

HOUSE COMMITTEE ON COMMERCE SUBCOMMITTEE ON LABOR

June 21, 1993      Hearing Room D 8:30 a.m.      Tapes 141 - 142

MEMBERS PRESENT:                      Rep. John Watt, Chair

Rep. Lee Beyer Rep. Michael Payne

Rep. Charles Starr

Rep. Bob Tiernan

STAFF PRESENT: Marilyn Johnston, Committee Administrator Kristina  
McNitt, Committee Assistant

MEASURES CONSIDERED: HB 2355 HB 3069 HB 2525 HB 3407

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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. [--- Unable To Translate  
Graphic ---]

TAPE 141, SIDE A

CHAIR WATT: Calls the meeting to order. (9:43 a.m.)

WORK SESSION ON HB 2355

008 MARILYN JOHNSTON, COMMITTEE ADMINISTRATOR, explains  
provisions of bill and submits a preliminary staff measure summary, -8  
LC and machine engrossed amendments, revenue and fiscal impact  
statements (EXHIBIT A).

MOTION: REP. BEYER: moves -8 amendments to HB 2355

VOTE: IN A ROLL CALL VOTE THE -8 AMENDMENTS TO HB 2355 PASSED  
UNANIMOUSLY. MEMBERS EXCUSED: TIERNAN

MOTION: REP. BEYER: moves HB 2355 as amended to the full commerce  
committee with a due pass recommendation.

VOTE: IN A ROLL CALL VOTE THE MOTION CARRIES. MEMBER EXCUSED: TIERNAN.

PUBLIC HEARING ON HB 3069 witnesses: Burton Weast, Special Districts Pam

Johnson, Special Districts Scott Bennett, Special Districts John Warren, Unified Sewerage Agency Representative Eldon Johnson, District 51

033 MARILYN JOHNSTON, COMMITTEE ADMINISTRATOR: explains provisions of bill and submits preliminary staff measure summary, copy of ORS, -1 hand engrossed amendments and revenue impact statement (EXHIBIT B).

036 BURTON WEAST, PAM JOHNSON & SCOTT BENNETT, REPRESENTING SPECIAL DISTRICTS: gives history of legislation and testifies in favor of bill. According to DIF certain districts were inadvertently left out of law; this measure would include them.

059 BENNETT: Explains situation that left out districts is due to the bill's relating to clause. DIF is allowing special districts now included in pool but not included in legislation to remain pending outcome of HB 3069.

071 REP. BEYER: What kinds of districts are not included?

072 BENNETT: County service districts, the Port of Portland, soil and water conservation districts, public corporations for irrigation, drainage, vector control, weed control and translator districts.

091 WEAST: Submits letter from the Port of Portland (EXHIBIT C), notes support group in room; Howard Turpening, Tom Ruddiman, Dan Wilson, all members on the board of the trust.

100 REP. PAYNE: The -1 amendment removes the exemption of newspaper carriers from worker's compensation coverage. Are you aware and supportive of this?

102 WEAST: This is the first I've been aware of any amendments.

107 JOHN WARREN: Testifies in favor of bill and asks for committee support.

111 REPRESENTATIVE ELDON JOHNSON, DISTRICT 51: Explains the -1 amendments which would revoke the exemption for newspapers from worker's comp. coverage requirements.

141 REP. TIERNAN: We previously exempted golf caddies in this committee because they were twelve and thirteen years old. It is difficult to exclude a 28 year old who is doing this job as a living. If I hired somebody to hand out campaign information and go door to door, would I be required to pay worker's comp? And if I paid somebody to insert something into an Oregonian, would I be required to pay then?

166 REPRESENTATIVE JOHNSON: I believe there is a requirement for you to pay worker's comp. for campaign staff, but not for the second scenario if that person actually delivered the paper. This bill is long past due. There should be an even-handed process that is standard for all business throughout the state.

176 REP. PAYNE: There was a lot of newspaper bashing on the floor this morning. Is this issue directed at the press and is it related to restricting first amendment rights?

188 REPRESENTATIVE JOHNSON: This issue arose some weeks ago. It is entirely coincidental that it is being heard today. Perhaps it will

help it pass through the system.

WORK SESSION ON HB 3069

MOTION: REP. TIERNAN: Moves the -1 amendments to HB 3069.

196 REP. PAYNE: Notes objection to amendment and bill based on restrictions of first amendment rights.

VOTE: IN A ROLL CALL VOTE THE -1 AMENDMENTS TO HB 3069 WERE ADOPTED.  
MEMBERS VOTING NAY: PAYNE

MOTION: REP. BEYER: Moves HB 3069 as amended to the full House Commerce Committee with a due pass recommendation.

VOTE: IN A ROLL CALL VOTE THE MOTION CARRIES. MEMBERS VOTING NAY:  
PAYNE. FLOOR CARRIER: JOHNSON.

PUBLIC HEARING ON HB 2525 witnesses: Representative Eldon Johnson,  
District 51

229 MARILYN JOHNSTON, COMMITTEE ADMINISTRATOR: explains provisions of bill and presents a preliminary staff measure summary, copy of relevant ORS, -2 LC and machine engrossed amendments and the revenue impact statement (EXHIBIT D).

246 REPRESENTATIVE ELDON JONSON, DISTRICT 51: Testifies in favor of HB 2525, feels both HB 2525 and HB 3069 work in conjunction with each other.

263 REP. PAYNE: If this bill passed, would a 10 year old in my community be able to make a worker's compensation claim?

271 REPRESENTATIVE JOHNSON: That could be possible. However, newspapers are no different from any other business and this exemption is an archaic practice in view of the changing employment practices of the industry.

WORK SESSION ON HB 2525

MOTION: REP. BEYER: Moves the -2 amendments to HB 2525.

287 REP. PAYNE: Makes objection to -2 amendments and to HB 2525.

VOTE: IN A ROLL CALL VOTE THE MOTION CARRIES. MEMBERS VOTING NO:  
PAYNE

MOTION: REP. BEYER: Moves HB 2525 as amended to full committee with a due pass recommendation.

VOTE: IN A ROLL CALL VOTE THE MOTION CARRIES. MEMBERS VOTING NO:  
PAYNE. FLOOR CARRIER: JOHNSON.

WORK SESSION ON HB 3407

324 MARILYN JOHNSTON, COMMITTEE ADMINISTRATOR: explains provisions of bill and submits a preliminary staff measure summary and a fiscal impact statement (EXHIBIT E).

330 REP. TIERNAN: Proposes a conceptual amendment based on the fact that there are two classes of employees, those retirees between 55 - 65, and those working employees who fall from 18 or whatever to retirement. By combining the two groups into one big group encompassing all state employees, the insurance rates for the former will decrease while the rates for those workers currently employed will increase. I would not have a problem with this bill if there was an amendment that stated the increase in the health insurance premium will be picked up by the employee, not the state or the tax payer.

383 REPRESENTATIVE TONY VAN VLIET, DISTRICT 35: I don't see a problem with that. Would not want to go beyond currently negotiated contracts, however. TAPE 142, SIDE A

01 REP. WATT: Including everybody in one pool would actually simplify the system.

003 REP. TIERNAN: Eventually these workers will benefit themselves.

007 REP. WATT: I appreciate this concept. I want to see some numbers and what it might cost. What about running afoul of negotiated agreements?

011 REP. VAN VLIET: This bill would only deal with what is in existence, it would not be prospective. There is no need for a further amendment, this was also behind the -2 amendment.

020 REP. BEYER: As it is now, the amendments will do exactly what Rep. Tiernan has said and may continue in the future depending on the outcome of labor negotiations. What you're saying is that you don't want to add language that would affect future negotiations.

030 REPRESENTATIVE VAN VLIET: Yes. The most important point is to stop driving those people who choose to retire early, or are encouraged to do so, from being cost out of their health insurance. Overall, if people felt comfortable with retiring, the savings to the state may even be greater.

045 REP. WATT: I have a concern with the senate is closing committees at end of the week. By time this bill gets over there... Do we have a senate bill we could use...?

056 REP. VAN VLIET: I feel Rep. Tiernan's concerns are written in the bill as it is now.

061 REP. WATT: Rep. Tiernan, would you agree to pass in concept a substantive amendment and then work out the details in Appropriations since the bill has a subsequent referral?

067 REP. TIERNAN: In the electronically engrossed version, page 12 Section 4 line 9 add, "the base cost of the health insurance premium increase for all state employees due to the increased cost of combining pools shall be borne by the state employee".

116 REP. WATT: Will this restrict the rights of unions to bargain?

121 REP. TIERNAN: It is outside the scope of negotiations for Unions to represent retired employees.

134 GLORIA ENGLISH: The package that state employees receive is a dollar amount. Within this amount the employee may elect options or choices. Some plans are less than the established dollar contribution. Are you suggesting the increased cost of the plan which is less than a particular employee's spending limit, be separated and not included within the state pick-up?

156 REP. TIERNAN: The cost of this bill will be borne by all state employees. To the extent that cost goes up, costs will be borne by the employee. Your example does not bother me. If someone chooses less than the rate, that increase can be taken off the reserves.

163 ENGLISH: So the contribution amount set by state would not be changed due to this action. It will continue to change and be addressed at the bargaining table for a variety of reasons.

178 REP. WATT: There is no doubt that Legislative Counsel needs to be involved with this language. Let's send it out now and use LC on the Senate side to clean it up.

192 REP. TIERNAN: I am uncomfortable with that. Would like conceptual amendment between now and full committee.

198 REP. WATT: I suggest you ask for special dispensation from the Chair of the Commerce Committee.

204 REP. TIERNAN: moves conceptual amendment to the -2 amendments on HB 3407.

205 REP. WATT: In the Commerce Committee.

206 REP. TIERNAN: I'll move it right now.

207 REP. WATT: Okay, I would ask the committee to reject the conceptual amendment at this point, go to the Chair of Commerce and ask for special dispensation so we can have the language stated in the bill.

213 REP. TIERNAN: With that I'll withdraw my motion.

MOTION: 212 REP. BEYER: Moves the -2 amendments to HB 3407.

VOTE: IN A ROLL CALL VOTE THE MOTION CARRIES. MEMBERS VOTING NAY: TIERNAN.

MOTION: 223 REP. BEYER: Moves HB 3407 to the full Commerce Committee as amended with a due pass recommendation.

VOTE: IN A ROLL CALL VOTE THE MOTION CARRIES. MEMBERS VOTING NAY:

TIERNAN. FLOOR CARRIER: WATT

REP. WATT: Adjourns meeting at 10:33 a.m.

Submitted by:

Reviewed by:

Kristina McNitt

Marilyn Johnston Committee Clerk  
Committee Administrator

EXHIBIT LOG

A - HB 2355 Preliminary staff measure summary, -8 LC and machine engrossed amendments, revenue and fiscal impact statements presented by staff, pp. 7

B - HB 3069 Preliminary staff measure summary, ORS copy, -1 hand engrossed amendments, and revenue impact statement presented by staff, pp. 9.

C - HB 3069 Port of Portland letter presented by Weast, pp. 1

D - HB 2525 Preliminary staff measure summary, ORS copy, -2 LC and machine engrossed amendments, and revenue impact statement presented by staff, pp. 6.

E - HB 3407 Preliminary staff measure summary, fiscal impact for the -2 amendments presented by staff, pp. 3.