

# HOUSE COMMITTEE ON GOVERNMENT EFFICIENCY

May 10, 2001  
8:30 AM

Hearing Room D  
Tapes 70 - 71

**MEMBERS PRESENT:**     **Rep. Jerry Krummel, Chair**  
                                  **Rep. Chris Beck, Vice-Chair**  
                                  **Rep. Patti Smith, Vice-Chair**  
                                  **Rep. Alan Brown**  
                                  **Rep. Bill Garrard**  
                                  **Rep. Jim Hill**  
                                  **Rep. Deborah Kafoury**  
                                  **Rep. Jeff Kruse**  
                                  **Rep. Steve March**  
                                  **Rep. Carolyn Tomei**  
                                  **Rep. Kelley Wirth**

**STAFF PRESENT:**         **Matt Wingard, Committee Administrator**  
                                  **Pamela Johansen, Committee Assistant**

**MEASURE/ISSUES HEARD:**     **HB 3386 Work Session**  
                                  **HB 3224 Work Session**  
                                  **HB 3890 Work Session**  
                                  **SB 530 A Public Hearing and Work Session**  
                                  **SB 867 A Public Hearing and Work Session**

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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.

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<b>TAPE/#</b>	<b>Speaker</b>	<b>Comments</b>
<b>TAPE 70, A</b>		
004	Chair Krummel	Opens meeting
<b><u>SB 530A PUBLIC HEARING</u></b>		
011	Matt Wingard	Committee Administrator. Gives an overview of the bill.
018	Shawn Miller	Representing Associated Builders & Contractors and Independent Electrical Contractors. Testifies in support of SB 530A with the -A2 amendments ( <b>EXHIBIT A</b> ).
070	Mark Landauer	City of Portland. Comments they are neutral on the bill. Offers language changes to -2 amendments.
093	Nate Brown	Building Official, City of Salem. Testifies in opposition of SB 530A. Expresses concerns in a mandated phase permit in all cases.
098	Rep. Hill	Asks for clarification on his objection.
100	Brown	Responds based on his experience it is very difficult to document all circumstances that may occur. Comments if a jurisdiction is required to adopt a specific list of conditions that must be stated or met in all cases it will complicate the process.
123	Rep. Hill	Asks Mr. Brown to address specific objections in the bill.
135	Brown	Refers to of the bill and addresses specific objections ( <b>EXHIBIT B</b> ).
231	Rep. Wirth	Asks why a jurisdiction would benefit from not doing what this measure proposes.

236	Brown	Comments that when going through a structural review there are many things to consider to be sure that all criteria are met before issuing those permits.
254	Rep. Wirth	Asks if this bill is in any conflict with comprehensive plans.
268	Rep. March	Asks Mr. Brown if he could offer a change in the language of the bill that would satisfy his objections.
273	Brown	Refers to section 3A and comments that language should be added that would give local jurisdiction some discretion to confirm all criteria have been met before issuing a permit.
289	Rep. Hill	Comments the bill does offer flexibility and believes that his concerns are unfounded.
322	Bill Cross	Oregon Building Officials Association. Testifies in support of the bill with the -2 amendments.
345	Chair Krummel	Closes public hearing on SB 530A and opens work session.
<b><u>SB 530A WORK SESSION</u></b>		
365	Rep. March	<b>MOTION: Moves to ADOPT SB 530A-2 amendments dated 4/25/01.</b>
		<b>MOTION: Moves be sent to the floor with a BE ADOPTED recommendation.</b>
		<b>VOTE: 11-0</b>
	Chair Krummel	<b>Hearing no objection, declares the motion CARRIED.</b>
373	Rep. March	<b>MOTION: Moves SB 530A to the floor with a DO PASS AS AMENDED recommendation.</b>
376	Rep. Hill	Comments on the intent and benefits of the bill.
389	Rep. Wirth	States she will be voting no and expresses concern over placing any directives on and eliminating discretion that local jurisdictions have in their building inspection programs.
		<b>VOTE: 9-1</b>
		<b>AYE: 9 - Beck, Brown, Garrard, Hill, Kafoury, Kruse, March, Smith P., Tomei, Krummel</b>
		<b>NAY: 1 - Wirth</b>
410	Chair Krummel	<b>The motion Carries.</b>
		<b>REP. GARRARD will lead discussion on the floor.</b>
415	Chair Krummel	Closes the work session on SB 530A and opens a public hearing on SB 867A.
<b><u>SB 867A PUBLIC HEARING</u></b>		
<b><u>TAPE 71, A</u></b>		
011	Wingard	Gives overview of the bill.
022	Ken Bauer	Surveyor, Washington County. Testifies in support of SB 867A. States this bill will allow the surveyors to use Global Positioning Survey (GPS) rather than terrestrial surveying. Professional land surveyors and County surveyors are in full and support of this bill.
062	Rep. Garrard	Asks how many counties have GPS technology.
067	Bauer	Comments that he is not sure but would guess about 12 out of 36 counties.
074	Chair Krummel	Closes the public hearing on SB 867A and opens a work session.
<b><u>SB 867A WORK SESSION</u></b>		
075	Rep. Beck	<b>MOTION: Moves SB 867A to the floor with a DO PASS recommendation.</b>
		<b>VOTE: 10-0</b>
		<b>EXCUSED: 1 - Kafoury</b>
	Chair Krummel	<b>Hearing no objection, declares the motion CARRIED.</b>

083	Rep. Tomei	<p><b>MOTION: Moves SB 867A be placed on the CONSENT CALENDAR.</b></p> <p><b>VOTE: 10-0</b></p> <p><b>EXCUSED: 1 - Kafoury</b></p>
087 089	Chair Krummel Chair Krummel	<p><b>Hearing no objection, declares the motion CARRIED.</b></p> <p>Closes the work session on SB 867A and opens a work session on HB 3224.</p>
<b><u>HB 3224 WORK SESSION</u></b>		
091	Wingard	Gives an overview of the bill.
103	Chair Krummel	Comments that Bill Braly of the Department of Administrative Services (DAS) fully supports HB 3224 with the –3 amendments <b>(EXHIBIT C).</b>
117	Rep. Hill	<p><b>MOTION: Moves to ADOPT HB 3224-3 amendments dated 5/9/01.</b></p> <p><b>VOTE: 10-0</b></p> <p><b>EXCUSED: 1 - Kafoury</b></p>
120 122	Chair Krummel Rep. Hill	<p><b>Hearing no objection, declares the motion CARRIED.</b></p> <p><b>MOTION: Moves HB 3224 to the floor with a DO PASS AS AMENDED recommendation and the SUBSEQUENT REFERRAL to the committee on Way and Means BE RESCINDED.</b></p>
125	Rep. Beck	Asks if any agencies are currently reporting these vacant positions.
130	Chair Krummel	Responds that DAS has the authority to ask agencies to report those vacant positions. Comments that Rich Peppers representing Oregon Public Employees Union (OPEU) also support the –3 amendments.
150	Rep. Beck	Expresses concerns that this bill may be an attempt at micro-managing agencies that are already implementing this type of program. States he may be voting no on the bill.
161	Rep. Garrard	Comments this is not “micro-managing” but policy making.
		<p><b>VOTE: 8-2</b></p> <p><b>AYE: 8 - Brown, Garrard, Hill, Kruse, March, Smith P., Tomei, Krummel</b></p> <p><b>NAY: 2 - Beck, Wirth</b></p> <p><b>EXCUSED: 1 - Kafoury</b></p>
167	Chair Krummel	<p><b>The motion Carries.</b></p> <p><b>KRUMMEL will lead discussion on the floor.</b></p>
168	Chair Krummel	Closes the work session on HB 3224 and opens a work session on HB 3890.
<b><u>HB 3890 WORK SESSION</u></b>		
192	Wingard	Gives an overview of the bill.
204	Rep. Donna Nelson	House District 29. Testifies in support of HB 3890 with the –2 amendments.
218	Rep. Morrisette	House District 42. Testifies in support of HB 3890 with the –2 amendments.
235	Rep. Hill	<p><b>MOTION: Moves to ADOPT HB 3890-2 amendments dated 5/4/01 (EXHIBIT D).</b></p> <p><b>VOTE: 10-0</b></p> <p><b>EXCUSED: 1 - Kruse</b></p>
273	Chair Krummel Rep. Hill	<p><b>Hearing no objection, declares the motion CARRIED.</b></p> <p>Asks if this needs to be sent to Ways and Means.</p>
280	Chair Krummel	Comments he would like to see the bill keep moving and

		recommends it be sent to the Senate Chamber who can refer onto Ways and Means.
288	Rep. Hill	<b>MOTION: Moves HB 3890 to the floor with a DO PASS recommendation.</b>
		<b>VOTE: 11-0</b>
		<b>EXCUSED: 1 - Kruse</b>
291	Chair Krummel	<b>Hearing no objection, declares the motion CARRIED. REP. NELSON AND REP. MORRISETTE will lead discussion on the floor.</b>
299	Chair Krummel	Closes work session on HB 3890 and opens a work session on HB 3386.

**TAPE 70, B**  
**HB 3386 WORK SESSION**

328	Wingard	Gives an overview of the bill and amendments.
331	Ken Armstrong	Oregon Fire Chiefs Association and Tualatin Valley Fire and Rescue. Comments that the –3 amendments address 3 issues: <ol style="list-style-type: none"> <li>1. Indicates the district can contribute no more than 50% for the installation of a sprinkler system.</li> <li>2. States that only property taxes paid by the property owner into the district for the past 10 years can be used to reimburse the owner for the sprinkler installation.</li> <li>3. Uniform applicability.</li> </ol>
361	Rep. Hill	<b>MOTION: Moves to ADOPT HB 3386-3 amendments dated 5/10/01 (EXHIBIT E)`.</b>
369	Armstrong	Clarifies the changes made to the amendments.
		<b>VOTE: 11-0</b>
382	Chair Krummel	<b>Hearing no objection, declares the motion CARRIED.</b>
389	Rep. Hill	<b>MOTION: Moves HB 3386 to the floor with a DO PASS AS AMENDED recommendation.</b>
		<b>VOTE: 11-0</b>
410	Chair Krummel	<b>Hearing no objection, declares the motion CARRIED. REP. SMITH P. will lead discussion on the floor.</b>
414	Chair Krummel	Closes the work session on HB 3386 and opens a work session on HB 3735.

**HB 3735 PUBLIC HEARING**

004	Randy Tucker	1000 Friends of Oregon. Submits and refers to written material (EXHIBIT F). Addresses the –1 amendments (EXHIBIT G).
027	Linda Ludwig	League of Oregon Cities. Concurs with Mr. Tucker. Points out there are costs involved to require newspapers to publish public meeting notice, which is not currently required in all cities.
052	Chair Krummel	Asks if the –1 and –2 amendments are duplicating information.
54	Tucker	Explains that the amendments were supposed to be combined but Legislative Counsel returned them as two separate amendments.
059	Rep. Hill	Recommends that the bill be brought back later after the –1 and –2 amendments have been combined.
065	Ludwig	Asks if the committee would consider them separately. Comments they are not supportive of the –1 amendments due to the costs incurred to local governments.
080	Rep. Beck	Asks if the League supports the –2 amendments (EXHIBIT H).
085	Ludwig	Comments the –2 amendments are the merging of amendments from two other bills and will also require some additional changes.

089	Tucker	States that most of the changes are relatively straightforward and they could speak to the –2 amendments today.
087	Rep. Hill	Asks what bill numbers were incorporated into the –2 amendments.
089	Tucker	Responds HB 2733 and HB 3233.
096	Rep. Hill	Asks if they worked with a member or staff to draft the amendments.
098	Tucker	Comments that they worked with Rep. King who was the sponsor of both HB 2733 and HB 3233.
100	Ludwig	States both of those bills were heard in the House Water and Environment Committee.
109	Harlan Leavy	Oregon Association of Realtors. Testifies in support of the –2 amendments. Comments that various stakeholders met earlier in session to work through some of the problems created by the notification process as passed by voters in Ballot Measure 56. Addresses specific concerns to the (OAR).
136	Tucker	Comments the OAR, Oregonians in Action, League of Cities, Department of Land Conservation and Development, Counties, METRO and 1000 Friends all agreed to merge the provisions of these two bills into one.
150	Rep. March	Asks if the cities and counties will be reimbursed under the –2 amendments.
156	Ludwig	Comments that previously local governments were only reimbursed for postage. States this bill will reimburse all efforts put forth in the notification process.
191	Rep. Hill	Asks if a fiscal impact was done on HB 2733 and HB 3233.
200	Tucker	Responds that there has not been a fiscal report at this time. States the language has been changed to alleviate some confusion that occurs during the notification process.
231	Ludwig	Explains how local government is currently reimbursed. Discusses additional budget for FTE resources.
245	Rep. Hill	Expresses concern that there are no limits on what can be reimbursed to the cities. Comments this is a significant change from previous policy.
254	Ludwig	Comments that the department has always maintained that the existing language “all usual and reasonable costs to providing notice” was supposed to include any staff time as well as postage for mailing out of notices and answering questions after notification. States most cities chose not to pursue this.
295	Doug Riggs	Representing Metro. Testifies in support of HB 3735 with the –2 amendments. Submits and refers to written testimony <b>(EXHIBIT I)</b> . Comments that this is not a significant cost. The FTE is only covered for a brief time during the notification process. States this is a relatively short period of about 1 to 2 weeks at a time every 3 months.
368	Chair Krummel	Closes the work session on 3735 adjourns the meeting at 10:01am

Submitted By,

Reviewed By,

Pamela Johansen,

Matt Wingard,

Committee Assistant

Committee Administrator

**EXHIBIT SUMMARY**

- A – SB 530-A2 proposed amendments, Staff, 1p.**
- B – SB 530 A-Engrossed Bill, Staff, 2pp.**
- C – HB 3224-3 proposed amendments, Staff, 1p.**
- D – HB 3890-2 proposed amendments, Staff, 2pp.**
- E – HB 3386-3 proposed amendments, Staff, 1.**
- F – HB 3735, newspaper article, Randy Tucker, 5pp.**
- G – HB 3735-1 proposed amendments, Staff, 2pp.**
- H – HB 3735-2 proposed amendments, Staff, 18pp.**
- I – HB 3735, written testimony, Doug Riggs, 1p.**
- J – HB 3890, -2 fiscal impact statement, Staff, 1p.**