

HOUSE COMMITTEE ON RULES AND REORGANIZATION

April 14, 1993 Hearing Room 357 1:30 p.m. Tapes 45 - 46

MEMBERS PRESENT: Rep. John Watt, Chair Rep. Lonnie Roberts, Vice-Chair
Rep. Dave McTeague Rep. Cedric Hayden Rep. Michael Payne Rep. Eldon
Johnson Rep. Fred Girod Rep. Avel Gordly Rep. Delna Jones

STAFF PRESENT: Adrienne Sexton, Committee Administrator Kenneth
Brady, Committee Clerk

MEASURES CONSIDERED: HCR6 - In memoriam: Joseph Russell Sand.

HB 2662 - Relating to DEQ adopting rules more
stringent than the federal government

HCR 7 - Commemorates 50th anniversary of Warsaw Ghetto
Uprising.

WITNESSES: Cecil Edwards, HCR6 Rep. Gail Shibley, HCR7
Speaker Larry Campbell, HCR7

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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 45, SIDE A

003 REPRESENTATIVE JOHN WATT, COMMITTEE CHAIR: Convenes meeting at
1:37 p.m.

008 ADRIENNE SEXTON, COMMITTEE ADMINISTRATOR: Explains requests
for introductions of committee measures.

014 MOTION: REPRESENTATIVE LONNIE ROBERTS, VICE-CHAIR moves
request for introduction of committee measures.

016 WATT: Hearing no objections, so ordered.

018 SEXTON: Those are LC 3874, LC 3887, and LC 3893.

020 WATT: Opens hearing on HCR6.

PUBLIC HEARING - HCR6

025 SEXTON: Explains HCR6. -Gives information about Joseph Russell
Sand.

031 CECIL EDWARDS: In support of HCR6. -Submits written testimony (EXHIBIT A) about Joseph Russell Sand.

066 WATT: Closes hearing on HCR6. -Opens work session on HCR6.

WORK SESSION - HCR6

068 MOTION: Rep. ROBERTS moves that HCR 6 be sent to the floor with a DO PASS recommendation.

073 VOTE: In a ROLL CALL VOTE, all members vote AYE.

080 WATT: Declares HCR6 passed to the floor. -Rep. Watt is the carrier. -Notes that HJR 52 will not be heard today. -Opens work session on HB 2662.

WORK SESSION - HB 2662

105 REPRESENTATIVE FRED GIROD: Reads HB 2662 with -5 amendments (EXHIBIT B).

119 ROBERTS: Questions amendments (-5).

123 GIROD: That's the entire bill as amended.

127 SEXTON: Notes that the fiscal impact statement is available.

136 WATT: Could you give the history of why this bill was proposed?

140 GIROD: Testimony indicates that DEQ tends to rule against the public position, and that cost is sometimes prohibitive for compliance with

these rules.

153 WATT: Any DEQ rule must be approved by the legislature if it is more stringent?

156 GIROD: Past rules only. HJR 22 is set up for new rules.

158 REPRESENTATIVE DELNA JONES: Did you discuss the process for reviewing rules getting ready for next session? Would it be appropriate for an

interim committee to review them?

164 GIROD: It would be a good idea to discuss that.

197 REPRESENTATIVE DAVE MCTEAGUE: I'm part of the DEQ subcommittee. Sometimes these rules need to be more stringent. -We should send this to the Environment Committee.

252 GORDLY: Agrees with Rep. McTeague. -Who introduced this bill?

272 GIROD: Rep. Markham.

276 JONES: I served on the Energy & Environment Committee. -The interim should work it first.

300 REPRESENTATIVE CEDRIC HAYDEN: We're qualified to review rules. We're elected by the people to make laws.

315 JOHNSON: In favor of moving this bill to the Environment Committee.

325 WATT: We need to think about the rule writing procedure. -It is very expensive.

341 JONES: With these amendments, the bill doesn't limit adopting rules.

347 GIROD: Correct. (-5) amendments are different than the original bill.

385 MCTEAGUE: We don't know what we're doing with this. -This is an overly broad bill.

424 ROBERTS: I'd like to have the process of all the costs of rule changes explained.

439 HAYDEN: Agrees that it should be referred to Environment Committee. -Notes a conceptual change.

445 WATT: We have agreed to make changes only in subcommittee.

456 JONES: This is no different than any other sunset provision.

TAPE 46, SIDE A

039 MOTION: Rep. JONES moves that -5 amendments to HB 2662 be adopted.

040 JONES: Should not go to Environment Committee.

044 MCTEAGUE: We don't know what we're doing with this bill, so it should go to the Environment Committee.

050 WATT: This bill just asks for a list to be presented, not to restrict.

068 MOTION: REPRESENTATIVE MICHAEL PAYNE moves that the -5 amendments be amended.

072 WATT: Amendments are to be made in subcommittee only.

075 ROBERTS: I call for the question.

078 WATT: Hearing no objections, so ordered.

(Vote on Rep. Jones' motion)

080 VOTE: In a ROLL CALL VOTE, voting AYE: Rep. Girod, Hayden, Johnson, Jones,

Payne, Vice-Chair

Roberts, Chair Watt NAY:
McTeague

Rep. Gordly,

088 MOTION: Rep. GIROD moves that HB 2662 as amended be sent to the floor with a DO PASS recommendation.

090 MOTION: Rep. MCTEAUGE moves to amend the motion to send HB 2662 to the floor with a recommendation that it be referred to the Committee on Environment.

093 ROBERTS: Does that mean this measure would go to the floor for a vote to decide whether it would go to the Environment Committee?

097 SEXTON: No, it would go to the Speaker's desk with a recommendation that it be referred to the other committee.

103 JONES: There is no Environment Committee. It's a sub of Natural Resources.

106 WATT: I choose to not recognize the motion to send to the Speaker's desk and will continue with the motion to send to the floor.

109 MCTEAGUE: This is a legitimate motion. What's wrong with it?

117 GIROD: Withdraws motion.

118 MOTION: Rep. MCTEAGUE moves to send HB 2662 to the Speaker's desk with a recommendation to refer it to Natural Resources Committee.

123 ROBERTS: Is there a DO PASS recommendation?

127 HAYDEN: The rules should remain operative as they're reviewed.

137 VOTE: In a ROLL CALL VOTE, voting AYE: Rep. Gordly, Hayden, McTeague, Payne, Vice-Chair Roberts NAY: Rep. Girod,

Johnson, Jones, Chair Watt

147 HAYDEN: Changes vote to NAY.

148 PAYNE: Changes vote to NAY.

VOTE: Recount of vote is AYE: Rep. Gordly, McTeague, Vice-Chair Roberts NAY: Girod, Hayden, Johnson, Jones, Payne, Chair Watt

151 WATT: HB 2662 is not referred to the Speaker.

153 MOTION: Rep. GIROD moves that HB 2662 as amended be sent to the floor with a DO PASS recommendation.

157 VOTE: In a ROLL CALL VOTE, voting AYE: Rep. Girod, Hayden, Johnson, Jones, Payne, Vice-Chair Roberts, Chair Watt NAY: Rep. Gordly,

McTeague

163 WATT: Declares HB 2662 passed to the floor. -Rep. Girod is the carrier.

171 WATT: Closes work session on HB 2662. -Opens work session on HCR7.

WORK SESSION - HCR7

159 SEXTON: Explains HCR7.

168 REPRESENTATIVE GAIL SHIBLEY: In support of HCR7. -Speaker Campbell is the lead sponsor.

183 SPEAKER LARRY CAMPBELL: In support of HCR7.

186 SHIBLEY: Speaks in commemoration of the Warsaw Ghetto Uprising.

228 CAMPBELL: Speaks in commemoration of the Warsaw Ghetto Uprising.

256 SHIBLEY: It happened April 19, 1943, and that anniversary is coming up soon.

260 JONES: I visited Poland last summer and understand the courage of the Polish people.

271 GIROD: I've been harrassed by Neo-Nazis during this election. -In support of this wholeheartedly.

282 MOTION: Rep. ROBERTS moves HCR 7 to the floor with a DO PASS recommendation.

300 VOTE: In a ROLL CALL VOTE, all members vote AYE.

320 WATT: Declares HCR7 passed to the floor. -Rep. Shibley is the carrier. -Closes work session on HCR7. -Adjourns at 2:22 p.m.

Submitted by:

Reveiwed by:

Kenneth Brady
Administrator

Adrienne Sexton Clerk

EXHIBIT LOG:

A - Testimony on HCR6 - Cecil Edwards - 2 pages B - HB 2662 with -5 amendments - Staff - 1 page