

**HOUSE COMMITTEE ON GENERAL GOVERNMENT**

**May 12, 2005 Hearing Room B**

**8:30 A.M. Tapes 50 - 51**

**Corrected 10/14/05**

**MEMBERS PRESENT:           Rep. Vicki Berger, Chair**

**Rep. Mac Sumner, Vice-Chair**

**Rep. Kevin Cameron**

**Rep. Sal Esquivel**

**Rep. Larry Galizio**

**Rep. Brad Witt**

**MEMBER EXCUSED:           Rep. Peter Buckley, Vice-Chair**

**STAFF PRESENT:             Caralyn Fischer, Committee Administrator**

**Jania Zeeb, Committee Assistant**

**MEASURES/ISSUES HEARD:**

**SB 362 – Public Hearing and Work Session**

**SB 67A – Public Hearing and Work Session**

**SJR 12 – Public Hearing and Work Session**

**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 50, A**

003 Chair Berger Calls the meeting to order at 8:36 a.m. and opens a public hearing on SB 362.

### **SB 362 – PUBLIC HEARING**

015 Olivia Wallulatum Confederated Tribes of Warm Springs. Sings prayer song. Testifies in support of SB 362. Talks about the benefits of SB 362.

060 Senator Kate Brown Senate District 21. Gives a history of what has gone into SB 362. Summarizes SB 362.

090 Sen. Brown Discusses how geographic names are changed.

108 Sen. Brown Talks about an experience she had with the Confederated Tribes of the Umatilla.

124 Michael Mason Confederated Tribes of the Warm Springs. Comments on the message that SB 362 sends to the tribes.

146 Chair Berger Comments on her bachelor's degree in linguistic anthropology and gives her opinion of the word.

154 Chair Berger Closes the public hearing on SB 362 and opens a public hearing on SB 67A.

### **SB 67A– PUBLIC HEARING**

168 Cara Fischer Committee Administrator. Summarizes SB 67A.

191 James Hamrick Parks and Recreation Department. Submits prepared testimony in support of SB 67A (**EXHIBIT A**). Discusses the need for SB 67A.

225 Irene Zenev President of Oregon Museum Association. Submits and reads prepared testimony in support of SB 67A (**EXHIBIT B**).

254 Zenev Comments on the museum grant program.

- 281 Rep. Galizio Asks what the criteria would be for gaining the grants.
- 284 Zenev Refers to Mr. Hamrick.
- 289 Hamrick Responds that he cannot say what the processes will be for sure. Gives an example of what they do with a similar program.
- 303 Chair Berger Asks what the vision is for this program. Asks if the small museums are going to lose the funding they are used to getting.
- 314 Hamrick Answers that not every organization that applies will get the grant. States that if they can get the Ways and Means committee to give them more funding then they can give money to everyone. Remarks that this would make the process better because the museums would have to report what the money is going to be used for in order to get a grant.
- 338 Chair Berger Expresses the concern that this will cut off the funding for small museums. Asks if the small museums realize what is at stake and if they have been a part of the process.
- 351 Zenev Answers that the Oregon Museum Association has done the best it can to keep the smaller museums up-to-date as the process goes along.
- 370 Chair Berger Closes the public hearing on SB 67A and opens a work session on SB 67A.

**SB 67A – WORK SESSION**

- 374 Rep. Sumner **MOTION: Moves SB 67A to the floor with a DO PASS recommendation.**

**VOTE: 5-0-2**

**EXCUSED: 2 - Buckley, Esquivel**

- Chair Berger **Hearing no objection, declares the motion CARRIED.**  
**REP. WITT will lead discussion on the floor.**

388 Chair Berger Closes the work session on SB 67A and opens a work session on SJR 12.

**SJR 12 – WORK SESSION**

402 Cara Fischer Committee Administrator. Summarizes SJR 12.

414 Chair Berger Closes the work session on SJR 12 and opens a public hearing on SJR 12.

**SJR 12 – PUBLIC HEARING**

417 Michael Mason Confederated Tribes of the Warm Springs. Introduces Delvis Heath.

**TAPE 51, A**

014 Delvis Heath Chief, Warm Springs Tribe of the Confederated Tribes of the Warm Springs Reservation of Oregon. Submits prepared testimony in support of SJR 12 (**EXHIBIT C**).

080 Heath Talks about the history of his tribe and the 1855 Treaty with the Tribes of Middle Oregon.

160 Chair Berger Inquires how old Mr. Heath is.

164 Heath Responds that he is 67.

165 Chair Berger Asked where he learned the language.

166 Heath Answers by telling how he learned the language.

183 Olivia Wallulatum Testifies in support of SJR 12 and talks about the importance of the 1855 Treaty with the Tribes of Middle Oregon. Talks about the celebration and the importance of that to the tribes.

221 Wallulatum Talks about the importance of the treaty to the tribes. Comments that they are practicing their traditional ways.

262 Rep. Cameron

Asks if there are examples where the promises made in the treaty are not being upheld.

- 272 Wallulatum Answers by giving an example of picking huckleberries and hunting deer on private property.
- 307 Mason Clarifies what lands are discussed in the treaty. States that they are working with the Oregon Department of State Lands to make sure the tribes can get into those areas at the appropriate times.
- 329 Rep. Cameron Asks if the treaty restricts the general public's access to these lands.
- 335 Mason Answers that it does not.
- 339 Rep. Cameron Inquires if there are times when the general public is restricted from an activity, such as fishing, but the tribe is allowed to fish.
- 341 Mason Concurs
- 345 Chair Berger Asks for information on the celebration in the Dalles.
- 350 Mason Gives information on the celebration.
- 363 Chair Berger Closes the public hearing on SJR 12 and opens a work session on SJR 12.

**SJR 12 – WORK SESSION**

- 371 Rep. Sumner **MOTION: Moves SJR 12 be sent to the floor with a BE ADOPTED recommendation.**

**VOTE: 6-0-1**

**EXCUSED: 1 - Buckley**

**Chair Berger Hearing no objection, declares the motion CARRIED.**

**REP. DALLUM will lead discussion on the floor.**

- 387 Chair Berger

Closes the work session on SJR 12 and opens a work session on SB 362.

**SB 362 – WORK SESSION**

393            Rep. Witt            **MOTION: Moves SB 362 to the floor with a DO PASS recommendation.**

**VOTE: 6-0-1**

**EXCUSED: 1 - Buckley**

                 Chair Berger            **Hearing no objection, declares the motion CARRIED.**

**CHAIR BERGER will lead discussion on the floor.**

402            Chair Berger            Closes the work session on SB 362 and adjourns the meeting at 9:31 a.m.

**EXHIBIT SUMMARY**

- A. SB 67A, prepared testimony, James Hamrick, 7 pp
- B. SB 67A, prepared testimony, Irene Zenev, 1 p
- C. SJR 12, prepared testimony, Delvis Heath, 1 p

**Rep. Larry Galizio**

**Rep. Brad Witt**

**STAFF PRESENT:            Caralyn Fischer, Committee Administrator**

**Jania Zeeb, Committee Assistant**

**MEASURES/ISSUES HEARD:**

**HB 2917 – Work Session**

**HB 2157 – Work Session**

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**TAPE/#      Speaker                      Comments**

**TAPE 49, A**

003              Chair Berger                      Calls the meeting to order at 8:35 a.m. and opens a work session on HB 2917.

**HB 2917 – WORK SESSION**

007              Cara Fischer                      Committee Administrator. Discusses the -2 amendments (**EXHIBIT A**).

011              Chair Berger                      Inquires if the -1 amendments (**EXHIBIT E**) have been moved and if the -2 amendments replace the -1 amendments.

012              Fischer                              Responds that the committee has not moved the -1 amendments and that the -2 amendments incorporate the language of the -1 amendments.

**023              Rep. Sumner                      MOTION: Moves to ADOPT HB 2917-2 amendments dated 5/9/05.**

**VOTE: 7-0-0**

**Chair Berger                      Hearing no objection, declares the motion CARRIED.**

**025              Rep. Sumner                      MOTION: Moves HB 2917 to the floor with a DO PASS AS AMENDED recommendation and the SUBSEQUENT REFERRAL to the committee on Ways and Means BE RESCINDED and BE REFERRED to the committee on Budget.**

**VOTE: 7-0-0**

**Chair Berger                      Hearing no objection, declares the motion CARRIED.**

032 Chair Berger Closes the work session on HB 2917 and opens a work session on HB 2157.

**HB 2157 – WORK SESSION**

035 Chair Berger Expresses her intention to move the bill at the end of the work session.

048 Andrea Meyers American Civil Liberties Union of Oregon (ACLU). Submits prepared testimony regarding HB 2157 (**EXHIBIT B**).

070 Meyers Discusses the concerns that the ACLU has with HB 2157.

101 Meyers Expresses the concern with the Legislative Administrative Committee being included in the bill.

144 Olivia Clark Tri-Met. Introduces Helen Holinder. Submits proposed amendments for HB 2157 (**EXHIBIT C**). Gives information on why the changes are needed.

136 Helen Holinder Attorney, Tri-Met. States that she has nothing to add.

147 Chair Berger Comments that the committee has gotten this issue as far as they are going to as a committee. Discusses the importance of HB 2157.

166 Rep. Cameron **MOTION: Moves to ADOPT HB 2157-2 amendments dated 5/4/05.**

**VOTE: 7-0-0**

**Chair Berger Hearing no objection, declares the motion CARRIED.**

170 Rep. Cameron **MOTION: Moves HB 2157 to the floor with a DO PASS AS AMENDED recommendation and BE REFERRED to the committee on Judiciary by prior reference.**

**VOTE: 7-0-0**

**Chair Berger Hearing no objection, declares the motion CARRIED.**



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Chair Berger

Closes the work session on HB 2157 and adjourns the meeting at 8:49 a.m.

**EXHIBIT SUMMARY**

- A. **HB 2917, -2 amendments, staff, 13 pp**
- B. **HB 2157, prepared testimony, Andrea Meyer, 2 pp**
- C. **HB 2157, proposed amendments, Olivia Clark, 1 p**
- D. **HB 2157, -2 amendments, staff, 44 pp**
- E. **HB 2917, -1 amendments, staff, 13 pp**