

SENATE COMMITTEE ON
RULES AND ELECTIONS

Hearing Room
Tapes - ?

MEMBERS PRESENT:

Sen. Randy Miller, Chair
Sen. Paul Phillips, Vice-Chair
Sen. Brady Adams
Sen. Shirley Gold
Sen. Dick Springer

MEMBER EXCUSED:

STAFF PRESENT:

Kristina McNitt, Committee Administrator
Gretchen Haber, Committee Assistant

MEASURES HEARD:

HB 2066: Public Hearing and Possible Work Session
HJR 14: Public Hearing and Possible Work Session
HB 2438: Public Hearing and Possible Work Session
HB 2369: Public Hearing and Possible Work Session
HB 2493: 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 , A

--Would reduce damage by offering some control on hunting season
--Offers access to land to others, through the sale of property
--Finds the measure to be historic in that hunters, landowners and others have reached compromise
--Notes that the measure passed unanimously through the House of Representatives

128 JOHN MCCULLY, OREGON CATTLEMAN'S ASSOCIATION, testifies in favor of HB 2639.

135 Closes public hearing on HB 2639.

136 phillips moves no onb.

145 Opens a work session on HB 2493.

153 CHAIR: asks Sen. Phillips to discuss amendments to HB 2493.

160 SEN. PHILLIPS: submits HB 2493-8 amendments dated

206 LES SEIZ

--Supports existing statutes with regards to public record law

--Notes that with the status quo, there is no fiscal impact to the agencies.

--Supports the deletion of Section Nine in the measure

244 CHAIR: asks if the agencies feel the status quo provides a "good balance."

248 SEIZ: answers that the answer would vary agency by agency.

260 CHAIR: asked what the timing requirements are for an agency to respond to a request for information.

266 SEIZ: answers that the agency is to respond within a reasonable time.

273 CHAIR:

295 SEIZ:

305 CHAIR: clarifies that the ORS

325 SEN. PHILLIPS: requests that the fiscal statement be presented and explained before the committee.

350 CHAIR: notes that the measure has a subsequent refferal to the Joint Ways and Means Committee. Agrees that the Rules committee should review the

fiscal impact more thoroughly. Notes that others may wish to give input into that discussion, such as Rep. Parks.

380 SEN. GOLD: asked about the construction of the fiscal impact.

385 KRISTINA MCNITT: answered that the statement was constructed out of information provided by the particular agencies. Noted that the fiscal officer suggested that the agencies could provide more information.

390 SEN. GOLD: requests additional information from Legislative Fiscal Office and the agencies.

Tape 80, A

002 CHAIR: reads examples from the Fiscal Impact Statement.

017 SEN. PHILLIPS:

020 GAIL RYDER: notes that ideally, the bill would not be amended. Indicates that if the bill is to be amended, that the -8 amendments would be acceptable.

030 SEIZ: answers that he also would concur with the -8 amendments.

038 SCOTT GALLANT, OREGON MEDICAL ASSOCIATION comments on the HB 2493-10 amendments (EXHIBIT)

-4- GALLANT: would appreciate an opportunity to review the -8 amendments.

048 GALLANT: explains that the measure will involve much more than simply providing information to the public. Discusses potential litigation.

069 CHAIR: indicates that the committee is likely to finish work on the measure by the end of the week.

082 CHAIR: refers to Section 3 of the -10 amendments. Notes that the language presumes that records are confidential. He feels the presumption should be that information is open to the public, unless otherwise noted.

100 CALLANT: responds. Discusses how information is determined to be confidential. Notes that the measure does not distinguish between legitimate and illegitimate requests for information.

125 SEN. GOLD: asked who had requested the -8 amendments.

130 SEN. PHILLIPS: answered that he had requested the amendments after listening to testimony presented at the 5-18-95 public hearing.

142 SEN. GOLD: refers to HB 2438. Asks if the -10 amendments appear in any other measures before the legislature this session.

150 GALLANT: answers no.

165 second gentleman, OREGON MEDICAL ASSOCIATION
--Presents outline of requested amendments (EXHIBIT)
--Feels the measure, with requested amendments, would provide needed protections to hospital peer review.

186 GALLANT: notes that peer review is done

208 BOB OLSON, OREGON STATE BAR: finds that the media has been responsible with information provided.

219 SEN. PHILLIPS: clarified that information about what the professional does for their client is confidential, and that what is reviewed is how the professional conducts himself with his client. Asked if frivolous complaints are dismissed.

235 OLSON: answers yes.

252 OLSON: notes that the costs have gone up, but not significantly.

277 REP. PARKS: supports
--Does not support thge -9 amendments.
--Supports the -10 amendments

298 SEN. GOLD: requests that the drafter of the amendments come before the committee

310 Opens a public hearing on HB 2438.

315 REP. LISA NAITO testifies in favor of HB 2438. Presents written

testimony (EXHIBIT)

--Supports the -A version of the measure

365 CHAIR: notes that the ideas embodied in the measure date back to James Madison, who proposed the same measure in the late 1700's.

Tape 79, B

003 SEN. GOLD:

042 SEN. PHILLIPS MOVES -A engrossed version.

052 SEN. PHILLIPS: suggests that campaign finance

077 CHAIR: refers to differing terms. Asks how

094 SEN. GOLD: asks if a member could sue over questions on pay.

098 CHAIR: answered yes.

100 REP. NAITO: notes that the issue of staggered terms was raised last session as well.

110 CHAIR: reminds committee that Sen. Phillips has moved to return to the A version.

Phillips moves bill no obj.

135 REP. RAY BAUM testifies in favor of HJR 14. Presents memorandum outlining how other states have addressed the issue (EXHIBIT).

--Notes that it will be more difficult to raise taxes, which could hold down revenue growth

--Measure is not intended to apply to fee increases

--Refers to Ballot Measure Five

180 REP. BAUM: continues testimony. Feels the measure is a moderate solution to hold down tax increases. Notes other items which require a three-fifths majority vote.

209 REP. BAUM: feels the measure will strengthen the minority party.

250 SEN. SPRINGER: asks if the measure could also be applied to tax credits exemptions and deductions.

270 REP. BAUM: responds.

275 SEN. SPRINGER: asked when the last tax increase has been in the last 15 years.

280 REP. BAUM: answers that cigarette taxes have been raised and that the measure would apply to those taxes.

297 SEN. GOLD: asks if it would apply to referrals made by the legislature to the voters.

300 REP. BAUM: answers that it does not apply to referrals, or to fee increases from agencies.

318 SEN. GOLD: discusses tax exemptions and credits proposal raised by Sen. Springer.

329 SEN. PHILLIPS: asks if there is a definition in the Constitution for revenue-raising measures.

338 REP. BAUM: answers that the courts have interpreted the term, and has three determining criteria.

382 CHAIR: opens consideration on draft requests for committee bills. NO obje.

395 CHAIR: adjourns the meeting at 2:45p.m.