

HOUSE COMMITTEE ON RULES, REDISTRICTING, AND PUBLIC AFFAIRS

May 04, 2001
1:30 PM

Hearing Room D
Tapes 102 –103

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

MEMBER EXCUSED: **Rep. Cherryl Walker**

STAFF PRESENT: **Cara Filsinger, Committee Administrator**
 Cheryl Young, Committee Assistant

MEASURE/ISSUES HEARD: **HB 3804 Public Hearing**
 HB 2123 Public Hearing and Work Session
 HB 2459 Public Hearing and Work Session
 HB 3672 Work Session
 HB 3673 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.

TAPE/#	Speaker	Comments
TAPE 102, A		
005	Chair Wilson	Calls the committee to order at 1:38 p.m. Opens a public hearing on HB 3804.
<u>HB 3804 –PUBLIC HEARING</u>		
015	Duane Bales	Speakers Office. Speaks in support of this bill and the amendments.
035	Steve Anderson	Consulting Engineer from La Grande. States that he is the person pushing this bill, and wants to have more equal business opportunities from cities and counties in the area. States he would also like to be able to have better access to the some of the states contracting information.
121	Chair Wilson	Asks for a definition of 'local' agency.
122	Anderson	Responds city, county, public utility district, etc. and continues testimony.
153	Rep. March	Asks how this process works.
159	Anderson	Responds that there is a pre-selected group of consultants to choose from.
168	Rep. March	Asks how the price is determined under this situation.
172	Anderson	Responds to question.
183	Chair Wilson	Asks if it is commonly understood what dual public contracting agency selection means.
185	Anderson	Responds no.
189	Rep. Verger	Asks what is the need for this and requests an explanation.

200	Anderson	Responds and clarifies.
237	Rep. Verger	Comments to the committee regarding when the local governments are going out for professional services one of the things they need to keep in mind for consideration is how the dollars turn over in neighboring communities. States other concerns.
254	Chair Wilson	Notes they need to define in the bill the new term of dual public contracting agencies, and to amend that definition.
266	Jon Oshel	County Road Program Manager with the Oregon Association of Counties. Testifies that they want to make sure that their concerns are met and that they are not objecting to the rules.
309	David Cox	Division Administrator for the Federal Highway Administration in Oregon. Testifies as neutral. Submits written materials. (EXHIBIT A).
361	Rep. March	Asks if pre-qualification resulted in three or four firms being equally qualified, would there be another selection process where you pick from the three qualified firms.
369	Cox	Replies yes.
382	Rep. Garrard	Asks if they eliminated the words 'from around the state', would that comply with the requirements of the bill.
393	Cox	Responds he hasn't studied the bill yet.
420	Dugan Petty	Deputy Administrator, Division of Transportation Purchasing and Print Services. Testifies in support of this bill. Provides written testimony, (EXHIBIT B).
487	Rep. March	Asks if the purchasing and contracting requirements on federal projects assume the requirement of the most qualified person, could those rules operate under the bill as proposed.
497	Petty	Responds.
Tape 103, A		
054	Cindy Robert	Representing the American Institute of Architects. States some concerns dealing with the definition of dual contracting. Points out good points of bill.
102	Mark Landauer	City of Portland, Office of Government Relations. States some concerns about the bill. Submits written testimony. (EXHIBIT C).
132	Joe Schweinhart	League of Oregon Cities. States they have questions about the language of the bill and asks for more time.
140	Chair Wilson	States that the proponents of the bill need to get together and talk further. Closes the public hearing on HB 3804. Opens a public hearing on HB 2123.

HB 2123 - PUBLIC HEARING

153	Pat Clancy	Chair, Municipal Debt Advisory Commission. Introduces two other speakers.
162	Chuck Smith	State Treasury. Gives brief history of the Commission.
194	Clancy	Speaks on debt issuance, lists sections of statutes to be addressed, discretionary hiring, uniform codes and bond notification.
302	Rep. March	Asks question regarding section 2, dropping the 'shall', meaning they are requiring you have an expert advisor. But by putting in 'may' we are not requiring it anymore. Asks if that then relieves them of doing that and putting them at risk of getting a bad deal on a negotiated sale.
321	Clancy	Responds to issue.
351	Rep. March	Asks if the Treasury Department has this expertise, and is there a

358	Smith	way to allow local jurisdiction to make use of that expertise.
385	Rep. Verger	Clarifies. States she doesn't see the difference in what's been done and what this requires us to do. Refers to Section 2 a, asking if we haven't always been obligated to repay money. Asks how that is different from what local government is doing now.
417	Cynthia Byrnes	Asks for clarification of the question.
430	Verger	Clarifies that it is section 3.
431	Clancy	Responds that this refers to the uniform code at the federal level, and refers to Cynthia Byrnes.
452	Rep. Garrard	States that they did not change anything, but just cleaned it up.
465	Byrnes	Clarifies the new uniform law that was adopted.
Tape 102, B		
027	Chair Wilson	Closes the public hearing on HB 2123. Opens a work session on HB 2123.
<u>HB 2123 - WORK SESSION</u>		
040	Rep. Devlin	MOTION: Moves HB 2123 to the floor with a DO PASS recommendation and the SUBSEQUENT REFERRAL to the committee on School Funding and Revenue BE RESCINDED.
	Chair Wilson	The motion CARRIES.
		REP. MARCH will lead discussion on the floor.
061	Chair Wilson	Closes the work session on HB 2123. Opens a public hearing on HB 2459.
<u>HB 2459 - PUBLIC HEARING</u>		
067	Rep. Rob Patridge	Representative House District 50. Offers –1 amendments. Speaks in favor of this bill.
093	Ed Olson	Manager, Medford Water Commission. States that they approached Rep. Patridge and asked his assistance when they could not separate their Public Employees Retirement System (PERS) accounts from the City of Medford.
108	Steve Delaney	Manager, Government Affairs at PERS. States that they have no objection to the language. Expands on explanation.
125	Rep. Devlin	Notes they will probably have other PERS bills going through before the end of session.
133	Cara Filsinger	Notes fiscal impact for record.
137	Chair Wilson	Closes the public hearing on HB 2459. Opens a work session on HB 2459.
<u>HB 2459 - WORK SESSION</u>		
039	Rep. March	MOTION: Moves to ADOPT HB 2459-1 amendments dated 4/25/01.
		VOTE: 7-0
		EXCUSED: 2 - Starr, Walker
	Chair Wilson	Hearing no objection, declares the motion CARRIED.
144	Rep. March	MOTION: Moves HB 2459 to the floor with a DO PASS AS AMENDED recommendation.
		VOTE: 7-0
		AYE: In a roll call vote, all members present vote Aye.
		EXCUSED: 2 - Starr, Walker
	Chair Wilson	The motion CARRIES.
		REP. PATRIDGE will lead discussion on the floor.
154	Chair Wilson	Closes the work session on HB 2459. Opens a work session on

HB 3672 and HB 3673.

HB 3672 AND HB 3673 - WORK SESSION

158	John Kauffman	Clackamas County Clerk, representing the Oregon Association of County Clerks. Updates the committee on the wording of the bills.
195	Chair Wilson	Closes the work sessions on HB 3672 and HB 3673. Reminds the committee that they are in a time crunch and requests that members let him know if they are going to be gone for votes. Committee adjourned at 2:44 p.m.

Submitted By,

Reviewed By,

Cheryl Young
Committee Assistant

Cara Filsinger,
Committee Administrator

EXHIBIT SUMMARY

A – HB 3804, written testimony, David Cox, 3pp.
B – HB 3804, written testimony, Dugan Petty, 1p.
C – HB 3804, written testimony, Mark Landauer, 2pp.