

HOUSE COMMITTEE ON
LEGISLATIVE RULES

May 16, 1995 Hearing Room D
7:30 am. Tapes 59-60

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
Cynthia Charrey, Committee Assistant

MEASURES HEARD:

SB 928- Public Hearing and Work Session HB 2866- Work Session
SB 706- Public Hearing and Work Session SB 468 - Public Hearing and Work
Session SB 783- Public Hearing and Work Session SB 887- Public Hearing
SB 1100- 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.

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TAPE 59, SIDE A

003 CHAIR BAUM: Calls meeting to order 7:31 a.m.

OPENS PUBLIC HEARING ON SB 928

Witnesses: Phil Keisling, Secretary of State
Vicki Ervin, Multnomah County Elections Director
Ted Reutlinger, Legislative Counsel

020 PHIL KEISLING, SECRETARY OF STATE: Testifies in support of SB 928

049 REP. MARKHAM: When is the California election?

051 KEISLING: The fourth Tuesday of March.

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056 KEISLING: If you held it simultaneously with California, you would get
swamped and ignored.

073 CHAIR BAUM: Are you aware of the -A3 amendments and what is your
feeling?

076 KEISLING: I am comfortable with them at first glance.

079 REP. MARKHAM: Who offered the -A3 amendments?

083 REP. ROBERTS: Didn't we try to match up on Super Tuesday?

090 KEISLING: Believes it was dependent on Washington and two other Western
states. The law never was activated. Continues with testimony.

113 REP. ROBERTS: The problem I have is that it used to be a key, that
winning in Oregon was a

stepping stone to California. however, that has never trickled out.
119 KEISLING: There are no guarantees with anything.
133 REP. WATT: How will this benefit Oregonians?
136 KEISLING: Presidential candidates would come to Oregon rather than
ignoring the state due
to the later stages of the current primary.
151 REP. LUNDQUIST: Do counties have the ability to avoid new costs.

152 KEISLING: The only way that my support is with this, is if the
legislature reimburses the counties for their expenditures.

167 REP. BEYER: It appears that only the Presidential primary will be vote
by mail. Do clerks have the option to conduct a vote by mail?

178 KEISLING: Section 65 references existing law, which prohibits County
clerks from conducting a vote by mail.

206 REP. BEYER: The restrictions are those current law?

211 KEISLING: Those to my knowledge reflect Measure 9 and current law.

224 VICKI ERVIN, MULTNOMAH COUNTY ELECTIONS DIRECTOR: Testifies in support
of SB 928 and the proposed amendments.
246 CHAIR BAUM: What about the -A4s.
247 ERVIN: Those change only the Presidential election.
250 CHAIR BAUM: Are the clerks in support of the -A3s.

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to the tapes.

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254 ERVIN: Those are the ones that we support.

267 REP. MARKHAM: What is the tax credit?

275 ERVIN: That is one of the conflict amendments.

299 TED REUTLINGER, LEGISLATIVE COUNSEL: The tax credit is required to be
in the bill due to technical problems with Measure 9.

323 REP. MARKHAM: What is the tax credit under Measure 9?

330 REUTLINGER: It is available for contributions to political parties,
candidates, and issues.

346 REP. BEYER: What other elections would be affected?

348 ERVIN: There are dates that are made available. These dates would be
available for school districts, special districts, and any others that
needed an election date.

RECESSES PUBLIC HEARING ON SB 928

OPENS WORK SESSION ON HB 2866

Witnesses: Russell Spencer, Oregon State Sheriffs Association

381 RUSSELL SPENCER, OREGON STATE SHERIFFS ASSOCIATION: Testifies in support
of HB 2866 and proposed amendments.
421 CHAIR BAUM: The Sheriffs association supports these amendments, correct.

427 SPENCER: Yes.

TAPE 60, SIDE A

RECESSES WORK SESSION ON HB 2866

OPENS PUBLIC HEARING ON SB 706

Witnesses: John McCulley, Oregon Tree Fruit Growers
Representative John Watt, District

052 JOHN MCCULLEY, OREGON TREE FRUIT GROWERS: Test)ifies in support of SB 706 and proposed amendments.

099 REP. LUNDQUIST: This would not preclude from being under this category.

101 MCCULLEY: No, it would not. It is directed towards family corporations.

108 REP. ROBERTS: What is a corporate farm.

HOUSE LEGISLATIVE RULES - Page 4 110 MCCULLEY: Any farm that is incorporated.

112 REP. ROBERTS: How extensive of installations can the employer make?

118 MCCULLEY: This only applies to residential wiring and everything done must be permitted and inspected.

CLOSES PUBLIC HEARING ON SB 706

OPENS WORK SESSION ON SB 706

131 MOTION: REP. ROBERTS: Moves to ADOPT the McCulley amendments dated 5/16/95 to SB 706.

VOTE: CHAIR BAUM: Hearing no objection, the amendments are ADOPTED.

MOTION: REP. BEYER: Moves to ADOPT SB 706-A2 amendments.

VOTE: CHAIR BAUM: Hearing no objection, the amendments are ADOPTED.

141 MOTION: REP. ROBERTS: Moves that SB 706, AS AMENDED, 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. CORCORAN and COURTNEY are EXCUSED.

REP. ROBERTS will lead discussion on the Floor.

CLOSES WORK SESSION ON SB 706

OPEN PUBLIC HEARING ON SB 468

CLOSES PUBLIC HEARING ON SB 468

OPENS WORK SESSION ON SB 468

175 MOTION: REP. BEYER: Moves that SB 468 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. CORCORAN and COURTNEY are EXCUSED.

REP. LUNDQUIST will lead discussion on the Floor.

CLOSES WORK SESSION ON SB 468

OPENS PUBLIC HEARING ON SB 783

ON SB 783

Witnesses: Jack Roberts; Commissioner, Bureau of Labor and Industries

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207 JACK ROBERTS; COMMISSIONER, BUREAU OF LABOR AND INDUSTRIES: Test)ifies in support of SB 783.

CLOSES PUBLIC HEARING ON SB 783

OPENS WORK SESSION ON SB 783

MOTION: REP. BEYER: Moves that SB 783 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. CORCORAN and COURTNEY are EXCUSED.

CLOSES WORK SESSION ON SB 783
OPENS PUBLIC HEARING ON SB 887
Witnesses: Gary Williams, Oregon Lottery Division

267 GARY WILLIAMS, OREGON LOTTERY DIVISION: Testifies in support of SB 887.

294 REP. BEYER: Has it been to Ways and Means, yet?

295 WILLIAMS: Not aware if it has.

301 REP. BEYER: What is the staff and operating costs of this proposal? Will there be a big enough

lure to attract private industry?

306 WILLIAMS: There are some questions of the market demands that will be present to have

private industry string the wires.

313 REP. BEYER: Is it just a good idea or do you need a backup facility?

320 WILLIAMS: A backup facility is necessary.

326 REP. BEYER: If it couldn't be done in Burns, you are stuck by law. Is that a problem?

330 WILLIAMS: Yes, it would be a problem.

335 REP. MARKHAM: Who is mandating this emergency backup?

338 WILLIAMS: We proposed it as part of planning.

341 REP. MARKHAM: Why did the Legislature get in the middle of your planning. Was it just to show off,

343 WILLIAMS: The intent was that our necessary infrastructure would help Burns out.

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350 REP. MARKHAM: After operating for ten years, you decided that you need a back-up. Doesn't understand need for it.

353 WILLIAMS: The back-up is necessary because of the invent of video lottery which requires more.

384 REP. MARKHAM: Thinks it is a turkey bill.

394 REP. ROBERTS: How much is this going to cost?

397 WILLIAMS: The only fiscal impact will be the actual construction of the data center itself.

420 REP. LUMDQUIST: If it can't work in Burns, what time frame do you need this back-up center

by?

430 WILLIAMS: Within two years.

TAPE 59, SIDE B

022 REP. BEYER: That is really the issue, is we stick it into law.

032 CHAIR BAUM: What was the Senate vote, do you know?

034 WILLIAMS: 28 ayes to 2 nays.

036 REP. BEYER: Will it cost more to operate in Burns than anywhere else?

038 WILLIAMS: We do not know at this time.

044 REP. BEYER: You would have the same staff there as anywhere else.

046 WILLIAMS: Yes.

048 REP. BEYER: The only question mark is telecommunications.

050 WILLIAMS: Correct.

RECESSES PUBLIC HEARING ON SB 887

OPENS WORK SESSION ON HB 2866

Witnesses: Dianne Middle, Concerned Citizen

069 DIANNE MIDDLE, CONCERNED CITIZEN: Testifies in opposition to HB 2866 and
the -3

amendments (EXHIBITS A, B & C).

119 MIDDLE: Continues testimony in opposition to HB 2866

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146 REP. WATT: Discusses Good Old Boy network and its relation to this
bill. Would like to move this bill.

168 REP. ROBERTS: You don't want any bill at all?

171 MIDDLE: That is correct.

178 REP. ROBERTS: My problem is that every person who has spoken on this
bill has had a relationship to the law.

189 REP. BEYER: The fact that you couldn't get certification, isn't that
addressed in the amendments.

197 MIDDLE: It is partially addressed there, however the time constraints
have the potential to restrict who the candidates are.

214 REP. BEYER: Those standards are gone, this gives the BPSST board that
ability to decide who meets them. This gives the either you have them or
you prove to BPSST that you can do the job.

230 MIDDLE: If your assumption is that a person can accomplish the task
within a year, then that is the case.

237 REP. BEYER: Doesn't think that is what is said in the bill. You could
take your experience to the BPSST and show them and they will agree.

265 MIDDLE: The -A3s just shift the responsibility of the decision making.

MOTION: REP. WATT: Moves to ADOPT HB 2866-A3 amendments.

VOTE: CHAIR BAUM: Hearing no objection, the amendments are ADOPTED.

283 MOTION: REP. ROBERTS: Moves that HB 2866, AS AMENDED, be sent to the
Floor with a DO PASS recommendation.

VOTE: ~ a roll call vote, all members present vote AYE. The motion CARRIES.
REPS. CORCORAN, COURTNEY, MARKHAM and ROBERTS are EXCUSED.

CLOSE WORK SESSION ON HB 2866

OPENS PUBLIC HEARING ON SB 1100

Witnesses: Joe Gilliam, National Federation of Independent Businesses
Steve Lanning, Oregon AFL(10
310 JOE GILLIAM, NATIONAL FEDERATION OF INDEPENDENT BUSINESSES:
- Testifies in support of SB 1100.

332 REP. BEYER: The legislative assembly can't bind another legislative assembly.

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338 GILLIAM: Yes, but it can be a start.

362 STEVE LANNING, OREGON AFL-CIO: Testifies in opposition to SB 1100.

CLOSES PUBLIC HEARING ON SB 1100

OPENS WORK SESSION ON SB 1100

MOTION: CHAIR BAUM: Moves that SB 1100 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. CORCORAN, COURTNEY, MARKHAM and BEYER are EXCUSED.

REP. WATT will lead discussion on the Floor.

CLOSES WORK SESSION ON SB 1100

TAPE 60, SIDE B

MOTION: REP. WATT: Moves unanimous consent to allow REP. ROBERTS to vote on SB 783.

VOTE: CHAIR BAUM: Hearing no objection, the MOTION CARRIES.

VOTE: REP. ROBERTS votes AYE.

OPENS WORK SESSION ON SB 928

021 REP. ROBERTS: Discusses the proposed amendment.

051 REP. ROBERTS: Continues discussing the amendment.

CLOSES WORK SESSION ON SB 928

061 CHAIR BAUM adjourns the meeting.

EXHIBIT SUMMARY:

A- Testimony on HB 2866- Submitted by James Price- 1 page
B- Testimony on HB 2866- Submitted by Larry Seeley- 2 pages
C- Testimony on HB 2866- Submitted by Alan Scharn- 2 pages
pages