

# HOUSE COMMITTEE ON GOVERNMENT EFFICIENCY

May 03, 2001  
8:30 AM

Hearing Room D  
Tapes 65 - 66

**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:**     **HJR 33 Work Session**  
   **HB 2057 Work Session**  
   **HB                       3613                       Public                       Hearing**  
**SB 770 Public Hearing and Possible 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 65, A</b>		
004	Chair Krummel	Calls meeting to order at 8:40 a.m. and opens work session on SB 770.
<b>SB 770 PUBLIC HEARING</b>		
009	Sen. Kate Brown	Senate District 7. Testifies in support of SB 770. Submits and refers to written testimony <b>(EXHIBIT A)</b> .
060	Antone Minthorn	CEO Confederated tribe of the Umatilla Indian Reservation. Testifies in support of SB 770. Submits and refers to written testimony <b>(EXHIBIT B)</b> .
122	Lavonne Lovert-Edmo	Testifies in support of SB 770. Submits and refers to written testimony <b>(EXHIBIT C)</b> . Discusses clusters and members of board. Explains the purpose of the boards.
190	Rep. Garrard	Asks what is the confederated tribal position on amending the Endangered Species Act to take into consideration the impact on local economies.
191	Sen. Brown	Responds there are 9 federally recognized tribes in Oregon. Suggests that Mr. Minthorn could speak for the Umatilla tribe.
209	Minthorn	Comments the Umatilla tribe is willing to consider that issue. States the Umatilla's have worked with the local communities on the Umatilla Basin project to restore salmon and water to the Umatilla River while preserving the local irrigation economy. Comments they are currently doing the same in the Walla Walla Basin.

242 Rep. Tomei Compliments Chairman Minthorn on all the accomplishments and efforts of the Umatilla tribe.  
270 Louie Pitt Jr. Director of Government Affairs and Planning, Confederated Tribes of Warm Springs. Testifies in support of SB 770. Submits and refers to written testimony (**EXHIBIT D**). States this will help all parties involved to work face to face to achieve a common goal of what is best for Oregon.

**TAPE 66, A**

051 Justin Martin Intergovernmental Affairs Director, Confederated Tribes of Grand Rhonde. Testifies in support of SB 770. Comments the government to government relationship is one that has been very well maintained over the past four years and would like to see the government and tribal relations continue on in the future.

061 Chair Krummel Closes the public hearing on SB 770 and opens a work session on HB 2057.

**062 Rep. Hill MOTION: Moves SB 770 to the floor with a DO PASS recommendation.**

066 Rep. Garrard Comments he does not want to condemn any of the Confederated Tribes and understands each tribe makes their own decisions. States based on recent events in the Klamath Basin regarding the Klamath tribe's position on the Endangered Species Act he must vote no to express the feelings of his district.

**072 VOTE: 10-1**

**AYE: 10 - Beck, Brown, Hill, Kafoury, Kruse, March, Smith, Tomei, Wirth, Krummel**

**NAY: 1 - Garrard**

**077 Chair Krummel The motion Carries.**

**REP. TOMEI will lead discussion on the floor.**

079 Chair Krummel Closes the work session on SB 770 and opens a work session on HJR 33.

**HJR 33 WORK SESSION**

096 Chair Krummel Closes the work session on HJR 33 and opens a work session on HB 2057.

**HB 2057 WORK SESSION**

100 Chair Krummel States for the committee that the amendments being addressed today are the HB 2057 –3 amendments (**EXHIBIT E**) and HJR 33 –5 amendments (**EXHIBIT F**).

133 Chuck Smith Director Debt Management, Oregon State Treasury. Testifies in support of HB 2057 and HJR 33. Submits and refers to written material (**EXHIBIT G**). Continues testimony on stabilization.

158 Paul Warner Testifies on the amendments to HJR 33-5 and HB 2507-3. Submits and refers to written material (**EXHIBIT H**).

Addresses the triggers in the stabilization fund:

1. Economic – Reflects or mimics a recession. Comments the rule of thumb used to identify recession is 2 consecutive quarters of declining gross domestic product or non-farm payroll employment.
2. Budgetary – 3% decline in the general fund appropriations relative to the prior budget period.
3. Political – 2% below projected revenue forecast.

297 Rep. Hill **MOTION: Moves to ADOPT HB 2057-3 amendments dated 5/3/01.**  
**VOTE: 11-0**  
**Chair Krummel Hearing no objection, declares the motion CARRIED.**

322 Rep. Hill **MOTION: Moves HB 2057 to the floor with a DO PASS AS AMENDED recommendation.**

334 Rep. Beck Comments he will be voting no with a possible minority report.  
360 Rep. Kafoury Comments if a funding source can be revealed in the next few days she would join in the minority report.

369 Rep. Kruse States he feels it is not appropriate at this time to proceed without a designated funding source and will be joining Rep. Beck in filing the minority report.

393 Chair Krummel Discusses possible funding sources.  
451 **VOTE: 9-2**  
**AYE: 9 - Brown, Garrard, Hill, Kafoury, March, Smith, Tomei, Wirth, Krummel**  
**NAY: 2 - Beck, Kruse**  
**Chair Krummel The motion Carries.**  
**KAFOURY will lead discussion on the floor.**

456 Rep. Kruse Serves notice of possible minority report.  
472 Chair Krummel Closes the work session on HB 2057 and opens a work session on HJR 33.

**HJR 33 WORK SESSION**  
**TAPE 65, B**

027 Rep. Hill **MOTION: Moves to ADOPT HJR 33-5 amendments dated 5/3/01.**  
**VOTE: 11-0**  
**Chair Krummel Hearing no objection, declares the motion CARRIED.**

029 Rep. Hill **MOTION: Moves HJR 33 be sent to the floor with a BE ADOPTED AS AMENDED recommendation.**

030 Rep. Hill

033 Rep. March Comments he will be voting no on the bill. Says that this is a good step in the right direction but inappropriate to send to the voters without a funding source.

038 Chair Krummel Comments that this bill will show the people of Oregon that we are committed to protections for economic turndowns and insuring that the legislature has to consider this as a permanent part of the budget process.

051 **VOTE: 7-4**  
**AYE: 7 - Brown, Hill, Kafoury, Smith, Tomei, Wirth, Krummel**  
**NAY: 4 - Beck, Garrard, March, Kruse**  
**Chair Krummel The motion Carries.**  
**KRUMMEL will lead discussion on the floor.**

056 Chair Krummel  
058 Chair Krummel Closes the work session on HJR 33 and opens a public hearing on HB 3613.

**HB 3613 PUBLIC HEARING**

068 Joe Brewer Administrator Oregon Building Codes Division. Testifies in support of HB 3613. States the work group that has been dealing with HB 3613 have come to conceptual agreement on a number of concepts currently in Legislative Counsel. Gives an overview of the conceptual amendments (**EXHIBIT L**).

099 Rep. Hill Asks for clarification on the appeal process.  
102 Brewer Responds that it would allow either 10 individuals or a

117 121	Rep. March Brewer	representative of an organization to request a hearing and make an appeal with respect to jurisdiction. Asks if existing programs would be affected by this change. Comments all existing programs would retain their current responsibilities with a grandfather clause. States if they choose to relinquish those responsibilities then they would be held to the new standard process.
127	Joe Landry	National Electrical Contractors Association (NECA), Plumbing and Mechanical Contractors Association (PMCA), Sheet Metal and Air Conditioning Contractors National Association (SMACNA). Testifies in support of HB 3613.
161	Chair Krummel	Closes the work session on HB3613 and reopens the work session on HB 2057.

**HB 2057 REOPENS WORK SESSION**

180	Rep. Hill	<b>MOTION: Moves to RECONSIDER the vote by which "HB 2057 was sent to the floor with a DO PASS AS AMENDED recommendation".</b> <b>VOTE: 11-0</b>
187 191	Chair Krummel Chair Krummel	<b>Hearing no objection, declares the motion CARRIED.</b> Discusses a drafting error that was made in HB 2057-3 amendments and clarifies changes that need to be made.
207	Rep. Hill	<b>MOTION: Moves to AMEND HB 2057-3 amendments on page 3, in line 14, delete "three fifths and insert two thirds".</b> <b>VOTE: 11-0</b>
232	Chair Krummel Rep. Hill	<b>Hearing no objection, declares the motion CARRIED.</b> <b>MOTION: Moves HB 2057 to the floor with a DO PASS AS AMENDEDED recommendation.</b> <b>VOTE: 9-2</b> <b>AYE: 9 - Brown, Garrard, Hill, Kafoury, March, Smith P., Tomei, Wirth, Krummel</b> <b>NAY: 2 - Beck, Kruse</b>
235	Chair Krummel	<b>The motion Carries.</b>
250	Chair Krummel	Closes the work session on HB 2057 and reopens the work session on HJR 33.

**HJR 33 REOPENS WORK SESSION**

250	Rep. Hill	<b>MOTION: Moves to RECONSIDER the vote by which "HJR 33 was sent to the floor with a DO PASS AS AMENDED recommendation".</b> <b>VOTE: 11-0</b>
258	Chair Krummel Rep. Hill	<b>Hearing no objection, declares the motion CARRIED.</b> <b>MOTION: Moves to AMEND HJR 33 -5 on page 3, in line 15, delete "three fifths and insert two thirds".</b> <b>VOTE: 10-1</b> <b>AYE: 10 - Beck, Brown, Garrard, Hill, Kafoury, Kruse, Smith P., Tomei, Wirth, Krummel</b> <b>NAY: 1 - March</b>
268	Chair Krummel Rep. Hill	<b>The motion Carries.</b> <b>MOTION: Moves HJR 33 be sent to the floor with a BE ADOPTED AS AMENDED recommendation.</b>
275	Rep. Beck	Expresses objections on sending HJR 33 to the voters at this time.

341	Rep. Hill	States that we need to look at what is good policy and trust the voters that they will look at the issues and make an informed choice.
363	Rep. Garrard`	Concurs with Rep. Beck.
367	Rep. Kruse	States he supports the concept but does not believe it needs to be put into the Constitution at this time.
		<b>VOTE: 7-4</b>
		<b>AYE: 7 - Brown, Hill, Kafoury, Smith P., Tomei, Wirth, Krummel</b>
		<b>NAY: 4 - Beck, Garrard, Kruse, March</b>
429	<b>Chair Krummel</b>	<b>The motion Carries.</b>
433	Chair Krummel	Closes the work session on HJR 33 and adjourns the meeting at 10:00 a.m.

Submitted By,

Reviewed By,

Pamela Johansen,  
Committee Assistant

Matt Wingard,  
Committee Administrator

**EXHIBIT SUMMARY**

- A – SB 770, written testimony, Sen. Kate Brown, 2pp.**
- B – SB 770, written testimony, Chairman Antone Minthorn, 10pp.**
- C – SB 770, written testimony, Lavonne Lobert-Edmo, 3pp.**
- D – SB 770, written testimony, Louie Pitt Jr, 7pp.**
- E – HB 2057-3 proposed amendments, Staff, 3pp.**
- F – HJR 33-5 proposed amendments, Staff, 3pp.**
- G – HB 2057, written testimony, Chuck Smith, 9pp.**
- H – HB 2057, written testimony, Paul Warner, 1pp.**
- I – SB 770 written testimony, Dianne Middle, 2pp.**
- J – SB 770 written testimony, James Hamrick Jr, 1p.**
- K – SB 770 written testimony, Michael Burton, 2pp.**
- L – HB 3613-1 proposed amendments, Staff, 2pp.**