

HOUSE COMMITTEE ON RULES, ELECTIONS, AND PUBLIC AFFAIRS

July 18, 1999 Hearing Room D

2:30 P.M. Tapes 156 - 157

MEMBERS PRESENT: Rep. Mark Simmons, Chair

Rep. Richard Devlin, Vice-Chair

Rep. Bruce Starr, Vice-Chair

Rep. Roger Beyer

Rep. Randall Edwards

Rep. Dan Gardner

Rep. Kevin Mannix

MEMBER EXCUSED:

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

Kevin E. Wells, Administrative Support

MEASURES HEARD: SJR 6 Work Session

SB 1333A Work Session

SB 1336A Work Session

SB 328B 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 156, A		
003	Chair Simmons	Calls meeting to order at 5:45 p.m. Opens work session on SJR 6A.
<u>SJR 6A WORK SESSION</u>		

008	Pat Zwick	Policy Analyst. Reviews the SJR 6 ñA6 amendments (EXHIBIT A).
012	Rep. Mannix	MOTION: Moves to ADOPT SJR 6-A6 amendments dated 7/16/99.
015	Rep. Gardner	Asks if the Governor, currently, can appoint State Ambassadors.
016	Rep. Mannix	Replies that the Governor can appoint State Ambassadors.
017	Chair Simmons	States that SJR 6-A6 clarifies the issues and benefits of State Ambassadors.
		VOTE: 4-3 AYE: 4 - Beyer, Mannix, Starr, Simmons NAY: 3 - Devlin, Edwards, Gardner
	Chair Simmons	The motion CARRIES.
029	Rep. MANNIX:	MOTION: Moves SJR 6A be sent to the floor with a BE ADOPTED AS AMENDED recommendation.
030	Rep. Mannix	States that SJR 6A encourages the Governor to be involved in foreign trade and economic development, while setting guidelines and standards for that engagement. Adds there currently is no constitutional impediment to the Governor undertaking such actions.
039	Chair Simmons	States that SJR 6A provides the opportunity for the Legislature to recognize the importance of foreign trade and economic development.
050		VOTE: 4-3 AYE: 4 - Beyer, Mannix, Starr, Simmons NAY: 3 - Devlin, Edwards, Gardner
	Chair Simmons	The motion CARRIES. REP. KNOPP will lead discussion on the floor.

	Chair Simmons	Closes Work Session SJR 6A. Opens Work Session SB 1333A.
<u>SB 1333A WORK SESSION</u>		
073	Vice-Chair Devlin	Concept
073	Rep. Devlin	MOTION: Moves to AMEND SB 1333A to delete Sections 2 and 3.
082	Rep. Gardner	Supports the motion. Objects to SB 1333A because it will effect the outcome of pending litigation.
085	Rep. Mannix	States he will vote no on the proposed amendment as a courtesy.
090		VOTE: 3-4 AYE: 3 - Devlin, Edwards, Gardner NAY: 4 - Beyer, Mannix, Starr, Simmons
	Chair Simmons	The motion FAILS.
095	Rep. Starr	MOTION: Moves SB 1333A to the floor with a DO PASS recommendation.
098	Rep. Mannix	States he will vote yes as a courtesy. Expresses concern about the retroactive provisions of SB 1333A.
105		VOTE: 4-3 AYE: 4 - Beyer, Mannix, Starr, Simmons NAY: 3 - Devlin, Edwards, Gardner
	Chair Simmons	The motion CARRIES. REP. STARR will lead discussion on the floor.
115	Chair Simmons	Closes Work Session SB 1333A. Open Work Session SB 1336A.

SB 1336A WORK SESSION

123	Rep. Beyer	Asks if there are amendments to SB 1336A.
126	Vice-Chair Starr	Explains SB 1336A addresses covenant marriages. Reviews the history of the legislation. Suggests an amendment for cause of divorce. Explains covenant marriage.
163	Rep. Mannix	Supports SB 1336 without an amendment.
168	Rep. Gardner	Asks if, in SB 1336A, habitual drinking is cause for divorce.
170	Vice-Chair Starr	Answers that it is.
173	Rep. Mannix	Discusses the difference between habitual drinking and habitual gambling.
186	Rep. Gardner	Asks if the public will have an opportunity to testify on SB 1336A.
191	Chair Simmons	Explains that SB 1336 was heard previously in the Senate.
195	Rep. Mannix	Comments that the legislative process, at the end of the legislative session, moves quickly.
203	Rep. Beyer	MOTION: Moves SB 1336A to the floor with a DO PASS recommendation.
204	Rep. Edwards	States that SB 1336A warrants public hearing.
217	Vice-Chair Starr	Agrees that it is acceptable to schedule SB 1336A for public hearing.
234	Rep. Mannix	States that SB 1336A is prospective, so that it will only effect those who voluntarily participate. Suggests that the committee vote.
250	Rep. Beyer	Comments on the voluntary nature of SB 1336A.
262	Rep. Gardner	Points out that SB 1336A is a dramatic change. Stresses that it needs public hearing.
270	Chair Simmons	Agrees that SB 1336A needs further hearing. Adds that SB 1336A does not introduce major changes.

278	Rep. Beyer	Withdraws previous motion.
282	Chair Simmons	Closes Work Session SB 1336A. Open Work Session SB 328B.
<u>SB 328B WORK SESSION</u>		
292	Rep. Devlin	MOTION: Moves to ADOPT SB 328B-3 amendments dated 7/16/99.
293	Chair Simmons	Asks for staff overview of SB 328B.
294	Cara Filsinger	Policy Analyst. Reviews SB 328-B3 amendments (EXHIBIT B).
304	Steve Delaney	Manager, Government Relations, Public Employees Retirement System (PERS). Presents (EXHIBIT C) in support of SB 328B. Explains it allows for funds to rollover into PERS when an employee is hired by a PERS employer.
322	Rep. Edwards	Asks Delaney to list qualified plans that can rollover into PERS
325	Delaney	Discusses types of qualified plans included in SB 328B.
332	Rep. Edwards	Asks how frequently PERS receives requests to rollover funds into PERS accounts.
335	Delaney	Replies that such requests are infrequent because PERS has not had the ability to do this.
341	Rep. Edwards	Asks if SB 328B affects PERS under federal tax regulation.
347	Delaney	Replies that SB 328B should not affect PERS tax status, but they are seeking a ruling from the Internal Revenue Service (IRS) on the issue.
350	Rep. Edwards	Asks what happens if the IRS does not issues a favorable ruling.
354	Delaney	Explains that PERS will not go forward with the project without a favorable ruling.
358	Chair Simmons	Asks Delaney what the fiscal impact is for the -B3 amendments.
361	Delaney	Replies that there is no change from SB 328B.

364	Rep. Beyer	Asks for clarification on SB 328B.
370	Delaney	Defers to Dave Heynderickx.
375	Dave Heynderickx	Legislative Counsel. Explains that the language makes it clear that SB 328B is not a mandate; implementation is at the discretion of PERS.
389	Rep. Beyer	Asks if SB 328B will cause a problem with matching funds accounts.
399	Delaney	Answers that rollovers will be held in a separate account and there is no employer obligation.
412	Rep. Edwards	Asks how rollovers are invested.
420	Delaney	Answers that the funds would be invest the same as other PERS funds.
TAPE 157, A		
002	Vice-Chair Starr	Asks if Vice-Chair Devlin's motion is still on the floor.
003	Chair Simmons	Answers that the motion is on the floor.
006	Tamara Dykeman	Community College Association. Supports SB 328. Explains that portability is important for recruiting community college instructors.
019		VOTE: 7-0
	Chair Simmons	Hearing no objection, declares the motion CARRIED.
022	Rep. Devlin	MOTION: Moves SB 328B to the floor with a DO PASS AS AMENDED recommendation.
		VOTE: 7-0 AYE: Hearing no objection, declares the motion CARRIED.
	Chair Simmons	The motion CARRIES.

		REP. GARDNER will lead discussion on the floor.
025	Chair Simmons	Closes Work Session SB 328B. Adjourns the meeting at 6:15 p.m.

Submitted By, Reviewed By,

Kevin E. Wells, Jim Stembridge.,
Administrative Support Administrator

EXHIBIT SUMMARY

A ñ SJR 6, ñA6 amendments, staff, 1 p

B ñ SB 328, -B3 amendments, staff, 1 p

C ñ SB 328, written testimony, Steve Delaney, 2 pp