

SENATE COMMITTEE ON GOVERNMENT OPERATIONS

April 26, 1991 Hearing Room ~Ba 3:00 p.m. MEMBERS
PRESENT: Sen. Glenn Otto, Chair Sen. Jane Cease, Vice-Chair Sen. Ron
Grensky MEMBERS EXCUSED: Sen. Jim Bunn Sen. John Kitzhaber Sen.
Tricia Smith Sen. Dick Springer STAFF PRESENT: John Houser, Committee
Administrator Joan Green, Committee Assistant MEASURES CONSIDERED: SB
802 - Relating to public printing, PH SB 497 - Relating to jurors, PH SB
803 - Relating to emergencies, PH SB 835 - Relating to terms of off ce,
PH

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 75, SIDE A

005 CHAIR OTTO: Called the meeting to order at 3:09 p.m. as a
subcommittee. (TAPE 75, SIDE A) PUBLIC HEARING SB 802 RELATING TO PUBLIC
PRINTING Witnesses: Jeannette Hamby, Oregon State Senator, District 5
Cindy Becker, Department of General Services, Printing Division,
Administrator Gary Boyer, intern for Sen. Hamby 009 JEANNETTE HAMBY,
OREGON STATE SENATOR, DISTRICT 5: Discusses written testimony, Exhibit
G. References HB 2890 A, Exhibit B. Continues with review of written
testimony, beginning with pg. 1, SB 802, Exhibit G. Shows Committee
various publications and documents and relates various costs. Submits
for the record, North Carolina document, Exhibit D.

057 OTTO: What is the average circulation? Senate Govern~nent Operations
April 26, 1991 Page 2 058 HAMBY: They varied. The current General
Service budget comes in at an excess of \$44 million for printing costs.
Continues with review of written testimony, beginning with pg. 1, 1 (a),
Exhibit G.

090 CEASE: Does the Department of Geology cost include the inset one?
091 HAMBY: Yes. Continues with review of written testimony, beginning
with pg. 1, 2 (a), Exhibit G. The language in HB 2890 does not speak to
exemptions, Exhibit B. References the -1 amendments to SB 802, dated
04/01191, Exhibit A and hand-engrossed SB 802 with the -1 amendments,
Exhibit F.

159 OTTO: We are considering SB 802 only, at this time. 161 HAMBY: I
will withhold further comments on HB 2890 at this time. The idea is
truth in packaging.

168 OTTO: How would you deal with a state agency running out of copies
and needing to reprint them? 172 HAMBY: Hopefully the original plates,
or whatever they originally used, have not been destroyed. SB 802 does
not prevent adding language such as reprinted. 179 OTTO: I understand
using recycled paper, at this time, is more expensive than virgin paper.
183 HAMBY: Yes, that is why on In. 15 of our bill the language is
"shall be encouraged". It is not a mandate. Hopefully, in time, the cost
of recycled paper will come down.

187 OTTO: Probably the reason recycled paper is more expensive is it is
not (unintelligible). 190 HAMBY: The market will not be there unless we
demand the purchase of it. 192 Distributes fiscal impact statement,
Exhibit E and written testimony from Ken Martin, Exhibit C. 199 CINDY
BECKER, DEPARTMENT OF GENERAL SERVICES, PRINTING DIVISION,

ADMINISTRATOR: My written testimony, Exhibit I refers to the -2 amendments to SB 802, dated 04/26/91, Exhibit H, which essentially change all of the language in SB 802. Which would you like me to address? 211 OTTO: The -2 amendments to SB 802 are yours? 212 BECKER: Yes. 213 CEASE: I would be interested to know her reaction to the bill as introduced and the reason for the amendment.

215 BECKER: SB 802 initially was a clean way of displaying the costs. However, the inclusion of the total cost presented a problem. An agency will send us a printing order and we give an

There are notes contain materials which paraphrase and/or summarize the text during their review. Only text enclosed in quotation marks represent the exact words. For complete content of the proceedings, please refer to the Senate Government Operations April 26, 1991 Page 3 estimate; as the agency does not know the actual final cost until it is printed. SB 802 would require the Printing Division to take on that responsibility, adding staff time and time to the production. Our concern, as I suspect is the agencies concern, would be to any holdup in the time it took to physically add that wording on every report. If SB 802 passed we would like to add, in terms of total cost, language that spoke to estimated cost, if actual cost is not known. HB 2890 requires more information to be reported by the agencies. SB 802 could fit into HB 2890, but not the other way around, if there is a way to merge the best of both, that is what state agencies would like to see. We can accommodate either. We felt the -2 amendments to SB 802, Exhibit H, would be the avenue to make any changes when HB 2890 came over. 261 HAMBY: I have reviewed the -2 amendments, Exhibit H and am comfortable with them. I have no problem with them using it as a vehicle for their needs and their bill. I assume that you would consider the original SB 802 language when HB 2890 comes over. 267 OTTO: When you make a printing run how many copies are involved? 269 BECKER: When we get a printing order we decide whether we can do the order in plant or to contract it out. We receive bids on orders ranging from \$100-\$2,000. We try to look at the most cost efficient way to produce the bill. Discusses written testimony, Exhibit I and related -2 amendments to SB 802, Exhibit H. 304 OTTO: Are you going to get any flak from private industry? 305 BECKER: I don't think so, we are not trying to take business from the private sector. We are projecting, in the next biennium, to contract out to the private sector, for the state alone, approximately \$17 million in printed products. We are looking for a more efficient way to have that happen between the entities.

327 GARY BOYER, INTERN FOR SEN. HAMBY: Discusses written testimony, Exhibit J. TAPE 75, SIDE A) PUBLIC HEARING

SB 497 RELATING TO JURORS

Witnesses: Bill Linden, Judicial Department, State Court Administrator

370 BILL LINDEN, JUDICIAL DEPARTMENT, STATE COURT ADMINISTRATOR: Defers to proponents of the bill, if they are here today. The Judicial Department is opposed to SB 497.

374 HOUSER: Submits written testimony from Bill Grile, Exhibit L. The bill was introduced, at his request, by Sen. Bradbury. Mr. Grile was unable to attend the hearing today.

381 LINDEN: Discusses written testimony, Exhibit K. j . .

These minutes contain materials which paraphrase and/or summarize the reporter's report of the proceedings. Only text enclosed in quotation marks is the reporter's exact words. For complete content of the proceedings, please refer to the tape. Senate Government Operations April 26, 1991 Page 4 465 OTTO: What are the qualifications for a juror?

466 LINDEN: You must be a citizen, 18 years of age or older and a resident of the county within which you are called for service. Our statute does not have any automatic exemptions from service, although there are opportunities for deferral or to be permanently excused.

476 OTTO: Do you have to be a registered voter?

477 LINDEN: The lists used to develop the pool come from registered voters or the Department of Motor Vehicles (DMV). Until 1989 just registered voters were called for jury duty.

492 OTTO: People cannot avoid serving on jury duty by failing to register?

495 LINDEN: Correct, and that was perceived to be a problem in some counties, particularly coastal counties. -

TAPE 76, SIDE A

035 OTTO: I have been a registered voter ever since I was 21 and I have never been called for jury duty.

043 LINDEN: The master list is pulled on a random basis. Explains the process used in most counties.

053 General discussion by members on jury duty experiences. (TAPE 75, SIDE A) PUBLIC HEARING SB 803 RELATING TO EMERGENCIES Witnesses: Adriana Cardenas, Governor's Commission on Agricultural Labor, Program Manager Eunice Goetz, Commission of Hispanic Affairs, Executive Director Robert Mendoza, Commission of Hispanic Affairs Ellen Lowe, Ecumenical Ministries of Oregon, Associate Director Russ Dondero, Washington County, Concerned Citizens for Affordable Housing Alice Tijerina, Hispanic Liaison for Rep. Meelc 084 ADRIANA CARDENAS, GOVERNOR'S COMMISSION ON AGRICULTURAL LABOR, PROGRAM MANAGER: Speaks in support of SB 803. The Commission of Agricultural Labor was created three years ago by Governor Goldschmidt when there was a huge influx of farm workers in the state, crops were not ready and an emergency situation was created. The Commission was created to coordinate the state's response to these issues and develop long term solutions. The Emergency Management Division was to assume a lead role, in much the same manner as if there were a natural disaster. With no planning in place, it is questioned whether assistance from counties and the state and the \$500,000 in funds were utilized in the Senate Government Operations April 26, 1991 Page 5

best possible manner. SB 803, pg. 2, Ins. 29-30, would mandate the counties to take some responsibility in assessing the problem. The Migrant Homeless Emergency Response Plan deals with the situation only if the Governor declares a state of emergency. The Emergency Management Division is currently working on a mitigation plan to address the situation before it reaches a state of emergency, but the plan is not ready. Three primary factors may require Oregon to declare a state of emergency: 1. displaced people coming to Oregon because of the crop loss

in California, 2. Oregon crop damage and 3. with the Immigration Reform and Control Act people, mostly males, are moving in and settling with their families. Social services are reporting increases. The ability to declare a state of emergency in Oregon would allow accessing federal resources that may be available to assist in this situation. Governor Wilson of California has requested resources from seven different areas of the federal government. The purpose of the bill is to acknowledge that human suffering, as §4 delineates, can happen through a crisis influx of migrants into the area. It is important to acknowledge that possible situation in statute.

221 HOUSER: On pg. 2, Ins. 29-30, was it your intent that the language apply only in assessing the potential declaration of an emergency related to an influx of migrant workers, or would that kind of an assessment apply to the whole broad range of natural disasters or other emergencies for which an emergency can be declared?

228 CARDENAS: The intent was as it relates to farm worker influx. Distributes letter, Exhibit M. 242 CEASE: You stated any circumstance causing human suffering was an emergency, does that mean this would already be covered? 251 CARDENAS: You are correct, reads pg. 1, In.

10 of the bill. However, we felt it was necessary to clearly delineate examples of what some of those conditions may be, as seen beginning on pg. 1, In. 11. 266 OTTO: Are migrants settling here taking out citizenship? 270CARDENAS: I suspect some of them are not eligible. However there have been changes this last year in federal legislation regarding family reunification. 283 ELLEN LOWE, ECUMENICAL MINISTRIES OF OREGON, ASSOCIATE DIRECTOR: Speaks in support of SB 803. We operated three years ago under the assumption that the counties could have done what SB 803 requests. I would suggest that the situation three years ago should be evidence that it needs to be explicit in the law that the counties shall do the assessing. 333 ROBERT MENDOZA, COMMISSION OF HISPANIC AFFAIRS: Speaks in support of SB 803. The inclusion of the language on pg. 1, In. 14-15 of the printed bill would go a long way toward alleviating human misery and the unexpected drain on social agencies. We can ed drain on social agencies. We can be proactive rather than reactive. be proactive rather than reactive.

354 EUNICE GOETZ, COMMISSION OF HISPANIC AFFAIRS, EXECUTIVE DIRECTOR: Discusses the Commission's involvement three years ago. It was my strong feeling that Senate Government Operations Aprtl 26, 1991 Page 6 because of the lack of action people suffered.

367 MENDOZA: I served on the Migrant Task Force and we had \$500,000 to distribute to counties. One county in particular, where we knew there were migrants, told us there was no problem and to go away with our money. That type of attitude caused untold suffering in that county.

393 RUSS DONDERO, WASHINGTON COUNTY, CONCERNED CITIZENS FOR AFFORDABLE HOUSING: Speaks in support of SB 803. Concurs with prior testimony. 427 ALICE TLLERINA, HISPANIC LIAISON FOR REP. MEEK: Speaks in support of SB 803 . Speaks to Committee as a resident of Washington County and the suffering she has personally witnessed of these people.

(TAPE 75, SIDE A)

PUBLIC HEARING

SB 835 RELATING TO TERMS OF OFFICE

Witnesses: Grattan Kerans, Oregon State Senator, District 20 Peter Grundfossen, Association of Oregon Housing Authorities

018 GRATTAN KERANS, OREGON STATE SENATOR, DISTRICT 20: There seems to be a drive for an amendment to the Constitution to limit the length of time people may vote to elect someone to office, and if that should occur I feel it is important to establish a level playing field among all the actors, (i.e. executive, legislative and lobby), in the governmental process. All of these players generate experience, knowledge and power. It seems unfair to limit the elected, but not place any limits on the un-elected. Currently the public may return good legislators as often as they wish, until they conclude they no longer serve the public interest, and then they are defeated. Those legislators act as a balance against the influence that comes from knowledge on behalf of the bureaucracy and the special interest groups. Requests SB 835 and SJR25 be held available, in the event the legislature should choose to take action on the term limitation issues. SB 835 would limit terms of people serving on certain boards and commissions. If you wish, it could be extended to the exempt service of the Executive Department. If, as the proponents of the term limitation bill believe, refreshing the pool with new blood is important for the legislature then it is doubly important to guarantee it among the un-elected and the special interest pleader. My case is one for equity, a level playing field and public interest.

102 CEASE: Most of the time the bureaucracy that we deal with are not boards, commissions or administrators, but the rest of state government. Would you be amenable to an amendment that all state employees could only serve in the job for a limited time?

110 KERANS: No, I wouldn't. I would be open to an amendment to address the exempt service of the Executive Department and rotate out department heads, division heads and other policy Senate Government Operations April 26, 1991 Page 7 makers of divisions and departments. They are the equals of, and the counterparts to, the legislature in the Executive branch. A mail clerk, a case worker, a parks maintenance supervisor or state patrol officer are civil servants as opposed to the exempt service. I don't believe SB 835 or SJR25 need to come out of Committee until such time as the legislature decides they want to respond with a term limitation of their own.

149 PETER GRUNDFOSSEN, ASSOCIATION OF OREGON HOUSING AUTHORITIES: I personally agree with the point Sen. Kerans is making and his desire not to limit legislators terms by constitutional restraints. Although I am not here to testify against SB 835, in whole, §'s 41-42 bear upon housing and housing authorities. The Association of Oregon Housing Authorities oppose SB 835, because we think if you are fortunate enough to get a good administrator in that office, they should be encouraged to stay on as long as they can be effective. 170 Recessed at 4:20 p.m. for fire alarm. 172 Reconvened at 4:30 p.m. 172 Adjourned at 4:31 p.m.

Submitted By: Reviewed By: Joan Green Jayne Hamilton
Assistant Assistant EXHIBIT 10G A - SB 802-1 amendments, Hamby, 1 pg.
B - HB 2890-A, Hamby, 3 pas. C - Testimony, Martin, 2 pas. D - Handout,
Hamby, 1 pg. E - Fiscal impact statement, Staff, 1 pg. F -
Hand-engrossed SB 802, -1 amendments, Hamby, 1 y, 1 pg. G - Testimony,
Hamby, 3 pas. H - SB 802-2 amendments, Becker, 2 pas. I - Testimony,
Becker, 1 pg. J - Testimony, Boyer, 1 pg. K - Testimony, Linden, 3 pas.
L - Testimony, Grile, 1 pg. M - Testimony, Gillispie, 1 pg.