

HOUSE COMMITTEE ON GENERAL GOVERNMENT

May 18, 1999 Hearing Room D

1:15 p.m. Tapes 088 - 089

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

MEMBERS EXCUSED:

STAFF PRESENT: Cara Filsinger, Administrator

Faye D. Trupka, Administrative Support

MEASURE/ISSUES HEARD: SB 326 Public Hearing

SB 785-A Work Session

HB 2140 Work Session

SB 326 Work Session

SB 785-A Work Session

SB 512-A Work Session

SB 1201-A Work Session

SB 361-B Public Hearing and Work Session

SB 323-A Public Hearing and Work Session

SB 1192 Public Hearing and Work Session

SB 1195-A 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.

TAPE/#	Speaker	Comments
TAPE 088, A		
004	Chair Wilson	Opens meeting at 1:16 p.m. and opens work session on SB 326.
<u>SB 326 PUBLIC HEARING</u>		
025	Steve Delaney	Public Employees Retirement System (PERS). Describes SB 326 (EXHIBIT A).
035	Chair Wilson	Closes public hearing on SB 326 and opens work session on SB 785-A
<u>SB 785-A WORK SESSION</u>		
050	Chair Wilson	Closes work session on SB 785-A and opens work session on HB 2140.
<u>HB 2140 WORK SESSION</u>		
060	Rep. Tom Butler	Representative, House District 60. Describes discussions in Ways and Means Committee regarding the Oregon Liquor Control Commission (OLCC). Explains HB 2140-3 amendments (EXHIBIT B).
095	Rep. Harper	Asks about age verification equipment cost and process.
099	Rep. Butler	Explains the equipment and cost of about \$1000 per unit. Describes scenarios where equipment may not work.
125	Rep. Bowman	Asks how the penalties would work in reality and how they would be applied if there were violations on different shifts.
138	Steve McCoid	Oregon Grocery Industry Association. Explains responsible vendor program proposed by HB 2140-3 amendments.
162	Rep. Bowman	Asks what happens to employers that do not participate in the voluntary program.

166	McCoid	Replies that there is a sanctions schedule currently in statute.
174	Chair Wilson	Asks about the responsible vendor program.
177	McCoid	States there has been an increase in minor decoy operations in the past 18 months. Speaks about the existing sanctions for selling alcohol to minors. Discusses problems retailers have that have taken all necessary steps to avoid sale of alcohol to minors, but have employees that continue to make sales.
221	Rep. Starr	Asks about the blank on page 4, line 10 of the HB 2140-3 amendments (EXHIBIT B) and what should be in the blank.
226	McCoid	Explains that the amount should be \$500.
229	Barb Hutchison	OLCC. Testifies in support of HB 2140-3 amendments (EXHIBIT C)
250	Rep. Starr	MOTION: Moves to SUSPEND the rules for the purpose of adopting conceptual amendments.
		VOTE: 7-0 AYE: 7 - Atkinson, Deckert, Harper, Starr, Sunseri, Thompson, Wilson EXCUSED: 2 ñ Beck, Bowman
	Chair Wilson	Hearing no objection, declares the motion CARRIED.
260	Rep. Starr	MOTION: Moves to AMEND HB 2140-3 amendments on page 4, in line 10, by inserting "\$500" in the blank.
		VOTE: 7-0 AYE: 7 - Atkinson, Deckert, Harper, Starr, Sunseri, Thompson, Wilson EXCUSED: 2 ñ Beck, Bowman
	Chair Wilson	Hearing no objection, declares the motion CARRIED.

270	Rep. Starr	MOTION: Moves to ADOPT the amended HB 2140-3 amendments.
		VOTE: 8-0 AYE: 8 ñ Atkinson, Bowman, Deckert, Harper, Starr, Sunseri, Thompson, Wilson EXCUSED: 1 ñ Beck
	Chair Wilson	The motion CARRIES.
290	Rep. Starr	MOTION: Moves HB 2140 to the floor with a DO PASS AS AMENDED recommendation.
300	Rep. Bowman	Asks about amendments.
		VOTE: 9-0 AYE: 9 ñ Atkinson, Beck, Bowman, Deckert, Harper, Starr, Sunseri, Thompson, Wilson
320	Chair Wilson	The motion CARRIES. REP. BUTLER will lead discussion on the floor.
340	Chair Wilson	Closes work session on HB 2140 and opens work session on SB 326.
<u>SB 326 WORK SESSION</u>		
350	Rep. Bowman	MOTION: Moves SB 326 to the floor with a DO PASS recommendation.
		VOTE: 9-0 AYE: 9 - Atkinson, Beck, Bowman, Deckert, Harper, Starr, Sunseri, Thompson, Wilson

	Chair Wilson	<p>The motion CARRIES.</p> <p>REP. BOWMAN will lead discussion on the floor.</p>
360	Chair Wilson	Closes work session on SB 326 and opens work session on SB 785-A.
<u>SB 785-A WORK SESSION</u>		
365	Bill Cross	Building Officials Association. Describes purpose of SB 785-A.
	Rep. Atkinson	MOTION: Moves SB 785 A to the floor with a DO PASS recommendation.
		<p>VOTE: 9-0</p> <p>AYE: 9 - Atkinson, Beck, Bowman, Deckert, Harper, Starr, Sunseri, Thompson, Wilson</p>
	Chair Wilson	<p>The motion CARRIES.</p> <p>REP. ATKINSON will lead discussion on the floor.</p>
370	Chair Wilson	Closes work session on SB 785-A and opens work session on SB 512-A.
<u>SB 512-A WORK SESSION</u>		
375	Cara Filsinger	Administrator. Discusses written testimony from Joe Brewer regarding SB 512-A (EXHIBIT D).
380	Chair Wilson	Commends Mr. Phelps for work on SB 512-A. Asks for update on status of amendments.
390	Ray Phelps	Pac/West Communications. Testifies in support of SB 512-A (EXHIBIT E). Discusses proposed amendments that are hand engrossed in EXHIBIT E .
TAPE 89, A		
040	Phelps	Further explains the proposed amendments.

054	Rep. Bowman	Compliments the compromise amendments.
060	Chair Wilson	Asks about the training issue.
060	Jane Cummins	League of Oregon Cities (LOC). Discusses training needs and funding. States she wants training funds to go to Department of Consumer and Business Services before being allocated to the proposed building board.
107	Cross	States concern remains regarding the transfer of training funds.
137	Chair Wilson	Requests a meeting with concerned parties.
145	Chair Wilson	Closes work session on SB 512-A and opens work session on SB 1201-A.
<u>SB 1201-A WORK SESSION</u>		
151	Filsinger	Explains SB 1201-A2 amendments (EXHIBIT F) and SB 1201-A4 amendments (EXHIBIT G).
157	John Marshall	Oregon School Board Association. Describes SB 1201-A4 amendments (EXHIBIT G). Discusses need to address financial difficulties in the Banks School District.
201	Rep. Starr	Comments on situation in Banks School District.
210	Rep. Starr	MOTION: Moves to ADOPT SB 1201A-2 amendments dated 5/5/99.
		VOTE: 9-0 AYE: 9 - Atkinson, Beck, Bowman, Deckert, Harper, Starr, Sunseri, Thompson, Wilson
	Chair Wilson	The motion CARRIES.
220	Rep. Starr	MOTION: Moves to ADOPT SB 1201A-4 amendments dated 5/18/99.
225	Rep. Bowman	Asks about the purpose of the SB 1201A-4 amendments.
230	Rep. Starr	Responds to question.

		<p>VOTE: 9-0</p> <p>AYE: 9 ñ Atkinson, Beck, Bowman, Deckert, Harper, Starr, Sunseri, Thompson, Wilson</p>
	Chair Wilson	The motion CARRIES.
240	Rep. Starr	MOTION: Moves SB 1201A to the floor with a DO PASS AS AMENDED recommendation.
		<p>VOTE: 9-0</p> <p>AYE: 9 ñ Atkinson, Beck, Bowman, Deckert, Harper, Starr, Sunseri, Thompson, Wilson</p>
	Chair Wilson	The motion CARRIES.
		REP. STARR will lead discussion on the floor.
255	Chair Wilson	Close work session on SB 1201-A and opens public hearing on SB 361-B.
<u>SB 361-B PUBLIC HEARING</u>		
268	Steve Delaney	Public Employees Retirement System (PERS). Testifies in support of SB 361-B (EXHIBIT H). Describes purpose of changing statute to conform with Internal Revenue Code.
318	Delaney	Details sections of SB 361-B.
363	Rep. Bowman	Asks how the interest will be calculated after the person is found.
367	Delaney	Explains that interest would stop as soon as the person can not be found. States benefits will be withheld until the person is found.
376	Chair Wilson	Asks what this has to do with the Internal Revenue Code.
378	Delaney	Explains once person is found PERS would reinstate their benefit and interest would start accruing.
384	Rep. Bowman	Asks what are the circumstances PERS could not find someone.

391	Delaney	Replies it is very rare. States that it is language to satisfy the Internal Revenue Code requirements.
TAPE 88, B		
001	Chair Wilson	Asks about section 5 regarding separation from employment.
006	Delaney	Replies the language brings PERS into compliance.
012	Rep. Bowman	Asks if passage of SB 361-B will prohibit retirees from working part time.
017	Delaney	States SB 361-B does not apply to that situation.
019	Jim Green	Oregon School Board Association. Explains SB 361-B-9 amendments (EXHIBIT I) . Describes the recent <i>Tanner</i> court decision and how PERS calculates salary.
056	Chair Wilson	Closes public hearing on SB 361-B and opens work session on SB 361-B
<u>SB 361-B WORK SESSION</u>		
060	Rep. Bowman	MOTION: Moves to ADOPT SB 361B-9 amendments dated 5/14/99.
		VOTE: 8-0 AYE: 8 ñ Atkinson, Bowman, Deckert, Harper, Starr, Sunseri, Thompson, Wilson EXCUSED: 1 ñ Beck
	Chair Wilson	Hearing no objection, the motion CARRIES
070	Rep. Bowman	MOTION: Moves SB 361B to the floor with a DO PASS AS AMENDED recommendation.
		VOTE: 8-0 AYE: 8 ñ Atkinson, Bowman, Deckert, Harper, Starr, Sunseri, Thompson, Wilson EXCUSED: 1 ñ Beck

080	Chair Wilson	The motion CARRIES. REP. BECK will lead discussion on the floor.
081	Chair Wilson	Closes work session on SB 361-B and opens public hearing on SB 323-A.
<u>SB 323-A PUBLIC HEARING</u>		
085	Delaney	Testifies in support of SB 323-A (EXHIBIT J).
135	Delaney	Continues to provide detail of SB 323-A.
141	Chair Wilson	Asks about section 2 relating to persons that cannot be found.
143	Delaney	Responds to question.
144	Rep. Starr	Asks about the no votes in the Senate.
148	Delaney	Replies that he is unsure of the reason. States that some concerns have been expressed by counties and cities regarding insurance coverage.
160	Rep. Starr	Asks if there could be a fiscal impact.
161	Delaney	Replies there could be.
163	Chair Wilson	Asks about using partial year versus a full year.
168	Delaney	Replies that it only applies to retirement using the Full Formula.
180	Chair Wilson	Closes public hearing on SB 323-A and opens work session on SB 323-A.
<u>SB 323-A WORK SESSION</u>		
185	Rep. Bowman	MOTION: Moves SB 323A to the floor with a DO PASS recommendation.
		VOTE: 7-0

		<p>AYE: 7 n Atkinson, Beck, Bowman, Harper, Starr, Sunseri, Wilson</p> <p>EXCUSED: 2 n Deckert, Thompson</p>
	Chair Wilson	<p>The motion CARRIES.</p> <p>REP. DECKERT will lead discussion on the floor.</p>
200	Chair Wilson	Closes work session on SB 323-A and opens public hearing SB 1192
<u>SB 1192 PUBLIC HEARING</u>		
205	Filsinger	Explains SB 1192-1 amendments (EXHIBIT K).
210	Steve Vincent	Avista Corporation. Explains SB 1192.
220	Mike Grainey	Office of Energy. Testifies in support of SB 1192-1 amendments. (EXHIBIT L).
230	Matthew Shields	Legislative Assistant to Senator Shields. Offers to answer questions.
231	Chair Wilson	Closes public hearing on SB 1192 and opens work session on SB 1192
<u>SB 1192 WORK SESSION</u>		
234	Rep. Atkinson	MOTION: Moves to ADOPT SB 1192-1 amendments dated 5/17/99.
		<p>VOTE: 7-0</p> <p>AYE: 7 n Atkinson, Beck, Bowman, Harper, Starr, Sunseri, Wilson</p> <p>EXCUSED: 2 n Deckert, Thompson</p>
	Chair Wilson	The motion CARRIES.
250	Rep. Atkinson	MOTION: Moves SB 1192 to the floor with a DO PASS AS AMENDED recommendation.

		<p>VOTE: 7-0</p> <p>AYE: 7 n Atkinson, Beck, Bowman, Harper, Starr, Sunseri, Wilson</p> <p>EXCUSED: 2 n Deckert, Thompson</p>
	Chair Wilson	<p>The motion CARRIES.</p> <p>REP. ATKINSON will lead discussion on the floor.</p>
270	Chair Wilson	Closes work session on SB 1192 and opens public hearing on SB 1195-A.
<u>SB 1195-A PUBLIC HEARING</u>		
280	Vincent	Testifies in support of SB 1195-A (EXHIBIT M).
290	Shields	Explains dissenting votes in Senate.
307	Grainey	Describes residential tax credit program. Discusses use of wind energy. Supports addition of fuel cells for tax credit.
329	Rep. Bowman	Asks about additions in the bill.
336	Grainey	Explains the bill is drafted so that only wind and fuel cells are added.
350	Rep. Bowman	Asks why wind was removed in previous session.
356	Grainey	Explains the review in previous sessions that limited tax credit to solar hot water heating and geo-thermal heat pumps.
358	Chair Wilson	Closes public hearing on SB 1195-A and opens work session on SB 1195A.
<u>SB 1195-A WORK SESSION</u>		
360	Rep. Beck	MOTION: Moves SB 1195A to the floor with a DO PASS recommendation.
		<p>VOTE: 7-0</p> <p>AYE: 7 - Atkinson, Beck, Bowman, Harper, Starr, Sunseri, Wilson</p>

		EXCUSED: 2 - Deckert, Thompson
	Chair Wilson	The motion CARRIES. REP. BECK will lead discussion on the floor.
365	Chair Wilson	Closes work session on SB 1195-A and adjourns at 2:55 p.m.

Transcribed By,

Cara Filsinger,
Administrator

EXHIBIT SUMMARY

- A ñ SB 326, written testimony, Steve Delaney, p 1**
- B ñ HB 2140, -3 amendments, Rep. Tom Butler, pp 5**
- C ñ HB 2140, written testimony, Barb Hutchison, pp 3**
- D ñ SB 512A, written testimony, Joe Brewer, p 1**
- E ñ SB 512A, written testimony, Ray Phelps, pp 11**
- F ñ SB 1201A, -A2 amendments, staff, p 1**
- G ñ SB 1201A, -A4 amendments, staff, p 1**
- H ñ SB 361B, written testimony, Steve Delaney, pp 4**
- I - SB 361B, -B9 amendments, Jim Green, pp 8**
- J ñ SB 323, written testimony, Steve Delaney, pp 2**
- K ñ SB 1192, -1 amendments, staff, pp 6**
- L ñ SB 1192, written testimony, Mike Grainey, p 1**
- M ñ SB 1195A, written testimony, Steve Vincent, pp 16**