

SENATE COMMITTEE ON LABOR AND GOVERNMENT OPERATIONS

May 17, 1993 Hearing Room B 8:00 a.m. Tapes 137 - 139
MEMBERS PRESENT: Sen. Tricia Smith, Chair Sen. Karsten Rasmussen,
Vice-Chair Sen. Dick Springer Sen. Brady Adams Sen. Wes Cooley VISITING
MEMBERS: Sen. Grattan Kerans, District 20 Rep. Cynthia Wooten,
District 41 STAFF PRESENT: Joan Van Almen, Committee Counsel
Stephanie Holmes, Committee Counsel Pamela Stefani, Committee Clerk
MEASURES CONSIDERED: SB 697 - Related to Worker Education Fund SB 866
- Related to Building Codes Agency SB 760 - Related to Smoking Room SB
510 - Related to Employee Health benefits SB 768 - Related to Domestic
Partners

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 137, SIDE A 005 CHAIR SMITH: Calls the meeting to order at 8:10 p
m PUBLIC HEARING ON SB 760

WITNESSES: Dr. Michael Skeels, OHD Brian Deleshmutt, ONA/OHGOSH Steve
Ford, Self Joe Barnett, Self Brenda Niblock, Oregon Lung Assoc. Sen.
Grattan Kerans, District 20 Betsy Bailey, AOI Dr. Lawrence Halfen,
Tobacco Inst. David Sparks, OR-OSHA Margaret Hallock Rep. Cynthia
Wooten, District 41 Senate Labor and Government Operations May 17, 1993
- Page 2

010 DR. MICHAEL SKEELS, OHD: Submits & summarizes written testimony
. (EXHIBITS A & B) 113 CHAIR SMITH: What effect of the ruling that
tobacco smoke as a class-A carcinogen has on the state, what affect does
that have on the state in terms of regulation? 120 SKEELS: Responds.
135 CHAIR SMITH: Even though the EPA classifies tobacco smoke as a
hazardous substance, like aSB estos, to persons exposed to it, it stops
short of requiring regulation as it does for aSB estos? 140 SKEELS:
Responds. 150 BRIAN DELESHMUTT, ONA/OHGOSH: Testifies in support of
SB 760. 215 STEVE FORD, SELF: Testifies in support of SB 760.
265 JOE BARNETT, SELF: Testifies in support of SB 760. 360 BRENDA
NIBLOCK, OREGON LUNG ASSOC.: Submits & summarizes written testimony in
support of SB 760. (EXHIBIT C)

TAPE 138, SIDE A

003 NIBLOCK: Continues with testimony. 040 SEN. GRATTAN KERANS,
DISTRICT 20: Testifies in support of SB 760.

080 BETSY BAILEY, AOI: Testifies in opposition of SB 760.

135 DR. LAWRENCE HALFEN, TOBACCO INSTITUTE: Submits & summarizes
written testimony in opposition of SB 760. (EXHIBITS D, E & F)

210 DAVID SPARKS, OR-OSHA: Comments on amendments to SB 760.

285 CHAIR SMITH: Closes Public Hearing on SB 760 .

PUBLIC HEARING ON SB 697 WITNESSES: Margaret Hallock, Univ. of Oregon,
LERC Rep. Cynthia Wooten, District 41 Steve Tagger, Employment Division

315 JOAN VAN ALMEN, COMMITTEE COUNSEL: Gives review of SB 697 and

proposed amendments.

345 MARGARET HALLOCK, UNIV. OF OREGON, LERC: Summarizes proposed amendments for SB 697.(EXHIBIT G)

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 17, 1993 - Page 3

375 REP. CYNTHIA WOOTEN, DISTRICT 41: Gives testimony in support of proposed amendments to SB 697.

TAPE 137, SIDE B

003 SEN. RASMUSSEN: What interaction does this have with existing workforce issues including some of the educational reform at the last session? What kind of support does this have in the business sector? Are public sector employees included in this, and if so, do they pay for it?
020 WOOTEN Responds 030 HALLOCK: Responds 075 SEN. ADAMS: Page 2, line 33-37, only provides for a 25% risk - I suggest raising it to 75% - paying for what we will get results for - I'm very supportive
090 HALLOCK Responds 120 WOOTEN Responds.

180 CHAIR SMITH I would suggest public agencies be removed from the bill and move the bill to the house.

195 MOTION: CHAIR SMITH: Moves page 2, line 31 to remove the words 'public agencies' and to remove any other references to 'public agencies.'
210 STEVE TAGGER, EMPLOYMENT DIVISION: Public agencies can elect to be tax paying employers They would be taxed under the act

VOTE: CHAIR SMITH: Hearing no objections, the motion CARRIES.
MOTION: CHAIR SMITH: Moves to ADOPT the LC-2 AMENDMENTS with the following changes: delete line 6. VOTE: CHAIR SMITH: Hearing no objections, the motion CARRIES. All members are present for a vote.
MOTION: CHAIR SMITH: Moves SB 697 AS AMENDED to Ways and Means.
VOTE: In a roll call vote, all members present vote AYE.

CHAIR SMITH: The motion CARRIES.

WORK SESSION ON SB 510

230 STEPHANIE HOLMES: Reviews SB 510

240 MOTION: SEN. SPRINGER: Moves SB 510 to the Floor with a DO PASS

—
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 17, 1993 - Page 4

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

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

WORK SESSION ON SB 768

250 MOTION: SEN. SPRINGER: Moves SB 768 to Ways and Means with a DO PASS recommendation. VOTE: In a roll call vote, all members present vote AYE, except Sen. Cooley and Sen. Adams who vote NAY. CHAIR SMITH: The motion CARRIES.

PUBLIC HEARING ON SB 866 WITNESSES: WW Hodowanic, Ubiquitous Social Access Peggy Collins, Building Codes Agency

300 WW HODOWANIC, UBIQUITOUS SOCIAL ACCESS: Submits & summarizes written testimony in support of SB 866.(EXHIBIT H)

TAPE 138, SIDE B

003 HODOWANIC: Continues with testimony. 035CHAIR SMITH: Summarizes intent of SB 866 048 SEN. ADAMS: Clarify intent of SB 866 v.s. ADA law. 050 HODOWANIC: Responds. 085SEN. ADAMS: Does this bill require me to make those changes? 090 HODOWANIC: Responds. 100 CHAIR SMITH: This bill does not change the readily accessible and achievable constraints within the ADA? 106 HODOWANIC: Responds. 115 SEN. ADAMS: States concerns about civil penalty percentage of net profits in the bill.

130 HODOWANIC: Responds about the percentage amount.

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 17, 1993 - Page 5

150 CHAIR SMITH: Maybe we should look at a penalty of not more than \$1,000 for each violation. 160 PEGGY COLLINS, BUILDING CODES AGENCY: States concerns about implications of SB 866 & its impact on the Building Codes Agency. 180 COLLINS: Answers questions from members regarding her agency's position. 275 CHAIR SMITH: Closes Public Hearing on SB 866.

WORK SESSION ON SB 866

286 MOTION; CHAIR SMITH: Moves to ADOPT LC-1 AMENDMENTS. VOTE: CHAIR SMITH: Hearing no objections, the motion CARRIES. All members are present for vote. MOTION: CHAIR SMITH: Moves the following change: Page 2, line 20, delete the rest of the line after amount; delete line 21, add the words "up to one thousand dollars per violation." VOTE: CHAIR SMITH: Hearing no objections, the motion CARRIES. All members are present for vote. MOTION: CHAIR SMITH: Moves SB 866 AS AMENDED to the Floor with a DO PASS recommendation. VOTE: In a roll call vote, all members vote AYE.

CHAIR SMITH: The motion CARRIES.

CHAIR SMITH will lead discussion on the Floor.

WORK SESSION ON SB 760 WITNESSES: Dr. Michael Skeels, OHD David Sparks, OR-OSHA

335 MICHAEL SKEELS, OHD: Gives support in review of proposed amendments to SB 760. (EXHIBIT I) 345 SEN. ADAMS: Does this bill

apply to residences? 350DAVID SPARKS, OR-OSHA: Responds.

TAPE 139, SIDE A

003 MOTION: SEN. SPRINGER: Moves to adopt both CONCEPTUAL AMENDMENTS.

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 17, 1993 - Page 6

VOTE: CHAIR SMITH: Hearing no objections, the motion CARRIES. All members are present for vote. 010 MOTION: SEN. SPRINGER: Moves SB 760 AS AMENDED to the Floor with a DO PASS recommendation. VOTE: In a roll call vote, all members present vote AYE, except Sen. Adams and Sen. Cooley, who vote NAY.

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

023 CHAIR SMITH: Adjourns the meeting at 10:10 a.m.

Transcribed by:

Reviewed by:

Jeffrey Boles
Committee Coordinator

Pamela Stefani Committee Clerk

EXHIBIT LOG:

A - Testimony on SB 760 - M. Skeels - 2 pages B - Testimony on SB 760 - M. Skeels - 2 pages C - Testimony on SB 760 - S. Ford - 5 pages D - Testimony on SB 760 - L. Halfen - 24 pages E - Testimony on SB 760 - L. Halfen - 10 pages F - Testimony on SB 760 - L. Halfen - 30 pages G - Amendments to SB 697 - M. Hallock - 7 pages H - Testimony on SB 866 - WW Hodowanic - 2 pages I - Amendments to SB 760 - D. Sparks - 1 page

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 COMMITTEE ON LABOR AND GOVERNMENT OPERATIONS

May 17, 1993 Hearing Room B 5:00 p.m. Tapes 140- 141
MEMBERS PRESENT: Sen. Tricia Smith, Chair Sen. Karsten Rasmussen,
Vice-Chair Sen. Dick Springer Sen. Brady Adams Sen. Wes Cooley STAFF
PRESENT: Joan Van Almen, Counsel Stephanie Holmes, Counsel Pamela
Stefani, Committee Clerk MEASURES CONSIDERED: SB 1020 - Related to
Racial Discrimination SB 360 - Related to Unemployment Compensation SB
131 - Related to Employee Suggestion Commission SB 306 - Related to
Unemployment Compensation SB 329 - Related to Collective Bargaining

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 140, SIDE A PUBLIC HEARING ON SB 1020

WITNESSES: Vic Quijano, Concerned Citizen Marie Evans, Nat'l Assoc.
of Social Workers Annabelle Jaramillo, Commission on Hispanic Affairs
Willie Richardson, OABA Mike Clark, Salem Resident Cal Henry, Concerned
Citizen

010 VIC QUIJANO, CONCERNED CITIZEN: Testifies in support of SB 1020.
055 MARIE EVANS, NATL ASSOC. OF SOCIAL WORKERS: Submits & summarizes
written testimony in support of SB 1020. (EXHIBIT A) 115 ANNABELLE
JARAMILLO, COMMISSION ON HISPANIC AFFAIRS: Submits & summarizes
written testimony on SB 1020. (EXHIBIT B) 155 SEN. RASMUSSEN: Better
language to use would be - race, color or national origin. Senate Labor
and Governmental Operations May 17, 1993 - Page 2

165 JARAMILLO: Agrees and continues testimony in support of SB 1020.
180 WILLIE RICHARDSON, OABA: Testifies in support of SB 1020.
350 MIKE CLARK, SALEM RESIDENT: Testifies in support of SB 1020.
Submitted written testimony last week. 390 CAL HENRY, CONCERNED
CITIZEN: Gives overview of proposed amendments. (EXHIBIT E;)
400 CHAIR SMITH: Sect. 7 - students would not fall into this bill -
but schools would.

TAPE 141, SIDE A

003 HENRY: Continues with review of proposed amendments. 035 CHAIR
SMITH: Closes Public Hearing on SB 1020. 037 WORK SESSION ON SB 1020

040 MOTION: CHAIR SMITH: Moves to ADOPT the LC-1 AMENDMENTS, with
the following changes: Page 3, line 13 - at that point add "color or
national origin" after race. VOTE: CHAIR SMITH: Hearing no
objections, the motion CARRIES. All members are present for vote.
MOTION: CHAIR SMITH: Moves SB 1020 AS AMENDED to the Floor with a DO
PASS recommendation. 050 SEN. RASMUSSEN: States concern about
curriculum. VOTE: In a roll call vote, all members present vote AYE.

CHAIR SMITH: The mottos CARRIES.

SEN. MCCOY will lead discussion on the Floor.

075 PUBLIC HEARING ON SB 329

WITNESSES: Robert Duehmig, OFTEHP Edward-Edwards, OSEA Don Sachel, OEA

080 ROBERT DUEHMIG, OFTEHP: Submits & summarizes written testimony in support of SB 329 (EXHIBIT C)

100 EDWARD EDWARDS, OSEA: Submits & summarizes written testimony in support of SB 329 - 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 Governmental Operations May 17, 1993 - Page 3

(EXHIBIT D)

140 DON SACHEL, OEA: Testifies in opposition of SB 329.

175 EDWARDS: Responds to Mr. Sachel's testimony. 195 CHAIR SMITH closes Public Hearing on SB 329. 200 WORK SESSION ON SB 329
205 MOTION: SEN. SPRINGER: Moves SB 329 to the Floor with a DO PASS recommendation. VOTE: In a roll call vote, all members present vote AYE. CHAIR SMITH: The motion CARRIES. CHAIR SMITH will lead discussion on the Floor.

PUBLIC HEARING ON SB 360 WITNESSES: Grover Simmons, IEA Christine Chute, Employment Div.

250 GROVER SIMMONS, IEA: Submits & summarizes written testimony in support of SB 360. (EXHIBIT E) 375 CHAIR SMITH: Where would you suggest amending the bill? 380 SIMMONS: Inject a sentence to cover the reserve account issue. 400 CHRISTINE CHUTE, EMPLOYMENT DIV.: Gives review of agency updated fiscal. (EXHIBIT G)

TAPE 140, SIDE B

003 CHUTE: Continues with review of fiscal.

045 HOLMES: Questions the base for the claims.

060 CHUTE: Clarifies the base for the claims.

080 CHAIR SMITH: Closes Public Hearing on SB 360.

WORK SESSION ON SB 360

090 MOTION: CHAIR SMITH: Moves to AMEND SB 360, page 3, line 18, delete Sept. 29, 1991 and insert Oct. 3, 1993.

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 Governmental Operations May 17, 1993 - Page 4

VOTE: CHAIR SMITH: Hearing no objections, the motion CARRIES. All members are present for vote. MOTION: CHAIR SMITH: Moves SB 360 AS AMENDED, pending on modified Fiscal, to Ways and Means. VOTE: In a roll call vote, all members present vote AYE. Sen. Springer is excused. Sen. Cooley is absent.

CHAIR SMITH: The motion CARRIES.

WORK SESSION ON SB 131

110 MOTION: CHAIR SMITH: Moves SB 131 to Senate Presidents Desk with referral to Trade & Economic Development Committee.

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

118 CHAIR SMITH: Adjourns the meeting at 6:20 P.M.

Transcribed by:

Reviewed by:

Jeffrey Boles
Committee Coordinator

Pamela Stefani Committee Clerk

EXHIBIT LOG:

A - Testimony on SB 1020 - M. Evans - 2 pages B - Testimony on SB 1020 - A. Jaramillo - 1 page C - Testimony on SB 329 - R. Duehmig - 2 pages D - Testimony on SB 329 - E. Edwards - 4 pages E - Testimony on SB 360 - G. Simmons - 2 pages F - Amendments to SB 1020-1 - Legislative Counsel - 5 pages G - Fiscal Impact to SB 360 - C. Chute - 1 page

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.