

SENATE COMMITTEE ON LABOR

May 23, 1991 Hearing Room B 6:00 p.m. Tape 122 MEMBERS
PRESENT: Sen. Grattan Kerans, Chair Sen. Larry Hill, Vice Chair Sen.
Peter Brockman Sen. Bob Kintigh Sen. Bob Shoemaker STAFF
PRESENT: Annette Talbott, Committee Counsel Roberta White, Committee
Assistant MEASURES HEARDSB 732 - Bases calculation of workers'
compensation permanent partial disability benefits on average weekly
wage - Work Session SB 733 - Modifies circumstances under which worker
who is receiving medical treatment for compensable injury may receive
payment for absence from work - Work Session SB 1174 - Establishes zero
tolerance policy toward specified discriminatory behavior in state
workplace and in academic environment - Work Session SB 1035 - Allows
employees of transportation districts and mass transit districts to
elect to become members of Public Employees' Retirement System - Work
Session SB 1041 - Allows certain public employees who transferred to
another public employer and elected to continue participation in prior
employer's retirement system to revoke that election - Work Session SB
1192 - Allows certain commodity commissions to contract with independent
contractors for performance of services - Work Session

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 122, SIDE A

Senator Kerans calls the meeting to order at 6:00 p.m.

WITNESSES: Frank Biehl, Association of Western Pulp and Paper Workers
Cal Henry, Oregon Assembly for Black Affairs Jim Markee, Amalgamated
Transit Union

SB 732-WORK SESSION 005 TALBOTT: Explains changes in the hand-engrossed
version of SB 732. -all editorial changes to amendments (EXHIBIT A).
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014 CHAIR KERANS: Outlines changes to SB 732 in -3 amendments
(EXHIBIT A).

027 CHAIR KERANS: What is the estimated cost?

029 TALBOTT: Approximately 6 million dollars.

030 CHAIR KERANS: Is that per annum or per biennium? 030 FRANK BIEHL,
Association of Western Pulp and Paper Workers: Submits system cost
impact (EXHIBIT B). 046 CHAIR KERANS: So it is an 8.3 million dollar
total system cost per annum. Is that correct?

048 BIEHL: That would be the first year.

050 BIEHL: This is based on 1989 unscheduled PPD degrees.

055 CHAIR KERANS: It is 8.3 million the first year and 3.2 million
the second year for an 11.5 million dollar total system cost. MOTION:
Chair Kerans moves the SB 732-3 (LC 2048) amendments as editorially
amended. VOTE: Hearing no objections, the motion carries. MOTION: Sen.
Hill moves SB 732 as amended to the floor with a Do Pass recommendation.
VOTE: Hearing no objections, the motion carries.

TAPE 122, SIDE A SB 733-WORK SESSION 082 CHAIR KERANS: Outlines changes to SB 733 in amendments

MOTION: Chair Kerans moves staff amendments 5-29-91?

VOTE: Hearing no objections, the motion carries.

MOTION: Sen. Hill moves SB 733 as amended to the floor with a Do Pass recommendation.

VOTE: No objections, so ordered.

TAPE 122, SIDE A SB 1174-WORK SESSION , 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 May 23, 1991 - Page 3

094 CHAIR KERANS: Outlines hand engrossed amendments 5-23-91 SB 1174-1. (EXHIBIT C) 100 TALBOTT: Discusses the bill as engrossed. Subsection 2 of Section One now deals specifically with the issue of racial discrimination in state work place or the academic environment. Defines the process for implementing the zero tolerance policy. 1 18 CHAIR KERANS: Are there any editorial changes to Sections 3 and 4? 115 CAL HENRY, OREGON ASSEMBLY FOR BLACK AFFAIRS: There are a couple of changes that I would like to add to the hand engrossed amendments. Section 1, (4), line 8v insert "tolerance" after "zero". - Section 1, (4), line 19o delete "fill" and insert "file". Section 4, line 8 insert a comma and "including" after "employment" and a comma after "environment". MOTION: Chair Kerans moves adoption of SB 1174-1 amendments as further amended by the committee. VOTE: Hearing no objections, the motion carries. MOTION: Sen. Shoemaker moves SB 1174 as amended to the floor with Do Pass recommendation. VOTE: Hearing no objections, the motion carries. 168 SEN. KINTIGH: What does this version do that the original bill didn't?

170 CHAIR KERANS: It provides a process for carrying forward a complaint about racism. It provides a method to adjudicate those that is fair to both the complainant and the person that the complaint is taken against.

180 SEN. HILL: The definition of racial discrimination now refers to any act that unreasonably differentiates treatment intended or unintended. This does not limit free speech, it limits discriminatory acts, it says that we will not tolerate discriminatory acts.

VOTE: Hearing no objections, the motion carries.

TAPE 122, SIDE A

SB 1035-WORK SESSION

199 TALBOTT: Discusses hand engrossed amendments 1035-2 (EXHIBIT D).

216 CHAIR KERANS: Discusses the amendments.

221 JIM MARKEE: Agrees with the amendments as they are hand engrossed. However, there is one error: page two line 8 after "shall" delete "may".

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Explains what the amendments do. The integration language speaks to a district that might want to bring a present retirement system that is in place into PERS picking up prior years credit. The "or participate in" speaks to prospective participation. 253TALBOTT: On page 1, paragraph c, lines 16-20 is the intent there that it has to be 2/3 of the affected employees and 2/3 of the members of the bargaining unit?
258 MARKEE: The intent there is for Tri-Met to be allowed to bring in some employees now and -- some in the future. So any group of affected employees would have to vote by a 2/3 vote.

274 TALBOTT: The material that is between the brackets on page 2, lines 2-7 is to be deleted, is that correct?

278 MARKEE: That is correct.

MOTION: Chair Kerans moves that we adopt SB 1035 -2 amendments as further amended.

VOTE: Hearing no objections, the motion carries.

MOTION: Sen. Hill moves SB 1035 as amended to the floor with Do Pass recommendation.

VOTE: Hearing no objections, the motion carries.

265 CHAIR KERANS: We will carry over agenda items that were not completed (SB 1041, SB 1192) at this meeting and they will be heard on May 24, 1991, at 3:00 p.m. CHAIR KERANS: Adjourns the meeting at 6:27 p.m. Submitted by: Reviewed by: Roberta White Annette Talbott Assistant Committee Counsel - 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 May 23, 1991- Page 5

EXHIBIT LOG: A - Amendments to SB 732 - Frank Biehl - 2 pages B - Amendments to SB 732 - Frank Biehl - 2 pages C - Hand-engrossed version of SB 1174 - Cal Henry - 3 pages D - Amendments to SB 1035 - Jim Markee - 2 pages E - Hand-engrossed version of SB 733 - Staff - 2 pages F - Testimony on SB 1174 - David Lunsford - 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.