

SENATE COMMITTEE ON GENERAL GOVERNMENT

May 07, 2003
3:00 PM

Hearing Room B
Tape 55

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 2003 A – 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 55, A		
005	Chair Corcoran	Calls the meeting to order at 3:00 p.m. Opens a work session on HB 2003 A.
<u>HB 2003 A – WORK SESSION</u>		
015	Mark Ellsworth	Committee Administrator. Provides an overview of HB 2003 A , and explains the– A14 amendments (EXHIBIT A).
020	Dave Hendricks	Senior Deputy, Legislative Counsel. Explains the -A14 amendments to HB 2003 A. States this should be the last set of amendments. Adds there are several technical changes. Informs the most significant changes are in line 6, which will delay two pieces of the bill. Explains new implementation date.
060	Hendricks	Moves to page 3, section 10, cost of living. States the changes made. Explains the adjusted dates of retirement for those who are affected.
110	Hendricks	Clarifies line 28 and explains what the changes are. Expresses it will clarify the provisions of the act. Adds it incorporates language in the 2004 mortality tables.
140	Chair Corcoran	Asks about the intent of specific language located on page 7, line 18.
145	Hendricks	States the intent is to determine if the act violates any constitutional provision.
205	Sen. Walker	Thanks Hendricks for all his hard work. Asks if he is familiar with the memo from Greg Chaimov, Legislative Counsel, dated 3/11/02, which states his opinion of HB 2003 A. Adds which will likely impair the existing contract rights of PERS members. Inquires if the –A14 amendments address the issues Mr. Chaimov outlined.
215	Hendricks	Explains the -A14 amendments do not address the issues Mr. Chaimov outlined in his memo.
240	Steve Delaney	PERS, Legislative Liaison. Explains further HB 2003 A and the - A14 amendments. Provides written testimony (EXHIBIT B).
300	Chair Corcoran	Asks if the PERS Board can take action without the legislature directing them.

315	Delaney	Answers yes, if the legislature is silent on the issue, it is very likely that PERS staff would make recommendations.
320	Sen. Minnis	MOTION: Moves adoption of the –A14 amendments, dated 5/7/03, to HB 2003 A. VOTE: 3-1 AYE: 3 - B. Starr, Minnis, Corcoran NAY: - 1-Walker
325	Chair Corcoran	The motion CARRIES.
335	Sen. Minnis	MOTION: Moves HB 2003 A to the floor with a DO PASS AS AMENDED recommendation. VOTE: 3-1 AYE: 3 - B. Starr, Minnis, Corcoran NAY: - 1-Walker
340	Chair Corcoran	The motion CARRIES.
345	Sen. Walker	SEN. MINNIS will lead discussion on the floor. States for the record why she is a no vote on HB 2003 A. Explains she feels it is unconscionable that the committee is voting on a bill without the Attorney General’s opinion. Adds she feels it is unlawful and will cost a significant amount of money, which will be on the backs of the employees.
365	Chair Corcoran	Responds the current financial crisis needs to be confronted. Adds he doesn’t feel it will be on the backs of the employees.
390	Sen. Minnis	Thanks Sen. Corcoran for his high level of integrity dealing with the issue. Expresses Sen. Corcoran has been under an immense amount of pressure regarding HB 2003 A. Adds at this point, the Court will provide future guidance on the issue.
415	Chair Corcoran	Closes the work session on HB 2003 A. Adjourns the meeting at 4:20 p.m.

The following prepared testimony is submitted for the record without public testimony for HB 2003A.

OSEA	Submits written testimony (EXHIBIT C)
William Gary	Submits written testimony (EXHIBIT D)
Gregory Hartman	Submits written testimony (EXHIBIT E)
Mary Botkin	Submits written testimony (EXHIBIT F)

EXHIBIT SUMMARY

- A – HB 2003 A, -A14 amendments dated 5/7/03, staff, 9 pp**
- B – HB 2003 A, written testimony, Steve Delaney, 2 pp**
- C – HB 2003 A, additional written testimony for the record, Oregon School Employees Association, 1 p**
- D – HB 2003 A, additional written testimony for the record, William Gary, 8 pp**
- E – HB 2003 A, additional written testimony for the record, Gregory Hartman, 6 pp**
- F – HB 2003 A, additional written testimony for the record, Mary Botkin, 2 pp**