

HOUSE COMMITTEE ON
LEGISLATIVE RULES

April 20, 1995 Hearing Room 50
4:00 p.m. Tapes 44-45

MEMBERS PRESENT:

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

STAFF PRESENT:

Cathryn Epley, Committee Administrator
Cynthia Charrey, Committee Assistant

MEASURES HEARD:

SJR12- Work Session
SJR4- Work Session
HJR 14- Work Session
HB 2151- Public Hearing and Work Session

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 44, SIDE A

003 CHAIR BAUM: Calls meeting to order at 4:00 p.m.

OPENS WORK SESSION SJR12

Witnesses: Steve Marks, Governor's Office
Dave Heynderickx, Legislative Counsel

020 STEVE MARKS, GOVERNOR'S OFFICE: Testifies in opposition of SJR

12

084 REP. BEYER: Testifies in support of the SJR12 and the -7 amendments.

134 REP. BEYER Continues to testify in support of the SJR12 and the -7 amendments

145 CHAIR BAUM: Questions the constitutionality.

149 DAVE HEYNDERICKX, LEGISLATIVE COUNSEL: These are constitutional.

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192 REP. CORCORAN: Verifies concerns about constitutionality. Does this oversight exist in any other states, that you know of?

200 HEYNDERICKX: Some states have similar arrangements to this one.

211 REP. CORCORAN: What about the Federal Constitution?

215 HEYNDERICKX: Probably, however the problem doesn't exist at the Federal level.

247 REP. BEYER: There is no Constitutional question, as the people can change. The issue is one of tradition

290 CHAIR BAUM: Discusses conflicts between the delegation of legislative authority.

313 HEYNDERICKX: Responds to comments.

357 REP. BEYER: The passing of the APA further constrained the Executive branch.

372 CHAIR BAUM: Gives hypothetical example.

376 HEYNDERICKX: Responds to the example.

409 REP. CORCORAN: Comments on changing the Constitution to keep a agency and that this is a partisan issue.

425 REP. MARKHAM: Discusses agency non-compliance with legislative statutes.

TAPE 45, SIDE A

013 MOTION: REP. BEYER: Moves to ADOPT SJR12-7 amendments.

VOTE: In a roll call vote, REPS. CORCORAN, COURTNEY and BEYER vote AYE. REPS. LUNDQUIST, MARKHAM, MILNE, WATT and BAUM vote NAY. The motion FAILS. REP. ROBERTS is EXCUSED.

MOTION: REP. WATT: Moves that SJR12 be sent to the Floor with a DO PASS recommendation.

030 REP. COURTNEY: Discusses the lack of evidence necessary to make this type of decision. Comes out strongly against SJR12.

070 CHAIR BAUM: Discusses the local constituent issues that prompt his support of SJR12.

098 REP. BEYER: Discusses the situation relating to intent and structure of SJR12.

108 REP. COURTNEY: Discusses the interaction of agency and the agency employees.

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138 VOTE: In a roll call vote, REPS. LUNDQUIST, MARKHAM, MILNE, WATT and BAUM vote AYE. REPS. CORC(IRAN, COURTNEY and BEYER vote NAY. The motion CARRIES REP. ROBERTS is EXCUSED. REP. WATT will lead discussion on the Floor

CLOSES WORK SESSION ON SJR12

OPENS WORK SESSION ON SJR4

196 REP. CORCORAN: Discusses the problems of selling this to the public.

209 REP. COURTNEY: Will support the amendment but will support the bill.

226 REP. LUNDQUIST: Appreciates honesty and discusses major impacts of this legislation.

MOTION: REP. LUNDQUIST: Moves to ADOPT SJR4-A7 amendments.

VOTE: ID a roll call vote, REPS. CORCORAN, COURTNEY, LUMDQUIST, MILNE, WATT, BEYER and BAUM votes AYE. REP. MARKHAM votes NAY. The amendment is ADOPTED. REP. ROBERTS is EXCUSED.

MOTION: REP. LUNDQUIST: Moves to that SJR4, AS AMENDED, be sent to the Floor with a DO PASS recommendation.

260 REP. CORCORAN: Does this give veto power to the initiative process to Eastern Oregon?

263 REP. LUNDQUIST: This is no more for Eastern Oregon, than for any region of the state.

VOTE: In a roll call vote, REPS. CORCORAN, LUMDQUIST, MARKHAM, MILNE, WATT, BEYER and BAUM vote AYE. REP. COURTNEY votes NAY. The motion CARRIES REP. ROBERTS is EXCUSED

REP. LUNDQUIST will lead discussion on the Floor.

CLOSES WORK SESSION ON SJR4
OPENS WORK SESSION ON HJR 14

MOTION: REP. WATT: Moves to ADOPT HJR 14-3 amendments.

334 REP. COURTNEY: Asks the sign)ficance ofthis bill.

MOTION: REP. COURTNEY: Moves to Adjourn.

VOTE: In a roll call vote, REP. CORCORAN, COURTNEY and BEYER vote AYE. REPS. LUNDQUIST, MARKHAM, MILNE, WATT and BAUM vote NAY The motion FAILS REP. ROBERTS is EXCUSED.
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MOTION: REP. COURTNEY: Moves to Recess.

VOTE: In a roll call vote, REP. Cl ~RCORAN, COURTNEY and BEYER vote AYE. REPS. LUNDQUIST, MARKHA M, MILNE, WATT ant BAUM vote NAY. The motion FAILS. REP. ROBERTS is EXCUSED.

MOTION: REP.BEYER: Moves to Adjourn.

VOTE: In a roll call vote, REP. CORCORAN, COURTNEY and BEYER vote AYE. REPS. LUNDQUIST, IMARKHA M, MILNE, WATT and BAUM vote NAY. The motion FAILS. REP. ROBERTS is EXCUSED.

VOTE: CHAIR BAUM: Hearing no objection, the amendments are ADOPTED.
441 MOTION: REP. BEYER: Moves to Recess.

TAPE 44, SIDE B

019 VOTE: In a roll call vote, REP. CORCORAN, COURTMEY and BEYER vote AYE. REPS. LUNDQUIST,]MARKHA: ~, MILNE, WATT and BAUM vote NAY. The motion FAILS. REP. ROBERTS is EXCUSED.

026 MOTION: REP. BEYER: Moves that HJR 14 be tabled indefinitely.

027 VOTE: In a roll call vote, REP. CORCORAN, COURTNEY and BEYER vote AYE. REPS. LUNDQUIST, MARKHAM, MILNE, WATT and BAUM vote NAY. The motion FAILS. REP. ROBERTS is EXCUSED.

MOTION: REP. WATT: Moves that HJR 14, AS AMENDED, be sent to the Floor with a DO PASS recommendation.

034 MOTION: CHAIR BAUM: Calls the question.

VOTE: In a roll call vote, REPS. LUNDQUIST, MARKHAM, MILNE, WATT and BAUM vote AYE REP. CORCO] 'AN, COURTNEY and BEYER vote NAY. The motion CARRIES. REP. ROBERTS is EXCUSED.

VOTE: In a roll call vote, REPS. LUNDQUIST, MARKHAM, MILNE, WATT and BAUM vote AYE. REP. CORCORAN, COURTNEY and BEYER vote NAY. The motion CARRIES. REP. ROBERTS is EXCUSED.

080 CHAIR BAUM will lead discussion on the Floor.

084 MOTION: REP. BEYER: Moves to Adjourn.

The mid-continent merger which pamphlet was made during this session. Only the enclosed Union quota report is included. For complete copy - see - ! leave - " ~ ~ ~

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VOTE: In a roll call vote, REP. CORCORAN, COURTNEY and BEYER vote AYE. REPS. LUNDQUIST, MARKHAM, MILNE, WATT and BAUM vote NAY. The motion FAILS. REP. ROBERTS is EXCUSED.

CLOSES WORK SESSION ON HJR 14

092 MOTION: REP. BEYER: Moves to Recess.

VOTE: In a roll call vote, REP. CORCORAN, COURTNEY and BEYER vote AYE. REPS. LUNDQUIST, MARKHAM, MILNE, WATT and BAUM vote NAY. The motion FAILS. REP. ROBERTS is EXCUSED.

OPENS PUBLIC HEARING ON HB 2151

Witnesses: Colleen Sealock, Elections Director, Secretary of State's Office

109 COLLEEN SEALOCK, ELECTIONS DIRECTOR, SECRETARY OF STATE'S OFFICE:

Testifies in support of HB 2151.

150 CHAIR BAUM: Is this just a housekeeping bill?

152 SEALOCK: This is just for very slight housekeeping

155 REP. CORCORAN: Can't find the felony section

163 SEALOCK: Discusses where this can be found at.

CLOSE PUBLIC HEARING ON HB 2151

OPENS WORK SESSION ON HB 2151

MOTION: REP. BEYER: Moves that HB 2151 be sent to the Floor with a DO PASS recommendation

VOTE: In a roll call vote, all members present vote AYE The motion CARRIES REPS. LUNDQUIST and ROBERTS are EXCUSED.

CHAIR BAUM will lead discussion on the Floor.

CLOSES WORK SESSION ON HB 2151

236 CHAIR BAUM adjourns meeting.