

**PUBLIC HEARING AND WORK SESSION: HB 2399 A, HB 2379 B
PUBLIC HEARING: HB 3582, HB 2152 A
TAPES 162, A**

**SENATE REVENUE COMMITTEE
JULY 29, 2003 9:00 AM STATE CAPITOL BUILDING**

Members Present: Senator Ryan Deckert, Chair
 Senator Ted Ferrioli, Vice Chair
 Senator Lenn Hannon
 Senator Charlie Ringo

Members Excused: Senator Tony Corcoran
 Senator Bruce Starr

Witnesses Present: Mike Dewey, Oregon Cable Telecommunications Association
 Pete Shepherd, Deputy Attorney General
 Jim Edge, Department of Human Services
 Representative Dave Hunt, District 40
 Jon Oshel, Association of Oregon Counties

Staff Present: Paul Warner, Legislative Revenue Office
 Mazen Malik, Legislative Revenue Office
 Tara Lantz, Committee Assistant

TAPE 162, SIDE A

006 Chair Deckert Calls meeting to order at 9:11 am.

OPENS PUBLIC HEARING ON HB 2399 A

013 Mike Dewey Discusses history and offers support for HB 2399 because the tax, which adds up to over 10 percent, was found to be Unconstitutional in court. Notes that it has been found Unconstitutional interstate.

065 Sen. Deckert Asks about if a recent event at the Rose Garden would have qualified for the tax.

068 Dewey Responds that it was high profile, but not a pay-per-view event.

090 Pete Shepherd Adds to the discussion on the court case decision.

115 Sen. Deckert Asks what will happen if they don't pass the bill.

120 Shepherd Predicts that any litigation against them would be successful.

CLOSES PUBLIC HEARING ON HB 2399 A

OPENS WORK SESSION ON HB 2399 A

130 Sen. Hannon MOTION: MOVES HB 2399 A TO THE SENATE FLOOR WITH A DO PASS RECOMMENDATION.

135 Sen. Deckert ORDER: ROLL CALL VOTE: MOTION PASSES: 4-0-2.
 SENATORS ANSWERING AYE: HANNON, RINGO, FERRIOLI, DECKERT.
 SENATORS EXCUSED: CORCORAN, STARR.
 Sen. Hannon will carry the bill on the Senate Floor.

OPENS PUBLIC HEARING ON HB 2152 A

- 145 Jim Edge Explains HB 2152 A, which extends the 10 cent cigarette tax for 10 years. Offers support for the bill because it provides funds for the services available to low income smokers.
- 165 Sen. Deckert Asks when the 10 cent tax was adopted.
- 168 Edge Responds that he doesn't know.
- 170 Paul Warner Responds that it was the 1993 session.

CLOSES PUBLIC HEARING ON HB 2152 A

OPENS WORK SESSION ON HB 2379 B

- 182 Sen. Hannon States that there was another bill that dealt with a separate issue that passed out of the Senate last week and that it is their obligation to pass this out.
- 190 Mazen Malik Notes that the –B9 amendments need to be adopted to resolve conflicts.
- 195 Sen. Hannon MOTION: MOVES HB 2379-B9 AMENDMENTS DATED 5/30/03 BE ADOPTED.
- 200 Sen. Deckert ORDER: HEARING NO OBJECTION, MOTION PASSES: 4-0-2. SENATORS EXCUSED: CORCORAN, STARR.
- 205 Sen. Hannon MOTION: MOVES HB 2379 B TO THE SENATE FLOOR WITH A DO PASS AS AMENDED RECOMMENDATION.
- 208 Sen. Ferrioli States that this bill was being held hostage with another bill and that he is happy to support the motion.
- 222 Sen. Ringo Agrees with Sen. Ferrioli that this bill should be moved as soon as possible.
- 230 Sen. Deckert ORDER: HEARING NO OBJECTION, MOTION PASSES: 4-0-2. SENATORS EXCUSED: CORCORAN, STARR. Sen. Carter will carry the bill on the Senate Floor.

CLOSES WORK SESSION ON HB 2379 B

OPENS PUBLIC HEARING ON HB 3582

- 240 Rep. Hunt Testifies in support of HB 3582 because it would provide accountability for the study being done. Addresses suggestion that the bill be changed into the form of a budget note.
- 270 Jon Oshel Testifies that the Association of Oregon Counties recognizes the need for the study and supports the bill.
- 285 Sen. Hannon Asks who is supposed to be paying for the study.
- 298 Oshel Responds that the current plan is to fund the study through revenues currently within the Association of Oregon Counties' budget.
- 307 Sen. Hannon States that he doesn't understand how they are coming up with this large amount of money when they are always asking the Legislature for more. Asks about the jurisdiction the Association of Counties has over ODOT and other agencies.

- 322 Rep. Hunt Responds that the workgroup would not have the authority to direct other agencies, but the agencies would be directed to assist the workgroup through this legislation.
- 330 Sen. Ringo Asks what sort of legal entity the association of Oregon counties is.
- 333 Oshel Responds that they are a public agency but not under the state.
- 343 Rep. Hunt Responds that there are several places in statute where they direct organizations that receive public funds but are not state agencies.
- 358 Warner Clarifies that the legislature does have the authority to direct agencies that are using state money.
- 362 Sen. Ringo States that it is his opinion that the state could decide where money given the agencies should go, but not to direct them in their general operations.

CLOSES PUBLIC HEARING ON HB 3582

- 370 Sen. Deckert Adjourns meeting at 9:37 am.

Tape Log Submitted by,

Tara Lantz, Committee Assistant

Exhibit Summary:

1. HB 2399 A, Paul Warner, Staff Measure Summary, 1p.
2. HB 2399 A, Paul Warner, Revenue Impact Statement, 1p.
3. HB 2152 A, Paul Warner, Proposed HB 2152-A6 Amendments, 1p.
4. HB 2152 A, Paul Warner, Revenue Impact Statement, 1p.
5. HB 3582, Rep. Hunt, Written Testimony, 1p.