

HOUSE COMMITTEE ON GENERAL GOVERNMENT

January 30, 2003 Hearing Room D
8:30 AM Tapes 10 - 11

MEMBERS PRESENT: Rep. Jerry Krummel, Chair
Rep. Donna Nelson, Vice-Chair
Rep. Floyd Prozanski, Vice-Chair
Rep. Brad Avakian
Rep. Derrick Kitts
Rep. John Mabrey
Rep. Kelley Wirth

STAFF PRESENT: Patrick Brennan, Committee Administrator
Jeana Harrington, Committee Assistant

MEASURES HEARD: HB 2281 – Public Hearing
HB 2250 – Public Hearing
HB 2317 – Public Hearing and Work Session
HB 2321 – Public Hearing and 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 10, A		
004	Chair Krummel	Calls meeting to order at 8:38 AM. Announces that HB 2281 will not have a work session today. Opens public hearing on HB 2281.
<u>HB 2281 PUBLIC HEARING</u>		
023	Cindy Becker	Department of Administrative Services (DAS). Testifies against HB 2281. Lists concerns with the bill.
060	Rep. Nelson	Asks that Ms. Becker provide information regarding the federal mandates of the bill.
087	Liz Frenkel	League of Women Voters (LWV). Provides written testimony (EXHIBIT A). Indicates LWV opposition of HB 2281. Lists specific reasons LWV opposes the bill.
154	Lynn-Marie Crider	American Federation of Labor and Congress of Industrial Organizations (AFL-CIO). Offers explanation of why AFL-CIO opposes HB 2281. Provides conflict areas of the bill.
229	Rep. Nelson	Asks this is an area of AFL-CIO employment where leniency in federal laws is needed.
244	Crider	Provides different ways that AFL-CIO presents ideas to the federal government regarding changes for employers.
264	Rep. Nelson	Inquires whether there are federal mandates that AFL-CIO felt there were no need for.
271	Crider	Replies that she does not believe so.
280	Matt Blevins	Legislative Affairs Director, Oregon Environmental Council (OEC). States purpose of the OEC. Adds OEC opposes the measure. Urges committee not to adopt the bill for Oregonians.
312	Rep. Kitts	Asks if any testimony is in favor of HB 2281.

317	Chair Krummel	Responds he is unsure.
320	Randy Harnisch	Oregon Department of Education (ODE). States ODE opposes HB 2281. Provides areas of concern regarding food safety inspections. Voices concern that higher safety standards are at risk.
353	Rep. Nelson	Requests that Mr. Harnisch provide a list of possible federal mandates ODE does not feel need state changes.
362	Harnisch	Replies he will.
366	Greg Addington	Oregon Farm Bureau (OFB). Supports HB 2281. Reminds committee this bill is dealing with rules and not with statute. Testifies from an agricultural standpoint.
TAPE 11, A		
003	Addington	Lists advantages of the bill. Concludes by referencing the business climate of the state.
013	Katie Fast	Oregon Cattlemen Association (OCA). Testifies in favor of HB 2281. Believes that the federal government has regulations in place, and that additions to these are unnecessary. Lists reasons including non-point source pollution.
038	Rep. Prozanski	References an agriculture cases and asks if there would have been an appeal due to the bill.
040	Fast	Predicts those involved may have challenged the decision.
045	Rep. Nelson	Requests that her testimony be put in writing, including the costs of various superfluous state rules so the committee can better understand the burden.
055	Fast	Answers she will try.
057	Chair Krummel	Asks if the earlier mentioned case was in federal court.
059	Fast	Responds it was the Baker court.
061	Chair Krummel	Inquires if the parties are open to amendments.
063	Fast	Offers that OCA is interested in seeking a common ground on the issue.
068	Addington	Adds OFB would do so as well.
070	Chair Krummel	Concurs.
072	Jennifer Flynt	Audubon Society of Portland. Testifies against HB 2281 (EXHIBIT B) . Lists reasons for opposition.
106	Randy Tucker	Legislative Coordinator, 1,000 Friends of Oregon. Introduces the organization and provides its history. Testifies against HB 2281 with regard to constitutionality and land use planning.
135	Chair Krummel	Asks if he is suggesting that it would be federally unconstitutional to pass the bill.
140	Tucker	Answers not necessarily, but adds that ceding state power is unnecessary.
148	Rep. Nelson	States she did not observe the bill was superseding anything.
153	Tucker	Explains it is unclear what this bill would allow states to do. States it seems unnecessary.
172	Chair Krummel	Refers committee to written testimony of Dan Gardner, Commissioner, Oregon Bureau of Labor and Industries (EXHIBIT C) .
175	Rep. Prozanski	Comments on written testimony.
185	Chair Krummel	Explains that tapes of the meeting can be obtained.
187	Rep. Nelson	Discusses testimony and questions whether witnesses should provide written testimony for the committee.
193	Chair Krummel	Explains it is recommended, but not required.
196	Rep. Kitts	Comments on written testimony.
201	Rep. Nelson	Points out the value of written testimony.

204	Chair Krummel	Closes public hearing on HB 2281. Opens public hearing on HB 2250.
<u>HB 2250 PUBLIC HEARING</u>		
216	Patrick Brennan	Committee Administrator. Reads Staff Measure Summary (SMS).
234	Beverlee Venell	Director, Oregon Emergency Management (OEM). Provides overview on HB 2250 (EXHIBIT D).
279	Rep. Prozanski	Makes clarification of the plan.
283	Venell	Explains that the plan stays in effect regardless of placement of OEM.
288	Rep. Kitts	Asks if OEM is creating or consolidating.
291	Venell	Answers OEM is changing to become a member of the Governor's Cabinet.
302	Rep. Mabrey	Assumes there is no tremendous funding impact with the bill. Wonders if there will be a change on the local level as to handling of emergency management
318	Venell	Responds that the bill will require \$238,000 and elaborates on the funding. Explains the OEM relationship with the locals would not change.
340	Rep. Kitts	Asks if Oregon State Police (OSP) supports the action.
342	Venell	Replies they have had conversations.
350	Rep. Kitts	Confirms a fiscal impact exists.
352	Venell	Affirms and states \$238,000.
361	Rep. Nelson	Questions OSP support for the bill.
363	Venell	Thinks OSP would like a more thorough analysis of the fiscal impact.
372	Rep. Avakian	Asks if OEM anticipates the ability to create new partnerships due to the heightened status of the department.
380	Venell	Thinks the relationships exist. Believes OEM is well connected with the federal government.
401	Hasina Squires	Oregon Chapters of Association of Public Safety Communications (APCO) – National Emergency Number Association (NENA). Testifies that both agencies support the bill despite the fiscal impact.
TAPE 10, B		
005	Squires	States the OEM is a top notch agency.
015	Mary Botkin	Association of Federal, State, County, and Municipal Employees (AFSCME) Council 79. Testifies in favor of HB 2281. Points out this does not solely involve terrorism, as it also involves local emergencies in communities that need assistance. Reiterates she is very supportive of the agency and the bill.
076	Chair Krummel	Suggests that terrorist attacks are not the focus, and the change has more to do with natural disasters.
080	Botkin	Concurs.
091	Rep. Prozanski	Asks if the department is currently under executive order. Asks what union the employees are represented by.
097	Botkin	Answers who they are represented by. Expects they have government support on this change.
103	Rep. Prozanski	Requests if 9-1-1 dispatch is under the same system.
107	Squires	Explains how the agencies are operated. Adds that OEM contains the 9-1-1 program.
124	Rep. Prozanski	Realizes that OSP also has a dispatch, and asks if there is a disconnect.
131	Squires	Responds to this.

133	Rep. Prozanski	Voices concern that emergency centers are not always efficient. Remarks on the authority of local emergency centers.
145	Squires	Voices hopes for the change in status.
153	Rep. Prozanski	Asks if OEM will be better heard by comminutes if the change occurs.
155	Squires	Explains the action eliminates the middle man so OEM can operate directly with the governor instead of going through OSP.
169	Rep. Prozanski	Inquires who will be in control of the centers.
176	Squires	Answers that nothing will change with regard to those roles and jurisdiction.
184	Botkin	Offers that their hope is to have continued standardization in response regardless of rural or metropolitan communities. Adds there will be no change in day-to-day function, but that in case of crisis, someone will be in charge.
215	Rep. Prozanski	Seeks to understand the disconnect as it pertains to defense and local issues.
232	Squires	Wishes to speak with him further on this.
235	Chair Krummel	States his plan to work on this further.
250	Rep. Prozanski	Comments on this.
252	Chair Krummel	Closes public hearing on HB 2250. Opens public hearing on HB 2317.

HB 2317 PUBLIC HEARING

257	Brennan	Reads SMS.
263	Greg Chaimov	Legislative Counsel (LC). Explains the two bills are efforts to fix glitches. Explains the changes made by HB 2317 (EXHIBIT E).
297	Chair Krummel	Comments on this.
312	Rep. Nelson	Asks when the commission in HB 2317 was established.
316	Chaimov	States he is unsure.
319	Brennan	Committee Administrator. Offers that it was created in 1949.
322	Chair Krummel	Adds to this and provides history of the commission.
334	Rep. Nelson	Asks if the purpose of the commission was different at its origin.
337	Chaimov	States he is unsure.
339	Rep. Nelson	Inquires if the capital fund will pay for this.
341	Chaimov	Negates.
342	Rep. Nelson	Requests who will pay.
345	Chaimov	States he is unsure.
348	Chair Krummel	Close public hearing and opens work session on HB 2317.

HB 2317 WORK SESSION

353	Rep. Prozanski	MOTION: Moves HB 2317 to the floor with a DO PASS recommendation.
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355	Rep. Nelson	Discusses the bill.
366	Chaimov	Clarifies.
370	Rep. Nelson	Asks who is in charge of the commission.
373	Chaimov	Believes the commission runs itself.
375	Rep. Nelson	Clarifies she would like to know who is in charge of the commission.
382	Rep. Prozanski	Clarifies that this measure was introduced by LC and done so reduce redundancy and clarify the number of members on the commission.

TAPE 11, B

003	Chaimov	Concurs that is its entire purpose.
008	Rep. Nelson	States she will vote 'yes' as a courtesy.
009		VOTE: 7-0

	Chair Krummel	Hearing no objection, declares the motion CARRIED. REP. PROZANSKI will lead discussion on the floor.
015	Chair Krummel	Closes work session on HB 2317. Opens hearing on HB 2321.
	<u>HB 2321 PUBLIC HEARING</u>	
019	Brennan	Reads SMS.
021	Chaimov	LC. Explains HB 2321 (EXHIBIT F). States changes make it easier to read. Clarifies who collects the fees involved.
036	Chair Krummel	Closes public hearing and opens work session on HB 2321.
	<u>HB 2321 WORK SESSION</u>	
040	Rep. Prozanski	MOTION: Moves HB 2321 to the floor with a DO PASS recommendation.
042	Rep. Nelson	States she is unfamiliar with the bill.
050	Chair Krummel	Explains the purpose for the bill.
065	Rep. Nelson	Clarifies that she likes to fully understand the bills she votes for. Adds she will vote 'yes' as a courtesy.
070		VOTE: 7-0
	Chair Krummel	Hearing no objection, declares the motion CARRIED. REP. PROZANSKI will lead discussion on the floor.
074	Chair Krummel	Closes work session on HB 2321. Adjourns meeting at 10:15 AM.

EXHIBIT SUMMARY

- A – HB 2281 Testimony, Liz Frenkel, 1 p**
- B – HB 2281 Testimony, Sybil Ackerman, 1 p**
- C – HB 2281 Testimony, Dan Gardner, 5 p**
- D – HB 2317, Greg Chaimov, 1 p**
- E – HB 2321, Greg Chaimov, 1 p**