

Senate T&E Committee
April 26, 1991
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SB 713 - PH & WKS

SENATE LEGISLATIVE COMMITTEE
ON TRADE AND ECONOMIC DEVELOPMENT

April 26, 1991Hearing Room 343
3:00 P.M.State Capitol
Salem, OR

Tapes 94 - 95
Rural Leadership Development

MEMBERS PRESENT: SEN. WAYNE FAWBUSH, CHAIR
 SEN. SCOTT DUFF
 SEN. JIM HILL
 SEN. EUGENE TIMMS

MEMBERS EXCUSED:SEN. JEANNETTE HAMBY
SEN. PEG JOLIN

STAFF PRESENT: JOSEPH CORTRIGHT, EXECUTIVE OFFICER
 TAMIRA MILLER, POLICY ANALYST
 JERI CHASE, OFFICE MANAGER
 HOLLY BROWN, COMMITTEE ASSISTANT

WITNESSES:LYNN YOUNGBAR, LEGISLATIVE LIAISON, ECONOMIC
DEVELOPMENT DEPARTMENT
BILL ATWOOD, OREGON BUSINESS COUNCIL
RON FOX, OREGON RURAL DEVELOPMENT COUNCIL
JOSHUA WASB URTON, OREGON RURAL DEVELOPMENT COUNCIL
ELLIE DUNDYKE, LANE COUNTY COMMISSIONER, OREGON
RURAL DEVELOPMENT COUNCIL

 KEITH MOBELY, OREGON STATE BAR

NOTE: These minutes contain materials which paraphrases and/or summarizes
statements made during this
meeting. Only text enclosed in quotation marks reports a speaker's exact
words. For complete contents of the
proceedings, please refer to the tapes.

TAPE 94, SIDE A

000 CHAIR FAWBUSH convenes the meeting at 3:23 p.m.

SB 713 (Rural Leadership Development) - Public Hearing and Work Session

014 MILLER: Presents "Center for Rural Pennsylvania" (EXHIBIT A) and -2
amendments to SB 713
(EXHIBIT B).

035 MILLER: Presents Memo regarding Amendments to SB 713 (EXHIBIT C).

060 CHAIR FAWBUSH: There is a working group of federal agencies and some private sector people who have been looking at this issue over the last year or so. They raised a real concern that we not go on parallel tracks. This language is real important to be sure that the institute has an open door policy to everyone who is trying to provide service out there.

082 LYNN YOUNGBAR: We were talking about adding some language about coordinating with the federal agencies in addition to all of these that the bill states.

089 MILLER: Staff suggests that you insert on line 10 after the word "other" "federal and state".

095 SEN. HILL: Are we excluding something that might not be part of either? There is a reason why this language was there.

098 MILLER: We could say "federal, state and local". It would be better if we said "shall coordinate programs under this act with other programs including but not limited to federal programs, regional strategies...", we will make federal programs express.

107 MILLER: Continues EXHIBIT B, subsection 3.

118 SEN. DUFF: Eastern Oregon State College has done some rural leadership development. It might be more appropriate to put them in there instead of the University of Oregon.

122 SEN. HILL: I don't understand why we have any of the universities named specifically. I don't think we should limit this.

126 CHAIR FAWBUSH: Let's take those two and put an emphasis on higher education services.

130 MILLER: You could leave the extension service in. You could delete "University of Oregon" and insert "higher education".

135 CHAIR FAWBUSH: We could leave it open for flexibility. The reason we put the two express agencies in is that they are both statewide agencies. I am reluctant to be too specific on membership.

170 SEN. TIMMS: You want to be sure you don't get too many government people in this.

184 CHAIR FAWBUSH: I suggest we limit the number of members on the board.

191 BILL ATWOOD: I am not sure it is wise to put in a specific number, if you do though make it higher rather than lower. It would be easy for this to be dominated by those who have the time and the resources. I would suggest 15.

207 CHAIR FAWBUSH: We can make 15 the limit.

220 SEN. HILL: You are talking about 1 member from EDD, the representative of the business in rural Oregon is open and 1 from Oregon State University extension service. How many members from the institute of higher education do you want?

235 CHAIR FAWBUSH: I would say none.

243 ATWOOD: I think the director of the Economic Development Department should be a member. And it should be the director of the Extension Service that is the member from there.

248 SEN. TIMMS: The demands on the director are great already.

265 SEN. HILL: We could say the director or a representative.

270 ATWOOD: I am anxious that we not send a signal that over time we are looking at a board which is going to consist of people who are four or five rungs down the policy ladder.

277 CHAIR FAWBUSH: We could say "the director or the assistant director". I would tend to leave the rest of the board open.

293 SEN. HILL: Is this copied from what Pennsylvania is doing?

300 MILLER: No, I don't know what their board membership is.

302 YOUNGBAR: I would suggest you make the intent clear that you would like a representative of a college or university involved.

331 SEN. DUFF: I would suggest that a person from Eastern Oregon State College involved in their rural institute be a member of this board.

340 MILLER: We have amended subsection 2 as follows: "The institute shall have a board of directors with no more than 15 members including but not limited to, a majority of representatives from business and rural Oregon and the directors of the Economic Development Department and the Oregon State University Extension service or their assistant directors and an expert in leadership training."

404 SEN. HILL: We could specify that a certain number of the people be from business.

TAPE 95, SIDE A

010 SEN. HILL: We are going to designate someone from the department, someone from the extension service, we are going to say not more than 15 people, and it will be chaired by someone in the private sector and we are going to leave it at that.

012 MOTION: SEN. HILL moves to amend subsection 3 to require the board to

be made up of
no more than 15 people and of those members 1 will be the head of the
Economic
Development Department or her/his assistant, 1 will be the director of the
Extension Service
at the Oregon State University or her/his assistant, it will be chaired by
a member from the
private sector and it will include an expert in leadership training.

VOTE: Being no objections the above amendment is adopted.

018 MILLER: Continues EXHIBIT C with Section 5, subsection c. I have
inserted some language here
that says that preference will be given to community residents who are
likely to remain in the community
and who are not employees of the state or federal government.

053 MILLER: Continues EXHIBIT C subsection 5. This is so the funds that
are allocated for community
development and leadership training don't lie in an account with the
department not providing any
community initiatives programs.

060 CHAIR FAWBUSH: The department knows what the risk is if they don't get
one started.

064 YOUNGBAR: The department is anxious to start this rural institute but
this does give us a measure
of assurance.

078 MILLER: This is important because the community initiative program was
funded with lottery funds.
It is in the Governor's budget for lottery funds. If you fund the
institute you wouldn't fund community
initiatives, therefore, if the institute was not established for whatever
reason you would have no money
in the department to do community development.

087 CHAIR FAWBUSH: This allows the department to start the institute and
continue the community
initiatives at the same time.

096 MILLER: Section 6 EXHIBIT C. We need to delete Section 6 because it
makes the lottery allocation.

108 MOTION: The CHAIR moves to adopt the -2 amendments to SB 713.

VOTE: Being no objection the -2 amendments are adopted.

130 CHAIR FAWBUSH: I think the intention is that these meeting would be
subject to the open meetings
law.

131 SEN. DUFF: If this is a private non profit why should it be subject to
the open meetings law?

132 YOUNGBAR: Normally a private non profit is not subject to the open
meeting law but I think that
the intent would be, because it is public money, that the meetings would be
open.

140 ATWOOD: I think most of the people who are going to participate in this on the private side understand that what they are involved in is essentially a public enterprise. I can't imagine any real need for them to meet in private. My only concern is that every time you attach one more tentacle to a private non profit you make it look more and more like a state agency. I think that creates complexities that are unnecessary.

157 SEN. DUFF: We are giving a one time government allocation to this right?

159 CHAIR FAWBUSH: If the community initiatives programs continue to work and there continues to be a need for them it could be an ongoing contractual relationship.

163 SEN. DUFF: I think requiring that is adding an unnecessary burden to this organization.

165 CHAIR FAWBUSH: I would like an understanding that they operate under the open meeting laws.

198 RON FOX: The Oregon Rural Development Council is a created organization emanating from a presidential initiative to support rural economic development. Submits "Oregon Rural Development Council" (EXHIBIT D).

213 JOSHUA WASB URTON: "The vision for rural Oregon is a strong dynamic community that provides a safe quality living environment for work and family and is responsive to changing conditions. Our mission, as we see it as the council, is to promote rural development by focusing governmental, private and non-profit resources to assist rural Oregon in building long term livability." We are on the same mission that you are.

229 ELLIE DUNDYKE: We feel this would be a complementary effort to all the efforts we are making with the council and the efforts that are going on through EDD.

292 SEN. DUFF: I don't want to get entangled in the open meetings law it will cause unnecessary difficulties.

298 MOTION: SEN. TIMMS moves SB 713, as amended, to the floor with a Do Pass recommendation.

303 SEN. HILL: There are some things you don't want done in public meetings.

314 CHAIR FAWBUSH: Their meetings will be public but not everything they do will be a public meeting.

340 VOTE: By roll call vote (4-0) SB 713, as amended, passes to the floor with a Do Pass

recommendation. Voting AYE: SENATORS DUFF, HILL, TIMMS and FAWBUSH.
EXCUSED: SENATORS HAMBY and JOLIN.

349 SEN. HILL: I want to be clear about the meetings. Non profits are not required to have open meetings. The idea of this is to have the people there and the meetings in public. What does this mean?

360 SEN. DUFF: I just want to be sure they have the opportunity to go into an executive session and deal with personnel problems or any sort of an issue like that.

365 SEN. HILL: That is what the open meetings law does. I have not heard anyone say they had a problem with these meetings being open. I want to know what these amendments will say. I would like to use the open meetings law.

389 MILLER: The open meetings law requires all meetings of governing bodies of a public body shall be open to the public and all persons should be permitted to attend any of these meetings except as otherwise provided. No quorum of a governing body should meet in private for the purpose of deciding on or deliberating toward a decision on any matter except as otherwise provided in these exceptions. The body shall not hold a meeting in any place where discrimination occurs based on sex, color, race and so on. Meetings of the body shall be held within the geographical boundaries over which that body has jurisdiction. If a meeting is held upon less than 48 hours notice there are requirements as to where you must post this agenda. The governing body of the organization shall provide for and give public notice reasonably calculated to give interested persons the opportunity to participate in those meetings.

TAPE 94, SIDE B

014 ATWOOD: I don't think we would have any problem inserting a section which would say that the rural institute shall comply with Section 5. This is a statewide group and this shouldn't be a difficulty.

025 KEITH MOBELY: Compliance is pretty easy and I think it would be a black mark at the outset for this institute to not have an open and early acknowledgement that they plan to follow the open meetings law.

030 MOTION: SEN. HILL moves to reconsider the vote which passed SB 713 to the floor.

VOTE: Being no objection the vote on SB 713 is reconsidered.

035 MOTION: SEN. HILL moves that the institute will comply with the open meetings law.

VOTE: Being no objection the above amendment is adopted.

040 MOTION: The CHAIR moves SB 713, as amended, to the floor with a Do Pass recommendation.

VOTE: By roll call vote (4-0) SB 713, as amended, passes to the floor with a Do Pass recommendation. Voting AYE: SENATORS DUFF, HILL, TIMMS and FAWBUSH. EXCUSED: SENATORS HAMBY and JOLIN.

040 CHAIR FAWBUSH adjourns the meeting at 4:24 pm.

Submitted by,

Jeri Chase
Office Manager

EXHIBIT SUMMARY

EXHIBIT A - "Center for Rural Pennsylvania," submitted by Tami Miller, pgs. 4.

EXHIBIT B - -2 amendment to SB 713, submitted by Tami Miller, pgs. 3.

EXHIBIT C - Amendments to SB 713, submitted by Tami Miller, pgs. 5.

EXHIBIT D - "Oregon Rural Development Council," submitted by Ron Fox, pgs. 10.