

HOUSE COMMITTEE ON
LEGISLATIVE RULES

1-24-95 Hearing Room D
4:00 p.m. Tapes 3-4

MEMBERS PRESENT:

Rep. Ray Baum, Chair
Rep. Lee Beyer, Vice Chair
Rep. Tony Corcoran
Rep. Peter Courtney
Rep. Lynn Lundquist
Rep. Bill Markham
Rep. Patti Milne
Rep. Lonnie Roberts
Rep. John Watt

STAFF PRESENT:

Cathryn Epley, Committee Administrator
Gretchen Haber, Committee Assistant

MEASURES HEARD: Public Hearing on HJR 15

These minutes contain materials which paraphrase and/or summarize statements made during this session. Only text enclosed in quotation marks report a speaker's exact words. For complete contents of the proceedings, please refer to the tapes.

TAPE 3-A

001 CHAIR BAUM BAUM: calls meeting to order at 4:03p.m.

005 CHAIR BAUM BAUM: coming out of this week, we want to accomplish a finished bill. The governor's material should be ready this week. We'd like to get it to a Thursday floor vote. We'll need to plan a meeting Monday at 3:00.

032 Opens Public Hearing on HJR 15.

Witnesses: Bill Wright, of Portland General Electric, CHAIR BAUM of
Committee of Use of Lottery Funds

Reiten

Steve Marks, Policy Advisor to Governor Kitzhaber

Don ARNOLD, Assistant Attorney General

049 REP. ROBERTS: the amendments to HJR 13? Do they apply to HJR 15?

053 CHAIR BAUM BAUM: yes, those will be changed by Thursday to indicate as such.

110 REITEN: speaks in favor of HJR 15.

116 REP. ROBERTS: Questions the \$100 million as annual or biennially. Reiten says it is

120 REITEN:

138 VICE CHAIR BEYERS:

141 REP. CORCORAN: how are the percentages proposed? Reiten clarifies. Discusses how much is currently spent on economic development. Definition of terms such as "job creation" is clarified in the L.C. amendment.

172 REP. CORCORAN: Job creation and retraining are still very serious problems in rural areas. When we discuss definitions, this needs to be considered.

180 CHAIR BAUM: We need to decide if we want to take on that issue, or opt to present the language in very general terms.

187 REP. COURTNEY: what sort of allocations were made last session?

195 CHAIR BAUM: we'll look for the correct answer.

199 MARKHAM:

207 REITEN: our committee is willing to assist the legislature with regard to a ballot measure. Committee members are, for the record: (list)

220 Steve MARKS, policy advisor to Governor Kitzhaber, he is very interested in a clear constitutional measure. Lists bill numbers which provide definitions for terms such as "job creation".

248 REP. COURTNEY: which is HJR 21? Chair Baum notes the resolution will undergo it's first reading tomorrow.

266 VICE CHAIR BEYER: does the Governor prefer to have the percentages included?

273 REP. ROBERTS: including percentages would make the resolution inflexible.

281 CHAIR BAUM: this is not an appropriations bill. This is simply policy which would allow the money to be directed towards certain items.

297 REITEN: we recommend the addition of percentages into the language of the bill, because they avoid a debate between "economic development" and "education."

317 REP. CORCORAN: it appears that this will pull out an amount of money currently going to job creation, and apply it to education.

340 REP. LUNDQUIST: is retraining included in the general term "education?"

358 REITEN: we've requested clarification of terms from the Attorney General's office.

368 REP. COURTNEY: can we assume you will be campaigning to pass this?

374 REITEN: we would like it to pass.

414 REP. COURTNEY: if higher education is included, then more students can attend schools in Oregon.

Tape 4-A

022 REP. ROBERTS: what is timeline for getting this to the voters?

034 Don ARNOLD, Assistant Attorney General.

053 CHAIR BAUM: we'd like Mr. Arnold to be here to answer questions of the committee.

063 ARNOLD: if it is the intent of the legislature to direct significant monies to education, there will surely be questions. Previously, it has been considered appropriate to see these terms as broadly defined, and legitimate to earmark lottery money to education. May be future need for money to be repaid to lottery program, if withdrawals are significant.

093 VICE CHAIR BEYER: we have included definitions. Do they help to clarify?

100 ARNOLD: yes, and the context provided is critical. Standing alone, they do not hold up in court. Passed together, they are helpful.

110 REP. COURTNEY: do you plan to bring amendments? What is the legal significance of a HJR , compared to a court opinion?

120 ARNOLD:

122 MARKHAM:

126 WATT: if, with a provision such as HJR 15 or 21, and including the formation of an education trust fund, do you anticipate violation of the constitutional provision denying the ability to put out more than one concept at a time?

141 ARNOLD: no, because the topics are the same.

146 REP. COURTNEY: we've discussed percentages and categories. Isn't a trust fund a category? Is it a good idea to put a trust fund into the constitution

161 MEYER: as a general rule, should we include policy, such as trust funds, in the constitution?

170 NOSSE, OSL

193 GRATTAN KERRANS, Representing the OR State System of Higher Education, in support of HJR 13. Requests inclusion of higher education into the definition. From kindergarten through a

210 MARKHAM moves to adjourn the meeting.

211 MEYER: Adjourns meeting at 4:50 pm.

