

HOUSE COMMITTEE ON RULES, ELECTIONS, AND PUBLIC AFFAIRS

March 9, 1999 Hearing Room D

3:30 P.M. Tapes 14 - 15

MEMBERS PRESENT: Rep. Mark Simmons, Chair

Rep. Richard Devlin, Vice-Chair

Rep. Bruce Starr, Vice-Chair

Rep. Jason Atkinson

Rep. Chris Beck

Rep. Roger Beyer

Rep. Randall Edwards

Rep. Dan Gardener

Rep. Kevin Mannix

Rep. Kitty Piercy

Rep. Jim Welsh

Rep. Max Williams

MEMBER EXCUSED:

STAFF PRESENT: Cletus B. Moore, Jr., Administrator

Kevin E. Wells, Administrative Support

MEASURE/ISSUES HEARD: Public Hearing and Work Session SB 466

Public Hearing and Work Session HCR 2

Public Hearing and Work Session SB 399

Public Hearing and Work Session HJM 9

Work Session HB 2007

TAPE/#	Speaker	Comments
TAPE 14, A		
003	Chair Simmons	Calls meeting to order at 3:30 p.m. Opens Public Hearing SB 466.
<u>PUBLIC HEARING SB 466</u>		
015	Cletus Moore	Administrator. Provides background information and explains SB 466.
032	Dee Bridges	Oregon Water Resources Congress. Supports SB 466. States that it makes special districts' recall procedure the same as other election districts (EXHIBIT A).
037	Burton Weast	Special Districts Association of Oregon. Supports SB 466. Discusses why the bill is necessary. States that there is no reason for the difference between special districts and all other election districts.
049	Rep. Williams	Asks how often there are recall petitions in special districts.
056	Weasts	Explains two cases that brought the issue to his attention.
061	Rep. Beck	Asks for further information concerning the cases; how long did the recall petition last.
066	Weasts	States that he does not know. Notes that currently they can go on indefinitely.
075	Chair Simmons	Closes Public Hearing SB 466.
<u>WORK SESSION SB 466</u>		
078	Rep. Beyer	MOTION: Moves SB 466 to the floor with a DO PASS recommendation.
		VOTE: 12-0
083	Chair Simmons	Hearing no objection, declares the motion CARRIED.

		REP. DEVLIN will lead discussion on the floor.
<u>PUBLIC HEARING HCR 2</u>		
093	Moore	Discusses HCR 2; commends Bertha Marian Holt.
107	Rep. Kurt Scharder	District 23. Testifies in support of HCR 2. Discusses the life of Bertha Marian Holt. States that it is appropriate to honor her for her commitment to service.
128	Rep. Al King	District 44. Testifies in support of HCR 2. Offers insight and anecdotes concerning Bertha Marian Holt.
150	Chair Simmons	Closes Public Hearing HCR 2.
<u>WORK SESSION HCR 2</u>		
151	Rep. Gardener	MOTION: Moves to ADOPT HCR 2-1 amendments dated 3/5/99.
		VOTE: 12-0
159	Chair Simmons	Hearing no objection, declares the motion CARRIED.
161	Rep. Gardener:	MOTION: Moves HCR 2 be sent to the floor with a BE ADOPTED AS AMENDED recommendation.
		VOTE: 12-0
175	Chair Simmons	Hearing no objection, declares the motion CARRIED. REP. SCHRADER will lead discussion on the floor.
<u>PUBLIC HEARING SB 399</u>		
185	Moore	Reviews SB 399; allows state Attorney General (AG) to render opinions for federal agencies when requested by a state officer.

202	Keith Kutler	Assistant Attorney General, Department of Justice. Supports SB 399. States that the bill does not change current practice substantively (EXHIBIT B). Discusses current practice and problems. Explains how SB 399 simplifies the process of giving opinion to federal agencies.
231	Rep. Mannix	Asks if federal government will pay for opinions.
233	Kutler	States that the federal government will not pay, rather the state agencies that request opinions.
237	Rep. Mannix	Asks why the federal government requires this. Acknowledges it is better to comply than to protest at this point in time.
245	Marylyn Lorange	Legislative Coordinator, Oregon Department of Transportation Aeronautics Division (ODOT AD). Supports SB 399. Explains ODOT AD experiences that make the bill necessary (EXHIBIT C).
281	Rep. Mannix	Asks who decided that AG cannot render opinions for federal authorities.
284	Lorange	States that she does not know. Refers to EXHIBIT C page 2 .
295	Kutler	Explains that the decision comes out of his section, but prior to his employment, by Susan Townsend. Discusses the rational behind the interpretation.
316	Rep. Edwards	Asks for background on what the law changes and why it is necessary.
324	Kutler	Explains the AG is structured to render advice only to the state of Oregon; that is why there are limitations on their activities. Notes that the bill does not change whom can request opinions, but only the form of response.
344	Rep. Edwards	Asks how much an opinion from AG costs.
347	Kutler	Responds that costs vary as well as length of time needed to respond.
363	Chair Simmons	Closes Public Hearing SB 399.
<u>WORK SESSION SB 399</u>		
370	Rep. Mannix	States that he thinks the interpretation that makes SB 399 necessary is in err, but that the situation needs to be addressed.
375	Rep. Mannix	MOTION: Moves SB 399 to the floor with a DO PASS recommendation.

		VOTE: 10-0 EXCUSED: 2 - Piercy, Starr
410	Chair Simmons	Hearing no objection, declares the motion CARRIED. REP. MANNIX will lead discussion on the floor.
TAPE 15, A		
<u>PUBLIC HEARIN HJM 9</u>		
006	Moore	Explains HJM 9 and background issues.
018	J.L. Wilson	Speaker's Office. Supports HJM 9. Discusses that the federal government is trying to claim part of the tobacco settlement. Presents an argument that the federal government does not have a legitimate claim to the funds.
044	Mark Gardener	Special Counsel to Attorney General. Agrees with J.L. Wilson.
050	Rep. Williams	Asks when Congress will be considering the action.
052	M. Gardener	Explains the process in Congress.
059	Rep. Mannix	Notes that Congress's actions are difficult to predict. Asks for a press release to inform the people of Oregon.
069	Chair Simmons	Close Public Hearing HJM 9.
<u>WORK SESSION HJM 9</u>		
071	Rep. EDWARDS:	MOTION: Moves HJM 9 be sent to the floor with a BE ADOPTED recommendation.
		VOTE: 12-0
082	Chair Simmons	Hearing no objection, declares the motion CARRIED.

		REP. EDWARDS will lead discussion on the floor.
<u>WORK SESSION HB 2007</u>		
088	Chair Simmons	Notes new amendments.
095	Jeff Gilmore	Oregon Health Sciences. Discusses the proposed amendment (LC 2157) (EXHIBIT D) . Reviews history of the amendment.
126	David Mitchell	Vice-President for Development, Oregon Health Sciences University. Explains the proposed amendment. Comments on the importance of an intellectual capital endowment to attract top national talent (EXHIBIT E) .
170	Mitchell	Discusses specifics of request and funding of endowment. Notes the importance of biotechnology research. Urges acceptance of proposed amendments.
209	Rep. Mannix	Asks what percent of the settlement funds they are requesting.
211	Mitchell	States \$10 million over three years, which will be matched by private and corporate funds.
220	Vice-Chair Devlin	Asks what the return to the university is for attracting top talent.
235	Mitchell	Explains the benefits and returns.
250	Chair Simmons	Asks for discussion of other amendments.
261	Vice-Chair Devlin	Notes contradictory nature of many amendments. Asks for a discussion of what the committee is willing to support in HB 2007.
275	Chair Simmons	Adjourns the meeting at 4:30 p.m.

Submitted By, Reviewed By,

Kevin E. Wells, Cletus B. Moore, Jr.,

Administrative Support Administrator

EXHIBIT SUMMARY

A ñ SB 466, written testimony, Dee Bridges, 1 p.

B ñ SB 399, written testimony, Keith Kutler, 1p.

C ñ SB 399, written testimony and example memo, Marylin Lorange, 2 pp.

D ñ HB 2007, LC draft 2157, Jeff Gilmore, 2 pp.

E ñ HB 2007, written testimony, David Mitchell, 1 p.