

HOUSE COMMITTEE ON
LEGISLATIVE RULES

Hearing Room
Tapes - 122

MEMBERS PRESENT:

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

MEMBER EXCUSED:

Rep. Lonnie Roberts

STAFF PRESENT:

Aaron Felton, Committee Counsel
Sarah Watson, Committee Assistant

MEASURES HEARD:

SB 914 - Work Session
SB 35 - Work Session
SB 1154 - Work Session
SB 9 - Public Hearing and Work Session
SB 342 - Public Hearing and Work Session
SB 673 - Public Hearing and Work Session
SB 184 - Public Hearing and Work Session
SB 926 - 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 , SIDE A

002 CHAIR BAUM: Calls the meeting to order at 7:15 PM

WORK SESSION ON SB 914

(SB 914 permits State Fish and Wildlife Commission to establish license for
purchase, sale or exchange of certain parts of deer, elk and antelope
carcass)

013 SEN. MAE YIH, DISTRICT 19: Testifies and submits written testimony in
support of SB 914. (EXHIBIT A)

047 MOTION: REP. COURTNEY: Moves SB 914 be sent to the floor with a DO
PASS recommendation.

VOTE: 6-0
AYE: 6 - Corcoran, Courtney, Lundquist, Markham, Watt, Baum
EXCUSED: 3 - Milne, Roberts, Beyer

CHAIR: The motion CARRIES.

056 Rep. Lundquist will lead discussion on the floor.

PUBLIC HEARING ON SB 342

(SB 342 creates Commission on Asian Affairs)

Witness: Sen. Jon Lim, District 11

061 MOTION: REP. COURTNEY: Moves to RECONSIDER the vote by which "the committee passed out SB 342".

VOTE: Hearing no objection the motion CARRIES.

064 REP. MARKHAM: Why are we hearing the bill again?

065 CHAIR BAUM: There was an error on the part of the drafter of the bill.

067 SEN. JON LIM, DISTRICT 11: Testifies and submits proposed amendments to SB 342. (EXHIBIT B)

WORK SESSION ON SB 342

084 MOTION: REP. COURTNEY: Moves to ADOPT SB 342-6 amendments dated 06/05/95.

VOTE: Hearing no objection the motion CARRIES.

087 MOTION: REP. COURTNEY: Moves SB 342 be sent to the floor with a DO PASS AS AMENDED recommendation.

VOTE: 6-1
AYE: 6 - Corcoran, Courtney, Lundquist, Markham, Beyer, Baum
NAY: 1 - Watt
EXCUSED: 2 - Milne, Roberts

CHAIR: The motion CARRIES.

092 Rep. Corcoran will lead discussion on the floor.

PUBLIC HEARING ON SB 673

Witnesses: Sen. Jeanette Hamby, District 5
Tom Bunn, County Commissioner
Jon Jaqua, Oregon Economic Development Department
Mark Houston, Oregon Economic Development Department

100 SEN. JEANETTE HAMBY, DISTRICT 5: Testifies and submits proposed amendments to SB 673. (EXHIBIT C)

118 TOM BUNN, COUNTY COMMISSIONER: Testifies in support of SB 673 and proposed amendments.

134 REP. CORCORAN: What if there is over lapping jurisdiction?

136 BUNN: Explains the process and how the amendment would effect an overlapping jurisdiction situation.

152 JON JAQUA, OREGON ECONOMIC DEVELOPMENT DEPARTMENT: Testifies in opposition of the -5 amendments.

175 CHAIR BAUM: Do you have some amendments to the bill, or do you just disagree with the -5 amendments?

177 JAQUA: We disagree with the amendments, we like the bill as is.

179 CHAIR BAUM: This will be sent to Ways and Means, were you aware of that?

180 JAQUA: No.

181 CHAIR BAUM: Do you know why that will be required?

182 REP. BEYER: Is there any economic impact?

182 JAQUA: No there isn't.

185 CHAIR BAUM: It says there is a \$50,000 impact.

187 JAQUA: The \$50,000 is a fee.

190 MARK HOUSTON, OREGON ECONOMIC DEVELOPMENT DEPARTMENT: Discusses and explains the fiscal impact to SB 673.

197 CHAIR BAUM: You have no idea how there is such a high fiscal on this bill?

199 REP. BEYER: Cites line 6. If that language was more specific would it alleviate your concerns?

206 JAQUA: That would help, but we do not want the -5 amendments at all.

214 HOUSTON: Discusses how the bill would effect city/ county participation.

220 CHAIR BAUM: The amendment would give cities and counties the option to opt out of the program?

222 HOUSTON: That is the way the amendments are written.

215 REP. BEYER: The issue is that the commissioner can't support the program, but doesn't want to deny that option to the city if they wish to be a part.

229 JAQUA: I agree. If that would move the bill, then we will take it.

232 REP. BEYER: Discusses options of bill.

237 JAQUA: The counties and the cities both have to approve it and have the negotiating authority, explains. The issue is who has the lead in the negotiation.

WORK SESSION ON SB 673

252 REP. BEYER: Discusses possible conceptual amendment to make bill consistent with "city or county".

257 REP. COURTNEY: What about a mass transit district?

258 REP. BEYER: That is what we would want to exclude.

260 CHAIR BAUM: That definition would carry throughout the entire bill and eliminate "city or county"?

262 REP. COURTNEY: I don't understand why we are doing this.

264 CHAIR BAUM: Either we move the bill, or add the amendments.

266 REP. COURTNEY: Why do you want to exclude them?

268 REP. BEYER: The strategic investment only applies to property taxes. This is the only transit district that has property taxes.

271 REP. COURTNEY: By having that specific wording in there, then you have taken care of your concerns.

276 REP. BEYER: The issue is that by making it "local government", there could be many people trying to negotiate and get an agreement.

283 REP. COURTNEY: Are there districts like that allow property taxes?

285 REP. BEYER: That is how all of the districts are funded.

287 JAQUA: In those districts, it is required that they participate in the process.

291 CHAIR BAUM: I am getting nervous about moving new amendments to the bill. I would like to move the bill as is.

298 MOTION: REP. BEYER: Moves SB 673 to the floor with a DO PASS recommendation and the SUBSEQUENT REFERRAL to the committee on Ways and Means BE RESCINDED.

303 REP. LUNDQUIST: Without the amendments, both the cities and the counties will have to agree on it then?

305 CHAIR BAUM: Yes, how it is today, both the cities and counties will have to agree.

306 REP. LUNDQUIST: If the cities want to go ahead and the counties doesn't, there is no availability to let the county opt out? The amendments would allow that to happen, right?

313 MOTION: REP. COURTNEY: Moves to ADOPT SB 673-5 amendments dated 06/05/95.

VOTE: 3-3
AYE: 3 - Courtney, Lundquist, Watt
NAY: 3 - Corcoran, Beyer, Baum
EXCUSED: 3 - Markham, Milne, Roberts

CHAIR: The motion FAILS.

Motion on moving the bill to the floor.

VOTE: 6-0
AYE: 6 - Corcoran, Courtney, Lundquist, Watt, Beyer, Baum
EXCUSED: 3 - Markham, Milne, Roberts

CHAIR: The motion CARRIES.

340 Rep. Beyer will lead discussion on the floor.

WORK SESSION ON SB 35

(SB 35 authorizes municipality to administer building inspection program [EXHIBIT D])

372 MOTION: REP. COURTNEY: Moves to RECONSIDER the vote by which "the committee passed SB 35 to the floor".

VOTE: Hearing no objection the motion CARRIES.

Witnesses: John Gervais, National Electrical Contractors Association
Bob Shipwrack, Oregon State Building Trades
Jane Cummins, League of Oregon Cities
Gordon Fulls, Association of Oregon Counties

376 JOHN GERVAIS, NATIONAL ELECTRICAL CONTRACTORS ASSOCIATION: Testifies on behalf of SB 35 and explains why it is back before the committee. Discusses -15 conflict amendments that need to be adopted.

406 BOB SHIPWRACK, OREGON STATE BUILDING TRADES: Testifies in support of SB 35.

418 CHAIR BAUM: Do you like the -15 amendments?

419 SHIPWRACK: Yes.

423 JANE CUMMINS, LEAGUE OF OREGON CITIES: Testifies and submits written testimony in opposition to the -15 proposed amendments to SB 35. (EXHIBIT

E)

TAPE 122, SIDE A

015 REP. WATT: What would happen if you did not get the -15 amendments?

019 GORDON FULLS, ASSOCIATION OF OREGON COUNTIES: Discusses why the bill was pulled back into the committee.

030 REP. CORCORAN: Discusses that some cities in his district will oppose this amendment.

PUBLIC HEARING ON SB 9

(SB 9 requires that Real Estate Commissioner be confirmed by Senate)

Witness: Genoa Ingram-Read, Oregon Association of Realtors

060 GENOA INGRAM-READ, OREGON ASSOCIATION OF REALTORS: Testifies and submits written testimony in support of SB 9. (EXHIBIT F)

073 REP. BEYER: How long has the Real Estate Commissioners position existed?

074 INGRAM-INGRAM-READ: Oregon was the first state to have it's Real Estate regulatory laws in place.

077 REP. BEYER: At least twenty or thirty years?

078 INGRAM-READ: Yes.

078 REP. BEYER: Has this position ever been confirmed?

079 INGRAM-READ: No, this has never been confirmed, and we don't know why this was overlooked.

080 REP. BEYER: Has there ever been a problem with any of the commissioners?

081 INGRAM-READ: To my knowledge, no.

084 REP. BEYER: I assume that we had commissioners appointed by both Republicans and Democrats and there has never been a problem?

086 INGRAM-READ: I have been with the association for nine years and during that time our relationship with the commissioner has been very good.

088 REP. BEYER: Why the need for the change?

089 INGRAM-READ: Explains why there needs to be a confirmation change.

094 REP. BEYER: Is this a office within the Department of Consumer Business Services now?

096 INGRAM-READ: No, this is a stand-alone agency, explains.

098 REP. BEYER: When they did the consolidation, this agency didn't get pulled in?

100 INGRAM-READ: That was originally in the bill and was taken out.

104 REP. BEYER: Was there any opposition to the bill?

106 INGRAM-READ: In the Senate, there were only two or three no votes.

108 REP. BEYER: Was there anyone on the Senate side that testified against this?

109 INGRAM-READ: There was no testimony in opposition to the bill.

WORK SESSION ON SB 9

118 MOTION: REP. LUNDQUIST: Moves SB 9 be sent to the floor with a DO
PASS recommendation.

VOTE: 7-0
AYE: 7 - Corcoran, Courtney, Lundquist, Milne, Watt, Beyer, Baum
EXCUSED: 2 - Markham, Roberts

CHAIR: The motion CARRIES.

134 Rep. Roberts will lead discussion on the floor.

PUBLIC HEARING ON SB 184

(SB 184 revises election laws)

Witness: Colleen Sealock, Director of Elections

147 COLLEEN SEALOCK, DIRECTOR OF ELECTIONS: Testifies and submits written
testimony in support of SB 184. (EXHIBIT G)

166 REP. COURTNEY: If I vote no in order file a minority report to put in
vote by mail into this bill, would the Secretary of State's office support
that?

169 SEALOCK: This bill currently deals with technical matters and if passes
with that sort of vote, I don't think anyone would be opposed to that.

179 REP. WATT: If the minority report is taken to the floor, what happens
when this bill does not pass?

182 SEALOCK: This bill does contain many things that would clarify and help
us in administrating an election law.

WORK SESSION ON SB 184

188 MOTION: REP. COURTNEY: Moves SB 184 be sent to the floor with a DO
PASS recommendation.

VOTE: 4-3
AYE: 4 - Corcoran, Lundquist, Milne, Watt
NAY: 3 - Courtney, Beyer, Baum
EXCUSED: 2 - Markham, Roberts

CHAIR: The motion FAILS.

197 CHAIR BAUM: Serves notice of reconsideration.

PUBLIC HEARING ON SB 926

(SB 926 [EXHIBIT H])

Witnesses: Bill Sizemore, Oregon Tax Payers United
Bradd Swank, Judicial Department
Tom Balmer, Department of Justice
Lynn Rosik, Assistant Attorney General

242 BILL SIZEMORE, OREGON TAX PAYERS UNITED: Testifies in support of SB
926.

274 CHAIR BAUM: You are discussing the -6 amendments?

275 SIZEMORE: We are not proposing those amendments, but believe that they
are friendly.

288 BRADD SWANK, JUDICIAL DEPARTMENT: Testifies and submits written
testimony and proposed amendments in support of SB 926. (EXHIBIT I)

343 TOM BALMER, DEPARTMENT OF JUSTICE: Testifies in opposition to SB 926.

379 LYNN ROSIK, ASSISTANT ATTORNEY GENERAL: Testifies and submits written testimony in opposition to SB 926. (EXHIBIT J)

WORK SESSION ON SB 1154

429 CHAIR BAUM: Discusses what SB 1154 does.

TAPE 121, SIDE B

028 JOHN DILORENZO, OREGON LITIGATION REFORM COALITION: Discusses what SB 1154 might be about.

045 CHAIR BAUM: So this is an unnecessary bill?

045 DILORENZO: As I see it yes. Discusses how this bill pertains to measure 6 & 9.

WORK SESSION ON SB 35

072 MOTION: REP. BAUM: Moves to ADOPT SB 35-15 amendments dated 06/05/95.

VOTE: Hearing no objection the motion CARRIES.

074 MOTION: REP. CORCORAN: Moves SB 35 be sent to the floor with a DO PASS AS AMENDED recommendation.

VOTE: 6-1
AYE: 6 - Corcoran, Courtney, Milne, Watt, Beyer, Baum
NAY: 1 - Lundquist
EXCUSED: 2 - Markham, Roberts

CHAIR: The motion CARRIES.

088 Rep. Roberts will lead discussion on the floor.

092 CHAIR BAUM: Adjourns the meeting at 8:15 pm.

Submitted by, Reviewed by,

Sarah Watson Aaron Felton
Committee Assistant Committee Counsel

EXHIBIT SUMMARY:

- A. Testimony on SB 914 - Sen. Mae Yih - 3 pages
- B. Proposed Amendments to SB 342 - Sen. Jon Lim - 1 page
- C. Proposed Amendments to SB 673 - Sen. Jeanette Hamby - 3 pages
- D. Proposed Amendments to SB 35 - Staff - 18 pages
- E. Testimony on SB 35 - Jane Cummins - 1 page
- F. Testimony on SB 9 - Genoa Ingram-Read - 3 pages
- G. Testimony on SB 184 - Colleen Sealock - 13 pages
- H. Proposed Amendments to SB 926 - Staff - 7 pages
- I. Testimony on SB 926 - Bradd Swank - 3 pages
- J. Testimony on SB 926 - Lynn Rosik - 8 pages
- K. Testimony on SB 914 - Ron Harder - 1 page