

HOUSE COMMITTEE ON RULES AND REORGANIZATION Subcommittee on Rules

February 22, 1993 Hearing Room E 1:30 p.m. Tapes 1 - 3

MEMBERS PRESENT: Rep. Fred Girod, Chair Rep. Lonnie Roberts Rep. Dave McTeague Rep. John Watt

VISITING MEMBERS: Rep. Avel Gordly Rep. Michael Payne

MEMBER EXCUSED: Rep. Cedric Hayden

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

MEASURES CONSIDERED: HJR 22 - Requires legislative approval for administrative rules HB 2262 - Requires filing with Sec. of State before filing rules HB 2716 - HB 2662 -

WITNESSES:

[--- Unable To Translate Graphic ---]

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 1, SIDE A

004 REPRESENTATIVE FRED GIROD, SUBCOMMITTEE CHAIR: Convenes meeting as a subcommittee of a subcommittee. -Opens hearing on HJR 22 and HB 2262.

008 ADRIENNE SEXTON, COMMITTEE ADMINISTRATOR: Explains HJR 22 & HB 2262.

029 REPRESENTATIVE DENNY JONES: In support of HJR 22. -Gives reasons. -Should be followed with a bill.

067 GIROD: Is there a preference between HJR 22 and HB 2262?

071 JONES: Responds. 074 REPRESENTATIVE BILL MARTIN: In support of HJR 22. -Need definite oversight ability. -Gives reasons.

133 REPRESENTATIVE LONNIE ROBERTS: Asks Jones if he gave testimony on noted hearing in Baker . . .

140 JONES: Responds.

155 REPRESENTATIVE JOHN SCHOON: Is the drafter of HJR 22. -Notes Rep. Campbell's amendments.

207 MARTIN: Comments on number of bills passed.

225 BOB CARPENTER: (ON HJR 22 and HB 2262): Notes massive amount of rulemaking. -Submits written testimony (EXHIBIT) -Notes DEQ, OSHA, etc.
. .

380 ROBERTS: Which bill are you addressing?

382 CARPENTER: Primarily HJR 22, but HB 2262 also. -Notes what he likes/doesn't like about each.

397 ROBERTS: Would you support amending HB 2262 to include HJR 22?

409 CARPENTER: Responds.

429 ROBERTS: HB 2262 could be vetoed by the governor. HJR 22 could not be.

453 CARPENTER: Responds.

TAPE 2, SIDE A

034 CARPENTER: Continues. -Notes his proposed amendments. -Support for HJR 22.

085 ROBERTS: Would you support a proportionality rule? -Explains.

097 CARPENTER: Responds.

117 DON LEACH: Submits written testimony (EXHIBIT) -In support of HJR 22. -Gives OSHA example.

190 GIROD: It makes us less competitive as a state because of our rules process?

194 LEACH: Potentially.

247 GIROD: Asks for a clarification.

250 LEACH: Responds.

259 GIROD: Do you have a pref. between HJR 22 and HB 2262.

265 LEACH: HJR 22. -Notes need for accountability.

303 HARLEY HUEBNER: Submits written testimony (EXHIBIT) -About CSD. -Gives example.

380 GIROD: Is this power from a statute or from an admin. rule?

384 HUEBNER: I don't know. -Continues.

435 REPRESENTATIVE JOHN WATT: Notes that there was an order last session to be a review of CSD.

TAPE 1, SIDE B

034 LINDA RES (OREGONIANS FOR SURVIVAL): Notes about Environmental Quality Commission.

053 ROBERTS: Notes that Oregon and Washington have different legislative meeting periods.

059 RES: Continues.

075 WATT: DEQ is writing guidelines without public review?

079 RES: No, but . . . -Continues.

083 GIROD: It's costing jobs?

085 RES: Yes. Gives examples.

116 ROBERTS: Are you a union member?

118 RES: Yes.

135 DAVID ALBIN (Oregonians for survival): In support of HJR 22. -Notes the bypass of checks and balances.

156 WATT: It's unreasonable to have the legislature review all 130 00 rules every two years, etc. Would you work with us?

161 ALBIN: Yes. There'd be less rules this way, I think.

180 DICK BRIGGS: Submits written stuff (EXHIBIT) -In support of HJR 22. -HB 2262 is not enough.

228 GIROD: The bureaucracy is so big that . . .

232 BRIGGS: Yes. Take it back and fix it. -Prefer HJR 22.

260 ROB LAFRENZ: In support of HJR 22. -Notes DEQ mostly.

300 JOE GILLIAM: In support of HJR 22. -HB 2262 doesn't do as much. -Would support amendments, and selective review of rules. -Hearings for agencies are a waste of time.

350 WATT: We can go to court? Who?

354 GILLIAM: One of our members or an individual.

358 WATT: How expensive is that?

361 GILLIAM: Tens of thousands of dollars.

364 WATT: Who do you represent?

367 GILLIAM: 16,000 small businesses. Most with less than 10 employees.

383 WATT: How many of these rules affected a little business?

394 GILLIAM: Responds.

409 WATT: Who has to implement these rules? The owners?

415 GILLIAM: A lot of the time. Yes.

421 WATT: Lots of businesses aren't represented by you though.

423 GILLIAM: Right.

434 WATT: Are we discouraging success?

440 GILLIAM: I believe so.

452 GIROD: What's the percentage of the job creation from small business?

458 GILLIAM: Almost 100 percent.

TAPE 2, SIDE B

033 LOREN PARKS: In support of HJR 22. -Notes rampant bureaucracy.

153 CINDY BECKER, EXEC. DEPT.: Opposed to HJR 22. -Explains. -Gives number of rules files in bienniums. -Notes legislative counsel.

185 WATT: Notes report.

234 BECKER: Every single rule shouldn't have to go through this process.

240 ELIZABETH HARCHENKO, ATTORNEY GENERAL'S OFFICE: Speaks in opposition to HJR 22. -Notes HB 2262. (HJR 22 is unworkable).

320 WATT: Has an agency written a rule and then LC said this is contrary to intent?

326 HARCHENKO: Yes.

329 WATT: Result.

331 HARCHENKO: They changed it.

333 WATT: Any that refused to change?

335 HARCHENKO: No.

340 WATT: Labor & Industry.

347 FRANK BIEHL: In support of HJR 22. -Examples.

397 JOEL SCOGGIN, COLUMBIA HELICOPTER: In support of HJR 22. -Notes OSHA hearings. -DEQ as well.

TAPE 3, SIDE A

047 RAY WILKINSON, OREGON FORESTRY COUNCIL: In support of HJR 22. -Notes environmental/forestry conflicts.

114 ROBERTS: HB 2262 or HJR 22?

117 WILKINSON: No position on either as better. -Explains.

134 GIROD: It's not the rule, but the interpretation of the rule.

141 SEXTON: Grover Simmons left testimony for us. -Explains. -Summarizes testimony.

166 HAL WATKINS, CITY OF TURNER: Notes the amount of gov't in OR.
-Number of rules, etc. are ridiculous. -In support of HJR 22.

203 ROBERTS: Notes . . .

215 BOB CARPENTER: Notes his written testimony. -Notes Sec. of State's
bill & rule filings.

240 GIROD: Closes hearing on HJR 22 & HB 2262. -Opens hearing on HB
2662.

258 : Support of HB 2662 and in opposition of HB 2716.

300 ROBERTS: Question.

306 : Responds. -Talks about pulp mills, etc.

374 RANDY WALTERS: In support of HB 2662.

399 ROBERTS: All of these bills are correlated. You have a
position on HJR 22.

407 Testified earlier. Yes in support.

437 GIROD: Adjourns meeting at 3:53 p.m.

Submitted by

Reviewed by

Ken Brady

Adrienne Sexton Clerk

Administrator

EXHIBIT LOG:

A - Testimony on HB 2020 - name - # pages B - Testimony on HB 2020 -
name - # pages C - Amendments to HB 2021 - name - # pages