

Senate Bill 780

Sponsored by Senator MORSE; Senators FERRIOLI, MONROE, MORRISSETTE, PROZANSKI, WALKER, Representatives BARKER, BARNHART, BERGER, BEYER, BOONE, BOQUIST, BUCKLEY, CAMERON, CLEM, COWAN, DALLUM, ESQUIVEL, GARRARD, GREENLICK, HANNA, HOLVEY, KOMP, KRUMMEL, MAURER, OLSON, RICHARDSON, RILEY, ROBLAN, ROSENBAUM, SCOTT, SHIELDS, P SMITH, THATCHER, TOMEI, WHISNANT, WITT

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Requires approval by majority of members of Workers' Compensation Management-Labor Advisory Committee for recommendations of committee to be reported to Legislative Assembly and Director of Department of Consumer and Business Services. Requires voting by secret ballot. Instructs Governor to appoint arbitrator to resolve tie votes of committee.

A BILL FOR AN ACT

1
2 Relating to voting procedures of Workers' Compensation Management-Labor Advisory Committee;
3 amending ORS 656.790.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1.** ORS 656.790 is amended to read:

6 656.790. (1) The Governor shall appoint a Workers' Compensation Management-Labor Advisory
7 Committee composed of 10 appointed members. Five members from organized labor shall represent
8 subject workers and five members shall represent subject employers. In addition to the appointed
9 members, the Director of the Department of Consumer and Business Services shall serve ex officio
10 as a member of the committee. The appointment of members of the committee is subject to confir-
11 mation by the Senate in the manner prescribed in ORS 171.562 and 171.565.

12 (2) The director may recommend areas of the law which the director desires to have studied or
13 the committee may study such aspects of the law as the committee shall determine require their
14 consideration. The committee periodically shall review the standards for evaluation of permanent
15 disability adopted under ORS 656.726 and shall recommend to the director factors to be included or
16 such other modification of application of the standards as the committee considers appropriate. The
17 committee shall advise the director regarding any proposed changes in the operation of programs
18 funded by the Workers' Benefit Fund. The committee shall report its findings to the director for such
19 action as the director deems appropriate.

20 (3) The committee shall report to the Legislative Assembly such findings and recommendations
21 as the committee considers appropriate, including a report on the following matters:

22 (a) Decisions of the Supreme Court and Court of Appeals that have significant impact on the
23 workers' compensation system.

24 (b) Adequacy of workers' compensation benefits.

25 (c) Medical and legal system costs.

26 (d) Adequacy of assessments for reserve programs and administrative costs.

27 (e) The operation of programs funded by the Workers' Benefit Fund.

28 **(4)(a) The committee shall report its findings and recommendations to the director and**

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 **the Legislative Assembly only if approved by a majority vote of the members of the com-**
2 **mittee. Voting of the committee shall be conducted by secret ballot.**

3 **(b) In the event of a tie vote by the committee, the Governor shall appoint an arbitrator**
4 **from a list of qualified arbitrators provided to the Governor by the Employment Relations**
5 **Board. The arbitrator appointed shall review the issue and resolve the tie by voting for or**
6 **against the motion under consideration. The arbitrator shall report the vote to the commit-**
7 **tee no later than 10 days after the date of appointment of the arbitrator.**

8 [(4)] (5) The members of the committee shall be appointed for a term of two years and shall
9 serve without compensation, but shall be entitled to travel expenses. The committee may hire, sub-
10 ject to approval of the director, such experts as it may require to discharge its duties. All expenses
11 of the committee shall be paid out of the Consumer and Business Services Fund.

12