

HOUSE COMMITTEE ON GENERAL GOVERNMENT

March 25, 2003 Hearing Room D
8:30 AM Tapes 40 - 42

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

MEMBER EXCUSED: Rep. Kelley Wirth

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

MEASURES HEARD: HB 3072 – Public Hearing
HB 3073 – Public Hearing
HB 3194 – Public Hearing and Work Session
HB 3212 – Public Hearing
HB 3062 – Public Hearing and Work Session
HB 2131 – Work Session
HB 2417 – 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.

TAPE/#	Speaker	Comments
TAPE 40, A		
004	Chair Krummel	Calls meeting to order at 8:38 AM. Opens public hearing on HB 3072.
<u>HB 3072 PUBLIC HEARING</u>		
009	Rep. Tom Butler	House District 60. Testifies in favor of HB 3072. Explains the issue.
021	Rep. Nelson	Asks if there is great noncompliance that would require the bill.
023	Rep. Butler	Responds and explains tax return issues.
033	Rep. Nelson	Asks if anyone has requested an audit.
035	Rep. Butler	Notes that agencies cannot currently share information with the Department of Revenue and the bill would require the needed authorization.
043	Rep. Nelson	Clarifies.
045	Rep. Butler	Explains the constitutional right of the Secretary of State to do the audits.
051	Chair Krummel	Provides an example of tax law compliance with regard to licensing
059	Rep. Nelson	Asks if there is a financial burden.
061	Rep. Butler	Informs the measure may actually assist the budget.
065	Rep. Prozanski	Clarifies the procedure and intent of the noncompliance.
071	Rep. Butler	Explains the sharing of information regarding licenses and tax returns among agencies.
0832	Rep. Prozanski	Requests examples of license boards that require tax return filing.

087	Rep. Butler	Responds there is currently no requirement that people demonstrate filing a state tax return. Voices concern for those who are licensed but are not filing.
107	D.E. Bridges	Oregon Forest Products Transportation Association (OFPTA). Testifies on HB 3072. Presents a problem with the wording of the bill. Notes the bill may have a negative affect on truck driving.
125	Bob Russell	President, Oregon Trucking Association (OTA). Testifies on HB 3072. Voices concern with the cost to the Oregon Department of Transportation (ODOT).
148	Rep. Mabrey	Concurs on costs to drivers. Asks about the potential financial burden of testing.
160	Russell	Explains the review process could be where cost lies.
168	Chair Krummel	Notes the word 'may' in HB 3072 and that it would not require ODOT to provide proof.
178	Russell	Concurs. State his concerns for the bill.
180	Chair Krummel	Asks if he has shared his concern with the sponsor of the bill.
184	Russell	Explains he has not yet.
190	Chair Krummel	Closes public hearing on HB 3072. Opens public hearing on HB 3073.

HB 3073 PUBLIC HEARING

198	Patrick Brennan	Committee Administrator. Reads Staff Measure Summary (SMS) on HB 3073.
204	Jason Williams	Executive Director. Taxpayers Association of Oregon.
205	Rep. Tom Butler	House District 60. Comments. Testifies in favor of HB 3073. Explains the intent of the bill.
244	Rep. Kitts	Asks why the bill is not effective immediately.
250	Rep. Butler	Explains there will be programming time needed.
254	Rep. Kitts	Comments on the budget crisis of the current biennium. Asks if it would be in best interest to have the information currently.
260	Rep. Butler	Responds regarding the time required.
269	Rep. Kitts	Asks who is opposed to the bill. Asks if the intent is to make the information more available.
275	Rep. Butler	Explains the need to locate individuals in the system.
295	Rep. Kitts	Requests who is opposed to the bill.
297	Rep. Butler	States he is unsure.
306	Rep. Kitts	State he supports the bill.
314	Rep. Nelson	Comments.
317	Chair Krummel	Interjects.
319	Rep. Nelson	Poses question relating to zero-based budgeting.
326	Rep. Butler	Comments on the attempt of Ways and Means to remove funding of inefficient labor costs.
340	Rep. Nelson	Clarifies.
345	Rep. Butler	Answers that even with an emergency clause, their action may not be complete.
350	Chair Krummel	Comments on Department of Administrative Services (DAS) involvement. Concurs with Rep. Butler about the lack of need for an emergency clause.
360	Rep. Butler	Comments on the scope of the bill.
370	Rep. Prozanski	Notes that ten percent of the state population is funded by government. Poses question regarding employees and contracts.
382	Rep. Butler	Notes that state employees can be up to 50,000 a year. Comments on compensation of employees.

002	Rep. Prozanski	Clarifies based on the bill what information regarding employment. Requests the intent of the bill
007	Rep. Butler	Explains the intent.
012	Rep. Kitts	Notes he does not have the same faith in state agencies as Rep. Butler does. Requests if it is possible for the Governor to freeze new hires by agencies. Believes it would be appropriate to know the information the bill would provide now.
030	Rep. Butler	Answers there is a freeze currently although it is rather fluid. Clarifies.
036	Rep. Kitts	Restates his question regarding the Governor.
043	Rep. Butler	Speak to position currently frozen and the accomplishments of those positions with regard to the movement of employees among agencies.
062	Rep. Mabrey	Believes the goal of the bill is admirable. Questions the value of the work needed to perform the actions the bill would require.
077	Rep. Butler	Notes that an audit process is basically necessary in the ferreting out of unneeded jobs and that one is currently underway in Ways and Means.
094	Rep. Mabrey	Restates earlier question regarding the validation of state employment positions without knowledge of the jobs and persons involved.
109	Rep. Butler	Responds that the right to have the information supersedes the ideals.
119	Rep. Nelson	Requests his recollection of the lack of information of overhead of agencies. Asks if the bill would help in situations like that.
127	Rep. Butler	Explains the information to be provided by the bill.
137	Chair Krummel	Informs of the state employee phone list. Asks if the list could be utilized.
147	Rep. Butler	Remarks it could be used because a database already exists. Notes additions to be made to the database.
154	Chair Krummel	Points out the similarity of the bill to one past.
161	Rep. Butler	Concurs it is similar. Believes the information is needed.
166	Chair Krummel	Inquires about the good in the legislature exercising micromanagement.
170	Rep. Butler	Believes micromanagement is a necessary exercise of the legislature.
192	Rep. Nelson	Asks about the inclusion of consultants in the bill.
198	Rep. Butler	Explains issue consultants. Welcomes the opportunity to gather more information on issues such as these.
218	Rep. Nelson	Clarifies it could include consultants.
223	Chair Krummel	Points out the consultation funds are earned by the private sector.
229	Williams	Testifies in favor of HB 3073 (EXHIBIT A) .
257	Rep. Prozanski	Poses question.
264	Williams	Comments on the Ways and Means process. Explains the OTA is interested in the availability of information.
280	Rep. Prozanski	Believes the existence of a list does not necessarily connote improvement. Offers an audit would be helpful. Asks if OTA would be interested in micromanagement.
290	Williams	Responds concerning OTA work on the matter.
295	Rep. Prozanski	Restates his question.
304	Williams	Responds that he would like to see more audits.
310	Rep. Prozanski	Asks if OTA would support the legislature becoming full-time then.
314	Williams	Replies the legislature could experiment with the option.

317 Rep. Prozanski Explains the requirements overseeing the implications represented by the measure would necessitate a more full-time approach by the legislature.

323 Williams Concur.

326 Rep. Prozanski Explains the intent of his questions.

334 Rep. Mabrey Comments on his own experiences as a county judge. Notes the nebulous nature of determining necessary employment. Wonders how the list is not redundant.

377 Williams Responds that the annual report can be a starting point. Believes clarity on the issue is necessary and that it would be easy to produce the list.

TAPE 40, B

008 Chair Krummel Requests if there are questions for Ms. *.

015 Nancy * DAS.

017 Rep. Nelson Speaks to issues of performance measurement accountability in terms of the budget.

025 * Clarifies and explains.

030 Chair Krummel Closes public hearing on HB 3073. Opens public hearing on HB 3194.

HB 3194 PUBLIC HEARING

034 Brennan Reads SMS on HB 3194.

039 Rep. Lane Shetterly House District 23. Testifies in favor of HB 3194. Informs the committee of the situation of the Dallas Cemetery Board Members requesting the bill.

072 Rep. Nelson Asks if there is a list of members without districts.

075 Rep. Shetterly Explains he does not have it and explains that cemeteries have their own local government districts.

087 Chelsey Nichol Special Districts Association. Testifies in favor of HB 3194 **(EXHIBIT B)**.

112 Violet Starks Dallas Cemetery Maintenance District. Clarifies she is an employee of the district and not a board member. Supports HB 3194.

122 Rep. Prozanski MOTION: Moves HB 3194 to the floor with a DO PASS recommendation.

124 VOTE: 5-0-2
AYE: In a roll call vote, all members present vote Aye.
EXCUSED: 2 - Kitts, Wirth
Chair Krummel The motion CARRIES.
REP. SHETTERLY will lead discussion on the floor.

130 Chair Krummel Closes work session on HB 3194. Opens public hearing HB 3212.

HB 3212 PUBLIC HEARING

132 Patrick Brennan Reads SMS on HB 3212.

138 Colonel Mike Caldwell Oregon Military Department (OMD). Testifies in opposition to HB 3212. Cites reasons for opposition of the bill in its current form. Recommends an amendment to the ninety day limit. Explains the issue the created the bill.

200 Shelli Honeywell DAS. Offers she is present to answer questions.

203 Chair Krummel Requests the difference between state and federal active duty status.

209 Caldwell Explains the current deployments have been under federal law. Notes the bill concerns state duty. Adds the President of the United States can call on all state active duty troops.

240 Chair Krummel Poses question regarding time limits on troops.

245 Caldwell Notes that service of over thirty days is uncommon. Explains the provisions of statutes and emergencies.

271 Rep. Mabrey Explains he is not aware of the conflict of the bill. Explains his desire to protect the jobs of troops, not to limit them.

287 Rep. Nelson Asks if the bill could include the retirees if amended.

296 Caldwell Explains the hesitancy to re-file the bill regarding the retiree issue. Offers given the chance to work with the sponsors, they would work to include former members.

326 Chair Krummel Poses question regarding the extension of Public Employees Retirement System (PERS) benefits.

340 Honeywell States DAS would be willing to find that information out. Comments on reemployment rights of soldiers upon return from service.

352 Mary Botkin Association of Federal, State, County and Municipal Employees (AFSCME), Local 79. States AFSCME shares the concerns of Col. Caldwell. Comments on PERS.

TAPE 41, B

006 Chair Krummel Closes public hearing on HB 3212. Asks Col. Caldwell to work with the sponsors of the bill. Requests future clarification on PERS issues. Opens public hearing on HB 3062.

HB 3062 PUBLIC HEARING

020 Patrick Brennan Reads SMS on HB 3062.

024 Nan Heim Oregon Library Association. Testifies in favor of HB 3062 **(EXHIBIT C)**.

058 Jim Director, Oregon State Library. Testifies in favor of HB 3062 regarding the 'Ready to Read' grant program **(EXHIBIT D)**.

073 Chair Krummel Closes public hearing and opens work session on HB 3062.

HB 3062 WORK SESSION

077 Rep. Prozanski Asks if HB 3062 has a subsequent referral.

078 Chair Krummel Answers no.

080 Rep. Prozanski MOTION: Moves HB 3062 to the floor with a DO PASS recommendation.

083 VOTE: 6-0-1

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

EXCUSED: 1 - Wirth

Chair Krummel The motion CARRIES.

REP. WIRTH will lead discussion on the floor.

093 Chair Krummel Closes work session on HB 3062. Opens public hearing on HB 2131.

HB 2131 PUBLIC HEARING

095 Patrick Brennan Reads SMS on HB 2131. Indicates changes made to the bill. Explains the -2 Amendments **(EXHIBIT E)**. Notes the representatives in the audience.

110 Rep. Prozanski Asks if interested parties have signed off on the measure.

113 Brennan Affirms. Mentions there is no fiscal or revenue impact.

117 Rep. Nelson Requests testimony from the Municipal Debt Advisory Commission (MDAC).

121 Lady* MDAC. Notes the member of the commission is not present.

126 Rep. Nelson Asks for the intent of the bill regarding cities.

136 Lady* Responds there is no opposition regarding the cities.

145 Chair Krummel Identifies the League of Oregon Cities (LOC) supports the bill as amended.

148 Lady* Agrees.

153 Rep. Prozanski MOTION: Moves to ADOPT HB 2131-2 amendments dated

02/18/03.
VOTE: 5-0-1
EXCUSED: 1 - Wirth
Hearing no objection, declares the motion CARRIED.

155 Chair Krummel
158 Rep. Prozanski **MOTION: Moves HB 2131 to the floor with a DO PASS AS AMENDED recommendation.**

164 Chair Krummel Comments on the importance of the bill.
168 **VOTE: 6-0-1**
AYE: In a roll call vote, all members present vote Aye.
EXCUSED: 1 - Wirth
The motion CARRIES.
REP. KITTS will lead discussion on the floor.

175 Chair Krummel Closes work session on HB 2131. Opens work session on HB 2417.

HB 2417 WORK SESSION

177 Patrick Brennan Reads SMS on HB 2417. Informs of -1 amendment (**EXHIBIT F**).

186 Rep. Betsy Close House District 15. Explains how the amendment has narrowed the bill to cover day passes for public visitors who testify. Acknowledges there is no fiscal analysis yet. Voices belief the cost is not large.

209 Rep. Prozanski Inquires why a fiscal analysis has not yet been received.
214 Brennan Explains Committee Services is extrapolating the data to provide Legislative Fiscal with the information needed. Notes a subsequent referral could be added later.

220 Chair Krummel Adds the Senate could also send the measure to Ways and Means. Informs the committee of his work with Rep. Close on the matter.

244 Rep. Close Notes parking spots currently exist.
247 **Rep. Kitts** **MOTION: Moves to ADOPT HB 2417-1 amendments dated 03/19/03.**

252 Rep. Prozanski States he is not ready to move on the bill until a fiscal analysis is received.

256 Rep. Avakian Concurs with Rep. Prozanski. Asks for the City of Salem's position on the matter.

260 Brennan Believes the city is comfortable with the bill as amended.
264 Rep. Prozanski Presents the State of Oregon will incur the costs. Comments.
268 Brennan Notes the costs will be to Legislative Administration (LA).
272 Rep. Kitts Clarifies it is a loss of revenue.
276 Chair Krummel Answers the revenue is neutral to the City of Salem and cost is to the State.

283 Rep. Kitts Clarifies the State incurs the cost, and there will be no exemption of costs.

288 Rep. Prozanski Explains that unless it is a 'takings' and the City of Salem no longer charge for the spots, cost will be incurred. Questions the need for the bill when those who travel to the Capitol pay to operate personal vehicles.

295 Rep Kitts Comments.
305 Rep. Prozanski Questions that parking pass costs are a burden as he does not believe they are.

314 Brennan Adds Mr. Bennett from City of Salem explained LA obtains the passes from the city. Notes the possibility of a bulk discount agreement.

331	Rep. Kitts	States he would like to see a compromise reached between the city and the state. Supports the -1 amendment still.
344	Chair Krummel	Concurs with Rep. Prozanski's reservations. Voices belief that any barrier that exists between the public and the Capitol should be removed. Supports the -1 amendment.
357	Rep. Prozanski	Provides alternatives in existence that would not cost the state.
365	Chair Krummel	Comments on the information included to citizens wishing to testify.
370	Rep. Prozanski	Asserts he provides that information for his constituency.
377		VOTE: 5-1-1 AYE: 5 - Avakian, Kitts, Mabrey, Nelson, Krummel NAY: 1 - Prozanski EXCUSED: 1 - Wirth The motion CARRIES.
386	Chair Krummel Rep. Kitts	MOTION: Moves HB 2417 to the floor with a DO PASS AS AMENDED recommendation.
392	Rep. Mabrey	States he was unaware there were parking passes available. Believes public that testifiers will pay at the meters because they are uninformed. Believe impact will not be great.
TAPE 42, A		
013	Rep. Prozanski	Comments on the potential overuse or misuse of the passes. Believes there are other outlets for access to the Capitol. Explains he is uncomfortable moving the bill due to the lack of cost analysis.
026	Rep Avakian	Informs he will be voting with Rep. Prozanski.
028	Rep. Kitts	States his concerns for the abuse of the parking passes. Supports the bill despite this.
033		VOTE: 4-2-1 AYE: 4 - Kitts, Mabrey, Nelson, Krummel NAY: 2 - Avakian, Prozanski EXCUSED: 1 - Wirth The motion CARRIES. REP. CLOSE will lead discussion on the floor.
037	Chair Krummel	Closes work session on HB 2417. Adjourns the meeting at 10:28 AM.

EXHIBIT SUMMARY

- A – HB 3073, Jason Williams, 1 p**
- B – HB 3194, Chelsey Nichol, 1 p**
- C – HB 3062, Nan Heim, 1 p**
- D – HB 3062, Jim Scheppke, 1 p**
- E – HB 2131-2, Staff, 4 p**
- F – HB 2417-1, Staff, 2 p**