

## **HOUSE COMMITTEE ON TRANSPORTATION**

**March 30, 2005 Hearing Room C**

**1:00 P.M. Tapes 34 - 35**

**Corrected 10/17/05)**

**MEMBERS PRESENT: Rep. George Gilman, Chair**

**Rep. Terry Beyer, Vice-Chair**

**Rep. Chuck Burley, Vice-Chair**

**Rep. Deborah Boone**

**Rep. Scott Bruun**

**Rep. Dave Hunt**

**Rep. Kim Thatcher**

**STAFF PRESENT: John Houser, Committee Administrator**

**Mike Reiley, Committee Assistant**

### **MEASURES/ISSUES HEARD:**

**HB 2575 – Public Hearing**

**HB 2611 – Public Hearing**

**HB 2947 – 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 34, A**

003            Chair Gilman            Calls the meeting to order at 1:04 p.m. and opens a public hearing on HB 2575.

### **HB 2575 – PUBLIC HEARING**

007            John Houser            Committee Administrator. Explains that HB 2575 is an “applied consent” law which provides that individuals signing up for a driver’s license, driver’s permit or identification card would be considered to have consented to registration for the Selective Service System.

016            Gary Lockwood            State Director, Oregon Selective Service. Testifies and submits written testimony and letters in support of HB 2575 (**EXHIBIT A**).

025            Rep. Jeff Kropf            House District 17. Testifies in support of HB 2575. Explains the history of selective service and the importance of registering. Discusses issues of fairness and equity and the consequences of not registering.

080            Rep. Hunt            Asks about the rationale for “issuance or renewal.”

087            Lockwood            Explains that some licenses are issued at age 16 and people between the ages of 18 and 26 need to be reached.

092            Rep. Bruun            Asks how many men do not register for selective service.

095            Lockwood            Responds that approximately 70 percent register at age 18, 80 percent by age 20, and 90 percent by age 25. Reports on problems with obtaining citizenship and extending student aid if not registered by age 26. Notes effectiveness of online registration for high school students. Cites success in states that have adopted a similar program. Refers to map in **EXHIBIT A** showing the status of similar legislation in other states.

162            Rep. Boone            Asks if HB 2575 is a “draft.”

165            Lockwood            Answers no. Explains that HB 2575 is a furtherance of the federal requirement for registration by all males from ages 18 to 25. Continues that conscientious objector status is only available to those who are registered.

180	Rep. Boone	Indicates that wording in Paragraph 4 on the first page of <b>EXHIBIT A</b> referring to the order of call-up in the event of mobilization led her to believe this was a draft.
197	Lockwood	Explains the difference between the Vietnam-era draft and any future draft. Continues that there is a need for a method of supplying needed manpower in the event of mobilization.
208	Rep. Kropf	Describes the current federal law requiring males to register. Notes that the intent of HB 2575 is to get the 10 percent who don't register to comply.
236	Ruth Bendl	Resident, Portland, Oregon. Testifies in support of HB 2575.
259	Andrea Meyer	Legislative Director, American Civil Liberties Union (ACLU). Testifies and submits written testimony in opposition to HB 2575 ( <b>EXHIBIT B</b> ). Indicates that the ACLU believes HB 2575 is unconstitutional and infringes on an individual's religious freedom.
315	Phillip Kennedy-Wong	Ecumenical Ministries of Oregon. Testifies and submits written testimony by Robert Castagna, Oregon Catholic Conference, in opposition to HB 2575 ( <b>EXHIBIT C</b> ). Comments that the Ecumenical Ministries share the views expressed in the written testimony.
360	Kennedy-Wong	Continues reading from <b>EXHIBIT C</b> . States that there is a difference between consent and legal requirement, and HB 2575 combines two different public activities.
388	Rep. Thatcher	Asks about the process for registering with the selective service.
392	Kennedy-Wong	Answers that forms can be obtained at the post office, or registration can be done online.
398	Rep. Thatcher	Inquires whether information on selective service registration could be provided at the time of license application
408	Kennedy-Wong	Reiterates the reasons for keeping the selective service registration and driver's license processes separate.

**TAPE 35, A**

008	Rep. Bruun	Seeks clarification that HB 2575 does not apply to minors but only to those age 18 and above.
016	Lockwood	Refers to Lines 8 and 9 in HB 2575. Clarifies the age requirements for selective service registration.
027	Rep. Burley	Asks how one declares conscientious objector status.
031	Lockwood	Responds that since there has been no pending mobilization since 1980, there is no classification of conscientious objector. Claiming that status can only be done during times of mobilization. Explains the process.
082	Rep. Hunt	Inquires if individuals are giving consent at the time of driver's license renewal.
088	Lockwood	Replies that those under 17 years, 11 months are not required to register. Advises of the consequences for an individual who has not registered in the event of mobilization.
118	Rep. Hunt	Asks if consent comes at age 18 when they already have a license or when they renew.
121	Lockwood	Answers that it is when the license is renewed.
128	Rep. Thatcher	Requests the percentage of compliance in Oregon.
130	Lockwood	Answers that among 18-year-old high school students, it is in the low-70s. Continues that about 2,500 men per year do not register.
146	Rep. Thatcher	Asks about changing registration from compulsory to optional.
149	Lockwood	Replies that he has no objection to the change, and notes that there are two states that have optional registration.
166	Chair Gilman	Closes the public hearing on HB 2575 and opens a public hearing on HB 2611 and HB 2947.

#### **HB 2611 AND HB 2947 – PUBLIC HEARING**

173	John Houser	Committee Administrator. Describes HB 2611 which requires an individual to submit a social security number to the Oregon Department of Transportation (ODOT) when applying for issuance, renewal, replacement or reinstatement of a driver's license, driver's permit or identification card; and allows ODOT to provide by rule for acceptance of another number or identifying information. Explains that HB 2947 specifies the types of alternative information that can be submitted and includes a provision that would provide that a driver's license, permit or identification card issued to a temporary resident would expire on the date the legal residency expires.
203	Lorna Youngs	Division of Motor Vehicles (DMV) Administrator, ODOT. Testifies and submits written testimony on HB 2611 ( <b>EXHIBIT D</b> ) and HB 2947 ( <b>EXHIBIT E</b> ). Provides background on what the agency does with social security numbers and their capability of verification. Advises that DMV does not verify social security numbers.
232	Youngs	Continues that DMV sees some value in the verification of social security numbers as it is important to have accurate information in the data base. States that a number of states participate in the Social Security Online Verification (SSOLV) system, an online process for social security number verification.
251	Youngs	Reports on a nationwide electronic verification system that is available through the U. S. Citizenship and Immigration Services for alien registration numbers. Points out that the only numbers that are immediately verifiable are social security and alien registration numbers. States that their fiscal impact is based on the assumption that verification is electronic and would be only social security numbers or alien registration numbers.
300	Youngs	Suggests looking at the Washington state process.
310	Rep. Jeff Kropf	House District 17. Testifies in support of HB 2947. Explains the importance of the integrity of the driver's license process since 9/11. Describes the work done in other states to increase the standards for obtaining a license.
366	Rep. Kropf	Comments that Oregon needs to update its process. Advises implementation would be inexpensive. Informs that HR 418, which requires individuals to prove they are in this country lawfully, has been passed by the U. S. House of Representatives.

007	Rep. Thatcher	Notes that Nevada does not accept Oregon driver's licenses.
013	Rep. Boone	Comments that DMV requests social security numbers. Asks if the issue is that they do not verify them.
016	Youngs	Answers yes. Continues that in the 2003 legislative session DMV was given the authority to collect social security numbers but no authority to verify.
019	Rep. Boone	Seeks clarification that HB 2611 provides that authority.
020	Youngs	Answers yes.
023	Rep. Kropf	Adds that it is his intent to insure electronic verification and establish the requirement of legal presence, as it is likely the federal government will require it.
032	Rep. Boone	Inquires about the three percent of individuals who do not provide a social security number but are still able to get a driver's license.
035	Youngs	Replies that a 2003 statute allowed the alternative of a signed form that states the individual has no social security number.
045	Rep. Boone	Asks if HB 2947 addresses the three percent.
048	Youngs	Responds that HB 2947 has provisions for a birth certificate, a valid passport, or a document showing that an individual is a naturalized citizen or a legal resident. Adds that the meaning of "verification" is not clear, and there is not a system to verify passports or birth certificates.
066	Rep. Kropf	Declares that it is not his intent that a passport be verified, only the social security number. Explains the reason for using birth certificates and passports as acceptable identification. Reiterates the reasons for this legislation.
100	Rep. Thatcher	Asks about a visa that gives one legal status to work but the document is in the possession of the employer.
114	Rep. Kropf	Reasserts that it is not the intention to deny anyone who has followed the laws.

124	Rep. Burley	Seeks clarification that the intent is to verify only the social security number, not alien registration.
128	Rep. Kropf	Answers, correct. Offers to expand on the verbiage if the committee feels it is necessary.
135	Rep. Burley	Suggests that amendments may be necessary to require verification of social security numbers only.
143	Rep. Kropf	Concurs with Rep. Burley's analysis and states support for amendments.
163	Michael Forest	Resident, Salem, Oregon. Testifies in support of HB 2947. Believes HB 2947 treats everyone equally and supports verification of all forms of identification. Questions use of identification cards.
210	Eduardo Angulo	Chairman, Salem-Keizer Coalition for Equality. Describes member organizations. Testifies in opposition to HB 2611 and HB 2947.
265	Angulo	Continues that licensing undocumented immigrants on the basis of reliable identity documents promotes national security and assists law enforcement authorities by identifying who is in this country.
312	Angulo	Refers to American Automotive Association Foundation for Traffic Safety report.
318	Chair Gilman	Comments that his remarks sound like testimony provided at a recent hearing.
322	Angulo	Answers yes.
324	Chair Gilman	Requests summarization of testimony.
325	Angulo	Continues that there would be a significant impact on Oregon's seasonal and service jobs. Argues that the legislation is bad for the Latino and immigrant communities.
344	Rep. Hunt	Asks for suggestions to address the issues raised and to strengthen current laws.

355	Angulo	Replies that he is a member of a task force formed by the DMV leadership. Indicates that identify theft is also prevalent in the Latino community.
377	Rep. Thatcher	Asks if a Matricular Consular Card is given to anyone who requests one.
384	Angulo	Believes the Mexican Consulate checks with Mexico data bases.
395	Rep. Thatcher	Speculates that the Matricular Consular Card is easy to obtain. Inquires into the reason for reluctance to use the legal process to show legal presence.

**TAPE 35, B**

007	Angulo	Responds that Oregon DMV has made progress in preventing individuals from obtaining a fraudulent driver's license.
020	Rep. Thatcher	States that there are one or two cases of fake documents per month, based on earlier testimony.
024	Chair Gilman	Asks if farm workers are required to have a social security number.
027	Youngs	Advises that Oregon does not require legal presence, so farm workers cannot get a social security number. Explains the coordination with the Oregon-Mexican consulate to verify documents written in Spanish.
070	Rev. Steven Witte	Executive Director, Oregon Farm Workers Ministry. Testifies and submits written testimony in opposition to HB 2611 and HB 2947 <b>(EXHIBITS F AND G)</b> . Comments that HB 2611 and HB 2947 do nothing for homeland security.
102	Rev. Witte	Continues reading from written testimony.
111	Rev. Witte	Discusses the population in Oregon with questionable documentation status. Believes passage of HB 2611 and HB 2947 will foster another black market.
131	Rep. Thatcher	Asks if "undocumented worker" means those who are not here legally.



133	Rev. Witte	Answers yes.
136	Rep. Thatcher	Inquires if most of the people referred to in testimony are farm workers who are not here legally.
139	Rev. Witte	Responds that there is a percentage of them who are questionable.
165	Rep. Thatcher	Asks if there is assistance available through the ministries to help document workers to establish their presence legally.
173	Rev. Witte	Replies that his organization does not have the funding or resources to provide more help. Continues that they try to educate and enlighten people on the situation.
181	Rep. Burley	Refers to <b>EXHIBIT F</b> and inquires how the population would be criminalized.
185	Rev. Witte	Responds that a law is being passed requiring a particular document or certification which some individuals may be unable to obtain.
193	Rep. Burley	Comments that the only criminal act would be driving without a license. Continues that HB 2947 does not create criminals until that person makes a personal choice to drive without a license.
201	Rev. Witte	Asks how these people would get to work.
202	Rep. Burley	Answers, he doesn't know.
215	Richard Hickey	Resident, Salem, Oregon. Testifies and submits written testimony in support of HB 2947 ( <b>EXHIBIT H</b> ). Highlights information from <b>EXHIBIT H</b> on undocumented workers and illegal aliens entering this country.
335	Hickey	Describes the process for obtaining approval to work in another country, which includes identification.
374	Hickey	Quotes from a recommendation in the 9/11 commission report that the federal government should set standards for sources of identification, including driver's licenses.

390	Chair Gilman	Announces that HB 2611 and HB 2947 will be carried over to hear all the testimony.
405	Wayne Brady	Resident, Salem, Oregon. Testifies in support of HB 2947. Makes suggestions for the verification of a social security number.
420	Youngs	Explains that verification includes name, birth date, and social security number and that all information must match.
425	Brady	Asks if a driver's license can be obtained without a physical residence.
430	Youngs	Responds that a physical description of an encampment can be used.
435	Brady	Inquires about the number in that category.
440	Chair Gilman	Suggests that Ms. Youngs and Mr. Brady continued their exchange outside of the public hearing.
450	Chair Gilman	Closes the public hearing on HB 2611 and HB 2947 and adjourns the meeting at 2:56 p.m.

## **EXHIBIT SUMMARY**

- A. **HB 2575, written testimony and information, Gary Lockwood, 15 pp**
- B. **HB 2575, written testimony, Andrea Meyer, 2 pp**
- C. **HB 2575, written testimony by Robert Castagna, Phillip Kennedy-Wong, 1 p**
- D. **HB 2611, written testimony, Lorna Youngs, 3 pp**
- E. **HB 2947, written testimony, Lorna Youngs, 3 pp**
- F. **HB 2611, HB 2947 written testimony, Rev. Steven Witte, 1 p**
- G. **HB 2947, written testimony, Richard Hickey, 5 pp**