

**HOUSE COMMITTEE ON INFORMATION**  
**MANAGEMENT AND TECHNOLOGY**

**May 26, 2005 Hearing Room 357**

**1:00 P.M. Tapes 36 - 38**

**MEMBERS PRESENT:           Rep. John Dallum, Chair**

**Rep. Jerry Krummel, Vice-Chair**

**Rep. Kelley Wirth, Vice-Chair**

**Rep. Chuck Burley**

**Rep. Brad Witt**

**GUEST MEMBER:           Rep. Jeff Kropf**

**STAFF PRESENT:           Dallas Weyand, Committee Administrator**

**Louann Rahmig, Committee Assistant**

**MEASURES/ISSUES HEARD:**

**Computing and Networking Infrastructure Consolidation Project Business Case Update -  
Informational Meeting**

**Sex Offender Registration Program – Informational Meeting**

**HB 3486 – Public Hearing**

**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.**

<b>TAPE/#</b>	<b>Speaker</b>	<b>Comments</b>
---------------	----------------	-----------------

**TAPE 36, A**

003 Chair Dallum Calls the meeting to order at 1:03 p.m. and opens an informational meeting on the Computing and Networking Infrastructure Consolidation (CNIC) Project Business Case Update. Introduces Rep. Jeff Kropf who serves on the budget subcommittee.

**COMPUTING AND NETWORKING INFRASTRUCTURE CONSOLIDATION PROJECT  
BUSINESS CASE UPDATE – INFORMATIONAL MEETING**

016 Mike Freese Deputy State Chief Information Officer, Department of Administrative Services (DAS). Refers to the CNIC project briefing (**EXHIBIT A**). Advises that the intent of the project is to incur cost savings while maintaining or improving service levels through consolidation.

045 Freese Informs there will be reduced costs. Explains unacceptable risks in the current environment. Continues that there is no disaster recovery capability presently. Cites obsolete and aging equipment. Advises that the new data center has received Tier 3 certification, which means it is a highly reliable facility.

065 Freese Explains the updated business case is a top-down analysis. Advises the budget is now being built from the ground up for the data center. Continues that the CNIC budget will reflect the actual numbers from each participating agency.

082 Chair Dallum Asks if the business case is a written document.

083 Freese Responds that **EXHIBIT A** is the high-level presentation. Informs that the business case itself is a multitude of detailed spread sheets. Provides an example.

093 Chair Dallum Inquires if the business case has been drafted.

094 Freese Answers that is the presentation being made today.

095 Chair Dallum Asks if there is a written document.

096 Freese Replies that **EXHIBIT A** is the document that would be provided. Continues that the business case is not a detailed plan and budget.

108	Chair Dallum	States that a plan was requested last January. Asks if <b>EXHIBIT A</b> is it.
110	Freese	Answers no. Describes where DAS is in the planning process.
117	Chair Dallum	Inquires if there is a plan for the architecture.
118	Freese	Responds yes.
120	Chair Dallum	Asks if there is a plan from DAS.
122	Freese	Replies that they can get the architecture documents for the committee. Continues that the next stage is the detailed design for the migration strategy.
131	Chair Dallum	Asks if there is a document that shows the appropriate technology and the switch between technologies.
138	Freese	Answers yes. States there is a 100-plus page document that describes the project.
144	Chair Dallum	Inquires if that was the presentation document.
146	Freese	Replies there is also a detailed project plan that is updated as it becomes more and more refined. Offers to provide copies.
155	Freese	Continues that the first business case was based on assumptions and the information available at the time.
172	Chair Dallum	Comments that he thought the committee would get a more detailed consolidation plan, with benchmarks. Asks of there is a planned process for the move.
177	Freese	Answers yes. Offers to provide current information. Advises that the Department of Human Services will be the first agency to consolidate, the Department of Transportation second and DAS third.
203	Freese	Points to a diagram on Page 8 of <b>EXHIBIT A</b> that describes the timeline of the project. Advises that they will not do another top-down analysis but build the case from the ground up to validate the

top-down analysis. Informs that the budget for the data center comes next and how the different agency budgets will be adjusted.

- 214 Rep. Kropf Refers to the DAS budget with a \$76 million appropriation plus an additional \$2.5 million for capital construction. States that \$20 million has been spent on construction so far. Has difficulty approving a budget without a detailed cost analysis that the timeline indicates will not be presented until sometime in July. Doesn't view **EXHIBIT A** as what he needs to know. States that he is not willing to go forward in Ways and Means without more detailed information.
- 248 Freese Responds that the budget is being worked on now.
- 252 Chair Dallum Raises concerns about not receiving a plan, just an overview. Continues that this was a second request for a written plan. Requests information for this committee proving that there is in fact a plan.
- 306 Rep. Witt Agrees with the Chair's comments.
- 308 Rep. Krummel Appears this information is the same as received before.
- 318 Rep. Wirth Indicates that she is still interested in knowing how many public employees in information technology (IT) will lose their jobs as a result of the consolidation. Wants a total from the departments.
- 330 Rep. Burley Comments that the committee has had this conversation before. Needs to know the measurables for success or failure of the project which should be available in the business case.
- 344 Chair Dallum Closes the informational meeting on Computing and Networking Infrastructure Consolidation Project Business Case Update and opens an informational meeting on Sex Offender Registration Program.

#### **SEX OFFENDER REGISTRATION PROGRAM – INFORMATIONAL MEETING**

- 368 Sam Salazar Lieutenant, Oregon State Police (OSP). Advises that he manages the Major Crimes Section of the OSP.
- 381 Vi Beaty OSP Sex Offender Registration Unit. Provides historical overview of the program in Oregon (**EXHIBIT B**). Advises that in 1999 OSP developed software to provide public website access to offender

information but Marion County court injunctions prohibited the release of information over the internet at that time.

#### **TAPE 37, A**

- 044 Beaty Continues with the history of the sex offender registration program. Indicates another court injunction in 2002 prohibiting release of information to the internet. Advises that in 2003 the injunctions were vacated.
- 060 Beaty Refers to the state registry comparison in **EXHIBIT B**. Cites statistics from 34 states that have public Web sites.
- 070 Chair Dallum Closes the informational meeting on the sex offender registration program and opens a public hearing on HB 3486.

#### **HB 3486 – PUBLIC HEARING**

- 071 Sam Salazar Lieutenant, Oregon State Police (OSP). Testifies and submits written testimony as neutral on HB 3486 (**EXHIBIT C**). Requests posting of all sex offenders on the internet rather than just those designated as predatory. Describes the current method for obtaining information.
- 102 Salazar Continues reading from written testimony. Provides estimated costs which are not part of their current budget request.
- 116 Rep. Andy Olson House District 15. Testifies in support of HB 3486. Briefs the committee on current procedures for predatory notification and access to information. Advises that the intent is to target high risk offenders.
- 146 Rep. Olson Continues that HB 3486 identifies a central point of inquiry by the public and develops consistency across the state.
- 159 Rep. Jerry Krummel House District 26. Testifies in support of HB 3486. Provides written information from various county Web sites (**EXHIBIT D**). Reads a quote from the Coos County Web site. Continues that the intent is to try to help communities be safer and more aware. Describes the current process for obtaining information from the OSP.
- 187 Rep. Krummel Continues that HB 3486 provides easy access to information. Cites a recent situation in Clackamas County.

239	Rep. Wirth	Refers to the -1 amendments ( <b>EXHIBIT E</b> ). Asks if there will be any expansion of the definition of a predatory sex offender.
249	Rep. Krummel	Answers no, HB 3486 does not expand the definition of sex offender that is already in statute. Continues that the -1 amendments provide flexibility so agencies can determine by rule who will be posted to the Web.
268	Rep. Wirth	Points out that sex offender status is a huge stigma to carry around. Expresses a concern that juveniles are not treated any differently. Raises an example of a Measure 11 offense. Asks at what point we treat juveniles as juveniles.
300	Rep. Olson	Responds that the Static-99 measurement allows local community corrections to make a determination. Continues that HB 3486 is designed specifically for high-risk offenders.
315	Rep. Krummel	Cites an example of a juvenile offender reaching age of majority. States that the rules are different in juvenile court so they already are treated differently in statute. Continues that if charged with a Measure 11 crime and then charged as an adult, a special waiver has to be granted by the court.
349	Rep. Wirth	Reiterates that the label is a huge burden for a juvenile.
372	Rep. Olson	Believes other witnesses can alleviate some of those fears.
377	Rep. Krummel	States that Legislative Counsel is monitoring this and could answer questions.
385	Rep. Burley	Refers to ORS 181.592(4)(b) which says the department may use the internet to make certain information available. States the -1 amendments do not change that but add the mandatory internet reporting on the more egregious offenses. Asks why, since OSP has had this authority, they haven't done it. Inquires if there are different registers.
402	Rep. Krummel	Advises that some counties have information on the internet, but there does need to be consistency. Responds that OSP should be directed to use their authority. Continues that the federal government wants a national registry, and Oregon and South Dakota are the only two states that cannot be linked to.

**TAPE 36, B**

012	Rep. Wirth	Asks how this would be a narrower classification. Inquires the least offense that would qualify.
020	Rep. Olson	Believes that question could be better answered by another witness.
025	Rep. Krummel	Provides information that is provided currently when the OSP is called.
043	Rep. Krummel	Refers to the \$190,000 to get up and running and asks what it is for.
049	Salazar	Responds that is an estimate for one fulltime position, software and related infrastructure and security.
061	Rep. Krummel	Inquires how much would be transferred to that position from others. .
073	Vi Beaty	Answers the position is in IT to maintain the system.
078	Rep. Krummel	Asks how many IT positions there are now.
084	Dave Komanecky	OSP. Replies there are nine fulltime employees and they are understaffed.
088	Rep. Krummel	Has a problem with the fact a fulltime position is needed. Asks what other duties besides monitoring the Web site the person would perform.
106	Komanecky	Replies it would not take a fulltime employee just for Web site monitoring. States that duties would be placed into the position that are being performed by others.
114	Rep. Krummel	Asks if the new position will be financed from this program, as opposed to charging across all programs.
119	Komanecky	Answers that it would not take a fulltime employee to manage the Web site and systems administration so would probably be performing other tasks as well.

126	Rep. Krummel	Objects to being told this position is going to do only this job and be charged to this program when in fact it should be charged across the board. Points out that other states have done this so they should not have to reinvent software. Asks for the type of data base being used now.
136	Komaneky	Replies that they have a data base developed by a vendor.
140	Rep. Krummel	Asks if it is a nationally known data base or local.
144	Komaneky	Responds that it is a local company.
145	Rep. Krummel	Inquires if they are going to “reinvent the wheel” or use a software that is already available.
149	Rep. Wirth	Inquires how much rehabilitation and counseling therapy are provided sex offenders while in the corrections system.
155	Salazar	Doesn’t work in that field so that question would be better answered by health care providers.
161	Beaty	Clarifies that juveniles convicted in juvenile court can request relief from registration two years after the end of their probationary period.
170	Chair Dallum	Indicates that time will be allocated equally among the remaining witnesses.
183	Constance Hollon	Resident, Wilsonville, Oregon. Testifies and submits written testimony in support of HB 3486 ( <b>EXHIBIT F</b> ). Tells about the molestation of her four-year-old daughter. Is concerned about receiving the best information that public safety agencies can provide.
204	Hollon	Points out that the information provided by OSP is very general and does not include pictures. Reads an article that states 26 percent of sexual offenders will re-offend in their lifetime, which sounds low, but of the estimated 16,000 offenders in Oregon, that means 4,160 will re-offend.
230	Tom Cordier	Resident, Albany, Oregon. Testifies in support of HB 3486. Refers to a sex criminals Web site that lists the OSP phone number.



Describes the type of information provided by OSP upon request. Explains the process used in Linn County. Provides statistics on supervised and unsupervised predators in Albany, Oregon.

- 293 Cordier Responds to Rep. Wirth's question about juveniles. Explains the process to identify the predators separate from juveniles. Urges that the Web site contain a complete list of both those supervised and unsupervised.
- 337 Cordier Explains difficulties experienced in obtaining predatory sex offender lists from OSP. Continues that OSP has refused to publish information even though they have the authority. States that county probation boards must notify OSP within 10 days of a decision that a person is predatory.
- 374 Cordier Continues that individuals must request information, and law enforcement decides whether it will be provided. Advises that the Greater Albany Public School System is passive about notifying staff and students of sexual predators who may be around the schools. Refers to county data sheets that can be obtained. Concludes that the process needs to be streamlined.

#### **TAPE 37, B**

- 034 Rep. Wirth Understands that it is a community decision whether an individual is posted to the Web site.
- 040 Cordier Responds that a team of specialists makes that determination. Was told that once classified as a predator, always a predator but that is not so. Refers to the screening tool that the county parole and probation departments use which is different from what OSP uses. Needs to be a uniform screen to identify predators.
- 068 Pat Schreiner Marion County Sheriff's Office Parole and Probation Division. Testifies and submits written testimony in support of HB 3486 **(EXHIBIT G)**. Offers to partner with OSP to share information on sex offenders. States that there are more than 3,800 sex offenders on supervision statewide, and there are about 500 in Marion County. Continues that of the 3,800, 20-25 percent usually score out as predatory. Discusses targeted community notification based on sexual offending history, supervision, and where they're living; however, ORS 181.587 places limits on notification.
- 108 Schreiner

Estimates that about five percent of offenders are in the high-risk predatory category statewide. Continues that it is higher in some counties, including Marion County. Cautions against putting all predatory sex offenders on the Web site.

- 141 Schreiner Indicates HB 3486 is a good first step. Believes the community corrections Web sites that designate predatory sex offenders should be able to link to OSP.
- 156 Jeff Wood Marion County Sheriff's Office Parole and Probation Division. Shows the County's Web site through internet hookup. Explains the information on the Web page which has been existence since 1997. Points out the pictures, names, addresses and official notification page. Explains that an offender has to qualify for notification through an assessment process.
- 193 Wood Continues that they tailor make notification plans based on the needs of the community. Outlines the detailed notification process.
- 220 Wood Describes the type of information on the Web on individuals. Points out the e-mail link. States that the most requests are for the number of sex offenders in a particular area.
- 240 Rep. Wirth Asks if a sex offender can be rehabilitated.
- 252 Schreiner Responds that people on supervision have committed a criminal offense and can still be involved in criminal activity. Continues that predicting re-offenses is difficult, but for the highest level of predatory sex offenders, the risk continues to grow over time.
- 276 Rep. Wirth Inquires why we are not trying to rehabilitate these predators to eliminate lifetime tracking and fear.
- 281 Schreiner Answers that these individuals are in mandatory treatment programs. Continues that community notification is the public's right to know about people who present a risk.
- 300 Gail Newman Director, Benton County Community Corrections. Testifies in support of HB 3486. Assures indigent sex offenders in Benton County receive treatment. Agrees that there is a need a central point of inquiry and consistency around the state. Informs that there has not been any legal challenge or any negative consequence in the County by having a Web site listing sex offenders.

331	Rep. Witt	Asks what constitutes a predatory sex offender.
338	Schreiner	Points to ORS 181.585 which lists crime categories. Explains Static-99, which considers the history of offending, and criminal history are used.
352	Rep. Witt	Comments that these are the worst of the worst offenses, and likely to offend again.
358	Schreiner	Answers yes. Continues that repetition of behavior is considered.
368	Rep. Witt	Wants to be clear that there may be very good reason to alert the public via the internet due to the high probability that they might re-offend.
374	Schreiner	Replies correct.
379	Rep. Krummel	Asks about the software for the Marion County Web site.
381	Wood	Believes it is Java which was up and running within one day. Continues it is user friendly and easy to set up.
392	Rep. Krummel	Requests information on the software being used, the platform, and the data base.
409	Walt Beglau	Marion County District Attorney. Testifies in support of HB 3486.

**TAPE 38, A**

011	David Work	Oregon Internet Properties. Believes that \$5,000-6,000 per year to operate a Web site is more realistic and a full time position is not required. Comments that this type of public information should be easy to get.
038	Steve Doell	President, Crime Victims United Oregon. Testifies in support of HB 3486. Provides information on a case in New Jersey which prompted Megan's law on sex offender registration and community notification.
093	Doell	

States that sex offenders use the internet to find their victims, so law-abiding citizens should be able to use the internet to find the sex offenders.

- 101 Rep. Krummel Requests Mr. Work's assistance with the issue.
- 111 John Hummel Oregon Criminal Defense Lawyers Association. Agrees that information on predatory sex offenders should be publicized.
- 134 Hummel Suggests further amendment to HB 3486 directing OSP to post information on predatory sex offenders and dangerously violent sexual offenders on the internet. Reads suggested language.
- 153 Rob Gordon Washington County Sheriff. Testifies and submits testimony in support of HB 3486 (**EXHIBIT G**). Advises that Washington County has 1,082 registered sex offenders, 494 of which are currently under supervision, and 38 of those have been classified as predatory. Endorses a single-source data base.
- 190 Gordon Describes the neighborhood notification process; however, new people moving into an area won't have the information.
- 199 Rep. Witt Asks if the community would benefit from a registry of those with other criminal records of repeat crimes such as property theft and property damage.
- 214 Gordon Responds that those people would need to be screened similarly to determine if there is a likelihood for re-offense. Doesn't see that as a bad idea.
- 227 Chair Dallum Closes the public hearing on HB 3486 and adjourns the meeting at 3:12 p.m.

## **EXHIBIT SUMMARY**

- A. DAS, CNIC project briefing, Mike Freese, 18 pp**
- B. OSP, sex offender historical overview, Vi Beaty, 10 pp**
- C. HB 3486, written testimony, Sam Salazar, 3 pp**

- D. HB 3486, written information, Rep. Jerry Krummel, 22 pp
- E. HB 3486, -1 amendments, staff, 2 pp
- F. HB 3486, written testimony, Connie Hollon, 2 pp
- G. HB 3486, written testimony, Pat Schreiner, 2 pp
- H. HB 3486, written testimony, Rob Gordon, 2 pp

**HOUSE COMMITTEE ON**  
**INFORMATION MANAGEMENT AND TECHNOLOGY**

March 15, 2005 Hearing Room 357

1:00 P.M. Tapes 25 - 26

**MEMBERS PRESENT:** Rep. John Dallum, Chair

Rep. Jerry Krummel, Vice-Chair

Rep. Kelley Wirth, Vice-Chair

Rep. Chuck Burley

Rep. Brad Witt

**STAFF PRESENT:** Dallas Weyand, Committee Administrator

Louann Rahmig, Committee Assistant

**MEASURES/ISSUES HEARD:**

**High Performance Computing Briefing – Informational Meeting**

**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.**

<b>TAPE/#</b>	<b>Speaker</b>	<b>Comments</b>
---------------	----------------	-----------------

**TAPE 25, A**

003 Chair Dallum Calls the meeting to order at 1:00 p.m. Introduces the high school students from Mitchell, Oregon, attending the committee meeting as guests. Opens the informational meeting on high performance computing briefing.

**HIGH PERFORMANCE COMPUTING BRIEFING – INFORMATIONAL MEETING**

015 Brian Wornath LCN Media & Consulting Group. Announces that he represents the Oregon High Performance Computing Consortium. Distributes hard copy of *General Proposal for Establishing an Oregon High Performance Computing Infrastructure* PowerPoint presentation (**EXHIBIT A**). Begins the presentation with an overview and the goals of developing a supercomputing resource in Oregon.

055 Wornath Provides an explanation of supercomputing and who would use it.

074 Wornath Describes the old-style, traditional, single-purpose computer called a “monolith.”

088 Wornath Discusses types of supercomputers. Refers to case studies in **EXHIBIT A, Page 14**.

117 Wornath Discusses how much unused computing time is available after regular office hours, creating an affordable and powerful computing “grid.”

149 Wornath Continues with justification to develop affordable high performance computing resources within Oregon.

184 Wornath Proposes to create a state resource that markets the unused capacity and the accompanying consulting services, offering “one-stop shopping” for high-performance computing.

216 Wornath Outlines sources for general initial capitalization. States that earnings from operations would come from leasing affordable high-performance computing time.

237 Wornath Shows comparison of estimated financial scenarios (**EXHIBIT A**).

313 Wornath

Discusses the percentage of return and cost per year of operating a computer grid.

381 Wornath Suggests implementing a pilot project to determine the best technical solution. Displays the estimated pilot profitability.

**TAPE 26, A**

019 Wornath Discusses a possible organizational structure similar to an Oregon high-performance computing consortium. Continues with explanation of challenges.

069 Wornath Has spoken with Chief Information Officers around the state, who believe the concept is good.

083 Wornath Summarizes by stating that the technology is proven, can easily be applied to numerous applications and uses, and is easily expandable.

121 Chair Dallum Asks about the “down side.”

125 Wornath Responds that information technology people will say this is a very specialized area. Believes that ideally the universities and the state would co-develop a pilot program.

148 Chair Dallum Inquires if this concept is attractive to private enterprise.

155 Wornath Replies, it is. Continues that there are certain niches that don't have the financial resources to take on a project such as this. Cites examples of researchers who believe they can use.

192 Chair Dallum Asks what proposed legislation should look like.

196 Wornath Answers that funding for a pilot project could be requested.

227 Rep. Burley Inquires what is preventing us from using this now.

233 Wornath Responds, nothing. Indicates from a financial standpoint, it is best to consolidate and not have many small clusters.

261 Rep. Burley

Refers to the case studies in **EXHIBIT A** that were mostly done by private corporations. Comments that if we were going to use public resources, that is a different set of circumstances particularly since we are concerned with security issues.

- 270 Wornath Agrees. Offers to provide more up-to-date information. Reports on other states that are doing this for economic development.
- 313 Rep. Burley States that the corporate environment is more controlled than ours as we have computers all across the state. Asks how we would insure security.
- 323 Wornath Agrees that some environments are better suited than others.
- 329 Rep. Krummel Asks if setting something like this up in the new data center might generate the dollars to pay for it.
- 338 Wornath Replies, absolutely. Reports that high performance computing is being done on a limited basis at the Oregon State University Oceanic School.
- 404 Rep. Krummel Asks if there have been discussions with the Department of Administrative Services (DAS) or other privately owned data centers to see if there is an interest.
- 416 Wornath Has spoken with DAS and some small companies affiliated with academics.
- 439 Rep. Witt Inquires if one has to be a participant in the network to be able to utilize supercomputing capacity.

**TAPE 25,  
B**

- 011 Wornath Responds, yes, for security reasons. States that the criteria needs to be identified in the business model.
- 020 Rep. Witt Asks if he is aware of any claims in other states that there is not equal access.
- 025 Wornath Answers that he has not heard of any.



027	Rep. Wirth	Inquires if anyone has expressed an interest in helping finance a pilot study.
032	Wornath	Replies, absolutely.
038	Rep. Wirth	Asks how much private money might be available.
046	Wornath	Replies that there is interest, and some medical schools are trying to lure grants. Believes discussions with interested parties to determine how much money is available would be needed.
069	Rep. Wirth	Inquires if other states have included some public financing, and how far along they are in the process.
077	Wornath	Answers, it varies.
089	Wanda Brennan	High School Science Teacher, Mitchell, Oregon. Cites problems of areas with limited internet access. Asks how high-performance computing will benefit them.
096	Wornath	Responds that not all rural areas will receive the same amount of benefit; however, areas with community colleges perhaps can provide access.
140	Chair Dallum	Closes the informational meeting on high performance computing and adjourns the meeting at 2:08 p.m.

## **EXHIBIT SUMMARY**

- A. High Performance Computing Infrastructure, General Proposal for Establishing, printed copy of PowerPoint presentation, Brian Wornath, 67 pp**