

HOUSE COMMITTEE ON RULES, REDISTRICTING, AND PUBLIC AFFAIRS

March 14, 2001
1:30 PM

Hearing Room D
Tapes 40 - 41

MEMBERS PRESENT: Rep. Carl Wilson, Chair
Rep. Richard Devlin, Vice-Chair
Rep. Dan Doyle, Vice-Chair
Rep. Dan Gardner
Rep. Bill Garrard
Rep. Steve March
Rep. Bruce Starr
Rep. Joanne Verger
Rep. Cheryl Walker

STAFF PRESENT: Cara Filsinger, Administrator
Jennifer Goodman, Administrative Support

MEASURE/ISSUES HEARD: REDISTRICTING – PUBLIC HEARING
HB 2706 – PUBLIC HEARING
HB 2761 & HB 2326 – PUBLIC HEARING
SB 21 – PUBLIC HEARING AND 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 40, A		
004	Chair Wilson	Calls meeting to order at 1:37 p.m. and opens a public hearing on Redistricting.
<u>PUBLIC HEARING - REDISTRICTING</u>		
012	Cara Filsinger	Committee Administrator. Introduces into the record (EXHIBITS A, B, C, D, & E) .
024	Chair Wilson	Closes the public hearing on redistricting. Opens a public hearing on HB 2706.
<u>HB 2706 – PUBLIC HEARING</u>		
028	Filsinger	Submits a fiscal statement (EXHIBIT F) on HB 2706.
030	Representative Richard Devlin	District 24. Submits and testifies in support of HB 2706 from (EXHIBIT G) . Reviews past bills regarding this topic. States that HB 2706 ensures that bills are constitutional and as well written as possible. States that the fiscal on the bill is \$134,000.
117	Rep. Garrard	Asks if the bill is far-reaching enough. Believes that no bill should be circulated that may be flawed.
122	Rep. Devlin	Explains that the Secretary of State's Office will reject a measure if they think it addresses more than one constitutional issue. Adds that until someone has been aggrieved, the court does not have jurisdiction.
146	Chair Wilson	Asks how this bill will affect Legislative Counsel.
154	Greg Chaimov	Legislative Counsel. Replies that currently about 10% of petitioners use their services. States that if required to submit

		this number would rise to 75% of the measures they are involved in.
177	Rep. Doyle	Asks if Legislative Counsel would still have to review all initiatives even if the initiator had outside counsel.
187	Chaimov	States that he would recommend against this process. Adds that attorneys unfamiliar with the legislative process are as unfamiliar as lay citizens.
197	Rep. Doyle	States that even after going through the Legislative Counsel process there is no guarantee that these initiatives will be constitutional.
205	Chaimov	Agrees.
191	Rep. March	Asks if there is an estimate of time spent by legislators correcting problems because of bad initiatives. Asks if there may be some savings by assuring initiatives are correct before they go out.
218	Chaimov	States that he cannot provide specific numbers but is confident that they spend more resources trying to fix "broken" measures than drafting them. Adds that he does not know if there would ultimately be some savings.
217	Rep. Garrard	Asks if it would reduce the chance that initiatives would be improved.
	Chaimov	States that this bill ensures there will be attorneys and editors with experience drafting legislation. Believes Representative Bates has a constitutional amendment that would require measures be drafted by Legislative Counsel. Explains the current system. Adds that some flawed measures may get through the screening process. Explains that there is nothing to require the courts to determine if there is a substantive problem before the measure is passed. Gives example of Ballot Measure 8 where the Supreme Court determined it was in violation of the U.S. Constitution.
289	Rep. Devlin	States that proposing changes to the initiative process where the government is given control over what goes on the ballot will create a lot of opposition.
312	Rep. Walker	Asks if citizens would have the right to sue the department if they were unhappy with the initiative draft.
323	Chaimov	Responds that Legislative Counsel would not have the final say in what goes on the ballot. Adds that he is not aware of any mechanism to allow someone to sue.
317	Kappy Eaton	League of Women Voters. Submits and testifies in support of HB 2706 (EXHIBIT H).
384	Chair Wilson	Closes the public hearing on HB 2706 and opens a public hearing on HB 2761 and HB 2326.

HB 2761 and HB 2326 – PUBLIC HEARING

426	Chair Wilson	Explains the two bills.
	Representative Bruce Starr	District 3. Testifies in support of HB 2761 and HB 2326. Describes a past experience regarding 9-1-1 centers. Explains that he wishes to retain qualified employees and PERS will encourage this.
TAPE 41, A		
035	Representative Dan Gardner	District 13. Submits and testifies in support of HB 2761 and HB 2326 (EXHIBIT I). Describes past experiences with 9-1-1 telecommunicators. Believes this bill will give them the respect they deserve.

060	Representative Tim Knopp	District 54. Testifies in support of HB 2761 and HB 2326. Believes that these people are under a lot of stress. Adds that in order to keep quality employees compensation must be given.
081	Rep. Verger	Asks about the line “applies to all service rendered” in HB 2761. Asks if it is retroactive to all service under the current employer.
091	Chair Wilson	States that this topic is covered under section 2 of the bill.
092	Rep Verger	Asks what is compensated for at this time.
098	Rep. Garrard	Asks if this will put a financial burden on the 9-1-1 districts.
104	Rep. Starr	States he served on the budget committee. Adds that the training costs are enormous and the turnover multiplies the costs. Believes that these bills could help the agencies retain employees for a longer period of time.
110	Ken Allen	American Federation of State and County Municipal Employees (AFSCME). Testifies in support of the bills. Believes that they will create lower turnover in these jobs.
141	Mary Botkin	AFSCME. Believes this bill will further enhance the emergency medical system. Adds that there have always been inequities within the system regarding training, equipment, and compensation. States that this bill professionalizes the system.
182	Debbie Kidney	Former 9-1-1 operator. Plays audio 9-1-1 calls from the Portland Center (EXHIBIT J) .
295	Francie LaMarsh	Portland Dispatcher. Testifies in support of HB 2761 and 2326 (EXHIBIT K, Testimony - Tab) .
416	Barry Howarth	Lane County. States that this industry has very high turnover and comments on an article published in a trade magazine. States that they will be introducing and training on many new telecommunication systems. Reviews legislation in 1991 and 1993. Believes that it is time that these people are compensated for their efforts.

TAPE 40, B

049	Anita Beckwith	Public Safety Dispatcher. Testifies in support of HB 2761 and HB 2316 (EXHIBIT K, Testimony - Tab) .
152	Rep. Verger	Asks how many PSAPS are in Clackamas County.
155	Beckwith	Responds that there are four.
156	Rep. Verger	Asks if they currently have retirement and if it is Public Employees Retirement System (PERS).
158	Beckwith	Replies that it is PERS.
159	Rep. Verger	Asks how they are currently classified.
159	Beckwith	Replies as General Service.
167	Chair Wilson	Asks what the advantage would be by joining police and fire retirement.
175	LaMarsh	Adds that they retire 5 years earlier without penalty.
176	Howarth	States that if they are placed on par with fire and police employees they would receive respect and perhaps stay longer in the profession.
184	LaMarsh	States that as a general service you can retire after 30 years at any age. Adds that you can retire at 58 without any penalties. States that on the police tier you can retire after 25 years at age 50.
194	Chair Wilson	Asks what practical effect this bill would have on turnover and burnout.
208	LaMarsh	Responds that there is burnout that is enhanced because of the heavy workload. Believes that they need to attract good people

		with retirement packages.
227	Chair	Asks if early retirement would help in recruiting employees.
229	LaMarsh	States that it helps people who have been there a long time by letting them retire earlier. Adds that it will also help recruit.
237	Beckwith	Believes that more young people would be attracted to the shorter service time before retirement. Adds that older people would also benefit by staying on longer to hit an early retirement.
244	Rep. Garrard	Asks the average age of a dispatcher.
247	LaMarsh	Responds that she believes it to be 33 – 36 years of age.
248	Howarth	States that the average employment time is seven years.
251	Rep. Doyle	Asks if they are paid the same as general service.
255	Howarth	Responds that they are paid a bit above general service clerks. Adds that they are paid roughly what a librarian is paid.
261	Rep. Doyle	Asks if any credit is given due to stress.
263	Howarth	Responds in the negative.
274	Debbie Kidney	States that not all emergencies have a bad outcome. Plays a tape of a 9-1-1 call with a positive outcome.
349	Filsinger	Submits (EXHIBIT L) from Oregon State Police Officer’s Association. Submits written testimony from Maria Keltner (EXHIBIT M) .
356	Steve Manton	Office of Management and Finance for the City of Portland. Submits and testifies from (EXHIBIT N) . States that this will increase the cost by \$150,000 and over a period of 30 years \$ 7.9 million. Adds that they are trying to stabilize the PERS system and does not recommend any cost increases at this time. States that money needs to be shifted from programs to cover the retirement bills. Testifies in opposition of HB 2326 and HB 2761
395	Rep. Gardner	Asks what the costs are for training 9-1-1 staff.
398	Manton	Responds that he does not have these numbers. Adds that he is looking only at the additional costs associated with pensions.
405	Rep. Gardner	Asks if the costs could be offset and not result in an increase of total costs.
409	Manton	Responds that training costs are already anticipated and that extra training would cost more.
415	Rep. Gardner	Asks if the cost of training new employees would decline if there were higher retention numbers.
420	Manton	States that most young employees do not even ask about pension benefits and does not see this as an influence to new employees.
442	Rep. Gardner	Asks if he is suggesting employees should not and do not care about their retirement pension.
446	Manton	States that he has never spoken to anyone who said their deciding factor to joining the city was the pension package.
451	Chair Wilson	States that in a tight labor market this could influence a new employee.
466	Rep. Doyle	Asks how many 9-1-1 employees would benefit from this legislation.
471	Manton	Responds that all 100 or so would benefit.
477	Rep. Doyle	Asks how many employees leave each year.
480	Manton	States that he does not have the attrition rates.
484	Rep. March	Asks how much this would cost and how much the severance package was for the director of the 9-1-1 center.
490	Manton	Responds that they would spend an additional \$150,000. Adds

that he was not present at the director's negotiation.

TAPE 41, B

042	Hasina Squires	Special Districts Association. Testifies in opposition to HB 2761 and HB 2326 (EXHIBIT O). Explains the attachments to written testimony. Requests the survey from Mr. Howarth. States that 9-1-1 telecommunicators are not the first responders to an emergency, the first person on the scene is. Adds that the police and fire employees are at great physical risk as the operators are not. States that this legislation would cost 5.82% of the budget. Explains that wireless services pay their own way for 9-1-1 services.
124	Chair Wilson	States that the committee members will consider the Ballot Measure 30 issue. Adds that he is concerned about training cost. Requests that Mr. Manton give the committee information on turnover and training costs. Asks Mr. Howard to also provide this information.
140	Rep. Devlin	Asks for information regarding stress and workman's compensation. Suggests that we keep in mind the damage done by emotional stress and not just physical injury.
184	Chair Wilson	Requests information regarding training and turnover costs.
187	Rep. Doyle	Asks Ms. Squires if the funding for this would come entirely from the telephone tax.
190	Squires	Explains 9-1-1 funding and that 80 percent of this burden is on local government. Adds that there are also user agencies that pay for the service.
211	Rep. Doyle	Explains that in order to implement something new something already in place may suffer. Asks if she has a list of programs that would be cut back on if this legislation passes.
220	Squires	Responds that it is possible all costs could be shifted to the user agencies and passed on to the fire district and other. States that she cannot answer the question.
236	Rep. Verger	Asks if within the last month the enhanced 9-1-1 has been beneficial to special districts.
245	Squires	Responds that from a technological standpoint it must be better to be able to pinpoint people. Adds that the wireless users are paying into the system and were not prior to 1995.
258	Rep. Verger	States that it is inconvenient to people who have to change their addresses because of enhanced 911. Adds that this was done so 9-1-1 would know exact locations of people. Expresses concern over the fiscal impact.
273	Rep. Garrard	Asks if the real impact from this legislation would come 10 years from now because most operators are only in their mid 30's.
283	Squires	Responds in the negative. Adds that there will be other changes not only the time of retirement.
295	Rep. Garrard	Asks when the early retirement impact would come.
315	Squires	Explains that the actuary recommends funding at 5.82% for the retirement program. Adds that there will be an immediate higher cost.
325	Chair Wilson	Closes the public hearing on HB 2761 and HB 2326 and opens a public hearing on SB 21.

SB 21 – PUBLIC HEARING

335	Greg Chaimov	Legislative Counsel. Explains that this bill is a housekeeping bill that clarifies the procedure when there is a vacancy on a
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360	Rep. March	legislative interim committee. Adds that line 13 is an important
382	Chair Wilson	section regarding the governor's temporary inability to perform
		duties.
		Comments on his experience and law in California.
		Closes the public hearing on SB 21. Opens a work session on
		SB 21.
<u>SB 21 – WORK SESSION</u>		
396	Rep. Gardner	MOTION: Moves SB 21 to the floor with a DO PASS
		recommendation.
400		VOTE: 7-0
		AYE: In a roll call vote, all members present vote Aye.
		EXCUSED: 2 - Devlin, Starr
	Chair Wilson	The motion CARRIES.
406	Rep. C. Walker	MOTION: Moves that SB 21 be placed on the consent
		calendar.
410		VOTE: 7-0
		EXCUSED: 2 - Devlin, Gardner
408	Chair Wilson	Hearing no objection, declares the motion CARRIED.
410	Chair Wilson	Closes the work session on SB 21 and adjourns the meeting at
		3:24 p.m.

Submitted By,

Reviewed By,

Jennifer Goodman,
Administrative Support

Cara Filsinger,
Administrator

EXHIBIT SUMMARY

- A – Redistricting, committee letter, staff, 17 pp.**
- B – Redistricting, written testimony, Dave Henderson, 1 p.**
- C – Redistricting, written testimony, Bill Goodman, 1 p.**
- D – Redistricting, written testimony, staff 1 p.**
- E – Redistricting, written testimony, staff, 2 pp.**
- F – HB 2706, fiscal analysis, staff, 1 p.**
- G – HB 2706, written testimony, Rep. Devlin, 1 p.**
- H – HB 2706, written testimony, Kappy Eaton, 1 p.**
- I – HB 2761 and HB 2326, written testimony, Rep. Gardner, 1 p.**
- J – HB 2326 & HB 2761, list of audiotapes, Debbie Kidney, 1 p.**
- K – HB 2326 & HB 2761, written testimony, Francie LaMarsh, 50 pp.**
- L – HB 2326 & HB 2761, written testimony, staff, 2 pp.**
- M – HB 2326 & HB 2761, written testimony, staff, 3 pp.**
- N – HB 2326 & HB 2761, written testimony, Steve Manton, 1 p.**
- O – HB 2326 & HB 2761, written testimony, Hasina Squires, 14 pp.**