

SENATE COMMITTEE ON GENERAL GOVERNMENT

February 08, 2005 Hearing Room B
3:10 P.M. Tapes 11 - 13

MEMBERS PRESENT: Sen. Frank Shields, Chair
Sen. Bruce Starr
Sen. Joanne Verger
Sen. Vicki Walker

MEMBER EXCUSED: Sen. Gary George, Vice-Chair

STAFF PRESENT: Judith Callens, Committee Administrator
Gary Roulier, Committee Assistant

MEASURES/ISSUES HEARD:
Introduction of Committee Measures – Work Session
SB 402 – Public Hearing
SB 405 – Public Hearing
SB 420 – Public Hearing

These minutes are in compliance with Senate and House Rules. Only text enclosed in quotation marks reports a speaker's exact words. For complete contents, please refer to the tapes.

TAPE/#	Speaker	Comments
TAPE 11, A		
003	Chair Shields	Opens the meeting at 3:00 p.m. and opens a work session on introduction of committee bills.
<u>INTRODUCTION OF COMMITTEE MEASURES – WORK SESSION</u>		
011	Judith Callens	Administrator. Presents LC's 1213, 1217, 2077 (EXHIBITS A, B, C) and summarizes the provisions of the legislative concepts.
029	Sen. Walker	MOTION: Moves LC's: 1213, 1217, 2077 BE INTRODUCED as committee bills.
		VOTE: 3-0-2
		EXCUSED: 2 - George, B. Starr
	Chair Shields	Hearing no objection, declares the motion CARRIED.
031	Chair Shields	Closes the work session and opens the public hearing on SB 402.
<u>SB 402 – PUBLIC HEARING</u>		
041	Callens	Explains the provisions of SB 402.
048	Sen. Ben Westlund	State Senator, District 27. Testifies in support of SB 402.
083	Sen. Westlund	Explains that the bill would allow small water districts to have the county assessor collect past due accounts as part of the property tax. Presents the -1 amendments (EXHIBIT D).
114	Chair Shields	Asks if there are any unforeseen consequences with low income citizens.
123	Sen. Westlund	Answers that a water district would have the ability to shut off water service, but adds that there would be some "timeline" protection through the use of the county property tax collection method rather than private company collection.
134	Gil Riddell	Policy Manager, Association of Oregon Counties. Testifies that

168	Riddell	the cost associated would take away from assessments and collections of revenues for school and other local districts. Requests the committee consider a subsequent referral to the Revenue Committee.
187	Chair Shields	Closes the public hearing on SB 402 and opens a public hearing on SB 405.

SB 405 – PUBLIC HEARING

191	Callens	Explains the provisions of the bill. Presents the -1 amendments (EXHIBIT E) .
201	Fred VanNatta	Oregon Board of Optometry, Oregon Board of Architects Examiners, Oregon Board of Massage Therapists, Oregon State Contractor’s Board. Testifies in support of SB 405, which gives the semi-independent boards the authority to borrow funds to buy real property.
230	VanNatta	Discusses the language in SB 405.
260	David Plunkett	Executive Director, Oregon Board of Optometry. Presents written testimony (EXHIBIT F) and testifies in support of SB 405.
287	Plunkett	Summarizes a bill in the House dealing with audit reports of semi-independent boards.
312	Plunkett	Comments on review procedures being modified for semi-independent agencies.
336	Sen. Verger	Asks about the rationale for not giving agencies the authority to borrow money to buy buildings.
342	VanNatta	Responds that he does not believe it was a conscious policy decision.
351	Sen. B. Starr	Asks how many agencies this will affect.
362	VanNatta	Answers there are ten or eleven licensing boards that would be affected.
371	Sen. B. Starr	Expresses a desire to see the list of the affected agencies.
379	Bill Foster	Acting Administrator, Facilities Division, Department of Administrative Services (DAS). Presents written testimony (EXHIBIT G) and testifies in opposition to SB 405.
416	Greg Jeffrey	Finance Manager, DAS. Reviews the history of property acquisitions utilized by state agencies.

TAPE 12, A

012	Carol Halford	Administrator, Oregon Board of Architect Examiners. Submits written testimony on behalf of William Seider in support of SB 405 (EXHIBIT H) and testifies in support of SB 405.
033	Bob Keith	Administrator, Appraiser Certification and Licensure Board. Testifies in support of SB 405.

The following prepared testimony is submitted for the record without public testimony

	Andy Leisinger	State Landscape Architect Board. Submits written testimony in support of SB 405 (EXHIBIT P) .
041	Chair Shields	Asks the DAS representatives to consider the cost savings of the bill. Closes the public hearing on SB 405 and opens a public hearing on SB 420.

SB 420 – PUBLIC HEARING

052	Sen. Kate Brown	State Senator, District 21. Presents written testimony (EXHIBIT I) and testifies in support of SB 420.
083	Sen. Brown	Reviews the current rewrite of the ethics code.
094	Sen. B. Starr	Asks if the Governor’s proposed budget includes additional funding for the Government Standards and Practices Commission.

104	Sen. Brown	Responds she is not sure, but deems it a “conflict of interest” that the legislature is responsible for adequately funding a commission that provides legislative oversight.
114	Chair Shields	Comments on the budget issues and asks if there would be opposition to a “cap” on these assessments.
123	Sen. Brown	Answers she is well aware of the budget restrictions but restates that it is “extremely important” that we find a dedicated revenue source.
147	Sen. Verger	Asks how the witness would answer the argument that local governments would be paying for a state program.
150	Sen. Brown	Responds that it is the responsibility of elected officials to work towards restoring credibility of government. Adds that the commission is charged with overseeing ethics for all government bodies.
165	Lori Sattenspiel	Oregon Community College Association (OCCA). Presents written testimony (EXHIBIT J) and testifies in opposition to SB 420.
175	Chuck Clemans	Board Member, Clackamas Community College and President, OCCA. Testifies in opposition to SB 420.
218	Clemans	Emphasizes that while he agrees with the importance of the commission, it should not be funded “on the backs” of students at the community colleges.
233	Clemans	Reviews the current budget shortfalls for the community colleges.
254	Clemans	Adds that the community colleges are an “essential tool” in the state economy.
277	Genoa Ingram	Oregon Fire District Directors Association. Presents written testimony (EXHIBIT K) and testifies in opposition to SB 420.
320	Ingram	Agrees that most commission violations are targeted at local officials.
348	Ingram	Reviews past efforts to define ethics for volunteer firefighters.
381	Ingram	Notes that passage of SB 420 will take funds away from education, health care and public safety.
401	Chair Shields	Asks what the term “legislative interest” means.
TAPE 11, B		
001	Ingram	Responds with an explanation. Hopes that the committee will not tax volunteer firefighters.
023	Chair Shields	Asks if the bill has a target budget for the commission.
034	Ingram	Points out the proposed budget for the commission on page three of the exhibit (EXHIBIT K).
037	Chair Shields	Reviews the budget proposal and wonders what Sen. Brown’s intentions were.
042	Callens	Reviews the potential revenue impact.
061	Sen. Verger	Asks about how the statute moves from “public official” to “volunteer.”
066	Ingram	Answers with an explanation of the interpretation of “volunteer.”
074	Chair Shields	Opines on the necessity of more narrowly defining “volunteer.”
083	Ingram	Summarizes efforts to redefine “volunteers.”
096	Tim Josi	President, Association of Oregon Counties (AOC). Testifies that they cannot support the bill in its current concept. Agrees with Sen. Brown that the system is “broken.”
135	Josi	Reviews other legislation introduced that will impose fees on local governments.
163	Sen. B. Starr	Asks how beneficial it would be if the commission had the

		staffing to adequately educate affected individuals.
171	Josi	Responds that it would be very beneficial.
178	Paul Snider	Legal Counsel, AOC. Testifies in support of SB 420.
181	Callens	Reviews the statutory definition of public official.
203	Sarah Wetherson	Money in Politics Research Action Project. Presents written testimony (EXHIBIT L) and testifies in support of SB 420.
235	Wetherson	Summarizes the duties of the commission and adds that the commission lacks the resources to carry out its base function.
265	Wetherson	Emphasizes that the need for the commission has not gone away and restates support for SB 420.
297	Margaret Noel	President, League of Women Voters of Oregon. Presents written testimony (EXHIBIT M) and testifies in support of SB 420.
321	Noel	Comments that it would be beneficial to have a funding source that was separate from the legislature.
333	Chair Shields	Agrees that something has to be done but adds that the “how” is extremely difficult.
347	Andi Miller	Common Cause. Presents written testimony (EXHIBIT N) and testifies in support of SB 420. Notes that providing a “minimal level of service” should not be the goal.
403	Christy Monson	Counsel, League of Oregon Cities. Presents written testimony (EXHIBIT O) and testifies in opposition to SB 420.
TAPE 12, B		
009	Monson	Reviews a study of ten other states, all of which fund their ethics commission with state funds. Adds that one possible funding solution may be to increase fines.
021	Richard Walsh	City Council President, City of Keizer. Testifies in opposition to SB 420.
044	Walsh	Points out that the commission is a state program and should be funded by the state.
064	Walsh	Adds that it is “absurd” to tax volunteers.
080	Chair Shields	Asks if the witness has an idea of what the bill would cost the League of Oregon Cities.
089	Monson	Answers that they don’t know the extent of who would be covered by the requirement.
103	Chair Shields	Asks how many League of Oregon City members would be affected by this requirement.
120	Monson	Answers that it would cover all public officials and volunteers, state and local.
128	Walsh	Notes that local governments would be paying for a state commission under this bill.
133	Sen. B. Starr	States that creating ethics commissions for each local entity may not be an efficient alternative.
160	Ken Strobeck	Executive Director, League of Oregon Cities. Testifies in opposition to SB 420. Emphasizes that everyone in the state benefits from ethical behavior, so it should be a function that is funded by the state.
206	Sen. Verger	Asks how often the cities utilize the commission.
212	Strobeck	Answers that their organization conducts training for newly elected officials.
230	Monson	Adds that the commission has not had a lot of time to deal with local issues.
241	Chair Shields	Asks if they consult with the commission on their training.
251	Monson	Responds that their trainers are attorneys familiar with the statutes, but they do consult with the commission.

264	Ken Armstrong	Oregon Ports Group and Oregon Fire Chiefs Association. Testifies in opposition to SB 420. Notes that there are approximately 8,200 volunteer firefighters in the state.
290	Armstrong	Remarks that this is a “general fund” issue.
298	Sen. Verger	Asks how many times the group that he represents uses the commission.
301	Armstrong	Answers that they typically would not be utilizing the commission.
312	Jim Green	Oregon School Boards Association. Testifies in opposition to SB 420. Reviews the number of teachers and volunteer school board members in the state.
347	Chair Shields	Restates the differentiation between “paid” versus “volunteer” persons.
363	Green	Reviews the stated figures. Adds that they want to make sure that if there are complaints, they are investigated.
399	Chair Shields	Expresses an interest in finding a solution.
TAPE 13, A		
004	Callens	Clarifies the definition of volunteers and notes that legislators and employees would also be subject to the fees suggested in SB 420.
014	Sen. Verger	Notes that the resulting figure would be quite large if the fee were assessed on all state employees.
The following prepared testimony is submitted for the record without public testimony		
	Sen. Bill Morrisette	Senate District 6. Submits written testimony in support of SB 420 (EXHIBIT Q).
	Marge Kafoury	Director, Office of Government Relations, City of Portland. Submits written testimony in opposition to SB 420 (EXHIBIT R).
017	Chair Shields	Closes the public hearing on SB 420 and adjourns the meeting at 5:11 p.m.

EXHIBIT SUMMARY

- A. **Introductions, LC 1213, staff, 13 pp**
- B. **Introductions, LC 1217, staff, 3 pp**
- C. **Introductions, LC 2077, staff, 2 pp**
- D. **SB 402, -1 amendments, Sen. Ben Westlund, 1 p**
- E. **SB 405, -1 amendments, staff, 1 p**
- F. **SB 405- written testimony, David Plunkett, 2 pp**
- G. **SB 405, written testimony, Bill Foster**
- H. **SB 405, written testimony of William Seider, Carol Halford, 1 p**
- I. **SB 420, written testimony, Sen. Kate Brown, 1 p**
- J. **SB 420, written testimony, Lori Sattenspiel, 1 p**
- K. **SB 420, written testimony, Genoa Ingram, 9 pp**
- L. **SB 420, written testimony, Sarah Wetherson, 3 pp**
- M. **SB 420, written testimony, Margaret Noel, 1 p**
- N. **SB 420, written testimony, Andi Miller, 4 pp**
- O. **SB 420, written testimony, Christy Monson, 3 pp**

Testimony submitted for the record without public testimony.

- P. SB 405, written testimony, Andy Leisinger, 1 p**
- Q. SB 420, written testimony, Sen. Bill Morrisette, 1 p**
- R. SB 420, written testimony, Marge Kafoury, 1 p**