

HOUSE COMMITTEE ON GENERAL GOVERNMENT

April 4, 1997 Hearing Room D

1:00 P.M. Tapes 64 - 66

**MEMBERS PRESENT:**

Rep. Ken Strobeck, Chair

Rep. Dan Gardner, Vice-Chair

Rep. Jim Hill

Rep. Bob Montgomery

Rep. Kurt Schrader

Rep. Liz VanLeeuwen

Rep. Tom Whelan

**STAFF PRESENT:**

Jeri Chenelle, Administrator

Annetta Mullins, Administrative Support

**MEASURE/ISSUES HEARD:**

HB 2181 - Work Session

HB 2103 - Public Hearing

HB 3061 - Public Hearing

HB 3141 - Public Hearing

**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.**

<b>Tape/#</b>	<b>Speaker</b>	<b>Comments</b>
<b>Tape 64, A</b>		
003	Chair Strobeck	Calls meeting to order at 1:02 p.m. and opens the work session on HB 2181.
<u><b>HB 2181 - WORK</b></u>		

<b>SESSION</b>		
003	Chair Strobeck	Reminds the committee the bill was heard and discussed, that the committee has received a letter from Alan Willis, Port of Portland, regarding their interpretation of what HB 2181 does ( <b>EXHIBIT A</b> ).
011	Jeri Chenelle	Administrator, informs the committee that the fiscal statement has been received ( <b>EXHIBIT B</b> ).
024	Chair Strobeck	Asks that the committee stand at ease from 1:04 to 1:05 p.m.
041	<b>Rep. Gardner</b>	<b>MOTION: Moves HB 2181 to the floor with a DO PASS recommendation.</b>
044		<b>VOTE: 5-0</b>  <b>AYE: 5 - Gardner, Montgomery, Schrader, Whelan, Strobeck</b>  <b>EXCUSED: 2 - Hill, VanLeeuwen</b>  <b>(REP. HILL VOTES AYE. See below.)</b>
	Chair	<b>The motion CARRIES.</b>  <b>REP. STROBECK will lead discussion on the floor.</b>
050	<b>Rep. Whelan</b>	<b>MOTION: Moves to SUSPEND the rules for the purpose of allowing Rep. Hill to vote on passage of HB 2181.</b>
051		<b>VOTE: 6-0</b>  <b>EXCUSED: 1 - VanLeeuwen</b>
	Chair	<b>Hearing no objection, declares the motion CARRIED.</b>
054	Chair Strobeck	Closes the work session on HB 2181 and opens the public hearing on HB 2103.
<b><u>HB 2103 - PUBLIC HEARING</u></b>		
055	Jeri Chenelle	Administrator, reviews provisions of HB 2103.
	Chair Strobeck	Announces that Eugene Organ, Executive Director of the Oregon Disabilities Commission cannot be here today but has submitted a statement in support of HB 2103 ( <b>EXHIBIT C</b> ).
067	T. J. Davis	Manager, Oregon Disabilities Commission's Deaf and Hard of Hearing Access Program (DHHAP), testifies in support of HB 2103 ( <b>EXHIBIT D</b> ).
100	Davis	Continues presentation.
		Issues discussed:
152		* liability of agency
		* funding

		* restriction on using agency staff
		* provision opens up possibility for using staff interpreter; agency does not have staff position because of salary
		* agency wants to have backup plan if no free lance interpreter is available
200	Rep. Schrader	Suggest there be language added to the bill to make sure it is not misused.
		Issues discussed:
214		* billing process by state agencies for free lance interpreters
		* costs for interpreter services are in the millions; Department of Human Resources uses approximately 1,200 to 1,400 hours per month and the current going rate is between \$35 and \$50 an hour
237		* involvement of Oregon Disability Commission in scheduling interpreters
253		* contracted services with state agencies through interagency agreements
290		* savings to commission
311		* qualifications, national certification, and licensure of interpreters
350		* needs of agencies for interpreters
384	Lisa Dayton	Small Business Owner and President, Mid Valley Interpreters Service,, testifies in opposition to HB 2103 ( <b>EXHIBIT E</b> ).
<b>TAPE 65, A</b>		
004	Dayton	Continues presentation.
050	Dayton	Continues presentation.
		Issues discussed:
		* frequency the agency is unable to fill a request
		* whether the agency would object to having an agency staff person fill in
071		* time involved in obtaining service
		* certified interpreters are paid \$30 to \$45 per hour
		* whether commission would be competing with private business
105		* differences between DHHAP and private agency
127	Rep. Hill	Asks why the agencies cannot use the private agencies.
131	Anna Chinburg	Testifies that many state agencies are under the impression they cannot call anybody but the DHHAP program.
134	Dayton	Explains she asks the advisory board to DHHAP to look into subcontracting with the agencies; they were supposed to set up a task force to investigate it and to present their findings to the board, but it has not taken place.
167	Karen	An interpreter, testifies in opposition to HB 2103 ( <b>EXHIBIT F</b> ).

	Donnelly	
		Issues discussed:
198		* whether there is requirement for agencies to contract with Oregon Disabilities Commission
236	Rep. Schrader	Comments the agency is requesting the expansion of authority, and it seems clear they do not need to be in the business. Asks to see a budget breakdown and the agency mission statement.
258	Patti Togioka	A certified sign language interpreter, testifies in opposition to HB 2103 <b>(EXHIBIT L)</b> .
		* duties have included working in many states, hiring interpreters, is communication specialist at School for the Deaf, has given workshops around the country, done evaluations, and teaches at Western Oregon State University
330		* believes Disabilities Commission is overstepping its bounds
		* questions word changes "shall contract", "shall provide", and "may contract"
348		* has chosen not to contract with DHHAP because with their rate structure would be paid over \$50 per hour to interpret, but feels when job is more than one-half hour away, should get paid for that time but DHHAP does not pay for travel time
391		* line 15, "qualified" is important word; qualified means skill and ability to do the work
		* reviews history of work on SB 744 (1991 Session)
435		* instead of coming up with a system, the commission wants to determine basic qualifications
<b>TAPE 64, B</b>		
026		* lack of qualified personnel in agency program and staff turnover
		* lack of communication with interpreter community
047		* commission staff is trying to be an advocate, determine qualifications, and become a referral agency
052	Nancy Ward	Interpreter, testifies in opposition to HB 2103 <b>(EXHIBIT G)</b> .
089	Sandra Gish	Interprets testimony of Robert E. Scheffel.
099	Robert E. Scheffel	(Speaking through Sandra Gish, Interpreter) representing the Deaf Forum of the Oregon School for the Deaf and the Oregon Association of the Deaf testifies in opposition to HB 2103 <b>(EXHIBIT H)</b> .
140	Scheffel	Continues presentation.
180	Scheffel	Continues presentation.
	Gish	Interprets for Bob Linsfors.
253	Bob Linsfors	(Speaking through Sandra Gish, Interpreter) President of Oregon Association of the Deaf, testifies in opposition to HB 2103.
280		* tells of experience of having been called by U. S. Federal Court and

		was unable to serve because DHAAP was unable to provide interpreter
298		* the system is not working
301	Chair Strobeck	Asks that Mr. Davis report the concerns to Mr. Organ and to meet with those who have testified to attempt to develop some compromise language.
305	Chair Strobeck	Closes the public hearing on HB 2103 and opens the public hearing on HB 3061.
<b><u>HB 3061 - PUBLIC HEARING</u></b>		
326	Jeri Chenelle	Administrator, reviews provision of HB 3061.
336	Rep. Liz VanLeeuwen	Explains the restrictions on modifying residences for housing for relatives; restrictions are the same as in Albany.
372	Glen Koehrsen	Legislative Assistant to Rep. Liz VanLeeuwen, explains the information came out of the Albany Development Code and permits a primary residence with an accessory apartments in the downtown area, a historic district with big houses, outright, and is permitted with a conditional use permit in other residential areas as long it complies with the four conditions.
367	Rep. VanLeeuwen	Adds having someone living in a home provides more housing and more security for the property.
376	Chair Strobeck	Asks if this would include remodeling a home.
401	Rep. VanLeeuwen	Responds it could be an addition to a house to make a separate housing unit under the same roof.
	Chair Strobeck	Questions whether the remodeling would be a temporary housing situation.
411	Koehrsen	Explains the provision was included before he knew the City of Albany allowed this outright; Albany calls them single family residences with accessory units; provisions are included in the bill so it would not turn into an apartment house. Adds that the Albany Development Code would not require it to be temporary, and should probably be amended out, and that Albany is encouraging this to increase the density in the residential areas so more land is not used in building more units.
436	Rep. VanLeeuwen	Comments that while Albany allows the modification of homes, not all cities do.
<b><u>TAPE 65, B</u></b>		
005	Rep. Hill	Asks if a new owner could rent out the section of the residence.
		Discussion continues on whether this creates a multi-family housing unit.
021	Rep. VanLeeuwen	Asks if she should amend the bill to include the code from Albany.
	Rep.	Comments he thinks Albany is doing it right and that local governments

025	Montgomery	should have the option.
034	Koehrsen	Comments Phil Fell does not appreciate the mandate approach and agrees the mandate is perhaps not the right way.
044	Rep. VanLeeuwen	Adds that the idea in HB 3061 started out as the "granny flats" idea years ago as providing affordable housing for a few more people and also allowing senior citizens the opportunity to have some income to allow them to stay in their own home.
057	Rep. Hill	Questions whether this could apply in rural areas.
	Rep. VanLeeuwen	Comments on restrictions in EFU zones, and that she would rather have people live in the same house than take another acre out of production to set up another residence.
073	Philip Fell	League of Oregon Cities, comments they historically have been opposed to the mandate:
		* "granny flats" time has come because there are efforts to develop with greater densities
		* believes city officials and planning department staff are getting older and trying to figure out how they are going to deal with the kids and the aging relative at the same time
108		* offers to send letter to every mayor and city manager encouraging them to look closely at the idea and consider using it
		* offers to see that the concept of "granny flats" is discussed at the Oregon Planning Directors meeting, to hold a session on it at the LOC annual conference and to write an article or two that will go to all city officials encouraging them to look at the idea of "granny flats" pointing out how Albany has managed to reduce or eliminate neighborhood opposition and let them know who else is doing this and what form and conditions they have attached.
168	VanLeeuwen	Agrees to work with the League of Oregon cities and report back to the Chair Strobeck.
172	Chair Strobeck	Closes the public hearing on HB 3061 and opens the public hearing on HB 3141.
<b><u>HB 3141 - PUBLIC HEARING</u></b>		
175	Jeri Chenelle	Reviews provisions of HB 3141.
184	Rep. Randall Edwards	Introduces Rollie Wisbrock and Mike Sherlock, advises the task force report has been delivered, and testifies in support of HB 3141:
		* lack of people saving for retirement
		* social security
		* employer sponsored plans are changing
		* people are required to make sophisticated investment decisions with or without the background to do so

		* less than one-half of working Oregonians save through an employer pension plan
		* only 40 percent of firms with less than 100 employees have some savings vehicle for their employees
		* only 27 percent of those who do work for small employers actually put some money away for retirement
		* Oregon is ranked 4th in non-consumer mortgage debt
		* Oregon has an older group of baby boomers; the average is closer to retirement than the national trend
241		* Oregonians have a lower average income than the rest of the nation
		* the job market continues to change; temporary and part-time jobs are the fastest growing employment sectors and generally do not offer any benefit package
		* demographics are changing
		* by the year 2040, Oregon's population over 65 is going to grow immensely
268	Rep. Edwards	Reviews task force recommendations.
330	Rep. Edwards	Reviews provisions of HB 3141 <b>(EXHIBIT I)</b> .
359	Rep. VanLeeuwen	Asks if 50 cents were saved for a child every day from the day of birth until age 60, what the amount would be.
376	Rollie Wisbrock	Comments he will provide the answer to Rep. VanLeeuwen.
381	Rep. VanLeeuwen	Questions whether the commission is needed.
395	Rollie Wisbrock	Chief of Staff, Oregon Treasury, responds the task force considered whether a commission was needed and came to the conclusion it was needed because there are a number of educational issues addressed in the bill that look at trying to create programs, and the mandate to look for the PERS alternative investment vehicle is so complex it needs the direct attention of some smart people.
<b>TAPE 66, A</b>		
017	Rollie Wisbrock	Chief of Staff, Office of State Treasurer, testifies in support of HB 3141 <b>(EXHIBIT J)</b> .
050	Wisbrock	Continues presentation.
100	Wisbrock	Continues presentation.
129	Rep. Hills	Questions the use of the word "ombudsman" on page 2, line 12.
145	Wisbrock	Responds they want to take the interest of the state relative to social security and create a relationship as federal policy is changed because it will have a direct impact.

153	Mike Sherlock	Owner, Sherlock Oil Co., testifies in support of HB 3141:
		* employs around 35 people ranging from new hire to several people who have been with the company around 16 years
		* 10 percent of gross pay of participating people is put in an SEP
		* was difficult to get all information together to determine there could be a decent program for the employees
		* feels a responsibility to make sure employees are set up for a good retirement
		* Oregon's small business can use the kind of help needed in setting up their program
		* believes every small business would be in support of HB 3141
206	Rep. Hill	Suggests there be a legislative advocate on the commission to provide some information back to the legislative body.
220	Rep. Edwards	Responds he believes that would not be a bad idea. Adds the group will be proactive to solve problems.
	Wisbrock	Comments an ex-officio member of the legislature would be good.
260	Chair Strobeck	Notes the committee has received a letter from Duane R. Thompson, Institute of Certified Financial Planners, suggesting an amendment <b>(EXHIBIT K)</b> .
265	Rep. Edward and Wisbrock	Comment they have no problem with the amendment proposed by the Institute of Certified Financial Planners.
268	Chair Strobeck	Comments he is sensitive to incentives and asks if the witnesses would object to deleting "incentives and" and say "public and private programs to encourage and facilitate participation".
266	Rep. Edwards	Responds that one of the limitations of the task force was they had just started to touch that issue; the preference would be to try to leave it in to see what they come up with. Adds if the task force is working with the federal government, there may be certain types of exemptions or other things that would help the state.
298	Chair Strobeck	Comments this will generate some awareness of the issue.
312	Wisbrock	Adds, referring to incentives, the issues are federal and very complex and believes there is a role to share concerns and impacts of federal policy on Oregonians.
322		Explains the benchmarks are in the legislation to establish an awareness, to measure the commission, and to establish a clear benchmark that the legislature can look at.
332	Rep. Whelan	Comments on the diminishing number of systems for employees.
350	Sherlock	Comments as a small employer, if there were some way available to tap into the state PERS program, either directly or a model that would make a small employer comfortable, people would flock to it.



Submitted By, Reviewed By,

Annetta Mullins, Jeri Chenelle,

Administrative Support Administrator

**EXHIBIT SUMMARY**

**A - HB 2181 - prepared statement, Alan Willis, 2 pp**

**B - HB 2181, Legislative Fiscal Analysis, staff, 1 p**

**C - HB 2103, prepared statement, Eugene Organ, 2 pp**

**D - HB 2103, prepared statement, T. J. Davis, 2 pp**

**E - HB 2103, prepared statement, Lisa Dayton, 2 pp**

**F - HB 2103, prepared statement, Karen Donnelly, 2 pp**

**G - HB 2103, prepared statement, Nancy Ward, 1 p**

**H - HB 2103, prepared statement, Robert Scheffel, 3 pp**

**I - HB 3141, prepared statement, Rep. Randall Edwards, 1 p**

**J - HB 3141, prepared statement, Rollie Wisbrock, 6 pp**

**K - HB 3141, letter from Duane R. Thompson, 1 p**

**L - HB 2103, prepared statement, Patti Togioka, 1 p**