

SENATE COMMITTEE ON RULES

January 13, 2005 Hearing Room 343
8:30 A.M. Tapes 1 - 2

(Corrected 3-2-05)

MEMBERS PRESENT: Sen. Kate Brown, Chair
Sen. Ted Ferrioli, Vice-Chair
Sen. Jason Atkinson
Sen. Charlie Ringo
Sen. Frank Shields

STAFF PRESENT: Tiffany Harris, Committee Administrator
Patricia Nielsen, Committee Assistant

MEASURE/ISSUES HEARD & WITNESSES:

Adoption of Committee Rules – Organizational Meeting
Executive Appointment – Public Hearing and Work Session
Pacific Northwest Electric Power and Conservation Planning Council
Sen. Joan Dukes
SCR 2 – Public Hearing and Work Session
Sen. Joan Dukes
Rep. Deborah Boone
Introduction of Committee Measures – Work Session

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.

<u>TAPE/#</u>	<u>Speaker</u>	<u>Comments</u>
TAPE 1, A		
005	Chair Brown	Calls the meeting to order at 8:36 a.m. Introduces staff and members. Discusses committee plan. Opens organizational meeting.
<u>ADOPTION OF COMMITTEE RULES – ORGANIZATIONAL MEETING</u>		
010	Sen. Atkinson	Asks about version of proposed committee rules (EXHIBIT A).
015	Chair Brown	Points out Rule 8.15 changes public notice from 24 hours to 48 hours.
025	Sen. Atkinson	Asks about shorter notice later in the session.
030	Chair Brown	Confirms the Senate President will decide when the committees move to one-hour notice.
035	Sen. Atkinson	MOTION: Moves to ADOPT the proposed Committee Rules dated 01/13/05.
040		VOTE: 5-0- 0
	Chair Brown	Hearing no objection, declares the motion CARRIED.
050	Chair Brown	Closes organizational meeting. Opens public hearing on executive appointment.

EXECUTIVE APPOINTMENT – PUBLIC HEARING

PACIFIC NORTHWEST ELECTRIC POWER AND CONSERVATION PLANNING COUNCIL – JOAN DUKES (EXHIBIT B)

055 Sen. Joan Dukes District 16. Appears and discusses her interest and qualifications

		for appointment to the Power Planning Council. Describes her experience working on fishery issues, service on Legislative Council on River Governance dealing with Columbia River issues, and service on Public Affairs Committee, working on deregulation. Discusses her intent to find solutions to regional issues.
075	Sen. Ferrioli	Comments on Sen. Dukes' qualifications and hard work in this issue area. Asks how she would balance the multiple uses of the Columbia River. Points out his constituents depend on the river for hydropower. Stresses importance of uninterrupted, affordable distribution of electric power, and critical nature of river levels for transportation, flood control and navigation. Comments on Sen. Dukes' advocacy of fishermen in her district. Asks how she will balance natural resource uses with the economic advantage of low-cost hydro power.
105	Sen. Dukes	Responds she hopes that once on the council she will learn more. Explains up to now she was elected to represent one portion of Oregon, but on the council would represent all of Oregon. Shares plans to travel through Oregon to seek input. Believes in one Oregon, and also one river. Expresses concern over differing interests of river users.
135	Sen. Ferrioli	Asks about battles over issues. Reminds that Governor is willing to reignite a litigious strategy on the National Oceanic and Atmospheric Administration (NOAA) Fisheries 2004 Biological Opinion, and potentially embroil Oregon in litigation. Asserts the opinion releases a stranglehold on cattle ranching, grazing, irrigation, hydroelectric power generation and other issues affecting rural economies and public power users. Asks what she would advise the Governor.
155	Sen. Dukes	Refers to Governor's briefing paper and offers to provide it to the committee. Discusses the six points in the Governor's plan. Points out the Governor wants to negotiate and not go to court, and his staff has started meetings with federal agencies.
185	Sen. Ferrioli	Observes Governor's six points are the same as Oregon Trout's six points. Asks for acceptance of idea that objections raised must be based on science.
190	Sen. Dukes	Points out two scientists can differ in their opinion. Agrees science must be based on recent, credible and useful studies.
210	Sen. Ferrioli	Refers to controversy over programs which raised costs to ratepayers without measurable benefit to fish. Observes Bonneville Power Administration (BPA) has spent some \$3 billion of ratepayer dollars mitigating for fish. Asks how she will create an expectation of measurable outcomes from council programs.
230	Sen. Dukes	Acknowledges the headlines about excess expenditures by BPA. Expresses intent not to waste money.
250	Sen. Ferrioli	Reminds she has disagreed with many members on some issues, and expresses confidence she will disagree with the Governor when needed.
260	Sen. Ringo	Comments fish runs have improved but are still not at historic levels. Asks whether she will try to maintain or increase the fish runs.
270	Sen. Dukes	Explains she will continue to push for increases in fish runs. Discusses ocean conditions and watershed improvements.

290 Sen. Shields Comments on hatchery operations which are constantly improving fish.
From standpoint of city district, comments on vast differences between districts. Asks how to balance interests of rural and urban constituents. Invites her participation in the River Governance Council.

320 Sen. Dukes Agrees she would like to participate in that group. Discusses disconnect between different groups and hopes to resolve some differences. Invites feedback to the Power Planning Council from different points of view.

350 Sen. Shields Asks for her contact information.

360 Sen. Dukes Reminds them to use her legislative contact information. Refers to staff in Portland office.

375 Sen. Ferrioli Comments on council membership of former Sen. Gene Derfler. Expresses hope her appointment is not meant to silence dissent. Acknowledges service of Sen. Derfler on the council.

TAPE 2, A

005 Sen. Dukes Advises she has already met with Sen. Derfler.

010 Chair Brown Closes public hearing on executive appointment. Opens work session on executive appointment.

EXECUTIVE APPOINTMENT – WORK SESSION

015 Sen. Ferrioli **MOTION: Moves the APPOINTMENT of Sen. Joan Dukes to the Pacific Northwest Electric Power and Conservation Planning Council to the floor with the recommendation that the appointment BE CONFIRMED.**

VOTE: 5-0- 0

AYE: In a roll call vote, all members present vote Aye. The motion CARRIES.

SEN. SHIELDS will lead discussion on the floor.

018 Chair Brown Closes work session on executive appointment. Opens public hearing on SCR 2.

SCR 2 – PUBLIC HEARING

020 Tiffany Harris Committee Administrator. Presents overview of SCR 2.

030 Sen. Joan Dukes District 16. Introduces herself and Rep. Deborah Boone. Discusses life and activities of Mildred Berkey Davy.

045 Rep. Deborah Boone District 32. Explains her interaction with Mildred Davy. Discusses Davy’s community involvement.

065 Sen. Dukes Notes that when new owners bought the local radio station they renamed the station with Davy’s initials.

075 Sen. Atkinson Welcomes Rep. Boone.

080 Chair Brown Closes public hearing on SCR 2. Opens work session on SCR 2.

SCR 2 – WORK SESSION

085 Sen. Atkinson **MOTION: Moves SCR 2 be sent to the floor with a BE ADOPTED recommendation.**

VOTE: 5-0- 0

AYE: In a roll call vote, all members present vote Aye. The motion CARRIES.

SEN. DUKES will lead discussion on the floor.

090 Sen. Atkinson Asks about rolling the roll call.

095 Chair Brown Advises they will consider different options. Closes work session on SCR 2. Opens a work session for consideration of legislative concepts.

INTRODUCTION OF COMMITTEE MEASURES – WORK SESSION

105	Tiffany Harris	Committee Administrator. Reviews Legislative Counsel (LC) drafts: <ul style="list-style-type: none"> • LC 1330 relating to arbitration criteria in public collective bargaining (EXHIBIT C) • LC 1331 relating to supervisory employees under public employees collective bargaining law (EXHIBIT D) • LC 1332 relating to employment relations in public collective bargaining (EXHIBIT E)
125	Sen. Ferrioli	Asks about committee sponsoring measures instead of individuals.
130	Chair Brown	Explains background of the request.
135	Sen. Ferrioli	Asks whether introducing committee bills without names conforms with the senate rule requiring bills to be introduced at the request of a named person.
140	Chair Brown	Explains the requesting party is the committee.
150	Sen. Ferrioli	Asks about number of bills to be introduced as committee bills.
160	Chair Brown	Discusses options for filing.
165	Chair Brown	MOTION: Moves LCs: 1330, 1331, 1332 BE INTRODUCED as committee bills.
170	Chair Brown	VOTE: 5-0- 0 Hearing no objection, declares the motion CARRIED. NOTE: LC 1330 later printed as SB 319; LC 1331 printed as SB 320; LC 1332 printed as SB 321.
174	Chair Brown	Introduces Nancy Goss Duran, Governor’s Executive Appointments Director.
178	Chair Brown	Closes work session. Adjourns the committee at 9:16 a.m.

EXHIBIT SUMMARY

- A. Rules, Proposed Committee Rules, staff, 3 pp**
- B. Executive appointment, Pacific Northwest Electric Power and Conservation Planning Council, Staff and Governor’s Office, 5 pp**
- C. Introductions, LC 1330, staff, 6 pp**
- D. Introductions, LC 1331, staff, 7 pp**
- E. Introductions, LC 1332, staff, 7 pp**