

HOUSE COMMITTEE ON GENERAL GOVERNMENT

March 11, 1993 Hearing Room 357 8:30 a.m. Tapes 17 - 18

MEMBERS PRESENT: Rep. Cedric Hayden, Chair Rep. Jim Edmunson,
Vice-Chair Rep. Ken Baker Rep. Carl Hosticka Rep. Patti Milne Rep. Chuck
Norris Rep. Lonnie Roberts Rep. Sharon Wylie

MEMBERS EXCUSED: Rep. Del Parks

STAFF PRESENT: Janet Adkins, Committee Administrator Kimberly
Burt, Committee Assistant

MEASURES CONSIDERED: HB 2509 HB 2492 HB 3050 HB 2611

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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.

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TAPE 17, SIDE A

005 CHAIR HAYDEN: Calls meeting to order. (8:35 a.m.) Members
present: Baker, Edmunson, Hayden, Norris.

WORK SESSION ON HB 2509

006 JANET ADKINS, COMMITTEE ADMINISTRATOR: Describes HB 2509;
submits preliminary staff measure summary, (-2) amendments and fiscal
impact

statement, (EXHIBIT A).

_ Rep. Wylie arrives. (8:35 a.m.)

042 REP. NORRIS: This bill came from the Transportation
Subcommittee; a work group parlayed on this and we have no
objections to the

modification.

052 ADKINS: Most fees are going to stay as they are and the charge
to the person getting the plate doesn't effect the registration fees
except for hamm radio operators who want their call numbers on their
plates; they

will pay extra. _ Rep. Roberts and Milne arrive. (8:38 a.m.)

080 MOTION: REP. NORRIS MOVES THAT THE (-1) AMENDMENTS TO HB
2509 BE ADOPTED.

CHAIR HAYDEN: There are changes in this that the hamm radio operators

haven't been advised of.

VOTE: IN A ROLL CALL VOTE THE MOTION CARRIES UNANIMOUSLY.

MEMBERS EXCUSED: REP. PARKS

101 MOTION: REP. NORRIS MOVES THAT THE (-2) AMENDMENTS TO HB 2509 BE ADOPTED.

ADKINS: Describes amendments.

115 VOTE: HEARING NO OBJECTION THE MOTION CARRIES.

120 MOTION: REP. NORRIS MOVES THAT HB 2509, AS AMENDED, BE SENT TO THE FLOOR WITH A DO PASS RECOMMENDATION.

140 VOTE: IN A ROLL CALL VOTE THE MOTION CARRIES. MEMBERS EXCUSED: REP. PARKS

WORK SESSION ON HB 2492

155 JANET ADKINS, COMMITTEE ADMINISTRATOR: Describes HB 2492; submits preliminary staff measure summary, (-3) amendments, hand engrossed

version and fiscal impact statement, (EXHIBIT B).

_ Describes (-3) amendments.

215 MOTION: REP. ROBERTS MOVES THAT THE (-3) AMENDMENTS TO HB 2492 BE ADOPTED.

220 VOTE: HEARING NO OBJECTION THE MOTION CARRIES. MEMBERS EXCUSED: REP. PARKS.

ADKINS: There is a technical change on the last line of the bill to be consistent; that is in addition to the (-3) amendments.

230 MOTION: REP. ROBERTS MOVES THAT HB 2492, AS AMENDED, BE SENT TO THE FLOOR WITH A DO PASS RECOMMENDATION.

CHAIR HAYDEN: Please read the language of the technical amendment.

ADKINS: Adding the term "public agency or public body" on the last line of the bill.

263 VOTE: HEARING NO OBJECTION THE MOTION CARRIES. MEMBERS EXCUSED: REP. PARKS CARRIER: REP. ROBERTS

WORK SESSION ON HB 3050

280 JANET ADKINS, COMMITTEE ADMINISTRATOR: Describes HB 3050; submits preliminary staff measure summary, (-1) amendments, (EXHIBIT C).

REP. NORRIS: This converts stop signs at road constructions sites from being cautionary to regulatory that can be sited the same as any other

stop sign.

324 MOTION: REP. ROBERTS MOVES THAT THE (-1) AMENDMENTS BE ADOPTED.

337 VOTE: HEARING NO OBJECTION THE MOTION CARRIES.

342 MOTION: REP. ROBERTS MOVES THAT HB 3050, AS AMENDED, BE SENT TO THE FLOOR WITH A DO PASS RECOMMENDATION.

346 VOTE: IN A ROLL CALL VOTE THE MOTION CARRIES. MEMBERS EXCUSED: REP. PARKS CARRIER: REP. WYLIE

WORK SESSION ON HB 2611

368 JANET ADKINS, COMMITTEE ADMINISTRATOR: Describes HB 2611; submits preliminary staff measure summary, fiscal impact statement and written

testimony from The Eugene Water and Electric Board and the Local Government Personnel Institute, (EXHIBIT D).

410 REP. ROBERTS: I've got a letter in opposition from the AFL-CIO.

ADKINS: There was opposition based on worker safety and the workers having to agree to this type of arrangement possibly against their will and worker protection arguments were raised in opposition to the bill.

_ The proponents point out that protection from over long work hours is a separate issue from the overtime pay requirement in the bill and that the Bureau of Labor and Industries investigates worker safety and health issues such as too long of hours or fatigue.

450 REP. EDMUNSON: I'd like to point out that there is an error on the preliminary staff measure summary, my proposed amendment was a ten hour work day and it is noted as eight hours.

_ There is no specific OSHA law defining the maximum hours of work and if there is a connection between an accident due to fatigue and too many hours of work, there may be a violation of Oregon OSHA safety laws.

_ This isn't an issue of paying overtime, but an issue of worker safety and that is the reason I oppose this bill.

490 REP. ROBERTS: I'm torn; I can see the need for flexibility, but I can also understand Rep. Edmunson's concerns; I worry about excessive

fatigue.

TAPE 18, SIDE A

034 REP. ROBERTS: I'd like to do something to take care of the safety issue.

REP. BAKER: I don't see this as a safety issue; I think the employers

will look out for their employees' safety.

050 REP. MILNE: Where are we led to believe that people will be forced to work extended hours; this allows for the flexibility.

REP. EDMUNSON: If a worker declines to work excessive hours they can be terminated; removing the disincentive of paying overtime, the worker is left to fear termination.

_ I'd be more comfortable with the bill if when more than ten hours are requested, the worker be given an option, so that if they could demonstrate or prove fatigue, then if they were terminated or disciplined for not working, they at least could collect unemployment benefits, if they could prove that there was fatigue involved.

076 REP. MILNE: Is there some remedy if a worker feels they are being treated unfairly?

CHAIR HAYDEN: Yes, on the back of the letter in Exhibit D it says there are.

REP. MILNE: Reads into the record from Exhibit D.

090 REP. HOSTICKA: It says that Oregon OSHA isn't exercising their authority; referring to Exhibit D.

REP. NORRIS: This is an opportunity to give back to the local government and I'm prepared to vote yes.

100 REP. MILNE: If there is a direct connection between fatigue and accident, that provides an opportunity to be a violation of Oregon OSHA and further, employers have a general duty to provide safe and healthful work places, so I'm satisfied.

115 CHAIR HAYDEN: This bill will be back one week from today.

_ Being no further business to come before this committee today, we are adjourned. (9:10 a.m.)

Submitted by, Reviewed by,

Kimberly Burt Janet Adkins Committee Assistant Committee Administrator

EXHIBIT SUMMARY:

A - HB 2509: Preliminary staff measure summary, (-2) amendments and fiscal impact statement submitted by staff, pp 3 B - HB 2492: Preliminary staff measure summary, (-3) amendments, hand engrossed version and fiscal impact statement submitted by staff, pp 7 C - HB 3050: Preliminary staff measure summary and (-1) amendments submitted by staff, pp 2 D - HB 2611: Preliminary staff measure summary, fiscal impact statement and written testimony from EWEB and LGPI, submitted by staff, pp 17