

HOUSE COMMITTEE ON RULES AND ELECTIONS

April 21, 1997 Hearing Room E

4:00 p.m. Tapes 47

**MEMBERS PRESENT:**

Rep. Lynn Snodgrass, Chair

Rep. Peter Courtney, Vice-Chair

Rep. Lee Beyer

Rep. Bill Markham

Rep. Ken Messerle

Rep. Bob Montgomery

Rep. Kitty Piercy

**MEMBER EXCUSED:**

**STAFF PRESENT:**

Rosemary Wood, Administrator

Valerie Luhr, Administrative Support

Kellie Shoemaker, Committee Clerk

**MEASURE/ISSUES HEARD:**

HB 2480 Public Hearing

SJR 7 Work Session

HB 2166 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.**

Tape/#	Speaker	Comments
TAPE, 47 A		
005	Chair Snodgrass	Calls the meeting to order at 4:15 p.m. Opens public hearing on HB 2480.

<b>HB 2480 - PUBLIC HEARING</b>		
007	Rosemary Wood	Committee Administrator, reviews the provisions of HB 2480.
011	Chair Snodgrass	Comments that the bill was drafted at the request of Rep. Johnson, he wants a chance to testify on the bill but is ill today.
018	Dave Henderson	Legislative Administration Manager, currently are required to pay per diem to legislators weekly during session requiring a large amount of paper work.
028	Chair Snodgrass	Asks how he feels about the bill, would it help the LAC office?
030	Henderson	States that the bill as drafted would create, potentially, more problems for our office. But there are some amendments <b>[EXHIBIT A]</b> which would simplify matters for us and the central payroll office.
033	Chair Snodgrass	Asks Dave to speak to the amendment.
034	Henderson	Comments on amendment; requires per diem be paid twice monthly.
041	Chair Snodgrass	Is this process different from the way per diem is handled in the interim; would it have a negative effect?
044	Henderson	Would not anticipate a change in the way we handle interim per diem checks.
047	Chair Snodgrass	Asks a question regarding emergency board and gives example.
049	Henderson	Replies.
050	Rep. Markham	Does this mean to simplify it from your office you make the payroll and per diem twice monthly? Has anyone questioned this change so far?
057	Rep. Montgomery	Has anyone complained beside Rep. Johnson?
059	Henderson	Says it is more than Rep. Johnson, have had a number of members complain about receiving checks on a weekly basis.
062	Rep. Piercy	Since it affects all of us, it would be a good idea to ask the body to respond to this.
066	Chair Snodgrass	Does not plan to pass the bill out today, just wants to get all the information out.
067	Rep. Piercy	Would be willing to take it to her caucus.
070	Rep. Markham	Asks if all the state payroll is handled on a twice monthly basis?
072	Henderson	Explains when checks are cut. Monthly system with a supplemental run at mid-month.
076	Rep. Markham	Asks if it is every two weeks or every month with a draw.

077	Henderson	They are paid monthly and they can do a draw.
079	Chair Snodgrass	Asks if there are any other questions and if Dave has any more comments.
080	Henderson	Would be happy to attend caucus meetings to give explanation.
082	Chair Snodgrass	Asks about the fiscal impact.
085	Henderson	Does not know who they got that information from; would save about \$2500 by cutting fewer checks.
090	Chair Snodgrass	Closes public hearing on HB 2480. Opens work session on SJR 7.
<b><u>SJR 7 - WORK SESSION</u></b>		
096	Rosemary Wood	Committee Administrator, reviews provisions of SJR 7.
099	Chair Snodgrass	Asks administrator to review -1 amendments <b>[EXHIBIT B]</b> .
101	Wood	Reviews the -1 amendments.
<b>108</b>	<b>Rep. Montgomery</b>	<b>MOTION: Moves to ADOPT SJR 7-1 amendments dated 04/09/97.</b>
		<b>VOTE: 5-0</b>
		<b>EXCUSED: 2 - Beyer, Courtney</b>
	<b>Chair Snodgrass</b>	<b>Declares the motion CARRIED.</b>
<b>115</b>	<b>Rep. Montgomery</b>	<b>MOTION: Moves SJR 7 be sent to the floor with a BE ADOPTED AS AMENDED recommendation.</b>
		<b>VOTE: 5-0</b>
		<b>EXCUSED: 2 - Beyer, Courtney</b>
	<b>Chair Snodgrass</b>	<b>Hearing no objection, declares the motion CARRIED. MONTGOMERY will lead discussion on the floor.</b>
126	Chair Snodgrass	Closes work session on SJR 7. Opens public hearing on HB 2166.
<b><u>HB 2166 - PUBLIC HEARING</u></b>		
137	Chair Snodgrass	States that the committee had several questions on the bill, and comments that there are amendments <b>[EXHIBIT C]</b> .
142	Rep. Montgomery	Asks a question, referring to page 3, lines 4,5, and 6 of the bill, regarding public bodies and boards.

146	Pat Hearn	Asks if when speaking of a hospital board is it a public hospital. This only applies to public entities.
151	Rep. Montgomery	Do we do it with a public hospital now.
152	Hearn	Replies, any public entity is covered by statute now.
153	Rep. Montgomery	So we don't need it.
154	Chair Snodgrass	Do you mean we don't need this particular section of the bill?
157	Rep. Montgomery	Says if everyone is covered, why are we re-covering them twice.
160	Hearn	Refers to his previous testimony in February. The purpose is to make clearer the definition of a "public body."
171	Rep. Montgomery	Asks question regarding advisory boards, gives an example.
177	Hearn	This bill has nothing to do with the filling out of forms.
179	Chair Snodgrass	Asks Hearn if he could then remind us what this has to do with.
181	Hearn	Currently under ORS 244.040, paragraph 6, there is a reference to a "member of the governing body of a public body." However, "governing body" and "public body" are not defined. This proposed amendment [EXHIBIT C] would transport the definitions which are stated in public meetings law to ORS 244.
206	Rep. Montgomery	On lines 11, 12, 13, and 14, why do we need to include "brothers, sisters, etc." when we cannot be responsible for what they do.
212	Hearn	That is perceptual view. It is currently prohibited to take action which benefits a sibling. This bill is focusing on including spouses of stepparents and spouses of siblings. Because "if an action is taken which is of a financial benefit to me, it's certainly going to be to my wife as well." Does appear that the wording does go farther than the original intention. Would not oppose any amendment to clarify.
246	Chair Snodgrass	You would allow deletion of line 14 and line 15.
248	Hearn	On line 15 after, the work "public official," delete the phrase "or the public official's spouse."
258	Chair Snodgrass	There is still a personal concern to me because I have so many brothers-and sisters-in-law.
270	Hearn	This would delete your husband's brothers' spouses.
277	Rep. Beyer	Has same concerns as Rep. Montgomery. You have to look at what is a public official; then go back and look at conflicts of interest. Have a sense that we are pretty broad here. Does not have a problem with larger bodies, but do when you start dealing with small ad hoc advisory committees that are formed one time for a specific recommendation.

		The number of possible entanglements may result in people refusing to help.
298	Rep. Messerle	Agrees with some of comments being made. Comes from a fourth generation family in home county. Thinks people who would in most cases be willing to serve on local boards and commissions would find it difficult to put themselves into this kind of position.
312	Rep. Montgomery	On page 2 line 30, referring to "governing body" would be two or more.
318	Hearn	That language was simply transported from public meetings law by legislative counsel.
324	Chair Snodgrass	If this law doesn't go anywhere this session will your job change?
326	Hearn	It will not change. This bill was not done for us, it was an attempt to make this law easier for public officials to understand.
334	Chair Snodgrass	Closes public hearing on HB 2166.
339	Chair Snodgrass	Mentions HJR 47. Asks Rep. Beyer if he has had a chance to look at the -2 amendments [EXHIBIT D].
363	Rosemary Wood	Explains the -2 amendments.
372	Chair Snodgrass	States that not in work session or public hearing and that she is looking for different amendments than the -2.
381	Chair Snodgrass	<b>MOTION: Requests unanimous consent that the rules be SUSPENDED to allow REP. COURTNEY and REP. BEYER to BE RECORDED as voting AYE on SJR 7.</b>
396	Chair Snodgrass	Declares the meeting adjourned at 4:38 p.m.

Submitted by, Reviewed by,

Valerie H. Luhr Rosemary Wood

Administrative Support Specialist Administrator

Transcribed by,

Kellie Shoemaker

Committee Clerk

### EXHIBIT SUMMARY

**A - HB 2480, proposed amendments, staff, 1 p**

**B - SJR 7, proposed amendments, staff, 1 p**

**C - HB 2166, proposed amendments, staff, 1 p**

**D - HJR 47, proposed amendments, staff, 3 pp**

**E - HB 2166, mailed testimony, Sarah Hackett, 3 pp**