

SENATE COMMITTEE ON LABOR AND GOVERNMENT OPERATIONS

June 28, 1993 Hearing Room B 8:00 a.m. Tapes 173 - 174
MEMBERS PRESENT: Sen. Karsten Rasmussen, Vice-Chair Sen. Dick
Springer Sen. Brady Adams Sen. Wes Cooley MEMBER EXCUSED: Sen. Tricia
Smith, Chair VISITING MEMBER: Rep. Kate Brown, District 13 STAFF
PRESENT: Joan Van Almen, Committee Counsel Stephanie Holmes,
Committee Research Pamela Stefani, Committee Coordinator Jeffrey Boles,
Committee Clerk MEASURES CONSIDERED: HB 2050-A - Related to
Construction Contractors Board HB 2051-A - Related to Construction
Contractors Board HB 2053-A- Related to Construction Contractors Board
-- HB 2069 - Related to Construction Contractors Board HB 3576-A
- Related to Construction Contractors Board , _ 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 173, SIDE A

006 VICE-CHAIR RASMUSSEN: Calls the meeting to order at 8:20 a.m.

PUBLIC HEARING ON HB 2050-A WITNESSES: Jim Stenbridge, Construction
Contractors Board (CCB) Fred Van Natta, Homes Builder's Assn. 010 JIM
STEMBRIDGE, CCB: Submits and summarizes written testimony in support of
HB 2050 A. (EXHIBIT A)

075 FRED VAN NATTA, HOME BUILDER'S ASSN.: Gives testimony in support of
HB 205 0-A.

WORK SESSION ON HB 2050-A

080 MOTION: VICE-CHAIR RASMUSSEN: Moves to change page 3, line 16, "30
day" to read "90 day". Senate Labor and Governmental Operations June 28,
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VOTE: VICE-CHAIR RASMUSSEN: Hearing no objections, the motion
CARRIES. All members are present for vote. Chair Smith is excused.
MOTION: VICE-CHAIR RASMUSSEN: Moves HB 2050-A AS AMENDED to the Floor
with a DO PASS recommendation. VOTE: In a roll call vote, all members
vote AYE. Chair Smith is excused.

VICE-CHAIR RASMUSSEN: The motion CARRIES.

VICE-CHAIR RASMUSSEN will lead discussion on the Floor.

PUBLIC HEARING ON HB 2051-A

WITNESSES: Jim Stenbridge, Construction Contractors Board (CCB)

100 JIM STEMBRIDGE, CCB: Submits and summarizes written testimony in
support of HB 205 1 A. (EXHIBIT B) 170 SEN. COOLEY: What is the
makeup of the arbitration board? 175 STEMBRIDGE: Arbitration is done
by a hearings officer. 180 SEN. COOLEY: Do you feel that some of the
opposition from the House was that maybe the makeup of the arbitration
board is more biased toward contractors than they are the public?
185 STEMBRIDGE: I think the concern was the idea of the government
telling people there was something mandatory. 190 SEN. COOLEY: In the
statutes or in the contractors board, are there any time limitations on

filing of complaints? 195 STEMBRIDGE: Ordinarily it's within one year of when the work is completed. In the case of new construction and the house sits vacant for a year, the claim deadline can be as much as two years after the project is completed. 200 VICE-CHAIR RASMUSSEN: This does not include residential construction? 205 STEMBRIDGE: This will also include residential.

220 SEN. SPRINGER: Do you have a summary of claims before the board and have benchmarks to measure success?

235 STEMBRIDGE: Records are kept on all claims. It's hard to determine success. 285 VICE-CHAIR RASMUSSEN: If I have a dispute and I don't go into binding arbitration, I go through a contested case process board review and then I can go to the court of appeals?

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295 STEMBRIDGE Yes, that's correct

300 VICE-CHAIR RASMUSSEN: If I elect binding arbitration under this bill and then I lose at the board review, do I lose court of appeals too?

310 STEMBRIDGE: Yes, that's correct WORK SESSION ON HB 2051-A
350 MOTION: SEN. SPRINGER: Moves to change page 2, line 31, "30 day" to read "90 day". VOTE: VICE-CHAIR RASMUSSEN: Hearing no objections, the motion CARRIES. All members present for vote. Chair Smith is excused. MOTION: SEN. COOLEY: Moves HB 2051-A AS AMENDED to the Floor with a DO PASS recommendation. VOTE: In a roll call vote, all members present vote AYE. Chair Smith is excused.

VICE-CHAIR RASMUSSEN: The motion CARRIES.

SEN. COOLEY will lead discussion on the Floor.

PUBLIC HEARING ON HB 2053-A WITNESSES: Jim Stenbridge, Construction Contractors Board (CCB)

375 JIM STEMBRIDGE, CCB: Submits and summarizes written testimony in support of HB 2053-A. (EXHIBIT C)

WORK SESSION ON HB 2053-A

395 MOTION: SEN. ADAMS: Moves HB 2053-A to the Floor with a DO PASS recommendation. VOTE: In a roll call vote, all members present vote AYE. Sen. Springer and Chair Smith are excused. VICE-CHAIR RASMUSSEN: The motion CARRIES. SEN. ADAMS will lead discussion on the Floor.

NOTE: WORK SESSION RECONSIDERED AND REOPENED ON NEXT PAGE.

PUBLIC HEARING ON HB 2069 - 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 June 28, 1993 - Page 4

WITNESSES: Jim Stembridge, Construction Contractors Board (CCB) Heide Anderson, Oregon Remodeler's Assn.

410 JIM STEMBRIDGE, CCB: Submits and summarizes written testimony in support of HB 2069. (EXHIBIT D)

TAPE 174, SIDE A

040 HEIDE ANDERSON, OREGON REMODELER'S ASSN.: Submits and summarizes written testimony in support of HB 2069. (EXHIBIT E)

WORK SESSION ON HB 2069

050 MOTION: VICE-CHAIR RASMUSSEN: Moves HB 2069 to the Floor with a DO PASS recommendation. VOTE: In a roll call vote, all members present vote AYE. Chair Smith is excused. VICE-CHAIR RASMUSSEN: The motion CARRIES. VICE-CHAIR RASMUSSEN will lead discussion on the Floor.

060 VICE-CHAIR RASMUSSEN recesses at 8:55 a.m. 070 CHAIR SMITH is present and reopens meeting at 9:15 a.m.

POSSIBLE RECONSIDERATION OF HB 2053-A

075 MOTION: CHAIR SMITH: Moves to RECONSIDER HB 2053.

VOTE: CHAIR SMITH: Hearing no objections, the motion CARRIES. All members present for vote.

WORK SESSION ON HB 2053 REOPENED

WITNESSES: Jim Stembridge, Construction Contractors Board (CCB) Tom Mattis, Worker's Compensation Division Gary Stewart, Dept. of Insurance and Finance (DIF) Fred Van Natta, Home Builder's Assn.

080 JIM STEMBRIDGE, CCB: Gives testimony in support of HB 2053-A.

090 CHAIR SMITH: How would you know that it is invalid?

100 STEMBRIDGE: Responds.

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110 TOM MATTIS, WORKER'S COMPENSATION DIVISION: Gives testimony in opposition to HB 2053-A. 140 GARY STEWART, DIF: Gives testimony in opposition to HB 2053-A.

180 SEN. RASMUSSEN: You have removed the reason for the contractor to be sure that the subcontractors employees have compensation coverage?

185 STEWART: Yes, that's correct. 190 CHAIR SMITH: The practical effect of HB 2053 is to prevent the sub from bringing employees on the job site and that invalidates the registration? I don't understand how the registration can be invalid for one statute and not for the rest of the statutes? 195 STEWART: That is the intent of HB 2053.

200 CHAIR SMITH: Why was this bill amended? 205 STEMBRIDGE: It was amended in conjunction with HB 2907. 210 CHAIR SMITH: Are you still in support of the A-engrossed version of the bill? 215 STEMBRIDGE: We would like a version that is clear and that protects consumers.

220 FRED VAN NATTA, HOME BUILDER'S ASSN.: Testifies in support of HB

2053-A. 290 CHAIR SMITH: What's the time frame to go through the complaint process? 295 VAN NATTA: Responds. 305STEMBRIDGE: Responds. 315 CHAIR SMITH: Couldn't the job be completed in weeks, so we have an entire job being completed with employees without compensation? 320 VAN NATTA: Responds. 340MATTIS: Responds. 355 CHAIR SMITH: "I don't see a need for a bill at all at this point if we can't have a bill that everybody thinks is workable. I'm certainly not interested in shutting down the construction - industry, but at the same time we can't be having worker's work without coverage for industrial accidents. "

380 CHAIR SMITH: Closes work session on HB 2053-A. Instruct the committee to leave HB 2053-A alone and to deal with it during the interim.

TAPE 173, SIDE B - . 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 June 28, 1993 - Page 6

PUBLIC HEARING ON HB 3576

WITNESSES: Rep. Kate Brown, District 13 Muriel Goldman, Equal Access for Girls Task Force Allen Hunt, Equal Access for Girls Task Force Heide Anderson, Oregon Alliance of Children's Programs Marcia Latta, United Way of Columbia-Willamette

020 REP. KATE BROWN, DISTRICT 13: Gives testimony in support of HB 3576. 055 SEN. RASMUSSEN: What was that figure again, 70% of our prison population is what? 060 REP. BROWN: Off-spring of teen mothers. 065 MURIEL GOLDMAN, EQUAL ACCESS FOR GIRLS TASK FORCE: Submits and summarizes written testimony in support of HB 3576. (EXHIBIT F) 150 ALLEN HUNT, EQUAL ACCESS FOR GIRLS TASK FORCE: Submits and summarizes written testimony in support of HB 3576. (EXHIBIT G) 185 CHAIR SMITH: If you followed these young women through their adulthood, is it not that the pattern of abuse continues and follows through into their children s lives? 190HUNT: Agrees. 195 GOLDMAN: Responds. 210 SEN. ADAMS: Concerned about individual reports from individual state agencies getting lost. Wants a document submitted to the legislature that they can use. 230 REP. BROWN: Responds.

270 CHAIR SMITH: Someone will be coordinating this effort.

275 HEIDE ANDERSON, OREGON ALLIANCE OF CHILDREN'S PROGRAMS: Gives testimony in support of HB 3576.

300 MARCIA LATTA, UNITED WAY OF COLUMBIA-WILLAMETTE: Submits and summarizes written testimony in support of HB 3576. (EXHIBIT H)

WORK SESSION ON HB 3576

MOTION: SEN. RASMUSSEN: Moves HB 3576 to the Floor with a DO PASS recommendation.

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

CHAIR SMITH: The motion CARRIES.

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CHAIR SMITH will lead discussion on the Floor.

MOTION: CHAIR SMITH: Moves to RECONSIDER SB 1017.

VOTE: CHAIR SMITH: Hearing no objections, the motion CARRIES. All members present for vote.

WORK SESSION ON SB 1017 MOTION: SEN. RASMUSSEN: Moves SB 1017 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: Adjourns the meeting at 10:10 a.m.

Submitted by:

Reviewed by:

Jeffrey Boles
Committee Coordinator

Pamela Stefani Committee Clerk

EXHIBIT LOG:

A - Testimony on HB 2050 - J. Stembridge - 1 page B - Testimony on
HB 2051 - J. Stembridge - 1 page C - Testimony on HB 2053 - J.
Stembridge - 1 page D - Testimony on HB 2069 - J. Stembridge - 1 page
E - Testimony on HB 2069 - H. Anderson - 1 page F - Testimony on
HB 3576 - M. Goldman - 4 pages G - Testimony on HB 3576 - A. Hunt - 2
pages H - Testimony on HB 3576 - M. Latta - 2 pages

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