

HOUSE COMMITTEE ON LEGISLATIVE RULES AND REAPPORTIONMENT

June 19, 1991 Room 350 1:00 p.m. Tape 57

MEMBERS PRESENT: Rep. Greg Walden, Chair Rep. Peter Courtney,
Vice-Chair Rep. Ray Baum Rep. Margaret Carter Rep. Ron Cease Rep.
Beverly Clarno Rep. Tom Mason Rep. Randy Miller

MEMBER EXCUSED: Rep. Carl Hosticka Rep. Fred Parkinson Rep. Bill
Markham

STAFF PRESENT: Greg Leo, Committee Administrator Carol Wilder,
Committee Assistant

MEASURES SB 557 - PH/WS
CONSIDERED: SJM23 - PH/WS

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.

TAPE 57, SIDE A

007 CHAIR WALDEN: Calls the meeting to order at 1:40 p.m. Opens a
public hearing on SJM 23.

SJM23 - RELATING TO PUBLIC UTILITIES, PUBLIC HEARING

015 REP. BOB REPINE, HOUSE DISTRICT #49: I am pleased that we have an
opportunity before the Senate session adjourns to finalize this bill.
It is of extreme importance to the state of Oregon and on behalf of
General Rees, who is going to be departing from the state of Oregon in
his new role that he'll be playing in Washington, D.C., that the Oregon
Legislature endorses and improves this type of memorial to help discuss
the concerns about reductions in the National Guard. It has been
clearly identified that our Guard people play an important role in the
economics and the well-being of the people of Oregon. This is a final
summation of how we believe how important that Guard is in Oregonians'
lives. This is the frosting on the cake. Is a good way to end the
Session with a strong message about the necessity of not reducing the
Guard role in Oregon and other states around the United States. They
are a very valuable component of our economy. Encourages colleagues to
support the memorial.

045 FRED REES, ADJUTANT GENERAL OF OREGON: Introduces Brigadier General
Gene Katke, who is the Adjutant General Designate, and will be sworn in

on the 1st of July. If we go back and look at the framing of our Constitution over 200 years ago, the framers of the Constitution clearly recognized the need for a small standing military when they created the militia clause of the Constitution. This was a part of the checks and balances, built into the Constitution. Specifically, this was put in to deny the military the potential freedom to engage in ill-advised military adventures. The preponderance of the nation's military would be in the militia thereby guaranteeing the checks and balances sought by the framers. And so it remained until post-World War II. The Cold War changed the balance of the forces; it shifted heavily in favor of the active duty force in an effort to meet a new world commitment vis-a-vis the communist block. The shift was to such a degree that in Viet Nam the federal government relied almost exclusively on the Draft to fuel the federal force. The result, a strung-out war, poorly focused national objectives, and a lack of national understanding and commitment. After the Viet Nam War many lessons were learned. The policymakers concluded that what we really needed to do was to shift to what was known as the total force or a combination of reserve and active force to include the National Guard and that it was the best way to involve the nation in meeting objectives of both peace and war. The total force policy as we know it today reflects 17 years of refinement based on those painful lessons learned in Viet Nam. The most vivid example of its success has been demonstrated in the winning of the Cold War and in Operation Desert Storm. Today, however, the Department of Defense's budget runs counter, I believe, to the intent of the framer's proven policy of total force and is based on a theory that the entire military structure if it is to be taken down or reduced must be taken down equally. When these cuts are made, the National Guard nationwide will be the same size as it was at the start of World War II. The standing army, however, will be twice as large. If the National Guard is forced to reduce the proposed 30% that the Department of Defense has requested, 145,000 spaces will be cut nationwide. An average National Guard unit costs 80% less than the same unit in active duty. In Oregon the impact could be substantial both in full-time employment and in traditional Guard spaces. We stand to lose approximately 2,500 traditional Guard positions out of our 8,000 authorized and 260 full-time personnel with roughly an \$18 million negative economic impact in Oregon. In conclusion, I ask your support of this Joint Memorial. I believe it to be in the best interests of the nation and the state to return to the vision endorsed by the framers of the Constitution -- a sound defense, supported by the people, economically responsible, and one that truly reflects the military of a great democracy.

100 GENE KATKE, BRIGADIER GENERAL: I'd like to add my wholehearted endorsement and support to what General Rees has just said. To us, it makes economic sense, organizational sense, and the best way to maintain the defense of this country in terms of force structure.

110 CHAIR WALDEN: Closes public hearing and opens a work session on SJM23.

SJM23 - WORK SESSION

112 MOTION: Rep. Courtney moves SJM23 to the Floor to be adopted.

VOTE: In a roll call vote, motion carries. Reps. Hosticka, Markham, Miller, and Parkinson voted NAY. Rep. Repine will carry the bill.

142 CHAIR WALDEN: Closes the work session on SJM23 and opens a public

hearing on SB 557.

SB 557 - RELATING TO PUBLIC UTILITIES, PUBLIC HEARING

148 MAURY ASTLEY, EXECUTIVE VICE PRESIDENT, OREGON INDEPENDENT TELEPHONE ASSOCIATION: We've been working with the Legislature and the Public Utility Commission since 1987 to pass legislation and to reduce some of the rules and regulations that are very costly for small companies to comply with. In 1987 we passed legislation to remove companies with less than 15,000 customers from certain regulations including filing local rates and affiliated interest transactions and other regulations like that. However, there are other jointly provided services like long distance and EAS and some general rules about deposits and disconnect notices which are still regulated. Earlier this session we came in asking for further deregulation to remove those kinds of things from small companies because of the costs and time required to comply. The PUC opposed this and you now have before you an A-Engrossed bill which is a gut-and-stuff compromise which does not really change how they do business. It just directs them to do some things and look at small companies. We both agreed to follow this kind of procedure. It doesn't change their regulatory authority. It only directs them to look at those areas that they currently regulate and view them to see if certain rules and regulations can be waived or modified, based on the service area, the number of complaints received, the cost of compliance, and balance that with the benefit or protection needed by the customer. Currently, only one of the PUC rules has a provision for small telephone companies and we believe that a more thorough look with an eye toward small company problems is necessary. We'd appreciate your support for this bill and I don't believe there's any opposition to it.

175 REP. CARTER: I am very glad to see that you are working with the small telecommunications companies because after all, many times we forget when the big companies come in, at the expense of small companies, and don't do a good job. So I'm glad to see you here in support of this bill.

185 ASTLEY: One of the things that we find so often is that the PUC looks at a large company and says that they can do that by just getting their software changed. For a small company, a \$30,000 software change might have to be spread over 500 customers.

190 CHAIR WALDEN: Closes the public hearing and opens a work session on SB 557 .

SB 557 - WORK SESSION

190 MOTION:Rep. Cease moves SB 557 A-Eng. to the Floor with a Do Pass recommendation.

VOTE:In a roll call vote, the motion carries. Rep. Cease will carry.

200 CHAIR WALDEN: Adjourns the meeting at 1:55 p.m.

Submitted by: Reviewed by:

Carol Wilder

Greg Leo Assistant

Administrator

HOUSE COMMITTEE ON LEGISLATIVE RULES AND REAPPORTIONMENT

June 19, 1991 Room 350 3:15 p.m. Tape 58

MEMBERS PRESENT: Rep. Greg Walden, Chair Rep. Peter Courtney,
Vice-Chair Rep. Ray Baum Rep. Margaret Carter Rep. Ron Cease Rep.
Beverly Clarno Rep. Carl Hosticka Rep. Bill Markham Rep. Tom Mason Rep.
Randy Miller Rep. Fred Parkinson

STAFF PRESENT: Greg Leo, Committee Administrator Carol Wilder,
Committee Assistant

MEASURES HB 2401 CONSIDERED:

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TAPE 58, SIDE A

007 CHAIR WALDEN: Calls the meeting to order at 3:22 p.m. Opens a work session on HB 2401 for purposes of moving it to the Judiciary Committee.

HB 2401 - WORK SESSION

013 MOTION: Rep. Miller moves HB 2401 be sent to the Judiciary Committee.

016 REP. MILLER: We have some bills dealing with smoking in the House Judiciary Committee. Yesterday at our hearing it was suggested that we should consider HB 2401 among the other bills we are considering in that group of bills that were sent to Judiciary. This one did not have a relating clause. Now that we've discovered it, we would like to have it before us when we do act.

025 REP. HOSTICKA: Was that motion made without recommendation?

026 CHAIR WALDEN: Yes.

028 REP. HOSTICKA: I don't want to recommend anything on this bill.

029 REP. CARTER: I hope there's a sincere desire to pass this bill because for people like me in the Legislature coming into the hallways out of Economic Development Committee. It's quite stifling. I want to know from the Chair of the committee if this bill in terms of its content for no smoking in the Capitol is going to be considered on its own as it relates to that. Even our Chair for Economic Development knows that in the morning you can't pass through the Capitol, especially

in these self-contained rooms where there's no windows. So I would like to ask the Chair of the Judiciary a question. Is it your desire to do something in terms of the contents of this legislation for no smoking in the Capitol this session?

043 REP. MILLER: It is the Chair's intention to have this bill up by itself and available for work session. I can't speak for the members of that committee, but if they support this bill there's a decent chance it will be on the full House floor.

050 REP. CEASE: Rep. Carter's question was not what his intent was, it was what your desire was. I would like to know what his intent is, not his desire.

055 REP. MILLER: My intent is to schedule it for hearing and possible work session.

060 REP. HOSTICKA: Is the State Capitol defined to include the wings; and then if it is, would the effect of this bill be to say that people could not smoke in their own offices?

065 CHAIR WALDEN: We did have a hearing on this bill. We're voting with no recommendation to send it to Judiciary. We did have a public hearing and had a number of people testify and it is my understanding that it would preclude smoking throughout the building. If you look at page 2 of the bill exempted from any of these smoking area exemptions is smoking at the Capitol.

077 REP. MARKHAM: Why no recommendation on the motion?

080 CHAIR WALDEN: We're simply transferring the bill to Judiciary. They will actually take action on the measure.

088 REP. MARKHAM: I want to know why we can't put a recommendation of Do Pass?

085 REP. MILLER: It is my desire to have you come to Judiciary in the fairly near future and give your opinion. Other members here perhaps don't have an opinion on this yet. We would just as soon get the process moving.

095 VOTE:Rep. Clarno moves to the previous question.

MOTION:In a roll call vote the motion carries unanimously.

100 CHAIR WALDEN: Adjourns the meeting at 3:32 p.m.

Submitted by: Reviewed by:

Carol Wilder Greg Leo Assistant Administrator