

THE PUBLIC COMMISSION ON THE OREGON LEGISLATURE
FACILITIES COMMITTEE

April 14, 2006
9:00 A.M.

Hearing Room
Tapes 12 - 13

MEMBERS PRESENT: Carl Wilson, Chair
Bridget Burns
Mark Garber
Rep. Wayne Krieger
Gary Wilhelms

MEMBER EXCUSED: Sheriff Raul Ramirez

STAFF PRESENT: Marjorie Taylor, Committee Administrator
Kellie Whiting, Committee Assistant

PROPOSALS/ISSUES HEARD:

- Committee Discussion and Work Session on Proposals related to the Capitol Building - Proposals #033 and #144
- Committee Discussion and Work Session on Proposals Related to the House and Senate Chambers – Proposals # 134 and #008
- Committee Discussion on Proposal # 044
- Opportunity for Public Comment

These minutes are in compliance with Senate and House Rules. Only text enclosed in quotation marks reports a speaker's exact words. For complete contents, please refer to the tapes.

TAPE/#	Speaker	Comments
TAPE 12, A		
002	Chair Wilson	Calls the meeting to order at 9:06 a.m. Opens a public hearing and possible work session on Proposals #033 and #144. Acknowledges that Mr. Garber is joining the committee via conference phone.
<u>PROPOSAL #033 (FACILITIES EVALUATION) AND PROPOSAL #144 (BUILDING A NEW OFFICE BUILDING) – PUBLIC HEARING AND WORK SESSION</u>		
009	Dave Henderson	Legislative Administrator. Submits and refers to a letter from the Architects Four, LLC (EXHIBIT A), and a letter from Darwin Doss, FAIA (EXHIBIT B). Talks briefly about the Capitol Wings Renovation Project that has been an ongoing discussion since the late 1990's. Speaks about the factors that drove the pursuit of the project including failing plumbing. Demonstrates what the water in the wings looks like and the pipes that are corroding from the inside out, causing corrosion in the water.
040	Rep. Krieger	Asks when the pipes were installed.
041	Henderson	Responds that the pipes were installed in 1977.

- 044 Herb Colomb Facilities Manager.
- 048 Henderson Continues to talk about the factors that drove the pursuit of renovating the wings including the network cabling, air standards, fire concerns, furniture not up-to-date with ergonomic standards, and the fire sprinkler systems not up-to-code. Demonstrates the network cabling. States that if there was a fire causing the cable to burn, there would be toxic gases released because the cable is not installed in cable trays and are not installed to code. Refers to **(EXHIBIT A)** which indicates the deficiencies within the Capitol. Testifies that it would be in the best interest to address all the concerns at once.
- 093 Chair Wilson Asks if the project considers any expansion of the wings.
- 097 Henderson Answers no. Explains that hearings rooms A-F were renovated in such a way that will allow offices to be moved there during the wing renovation. States that the hearing rooms were renovated in 2002. Explains that following the 2003 session, the continuation of the Wings Renovation Project was not approved due to the downturn in the economy.
- 119 Chair Wilson Asks if Certificates of Participation (COPs) will have to be re-authorized.
- 120 Henderson Concurs. States that they believe the project can be completed in 18 months. Refers to **(EXHIBIT B, page two)** and illustrates the schedule to start after the 2007 session. Speaks to the cost.
- 159 Wilhelms Interjects that if the committee is to make a recommendation to move the project forward, the start up cost of \$100,000 is needed as soon as possible and the decision to move forward with the project, or not, needs to be made early by the full legislature.
- 166 Henderson Responds the authorization for the COPs will have to be done by the full legislature.
- 176 Wilhelms Adds that a commission recommendation will need to be expedited in order for it to move ahead.
- 184 Henderson Adds that the \$100,000 cost to update the plans could be fronted out of Legislative Administration's budget, with the understanding that it would be refunded in the COPs. States that DAS has a COP sale in March 2007 and Legislative Administration would have to be a part of that sale.
- 198 Wilhelms Asks if Legislative Administration would be comfortable advancing the start-up-cost without having a decision from the legislature about going ahead with the project.
- 200 Henderson Responds that if the legislature did not issue the start up money in COPs, they would have to ask for an additional \$100,000 to make up for the spent money.
- 209 Rep. Krieger Speaks about the challenges of adjourning session to allow the time for completion of the project and the conversations people need to have with leadership.
- 221 Wilhelms Adds that there has been discussion about adding more components into the wings project and asks if the components should be handled in

- a separate project, or is there cost savings by handling it all together.
- 237 Henderson Suggests an option package for the 2007-09 budget to do the architectural and engineering work on renovating the old portion of the building, keeping them as separate projects, but start on the prep work.
- Wilhelms Asks if it would include seismic upgrades.
- 250 Henderson Answers that it could include seismic upgrades.
- 259 Wilhelms Asks if the wings are expandable.
- 265 Colomb Answers that all the mechanical components are on the top level of the wings and would be a massive effort to expand up.
- 272 Garber Refers to the **(EXHIBIT B)** and asks what the COPs would break down into a biennial cost.
- 288 Henderson Refers to page two and explains what the start-up costs would include.
- 319 Chair Wilson Speaks about the start-up costs. Speaks to the issue surrounding Legislative Administration fronting the money. Asks if there is anything, the commission can do to mitigate the difficulties.
- 337 Henderson Answers no. Adds that the construction costs will keep going up and the project costs will only get more expensive.
- 340 Chair Wilson Responds that updating the plans is necessary no matter when the project is done.
- 350 Colomb Adds that there were substantial changes to the codes since the last plan, and does not expect the changes to be as great next time.
- 360 Wilhelms Speaks in support of the project and states he believes that the committee can make a compelling case to the legislature to get on with the project. Reiterates that if not, they are only delaying an increasing cost and it is just not good business to not move forward with the project. Adds that it can be delayed because of political pressures, but it will only cost more money.
- 378 Chair Wilson Asks if the current leadership is a proponent of the project.
- 380 Wilhelms Responds he believes they are awaiting a recommendation and a study from the commission.
- 390 Burns States that if these conditions were going on in any of our universities, as a fiduciary responsibility, this would be unacceptable. States that in terms of long-term stability of a system, this is unacceptable for this to continue. States she understands why the commission was formed, and states that this is one of those times where the legislature really needs the commission to come forward and take on hard stance on this because it just won't look attractive coming from the legislators and so they really do need the commission's neutral perspective. States she does support the project.
- 411 Chair Wilson Concurs.
- 414 Garber Concurs. Asks that the committee keep in mind that the building does not belong to the legislature, it belongs to the people of Oregon. States that if we are not taking care of it, it is shameful. States that the amount of money to renovate the wings is not that significant considering that the building will be here long after the legislators

serving are gone. States that the committee could make a very strong case and feels confident that leadership and the legislators will support it.

TAPE 13, A

- 002 Chair Wilson States that it is an interesting situation and one that has become more apparent in the political process that we tend to let our public buildings go because of politics and being afraid to make the house look better, but really, it is the people's house, and the peoples' investment. If the legislature converts to annual sessions, asks how the project would be impacted.
- 015 Henderson Responds that the chambers would not be affected and four hearing rooms will be available for committees. Acknowledges it would be difficult, but could be done.
- 026 Garber Speaks about the Washington State Capitol.
- 034 Marjorie Taylor Committee Administrator. Clarifies that the Constitution requires the legislature to meet in the Capitol.
- 036 Chair Wilson Asks what kind of action should be considered to deal with the main building.
- 043 Taylor Clarifies.
- 047 Chair Wilson Asks about Proposal #144 (*Building a new office building*).
- 053 Wilhelms Speaks in support of Proposal #144. Speaks about the needed space for future growth of government. Asks that the issue of a separate member office building be explored. Suggests having the discussion surround cost investment and the return for the public. Acknowledges the difficulties and asks for discussion around building an office building. Reiterates interest in exploring how to obtain more space and how to be cost effective in the immediate future.
- 116 Chair Wilson Asks why the property across the street from the Capitol has not been purchased by the State of Oregon.
- 118 Henderson Responds that Legislative Administration met with the Department of Administrative Services a few years ago about the property and other properties, and notes that there was discussion about an option to purchase one of the properties.
- 122 Chair Wilson States it is of interest.
- 125 Garber Asks what specifically should be appropriated to investigate the property issue.
- 132 Wilhelms States he would support an expenditure to obtain a thorough investigation about the feasibility and cost return on purchasing an additional office building for all entities involved.
- 144 Chair Wilson Asserts it is unenviable that more space will be needed.
- 153 Wilhelms With regard to the wings evaluation, asks if the committee is ready for a motion.
- 159 Rep. Krieger Asks if the motion would be for the wings renovation.
- 163 Wilhelms Clarifies the motion could be for renovation, not expansion.

- 170 Chair Wilson Asks if the recommendation should be made today.
- 178 Rep. Krieger Reminds the committee about the pipe, notes that the project has been on hold since 2002 and should be moved forward.
- 183 Burns Concurs.
- 188 Garber Supports a recommendation in support of renovation. Asks for full documentation about the rationale for the full commission.
- 198 Chair Wilson Responds it will be available.
- 202 Taylor Suggests the motion could read: that the committee recommend to the commission that they recommend to the legislative assembly, that they move forward in spending the money to update the wing renovation plan, as previously developed, and continue to look into funding for the project.
- 219 Henderson Suggests adding a timeline to begin construction following the 2007 session.
- 224 Wilhelms Asks how to respond to the details of the renovation.
- 234 Henderson Explains that to address the plumbing, electrical and infrastructure hazards, the walls, ceiling and carpets have to be removed. Reiterates that the infrastructure is what is driving the project, but it is not cost effective to try to preserve the existing furniture, carpet and ceiling.
- 254 Wilhelms Asks if the project's fiscal discipline the maximum of the COPs.
- 256 Henderson Concurs.
- 258 Rep. Krieger Acknowledges that the current furnishings are not functional.
- 272 Henderson Explains that the cosmetic aspect of the renovation is not fancy and expensive, but rather functional and timeless.
- 288 Wilhelms Speaks to the pragmatic enhancements.
- 294 Henderson Speaks to the cost to maintain fabrics as opposed to leather.
- 295 Chair Wilson Proposes that Legislative Administration commit the necessary expenditures immediately to update construction plans on the wings, and to urge the 2007 legislature to approve necessary expenditures to remodel the House and Senate Wings as soon as possible.
- 305 Rep. Krieger Reiterates the dangers within the Capitol building's infrastructure, including not being up-to-code in terms of power, water and fire sprinkler conditions.
- 318 Wilhelms Responds that the documentation is available that responds to any questions.
- 325 Chair Wilson Reiterates how contaminated the water is.
- 332 Garber Inquires about the start-up money allocation.
- 342 Henderson Responds that the Legislative Administration facilities budget can expend the start-up money, but it would have to be replenished.
- 354 Wilhelms Adds it would be preferable to have the Emergency Board handle it.
- 358 Garber Asks if the motion should include Legislative Administration expending the start-up money.
- 363 Chair Wilson Agrees.

- 365 Taylor Suggests that the motion would include that within the Legislative Administration budget, spend the money to update the renovation plan for the wings and to encourage the legislature to seek funding to implement and begin the renovation plan in the summer of 2007.
- 378 Wilhelms Adds urging the 2007 legislature to meet March COP sale.
- 390 Taylor Reads final motion: “ The committee recommends to the commission that they recommend that within the Legislative Administration budget, they spend money to update the renovation plan for the wings; they urge the 2007 legislative Assembly to seek funding to implement that renovation plan; to do so in a timely manner to participate in the March 2007 COP sale; and that the project begin as soon as possible with the goal to meet the March 2007 COP sale.”
- 413 Wilhelms **MOTION: Moves PROPOSAL # 033 be sent to the full commission and that the committee recommends to the commission that they recommend that within the Legislative Administration budget, they spend money to update the renovation plan for the wings; they urge the 2007 legislative Assembly to seek funding to implement that renovation plan; to do so in a timely manner to participate in the March 2007 COP sale; and that the project begin as soon as possible with the goal to meet the March 2007 COP sale.**
- 415 **VOTE: 5-0-1**
AYE: In a roll call vote, all members present vote Aye.
EXCUSED: 1 - Sheriff Ramirez
The motion CARRIES.
- 422 Chair Wilson Chair Wilson Closes the public hearing and work session on Proposals #033 and #144. Recess for 5 minutes.
- 433 Chair Wilson Brings the committee back to order and opens a public hearing and possible work session on Proposal #134 (*Review of the use and necessity of the House and Senate Lounges*).

TAPE 12, B

PROPOSAL # 134 – PUBLIC HEARING AND WORK SESSION

- 007 Judy Hall Secretary of the Senate. Testifies that when speaking with members and the Senate caucus offices, they are comfortable with maintaining the status quo. Notes that 1/3 of the Senate do not use the Senate lounge for various reasons.
- 019 Chair Wilson Asks for clarification on what the House and Senate lounges provide.
- 022 Ramona Kenady Chief Clerk of the House. Asserts that the members pay for the service. Explains what services are provided, including breakfast and lunch for legislative members. States that they go to great lengths to service all members and there are only a few House members who do not participate. Adds that the service also provides legislators with a place to networking and build relationships in addition to a meal during a very busy schedule. Speaks about the management of the Lounges.
- 095 Hall Responds about some of the reasons one third of Senators do not choose to participate.

- 111 Garber Asks about the motivation of the proposal.
- 120 Wilhelms Answers he does not know where the proposal came from.
- 122 Taylor Clarifies.
- 125 Rep. Krieger Agrees with Ms. Kenady that it is a place to sit and converse with other members in a bi-partisan manner, build relationships, have lunch and notes it is not an expense to the public to any degree.
- 140 Wilhelms States he feels that the lounges contribute to the efficiency of the legislature and also addresses excessive partisanship by building relationships that in turn help with deliberations.
- 154 Burns Asks if a motion is needed to take no further action.
- 160 Kenady Expresses that the lounges need to be upgraded, as they have not been upgraded since 1983.
- 182 Hall Concurs. Asserts that the Senate Lounge has even gone longer without upgrades to the kitchen. Indicates that the meals are all prepared over in the House Lounge and then brought to the Senate side for serving. States that the Senators would like to have their own functioning lounge.
- 196 Burns Asks about the members' daily fee.
- 199 Kenady Responds it is a weekly charge of \$35.00.
- 210 Chair Wilson **MOTION: Moves PROPOSAL # 134 be sent to the full commission with the recommendation that no further action be taken.**
- 221 **VOTE: 5-0-1**
AYE: In a roll call vote, all members present vote Aye.
EXCUSED: 1 - Sheriff Ramirez
The motion CARRIES.
- 222 Chair Wilson Closes the public hearing and work session on Proposal #134 and opens a public hearing and possible work session on Proposal #008 (*paperless floor sessions*).

PROPOSAL #008 – PUBLIC HEARING AND WORK SESSION

- 225 Taylor Touches on the previous testimony given about the paperless floor sessions, “console” concepts and the fact that floor sessions will never be completely paperless.
- 242 Chair Wilson Asks Ms. Kenady and Ms. Hall for their thoughts.
- 247 Ramona Kenady Chief Clerk of the House. Explains that her office has done extensive research on the issue in the 2004 interim. Explains the process for moving a measure in and out the committee in terms of paper. Reiterates an “on-demand” printing concept.
- 296 Judy Hall Concurs with the printing on-demand concept. Speaks to the idea of a console and/or on-demand printing, operated by the desks to become more organized. States incremental steps are necessary.
- 314 Rep. Krieger Adds that a member’s bill file will always be needed.
- 337 Wilhelms Reflects on the trip to Olympia, WA and encourages technology, but not pushing it on persons who do not want to use it. Supports a recommendation in terms of on-demand printing or consoles on the

members desks in the chambers, along with discipline in the House and Senate Rules.

386 Garber

Adds that after visiting Washington, he feels encouraging the use of technology is a good idea in terms of a general statement.

418 Burns

Adds that the commission needs to urge a strong recommendation in terms of moving forward, encouraging incorporating technology in the efficiency of the legislature.

TAPE 13, B

011 Chair Wilson

MOTION: The committee recommends to the full commission that they recommend that the legislature use technology to the best of its ability to expedite the legislative process, this includes the possibility of using consoles or laptops on the floor or in committee meetings, electronic bill book technology and on-demand printing; encourage the legislature to approve rules to govern the use of technology in committee meetings and on the floor.

020 Garber

Asks if a statement should be added about the use of computers on the floor to reflect that the commission is not fearful of technology.

025 Burns

Concurs.

030 Kenady

Suggests an immediate review of on-demand printing.

046 Wilhelms

Asks about the device on the members' desks in Florida.

050 Kenady

Responds that Florida's Legislature uses the console type system on the Chamber floor, rather than laptops.

071 Wilhelms

Asks if the motion should acknowledge support in providing necessary resources to procure the technology.

082 Rep. Krieger

Adds that strength comes from acknowledging the future.

094 Wilhelms

States the recommendations should be clear.

100 Garber

Agrees with being specific without tying member's hands with a particular system.

111 Chair Wilson

Reiterates the motion.

124

VOTE: 5-0-1

AYE: In a roll call vote, all members present vote Aye.

EXCUSED: 1 - Sheriff Ramirez

The motion CARRIES.

125 Chair Wilson

Closes the public hearing and work session on Proposal #008 and opens a public hearing and possible work session on Proposal # 044 (*electronic voting in the Senate*).

PROPOSAL #044 – PUBLIC HEARING

130 Judy Hall

Secretary of the Senate. Testifies that the Senate does have a voting system, but has an oral roll call. Explains there are two boards in the Senate Chamber that were installed in 1995 to allow the public to know what the final vote is and to allow the members know what measure is up for a vote. Explains the next step would be to place member's individual votes on the voting board and voting buttons on the desk.

171 Chair Wilson

Asks if the electronic voting includes voting buttons on the desks.

175	Hall	Answers it would include voting buttons on the desks.
182	Chair Wilson	Asks about voting differences between the House and the Senate.
190	Hall	Responds that the Senate has a custom of oral votes, maybe because of the smaller number of members.
195	Kenady	Explains the voting system in the House was installed as a direct result of a recommendation by the 1969 review commission; it was installed in 1974 and first used in 1975.
211	Chair Wilson	Asks what the Senate membership feeling is about electronic voting.
218	Hall	Explains there are different feelings about using electronic voting in the Senate.
226	Chair Wilson	Asks if having the members' individual votes displayed is a good first step.
230	Hall	Agrees that it would be a good first step.
240	Wilhelms	Speaks about the transition in the House. Clarifies that an oral vote is still an option.
262	Chair Wilson	Asks for more discussion on Proposal #044. Closes the public hearing and possible work session on Proposal #044.
284	Taylor	Explains there will be a report distributed for Proposal #033.
288	Chair Wilson	Adjourns the meeting at 11:02 a.m.

EXHIBIT SUMMARY

A. Proposal #033, letter, Dave Henderson, 2 pp

B. Proposal #033, letter, Dave Henderson, 3 pp