

SENATE COMMITTEE ON TRADE & ECONOMIC DEVELOPMENT

May 6, 1997 Hearing Room 343

1:00PM Tape 62

MEMBERS PRESENT:

Sen. John Lim, Chair

Sen. Joan Dukes, Vice-Chair

Sen. Bill Fisher

Sen. Avel Gordly

Sen. Veral Tarno

MEMBER EXCUSED:

Sen. Gary George

STAFF PRESENT:

Jim Stembridge, Administrator

Julie Havel, Administrative Support

MEASURE/ISSUES HEARD:

SJR 28 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 62, A		
005	Chair Lim	Calls meeting to order at 1:27 pm and opens work session on SJR 28.
<u>SJR 28 - WORK SESSION</u>		
		Committee Administrator, reviews provisions of SJR 28, and explains intent of new proposed "staff wording" (EXHIBIT A). Explains the wording simplifies the original bill by: * deleting all the new language in paragraph one of the original resolution

		and substituting in subsection (4) (c) of the Constitution.
011	Jim Stembridge	<p>* adding "video lottery games" to the list of exceptions to the games authorized by the State Lottery Commission, and replacing paragraph one of the original resolution, beginning with line five.</p> <p>* changing the effective date of the resolution to July 1, 1999 by adding a new paragraph two to the original resolution.</p> <p>* renumbering the current paragraph two as paragraph three.</p>
041	Chair Lim	Asks if he is referring to the date on line 23 on page two of the original resolution.
043	Stembridge	Explains that part is a different change that was made two years ago by a ballot measure referred by the Legislature, which devotes a portion of the Lottery's net proceeds to the education endowment fund, effective July 1, 1997.
057	Sen. Tarno	Asks for clarification as to where the new paragraph two is going.
060	Stembridge	Explains it will be inserted on page three of the measure, immediately preceding the current paragraph two, and that current paragraph two will become paragraph three.
067	Chair Lim	Asks for and receives clarification that the effective date change means this measure will not disturb the 1997-99 biennium, and asks when this measure would be voted on.
073	Stembridge	Explains it will be held on the next primary election, which is May 20, 1998.
075	Chair Lim	Asks why it needs to be then.
076	Stembridge	Explains it needs to be held at either a special election or a statewide election, so they would have a choice between a primary, special, or general election would need to be at a special election, but he is not aware of any specific reason why they are having it on that specific date.
082	Sen. Fisher	States he believes it may be to avoid an abrupt change in the tax moneys. States if they were to hold the election in November, they might have to deal with the change sooner, and a May date would give them more time to anticipate the effects a "yes" decision would have on state revenues.
092	Sen. Gordly	Asks if these are the -3 amendments they are considering before them.
096	Stembridge	Clarifies the "staff wording" is actually a new conceptual amendment and is not the -3 amendments they have before them.
100	Sen. Gordly	Asks for further clarification, and states she is trying to understand which of the two different staff measure summaries before her is the one they are considering, because both contain the same date.
		Explains the original bill prohibits video lottery and on-line games, whereas the language they are now using prohibits video lottery only. Continues explaining what is prohibited under the definitions. States the staff language

117	Stembridge	simplifies that by simply putting the term "video lottery games" into the list of exceptions and leaves out any definition. States what is ordinarily done on this type of amendment to the constitution is to keep the constitutional language simple, and then to have statutory language that accompanies the constitutional amendment that would give the definitions and provide for otherwise implementing the amendment to the Constitution. States he believes it is the Chair's intention to accomplish that with another bill in the near future.
159	Sen. Tarno	Asks what "video lottery" means.
160	Stembridge	Explains it is video poker machines.
162	Sen. Tarno	Asks how this is going to affect Indian casinos, and if they are going to be inundated with the people who normally play at the local restaurants and taverns.
172	Chris Lyons	Director, Oregon State Lottery, explains it is her understanding that such a constitutional prohibition to video lottery would eliminate the video terminals in casinos. Urges committee to get additional formal opinion from legal counsel on this issue.
190	Sen. Lim	MOTION: Moves to ADOPT SJR 28 "staff wording" amendments dated 5/6/97.
191	Chair Lim	Hearing no objection, declares the motion CARRIED.
196	Chair Lim	Clarifies that this new staff wording has today's date on his copy only.
203	Sen. Fisher	Asks if this would technically be a -4 amendment once Legislative Counsel drafts it.
204	Stembridge	Explains Legislative Counsel is who numbers the amendments, and he is not sure what number they are going to give it, which is why he tried to identify it some other way, by calling it the "staff wording," instead of giving it a number.
209	Sen. Tarno	Asks if it will have to go to Revenue at some point.
214	Sen. Tarno	Asks if they can wait until they get the actual drafted amendments from Legislative Counsel.
215	Chair Lim	States these are not conceptual amendments, because it is the exact same wording of the original bill.
229	Sen. Tarno	States they are not the same, because the conceptual bill adds video lottery to it.
243	Sen. Gordly	Explains the confusion is because this amendment has not been identified as an "official" amendment from Legislative Counsel. Suggests they delay action on this and let Legislative Counsel draw up a final amendment, which would be in "proper" form.
264	Chair Lim	States to him this is very clear, and asks staff to re-explain the changes.
274	Stembridge	Suggests the committee go back to the original bill and itemize the changes in the wording. Walks committee through each proposed change.

337	Sen. Fisher	Asks for and receives clarification that the last paragraph will become paragraph three and paragraph two will become language that makes this resolution effective January 1, 1999.
347	Chair Lim	Suggests instead of referring to this as "staff wording," they re-name it the -4 amendments (EXHIBIT B).
349	Chair Lim	Withdraws motion to adopt SJR 28 "staff wording" amendments dated 5/6/97.
352	Sen. Lim	MOTION: Moves to ADOPT SJR 28 amendments now referred to as the "-4" conceptual amendments dated 5/6/97.
	Chair Lim	Hearing no objection, declares the motion CARRIED.
368	Sen. Lim	MOTION: Moves SJR 28 to the floor with a BE ADOPTED AS AMENDED recommendation and the SUBSEQUENT REFERRAL to the committee on Revenue BE RESCINDED.
370	Sen. Gordly	Asks for and receives clarification that they are recommending the subsequent referral to the Revenue Committee be rescinded.
372		VOTE: 5-0 AYE: In a roll call vote, all members present vote Aye. EXCUSED: 1 - George
	Chair Lim	The motion CARRIES. SEN. LIM will lead discussion on the floor.
377	Chair Lim	Closes work session and adjourns meeting at 1:52pm.

Submitted By, Reviewed By,

Julie Havel, Jim Stembridge,

Administrative Support Administrator

EXHIBIT SUMMARY

A - SJR 28, staff wording, staff, 3pp.

B - SJR 28, hand-engrossed measure & -4 conceptual amendment, staff, 3pp.
