

HOUSE COMMITTEE ON GENERAL GOVERNMENT Subcommittee on Government

March 23, 1993 Hearing Room 357 8:30 a.m. Tapes 38 - 39

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 Amy Jahnke, Committee Assistant

MEASURES CONSIDERED: HB 2007 HB 2632 HB 2633 HB 3067

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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 38, SIDE A

CHAIR PARKS: Calls meeting to order. (8:35 a.m.)

PUBLIC HEARING ON HB 3067

Witnesses: REP. BILL MARKHAM, HOUSE DISTRICT 46 GINA COLE, PRIVATE AND FRATERNAL ORGANIZATIONS BOB KAISER, PRIVATE AND FRATERNAL ORGANIZATIONS BARBARA PELETT, OLCC

JANET ADKINS, COMMITTEE ADMINISTRATOR: Describes HB 3067.

012 REP. BILL MARKHAM, HOUSE DISTRICT 46: Testifies in support;

\_ What is fair to all the restaurants and bars should be fair to the local Elks club etc., I guess once you get out the door the police don't know where you came from, if you should be stopped.

GINA COLE, PRIVATE AND FRATERNAL ORGANIZATIONS: This is an oversight from 1985 that the class B's got left out, it was intended that they would be included and at this point they are just looking to be able to allow someone to take an open bottle home rather than feel they have to finish it before they leave the restaurant.

BOB KAISER, PRIVATE AND FRATERNAL ORGANIZATIONS: Testifies in support; we offered an amendment similar to this in 1985, we amended it into a bill that was going to repeal the sunset on the OLCC and somehow the amendment did not make it through the process, we didn't realize it

until about a year ago and so we are back again, and quite simply it just allows somebody that has a partially consumed bottle of wine to cork it up take it out with them, and the purpose of that is to encourage people not to drink as much.

REP. BAKER: How does this pertain to the open container law in vehicles?

KAISER: You have to put it in your trunk, it can't be in what is considered to be the passenger compartment of the vehicle; having it in the passenger compartment does violate the open container law.

BARBARA PELETT, OLCC: Testifies in support; when you originally authorized this service in 1981, promoting Oregon industry was part of the concept; Oregon wines were not so often sold simply by the glass in restaurants.

\_ We have had no problems with this and do not anticipate any with the private club.

WORK SESSION ON HB 3067

MOTION: REP. HAYDEN MOVES THAT HB 3067 GO TO THE FULL COMMITTEE WITH A DO PASS RECOMMENDATION.

VOTE: IN A ROLL CALL VOTE THE MOTION CARRIES.

WORK SESSION HB 2007

083 REP. WYLIE: I would like to discuss some possible amendments, I am not ready to move this bill, I have asked for and received a copy of a

document that talks about local incentives for historic preservation, that broadens the local communities options for creating a good relationship with property owners and I would like us to explore some of those.

REP. MILNE: I think we all want to make sure that properties that have substantial value are preserved and I certainly agree that any incentives are beneficial, but I think that some of the concerns you have raised are covered and I think the issue is when you allow at the local level these things are addressed.

CHAIR PARKS: We are going to pass over HB 2007 for the moment and we

will take that up later in the meeting.

- Submitted for the record, written testimony EXHIBIT A and B.

PUBLIC HEARING HB 2632

Witnesses: GARY CADLE, FINANCE DIRECTOR FOR JACKSON COUNTY BOB CANTINE,  
AOC REP. JOHN WATT, HOUSE DISTRICT 50

JANET ADKINS, COMMITTEE ADMINISTRATOR: Describes HB 2632, submits fiscal  
analysis (EXHIBIT C).

149 GARY CADLE, FINANCE DIRECTOR FOR JACKSON COUNTY: Testifies in  
support; addresses how resources are being used; talks about possible  
other uses for monies.

178 CHAIR PARKS: Asks for specific dollar amounts.

CADLE: One thousand two hundred two dollars and forty cents to publish  
financial report in newspaper.

CHAIR PARKS: Why would it cost one thousand dollars, don't you prepare a  
financial report for your own use that shows the expenditures?

205 CADLE: Not in this format, this is actually a listing of all  
contracts that are entered into, its a little vague as to a description  
of what a contract is, and the ORS specifies how we are to put it  
together and

what exactly is to be published.

\_ My point is that it does not seem to be filling a public information  
need based on the inquiries that have come into me.

REP. HAYDEN: I don't understand about the inquiries, you publish the  
statements then people call in regarding your publication?

CADLE: I am judging how useful the publication is based on phone calls  
that I have received over the last nine years, and I have only received  
two.

REP. HAYDEN: Wouldn't you consider that a mark of success because you  
are communicating openly with the public and they are getting the  
information they need so they have no need to call?

CADLE: I've considered that, but I believe that if the people were  
reading through it there would be more inquiries than just two.

REP. BAKER: Where else in the county is this information available, do  
you publish this in a register of documents, on council meeting notices  
etc.?

CADLE: When contacts are awarded, they are awarded through our Board of Commissioners meetings and they are published in the notice of the meeting, in the minutes of the meetings, there is not a separate document that is published other than those.

244 REP. BAKER: Do you also publish and print a budget for the year?

CADLE: Yes.

REP. WYLIE: Would they get everything they need by calling the purchasing department, and be able to find out not only who got a contact but what it was for etc.?

CADLE: Yes, they would.

REP. WYLIE: Is there a dollar threshold below which the contracts are neither published nor put out to bid?

CADLE: When you are talking about a formal bid process, where we put together specifications, if it's for a contract for personal services for instance, it's anything ten thousand dollars and above, or if it's for equipment it's fifteen thousand dollars and above, then we have our own model contact rules but we follow fairly closely the states guidelines.

277 REP. WYLIE: Does that mean that anything below ten thousand dollars for personal services or below fifteen thousand dollars is typically not

advertised and not done through a bid process and then not included in the listing?

CADLE: What it means is that it is a slightly different process from five thousand to ten thousand we get written quotes, from five hundred to five thousand dollars we can get oral quotes.

290 REP. WYLIE: If somebody came in and wanted to know about all of these process' and to judge for themselves whether their business was more

suited to the smaller contract or to a larger bid process, would they be able to get all of that in discussion?

CADLE: Yes, they would, we have it documented as policy, we also have it in our own codified ordinances and we encourage business' to come in a speak to our purchasing staff.

306 BOB CANTINE, AOC: Testifies in support, shows committee copy of contracts list (not exhibited).

\_ We have had continuing concerns with the publication requirements, first of all this is a requirement that only the counties have to comply with, the school districts do not, the cities do not, the state does not, the special districts do not, and I don't think we can claim that they are any less well run or less responsive just because they don't publish these statistics on contracts you have let during the year, by the end of the year.

\_ We feel that unless they are getting calls because they don't publish and we're not getting calls because we do publish that it's probably a requirement that is not worth the value or the cost that we are having to pay for it.

370 REP. WYLIE: The description of this bill includes "accountant", does that preclude us from adding or changing the description?

CHAIR PARKS: We can't change the relating clauses.

REP. WYLIE: Does that mean that we can't include county clerks?

ADKINS: Legislative council recommends a conservative approach, that we cannot on this bill.

396 CHAIR PARKS: Some of the folks have expressed concern that this makes it difficult to find without the list, would you object if we went ahead and did this but added a provision to the effect that all contracts

would be kept in one place and be available to the public for inspection and to copy them at county expense if a person wanted a copy?

REP. HAYDEN: And that the county would publish an annual statement in lieu of this advising the public where those records were available.

CHAIR PARKS: It would cost you about fifty seven dollars to do it that way, what would you think of something like that?

CANTINE: I should let the sponsor answer that.

429 REP. JOHN WATT, HOUSE DISTRICT 50: Testifies in support;

\_ What we have here is discrimination against counties.

PUBLIC HEARING ON HB 2633

Witnesses: Maureen Frank, Jackson County Ralph Wehinger, Eagle Point Rep. John Watt, House District 50

JANET ADKINS, COMMITTEE ADMINISTRATOR: Submits information (EXHIBIT D)

TAPE 39, SIDE A

042 MAUREEN FRANK, JACKSON COUNTY: I am here on behalf of the Airport Director who apologizes; I will read his statement in support of HB 263 3 (EXHIBIT E).

072 CHAIR PARKS: We have a policy of not putting emergency clauses in the bills.

074 RALPH WEHINGER, EAGLE POINT: Jackson County foreign trade zone is in a unique situation; we believe that the opportunity that the foreign trade zone can create will help to retain some of the jobs and enter into the mix of factors that will determine how many jobs stay in the Rogue

Valley with that company.

\_ Describes companies that have contracted with the trade zone. 103  
WEHINGER: The application is ready to go, we have been at this process for a number of years; the emergency clause will allow us to formally submit our application once the bill is signed rather than waiting ninety days.

111 REP. JOHN WATT, HOUSE DISTRICT 50: HB 2633 is truly a bill that will create jobs for Oregon; this is a bill we can term a "feel good bill".

\_ Because of a changing job market and a reduction in the timber industry we find many opportunities in Jackson County; there are a number of business that do business internationally.

\_ This would allow the trade zone to ship and receive internationally and I would ask for your favorable recommendation.

140 ADKINS: Who enforces; the federal government would do enforcement as to if people were doing what they claimed to do under the application?

WEHINGER: US customs and the US Foreign Trade Zone Board; we visited all the applicants in the foreign trade zone with the Deputy Commissioner of Customs for the Columbia/Snake region; they have authorized Medford/Jackson County, with the signing of this bill, to establish port of entry with custom service.

\_ At the conclusion of our tour of all our zone users we asked where we stood in reference to other zones that have been proposed around the Western United States and were told that there were none in a better

position, who could activate immediately upon the federal approval of the grant.

163 ADKINS: It doesn't have to be adjacent to the airport?

WEHINGER: No it doesn't.

175 ADKINS: We have a letter from the international law section of the Oregon State Bar supporting the bill, (see EXHIBIT C).

WORK SESSION ON HB 2633

178 MOTION; REP. WYLIE MOVES THAT HB 2633 BE SENT TO THE FULL COMMITTEE WITH DO PASS RECOMMENDATION.

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

REP. HAYDEN

193 CHAIR PARKS: We will meet after the full committee on Thursday to complete our business. We are adjourned. (11:02 a.m.)

Submitted by,

Reviewed by,

Amy Jahnke  
Assistant

Janet Adkins Committee  
Committee Administrator

EXHIBIT SUMMARY: A - HB 2007: TESTIMONY OF OREGONIANS IN ACTION  
SUBMITTED BY BILL MOSHOFSKY, PP 9 B - HB 2007: LETTER TO COMMITTEE  
SUBMITTED BY GREG WOLF, PP 2 C - HB 2632: FISCAL ANALYSIS PP 1 D - HB  
2633: LETTER TO COMMITTEE SUBMITTED BY MARK A. THORBURN PP 1 E - HB  
2633: REQUEST FOR PROPOSALS SUBMITTED BY MAUREEN FRANK PP 2