

HOUSE COMMITTEE ON RULES, REDISTRICTING, AND PUBLIC AFFAIRS

May 18, 2001
1:30 PM

Hearing Room D
Tapes 115 - 116

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

MEMBER EXCUSED: Rep. Dan Gardner

STAFF PRESENT: Cara Filsinger, Committee Administrator
Jennifer Goodman, Committee Assistant

MEASURE/ISSUES HEARD: HB 3673 – WORK SESSION
SJR 40A – PUBLIC HEARING AND WORK SESSION
HB 3406 – PUBLIC HEARING

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 115, A		
004	Chair Wilson	Calls the meeting to order at 2:07 p.m. and opens a work session on HB 3673.
HB 3673 – WORK SESSION		
022	John Kauffman	Clackamas County Clerk. Discusses the –4 amendments. Explains that this legislation was created by the county clerks, Land Title Association, and the Oregon State Bar.
029	Chair Wilson	Asks him to review the purpose of the bill.
031	Kauffman	Describes a law passed last session regarding recording documents. Explains that the –4 amendments to HB 3673 take in consideration the changes needed to be made. Adds that his group will continue to work during the interim and come back with more information next session.
045	Jack Munro	Land Title Association. Refers to the –4 amendments. States that these are agreed to by the three groups mentioned by Mr. Kauffman.
053	Rep. Starr	MOTION: Moves to ADOPT HB 3673-4 amendments dated 05/11/01.
055		VOTE: 7-0 EXCUSED: 2 - Gardner, C. Walker Hearing no objection, declares the motion CARRIED.
056	Chair Wilson Rep. Starr	MOTION: Moves HB 3673 to the floor with a DO PASS AS AMENDED recommendation.
059		VOTE: 7-0 AYE: In a roll call vote, all members present vote Aye.

		EXCUSED: 2 - Gardner, C. Walker
	Chair Wilson	The motion CARRIES.
068	Rep. Devlin	MOTION: Moves HB 3673 be placed on the CONSENT CALENDAR.
069		VOTE: 7-0
		EXCUSED: 2 - Gardner, C. Walker
	Chair Wilson	Hearing no objection, declares the motion CARRIED.
070	Chair Wilson	Closes the work session on HB 3673 and opens a public hearing on SJR 40A.
<u>SJR 40A – PUBLIC HEARING</u>		
089	Cara Filsinger	Committee Administrator. Explains that the committee has the – A3 amendments (EXHIBIT B). Adds that they change the election date to November 2002. Introduces the fiscal statement (EXHIBIT C).
095	Kappy Eaton	League of Women Voters. Submits and testifies in support of SJR 40A from (EXHIBIT D). Believes that elections are the best way to limit the terms of candidates. Explains that history shows there has been a 70% turn over rate in the House of Representatives and a 50% turn over rate in the Senate. States that under current law members serve short terms and that long-term legislation is less than effective. Believes citizens should have the right to debate and vote on term limits.
142	Rep. Doyle	Asks what the League of Women Voters can do at the grassroots level.
151	Eaton	Responds that they are willing to spend time and resources to pass this measure. Believes the legislature is inhibited by term limits.
170	Chair Wilson	Closes the public hearing on SJR 40A and opens a work session on SJR 40A.
<u>SJR 40A – WORK SESSION</u>		
172	Rep. March	MOTION: Moves to ADOPT SJR 40A-3 amendments dated 05/14/01.
174		VOTE: 8-0
		EXCUSED: 1 - Gardner
	Chair Wilson	Hearing no objection, declares the motion CARRIED.
176	Rep. March	MOTION: Moves SJR 40A be sent to the floor with a BE ADOPTED AS AMENDED recommendation.
179	Rep. Starr	Explains that this measure will fail at the polls because the perception will be that legislators are power hungry. Adds that this is accentuated because this bill includes sitting members. Suggests that we do this prospectively and retain some support of the public. States that he will be voting nay in both committee and on the floor.
201	Rep. Doyle	States that he supports the idea of term limits. Supports the idea of the amendment not requiring a special election.
219		VOTE: 6-2
		AYE: 6 - Doyle, Garrard, March, Verger, Walker C, Wilson
		NAY: 2 - Devlin, Starr
		EXCUSED: 1 - Gardner
226	Chair Wilson	The motion CARRIES.
		REP. MARCH will lead discussion on the floor.
231	Chair Wilson	Closes the work session on SJR 40A and recesses the meeting

241 Chair Wilson
HB 3406 – PUBLIC HEARING
258 Brian DeLashmutt

until 3:20 p.m.
Opens a public hearing on HB 3406.

Oregon Council of Police Associations and Federation of Oregon Parole and Probation Officers. Concerned that the statute will lead to litigation. States that parole and probation officers are now considered police and fire under Public Employee Retirement System (PERS). Explains that the law is not clear regarding this designation. Adds that the law is silent on how new employees will be handled. Explains that counties that have chosen to designate police and fire are now being questioned as to their authority to do this. Asks how to handle this issue in the future. Believes the counties should negotiate with the unions regarding this issue. States that he supports the –2 amendments (**EXHIBIT E**). Refers to page 5 and quotes regarding classification. States that the county agrees with this. Continues quoting from page 5. Sums up that all classification changes need to go through negotiations with the union.

393 Rich Peppers Oregon Public Employees Union. Emphasizes that this is an important issue to the employees involved. Explains that they have been under the assumption that they would be receiving certain benefits included in their overall compensation packages.

409 Mary Botkin American Federation of State and County Employees. Explains that she is fine with the language in both sets of amendments. Adds that she does not believe it solves the whole problem. States that people will be damaged if this bill does not pass.

TAPE 116, A

009 DeLashmutt States that the statute contains many inconsistencies. Explains that other employees could easily have the same problem if an opinion comes forward like this.

017 Botkin Believes it is a unilateral decision as to classification.

025 Rep. Doyle Expresses confusion with 26 line page 5. Asks if they can now reclassify without negotiations.

034 DeLashmutt Responds that the intent here is that once you are in you are in. Adds that they can only reclassify new people. Discusses page 8, lines 16-22. Explains that classification for new employees needs to be negotiated.

051 Rep. Devlin States that this has been an issue in past sessions.

062 Delashmutt Explains that the bill he is referring to died last session and has not received a hearing this session.

075 Rick McKenna Parole and Probation Department. States that he supports the –1 amendments (**EXHIBIT F**). States that they are in agreement with the bargaining units in the hearing. Explains that parole and probation officers currently serving qualify and remain under police and fire coverage through PERS.

096 Bob Cantine Association of Oregon Counties. Explains that there has been a phasing to local government regarding parole and probation. Refers to page 5 line 21 of the –1 amendments. Discusses the word ‘transferred’ and how it relates to SB 1145. PERS will not allow transfer employees to be treated as they have been in the past. Believes flexibility should be preserved. Suggests meeting with the unions over the interim.

176 Dennis Mulvihill Washington County Government Affairs. Supports the –1 amendments. Believes they should meet with the unions to

189	Cantine	discuss future prevention. States that there are counties that never opted into police and fire.
200	Delashmutt	Explains that once a current employee has been given a designation this creates a contractual issue. Adds that this would be where litigation would come in.
210	Chair Wilson	Asks that the players get together for a meeting before they come before the committee again. Closes the public hearing on HB 3406. Adjourns the meeting at 2:43 p.m.

Submitted By,

Reviewed By,

Jennifer Goodman,
Committee Assistant

Cara Filsinger,
Committee Administrator

EXHIBIT SUMMARY

- A – HB 3673, -4 amendments, Staff, 2pp.**
- B – SJR 40A, -A3 amendments, Staff, 1p.**
- C – SJR 40A, fiscal analysis, Staff, 1p.**
- D – SJR 40A, written testimony, Kappy Eaton, 1p.**
- E – HB 3406, -2 amendments, Staff, 8pp.**
- F – HB 3406, -1 amendments, Staff, 8pp.**