

SENATE COMMITTEE ON LABOR AND GOVERNMENT OPERATIONS

May 11, 1993 Hearing Room B 6:00 P.M. Tapes 129 - 132
MEMBERS PRESENT: Senator Tricia Smith, Chair Senator Karsten
Rasmussen, Vice Chair Senator Brady Adams Senator Wes Cooley Senator
Dick Springer VISITING MEMBER: Sen. Jim Bunn, District 15 \ STAFF
PRESENT: Stephanie Holmes, Committee Counsel Pamela Stefani,
Committee Clerk MEASURES CONSIDERED: SB 376 - Relating to PERS SB 964
- Relating to Building Code Agency SB 29 - Relating to Electrical Board
SB 31 - Relating to plumbing products SB 32 - Relating to State Plumbing
Board SB 33 - Relating to Building Code Agency HB 2270 - Relating to
process servers HB 2096 - Relating to State Police Officers - 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 129, SIDE A

006 CHAIR SMITH: Calls the meeting to order at 6:00 P.M.

WORK SESSION ON HB 2096 WITNESSES: Sen. Jim Bunn, District 15 Bob
Keyser, Oregon Council of Police Assn. Dede Hansell, Oregon State Police
Officer's Assn. Capt. Ken Chambers, Oregon State Police

010 STEPHANIE HOLMES, COMMITTEE COUNSEL: Reviews HB
 2096 and proposed amendments.

015 SEN. JIM BUNN, DISTRICT 15: Testifies in support of HB 2096 &
presents proposed -1 amendments (EXHIBIT A) Senate Labor and Government
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063 BOB KEYSER, OREGON COUNCIL OF POLICE ASSN.: Testifies in support
of HB 2096 and submits proposed -2 amendments. (EXHIBIT B)

090 DEDE HANSELL, OREGON STATE POLICE OFFICER'S ASSN.: Testifies in
support of HB 2096. 116 SEN. RASMUSSEN: Policy of Oregon State Police
that officers must live within forty-five minutes of duty station?
125 HANSELL: That is correct. 130 CAPT. KEN CHAMBERS, OREGON STATE
POLICE: Presents testimony in regard to the proposed amendments
presented by the Oregon State Police. ORS. 206 only affects disciplinary
procedures. (EXHIBIT Ei) 170 CHAIR SMITH: Explain additional statute
ORS. 705 in proposed amendment. 180 CHAMBERS: Responds to why ORS.
705 is added. 221 SEN. RASMUSSEN: What was the purpose of the
original House Bill?

230 CHAMBERS: The VPST-ORS definition of police officer does not allow
the Board on Public Safety Standards of Training to certify state police
officers.

245 SEN. RASMUSSEN: To allow certification of your own program.
260 MOTION: SEN. ADAMS: Moves to ADOPT the LC-1 AMENDMENTS.

VOTE: CHAIR SMITH: Hearing no objections, the motion CARRIES.

265 MOTION: SEN. ADAMS: Moves to ADOPT the LC-2 AMENDMENTS.
268 SEN. COOLEY: I need more clarification on -2 AMENDMENTS.
290 KEYSER: Responds. 315 HANSELL: Responds.

SEN. COOLEY: Questions the issue of liability of state employees driving
state vehicles without a state driver's license.

CHAIR SMITH: The issue has not been a problem in the past.

VOTE: In a roll call vote, all members present vote AYE, except Sen. Cooley who votes NAY. Sen. Springer is excused.

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CHAIR SMITH: The LC-2 AMENDMENT is ADOPTED. Moves that after line 7, page 2, Sub A, for the purposes of ORS 181.610 - 181.705 only, "police officer" to include members of the Oregon State Police. Hearing no objections, the motion CARRIES.

MOTION: SEN. ADAMS: Moves HB 2096 AS AMENDED (LC-1 & 2 and the conceptual AMENDMENTS) to the Floor with a DO PASS recommendation.

VOTE: In a roll call vote, all members present vote AYE. Sen. Springer is excused.

CHAIR SMITH: The motion CARRIES.

SEN. J. BUNN will lead discussion on the Floor.

WORK SESSION ON SB 964

WITNESSES: Ray Kerridge, City of Portland Jackie Bloom, City of Portland John Gervais, Local 48

TAPE 130, SIDE A

032 HOLMES: Gives review of bill and overview of proposed amendments.

040 RAY KERRIDGE, CITY OF PORTLAND: Testifies in support of SB 964 & presents proposed amendments beginning on line 20. (EXHIBIT C)

070 JACKIE BLOOM, CITY OF PORTLAND: We would like the amendments inserted on line 5, page 2, with the concurrence of the appropriate advisory board. 076 CHAIR SMITH: Sub 2 of Section 2 still includes language --- "but not limited to" why does this language still need to be in here. 085 KERRIDGE: Responds.

100 JOHN GERVAIS, LOCAL 48: States concern of language, to read - "appropriate board or advisory board".

118 CHAIR SMITH: Agrees. Why don't we take out the word "advisory" and include everybody. You don't have a problem with "not limited to"?

120 GERVAIS: Yes. 130 CHAIR SMITH: Mr. Kerridge how would you feel about the word - "limiting" instead of "not limited to"?

135 KERRIDGE: We can live with that. ~ ~ ~!

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140 MOTION: CHAIR SMITH: Moves to adopt LC-2 AMENDMENTS with the following changes: Line 6 of LC-2 AMENDMENTS - delete "advisory" and line 16 delete "but are not limited to" and page 5, line 5, after agency insert "with the concurrence of the appropriate board,". VOTE: CHAIR SMITH: Hearing no objections, the motion CARRIES. All members present vote AYE. Sen. Springer is excused. MOTION: CHAIR SMITH: Moves SB 964 AS AMENDED to the Floor with a DO PASS recommendation. VOTE: In a roll call vote, all members present vote AYE. Sen Springer is excused.

CHAIR SMITH: The motion CARRIES.

SEN. COOLEY will lead discussion on the Floor.

WORK SESSION ON SB 376 WITNESSES: Gary Bruebaker, State Treasury Office Dan Smith, State Treasury Office Bob Muir, Dept. of Justice Mary Guest, Oregon Public Employees Union

165 HOLMES: Reviews SB 376 & gives overview of the proposed amendments. (EXHIBIT D) 230 GARY BRUEBAKER, STATE TREASURY OFFICE: Testifies in opposition of SB 376 and the proposed amendments.

240 CHAIR SMITH: Explain to members the treasury policy regarding investing in Oregon. 250 BRUEBAKER: Responds. 270 SEN ADAMS: Amount of less than 8% - you would have met your requirement?

275 BRUEBAKER: I am not sure. 285 SEN. ADAMS: As existing investments matured -- does Oregon set minimum requirements?

300 DAN SMITH, STATE TREASURY OFFICE: We could not be able to co mingle the investments.

320 SEN. ADAMS: If you got 8% now & stayed at 8% then 2% segregated and the 6% non segregated, would there be any investment perspective diversification holding risk? 370 BRUEBAKER: Responds over a period that 2% may be hard to accommodate.

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TAPE 129, SIDE B 006 BOB M UIR, DEPT OF JUSTICE: Presents overview & clarifies any conflict in language of bill & proposed amendments.

044 SEN. ADAMS: It appears there is an inconsistency on page 3 lines 8 & 9, with page 2 lines 42 47, does this give flexibility for treasurer to use investments other than investments in Oregon, if those investments were not available? And doesn't this talk about having enough liquidity within the system as a whole to replace those funds if necessary? 055 MUIR: Responds. 065 BRUEBAKER: Short term fund- 5%-

long term fund 10.5% 075 SEN. RASMUSSEN: I do not see why we are working to amend a bill the treasurer won't support. 090 MUIR: Delete the liquidity requirement - would fix it. 098 SEN. ADAMS: I concur with Sen. Rasmussen. Is there anything we can do to fix this bill for the treasurer to support it? 103 BRUEBAKER: No, we do not support the bill or it's concept. 118 SEN. COOLEY: Concept was for people who retired now to have some input as to where the money goes. Concept is great, but it is an administrative nightmare. Where are we going with this bill? 145 SEN. ADAMS: Ask Sen. Kerans' to work with AG'S office & Treasurer to work further on amendments that would work. 215 MARY GUEST, OPEU: Presents proposed amendment to Sect. 3 (2), regarding the annual statement made available to employees.

WORK SESSION ON SB 29

250 HOLMES: Gives overview of SB 29.

MOTION: SEN. ADAMS: Moves SB 29 to the Floor with a DO PASS recommendation.

VOTE: In a roll call vote, all members present vote AYE. Sen. Springer is excused.

CHAIR SMITH: The motion carries.

CHAIR SMITH will lead discussion on the Floor. . . . 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. - Senate Labor and Government Operations May 11, 1993 - Page 6

WORK SESSION ON SB 31

275 HOLMES: Gives overview of SB 31 and proposed amendment. (EXHIBIT E)

MOTION: SEN. COOLEY: Moves to ADOPT the LC-1 AMENDMENTS.

VOTE: CHAIR SMITH: Hearing no objections, the motion CARRIES.

MOTION: SEN. COOLEY: Moves SB 31 AS AMENDED to the Floor with a DO

PASS recommendation. VOTE: In a roll call vote, all members present vote AYE. Sen. Springer is excused.

CHAIR SMITH: The motion CARRIES. SEN. ADAMS will lead discussion on the Floor.

WORK SESSION ON SB 32 WITNESSES: Peggy Collins, Building Codes Agency

320 HOLMES: Gives overview of SB 32.

350 PEGGY COLLINS, BUILDING CODES AGENCY: Bill is to clarify that the Plumbing Board sets the fees not some other board. 360 MOTION: SEN. ADAMS: Moves SB 32 to the Floor with a DO PASS recommendation.

VOTE: In a roll call vote, all members vote AYE. Sen. Springer is excused.

CHAIR SMITH: The motion CARRIES.

SEN. RASMUSSEN will lead discussion on the Floor.

WORK SESSION ON SB 33

370 HOLMES: Gives overview of SB 33 and proposed amendment.

380 MOTION: SEN. ADAMS: Moves to ADOPT LC-1 AMENDMENTS.

VOTE: CHAIR SMITH: Hearing no objections, the motion CARRIES. All members present for vote. Sen. Springer is excused. MOTION: SEN.

ADAMS: Moves SB 33 AS AMENDED to the Floor with a DO PASS recommendation.

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VOTE: In a roll call vote, all members present vote AYE.

CHAIR SMITH: The motion CARRIES.

SEN. SPRINGER will lead discussion on the Floor.

WORK SESSION ON HB 2270 WITNESSES: Todd Jones, Secretary of States Office Carole Irwin-Leal, Secretary of States Office Bob Keyser, Oregon Assoc. of Process Servers Mark Campbell, Private Process Server TAPE 130, SIDE B

025 HOLMES: Gives overview of HB 2270 and proposed amendments.

045 TODD JONES, SECRETARY OF STATES OFFICE: Gives review of HB 2070.

Removes paperwork. 080 CAROLE IRWIN-LEAL, SECRETARY OF STATES OFFICE:

Gives overview of proposed amendments beginning with LC-2 Amendments.

(EXHIBIT G) 090 BOB KEIZER, OREGON ASSOC. OF PROCESS SERVERS: States

opposition to HB 2270. 125 MARK CAMPBELL, PRIVATE PROCESS SERVER:

States support of HB 2270 & submits a proposed amendments.

175 HOLMES: I'm not sure we have your amendments. 200 IRWIN-LEAL:

Continues with review of LC-2 amendments beginning with Sections 2 and

3.

210 CHAIR SMITH: States confusion with -2 and -3 amendments.

230 JONES: LC-2 were done some time ago. Old Sect. 3 becomes current

Sect. 3 and new Sect. 4 replaces current Sect. 3. 254 IRWIN-LEAL:

Continues with overview of LC-2 proposed amendments. 285 JONES: No

requests to see the records of temporary employees. 290 IRWIN-LEAL:

Continues with overview of LC-2 proposed amendments. 320 SEN. ADAMS:

Memorandum from M. Scott, stating concerns about Sect. 7

TAPE 131, SIDE A

003 SEN. ADAMS: My concern is the legal issues he is trying to address.

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025 SEN. COOLEY: Can you sue an agency without an individual name?

030 CHAIR SMITH: Mr. Jones you are referring to the Secretary of State office?

035 JONES: Responds.

060 SEN. ADAMS: Does this deal with construction loans?

062 IRWIN-LEAL: Responds. 083 CHAIR SMITH: I believe the language

is okay with this. 090 IRWIN-LEAL: Continues with overview of LC-2

proposed amendments. 111 IRWIN-LEAL: Begins overview of LC-3

Amendments.

188 JONES: This is a duplication of the fiscal impact process - according to John Kraft of the Executive Department of the Budget and

Management Office.

195 IRWIN-LEAL: Continues overview of LC-3 Amendments.

TAPE 132, SIDE A

015 SEN. ADAMS: Sect. 16, page 6, lines 6-8, is this a subsidy issue?

027 JONES: In a discussion with Dave Hendrick, we agreed to delete only language after line 6, page 6. 035 IRWIN-LEAL: Continues overview of LC-3 Amendments. 057 JONES: Original bill page 6, line 17, notes that ORS 112.237 is still repealed as is 309.380.

060 MOTION: CHAIR SMITH: Moves to ADOPT HB 2270 LC-2 AMENDMENTS.

VOTE: CHAIR SMITH: Hearing no objections, the motion CARRIES.

MOTION: CHAIR SMITH: Moves to ADOPT HB 2270 LC-3 AMENDMENTS with the change on page 6, lines 6, 7 & 8 we restore the sentence "the board shall notify the governor of such determination in each institution effected shall conform thereto" and on page 3, delete the word "and" on line 28. VOTE: CHAIR SMITH: Hearing no objections, the motion

CARRIES. MOTION: CHAIR SMITH: Moves HB 2270 AS AMENDED to the Floor with a DO PASS recommendation. VOTE: In a roll call vote, all members present vote AYE. Sen. Springer is excused. - Thcsc lilhHileS 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. Senate Labor and Government Operations May 11, 1993 - Page 9

CHAIR SMITH: The motion CARRIES. SEN. RASMUSSEN will lead discussion on the Floor CHAIR SMITH: Adjourns the meeting at 8:30 P.M.

Transcribed by: Reviewed by:

Jeffrey Boles
Committee Coordinator

Pamela Stefani Committee Clerk

EXHIBIT LOG:

A - Amendments to HB 2096-1 - Legislative Counsel - 10 pages B
- Amendments to HB 2096-2 - Legislative Counsel - 2 pages C
- Amendments to SB 964-2 - Legislative Counsel - 2 pages D
- Amendments to SB 376-1 - G. Kerans - 10 pages E - Amendments to
SB 31-1 - Legislative Counsel - 1 page F - Testimony on HB 2096 - K.
Chambers - 7 pages G - Amendments to HB 2270-2 - Legislative Counsel
- 1 page H - Amendments to HB 2270-3 - Legislative Counsel - 13 pages

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