

SENATE COMMITTEE ON LABOR AND GOVERNMENT OPERATIONS

July 2, 1993                      Hearing Room B 8:00 a.m.                      Tapes 177 -178  
MEMBERS PRESENT: Sen. Tricia Smith, Chair Sen. Karsten Rasmussen,  
Vice Chair Sen. Dick Springer Sen. Brady Adams Sen. Wes Cooley VISITING  
MEMBER: Rep. Tim Josi, District 2 Rep. Sam Dominy, District 44 STAFF  
PRESENT: Joan Van Almen, Committee Counsel Stephanie Holmes,  
Committee Research Pamela Stefani, Committee Coordinator Jeffrey Boles,  
Committee Clerk MEASURES CONSIDERED:     HB 3111- Related to Workers'  
Compensation HB 3146 - Related to Drainage & Diking Districts HB 2039 -  
Related to Workers' Compensation ~                      HB 2530 - Related to City  
District Services HB 2S41- Related to Public Improvements HB 3636 -  
Related to Health Policy

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TAPE 177, SIDE A

005 CHAIR SMITH: Calls the meeting to order at 8:15 a.m.

PUBLIC HEARING ON HB 3111 WITNESSES: Jim Carlson, Oregon Medical Assn. (OMA)

010 JIM CARLSON, OMA: Submits and summarizes written testimony in support of HB 3111 (EXHIBITS A & B) 080 SEN. RASMUSSEN: What keeps a medical provider from saying to the injured worker and his/her lawyer, no see you later? 090 CARLSON Responds Senate Labor and Governmental Operations July 2, 1993 - Page 2

110 SEN. RASMUSSEN: Under this bill there is no incentive to come to the table for the medical provider, because you can take your 25% statutorily and then come back for the rest later.

120 CARLSON: Responds. 130 CHAIR SMITH: Could you tell me what the practical effect will be on injured worker's? 140 CARLSON: Responds. 145 SEN. RASMUSSEN: Why would any medical provider say to an injured worker's lawyer, I'll take my statutory share and take it as full and final payment? 150 CARLSON: Responds.

170 SEN. RASMUSSEN: Can we substitute the word "worker" in line 26, with "in other applicable insurer"?

185 CARLSON: Responds.

200 CHAIR SMITH: They can't afford health insurance for their family, you can bet they can't afford this bill.

205 CARLSON: Responds. 220 SEN. SPRINGER: We need to make sure that the medical providers staff can handle the financial side of this thing accurately so we don't have double billing or the worker doesn't get billed an excessive amount. 245 CARLSON: Responds. 265 CHAIR SMITH: Since there are still issues that need to be addressed, I will put this bill back on the agenda. 315 CHAIR: Closes hearing on HB 3111.

PUBLIC HEARING ON HB 2039

WITNESSES: Tom Mattis, Workers' Compensation Div. (WCD/DIF) Chris Davie, SAIF

330 TOM MATTIS, WCD/DIF: Submits and summarizes written testimony in support of HB 2039. (EXHIBIT C)

TAPE 178, SIDE A

005 MATTIS: Continues testimony in support of HB 2039.

060 CHAIR SMITH: I would appreciate you to monitor this if this bill passes and insure that the

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injured worker is not penalized further.

065 MATTIS: Responds.

075 SEN. RASMUSSEN: Are any of these amounts currently in their liens?

080 CHRIS DAVIE, SAIF: Responds.

WORK SESSION ON HB 2039

MOTION: CHAIR SMITH: Moves HB 2039 to the Floor with a DO PASS recommendation.

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

CHAIR SMITH: The motion CARRIES.

SEN. SPRINGER will lead the discussion on the Floor.

PUBLIC HEARING ON HB 2530 WITNESSES: Burton Weast, League of Oregon Citities (LOC) Phillip Fell, LOC Rep. Tim Josi, District 2

100 BURTON WEAST, LOC: Gives testimony in support of HB 2530.

145 SEN. COOLEY: Why is the contract procedure now being used by cities with contracts with districts to provide those specific services you don't feel is working and it is a necessity to have this bill? Also, is this bill directed at just fire districts or is it opened ended?

160 WEAST: Responds. 180 CHAIR SMITH: Currently, can a city enter into a contract with a special district to provide service with an ordinance or resolution from a city council being the only requirement for doing that? 190 WEAST: Responds. 200 CHAIR SMITH: Under this bill the voters would have to approve this? 205 PHILLIP FELL, LOC: Responds. 240 SEN. COOLEY: I don't understand why the bill is here and I don't understand the advantage of the bill. 245 WEAST: Responds.

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250 CHAIR SMITH: Does it cost more money to buy bonds that are used for capital or infrastructure that you need as a result of a contract rather than something that the users are going to be guaranteed to pay for? Can you tell how the interaction will occur in the provision of this service under an annexed area?

270 WEAST: Responds.

300 SEN. COOLEY: You have to look at the long range effect of this.

310 WEAST: Responds. 315 SEN. COOLEY: Did you find the same consensus in your group when you talked to people of the east side as the west side? 320 FELL: Responds. 330 WEAST: Responds.

340 FELL: Continues testimony in support of HB 2530. 365 REP. TIM JOSI, DISTRICT 2: Gives testimony in support of HB 2530.

WORK SESSION ON HB 2530

MOTION: CHAIR SMITH: Moves HB 2530 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.

TAPE 177, SIDE B PUBLIC HEARING ON HB 3111 WITNESSES: Jim Carlson, Oregon Medical Assn. (OMA) Diana Godwin, Oregon Physical Therapists

010 SEN. RASMUSSEN: The arrangement we worked out is on line 20, page 2, substitute "25%" with "20%", eliminate last sentence of that paragraph which commences on line 24, with " reimbursement " .

015 JIM CARLSON, OMA: Supports conceptual amendments. 020 DIANE GODWIN, OREGON PHYSICAL THERAPISTS: Gives testimony in agreement of conceptual amendments.

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WORK SESSION ON HB 3111

MOTION: SEN. RASMUSSEN: Moves HB 3111-A to be amended with the following changes: Line 20, page 2, change "25" to read "20", delete the last sentence in the paragraph beginning on line 24 with the word "reimbursement" and ending on line 26 with the word "worker", delete lines 25 and 26. VOTE: CHAIR SMITH: Hearing no objections, the motion CARRIES. All members are present for vote. MOTION: SEN. RASMUSSEN: Moves HB 3111-A 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. SEN. RASMUSSEN will lead discussion on

the Floor.

PUBLIC HEARING ON HB 3636 WITNESSES: Rep. Sam Dominy, District 44 Craig Urbani, DIF Steve Lanning, O AFL-CIO Renee Cannon, Leg. Aide to Rep. Watt

070 REP. SAM DOMINY, DISTRICT 44: Gives testimony in support of HB 3636 115CRAIG URBANI, DIF: Gives testimony in support of HB 3636.  
125 STEVE LANNING, O AFL-CIO: Submits and summarizes written testimony in support of HB 3636. (EXHIBIT D) 170 CHAIR SMITH: Why don't we require that the insurer notify BOLI prior to cancellation?  
180 URBANI: Responds. 205 REP. DOMINY: Responds. 245 RENEE CANNON, LEG. AIDE TO REP. WATT: Gives testimony in support of HB 363 6.

WORK SESSION ON HB 3636

MOTION: SEN. RASMUSSEN: Moves HB 3636 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. RASMUSSEN will lead discussion on the Floor.

PUBLIC HEARING ON HB 3146 WITNESSES: Rep. Tim Josi, District 2 Kip Lombard, Oregon Water Resources Congress (OWRC) Tim Hayford, Lower Columbia Flood Control District Palmer Henningsen, Dike District 19

330 REP. TIM JOSI, DISTRICT 2: Gives testimony in support of HB 3146.

TAPE 178, SIDE B

005 KIP LOMBARD, OWRC: Submits and summarizes written testimony in support of HB 3146. (EXHIBIT E) 090 TIM HAYFORD, LOWER COLUMBIA FLOOD CONTROL DISTRICT: Submits and summarizes written testimony in support of HB 3146. (EXHIBIT F, 120PALMER HENNINGSEN, DIKE DISTRICT 19: Submits and summarizes written testimony in support of HB 3146. (EXHIBIT G)  
160 SEN. SPRINGER: What's the cost share with the Corp of Army Engineers? 165 HENNINGSEN: Responds. 175 CHAIR SMITH: This bill doesn't have an emergency clause? 180 LOMBARD: Responds. 185 SEN. SPRINGER: What limitations, if any, are there on the kinds of activities authorized under Chapter 554? 190 LOMBARD: Responds. 215 CHAIR SMITH: Are there issues out there that need an emergency clause?  
220 HAYFORD: Responds.

WORK SESSION ON HB 3146

MOTION: CHAIR SMITH: Moves the following conceptual amendments: page 2, line 44, delete the word "may" and insert the words "formed pursuant to this 1993 act shall", line 45 after the word "and", add the word

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"may", page 3 line 1, delete the word "current", page 3, line 27 after  
the word "district. WHEN:", line 28 delete "if", line 22 delete "it".

VOTE: CHAIR SMITH: Hearing no objections, the motion CARRIES. All  
members are present for vote. MOTION: CHAIR SMITH: Moves HB 3146 AS  
AMENDED to the Floor with a DO PASS recommendation. VOTE: In a roll  
call vote, all members present vote AYE.

CHAIR SMITH: Hearing no objections, the motion CARRIES.

SEN. DUKES will lead discussion on the Floor.

PUBLIC HEARING ON HB 2541 WITNESSES: Jim Craven, Oregon Advocate for the  
Arts Norman Manselle, Dept. of General Services (DOS) Allison Santos,  
Eugene Artist

265 JIM CRAVEN, OREGON ADVOCATES FOR THE ARTS: Gives testimony in  
support of HB 2541. 300 NORMAN MANSELLE, DGS: Gives testimony in  
support of HB 2541. 330 ALLISON SANTOS, EUGENE ARTIST: Gives  
testimony in support of HB 2541. 380 SEN. RASMUSSEN: What is the  
problem that we're solving? 390 CRAVEN: Responds.

TAPE 179, SIDE A WORK SESSION ON HB 2541

MOTION: SEN. RASMUSSEN: Moves HB 2541 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. RASMUSSEN will lead discussion on the Floor.

040 CHAIR SMITH: Adjourns meeting at 10:07 a.m.

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Submitted by: Reviewed by:

Jeffrey Boles Pamela Stefani Committee Clerk  
Committee Coordinator

EXHIBIT LOG:

A - Testimony on HB 3111 - J. Carlson - 2 pages B - Testimony on  
HB 3111 - J. Carlson - 2 pages C - Testimony on HB 2039 - T. Mattis -  
2 pages D - Testimony on HB 3636 - S. Lanning - 2 pages E  
- Testimony on HB 3146 - K. Lombard - 2 pages F - Testimony on HB  
3146 - T. Hayford - 5 pages G - Testimony on HB 3146 - P. Henningsen  
- 1 page H - Testimony on HB 2541 - A. Santos - 1 page

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