

HOUSE COMMITTEE ON GENERAL GOVERNMENT

March 4, 1993      Hearing Room 357 8:30 a.m.      Tapes 15 - 16

MEMBERS PRESENT:    Rep. Cedric Hayden, Chair Rep. Jim Edmunson,  
Vice-Chair Rep. Ken Baker Rep. Carl Hosticka Rep. Patti Milne Rep. Chuck  
Norris Rep. Del Parks Rep. Lonnie Roberts Rep. Sharon Wylie

STAFF PRESENT:            Janet Adkins, Committee Administrator Kimberly  
Burt, Committee Assistant

MEASURES CONSIDERED:            HB 2612 HB 2161 HJR 9 HB 2060 HB 2277 HB  
2786 HB 3049

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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 15, SIDE A

005 CHAIR HAYDEN: Calls meeting to order. (10:50 a.m.) Members  
present: Baker, Milne, Parks, Wylie and Hayden.

\_ Because of a 7:30 a.m. House Floor Session, this hearing was delayed.

WORK SESSION HJR 9

005 JANET ADKINS, COMMITTEE ADMINISTRATOR: Describes HJR 9;  
submits preliminary staff measure summary and letter from Rep. Peter  
Courtney,

(EXHIBIT A).

024 MOTION: REP. PARKS MOVES THAT HJR 9 BE SENT TO THE FLOOR  
WITH A DO PASS RECOMMENDATION.

029 VOTE: IN A ROLL CALL VOTE THE MOTION CARRIES. MEMBERS  
EXCUSED: HOSTICKA, NORRIS, ROBERTS, EDMUNSON

CHAIR HAYDEN: Members excused will be allowed to vote. Rep. Courtney  
will carry the bill on the House Floor.

WORK SESSION ON HB 2612

\_ Rep. Norris and Edmunson arrive. (10:55 a.m.)

038 JANET ADKINS, COMMITTEE ADMINISTRATOR: Submits (-3)  
amendments and preliminary staff measure summary, (EXHIBIT B).

\_ Rep. Roberts arrives. (10:57 a.m.)

063 MOTION: REP. PARKS MOVES THAT HB 2612, AS AMENDED, BE SENT TO THE FLOOR WITH A DO PASS RECOMMENDATION.

068 VOTE: IN A ROLL CALL VOTE THE MOTION CARRIES. MEMBERS EXCUSED: REP. HOSTICKA

WORK SESSION ON HB 2161 Witnesses: Darren Bond, Oregon State Treasury, (OST) Gary Brubaker, Oregon State Treasury, (OST)

080 JANET ADKINS, COMMITTEE ADMINISTRATOR: Describes HB 2161, submits (-1) amendments, hand engrossed version and preliminary staff measure

summary, (EXHIBIT C).

REP. ROBERTS: Is there any maximum on the credit line?

ADKINS: Not in the statute, that is part of the agreement.

\_ Continues, describing amendments.

115 ADKINS: There is a conceptual amendment that isn't included in the (-1) that includes the rearrangement of phrases in lines fifteen through

seventeen.

120 MOTION: REP. PARKS MOVES THE CONCEPTUAL AMENDMENT BE ADOPTED.

VOTE: HEARING NO OBJECTION THE MOTION CARRIES.

CHAIR HAYDEN: This was heard in the transportation subcommittee; Rep.

Hayden and Roberts were not present. REP. NORRIS: We had no unfavorable testimony; there are times when a

state agency has to meet an obligation and they know the money is coming from the federal government; this bill allows them to get on with their business.

155 REP. ROBERTS: When an agency gets money from the OST, are they charged interest?

DARREN BOND, DIRECTOR, CASH MANAGEMENT, OREGON STATE TREASURY, (OST):

If there is an advance on the line of credit they are charged at the same rate that the money would have earned in the fund drawn from.

160 BOND: Currently advances are made out of the general fund.

REP. ROBERTS: Why would someone need a six month line of credit if all they are doing is establishing a basis to conform with the federal government?

BOND: This allows us to establish a line of credit to provide the

agencies the authority to issue the checks; currently we have a constitutional prohibition against writing the checks if the money isn't on hand.

\_ This doesn't mean there will be advances against the line of credit; describes process used.

REP. ROBERTS: It makes me uncomfortable that we make a state agency pay interest.

228 GARY BRUBAKER, DEPUTY STATE TREASURER, OREGON STATE TREASURY, (OST): The Cash Management Improvement Act, (CMIA), mandates the way we

exchange funds and it calls for certain mechanisms to track interest; whoever has use of the funds has to pay interest.

REP. ROBERTS: All monies that back up a line of credit come from the general fund?

BRUBAKER: Correct.

267 MOTION: REP. EDMUNSON MOVES THAT THE (-1) AMENDMENTS TO HB 216 1 BE ADOPTED.

VOTE: HEARING NO OBJECTION THE MOTION CARRIES.

278 MOTION: REP. EDMUNSON MOVES THAT HB 2161, AS AMENDED, BE SENT TO THE FLOOR WITH A DO PASS RECOMMENDATION.

284 VOTE: IN A ROLL CALL VOTE THE MOTION CARRIES. MEMBERS EXCUSED: REP. HOSTICKA REP. BAKER WILL CARRY THE BILL ON THE FLOOR.

WORK SESSION ON HJR 9

\_ Rep. Norris, Roberts and Edmunson vote Aye.

WORK SESSION ON HB 2060

JANET ADKINS, COMMITTEE ADMINISTRATOR: Describes HB 2060, submits preliminary staff measure summary, (-1) amendments and hand engrossed version, (EXHIBIT D).

343 MOTION: REP. EDMUNSON MOVES THAT THE (-1) AMENDMENTS BE ADOPTED.

VOTE: HEARING NO OBJECTION THE MOTION CARRIES.

347 MOTION: REP. EDMUNSON MOVES THAT HB 2060, AS AMENDED, BE SENT TO THE FLOOR WITH A DO PASS RECOMMENDATION.

353 VOTE: IN A ROLL CALL VOTE THE MOTION CARRIES. MEMBERS EXCUSED: REP. HOSTICKA REP. MILNE WILL CARRY THE BILL ON THE FLOOR.

WORK SESSION ON HB 2277

JANET ADKINS, COMMITTEE ADMINISTRATOR: Describes HB 2277, submits preliminary staff measure summary, (-2) amendments and a hand engrossed version, (EXHIBIT E).

409 REP. ROBERTS: Do the municipalities determine if they are under a hardship?

ADKINS: Yes; under current law that is the case and the bill makes it clear.

REP. ROBERTS: We aren't replacing this with another election date?

ADKINS: No, it is being eliminated.

REP. EDMUNSON: We struggled with this; the emergency election gives a city more flexibility in setting a date; describes situation.

477 REP. ROBERTS: What cities were opposed and why?

REP. EDMUNSON: The League of Oregon Cities testified in opposition and the Association of Oregon Counties; I wasn't really sure what their objections were.

TAPE 16, SIDE A

REP. WYLIE: I did receive some calls from the City of Gresham; I'm not sure why no one is here to answer questions. 035 REP. EDMUNSON: One problem was the certification of a levy; there is discretion given to the counties to take their levies through October and there was concern that there was no guarantee, if they held their election after June, that the county would be obligated to certify the levy.

\_ It gets into a local government tussle.

REP. NORRIS: I find it interesting that the County Clerks support this, but the Association of Oregon Counties oppose this; I will be voting no.

REP. ROBERTS: I will be voting no.

REP. PARKS: This doesn't take away this particular June 1993 election date.

077 MOTION: REP. PARKS MOVES THAT HB 2277, AS AMENDED, BE SENT TO THE FLOOR WITH A DO PASS RECOMMENDATION.

ADKINS: The (-1) amendments also change the date for printing of

absentee ballots from 40 to 45 days.

\_ LC pointed out that the language added for cities isn't consistent with the county statute, so there is a conforming amendment.

REP. PARKS: I will withdraw my motion.

095 ADKINS: In ORS 203.085, talking about emergency elections for county measures, needs the same amendment being placed in section three for

city elections.

099 MOTION: REP. EDMUNSON MOVES THAT THE AMENDMENTS BE ADOPTED.

VOTE: HEARING NO OBJECTION THE MOTION CARRIES.

102 MOTION: REP. PARKS MOVES THAT HB 2277, AS AMENDED, TO THE FLOOR WITH A DO PASS RECOMMENDATION.

111 VOTE: IN A ROLL CALL VOTE THE MOTION CARRIES. MEMBERS EXCUSED: REP. HOSTICKA REP. EDMUNSON WILL CARRY THE BILL ON THE FLOOR.

WORK SESSION ON HB 2786

JANET ADKINS, COMMITTEE ADMINISTRATOR: Describes HB 2786 and explains that the requestors have asked for time to work on the bill.

124 MOTION: REP. BAKER MOVES THAT HB 2786 BE RETURNED TO THE SUBCOMMITTEE ON GOVERNMENT.

129 VOTE: HEARING NO OBJECTION THE MOTION CARRIES.

WORK SESSION ON HB 3049

JANET ADKINS, COMMITTEE ADMINISTRATOR: This bill is up for referral to the Committee on Judiciary; it has not been through subcommittee or hearings.

REP. EDMUNSON: This bill deals with administrative and judicial review of agency orders.

138 MOTION: REP. PARKS MOVES THAT HB 3049 BE REFERRED TO THE COMMITTEE ON JUDICIARY.

145 VOTE: HEARING NO OBJECTION THE MOTION CARRIES.

CHAIR HAYDEN: We have some House Bills that are being considered for transfer within the full committee, from one subcommittee to another; HB 2159, 2162, 2163, 2165, 2166, moving from the Government Subcommittee to the Transportation Subcommittee.

151 MOTION: REP. ROBERTS MOVES THAT HB 2159, 2162, 2163, 2165,  
216 6 BE TRANSFERRED.

ADKINS: HB 2293 is a Secretary of State's Office bill and the  
Government Subcommittee has already scheduled it for a hearing, so it  
isn't being moved.

160 VOTE: HEARING NO OBJECTION THE MOTION CARRIES.

161 CHAIR HAYDEN: With no further discussion or announcements,  
we are adjourned. (11:35 a.m.)

Submitted by, Reviewed by,

Kimberly Burt Janet Adkins Committee Assistant Committee Administrator

EXHIBIT SUMMARY:

A - HJR 9: Preliminary staff measure summary and written testimony from  
Rep. Courtney, submitted by staff, pp 2 B - HB 2612: (-3) amendments and  
preliminary staff measure summary submitted by staff, pp 2 C - HB 2161:  
(-1) amendments, hand engrossed version and preliminary staff measure  
summary submitted by staff, pp 4 D - HB 2060: (-1) amendments, hand  
engrossed version and preliminary staff measure summary submitted by  
staff, pp 3 E - HB 2277: (-2) amendments, hand engrossed version and  
preliminary staff measure summary submitted by staff, pp 10