

HOUSE COMMITTEE ON RULES, ELECTIONS, AND PUBLIC AFFAIRS

June 8, 1999 Hearing Room D

3:30 P.M. Tapes 80 - 81

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 Gardner

Rep. Kevin Mannix

Rep. Kitty Piercy

Rep. Jim Welsh

Rep. Max Williams

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

Kevin E. Wells, Administrative Support

MEASURES HEARD: SB 671A Public Hearing and Work Session

SJR 3 Public Hearing and Work Session

HB 3628 Public Hearing and Work Session

SB 259A Public Hearing and Work Session

SB 260A Public Hearing and Work Session

SB 271A Public Hearing and Work Session

SB 276A Public Hearing

SB 461 Work Session

SB 1318 Work Session

SB 965 Work Session**SB 989 Work Session****SB 847 Work Session****SJM 13 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 80, A		
004	Chair Simmons	Calls meeting to order at 3:15 p.m. Opens public hearing on SB 671A.
<u>SB 671A PUBLIC HEARING</u>		
009		Staff submits (EXHIBIT A) .
010	Sen. Ted Ferrioli	Senate District 28. Testifies in support of SB 671A. Discusses the ñA8 amendments. Explains the need for an inter-government agreement index.
024	Chair Simmons	Asks for clarification of the ñA8 amendments.
029	Sen. Ferrioli	Elaborates on what the ñA8 amendments do.
034	Chair Simmons	Asks if the fiscal impact is minimal.
041	Chair Ferrioli	Responds that is correct. Discusses the fiscal impact.
043	Rep. Beyer	Asks how people without access to computers can obtain the information.
048	Sen. Ferrioli	Indicates that the information can be accessed through libraries.
054	Cam Birney	Department of Administrative Services (DAS). Testifies in support of SB 671A.
065	Grattan Kerans	Oregon University System. Supports SB 671ñA8 amendments.
078	Chair Simmons	Closes public hearing on SB 671A. Opens work session on SB 671A.

SB 671 WORK SESSION

080	Rep. Mannix	MOTION: Moves to ADOPT SB 671-A8 amendments dated 6/8/99.
		VOTE: 8-0 EXCUSED: 4 - Atkinson, Beck, Edwards, Gardner
	Chair Simmons	Hearing no objection, declares the motion CARRIED.
094	Rep. Mannix	MOTION: Moves SB 671A to the floor with a DO PASS AS AMENDED recommendation.
		VOTE: 8-0 AYE: In a roll call vote, all members present vote Aye. EXCUSED: 4 - Atkinson, Beck, Edwards, Gardner
	Chair Simmons	The motion CARRIES. REP. MANNIX will lead discussion on the floor.
105	Chair Simmons	Closes work session on SB 671A. Opens public hearing on SJR 3.
<u>SJR 3 PUBLIC HEARING</u>		
119	Cletus Moore	Committee Administrator. Discusses SJR 3.
120	Colleen Sealock	Indicates she is willing to answer questions (EXHIBIT B) .
122	Chair Simmons	Closes public hearing on SJR 3. Opens work session on SJR 3.
<u>SJR 3 WORK SESSION</u>		
130	Rep. Mannix	MOTION: Moves SJR 3 be sent to the floor with a BE ADOPTED recommendation.

132	Rep. Beyer	Asks how many constitutional amendments are scheduled for the November 2000 election.
134	Rep. Mannix	Answers that SJR 3 is scheduled for May 2000 with one other constitutional amendment.
139		VOTE: 8-0 AYE: In a roll call vote, all members present vote Aye. EXCUSED: 4 - Atkinson, Beck, Edwards, Gardner
142	Chair Simmons	The motion CARRIES. Rep. MANNIX will lead discussion on the floor.
149	Chair Simmons	Closes work session on SJR 3. Opens public hearing on HB 3628.
<u>HB 3628 PUBLIC HEARING</u>		
155	Janet Adkins	Policy Analyst. Discusses HB 3628 and the ñ6 amendments (EXHIBIT C).
196	Greg McMurdo	Department of Education. States that the Department supports the -6 amendments.
200	Rep. Starr	Asks who will have enforcement authority for HB 3629.
304	McMurdo	Answers the Department of Education has enforcement authority.
210	Rep. Piercy	Asks what the costs associated with HB 3629 are.
217	McMurdo	Answers that a fiscal impact statement has not yet been issued.
223	Chair Simmons	Closes public hearing on HB 3628. Opens work session on HB 3628.
<u>HB 3628 WORK SESSION</u>		
230	Rep. Beyer	MOTION: Moves to ADOPT HB 3628-6 amendments dated 6/8/99.

		VOTE: 9-0 EXCUSED: 3 - Beck, Edwards, Mannix
	Chair Simmons	Hearing no objection, declares the motion CARRIED.
235	Rep. Beyer	MOTION: Moves HB 3628 to the floor with a DO PASS AS AMENDED recommendation.
240	Rep. Beyer	Asks that HB 3628 be referred to Ways and Means if the fiscal impact is greater than \$50,000.
248		VOTE: 9-0 AYE: In a roll call vote, all members present vote Aye. EXCUSED: 3 - Beck, Edwards, Mannix
	Chair Simmons	The motion CARRIES. Rep. GIANELLA will lead the discussion on the floor.
250	Chair Simmons	Closes work session on HB 3628. Opens public hearing on SB 259A.
<u>SB 259A PUBLIC HEARING</u>		
276	Cara Filsinger	Policy Analyst. Explains SB 259A.
295	Susan Browning	Department of Revenue (DOR). Supports SB 259A. Discusses SB 259A. States that current law limits refunds paid to beneficiaries. (EXHIBIT D) .
350	Browning	Notes the bill does have an emergency clause. Explains the fiscal impact of SB 259A.
400	Browning	Explains how DOR will handle refunds.
409	Chair Simmons	Closes public hearing on SB 259A. Opens public hearing on SB 260A.
<u>SB 260A PUBLIC HEARING</u>		

TAPE 81, A

011	Browning	Supports SB 260A. Explains the bill (EXHIBIT E).
023	Rep. Starr	Asks if SB 259A and SB 260A require payment to people who missed the deadline to file a claim for a refund on a federal pension.
029	Browning	Replies that is correct.
030	Rep. Beyer	Asks about the overpayments that were made to some retirees.
033	Browning	Explains the overpayment, which occurred in 1991. Notes that there is a new computer system that reduces the chance of overpayment.
045	Rep. Beyer	Asks if there is another way for Oregon to comply with the court's ruling on the issue, possibly by taxing all pensions.
048	Browning	States that SB 260A is a direct response to the court's ruling. Suggests that there are other solutions as long as state and federal retirees are treated the same.
063	Rep. Beyer	Asks if the state is open to litigation if state, federal, and local retirees are treated differently than private retirees.
072	Browning	Answers that the distinction is between how state and federal retirees are treated.
076	Chair Simmons	Closes public hearing on SB 260A. Opens work session on SB 260A.

SB 260A WORK SESSION

082	Rep. Starr	MOTION: Moves SB 260A to the floor with a DO PASS recommendation.
		VOTE: 10-0 AYE: In a roll call vote, all members present vote Aye. EXCUSED: 2 - Edwards, Mannix
		Chair Simmons The motion CARRIES.

		REP. DEVLIN will lead discussion on the floor.
099	Chair Simmons	Closes work session on SB 260A. Opens work session on SB 259A.
<u>SB 259A WORK SESSION</u>		
111	Rep. Starr	MOTION: Moves SB 259 to the floor with a DO PASS recommendation and BE REFERRED to the committee on Ways and Means.
		VOTE: 10-0 EXCUSED: 2 - Edwards, Mannix
		Chair Simmons Hearing no objection, declares the motion CARRIED.
117	Chair Simmons	Closes work session on SB 259A. Opens public hearing on SB 271A.
<u>SB 271A PUBLIC HEARING</u>		
120	Filsinger	Discusses SB 271A. Introduces the -A2 amendments (EXHIBIT F) .
122	Dugan Petty	Purchasing Manager, DAS. Supports SB 271A. Reads written testimony (EXHIBIT G) .
163	Petty	Continues testimony in support of SB 271A.
195	Chair Simmons	Asks if Petty is satisfied with -A2 amendments.
203	Petty	Indicates his support.
212	Chair Simmons	Closes public hearing on SB 271A. Opens work session on SB 271A.
<u>SB 271A WORK SESSION</u>		
223	Rep. Starr	MOTION: Moves to ADOPT SB 271A-2 amendments dated 6/8/99.

		VOTE: 10-0 EXCUSED: 2 - Edwards, Mannix
	Chair Simmons	Hearing no objection, declares the motion CARRIED .
240	Rep. Starr	MOTION: Moves SB 271A to the floor with a DO PASS AS AMENDED recommendation.
		VOTE: 10-0 EXCUSED: 2 - Mannix, Edwards
251	Chair Simmons	The motion CARRIES . REP. STARR will lead discussion on the floor.
		Staff distributes testimony from Mark Landauner and Cindy Catto (EXHIBITS H & I).
260	Chair Simmons	Closes work session on SB 271A. Opens public hearing on SB 276A.
<u>SB 276A PUBLIC HEARING</u>		
		Staff distributes 4 amendments (EXHIBIT J).
270	Filsinger	Discusses SB 276A.
283	Dan Kennedy	DAS. Supports of SB 276 A. Reads written testimony (EXHIBIT K).
305	Chair Simmons	Asks if there is any cost to the state.
309	Kennedy	Indicates there is no cost to the state.
313	Rep. Gardner	Asks why the provisions are limited to two years.

315	Kennedy	Explains that was introduced by the Senate.
318	Rep. Gardner	Asks why school districts are not included in SB 276A.
322	Kennedy	Indicates that the Senate removed school districts from SB 276A.
329	Rep. Beyer	Asks if there is a way to address the issue of workers' contributions to PERS (public employee retirement system) increasing at a greater rate than employers' contributions.
338	Kennedy	Discusses the issue.
348	Rep. Beyer	Disputes Kennedy's answer.
362	Kennedy	Suggests that Legislative Counsel draft amendments to address the issue.
366	Rep. Devlin	Comments on the difference between employee and employer investments in PERS.
385	Kennedy	Defers to Steve Delaney.
388	Steve Delaney	Manager, Government Relations, PERS. Discusses the issue of employee-employer investment differentiation.
TAPE 80, B		
011	Ron Anderson	Vice-President, Oregon State Police Officers Association (OSPOA). Supports SB 276A. Reads written testimony (EXHIBIT L).
043	Rep. Beyer	Asks for clarification of which amendment is being discussed.
053	Bill Cross	OSPOA. Supports SB 276A with the 4 amendments.
070	Chair Simmons	Closes public hearing on SB 276A.
075	Rep. Beyer	Asks a proponent of SB 276A to have LC draft amendments to address the difference between employee and employer rates of growth in PERS.
080	Chair Simmons	Opens work sessions on SB 461, SB 1318, SB 965, SB 989, SB 847, & SJM 13.
<u>SB 461, SB 1318, SB 965, SB 989, SB 847, & SJM 13 WORK SESSIONS</u>		

100	Rep. Devlin	MOTION: Moves SB 1318 to the floor WITHOUT RECOMMENDATION as to passage and BE REFERRED to the committee on Water and Environment.
		VOTE: 12-0
	Chair Simmons	Hearing no objection, declares the motion CARRIED.
105	Rep. Devlin	MOTION: Moves SB 965 to the floor WITHOUT RECOMMENDATION as to passage and BE REFERRED to the committee on Water and Environment.
		VOTE: 12-0
	Chair Simmons	Hearing no objection, declares the motion CARRIED.
110	Rep. Devlin	MOTION: Moves SB 989 to the floor WITHOUT RECOMMENDATION as to passage and BE REFERRED to the committee on Water and Environment.
		VOTE: 12-0
	Chair Simmons	Hearing no objection, declares the motion CARRIED.
115	Rep. Devlin	MOTION: Moves SB 847 to the floor WITHOUT RECOMMENDATION as to passage and BE REFERRED to the committee on Water and Environment.
		VOTE: 12-0
	Chair Simmons	Hearing no objection, declares the motion CARRIED.
120	Rep. Devlin	MOTION: Moves SJM 13 to the floor WITHOUT RECOMMENDATION as to passage and BE

		REFERRED to the committee on Water and Environment.
		VOTE: 12-0
	Chair Simmons	Hearing no objection, declares the motion CARRIED.
125	Rep. Devlin	MOTION: Moves SB 461 to the floor WITHOUT RECOMMENDATION as to passage and BE REFERRED to the committee on Water and Environment.
		VOTE: 12-0
	Chair Simmons	Hearing no objection, declares the motion CARRIED.
130	Chair Simmons	Closes work sessions on SB 461, SB 1318, SB 965, SB 989, SB 847, & SJM 13. Adjourns the meeting.

Submitted By, Reviewed By,

Kevin E. Wells, Jennifer Peck,

Administrative Support Committee Coordinator

EXHIBIT SUMMARY

A ñ SB 671, -A8 amendments, staff, 1 p

B ñ SJR 3, written testimony, Colleen Sealock, 1 p

C ñ HB 3628, -6 amendments, staff, 8 pp

D ñ SB 259, court script, Susan Browning, 9 pp

E ñ SB 260, written testimony, Susan Browning, 2 pp

F ñ SB 271, -A2 amendments, staff, 4 pp

G ñ SB 271, written testimony, Dugan Petty, 3 pp

H ñ SB 271, written testimony, Mark Landauer, 1 p

I ñ SB 271, written testimony, Cindy Catto, 1 p

J ñ SB 276A, -A4 amendments, staff, 1 p

K ñ SB 276A, written testimony, Dan Kennedy, 1 p

L ñ SB 276A, written testimony, Ron Anderson, 5 pp