

HOUSE COMMITTEE ON RULES AND REORGANIZATION Subcommittee on Rules

March 1, 1993                      Hearing Room E 1:30 p.m.    Tapes 4 - 5

MEMBERS PRESENT:    Rep. Fred Girod, Chair Rep. Dave McTeague Rep. Cedric Hayden

MEMBER EXCUSED:    Rep. Lonnie Roberts

VISITING MEMBER:    Rep. Michael Payne

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

MEASURES CONSIDERED:    HJR    22    -    Constitutional amendment for legislative approval of                      administrative rules HB 2262 - Filing by agency with Sec. of State before filing of                      administrative rules

WITNESSES:                      George Goodman, HJR 22 Ramona St. George, HJR 22 Jewellee Houston, HJR 22 Thomas Smith, HJR 22 Dan Pascoe, HJR 22 & HB 2262 Ray Jacobs, HJR 22 & HB 2262 Dale Williams, HJR 22 & HB 2262 Mildred McWhorter, HJR 22 Wayne Kennedy, HJR 22 Ginny Brewster, HJR 22 Jack Vaughan, HJR 22 & HB 2262 Roy Turnbaugh, HJR 22 & HB 2262 Grover Simmons, HB 2262 Don Leach, HJR 22 & HB 2262 Bob Carpenter, HJR 22 & HB 2262

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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 4, SIDE A

006 REPRESENTATIVE FRED GIROD, SUBCOMMITTEE CHAIR: Convenes meeting at 1:35 p.m. -Opens hearing on HJR 22 and HB 2262.

015 GEORGE GOODMAN, ATTORNEY: In favor of HJR 22. -Submits written testimony (EXHIBIT A). -Notes legislature's concern about separation of executive powers. -HJR 22 doesn't do this, however. -How to trigger process of oversight? -Consider private Attorney General concept. -Notes Campbell's amendments.

130 GIROD: Would you object to a legislator acting as such?

133 GOODMAN: As an alternative.

138 REPRESENTATIVE CEDRIC HAYDEN: That wouldn't be a disincentive. It would just be in the next budget request.

144 GOODMAN: Responds. -Committee members shouldn't be trigger  
(advocates either way).

175 GIROD: Do you feel it would be too much of a burden to review all  
rules?

179 GOODMAN: Yes.

189 RAMONA ST. GEORGE, OREGON HEALTH SYSTEMS: In support of HJR 22.  
-Submits written testimony (EXHIBIT B). -Explains. -Notes Campbell's  
amendments.

280 HAYDEN: Questions as to a reference in written testimony to  
Rep. Edmondson's letter.

285 ST. GEORGE: Responds.

292 GIROD: What triggering mechanism would you recommend?

300 ST. GEORGE: Responds.

315 JEWELLEEE HOUSTON: In support of HJR 22. -Submits written  
testimony (EXHIBITS C & D).

352 THOMAS SMITH: In support of HJR 22. -Submits written testimony  
(EXHIBIT E). -Gives examples. -Notes Construction Contractor's Board.

TAPE 5, SIDE A

030 SMITH: Continues. 048 GIROD: How many people did you employ?

050 SMITH: Ten.

052 GIROD: Could you have been more prosperous & hired more people  
if not for all these rules?

054 SMITH: Yes.

071 DAN PASCOE: In support of HJR 22 & HB 2262.

100 RAY JACOBS: In support of HJR 22 & HB 2262.

146 DALE WILLIAMS, OREGONIANS FOR SURVIVAL: In support of HJR 22  
and HB 226 2.

170 MILDRED McWHORTER: In support of HJR 22. -Submits written  
testimony (EXHIBIT F).

214 WAYNE KENNEDY, KENNEDY LOGGING: In support of HJR 22. -Submits &  
reads written testimony (EXHIBIT G).

240 GIROD: Closes on HJR 22 and opens on HB 2262.

244 GINNY BREWSTER: In support of HJR 22. -Submits written testimony  
(EXHIBIT H). -Notes that hearings don't mean anything.

300 GIROD: The hearings don't mean anything?

303 BREWSTER: Clarifies.

359 GIROD: Have you also seen HJR 22?

364 BREWSTER: Just recently. I'm for SOME control or other. -Notes that the public can be the "watchdog." -Notes arbitration board as a possibility.

TAPE 4, SIDE B

031 JACK VAUGHAN: In support of HJR 22 and HB 2262. -Gives examples.

090 ROY TURNBAUGH: In support of HJR 22 & HB 2262.

100 GROVER SIMMONS: Submits written testimony (EXHIBITS J, K, & L). -Notes "war" of foster homes.

151 REPRESENTATIVE DAVE MCTEAUGE: How come I haven't heard about this "war"?

155 SIMMONS: Responds. -Notes Multnomah & Clackamas counties.

171 MCTEAGUE: Why are county commissioners adopting rules at the county level if they aren't willing to work it out?

180 SIMMONS: Responds.

190 MCTEAGUE: Notes that he doesn't believe Simmons' amendments are for this committee, but should be for another.

202 SIMMONS: Continues. -Urges the repeal of ORS 443.780.

240 DON LEACH: In support of HB 2262. -With notice provisions. -Notes that there must be adequate notice in order to oversee all the rules . . . cannot do all. -Doesn't go far enough, but with HJR 22 it would. -In support of HJR 22.

334 GIROD: What's your feeling on the need for a trigger mechanism? -Opens for discussion on HJR 22 as well.

339 LEACH: Responds.

392 BOB CARPENTER: Submits written testimony (EXHIBITS M & N). -In support of HJR 22. -Prefers HJR 22 over HB 2262 because it will be a constitutional amendment.

TAPE 5, SIDE B

030 CARPENTER: Continues. -Notes his proposed amendments. -Notes when hearings should be required and when they should not. -Notes that a vote on HB 2262 would be delayed until HJR 22 is taken care of.

141 MCTEAGUE: What happens to a law we pass if rules can't be put in place?

180 CARPENTER: Responds. -Notes survey of Secretary of State's office.

240 GIROD: Closes hearing on HB 2262. -Adjourns meeting at 3:38 p.m.

Submitted by

Reviewed by

Kenneth Brady  
Administrator

Adrienne Sexton Clerk

EXHIBIT LOG:

A - Testimony on HJR 22 & HB 2262 - George Goodman - 27 pages B -  
Testimony on HJR 22 & HB 2262 - Ramona St. George - 29 pages C -  
Testimony on HJR 22 & HB 2262 - Jewellee Houston - 1 page D -  
Testimony on HJR 22 & HB 2262 - Jewellee Houston - 1 page E -  
Testimony on HJR 22 & HB 2262 - Thomas Smith - 2 pages F - Testimony  
on HJR 22 & HB 2262 - Mildred McWhorter - 1 page G - Testimony on HJR  
22 & HB 2262 - Wayne Kennedy - 1 page H - Testimony on HJR 22 & HB  
2262 - Ginny Brewster - 3 pages I - Information on HB 2262 - Ginny  
Brewster - Phil Keisling - 1 page J - Testimony on HJR 22 & HB 2262 -  
Grover Simmons - 2 pages K - Testimony on HJR 22 & HB 2262 - Grover  
Simmons - 1 page L - Testimony on HJR 22 & HB 2262 - Grover Simmons -  
9 pages M - Testimony on HJR 22 & HB 2262 - Bob Carpenter - 6 pages N  
- Testimony on HJR 22 & HB 2262 - Bob Carpenter - 4 pages