

Senate Government Operations January 30, 1991 Page 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.

SENATE COMMITTEE ON GOVERNMENT OPERATIONS

January 30, 1991Hearing Room "B" 3:00 p.m. Tapes 10

MEMBERS PRESENT:Sen. Glenn Otto, Chair Sen. Jane Cease, Vice-Chair  
Sen. Ron Grensky Sen. Tricia Smith Sen. Dick Springer

MEMBERS EXCUSED:Sen. Jim Bunn Sen. John Kitzhaber

STAFF PRESENT: John Houser, Committee Administrator Joan Green,  
Committee Assistant

MEASURES CONSIDERED: SB 300 - Relating Metro Vacancies,  
PH/WS SB 301 - Passport Licensing, PH/WS

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TAPE 10, SIDE A

005 CHAIR OTTO: Called the meeting to order at 3:10 p.m.

(Tape 10, SIDE A)

PUBLIC HEARING

SB 300 PROVIDES THAT CERTAIN VACANCIES IN OFFICES OF EXECUTIVE OFFICER AND COUNCILOR OF METROPOLITAN SERVICE DISTRICT BE FILLED BY ELECTION

Witnesses: Burton Weast, Metro

013 Burton Weast, Metro: Metro did not sponsor SB 300 and the Council has not taken a position. I would like to advise the committee of some cost estimates for different elections. The cost of Metro District elections have ranged from \$6,000 to \$60,000 for special elections depending on the number of issues on the ballot. If the Metro seat crosses county lines the cost could be as high as \$100,000 for a special election, if no other issue appeared at the same time. For general and primary elections the cost is approximately \$6,000. I do want our concern about the additional cost of a special election registered, especially if no other issue is on the ballot.

040 OTTO: Most of the councilors I have talked to were supportive of the bill. That does not mean they were aware of the costs.

047 WEAST: The councilors I have contacted are in support of elections to fill the vacancies. We just received the cost information and the only concern would be a potential cost of \$100,000, if the seat were in two counties.

056 SMITH: Would there be a problem of finding someone who would be willing to accept an appointment for a short period of time when they would not be eligible for election to the seat, as provided for in SB 300 §2(e)?

065 WEAST: Speaking only for myself, the greatest difficulty would probably be with the Executive Position which is a full time administrative position, since these are unpaid volunteer positions. Multnomah County charter currently has a similar provision.

077 SMITH: Multnomah County positions are full time paid positions aren't they?

077 WEAST: Yes.

078 SMITH: What is the reason for the bill?

081 OTTO: There was an appointment to the Metro Council and there were seven applicants for the position. One of the applicants was a woman and she came in fourth on the balloting, yet she was appointed. It is abuses like that we are trying to prevent.

090 SMITH: That is clearly an abuse, but isn't there a more efficient method of dealing with it? My concern is that a person interested in volunteering time to Metro would probably want to volunteer enough time to be effective and wait to be elected to a full term.

100 OTTO: Good point.

102 CEASE: I would be interested in the voter participation statistics of a Metro Council race on a regular election ballot and voter participation in some sort of special election, before I make a decision. How are the appointments for vacancies currently handled?

117 OTTO: The one appointment I was involved in a panel recommended people and then they were ranked.

126 CEASE: Right now the vacancy is appointed by the council?

127 OTTO: Yes. The Oregonian ran an editorial on all vacancies being filled by election.

136 CEASE: What if another system of recommendations was used?

142 OTTO: There is a new method used now, I don't know exactly how it works, but it is not elections.

151 CEASE: I would be interested in that new process also.

153 WEAST: I will investigate that new process and also look at the voter drop out. The way the bill is currently written to have a \$60,000 special election with a small voter turnout is of concern. Perhaps with work that could be overcome and still have elections to fill these positions.

164 CEASE: Could these elections be by mail?

166 General concurrence.

168 WEAST: I would be happy to get costs on that.

170 SPRINGER: If Metro exercised their home rule charter provisions could they preempt this statute as a part of the charter revision process?

181 OTTO: Hopefully they would address this.

183 WEAST: That might be the way to pursue this.

189 SMITH: That seems to me to be the appropriate place for the decisions to be made.

197 OTTO: That is a good point. The bill could be tabled.

249 Fiscal Impact statement distributed, Exhibit B.

WORK SESSION

201 MOTION: SEN. CEASE MOVED SB 300 BE TABLED.

204 VOTE: MOTION CARRIED, 4-0. (EXCUSED: SEN. BUNN, SEN. GRENSKY, SEN. KITZHABER).

(Tape 10, SIDE A)

PUBLIC HEARING

SB 301 RELATES TO PASSPORT LICENSING

Witnesses: Dennis Nelson, City of Portland Burton Weast, Metro Charles Hales, Home Builders Association of Metropolitan Portland Jim Stembridge, Deputy Director, Construction Contractors Board John Gervais, National Electrical Contractors Association

231 DENNIS NELSON, CITY OF PORTLAND: Discusses written testimony, Exhibit A.

282 Burton Weast, Metro: The Metro Council has reviewed SB 301 and supports its passage as written.

289 CHARLES HALES, HOME BUILDERS ASSOCIATION OF METROPOLITAN PORTLAND: Speaks in support of SB 301. It is a good program and it works, this bill will further refine and improve it.

305 CEASE: Has the new or old language been looked at to address technical problems.

314 HALES: These changes are clear and should not upset the program. The program is not as sweeping as we would like, but it goes about as far as possible, considering how the metropolitan area works.

330 CEASE: Do we need to define contractor or is that covered elsewhere?

355 HALES: Last session the Builders Board was changed to the Construction Contractors Board, presumably the word contractor is defined in ORS 701 which governs that board.

361 CEASE: I don't know if it needs a separate definition or just a reference to that definition.

368 JIM STEMBRIDGE, DEPUTY DIRECTOR, CONSTRUCTION CONTRACTORS BOARD: The language in SB 301 is contained in ORS 701. The definition of contractor is found in ORS 701.005 §2. Reads ORS 701.005 §2.

397 JOHN GERVAIS, NATIONAL ELECTRICAL CONTRACTORS ASSOCIATION: Speaks in support of SB 301.

408 OTTO: Reviews the history on SB 301.

474 Distributes Fiscal Impact statement, Exhibit C.

WORK SESSION

480 MOTION: SEN. CEASE MOVED SB 301 TO THE FLOOR WITH A DO PASS RECOMMENDATION.

485 VOTE: MOTION CARRIED, 5-0. (EXCUSED: SEN. BUNN, SEN. KITZHABER). SEN. SPRINGER WILL LEAD THE FLOOR DISCUSSION.

500 Meeting adjourned 3:45 p.m.

Submitted By:

Joan Green  
Assistant

Reviewed By:

Jayne Hamilton  
Assistant

EXHIBIT LOG

A - Written testimony, Dennis Nelson, 3 pgs. B - Fiscal analysis, Staff, 1 pg. C - Fiscal analysis, Staff, 1 pg