

MEETING OF SPEAKER'S TASK FORCE ON STATE MANDATES
FEBRUARY 8, 1991
HEARING ROOM 350

PRESENT: Speaker Larry Campbell
County Commissioner Randy Franke
 Dave Moss, City of Salem
 Representative Liz VanLeeuwen
 Representative Ron Cease
 Mayor Clifford Clark, Forest Grove
 Bob Cantine, Association of Oregon Counties
 Roger Rutan, City of Eugene
Commissioner Steve Cornachia, Lane County
Gwen VanDenbosch, Mayor, Dallas
Kevin Smith, Governor's Office
Olivia Clark, City of Salem
Joe Hannan, City of Redmond
Shirley Huffman, City of Hillsboro
Fred Neal, Multnomah County
Larry Dalrymple, City of LaGrande
Joe McLaughlin, City of Pendleton
Marge Kafoury, City of Portland
Candace Barlow, President, League of Oregon Cities
Mike Casey, City Manager, Gresham
Joe Windell, City Administrator, City of Lebanon
Erik Kvarsten, City of Independence
Charles Vars, City of Corvallis
Bill Morrisette, Mayor, City of Springfield
Carol Fuischer Sullivan, Marion County Staff
Laura Pryor, City of Condon

The meeting was called to order by Chairman Franke at 1:10 P.M.

It was requested that those present prioritize the greatest needs from the list of mandates submitted. After discussion, the following mandates were considered individually along with corresponding action for each:

ORS 411.820 Food Stamp Programs. 30% of Administrative costs of State Welfare System to be paid by Counties. This is an impact of approximately \$180,000.00. There will be no action taken this session on this issue, but it will remain on the list of mandates to be a priority for a future time, as it will be a long term issue.

ORS 169.152 Medical Expenses for Prisoners. There is presently a Bill being drawn up and will be introduced. This will not be addressed at this time, but will stay on the priority list. This was felt to be a city and county responsibility.

ORS 254 Election Costs. Redistribution of Expenses. This issue was felt to be a long range issue. It was decided to take this off the list of mandates to be addressed. The issue is one of reallocation of costs and is not a legislative issue as it is not a mandate.

ORS 701.055 Building Trade Business Licenses
It was suggested these licenses might be issued biannually rather than annually. It was decided to pursue this issue.

Bills have been introduced to shift the burden to the contractors, but it was felt the biannual issue should be pursued.

ORS 197.640-650 Periodic Review

There is presently a Bill in the process (HB 2150) regarding this issue. It was decided there was no new Bill needed at this time. Possible amendments might include a refinement of concepts of stated parameters for D.L.C.D. to use when calling for a periodic review if HB 2150 should pass. Representative Campbell suggested a follow up with the Chair of that Committee to be sure that concern is dealt with.

Another concern was supporting standards in the Bill of acceptance or rejection of plans by D.L.C.D.

ORS 758.010 Right of Way

There is presently no provision for the entities to collect for administration costs or inspection expenses. Presently the State prohibits recovery costs. It was decided to pursue legislation that would give the entities the ability to charge their costs to review and collect damage repair charges.

ORS 204.112 Compensation Board

This mandates the Sheriff's salary. It also costs money to form the Board, plus the staff work. It was decided to pursue elimination of this mandate as unnecessary and costly.

ORS 294.250 Publication of Monthly Commissioner Court Financial Proceedings. It was decided to pursue the elimination of this mandate.

ORS 210.210 Publication of Budget.

It was decided to pursue the elimination of this mandate. It was felt publishing just a summary of the budget would be adequate.

ORS 426.100 Indigent Defense, Mental Health Hearings.

This was mandated in 1987 with no funds allocated. It is the only time an indigent problem isn't paid for by the indigent fund. It was decided to pursue legislation on this issue.

ORS 279.357 "Little" Davis-Bacon requirements. (Public Improvements). It was decided to raise the amount to "over \$50,000. without going to bid". This would be a change from \$10,000 presently legislated.

ORS 279.357 Regional Groupings

There needs to be a provision for cities and counties to have an opportunity to list an exception in the public record as to why the exception. It was decided to pursue this change. Also to look into establishing costs by regional districts state-wide rather than comparing every cost to the Portland Metropolitan area.

ORS 271.110-175 Notice Procedures.

It was decided to pursue changing the requirement to publishing one notice.

ORS 294.305 Tax Supervising and Conservation Commission.
It was decided to support a Bill already introduced to raise the limit from 300,000 population to 500,000 population. Amendment might be to eliminate altogether.

ORS 294.480 Supplemental Budget.
HB 2550 is already in process. The decision was to support the present Bill. It was felt treating a supplemental budget the same as a regular budget should be based on a percentage basis of supplemental budget and regular budget (possibly 10 per cent).

ORS 654.176 Safety Committee.
It was decided not to pursue changing this mandate.

ORS 656.407 Workers' Compensation Surety Bond for Self-Insurers.
It was decided to pursue Legislation to eliminate this mandate.

ORS 166.420 Background Check on Guns.
It was decided to pursue Legislation to establish a fee for recovery of costs for these background checks.

ORS 237.003 P.E.R.S.
It was decided this issue should be referred by entities affected to the Association of Oregon Counties and League of Oregon Cities to pursue. A statement by the Task Force might be to not increase P.E.R.S. without a thorough review of the costs.

ORS 243.650-782 Subjects of Bargaining.
It was decided this issue should be referred by entities affected to the Association of Oregon Counties and League of Oregon Cities to pursue.

ORS 243.135 and 243.303 Retirement Health Benefit
It was decided not to pursue this mandate at this time.

ORS 453 Hazardous Substances; Radiation Sources
It was decided that before any action be taken, it would be necessary to look at the overall mandate applied by Oregon O.S.H.A.

ORS 475.405-495 Drug Lab Cleanup.
One recommendation is that proceeds from forfeiture go back into a cleanup fund. Representative Campbell suggested sharing concerns with Representative Ted Calouri who is active in several new pieces of forfeiture legislation. One suggestion was either the State pay for it or let the entities find fund raising alternatives such as forfeitures.

ORS 653.775-85 Health Insurance.
It was decided to recommend that no additional mandates be forthcoming from the State. This issue of insurance should be an issue of bargaining in employment and not mandated. No Legislative action recommended.

ORS 181.655 Police Training and Certification.

One area of concern was that the State was not reimbursing the entities for the training, even though there is language to that affect in the Statute. Janet Whitfield read the Statute, which is ambiguous from the standpoint it does not specifically state cash reimbursement.

It was decided to pursue legislation to allow an open enrollment policy allowing any person to attend B.P.S.T., rather than the present language that only allows persons under the direction of a police agency to attend.

ORS 197.015 Land Use Decision Definition.

Since there was already legislation pending, it was decided not to pursue this at this time.

ORS 237.071 P.E.R.S.

It was decided not to pursue this mandate.

ORS 254.205 Election Costs

Since there is a Senate Bill already introduced on this issue, it was decided to support that legislation and not to introduce any new legislation. Representative Campbell urged the entities to help assure passing of this Bill.

Speaker Campbell encouraged those present to support legislation that has already been introduced. He also encouraged the support for Bills that would come out of this meeting. He felt persons would need to be at the hearings to testify and to promote passage of the Legislation.

It was brought to the attention of those attending there are presently three Bills in process which state there will be no new State mandates or administrative requirements without adequate funding.

The meeting was adjourned at 3:50 P.M.

Submitted by:

Diane Bassett
Committee Assistant
House Committee on Intergovernmental Affairs