

SENATE COMMITTEE ON GENERAL GOVERNMENT

April 16, 2003
3:00 P.M.

Hearing Room HR B
Tapes 43 - 44

MEMBERS PRESENT: **Sen. Tony Corcoran, Chair**
 Sen. John Minnis, Vice-Chair
 Sen. Bruce Starr
 Sen. Vicki Walker

STAFF PRESENT: **Mark Ellsworth, Committee Administrator**
 Heather Gravelle, Committee Assistant

MEASURE/ISSUES HEARD: **HB 3194 – Public Hearing and Work Session**
 HB 2743 – Public Hearing Work Session
 SB 883 – Public Hearing
 SB 876 – Public Hearing and Work Session
 SB 325 – Work Session
 SB 725 – Public Hearing
 SB 726 – 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.

<u>TAPE/#</u>	<u>Speaker</u>	<u>Comments</u>
TAPE 43, A		
005	Chair Corcoran	Calls the meeting to order at 3:00 p.m. Opens a public hearing on HB 3194.
<u>HB 3194 – PUBLIC HEARING</u>		
006	Mark Ellsworth	Committee Administrator. Provides an overview of HB 3194.
010	Rep. Lane Shetterly	District 23. Testifies in support of HB 3194. Explains the intent of the bill. Provides background information. Adds the issue was brought forth by the Dallas Cemetery District. States there is no known opposition.
020	Chair Corcoran	Closes the public hearing on HB 3194. Opens a public hearing on HB 2743.
<u>HB 2743 – PUBLIC HEARING</u>		
040	Mark Ellsworth	Committee Administrator. Provides an overview of HB 2743.
050	Rep. John Mabrey	District 59. Testifies in support of HB 3194. Explains the intent of the bill is to remove a prohibition to utilize state funds. Provides background and states the importance of passing HB 3194.
085	Rep. Mabrey	Provides detailed history. States the goal is to allow the Oregon Veterans home in the Dalles to qualify for obtaining funds for its continued operation.
095	Rep. Mabrey	Explains HB 3194 would allow money from the State General Funds to be available for the Veterans to utilize.
100	Chair Corcoran	Asks if a Veteran who is a Medicare recipient can't utilize the specific facility now.
115	Rep. Mabrey	Expresses the Veterans don't qualify due to the current requirement that no state funds can be utilized.
120	Sen. Minnis	Agrees with Rep. Mabrey. Adds the need to check with

125 Rep. Mabrey Legislative Counsel before taking action. Responds no objection to checking with Legislative Counsel. Adds federal funds are not exempted from being utilized, just state funds.

150 Jon Mangis Director, Veterans Affairs of Oregon. Testifies in support of HB 2743. States the Governor does support the bill.

200 Mangis States the home could have operated without the assistance of General Funds, but due to the increase in inflation, the situation has changed dramatically.

270 Sen. Minnis Asks what the process is when the individual qualifies for Medicare.

275 Mangis Responds these individuals are normally receiving Medicare. Explains further how the system operates. Adds it is very intricate and there are many exceptions.

290 Mangis Speaks about the Veterans who are out of money and may lose their homes. States the average length of stay at the facility is 18 months.

315 Sen. Minnis Inquires if they have spoken to the Department of Human Resources regarding the federal match program.

320 Mangis Responds and states there are restrictions on receiving federal funds.

325 Greg Warnock Oregon Veterans Association. Testifies in support of HB 2743. Provides written testimony (**EXHIBIT A**). Explains the bill may have a fiscal impact, but it shouldn't be about the money. Expresses the need to respond to the ones who protected us by risking their own lives.

330 Warnock Reveals Oregon has the highest number of war veterans than any other state. Adds Oregon is not known for its reputation of caring for its war heroes.

345 Warnock Expresses an approval of HB 2743 would help save the facility for future residents, and would be a clear statement to Oregon's Veterans that the State's leadership understands the sacrifices of the few and is willing to reward our most valued citizens with a place to live their last days in dignity.

400 Jim Willis Legislative Commission Chair, American Legion Department of Oregon. Testifies in support of HB 2743.

405 Walter Crews Non Commissioned Officers Association of the United States of America. Testifies in support of HB 2743. Provides written testimony (**EXHIBIT B**).

TAPE 44, A

005 Crews Strongly recommends passing HB 2743. Provides specific reasons. States it was a long battle to get the facility constructed and it should not be allowed to go to waste. Mentions OCA recently donated \$3,500 for physical therapy equipment. Wonders why the state has never contributed. Adds the state should take some responsibility.

040 Kevin O'Reilly Oregon Paralyzed Veterans of America. Testifies in support of HB 2743. States position and background.

045 O'Reilly Comments they are not asking to be totally state funded, just to contribute. Expresses there is significant support among Veterans groups.

055 Chair Corcoran Close the public hearing on HB 2743. Opens a work session on HB 2743.

HB 2743 WORK SESSION

070	Sen. Starr	MOTION: Moves HB 2743 to the floor with a DO PASS recommendation.
		VOTE: 4-0
075	Chair Corcoran	Hearing no objection, declares the motion CARRIED.
		SEN. MINNIS will lead discussion on the floor.
080	Chair Corcoran	Closes the work session on HB 2743. Opens a work session on HB 3194.
<u>HB 3194 – WORK SESSION</u>		
090	Chair Corcoran	States HB 3194 simply allows cemetery maintenance districts to operate through a board of three to five directors.
092	Sen. Starr	MOTION: Moves HB 3194 to the floor with a DO PASS recommendation.
		VOTE: 4-0
095	Chair Corcoran	Hearing no objection, declares the motion CARRIED.
		SEN. STARR will lead discussion on the floor.
100	Chair Corcoran	Closes the work session on HB 3194. Opens a public hearing on SB 883.
<u>SB 883 – PUBLIC HEARING</u>		
110	Rep. Mark Hass	District 27. Testifies in support of SB 883. Provides written testimony. (EXHIBIT C) . Explains the intent of SB 883. Provides information and history. States how many states have similar laws.
135	Sen. Minnis	Asks for clarification on the intent and for a brief history.
140	Jason Skelton	Attorney. Responds and states the original version of SB 883 was a strict prohibition of lobbying, which brought concerns of freedom of speech. States SB 883 now attempts to prohibit a former legislator to utilize their status to get a position as a lobbyist.
160	Sen. Minnis	Asks if an individual is no longer in office, there is a two year period where you could not practice freedom of speech.
170	Skelton	States it is not a flat prohibition. Expresses there is a process in place through the Government Standards and Practice Commission.
175	Sen. Minnis	Expresses the question is limited to freedom of speech portion.
185	Chair Corcoran	Identifies it is limited to financial gain.
215	Chair Corcoran	Asks if other states have laws that apply.
235	Skelton	States yes, provides examples.
265	Chair Corcoran	Comments currently, it is legal to be a lobbyist and a legislator.
275	Rep. Hass	States there are ethic laws where you can't use your standing for political gain.
325	Chair Corcoran	Asks if someone was on salary while in office, salary from somewhere other than the state of Oregon. They would be violating the law.
355	Skelton	Answers and clarifies.
395	Sen. Walker	Asks Mr. Skelton to cite the statute or ethic law where it states you can't be a lobbyist and a legislature at the same time. States the issue was brought forth during the 2001 legislative session.
TAPE 43, B		
005	Sen. Minnis	Comments no specific harm has been identified yet. Adds he doesn't think the legislature can declare harm statutorily and have it become a law.
025	Rep. Hass	Expresses they went through these issues with Legislative Counsel. States they will provide a memo from Legislative

040	Janice Thompson	Counsel reflecting the issues. Testifies in support of SB 883. Provides written testimony (EXHIBIT D) . Suggests amendments. Recognizes the legislation would not eliminate the possibility.
125	Sen. Minnis	Asks about the media, if you left service and became a reporter. Comments that could be construed as a similar harm, as you would be writing political stories.
135	Chair Corcoran	Closes the public hearing on SB 883. Opens a public hearing on SB 876.

SB 876 – PUBLIC HEARING

140	Mark Ellsworth	Committee Administrator. Provides an overview of SB 876.
147	Stephen Kafoury	Professional Land Surveyors of Oregon. Testifies in support of SB 876.
155	Gary DeJarnatt	Jefferson County Surveyor. Testifies in support of SB 876. Provides written testimony (EXHIBIT E) . Explains the intent of SB 876. Provides background and history.
175	Randy Hildebrand	Chief of Staff, Senate Republican Office. Testifies in support of SB 876. Comments SB 876 would allow voters in Jefferson County a choice. States there is currently only one surveyor in the county.
190	Chair Corcoran	Closes the public hearing on SB 876. Opens a work session on SB 876.

SB 876 – WORK SESSION

200	Sen. Walker	MOTION: Moves SB 876 to the floor with a DO PASS recommendation. VOTE: 4-0
205	Chair Corcoran	Hearing no objection, declares the motion CARRIED. SEN. WALKER will lead discussion on the floor.
210	Chair Corcoran	Closes the work session on SB 876. Opens a work session on SB 325.

SB 325 – WORK SESSION

215	Sen. Starr	MOTION: Moves adoption of the -3 amendments to SB 325. VOTE: 4-0
225	Chair Corcoran	Hearing no objection, declares the motion CARRIED.
230	Sen. Starr	MOTION: Moves SB 325 to the floor with a DO PASS AS AMENDED recommendation. VOTE: 4-0
245	Chair Corcoran	Hearing no objection, declares the motion CARRIED. SEN. CORCORAN will lead discussion on the floor.
250	Chair Corcoran	Closes the work session on SB 325. Opens a public hearing on SB 725 & SB 726.

SB 725 & SB 726 – PUBLIC HEARING

255	Mark Ellsworth	Committee Administrator. Provides an overview of SB 725 & SB 726.
265	Randy Hildebrand	Chief of Staff, Senate Republican Office. Testifies in support of SB 726. Provides written testimony (EXHIBIT F). Explains Sen. Clarno has been scrutinizing the operation of State owned vehicles. Adds Oregon owns 11,000 state vehicles, which travel over 70 million miles per year.
270	Hildebrand	States the vehicles are spread across dozens of state agencies with no cost containment mechanisms in place.
275	Hildebrand	Explains the intent of SB 725 is to direct the state to sell the three motor pool lots and contract with private sector. States SB 726 forces the remaining state agencies to consolidate with the Department of Administrative Services.
300	Kevin Neary	Enterprise. Testifies in support of SB 725 & 726. States there will be considerable savings to the State of Oregon.
345	Sen. Ryan Deckert	District 14. Testifies in opposition of SB 725 & SB 726. States position and comments SB 725 & SB 726 will not save the State money; it will end up costing money.

TAPE 44, B

025	Chair Corcoran	Asks if there have been research on the privatization concept and if other states have experienced a similar circumstance.
045	Sen. Deckert	Expresses there was research on the issue, and it was determined contracting out would not save the state money. States the Secretary of State Audit assisted the research.
070	Cam Birnie	Department of Administrative Services. Testifies as neutral on SB 726. Testifies in opposition of SB 725. Explains reasons and mentions specific examples.
090	Birnie	Continues explaining how they currently process vehicles. Touches upon consolidation and directs a number of agencies to dispose of specific vehicles. Provides specific rules and guidelines.
140	Sen. Minnis	Inquires if they know how many people are authorized to bring State vehicles home.
150	Rod Lohoff	Fleet Manager, Department of Administrative Services. Responds and states the authorization is done at the agency level, and he doesn't have that information.
155	Sen. Minnis	States they should know how many people are authorized to take state vehicles home.
170	Sen. Minnis	Can we get information on how many accidents and if anyone was disciplined.
175	Birnie	States he can provide the information.

190	Michael Slater	Director for SIEU, Local 503. Testifies in opposition of SB 725. Explains that the DAS motor pool has had many studies of its efficiency. States it has received excellent ratings in terms of service and has been determined to be cost effective and flexible.
200	Chair Corcoran	Closes the public hearing on SB 725 & SB 726. Adjourns the meeting at 5:00 p.m.

EXHIBIT SUMMARY

A – HB 2743, written testimony, Greg Warnock, 2 pp

B – HB 2743, written testimony, Walters Crews, 3 pp

C – SB 883, written testimony, Rep. Mark Hass, 1 p

D – SB 883, written testimony, Janice Thompson, 2 pp

E – SB 876, written testimony, Gary DeJarnatt, 8 pp

F – SB 725 & SB 726, written testimony, Randy Hildebrand, 16 pp