

HOUSE COMMITTEE ON GENERAL GOVERNMENT

April 27, 1999 Hearing Room D

1:15 p.m. Tapes 74 - 75

MEMBERS PRESENT: Rep. Carl Wilson, Chair

Rep. Jason Atkinson, Vice-Chair

Rep. Chris Beck, Vice-Chair

Rep. Jo Ann Bowman

Rep. Ryan Deckert

Rep. Steve Harper

Rep. Bruce Starr

Rep. Ron Sunseri

Rep. Terry Thompson

STAFF PRESENT: Cara Filsinger, Administrator

Faye D. Trupka, Administrative Support

MEASURE/ISSUES HEARD: HJR 28 Work Session

HB 2757 Work Session

HJR 35 Work Session

HB 3172 Public Hearing and Work Session

HB 2724 Public Hearing

HB 2725 Public Hearing

HB 2964 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 74, A		
004	Chair Wilson	Opens meeting at 1:16 p.m. and opens work session on HJR 28.
<u>HJR 28 WORK SESSION</u>		
013	Rep. Ron Sunseri	Representative, House District 22. Explains HJR 28-2 amendments (EXHIBIT A).
024	John Leuthauser	City Council, Gresham. Explains that HJR 28 with HJR 28-2 amendments is an option which is available should Portland and Multnomah County choose to look at consolidation.
033	Rep. Sunseri	Introduces a copy of a letter from the Gresham City Council (EXHIBIT B).
038	Rep. Starr	MOTION: Moves to ADOPT HJR 28-2 amendments dated 03/23/99.
		VOTE: 8-0 AYE: 8 - Atkinson, Beck, Bowman, Harper, Starr, Sunseri, Thompson, Wilson EXCUSED: 1 - Deckert
Chair Wilson		The motion Carries.
040	Rep. Starr:	MOTION: Moves HJR 28 be sent to the floor with a BE ADOPTED AS AMENDED recommendation.
		VOTE: 6-3 AYE: 6 - Atkinson, Bowman, Harper, Starr, Sunseri, Wilson NAY: 3 - Beck, Deckert, Thompson
Chair Wilson		The motion Carries.

		REP. SUNSERI will lead discussion on the floor.
060	Chair Wilson	Closes work session on HJR 28 and opens work session on HB 2757.
<u>HB 2757 WORK SESSION</u>		
068	Rep. Sunseri	Explains HB 2757.
072	Leuthauser	Describes HB 2757.
078	Rep. Bowman	States concern about financial impact on the original county when a county divides.
092	Rep. Sunseri	Replies that the population of the City of Portland is much larger than Gresham and the surrounding cities. Explains that HB 2757 would allow Gresham to have more localized control.
100	Rep. Starr	MOTION: Moves HB 2757 to the floor with a DO PASS recommendation.
110	Rep. Thompson	States that he does not want to see counties split and that he will oppose HB 2757.
115		VOTE: 5-4 AYE: 5 - Atkinson, Harper, Starr, Sunseri, Wilson NAY: 4 - Beck, Bowman, Deckert, Thompson
	Chair Wilson	The motion Carries. REP. SUNSERI will lead discussion on the floor.
120	Chair Wilson	Closes work session on HB 2757 and opens work session on HJR 35.

HJR 35 WORK SESSION

125	Rep. Steve Harper	Representative, House District 53. Explains HJR 35-8 amendments (EXHIBIT C).
143	Rep. Deckert	Expresses concern about the number of issues referred to the ballot.
153	Rep. Harper	States that HJR 35 is a constitutional amendment.
155	Rep. Deckert	Asks how many total referrals will go on the ballot in the next general election.
159	Rep. Harper	States that there is a list of approximately twenty bills.
164	Rep. Bowman	Asks why the change was made from private sector payroll to private sector income.
175	Rep. Harper	Replies that private sector income is the standard method under statute.
188	Rep. Bowman	Asks if the kicker amount is calculated in the same manner.
194	Rep. Harper	Replies yes.
198	Rep. Bowman	Asks if the kicker is based on private sector income and not payroll.
204	Rep. Harper	Replies yes.
210	Rep. Bowman	Asks why the calculation is tied to five calendar years.
216	Rep. Harper	Explains that biennial is cyclical and that the private sector income will be more consistent.
224	Rep. Beck	Asks how much the General Fund would be allowed to grow above limit.
235	Rep. Harper	Explains that in 2001 to 2003, the limit would be 10.8% growth.
245	Rep. Beck	Asks what will be done with a surplus of \$5 million dollars and if the surplus will need to be distributed to all taxpayers in Oregon. Asks if this should be put into statute.
250	Rep. Harper	Replies that in the future, the statute could be overruled by the legislature.

253	Rep. Deckert	States that the legislature could cut the budget now. Asks why this was the preferred route instead of putting forth a budget.
270	Rep. Harper	Questions if the Governor will sign HJR 35.
274	Rep. Sunseri	States that HJR 35 does not determine how the money is returned.
282	Rep. Bowman	States that she would be supportive of a bill that would limit the legislature's ability to issue bonds. Asks if there is a companion bill which would prevent government from going into debt.
301	Rep. Harper	Replies that he does not know.
303	Rep. Sunseri	States that it is important that a limit be placed on how much money the state can accrue.
325	Rep. Starr	MOTION: Moves to ADOPT HJR 35-8 amendments dated 04/21/99.
332	Rep. Beck	Expresses opposition to HJR 35-8 amendments.
378		VOTE: 5-4 AYE: 5 - Atkinson, Harper, Starr, Sunseri, Wilson NAY: 4 - Beck, Bowman, Deckert, Thompson
	Chair Wilson	The motion Carries.
385	Rep. Atkinson	MOTION: Moves HJR 35 to the floor with a BE ADOPTED AS AMENDED recommendation and BE REFERRED to the committee on Ways and Means by prior reference.
411	Rep. Bowman	States her dissatisfaction with the bill.
TAPE 75, A		
006	Rep. Thompson	Expresses concern about the state's options to generate revenue under HJR 35.
021	Rep. Deckert	Advises that the legislature needs to be sensitive to the voters wishes in limiting

		referral and changing the constitution.
035		<p>VOTE: 5-4</p> <p>AYE: 5 - Atkinson, Harper, Starr, Sunseri, Wilson</p> <p>NAY: 4 - Beck, Bowman, Deckert, Thompson</p>
	Chair Wilson	The motion Carries.
045	Chair Wilson	Closes work session on HJR 35 and opens public hearing on HB 3172.
<u>HB 3172 PUBLIC HEARING</u>		
051	Rep. Bill Witt	Representative, House District 7. Explains HB 3172.
075	Chair Wilson	Asks for the specific case which prompted HB 3172.
083	Rep. Witt	Responds that a party involved with that case is present to testify.
090	Rep. Starr	Asks if any of the new employees use the services of the special district.
095	Rep. Witt	Replies that he does not know.
097	Rep. Bowman	Asks if it is a Systems Development Charge (SDC).
100	Rep. Witt	Responds yes.
102	Rep. Bowman	Explains that an SDC is for new developments.
106	Rep. Witt	States that he agrees with her definition.
112	Rep. Beck	Asks about limiting growth based on private sector growth.
118	Rep. Witt	Responds to question.
131	Don Ganer	Tualatin Hills Park and Recreation District. Explains that the city council recently adopted an SDC which includes both a residential and non-residential

		component. States the fee is assessed on the issuance of a building permit.
156	Rep. Bowman	Asks for clarification of the SDC ordinance passed by the city council.
160	Ganer	Answers question.
162	Rep. Bowman	Asks if there is an SDC when a new employee is hired.
163	Ganer	Replies no.
165	Rep. Bowman	Asks if the previously described issues are happening in Ganer's community.
166	Ganer	Replies that it is not happening in his district.
167	Jim McElhinny	Tualatin Hills Park and Recreation District. Explains that the park district does not impose a fee based specifically on new employees.
175	Rep. Beck	Asks if McElhinny has spoken with Rep. Witt.
180	McElhinny	Replies that they have been unable to contact Rep. Witt.
185	Rep. Beck	Asks if Rep. Witt is aware that the Tualatin Hills Park and Recreation District does not impose an SDC in this manner.
189	McElhinny	Replies yes.
192	Rep. Starr	States that the City of Hillsboro charges SDCs for parks, based on the number of parking spaces.
202	Ganer	Describes the alternative methods that were explored for collecting the fee.
217	Rep. Sunseri	Asks for clarification regarding the SDCs.
221	Stephen Bosak	Tualatin Hills Park and Recreation District. Explains that the non-resident fee is based on square footage in new development and construction.
227	Ganer	Explains the methodology used in determining the SDC.
244	Rep. Bowman	Asks if upon completion of construction, the builder then decides they need more employees if they will need to pay for a new SDC.

250	Ganer	Replies no.
254	Rep. Witt	Explains that SDCs are being levied as buildings are being constructed or expanded based upon an assumed number of employees.
278	Chair Wilson	Asks Rep. Witt about amending HB 3172.
280	Rep. Witt	Replies that HB 3172 should be passed as written.
290	Rep. Bowman	Asks why HB 3172 is necessary.
295	Rep. Witt	States the bill is needed because the next natural step would be to start assessing strictly on employment without considering development.
300	Rep. Bowman	States that there is no way to do that now. Explains that it is clear that SDCs are for new construction only.
308	Rep. Witt	Disagrees with Rep. Bowman's explanation.
310	Chair Wilson	Asks if Rep. Witt would like to discuss the issues with the individuals from the Tualatin Hills Park and Recreation District.
312	Rep. Witt	States that HB 3172 has been out for approximately six weeks and that he has not been contacted by anyone from the district.
315	Chair Wilson	Closes public hearing on HB 3172 and opens work session on HB 3172.
<u>HB 3172 WORK SESSION</u>		
318	Rep. Atkinson	MOTION: Moves HB 3172 to the floor with a DO PASS recommendation.
320	Rep. Bowman	States that she does not understand why the bill is needed and will vote no.
		VOTE: 5-3 AYE: 5 - Atkinson, Harper, Starr, Sunseri, Wilson NAY: 3 - Beck, Bowman, Deckert EXCUSED: 1 - Thompson

	Chair Wilson	The motion Carries. REP. WITT will lead discussion on the floor.
325	Rep. Beck	Serves notice of minority report.
327	Rep. Bowman	Serves notice of minority report.
329	Chair Wilson	Closes work session on HB 3172 and opens public hearing on HB 2724.
<u>HB 2724 PUBLIC HEARING</u>		
340	Mary Botkin	American Federation of State, County and Municipal Employees (AFSCME). Explains HB 2724.
TAPE 74, B		
001	Anthony Collins	Clackamas County 911. Testifies in support of HB 2724. Reads written testimony (EXHIBIT D). Plays recorded 911 emergency tapes.
051	Collins	Continues with audio demonstration.
101	Collins	Continues with audio demonstration.
150	Debra Kidney	Bureau of Emergency Communications, Multnomah County. Testifies in support of HB 2724 EXHIBIT D . Gives history of her agency.
200	Kidney	States that her agency takes one million calls per year.
250	Kidney	Explains that 911 telecommunicators are an integral part of the emergency response team.
260	Barry Howarth	Lane County 911. Testifies in support of HB 2724. Describes that he took the original call from Thurston High School last year during the shooting.
288	Maria Keltner	League of Oregon Cities and the Association of Oregon Counties. Testifies in opposition to HB 2724. Explains if HB 2724 passes, it will increase the cost of Public Employees Retirement System (PERS) benefits by 3.19%.

338	Keltner	States the eligibility of police and firefighters for full retirement is at a younger age. Explains that personal danger on the job is an appropriate criteria for police or firefighter benefits.
350	Hasina Squires	Special Districts Association of Oregon. Testifies in opposition to HB 2724. States there will be an increased cost to the employers. Gives examples of increased costs.
397	Rep. Bowman	Asks for clarification of HB 3349.
401	Keltner	Explains HB 3349.
410	Rep. Starr	Explains the turnover in 911 dispatchers occurs because of high stress levels. Asks for an estimate of savings that agencies could expect by retaining the services of trained 911 dispatchers.
TAPE 75, B		
004	Rep. Harper	Asks about a costs/benefit study.
010	Chair Wilson	Closes public hearing on HB 2724 and opens public hearing on HB 2725.
<u>HB 2725 PUBLIC HEARING</u>		
013	Botkin	Explains HB 2725. Introduces Dr. Scott Reichlin from the Oregon State Hospital. Explains that if Dr. Reichlin worked in any of the correctional institutions he would be classified as a police officer. Testifies in support of HB 2725.
043	Dr. Scott Reichlin	Testifies in support of HB 2725 (EXHIBIT E). Gives example of recent murders of psychiatrists.
084	Jim Hugg	Oregon State Hospital. Testifies in support of HB 2725. Explains that the Oregon State Penitentiary sends those inmates who are mentally ill to the Oregon State Hospital. Gives examples of injuries to those who are treating mentally ill patients.
119	Viola Haycraft	Oregon State Hospital. Testifies in support of HB 2725. States that her ward has forensic patients. Gives example of personal attack from patients. Explains that all staff are at risk.
139	Dr. Stan Mazur-Hart	Oregon State Hospital. Testifies in support of HB 2725. Explains that people who work at the hospital are at great risk. States that doctors and nurses are not police officers nor are they guards.

165	Chair Wilson	Closes public hearing on HB 2725 and opens work session on HB 2964.
<u>HB 2964 WORK SESSION</u>		
176	Rep. Carl Wilson	Representative, House District 49. Explains HB 2964. States that the State Fire Marshal's Office has granted a grace period until December 15 for airports to comply with the fueling rack requirements.
214	Rep. Harper	Asks for definition of commercial air service.
216	Chair Wilson	Replies it pertains to commercially recognized air carriers.
218	Rep. Harper	Asks if that definition is understood by the Fire Marshal.
220	Chair Wilson	Replies yes.
224	Rep. Harper	Asks if the terminology will preclude those people who have just one charter.
226	Chair Wilson	Replies no. Explains that commercial fuel haulers deliver fuel on a regular basis. States that a number of small airports in Oregon are unable to comply with rules.
244	Rep. Bowman	Asks why the population number was taken out by the HB 2964-1 amendments.
250	Chair Wilson	Replies there might be some dispute as to what population figures would be pertinent to a particular airport.
253	Rep. Bowman	States that she was more comfortable with the population figures as previously written.
260	Chair Wilson	Explains that HB 2964 pertains to airports that do not have fuel racks.
295	Rep. Sunseri	MOTION: Moves to ADOPT HB 2964-1 amendments dated 03/26/99.
297	Rep. Bowman	States objection to HB 2964-1 amendments.
		VOTE: 7-1 AYE: 7 - Atkinson, Beck, Deckert, Harper, Starr, Sunseri, Wilson NAY: 1 - Bowman

		EXCUSED: 1 - Thompson
	Vice Chair Atkinson	The motion Carries.
302	Rep. Bowman	States that she reserves the right to change her vote on the floor.
305	Rep. Sunseri	MOTION: Moves HB 2964 to the floor with a DO PASS AS AMENDED recommendation.
		VOTE: 7-1 AYE: 7 - Atkinson, Beck, Deckert, Harper, Starr, Sunseri, Wilson NAY: 1 - Bowman EXCUSED: 1 - Thompson
	Vice Chair Atkinson	The motion Carries. REP. WILSON will lead discussion on the floor.
313	Vice Chair Atkinson	Closes work session on HB 2964 and adjourns meeting at 3:08 p.m.

Submitted By, Reviewed By,

Faye D. Trupka, Cara Filsinger,

Administrative Support Administrator

EXHIBIT SUMMARY

A ñ HJR 28, HJR 28-2 amendments, Rep. Ron Sunseri, 1 p.

B ñ HJR 28, written testimony, Rep. Ron Sunseri, 3 pp.

C ñ HJR 35, HJR 35-8 amendments, Rep. Steve Harper, 1 p.

D ñ HB 2724, written testimony, Anthony Collins, 53 pp.

E ñ HB 2725, written testimony, Dr. Scott Reichlin, 1 p.