

HOUSE COMMITTEE ON GENERAL GOVERNMENT

May 27, 1993 Hearing Room 357 8:30 a.m. Tapes 38 - 39

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

MEMBERS EXCUSED: Rep. Parks, Rep. Edmunson

STAFF PRESENT: Janet Adkins, Committee Administrator Amy
Jahnke, Committee Clerk

MEASURES CONSIDERED: HB 2465 HJR 8 HB 3068 HB 2333 HB 3155 HB
2139 SB 491 SB 317 SB 761 SB 567

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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. [--- Unable To Translate
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TAPE 38, SIDE A

CHAIR HAYDEN: Calls meeting to order at 8:35 a.m.

HB 2465 & HJR 8 - WORK SESSION

JANET ADKINS, COMMITTEE ADMINISTRATOR: Describes bills.

REP. NORRIS: Talks about potential fiscal impact.

MOTION: REP. NORRIS MOVES THAT HB 2465 & HJR 8 BE REFERRED TO HOUSE

APPROPRIATIONS COMMITTEE

REP. HOSTICKA: What would be the effect of not suspending the rules?

REP. ROBERTS: The chair of appropriations would ask that it be sent back
to appropriations, this will save that step.

REP. HOSTICKA: As I understand it HB 2465 does not take effect unless

HJR 8 is passed by the people.

REP. NORRIS: After Jan. 1, 1995, there could be a six month impact.

CHAIR HAYDEN: Rep Wylie suggests that we defer action on this for a few
minutes, and have Rep Norris' staff call Rep Minnus.

REP. BAKER: I have asked Judiciary Committee to provide me with a list
of all bills that have gone to appropriations, I want to track bills to
make sure that they come out of appropriations.

HB 3068 - WORK SESSION

(EXHIBIT A) - Staff Measure Summary

JANET ADKINS: Describes bill.

MOTION: REP. BAKER MOVE THE -1 AMENDMENT

HEARING NO OBJECTION - SO ORDERED

MOTION: REP. BAKER MOVES THAT HB 3068 AS AMENDED BE SENT TO REVENUE
COMMITTEE WITH A DO PASS RECOMMENDATION

CHAIR HAYDEN: Will gas tax refunds be returned to people who paid it?

REP. ROBERTS: Yes.

CHAIR HAYDEN: Up until 1989 people could request the gas tax refund,
because it was used off roads, at that time the state appropriated those
monies for it's own use without recourse, people can not claim the
refund now. What is policy?

JANET ADKINS: The tribe can claim it now, but individual boaters and off
road vehicles can't.

REP. ROBERTS: Referring to boating gas tax arrangement: When it was put
before the legislature, no complaints, and it was felt by many boaters
that came in that it was a good investment because the dock facilities
were deteriorating and it was harder for them to get their boats in the
water.

CHAIR HAYDEN: Now we have a situation were we need bridges, roads, a lot
of things done, and we are giving the money away.

124 REP. ROBERTS: Warm Springs is all regulated. CHAIR HAYDEN: I
believe that people that use the gas in generators at

home or in boats or in lawn mowers should not have to pay the road tax.
I will support this bill.

JANET ADKINS: The idea is to give a lump sum to the tribe and have them
deliver it to individuals.

VOTE: IN A ROLL CALL VOTE THE MOTION CARRIES. ALL MEMBERS VOTING AYE.

REP. EDMUNSON AND PARKS ARE EXCUSED

147 REP. NORRIS: HB 3068 was originally a bill that was submitted by
Rep. D. Jones, having to
do

with child restraints, we just passed out SB 779, which in effect did
the same thing and I have checked with Rep. Jones before we appropriated

a bill to do this.

HB 2333 - WORK SESSION

(EXHIBIT B) - Staff Measure Summary

JANET ADKINS: Describes bill.

MOTION: REP. NORRIS MOVES THAT HB 2333 BE SENT TO THE FLOOR WITH A DO
PASS RECOMMENDATION

JANET ADKINS: There is a fiscal statement and there was some
disagreement about the number of trucks that would be involved and the
subcommittee did discuss whether this should go to the appropriations
committee because of the fiscal but I think there was some feeling that
ODOT's estimate of 500 permits was high, the industry was giving more on
the order of 30 to 50 trucks, but this would be two years so it would be
more like 60 to 100 permits.

VOTE: IN A ROLL CALL VOTE THE MOTION CARRIES. ALL MEMBERS VOTING AYE.

MEMBERS EXCUSED: REP. EDMUNSON, REP. PARKS

HB 3155 - WORK SESSION

(EXHIBIT C) - Staff Measure Summary

JANET ADKINS: Describes bill.

REP. NORRIS: We had some mail from the lottery commission suggesting the
word availability be added in, was something done with that?

JANET ADKINS: On line 13, in the lottery letter, they did discuss adding
the word availability so it would read "if price, fitness, quality and
availability are otherwise equal", the reason for that request is that
ORS 279.021 - general preference statute - does include the word
availability.

245 REP. ROBERTS: Several sessions ago we passed a bill that said, if
Oregon companies are
bidding

with out of state companies and they are within either 3% or 5% they
should be given preference, do we still have that?

REP. NORRIS: There is a bill this session on the five percent
preference, which local governments are opposing because they foresee it
as raising some of their costs.

REP. ROBERTS: My understanding is that the reason that the Oregon

people did not get the opportunity to sell their wares to the lottery commission, is that the lottery commission demands for a certain number of machines in a certain time period cannot be met by the Oregon manufacturers.

REP. ROBERTS: I am having a problem with no time limits.

REP. BAKER: Isn't our remedy that when the lottery comes back in two years, we say we passed this out, what have you done to comply with this?

REP. NORRIS: With the effective date of the law, it would have been the legislative intent laid on them. This final amendment is not everything to everyone.

MOTION: REP. NORRIS MOVES THAT THE -2 AMENDMENTS BE ADOPTED

REP. ROBERTS: Maybe we can do a note to the lottery about some concerns that some of us have.

REP. BAKER: On the back of this bill, section 2, there is some language regarding the commission success.

HEARING NO OBJECTION THE AMENDMENT IS ADOPTED

MOTION: REP. ROBERTS MOVES THAT HB 3155 AS AMENDED BE SENT TO THE FLOOR WITH A DO PASS RECOMMENDATION

JANET ADKINS: There was negative testimony on the amendments from the proponent of the original bill.

REP. MILNE: What was the concern?

STEVE RASSMUSSEN, ALL GAMES MANUFACTURING: In the last session, following the video lottery business, it was assumed that the lottery was going to operate with private vendors, they were going to give a preference to Oregon manufactured terminals, it is all there in HB 315 1 from last session, and as soon as the legislature was out the lottery did a 180 degree turn, they set up there specifications so that no Oregon firm could compete in the terminal manufacturing business.

REP. ROBERTS: WITHDRAWS MOTION - FOR MORE CONSIDERATION

HEARING NO OBJECTION - SO ORDERED

MOTION: REP. BAKER MOVES THAT HB 3155 AS AMENDED BE SENT TO THE FLOOR WITH A DO PASS RECOMMENDATION

REP. MILNE: I have some concerns about this bill.

CHAIR HAYDEN: Is it the feeling of the committee that they would like to amend this bill?

438 REP. ROBERTS AND REP. MILNE WILL WORK TO AMEND WHEN IT IS ON THE SENATE SIDE -

TAPE 39, SIDE A

REP. WYLIE: We are not in position to second guess what the bid requirements were and how vendors are treated, all we are here to do is make sure there is fairness and that our intent is clear.

036 CHAIR HAYDEN: Should we vote this now or later?

REP. ROBERTS: The lottery has designed this so that they are the only ones that would qualify to supply this state with lottery materials.

REP. BAKER: This department serves at the pleasure of the executive of the state. The executive has a responsibility to run this agency, if she does not do it then she is responsible to the voters.

055 REP. NORRIS: There is legislation in the body today that will bring their budget under the control

of the legislature.

VOTE: IN A ROLL CALL VOTE THE MOTION CARRIES. MEMBERS VOTING AYE: REP.

MILNE, REP. NORRIS, REP. WYLIE, REP. BAKER, REP. HOSTICKA, CHAIR HAYDEN. MEMBERS VOTING NO: REP. ROBERTS. MEMBER EXCUSED: REP. PARKS.

HB 2139 - WORK SESSION

(EXHIBIT D) - Staff Measure Summary (EXHIBIT E) - Statement of No Fiscal Impact

080 JANET ADKINS: Describes bill.

MOTION: REP. BAKER MOVES THE -1 AMENDMENTS TO HB 2139

HEARING NO OBJECTION THE AMENDMENTS ARE ADOPTED

MOTION: REP. BAKER MOVES THAT HB 2139 AS AMENDED BE SENT TO THE FLOOR WITH A DO PASS RECOMMENDATION. REP. WYLIE WILL CARRY.

SB 491 - WORK SESSION

(EXHIBIT F) - Staff Measure Summary

126 JANET ADKINS: Describes bill.

MOTION: REP. ROBERTS MOVES THAT SB 491 BE SENT TO THE FLOOR WITH A DO PASS RECOMMENDATION

VOTE: IN A ROLL CALL VOTE THE MOTION CARRIES. ALL MEMBERS VOTING AYE.

MEMBERS EXCUSED: REP. EDMUNSON, REP. PARKS. REP. HOSTICKA WILL CARRY.

SB 317 - WORK SESSION

(EXHIBIT G) - Staff Measure Summary

JANET ADKINS: Describes bill.

MOTION: REP. MILNE MOVES THAT SB 317 BE SENT TO THE FLOOR WITH A DO PASS RECOMMENDATION

REP. WYLIE: Didn't we pass a little bill that extended the program that is like a fifty dollar a month for books kind of program for veterans?

JANET ADKINS: Yes.

VOTE: IN A ROLL CALL VOTE THE MOTION CARRIES. ALL MEMBERS VOTING AYE.

MEMBERS EXCUSED: REP. EDMUNSON, REP. PARKS.

SB 761 - WORK SESSION

(EXHIBIT H) - Staff Measure Summary

226 JANET ADKINS: Describes bill.

MOTION: REP. ROBERTS MOVES THAT SB 761 BE SENT TO THE FLOOR WITH A DO PASS RECOMMENDATION

VOTE: IN A ROLL CALL VOTE THE MOTION CARRIES. ALL MEMBERS VOTING AYE.

MEMBERS EXCUSED: REP. EDMUNSON, REP. PARKS.

SB 567 - WORK SESSION

(EXHIBIT I) - Staff Measure Summary

JANET ADKINS: Describes bill.

MOTION: CHAIR HAYDEN MOVES THAT SB 567 BE RETURNED TO THE SUBCOMMITTEE ON GENERAL GOVERNMENT

VOTE: IN A ROLL CALL VOTE THE MOTION CARRIES. ALL MEMBERS VOTING AYE.

MEMBERS EXCUSED: REP. EDMUNSON, REP. PARKS.

WORK SESSION - HB 2139, SB 491 & SB 317

REP. NORRIS VOTES AYE ON: HB 2139, SB 491 & SB 317

REP. NORRIS: RE: HJR 8 & HB 2465 - I have consulted with both the chair of the House Appropriations Committee and the Speaker of the House, and the Speaker of the House has told me that we can go ahead and pass this

straight to the floor. It indicated the potential impact is on the legislative fiscal office, not on the executive department. We were looking at an active period from the first of Jan. 1995, and he said he would discuss it with the LFO.

(EXHIBIT J) - Legislative Rules on General Government

CHAIR HAYDEN DISCUSSES PROPOSED CHANGES TO COMMITTEE RULES TO ALLOW TESTIMONY TO BE TAKEN AND AMENDMENTS MADE IN FULL COMMITTEE.

JANET ADKINS: Discusses changes in Rules.

MOTION: REP. ROBERTS MOVES THE CHANGES

VOTE: IN A ROLL CALL VOTE TO CHANGE THE RULES, THE MOTION CARRIES, ALL MEMBERS VOTING AYE. MEMBERS EXCUSED: REP. EDMUNSON, REP. PARKS, REP. WYLIE

ADJOURNED: 9:30 a.m.

Submitted by:

Reviewed by:

Amy Jahnke
Administrator

Janet Adkins Assistant

EXHIBIT LOG A - HB 3068 STAFF MEASURE SUMMARY, submitted by staff pp 1 B - HB 2333 STAFF MEASURE SUMMARY, submitted by staff pp 1 C - HB 3155 STAFF MEASURE SUMMARY, submitted by staff pp 1 D - HB 2139 STAFF MEASURE SUMMARY, submitted by staff pp 1 E - HB 2139 STATEMENT OF NO FISCAL IMPACT, submitted by staff pp 1 F - SB 491 STAFF MEASURE SUMMARY, submitted by staff pp 1 G - SB 317 STAFF MEASURE SUMMARY, submitted by staff pp 1 H - SB 761 STAFF MEASURE SUMMARY, submitted by staff pp 1 I - SB 567 STAFF MEASURE SUMMARY, submitted by staff pp 1 J - LEGISLATIVE RULES ON GENERAL GOVERNMENT, submitted by staff pp 3