.

175 EMILE MORTIER: Gives an example of how working within one county can be very difficult.

225 EMILE MORTIER: Discusses the various fees schedules used by cities and counties.

277 EMILE MORTIER: Speaks to different experiences he has had as a private contractor.

291 CHAIR DERFLER: Closes PUBLIC HEARING on SB 35.

295 CHAIR DERFLER: Opens PUBLIC HEARING on HB 2541.

305 REP. VAN LEEUWEN: Gives background on HB 2541.

362 SEN. MCCOY: Discusses why he believes the original bill was passed to require safety committee meetings.

TAPE 127, B

012 DON SCHELLENBERG: Representing the Oregon Farm Bureau. In support of HB 2541.

055 JACK POMPEI: Oregon OSHA in support of HB 2541.

075 JACK POMPEI: This bill includes all employees except farm labor contracted out.

092 CHAIR DERFLER: Closes PUBLIC HEARING on HB 2541.

094 CHAIR DERFLER: Opens WORK SESSION on HB 2541.

095 MOTION: SEN. BRYANT: Moves HB 2541 TO THE FLOOR with a DO PASS recommendation.

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

099 CHAIR DERFLER: Closes WORK SESSION on HB 2541.

100 CHAIR DERFLER: Opens PUBLIC HEARING on HB 2059.

104 PAUL TIFFANY: Representing Bureau of Labor and Industry, Wage Per Hour Division. Testifying in support of HB 2059.[EXHIBIT G]

133 CHAIR DERFLER: Closes PUBLIC HEARING on HB 2059.

134 CHAIR DERFLER: Opens WORK SESSION on HB 2059.

135 MOTION: SEN. BRYANT: Moves HB 2059-A TO THE FLOOR with a DO PASS recommendation.

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

137 CHAIR DERFLER: Opens PUBLIC HEARING on HB 2060.  
140 CHRIS APGAR: Begins testimony in favor of HB 2060.[EXHIBIT H]  
190 CHAIR DERFLER: Closes PUBLIC HEARING on HB 2060.  
195 CHAIR DERFLER: Adjourns meeting.

Submitted by, Reviewed by,

Amy Baker Rita Thomas  
Committee Assistant Committee Counsel

EXHIBIT SUMMARY:

A - Testimony on SB 1100 - Joe Gilliam 2 pages  
B - Testimony on SB 35 - Peggy Collins - 3 pages  
C - Testimony on SB 35 - Peggy Collins - 5 pages  
D - Testimony on SB 35 - Jane Cummins - 3 pages  
E - Testimony on SB 35 - Jane Cummins - 1 page  
F - Testimony on SB 35 - Jane Cummins - 1 page  
G - Testimony on HB 2059 - Paul Tiffany - 2 pages  
H - Testimony on HB 2060 - Chris Apgar - 10 pages