

**HOUSE COMMITTEE ON RULES AND ELECTIONS**

**May 19, 1997 Hearing Room E**

**4:00 P.M. Tapes 66 - 67**

**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**

**STAFF PRESENT:**

**Rosemary Wood, Administrator**

**Valerie Luhr, Administrative Support**

**Kellie Shoemaker, Committee Clerk**

**MEASURE/ISSUES HEARD:**

**HB 2799 Work Session**

**SB 764 Work Session**

**HB 2001 Work Session**

**HB 3328 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 66, A</b>		
004	Chair Snodgrass	Calls meeting to order at 4:08 PM and opens work session on HB 2799.

<b><u>HB 2799 WORK SESSION</u></b>		
013	Patricia O'Sullivan	Introduces herself as representing Department of Administrative Services. Discusses HB 2799-2 amendments and associated handouts from 05/07/97 public hearing.
060	O'Sullivan	Continues explaining -2 amendments.
064	Rep. Markham	Comments on similar legislation from previous session and asks what statute was amended.
070	O'Sullivan	Discusses and explains ORS 183.335.
082	Rep. Messerle	Asks why Department of Land Conservation and Development is not on list of agencies who must comply.
086	O'Sullivan	States that -2 amendments require compliance by all state agencies.
089	Chair Snodgrass	Affirms O'Sullivan's statement.
098	Rep. Beyer	Asks if Governor supports bill and -2 amendments.
102	O'Sullivan	States that Governor supports bill and -2 amendments.
107	Chair Snodgrass	States that 110 state rule-making agencies have reviewed bill and -2 amendments..
120	Rep. Beyer	<b>MOTION: Moves to ADOPT HB 2799-2 amendments dated 05/07/97.</b>
		<b>VOTE: 7-0</b>
		<b>AYE: In a roll call vote, all members present vote Aye.</b>
	Chair Snodgrass	<b>The motion CARRIES.</b>
127	Rep. Beyer	<b>MOTION: Moves HB 2799 to the floor with a DO PASS AS AMENDED recommendation.</b>
		<b>VOTE: 7-0</b>
		<b>AYE: In a roll call vote, all members present vote Aye.</b>
	Chair Snodgrass	<b>The motion CARRIES.</b>
135	Chair	Closes work session on HB 2799 and opens work session on SB 764.
<b><u>SB 764 WORK SESSION</u></b>		
141	Rep. Courtney	<b>MOTION: Moves SB 764 to the floor with a DO PASS recommendation.</b>
		<b>VOTE: 7-0</b>
		<b>AYE: In a roll call vote, all members present vote Aye.</b>

	<b>Chair Snodgrass</b>	<b>The motion CARRIES.</b> <b>REP. WHELAN will lead discussion on the floor.</b>
159	Chair	Closes work session on SB 764 and opens work session on HB 2001.
<b><u>HB 2001 WORK SESSION</u></b>		
163	Scott Corwin	Introduces himself as representing Speaker Lynn Lundquist's office and explains HB 2001-2 amendments ( <b>EXHIBIT A</b> ). Discusses need for bill.
220	Corwin	Continues review of -2 amendments.
248	Rep. Piercy	States concern about initiative review process, specifically the difficulty of distinguishing between similar initiatives.
254	Corwin	States that issue is not addressed by -2 amendments.
260	Rep. Piercy	Expresses concern about having differences and similarities of initiatives clarified.
268	Corwin	Continues review of -2 amendments. Explains section 6 of amendments.
288	Rep. Markham	Asks for definition of "high positions" as used in bill.
293	Corwin	States that "high positions" refers to positions subject to Senate confirmation. Discusses need for initiative committee members to have immunity.
321	David Schuman	Introduces himself as representing Attorney General's Office and discusses Tort Claims Act and immunity requirements.
335	Rep. Markham	Asks if Tort Claims Act protects state employees from immunity.
344	Schuman	Explains Tort Claims Act and contrasts to immunity.
348	Rep. Markham	Asks why state commissioners are covered by Tort Claims Act whereas state employees are granted immunity.
354	Schuman	States that he does not know.
360	Schuman	Explains -2 amendments and makes suggestions for improving language.
<b><u>TAPE 67, A</u></b>		
001	Chair Snodgrass	Asks if Schuman supports making bill retroactive.
006	Schuman	Comments on possibility of bill being retroactive.
012	Rep. Montgomery	Discusses language on page 3, subsection 5.
020	Rep. Beyer	States concern that initiative commission may be unduly subjected to harassment or legal challenges.

029	Rep. Montgomery	Affirms Rep. Beyer's comment.
033	Rep. Courtney	Affirms Rep. Beyer's comment.
053	Corwin	Explains need for bill.
071	Chair Snodgrass	Asks if subcommittees would have same power as full committee.
080	Corwin	States that subcommittees would have same power as full committee.
089	Rep. Beyer	Asks where bill discusses staffing responsibilities.
092	Corwin	States that staffing responsibilities are addressed on page 3, lines 21-22, and section 3, lines 3-4.
100	Rep. Beyer	States need for clearer language regarding staffing responsibilities.
112	Corwin	Affirms Rep. Beyer's comment and discusses fiscal impact of bill.
134	Chair	Closes work session on HB 2001 and opens public hearing on HB 3328.
<b><u>HB 3328</u></b> <b><u>PUBLIC</u></b> <b><u>HEARING</u></b>		
145	Rosemary Wood	Committee Administrator explains bill and discusses HB 3328 -1 amendments ( <b>EXHIBIT B</b> ).
182	Sandra Bishop	Introduces herself as representing League of Women Voters and asks for opportunity to submit written testimony on HB 3328.
184	Chair Snodgrass	States that bill will be heard again in near future. Closes public hearing on HB 3328 and adjourns meeting at 4:51 PM.

Submitted by, Reviewed by,

Valerie H. Luhr Janet Adkins,

Administrative Support Specialist Policy Analyst

Transcribed by,

Paul Zolezzi,

Administrative Support

**EXHIBIT SUMMARY**

**A - HB 2001 proposed amendments, Scott Corwin, 12 pp.**

**B - HB 3328 proposed amendments, staff, 2 pp.**