

HOUSE COMMITTEE ON GENERAL GOVERNMENT Subcommittee on Government

July 14, 1993      Hearing Room 357 10:00 a.m.    Tapes 78 - 79

MEMBERS PRESENT:    Rep. Del Parks, Chair Rep. Jim Edmunson Rep. Patti  
Milne Rep. Sharon Wylie Rep. Cedric Hayden, ex-officio

VISITING MEMBER:    Rep. Ken Baker

STAFF PRESENT:      Janet Adkins, Committee Administrator Julie Dow,  
Committee Researcher Karen Cormac-Jones, Committee Clerk

MEASURES CONSIDERED:      Public Hearing SB 316 SB 259 A-Engrossed

Public Hearing and Work Session SB 1071 SJM12 SB 420

WITNESSES:                  REP. TIM JOSI PAUL                  LEVESQUE,                  Executive  
   Assistant,                  Board of Commissioners, Tillamook County;  
President, Oregon

Public Property Manager's Association SEN. JOAN DUKES DAVE FISKUM,  
Columbia River Pilots NINA                  JOHNSON,                  Executive                  Assistant,  
   Secretary of State's Office LYNN ROSIK, Attorney, Elections Division  
SEN. RON CEASE JOHN                  BEAULIEU,                  Oregon                  Department                  of  
Geology and Mineral Industries DANA AXON, Senator Dwyer's Office

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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 Graphic ---]

TAPE 78, SIDE A

007 CHAIR PARKS: Calls the meeting to order at 10:20 a.m. We will be hearing a portion of testimony on SB 316 at the beginning of today's

meeting.

OPENS PUBLIC HEARING ON SB 316

027 JANET ADKINS, Committee Administrator: Senate Bill 316 is at the request of the Tillamook County Board of Commissioners and the Oregon

Public Property Manager's Association, and sponsored by Senator Dukes.

This bill would allow counties to recover their costs in processing foreclosures by adding a 5% penalty fee and a \$50 "other fee" for each

property that the county forecloses due to delinquent taxes.

Counties already recover their costs of maintaining property and their costs of any lawsuits under a separate section. This would allow them to cover the costs of their foreclosure proceedings.

Counties are currently not allowed to recover costs for properties which are sold in foreclosure sales.

029 REP. TIM JOSI: Testifies in favor of SB 316. This bill is a small housekeeping bill which allows counties to recoup some of their

expenses.

051 REP. WYLIE: Does this bill fit the needs of both rural and urban counties?

067 PAUL LEVESQUE, Executive Assistant, Board of Commissioners, Tillamook County; President, Oregon Public Property Manager's Association: The

Association of Oregon Counties has endorsed the bill. Tillamook County has elected to sponsor the bill.

076 REP. WYLIE: What happens when costs exceed property value?

079 LEVESQUE: This bill would only reimburse counties \$50 on each parcel, plus 5% of the judgment amount. In my fifteen years of experience, I

haven't seen property that is of such low value that those numbers would exceed the value of the property.

096 SEN. JOAN DUKES: Testifies in favor of SB 316. I introduced this bill at the request of the Tillamook County Board of Commissioners. We

require that counties post notices in the paper, obtain appraisals, etc. to protect themselves and the public, which is really an out-of-pocket

expense. It doesn't make sense to not allow the counties to deduct these costs.

Additions to the record: SB 316 Staff Measure Summary and Revenue Analysis (EXHIBIT A)

113 CHAIR PARKS: CLOSING PUBLIC HEARING ON SB 316

OPENS PUBLIC HEARING ON SB 259 A-ENGROSSED

119 Refers to a two-page memo from the Columbia River Pilots to the House General Government committee members (EXHIBIT B), and asks Sen. Dukes

whether she has seen the document.

123 SEN. DUKES: No, I have not.

125 CHAIR PARKS: Requests Sen. Dukes to specifically address the "characterization" of "misleading matters" on document from the Columbia River Pilots.

144 SEN. DUKES: I did not make that first statement.

148 DAVE FISKUM, Columbia River Pilots: This document was prepared yesterday. Our goal was to meet with Senator Dukes today before the

hearing began. Senator Dukes has not yet had an opportunity to read this document.

160 REP. HAYDEN: If they have not had the opportunity to properly prepare with Senator Dukes, we could postpone this until a later date.

164 CHAIR PARKS: We'll be meeting on this again next week. Encourages parties to resolve differences.

172 FISKUM: Our intent was not to surprise Senator Dukes. The purpose of those remarks was not to delay this proceeding.

175 SEN. DUKES: After the last hearing on this bill, the parties involved had reached an agreement, which is reflected in the -10 amendments

(EXHIBIT C). Since then, one of the groups is not as agreeable as they previously were. Secondly, an issue was raised by Irving Potter, a member of the Board of Maritime Pilots, regarding the requirement of a license which reduces the ability to reach affirmative action. Refers to letters from legislative counsel (EXHIBIT D) and from Irving Potter (EXHIBIT E).

Legislative counsel estimates it would take four years to become eligible to become licensed as a trainee. The Columbia River Pilots are not likely to willingly let go of that part of the law. I would not be comfortable stating that if that portion of the law is retained, we can still achieve affirmative action.

213 FISKUM: That is the item which Senator Dukes brought to my attention yesterday. We had hoped to have further discussion on that issue with

her, which has not yet occurred.

219 CHAIR PARKS: If you come to an agreement, this committee would accede to the wishes of the Senate. We'll probably be meeting again on this

issue next Tuesday.

Addition to the record: Hand-Engrossed SB 259 A-Engrossed with SB 259 A-10 Amendments (LC

694), dated 7-2-93 (EXHIBIT F)

CLOSES PUBLIC HEARING ON SB 259

OPENS PUBLIC HEARING ON SB 1071

270 JULIE DOW, Committee Researcher: Senate Bill 1071 deals with the political disclaimer statute, which was also dealt with in HB 3151. The -1 amendments take passage of that bill into account, which is currently waiting to be signed by the Governor. House Bill 3151 dealt with the

disclaimer language in consistency with federal law.

Senate Bill 1071 is an effort to clarify which written and broadcast election-related materials must include disclaimers. The bill seeks to remedy problems which have been identified by the Elections Division, some of which were dealt with through administrative rules. The bill is based on legislative counsel's review of those rules.

288 NINA JOHNSON, Executive Assistant, Secretary of State's Office: Refers to her memo dated June 28, 1993 regarding recommended changes to SB 107 1 (EXHIBIT G).

It is much easier both for candidates and for our office if the rule is the same for all election materials. That is how the original bill was written.

350 REP. HAYDEN: I agree that the public likes to know who is paying for campaign materials, but when you see something like, "Citizens for Truth and Justice," it doesn't tell you much.

357 JOHNSON: California had an initiative which dealt with that issue. It's a very complex area. When we're more connected electronically,

that information should be much more accessible.

415 REP. EDMUNSON: Is there anything about the bill you dislike?

419 JOHNSON: No.

423 LYNN ROSIK, Attorney, Elections Division: States that she is present to offer assistance regarding legal questions.

448 JOHNSON: If the committee chooses to move on SB 1071, you would need to add the conflict amendment from HB 3151, which has been drafted by

legislative counsel.

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012 REP. HAYDEN: Do we have to consider this on the -1 amendments (EXHIBIT H)?

013 ADKINS: The -1 amendments take out the sign portion and any written matter, but they also contain a conflict amendment in Section 2.

019 JOHNSON: We're not requesting that change. It's our preference that SB 1071 be passed out as it was passed by the Senate without the -1

amendments. My only technical point was that you still need to add the HB 3151 conflict amendment to the original bill.

024 CHAIR PARKS: What does this do?

026 JOHNSON: Everything will have to have a disclaimer. From a practical standpoint, this benefits both candidates and our office.

038 CHAIR PARKS: CLOSING PUBLIC HEARING ON SB 1071

OPENS WORK SESSION ON SB 1071

045 Are the -1 amendments yours?

046 JOHNSON: Those were to help resolve potential issues in case questions came up.

055 REP. HAYDEN: On which line of the -1 amendments is the conflict amendment?

056 JOHNSON: It's in all of Section 2 of the -1 amendments. It might be easier to just move the conflict amendment on HB 3151 and not reference the -1 amendments, since this will have to be rewritten to conform.

064 REP. HAYDEN: Are you the author of both the -1 amendments and SB 1071?

067 JOHNSON: Correct.

068 MOTION: REP. HAYDEN: Moves the CONFLICT AMENDMENTS contained in SECTION 2 of the SB 1071-1 AMENDMENTS (LC 3592), dated 7-1-93, to SB 1071.

074 CHAIR PARKS: Restates motion and calls for discussion. Hearing no objection, the motion CARRIES.

085 MOTION: REP. HAYDEN: Moves SB 1071 AS AMENDED to the Full Committee on General Government with a DO PASS RECOMMENDATION.

101 CHAIR PARKS: Restates motion and calls for discussion.

103 VOTE: REPS. HAYDEN, MILNE, WYLIE and CHAIR PARKS vote AYE. REP. EDMUNSON is EXCUSED.

105 CHAIR PARKS: The motion CARRIES.

Additions to the record: Hand-Engrossed SB 1071 with SB 1071-Amendments (LC 3592), 7-1-93

(EXHIBIT I) SB 1071 Staff Measure Summary (EXHIBIT J)

CLOSES WORK SESSION ON SB 1071

OPENS PUBLIC HEARING ON SJM12

114 SEN. RON CEASE: Testifies in favor of SJM 12. This memorial asks Congress to insure that the funding which is coming to Oregon for

earthquake issues be retained. It also asks the U.S. Geological Survey to deploy a reasonable amount of resources in an effort toward earthquake hazard assessment in Oregon, and would establish a regional commission, with representatives from northern California, Oregon, Washington and Alaska, which would coordinate technology transfer and mitigation strategies.

144 JOHN BEAULIEU, Oregon Department of Geology and Mineral Industries: Testifies in favor of SJM12. The earthquake on March 25 was a gentle

wake-up call for Oregon. Describes potential of future earthquake damage.

If Oregon is to continue to attract the existing amount of federal attention, we need legislative interest expressed to attract federal dollars.

199 REP. MILNE: Is there presently funding for this? How much money?

202 BEAULIEU: Yes, there is funding. Currently, the U.S. Geologic Survey is passing funding of approximately \$100,000 to our department for

activities primarily in the Portland area. The Federal Emergency Management Agency (FEMA) is passing \$700,000; half through our agency and half to Metro. There are also other small packages of money from various sources. The National Earthquake Hazard Reduction Program budget is over \$80,000,000 annually. We're not asking for that, but for a very modest and defensible share.

237 REP. HAYDEN: How much we did get from the most recent earthquake through FEMA?

241 BEAULIEU: There were millions of dollars available for various types of activities, mostly for post-quake assistance.

257 SEN. CEASE: Vice President Gore had been successful in getting large amounts of money from FEMA for Tennessee. We need political support

which indicates we have both a problem and a need.

267 REP. MILNE: How will the money be used?

277 BEAULIEU: There is a spectrum of activities, from esoteric research to meetings. With the money we have received, we are accurately

characterizing how the ground behaves in an earthquake. We can actually predict how quickly the ground will move back and forth, for how long, and what the accelerations will be. This enables engineers to design buildings to accommodate that risk at very little cost.

Some money goes towards salaries, but most of the money is spent out in the field collecting data from contracts with specialized private-sector firms that have the necessary equipment. We partner extensively with the private sector and with higher education.

357 CHAIR PARKS: CLOSING PUBLIC HEARING ON SJM12

OPENS WORK SESSION ON SJM12

359 REP. HAYDEN: This agency does more with fewer resources than any other agency.

365 MOTION: REP. WYLIE: Moves SJM12 to the Full Committee on General Government with a DO PASS RECOMMENDATION.

369 CHAIR PARKS: Restates motion and calls for discussion.

VOTE: REPS. HAYDEN, MILNE, WYLIE and CHAIR PARKS vote AYE. REP. EDMUNSON is EXCUSED.

375 CHAIR PARKS: The motion CARRIES. I will recommend to the Chair of the Full Committee that Rep. Hayden carry the bill, since he is an advocate for the agency involved.

Addition to the record: SJM12 Staff Measure Summary (EXHIBIT K)

CLOSING WORK SESSION ON SJM12

OPENS PUBLIC HEARING ON SB 420

387 DOW: Senate Bill 420 would allow a person who will turn 18 after the filing deadline but on or before the primary election to file for

elected precinct committee person, and to file for and receive a major political party nomination. Current law sets the filing deadline for

declaration of candidacy or nominating petition at 70 days before the primary, and also specifies that a person who will turn 18 years old before the election may register after the 60th day before the election.

399 DANA AXON, Senator Dwyer's Office: Testifies in favor of SB 420.

411 REP. MILNE: Is the age to qualify for public office currently 18?

421 DOW: Except for the offices of governor, state senator or state representative.

425 REP. HAYDEN: Why does this say, "any major political office"?

426 DOW: I believe it then states, "except as provided by the Constitution." You must be at least 30 to run for governor.

458 REP. MILNE: Requests clarification of filing timelines.

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018 AXON: If I was to turn 18 between the registration and the primary, it would allow me to run for that office.

023 DOW: You can run for office if you're going to turn 18 in the period 60 days prior to the election.

027 REP. HAYDEN: But you've got to be 18 on or before the election day?

030 DOW: Yes.

035 CHAIR PARKS: CLOSES PUBLIC HEARING ON SB 420

OPENS WORK SESSION ON SB 420

037 MOTION: REP. WYLIE: Moves SB 420 to the Full Committee on General Government with a DO PASS RECOMMENDATION

044 CHAIR PARKS: Restates motion and calls for discussion.

046 VOTE: REPS. HAYDEN, MILNE, WYLIE and CHAIR PARKS vote AYE. REP. EDMUNSON is EXCUSED.

048 CHAIR PARKS: The motion CARRIES.

049 REP. MILNE: How many 18-year-olds will be affected by this bill?

050 AXON: I have no idea. The bill is designed to include people who might otherwise be excluded.

Additions to the record: SB 420 Staff Measure Summary (EXHIBIT L)

063 CHAIR PARKS: CLOSES WORK SESSION ON SB 420

Adjourns meeting at 11:33 a.m.



Submitted by: Reviewed by:

Karen Cormac-Jones  
Administrator

Janet Adkins Committee Clerk Committee

EXHIBIT LOG: A - SB 316 Staff Measure Summary - Staff - 2 pages B - SB 259-A Memo to House General Government Committee Members - Columbia River Pilots -2 pages C - Proposed -10 Amendments to SB 259 A-Engrossed (LC 694), 7-2-93 - Staff - 18 pages D - SB 259-A Correspondence to Sen. Dukes from Legislative Counsel - Sen. Dukes - 2 pages E - SB 259-A Correspondence to Sen. Dukes from Irving Potter - Sen. Dukes - 3 pages F - Hand-Engrossed SB 259-A with SB 259-A -10 Amendments (LC 694), 07-2-93 - Staff - 10 pages G - SB 1071 Testimony - Nina Johnson - 2 pages H - Proposed -1 Amendments to SB 1071 (LC 3592), 7-1-93 - Staff - 3 pages I - Hand-Engrossed SB 1071 with SB 1071 -1 Amendments (LC 3592), 7-1-93 - Staff - 4 pages J - SB 1071 Staff Measure Summary - Staff - 1 page K - SJM12 Staff Measure Summary - Staff - 1 page L - SB 420 Staff Measure Summary - Staff - 1 page