

HOUSE COMMITTEE ON GENERAL GOVERNMENT Subcommittee on Government

April 27, 1993 Hearing Room 357 9:00 a.m. Tapes 62 - 63

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 3072 Dispenser's license for brewery-public house HB 3231 Lottery - withhold personal information HB 2533 Double-majority & triple majority HB 2534 Urban services boundaries HB 2278 Primary election by mail HB 2850 Lottery commission budget HB 2663 Unclaimed winnings for track improvement

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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 62, SIDE A

007 CHAIR PARKS: Calls the meeting to order at 9:15 a.m.

WORK SESSION - HB 2278

EXHIBIT A SUBMITTED

028 MOTION: REP. EDMUNSON MOVES HB 2278 TO FULL COMMITTEE WITH DO PASS RECOMMENDATION

VOTE: IN A ROLL CALL VOTE HB 2278 PASSES TO FULL COMMITTEE WITH A DO PASS RECOMMENDATION, ALL VOTES AYE.

WORK SESSION - HB 2850

EXHIBIT J SUBMITTED

JANET ADKINS, COMMITTEE ADMINISTRATOR: Reviews bill.

050 MOTION: REP. WYLIE MOVES TO SUSPEND THE RULES TO RECONSIDER HB 2850 AS A MATTER FOR THE SUBCOMMITTEE. HEARING NO OBJECTION, THE MOTION IS

CARRIED.

055 CHAIR PARKS: We want to subject the lottery commission budget to examination by the legislature. The (-1) amendment accomplished this.

064 REP. MIKE BURTON, DISTRICT 17: (-1) amendment removes

prohibition of placing expenditure limitation on the lottery's administrative budget.

Original language of my bill needs to remain; the other piece (Yih's) needs to be amended in.

077 REP. EDMUNSON: Believes change in LC (-1) amendment is scrivener's error

MOTION: REP. EDMUNSON MOVES A CONCEPTUAL AMENDMENT TO HB 2850. HEARING

NO OBJECTION, AMENDMENT IS ADOPTED

REP. HAYDEN: Reviews (-1) amendment.

REP. BURTON: Reviews amendment.

108 CHAIR PARKS: On line 2 we would delete the words "and declaring an emergency," and insert the words "repealing ORS 461.550." Is that

correct? Then we're going to delete lines 8 and 9?

MOTION: EDMUNSON MOVES HB 2850 AS AMENDED TO FULL COMMITTEE WITH DO PASS RECOMMENDATION

VOTE: IN A ROLL CALL VOTE HB 2850 AS AMENDED MOVES TO FULL COMMITTEE

WITH A DO PASS RECOMMENDATION

121 REP. BURTON: HJR 68 drafted which would refer this issue to the voters to amend the constitution, if there's any doubt about it. SJR17 is

being moved through the senate by Senator Yih; they do the same thing.

I'd rather have you take mine.

WORK SESSION - HB 3072

JANET ADKINS, COMMITTEE ADMINISTRATOR: Reviews bill. (EXHIBITS B,C & F)

163 REP. EDMUNSON: Opposes bill.

193 REP. HAYDEN: We voted in favor of conceptual amendments in April, but I agree with Rep. Edmunson.

WORK SESSION - HB 3231

206 JANET ADKINS: Reviews bill (EXHIBITS G & H)

230 REP. HAYDEN: Is there a remedy needed here? Did we ever decide that anybody was being harmed in any way? JANET ADKINS: Is this bill about keeping winners' names confidential in conflict with SB 500, which is the Public Records Bill in the senate? It appears to be inconsistent with the spirit of that bill.

249 REP. HAYDEN: I wouldn't have any problem holding this at the chair's desk for awhile.

251 CHAIR PARKS: What are we holding it for? October or November? Is that the consensus on the

committee that we want to do that? The administrator doesn't agree with you.

JANET ADKINS: Do you have disagreement with the entire bill, naming the beneficiary? They are separate sections.

261 CHAIR PARKS: ...I think I could bear up under the glare of publicity if I won the lottery...

264 REP. HAYDEN: Where is it in the bill about the beneficiary?

271 MOTION: REP. EDMUNSON MOVES TO DELETE LINES 3-14 ON HB 3231 AND INSERT (-1) AMENDMENT IN ITS PLACE

HEARING NO OBJECTION, IT IS ADOPTED. MOTION: REP. EDMUNSON MOVES HB 3231 TO FULL COMMITTEE WITH DO PASS

RECOMMENDATION

VOTE: IN A ROLL CALL VOTE HB 3231 AS AMMENDED MOVES TO FULL COMMITTEE WITH DO PASS RECOMMENDATION, ALL VOTING AYE

PUBLIC HEARING - HB 2663

298 JANET ADKINS: Reviews bill. (EXHIBIT I)

REP. BILL MARKHAM, DISTRICT 46: Testifies for HB 2663.

350 REP. HAYDEN: What period of time do you have to claim your winnings?

REP. MARKHAM: 120 days.

ALAN WESTHOFF, MANAGER, JOSEPHINE COUNTY FAIRGROUNDS: Testifies for HB 2663. We have to hold those uncashed monies in a separate checking account for those people to come forward to be paid. We have to send the money to the state general fund within 120 days.

CHAIR PARKS: You're assuming the amount, \$11,000, will be about the same?

WESTHOFF: That's the total of the six non-profit fairs.

REP. HAYDEN: Do you anticipate that this legislation would cause any increase in the amount of uncollected funds? Is there any way that manipulation of funds could occur since the track would have a vested interest in unclaimed funds?

WESTHOFF: Don't anticipate increase in uncollected funds. Uncashed tickets are kicked out everyday; we have no control over the unclaimed tickets--who they belong to, the amount, etc. The program lists an address they may contact to claim their winnings.

390 JOHN MCCULLEY, OREGON FAIRS ASSOCIATION: Testifies in support of HB 2663.

GLEN KNICKERBOCKER, OREGON DIVISION OF HORSEMAN'S BENEVOLENT & PROTECTIVE ASSOCIATION & LONE OAK RACING, INC.: Testifies in support of HB 2663. Additional policy issue is: Should it be limited to governmentally operated fairs or should the same rationale concerning outfunds be available to all track operators?

472 REP. HAYDEN: Pandora's box? Are we going to have the scientific games wanting unpaid lottery winnings paid back into their firm? Are we going to continue to have funds come back to the general fund?

TAPE 63, SIDE A

045 CHAIR PARKS: My experience is that if there's money involved, somebody will come to the legislature and want it. As it is framed, the bill only affects six non-profit county fairs.

WORK SESSION - HB 2663

REP. HAYDEN: Where did you get the figure \$128,000?

CHAIR PARKS: I added them in my head--\$170,000.

REP. HAYDEN: Is this the first instance of returning unclaimed winnings?

REP. MARKHAM: They've always gone back to the General Fund.

REP. HAYDEN: If we establish this precedent for a seemingly small amount of money, what's prevent a larger amount being drained out of the General Fund by another bill?

CHAIR PARKS: The precedent we establish is at non-profit parimutuel horse tracks at county fairgrounds. I don't think that applies to dog tracks...

REP. HAYDEN: I'd be more in favor of unclaimed winnings from Portland Meadows going to Harney County fairgrounds, not the General Fund.

MOTION: REP. MILNE MOVES HB 2663 TO FULL COMMITTEE WITH DO PASS

RECOMMENDATION

VOTE: IN A ROLL CALL VOTE HB 2663 MOVED TO FULL COMMITTEE WITH DO PASS RECOMMENDATION. REP. MILNE, REP. WYLIE AND REP. PARKS VOTE AYE, REP.

EDMUNSON AND REP. HAYDEN VOTE NO.

WORK SESSION - HB 2533 & 2534

096 REP. TED CALOURI, DISTRICT 7: Reviews HB 2533. Deals with annexation. Only affects Portland/Beaverton and Eugene areas.

CHAIR PARKS: It would still require a remonstrance vote, same number of signatures that are presently required? (yes)

JANET ADKINS: It also applies to district annexations as well as cities.

REP. CALOURI: Reviews HB 2534 (EXHIBIT D) with (-5) and (-2) amendments.

145 CHAIR PARKS: Has everyone had the opportunity to read the explanation, and are there questions?

JANET ADKINS: Reviews HB 2534.

REP. CALOURI: This is a way of resolving a dispute between two cities, establishing a single boundary line between the two; establishing service areas. Residents vote on division proposals.

232 REP. BAKER: Each city would draw their own boundaries?

REP. CALOURI: Uses chalkboard to diagram boundaries.

290 REP. BAKER: Joins Rep Calouri in diagram on chalkboard. Should you allow everyone to vote or should you allow only people in the proposed area to vote?

REP. CALOURI: All of them should vote.

REP. BAKER: That's the language that you have on page 2 of (-5) amendments, line 28?

322 REP. CALOURI: That's the intent.

REP. HAYDEN: If two cities put two lines can they choose one or the other?

REP. CALOURI: Yes, one or the other, or neither.

REP. WYLIE: Don't we want to get those people out of the middle?

REP. CALOURI: I look at it as it is everyone's concern, fate.

366 REP. WYLIE: People want to choose which city they want to be a part of

REP. CALOURI: There is another bill proposed by LCDC that you want to avoid...

400 REP. WYLIE: Continues on about annexation concerns.

REP. CALOURI: Continues explaining bill's intent.

TAPE 62, SIDE B

027 REP. BAKER: If you have a group of 10,000 versus 2,000 voters, from opposite sides, who's going to win?

REP. HAYDEN: All those people are in the affected area.

REP. CALOURI: My version is closer to yours; all the people in the area desperately want a line. We've had two cities fighting this fight for seven years. Most of the people understand it and want that line drawn and they want to have a say at doing it.

REP. HAYDEN: Is it true that ultimately they will be in the city?

056 REP. CALOURI: Not as far as they're concerned. Once we get the line drawn we get to the issues of annexation.

070 REP. BAKER: Why don't they incorporate themselves as a third city?

REP. CALOURI: Because the boundary commission won't let them.

080 REP. EDMUNSON: What is the maximum amount of people in this area?

REP. CALOURI: 25,000. There is 60 percent growth in 20 years.

REP. EDMUNSON: Your bill provides that the city seeking to establish the line pays for the election, or they both share?

REP. CALOURI: They share.

JANET ADKINS: If there are two cities involved, the costs are split. If they are in two different

counties... evenly divided. If it's during a general election, there's no cost to the city.

REP. PARKS AND REP. CALOURI - DISCUSSION ON BILLS GOING TO FULL COMMITTEE

10 MIN BREAK

116 CHAIR PARKS: If city Aand your amendments do not encompass..

WHITE: HB 2533

MOTION: REP. MILNE MOVES HB 2533 TO FULL COMMITTEE WITH DO PASS RECOMMENDATION

VOTE: IN A ROLL CALL VOTE HB 2533 MOVES TO FULL COMMITTEE WITH DO PASS

RECOMMENDATION, REP. WYLIE & EDMUNSON VOTE NO, REP. MILNE, HAYDEN, & PARKS VOTE AYE.

HB 2534

149 JANET ADKINS: Reviews amendments (-2) &(-5).

REP. HAYDEN: Are there any conflicts between the amendments and the bill?

JANET ADKINS: No.

MOTION: REP. HAYDEN MOVES TO ADOPT (-2) AMENDMENTS TO HB 2534. NO OBJECTIONS, SO MOVED

MOTION: REP. HAYDEN MOVES (-5) AMENDMENTS HB 2534 AS CONCEPTUALLY AMENDED TO INCLUDE ONLY BOUNDARY DISTRICTS

178 MOTION: REP. HAYDEN MOVES HB 2534 AS AMENDED TO FULL COMMITTEE WITH DO PASS RECOMMENDATION WITH ADMINISTRATOR TO DRAFT CONCEPTUAL AMENDMENTS

VOTE: IN A ROLL CALL VOTE HB 2534 AS AMENDED MOVES TO FULL COMMITTEE WITH DO PASS RECOMMENDATION

ADJOURNED 10:50AM

Submitted by:

Reveiwed by:

Laurie Baird
Administrator

Janet Adkins Clerk

WITNESSES:

REP. MIKE BURTON, DISTRICT 17 REP. BILL MARKHAM, DISTRICT 46 ALAN WESTHOFF, MANAGER, JOSEPHINE COUNTY FAIRGROUNDS JOHN MCCULLEY, OREGON FAIRS ASSOCIATION GLEN KNICKERBOCKER, OREGON DIVISION OF HORSEMAN'S BENEVOLENT & PROTECTIVE ASSOCIATION & LONE OAK RACING, INC. REP. TED CALOURI, DISTRICT 7

EXHIBIT LOG:

A - HB 2278: Comparison Cost Analysis, submitted by Sec. of State, pp 2
B - HB 3072: Electronically engrossed bill, submitted by staff, pp 3 C
- HB 3072: Proposed amendments, submitted by staff, pp 2 D - HB 2534:
Electronically engrossed bill, submitted by staff, pp 8 E - HB 2534:

Proposed amendments, submitted by staff, pp 6 F - HB 3072: Written testimony, submitted by OLCC, pp 1 G - HB 3231: Written testimony, submitted by Lottery Comm., pp 6 H - HB 3231: Written testimony, submitted by Dept. of Justice, pp 10 I - HB 2663: Fiscal analysis, submitted by staff, pp 1 J - HB 2850: Written testimony, submitted by Lottery Comm., pp 14