

HOUSE COMMITTEE ON GENERAL GOVERNMENT

April 8, 1993 Hearing Room C 8:30 a.m. Tapes 24 - 25

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 3382 HB 2900 HB 2541 HB 3084 HB 3002 HB
2954 HB 3061 HB 2166 HB 2163

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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 24, SIDE A

005 CHAIR EDMUNSON: Calls meeting to order. (9:06 a.m.) Members
excused: Hayden

WORK SESSION ON HB 3382

020 JANET ADKINS, COMMITTEE ADMINISTRATOR: Describes HB 3382;
submits preliminary staff measure summary and (-1) amendments, (EXHIBIT
A).

046 MOTION: REP. ROBERTS MOVES THAT THE (-1) AMENDMENTS BE
ADOPTED.

REP. NORRIS: It is an either or; either we do this or we stand to lose
some federal highway money.

_ This is off-premise signs; those things away from the site of the
facility.

ADKINS: There is an emergency clause on the bill; the state has already
received some of the money.

059 VOTE: HEARING NO OBJECTION THE MOTION CARRIES.

062 MOTION: REP. ROBERTS MOVES THAT HB 3382, AS AMENDED, BE
SENT TO THE FLOOR WITH A DO PASS RECOMMENDATION.

072 VOTE: IN A ROLL CALL VOTE THE MOTION CARRIES. MEMBERS
EXCUSED: HAYDEN CARRIER: NORRIS

WORK SESSION ON HB 2900 Witnesses: Mike Meredith, President, Oregon Trucking Associations

085 JANET ADKINS, COMMITTEE ADMINISTRATOR: Describes HB 2900; submits preliminary staff measure summary and (-1) amendments, with informative materials, (EXHIBIT B).

_ The (-1) amendments delete line 33 and 34; there was an issue of whether or not there should be a mudguard behind the third wheel in the picture, see Exhibit B.

138 REP. ROBERTS: When you pull the power unit off, it has to have a mudguard, but when it is on, there isn't a need for that.

REP. NORRIS: That is covered on line twenty three of page two.

145 REP. WYLIE: The purpose of mud flaps is to keep rain and stuff on the road from coming up?

REP. ROBERTS: Basically mud flaps are put on to prevent rocks from coming up; water will still spray out the sides.

REP. WYLIE: Some trucks have "brushy" things on the sides that help a lot; was there discussion about that issue?

REP. ROBERTS: Triples do have the requirement for the side splashes.

REP. PARKS: If we require them on the triples, why aren't we requiring them on the doubles?

ADKINS: Triples are in Oregon under special permit and that is why the requirement can be there.

197 MIKE MEREDITH, PRESIDENT, OREGON TRUCKING ASSOCIATIONS: We support the use of splash and spray devices; any truck over 80,000 pounds gross

weight is required to do so under permit and then the State of Oregon can then make that a requirement.

_ If Oregon adopted a law that all trucks have to have splash and spray devices on them, Oregon would be the only state and only trucks that operate solely in Oregon would come under the law.

219 CHAIR EDMUNSON: We couldn't enforce the splash guards on interstate trucks?

MEREDITH: I'm not an attorney; we do have congressional support from the Oregon delegation.

250 MOTION: REP. ROBERTS MOVES THAT THE (-1) AMENDMENTS BE ADOPTED.

VOTE: HEARING NO OBJECTION THE MOTION CARRIES.

253 MOTION: REP. ROBERTS MOVES THAT HB 2900, AS AMENDED, BE SENT TO THE FLOOR WITH A DO PASS RECOMMENDATION.

260 VOTE: IN A ROLL CALL VOTE THE MOTION CARRIES. MEMBERS EXCUSED: HAYDEN CARRIER: ROBERTS

WORK SESSION ON HB 2163 Witnesses: Chuck Smith, Manager, Debt Management Division, Oregon State Treasury

292 JANET ADKINS, COMMITTEE ADMINISTRATOR: Describes HB 2163; submits (-1) amendments and hand engrossed version, (EXHIBIT C).

_ The issue today is if we should send this bill to the revenue committee or back to the transportation subcommittee.

350 CHUCK SMITH, MANAGER, DEBT MANAGEMENT DIVISION, OREGON STATE TREASURY, (OST): We are involved as we are staff to a commission called the

Municipal Debt Advisory Commission.

_ The commission looked to make HB 3048 more workable, giving local government the financial flexibility they need to work under Measure 5.

_ We have provided the committee with proposed amendments, (EXHIBIT D).

_ We have proposed adding "requiring bonds to be authorized by ordinance".

430 REP. NORRIS: The amendment wasn't dealt with in subcommittee.

TAPE 25, SIDE A

WORK SESSION ON 2541

015 JANET ADKINS, COMMITTEE ADMINISTRATOR: Describes HB 2541; submits preliminary staff measure summary, (EXHIBIT E).

CHAIR EDMUNSON: The bill deals with two categories of buildings; those constructed or renovated with the expectation that the state would become the owner.

_ The turn key projects, including renovations, are expanded; the original bill dealt with donated buildings; the other category is leases.

REP. ROBERTS: What happens if the contractor produces the one percent

for the arts and in our economic tough times the state has to get out of the contract, who keeps the one percent?

CHAIR EDMUNSON: If the lease was for less than nine years there would be no one percent; in all other circumstances the state is the owner of the building upon occupancy and it would be treated as surplus state property.

_ The same procedure followed now for public buildings would be followed in this case, it isn't changed.

106 REP. BAKER: There was testimony that virtually any lease has an escape clause by the state based on economic situation.

REP. EDMUNSON: If the owner is uncomfortable the state supplies the art and if the premises are vacated the art goes with the state.

REP. NORRIS: What would the fiscal impact be over the next biennium?

REP. EDMUNSON: Competitive bidding requirements could result in savings on construction while the prevailing wage rate could result in some increased costs although I'd question that as I understand that prevailing wage laws don't apply in lease situations under the bill.

148 MOTION: REP. PARKS MOVES THAT HB 2541 BE SENT TO THE FLOOR WITH A DO PASS RECOMMENDATION.

ADKINS: General Services hasn't done a thorough analysis, but feels that it could double the amount spent now.

CHAIR EDMUNSON: As a friendly amendment to the motion, I'd move that the (-3) amendments be adopted.

_ Note on section three that the provisions don't apply to lease or lease purchase agreements in effect on or after the effective date and that includes where offers have been made and advertisements have been extended.

VOTE: HEARING NO OBJECTION THE MOTION CARRIES.

MOTION: REP. PARKS MOVES THAT HB 2541, AS AMENDED, BE SENT TO THE FLOOR WITH A DO PASS RECOMMENDATION.

190 VOTE: IN A ROLL CALL VOTE THE MOTION CARRIES. MEMBERS VOTING NO: MILNE AND NORRIS MEMBERS EXCUSED: HAYDEN CARRIER:

EDMUNSON WORK SESSION ON HB 3084

205 JANET ADKINS, COMMITTEE ADMINISTRATOR: Describes HB 3084; submits preliminary staff measure summary and (-1) amendments, (EXHIBIT F).

235 REP. ROBERTS: Referring to the (-1) amendments; I get nervous when we put exact amounts in bills because time will make a change in the

meaning of the amount of money.

CHAIR EDMUNSON: The changes in the (-1) amendments are found on page two in bold face.

292 MOTION: REP. PARKS MOVES THAT THE (-1) AMENDMENTS BE ADOPTED.

REP. NORRIS: The (-1) amendments replace the original bill?

ADKINS: They delete the original bill and this is a replacement, yes.

302 VOTE: HEARING NO OBJECTION THE MOTION CARRIES.

305 MOTION: REP. BAKER MOVES THAT HB 3084, AS AMENDED, BE SENT TO THE FLOOR WITH A DO PASS RECOMMENDATION.

310 VOTE: IN A ROLL CALL VOTE THE MOTION CARRIES. MEMBERS EXCUSED: HAYDEN CARRIER: WALDEN

WORK SESSION ON HB 3002

320 JANET ADKINS, COMMITTEE ADMINISTRATOR: Describes HB 3002; submits preliminary staff measure summary, (EXHIBIT G).

REP. EDMUNSON: The amendment is limited and expands existing law for club houses that have restaurants.

371 MOTION: REP. ROBERTS MOVES THAT THE (-1) AMENDMENTS BE ADOPTED.

REP. HOSTICKA: You must be twenty one years of age to drive a beer cart?

REP. EDMUNSON: The same standards that apply to under age servers will apply.

399 VOTE: HEARING NO OBJECTION THE MOTION CARRIES.

REP. NORRIS: Are there private tennis clubs or other clubs that should be included?

REP. EDMUNSON: The concern arose because the golf course premises include large areas of outdoors.

434 MOTION: REP. PARKS MOVES THAT HB 3002, AS AMENDED, BE SENT TO THE FLOOR WITH A DO PASS RECOMMENDATION.

440 VOTE: IN A ROLL CALL VOTE THE MOTION CARRIES. CARRIER: EDMUNSON MEMBERS EXCUSED: HAYDEN.

WORK SESSION ON HB 2954 Witnesses: Chris Lions, Administrator, Oregon
Liquor Control Commission, (OLCC)

458 JANET ADKINS, COMMITTEE ADMINISTRATOR: Describes HB 2954;
submits preliminary staff measure summary, (EXHIBIT H).

TAPE 24, SIDE B

030 MOTION: REP. ROBERTS MOVES THAT THE (-2) AMENDMENTS BE
ADOPTED.

VOTE: HEARING NO OBJECTION THE MOTION CARRIES.

036 MOTION: REP. BAKER MOVES THAT HB 2954, AS AMENDED, BE SENT TO
THE FLOOR WITH A DO PASS RECOMMENDATION. MEMBERS VOTING NO: HOSTICKA

MEMBERS EXCUSED: HAYDEN CARRIER: BAKER

044 VOTE: IN A ROLL CALL VOTE THE MOTION CARRIES. MEMBERS
VOTING NO: HOSTICKA MEMBERS EXCUSED: HAYDEN CARRIER: ROBERTS

WORK SESSION HB 3061

055 JANET ADKINS, COMMITTEE ADMINISTRATOR: Describes HB 3061;
submits preliminary staff measure summary, (EXHIBIT I).

087 MOTION: REP. BAKER MOVES THAT HB 3061 BE SENT TO THE FLOOR
WITH A DO PASS RECOMMENDATION.

REP. ROBERTS: If we raise the price of hard liquor another 5%, what
will that put us at?

CHRIS LIONS, ADMINISTRATOR, OREGON LIQUOR CONTROL COMMISSION: The
Governor's budget does contain a 5% increase in liquor prices to
generate additional revenue for state and local governments.

_ The State of Washington will also be passing an increase that will be
far beyond the 5% that the State of Oregon is considering.

REP. ROBERTS: I'd like to see the differences before and after the
increases.

LIONS: We would be happy to get that for you.

127 VOTE: IN A ROLL CALL VOTE THE MOTION CARRIES. MEMBERS
EXCUSED: HAYDEN & HOSTICKA CARRIER: WYLIE

WORK SESSION ON HB 2166

135 JANET ADKINS, COMMITTEE ADMINISTRATOR: Describes HB 2166;
submits preliminary staff measure summary, (EXHIBIT J).

REP. PARKS: If SB 500 passes would it overrule this?

166 ADKINS: The (-1) amendments provide that if SB 500 becomes law,

then this section will be added to the subsection relating to financial

institutions.

CHAIR EDMUNSON: I don't favor increases in confidentiality and I favor disclosure; I will be voting no on this bill.

200 REP. PARKS: What is the percentage of federally chartered banks as opposed to state chartered banks?

REP. BAKER: I think this allows PERS to gather information and make good decisions; I think that the access to information is vital sometimes.

255 ADKINS: This applies in a loan type situation when your bank is going to give information to the OST because you want to receive a loan from

the OST; it would be private financial records.

REP. PARKS: What is the percentage of federally chartered banks as opposed to state chartered banks by significance?

301 FRANK BRAWNER, OREGON BANKERS ASSOCIATION: State chartered institutions, as of 12/31 had 45% of the assets in the state; that is a major accomplishment over the last decade when they had about 25% of the assets.

317 MOTION: REP. NORRIS MOVES THAT THE (-1) AMENDMENTS BE ADOPTED.

ADKINS: This is being put in the section of the public records bill that says a public body may withhold from disclosure the public records described in this section if the public demonstrates that the public interest in non-disclosure outweighs the public interest in disclosure in the particular instance.

ADKINS: If the public records law doesn't pass the bill could still pass as written, without the amendments.

342 VOTE: HEARING NO OBJECTION THE MOTION CARRIES.

MOTION: REP. NORRIS MOVES THAT HB 2166, AS AMENDED, BE SENT TO THE FLOOR WITH A DO PASS RECOMMENDATION.

350 VOTE: IN A ROLL CALL VOTE THE MOTION CARRIES. MEMBERS VOTING NO: EDMUNSON MEMBERS EXCUSED: HAYDEN CARRIER: BAKER

380 CHAIR EDMUNSON: We are adjourned. (10:35 a.m.)

Submitted by, Reviewed by,

Kimberly Burt Janet Adkins Committee Assistant Committee Administrator

EXHIBIT SUMMARY:

A - HB 3382: Preliminary staff measure summary and (-1) amendments, submitted by staff, pp 2
B - HB 2900: Preliminary staff measure summary, (-1) amendments and informative material, submitted by staff, pp 4
C - HB 2163: (-1) amendments submitted by staff, pp 19
D - HB 2163: Proposed amendments submitted by Smith, pp 1
E - HB 2541: Preliminary staff measure summary and informative material submitted by staff, pp 3
F - HB 3084: Preliminary staff measure summary and informative material submitted by staff, pp 6
G - HB 3002: Preliminary staff measure summary and informative material submitted by staff, pp 4
H - HB 2954: Preliminary staff measure summary submitted by staff, pp 2
I - HB 3061: Preliminary staff measure summary submitted by staff, pp 1
J - HB 2166: Preliminary staff measure summary and informative material submitted by staff, pp 5
K - HB 3382: Written testimony submitted by Artman, pp 1