

SENATE COMMITTEE ON GENERAL GOVERNMENT

April 5, 2005
3:10 P.M.

Hearing Room B
Tapes 57 - 60

MEMBERS PRESENT: Sen. Frank Shields, Chair
Sen. Gary George, Vice-Chair
Sen. Bruce Starr
Sen. Joanne Verger
Sen. Vicki Walker

STAFF PRESENT: Judith Callens, Committee Administrator
Linda K. Gatto, Committee Assistant

MEASURES/ISSUES HEARD:

SB 498 – Work Session
SB 150 – Work Session
SB 638 – Public Hearing and Work Session
SB 969 – Public Hearing and Work Session
SB 660 – Public Hearing and Work Session
SB 1006 – Public Hearing and Work Session
SB 316 – Work Session
SB 402 – Work Session
SB 420 – Work Session
SB 557 – Work Session
SB 562 – Work Session
SB 589 – Work Session
SB 690 – Work Session
SB 706 – Work Session
SB 817 – 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 57, A		
005	Chair Shields	Calls the meeting to order at 3:10 p.m. and opens the work session on SB 498.
<u>SB 498 – WORK SESSION</u>		
023	Judith Callens	Committee Administrator. Reviews the provisions of SB 498 and explains that the -1 amendments limit compensation to video lottery retailers (EXHIBIT A) .
040	Eric Carlson	Senate Majority Office. Explains that the purpose of the -3 (EXHIBIT B) and -4 (EXHIBIT C) amendments is to ensure that the proposed percentages apply only to video slots.
091	Sen. B. Starr	Relates information received by legislative counsel regarding the constitutionality of SB 498.
121	Sen. Walker	MOTION: Moves to ADOPT SB 498-3 amendments dated 4/5/05.
129		VOTE: 3-2-0 AYE: 3 - Verger, Walker, Shields

		NAY: 2 - George, Starr B.
	Chair Shields	The motion CARRIES.
136	Sen. Walker	MOTION: Moves SB 498 to the floor with a DO PASS AS AMENDED recommendation.
140	Sen. Walker	Comments that public opinion believes retailers are given too large a percentage of the profit. Comments on the contract regarding line games. States that when the lottery constitutional amendment was passed she had questions whether the Governor had the authority to direct "slots for cops" rather than "slots for tots."
184	Chair Shields	Discusses the pros and cons of the lottery.
200	Sen. George	Asks if the commission is about to rule on this.
204	Chair Shields	Responds that there have been conversations.
207		VOTE: 3-2-0
		AYE: 3 - Verger, Walker, Shields
		NAY: 2 - George, Starr B.
	Chair Shields	The motion CARRIES.
		SEN. SHIELDS will lead discussion on the floor.
214	Sen. B. Starr	Serves notice of a possible minority report.
216	Chair Shields	Closes the work session on SB 498 and opens the work session on SB 150.
<u>SB 150 – WORK SESSION</u>		
219	Judith Callens	Committee Administrator. Reviews the provisions of SB 150 and the -2 amendments (EXHIBIT D).
253	Lori Sattenspiel	Oregon Community College Association. Expresses there were concerns about the impact on local communities.
273	Dan Gardner	Commissioner, Bureau of Labor and Industries (BOLI). States that SB 150 addresses workforce shortages in the construction industry. Submits prepared testimony in support of SB 150 (EXHIBIT E).
305	Jessica Adamson	Associated General Contractors. Supports SB 150 and the -2 amendments.
306	Gardner	Thanks the League of Oregon Cities, Community Colleges and AGC for their work on this bill.
323	Sen. B. Starr	Asks what is Associated Builders and Contractors position.
326	Adamson	States that she will make an attempt to find out.
332	Jon Oshel	County Road Program Manager, Association of Oregon Counties (AOC). Asks if a small contractor is going to be capable of becoming a training agent.
356	Gardner	States there is no requirement that they train apprentices. States this would not eliminate any small contractor from their ability to do contracts.
367	Oshel	Responds that if this is the case they have no objections.
379	Sen. Walker	Notes there is prepared testimony in support of SB 150 from Connie Ashbrook, Oregon Women's Tradeswomen, Inc. (EXHIBIT F).
		The following testimony was submitted for the record without public testimony; (EXHIBIT W) prepared testimony from Jon Oshel and (EXHIBIT X) prepared testimony from the League of Oregon Cities
382	Sen. Walker	MOTION: Moves to ADOPT SB 150-2 amendments dated 3/30/05.
385	Sen. B. Starr	States he will support the amendment and move the bill to the floor but reserves the right to change his vote on the floor.

Notifies of intention to have further discussions with other groups that may be affected.

VOTE: 4-1-0

AYE: 4 - Starr B., Verger, Walker, Shields

NAY: 1 – George

The motion CARRIES.

States there is not enough clarity.

MOTION: Moves SB 150 to the floor with a DO PASS AS AMENDED recommendation.

VOTE: 4-1-0

AYE: 4 - Starr B., Verger, Walker, Shields

NAY: 1 - George

The motion CARRIES.

SEN. WALKER will lead discussion on the floor.

Closes the work session on SB 150 and opens the public hearing on SB 638.

409 Chair Shields

439 Sen. George

439 Sen. Walker

437 Chair Shields

Chair Shields

452 Chair Shields

SB 638 – PUBLIC HEARING

453 Judith Callens

474 Sen. Ryan Deckert

Committee Administrator. Reviews the provisions of SB 638. Senate District 14. Submits prepared testimony in support of SB 638 (**EXHIBIT G**) and summarizes that the intention of the bill is to remove the Department of Administrative Services (DAS) Restoration Policy.

TAPE 58, A

030 Chair Shields

038 Sen. Deckert

039 Harvey Matthews

Comments on the effects of this policy.

Responds there are better uses for the funds.

Associated Oregon Industries (AOI). States that the business community views this policy as bad business.

056 Susan Wilson

Administrator Human Resources Services Division DAS.

Submits prepared testimony in opposition to SB 638 (**EXHIBIT H**). Describes how the policy is utilized.

090 Chair Shields

Asks if there are situations where a person has not be restored successfully, that there was not enough for them to do.

091 Wilson

Responds that agencies are encouraged to manage the workload.

108 Chair Shields

Requests that Ms. Wilson repeat the reasons that constitute “cause” and states that each of these reasons are subjective.

125 Sen. George

States that his impression of DAS was to ensure the efficiency of state government.

140 Sen. Verger

Comments on situations where people have made serious mistakes, were removed, but not dismissed. States that the public reads about this in the paper and this affects the credibility of those who are doing their job.

151 Chair Shields

Closes the public hearing on SB 638 and opens the work session on SB 638.

SB 638 – WORK SESSION

152 Sen. Deckert

MOTION: Moves SB 638 to the floor with a DO PASS recommendation.

VOTE: 4-0-1

AYE: 4 - George, Starr B., Verger, Shields

EXCUSED: 1 – Walker

The motion CARRIES.

SEN. DECKERT will lead discussion on the floor.

Chair Shields

167 Chair Shields

Closes the work session on SB 638 and opens the public hearing on SB 969.

SB 969 – PUBLIC HEARING

168	Judith Callens	Committee Administrator. Explains the provisions of SB 969.
189	Commissioner Tim Josi	President, Association of Oregon Counties (AOC) and Tillamook County Commissioner. Submits prepared testimony in support of SB 969 noting the shared state-county services (EXHIBIT I, Page 3).
206	Linda Modrell	Benton County Commissioner and Chair of the Governance Steering Committee. States that AOC supports a joint state/county process for defining, directing, and funding shared services.
231	David Barenberg	League of Oregon Cities. Urges action on the bill.
239	Sen. Verger	Asks why the bill is needed.
252	Barenberg	Responds that the governor and legislative leadership have been accessible to local governments but accessibility ebbs and flows depending on who is in those positions.
270	Sen. Verger	Comments on the way it is done now.
281	Commissioner Josi	Comments that issues today are more complex and that there are times when it works well and times when it does not.
301	Sen. B. Starr	Concurs with Sen. Verger and does not believe a council is needed to do this.
316	Chair Shields	Agrees that times are changing and with limited resources some people want to run from the conversation. Believes it is a worthwhile bill.
345	Sen. George	Comments that what he hears from the local level is that there is not a partnership attitude.
370	Sen. B. Starr	States it is a sad commentary that a bill needs to be passed to force people to have a conversation.
391	Sen. Verger	States that people need to get together to discuss things. States that AOC and LOC need to address this and not have this done legislatively.
393	Chair Shields	Closes the public hearing on SB 969 and opens the work session on SB 969.

SB 969 – WORK SESSION

413	Sen. Walker	MOTION: Moves SB 969 to the floor with a DO PASS recommendation and BE REFERRED to the Committee on Ways and Means by prior reference.
419		VOTE: 3-2-0
		AYE: 3 - George, Walker, Shields
		NAY: 2 - Starr B., Verger
	Chair Shields	The motion CARRIES.
426	Chair Shields	Closes the work session on SB 969 and opens the public hearing on SB 660.

SB 660 – PUBLIC HEARING

429	Judith Callens	Committee Administrator. Explains the provisions of SB 660.
439	Burton Weast	Legislative Director, Special Districts Association of Oregon. Submits prepared testimony in support of SB 660 (EXHIBIT J) which outlines the requirements for a citizen petition to create a special district. States the purpose of the bill is to clarify the law.
469	Roger Raven	Harrisburg City Counselor. States support for SB 660 and summarizes testimony regarding the formation of a special district (EXHIBIT J, Page 3).

044	Raven	States for the record that Clackamas County has proposed an amendment and he is willing to support it on the House side.
045	Sen. B. Starr	Clarifies that this would limit the authority a county has to go beyond the 20 requirements.
050	Raven	Responds that current law is confusing. Believes that citizens have a right to know what issues are suppose to be addressed when drafting and putting together a petition.
097	Roger Halbert	Clackamas River Water. Testifies in opposition to SB 660 as written because it could erode planning that is in the best interest of a county.
137	Jonathan Mantay	Clackamas County Administrator. States opposition to the bill in its current form. Believes that the county should have reasonable ability to apply standards allowed in current law.
146	Sen. Verger	Cautions to be careful of restricting the flexibility that counties have.
160	Weast	States the intent of the bill is to clarify to citizens and the county what factors are to be considered. Explains what the proposed amendment clarifies.
191	Sen. George	Refers to the decision by Judge Murphy (EXHBIT J, Page 3) and confirms that regardless of what happens the decision will be made by the voters. Inquires if are they any exceptions to that.
197	Weast	Responds that under current statute, and the bill, decisions can not go to the voters unless the county commissioners make that determination. States the statute should be clear so everyone understands what is expected of them.
200	Sen. B. Starr	States he is comfortable sending this to the House but would rather the bill be fixed here. Comments on the deadline to consider senate bills.
260	Chair Shields	States that he working within the constraints of the deadline.
284	Chair Shields	Closes the public hearing on SB 660 and opens the work session on SB 660.

SB 660 – WORK SESSION

288	Chair Shields	States that there is an agreement on the record for an amendment on the House side.
293	Sen. Walker	MOTION: Moves SB 660 to the floor with a DO PASS recommendation.
295	Sen. Verger	States for the record a concern about the county commissioners “shall.”
299		VOTE: 3-2-0
		AYE: 3 - George, Walker, Shields
		NAY: 2 - Starr B., Verger
	Chair Shields	The motion CARRIES.
		SEN. SHIELDS will lead discussion on the floor.
309	Chair Shields	Closes the work session on SB 660. Announces that SB 707 will not be heard. Opens the public hearing on SB 1006.

SB 1006 – PUBLIC HEARING

334	Bob Shiprack	Oregon Building Trades Council. States the intent of SB 1006 is to get more compliance with existing law. Provides examples of public contracting disasters. Explains why the Building Trades Council is supporting this bill.
499	Sen. B. Starr	Clarifies that on the bridge issue, the contractor asked the question on how to pour and it was an ODOT employee that should have done a better job.

031	Sen. Verger	States that on the pipe line project there were safety issues and now there are funding issues that the taxpayers have to make up.
043	Jessica Adamson	Associated General Contractors. Testifies in opposition because agencies have the tools to indicate what determines a good contractor and there are legitimate reasons why contractors may have an issue. Concludes that the vast majority of contractors are not the problem, agencies need to exercise due diligence.
094	Sen. Verger	Comments that the company that was hired in Coos Bay had a number of lawsuits against them that no one knew about when the contract was awarded. Asks if this bill would have helped inform the agency.
101	Adamson	Answers that there are a lot of contractors that do a great job. States agencies have the responsibility to ask the hard questions not rely on a form.
127	Sen. George	States that the bill does not clearly define unsatisfactory performance.
135	Adamson	Responds that this law is primarily used for large projects and not the day to day contracts that agencies enter into. States the law needs to be specific and exercised by the agencies.
150	Jon Oshel	County Road Program Manager, Associated Oregon Counties. Submits a prepared statement in support of the concept but believes it does not solve the problem (EXHIBIT K). Suggests that the criteria be defined noting there is no definition for “unsatisfactory” “record of integrity” or “ record of performance.”
210	Sen. George	Refers to written testimony submitted by the League of Oregon Cities (EXHIBIT L) noting the check list agencies have when determining the lowest bidder.
222	Sen. B. Starr	Asks if the contracting community should hold the contracting agencies accountable.
225	Adamson	Responds there are contractors in second low bidder position that have the right to a bid protest.
263	Jerod Broadfoot	National Electrical Contractors Association, The Plumbing and Mechanical Contractors Association and Sheet Metal & Air Conditioning Contractors National Association. States that this is a form to ensure compliance.
285	Dan Gardner	Commissioner Bureau of Labor and Industries (BOLI). Submits prepared testimony in support of SB 1006 (EXHIBIT M). Adds that BOLI is willing to work with all parties to set up rules that will work with everyone.
314	Sen. B. Starr	Asks would this be required for every contract that moves through the process.
326	Gardner	Responds that the process would have to be set up in rule.
330	Sen. B. Starr	Expresses concern regarding opposition to the bill, time limitations, fiscal questions and additional paperwork costs.
406	Sen. George	Asks what are the benefits of this form to BOLI.
407	Gardner	Responds that the benefit is the ability to respond when there is public comment on a contractor.
440	Chair Shields	Closes the public hearing on SB 1006 and opens the work session on SB 1006.

TAPE 59, A

SB 1006 – WORK SESSION

005 Sen. B. Starr

MOTION: Moves SB 1006 to the floor with a DO PASS recommendation.

009	Sen. B. Starr	States that he is not totally comfortable with the bill and will continue to work with the proponents and opponents on the bill.
033		VOTE: 4-1-0 AYE: 4 - Starr B., Verger, Walker, Shields NAY: 1 - George The motion CARRIES. SEN. WALKER will lead discussion on the floor.
	Chair Shields	
037	Chair Shields	Closes the work session on SB 1006 and opens the work session on SB 316.
<u>SB 316 – WORK SESSION</u>		
042	Judith Callens	Explains the provisions of SB 316 and informs that the fiscal on the -1 amendments (EXHIBIT N) is not yet available. Recommends carrying the bill over until Thursday to consider the fiscal if the committee wants to consider the -1 amendments.
060	Chair Shields	States that he does not want to hold the bill. Says that the bill could come back before the committee depending upon the outcome of the fiscal.
084	Sen. George	States support for the concept behind the bill.
111	Chair Shields	Asks if this bill will require 120 agencies to adopt rules.
112	Lydia Muniz	Governor's Advocate for Women and Emerging Small Businesses. States the bill impacts only those agencies using the state's electronic purchasing system. Offers that if a fiscal impact comes back that requires the bill to be referred to the Committee on Ways and Means suggests a second amendment identifying a process.
131	Chair Shields	Asks Sen. B. Starr if that is acceptable.
135	Callens	States that as done before, if the fiscal comes back with more than a minimal fiscal impact it could come back to the committee. States the other alternative is to pass it out without an amendment.
145	Sen. Verger	Asks who is the department.
148	Callens	Answers Department of Administrative Services.
150	Sen. Verger	Comments that "each agency shall adopt rules" may lead to the impression of a strong fiscal impact.
158	Sen. B. Starr	Suggests amending the bill with the proposed language by conceptually striking "adopt rules" and inserting "create a process."
167	Callens	Refers to line 12 of the bill and states the amendment would strike "the department" and insert "each agency", leave "shall" strike "adopt rules in consultation with the advocate to" so it reads "each agency shall establish a process and timeline for providing the notice and information required."
181	Sen. B. Starr	Suggests "each agency shall", strike "adopt rules" insert a comma "in consultation with the advocate" strike "to" "establish a process."
189	Sen. George	Inquires about the authority for a conceptual amendment.
190	Callens	Answers it is the prerogative of the chair whether to go forward.
193	Chair Shields	Asks Sen. B. Starr to read line 12 as proposed.
198	Sen. B. Starr	Reads, "each agency shall, in consultation with the advocate, establish a process and timeline for ..."
206	Sen. B. Starr	MOTION: Moves to AMEND SB 316 on page 1, in line 12, before "shall," delete "The department" and insert "Each agency," and after "shall," delete "adopt rules" and after "advocate," delete "to"

208		and change “timelines” to “timeline”. VOTE: 4-0-1 EXCUSED: 1 - Walker Hearing no objection, declares the motion CARRIED.
216	Chair Shields Sen. B. Starr	MOTION: Moves to ADOPT SB 316-1 amendments dated 3/8/05. VOTE: 4-0-1 EXCUSED: 1 - Walker Hearing no objection, declares the motion CARRIED. MOTION: Moves SB 316 to the floor with a DO PASS AS CONCEPTUALLY AMENDED recommendation.
221	Chair Shields Sen. B. Starr	VOTE: 4-0-1 AYE: 4 - George, Starr B., Verger, Shields EXCUSED: 1 - Walker The motion CARRIES. SEN. GORDLY will lead discussion on the floor.
231		SEN. GORDLY will lead discussion on the floor.
239	Chair Shields	Closes the work session on SB 316 and opens the work session on SB 402.
<u>SB 402 – WORK SESSION</u>		
240	Judith Callens	Committee Administrator. Reviews the provisions of SB 402 and the -2 amendments (EXHIBIT O). Discusses the revenue impact statement.
268	Sen. Verger	Asks why a water district would not file a lien against a delinquent account.
291	Chair Shields	Temporarily closes the work session on SB 402. Opens the work session on SB 420.
<u>SB 420 – WORK SESSION</u>		
301	Judith Callens	Committee Administrator. Reviews the provisions of SB 420 and the -2 amendments (EXHIBIT P).
323	Chair Shields	States the reasons why he wants to refer SB 420 the Committee on Ways and Means without the -2 amendments.
340	Sen. Verger	Comments that this is why League of Oregon Cities is not here opposing the bill. States that she received a note from Senator Morse that the funding is being worked on.
340	Sen. B. Starr	Comments that he has had a conversation with both Senators Morse and Johnson. Expresses concern and objection to both the policy and the funding issues being discussed in the Committee on Ways and Means and states support for moving the bill only for the reason of the upcoming deadline.
343	Sen. Verger	Concurs with Sen. B. Starr that all substantive policy should be discussed in committee. States that the problem is that he proposal is not ready.
390	Sen. B. Starr	States that this bill is about reforming Government Standards and Practices Commission (GSPC), where it is located, who it reports to and how it is funded.
408	Chair Shields	States the bill deals with the ethics by which they are bound.
430	Chair Shields	Closes the work session on SB 420. Opens the work session on SB 557.
<u>SB 557 – WORK SESSION</u>		
435	Judith Callens	Committee Administrator. Reviews the provisions of SB 557 and the -1 amendments.
Written testimony submitted with the -1 amendments by Senator Bill Morrisette		

(EXHIBIT Q) without public testimony.

494	Sen. B. Starr	MOTION: Moves to ADOPT SB 557-1 amendments dated 3/18/05.
499		VOTE: 4-0-1
		EXCUSED: 1 - Walker
	Chair Shields	Hearing no objection, declares the motion CARRIED.
504	Sen. Starr	MOTION: Moves SB 557 to the floor with a DO PASS AS AMENDED recommendation and BE REFERRED to the Committee on Ways and Means by prior reference.
5087		VOTE: 4-0-1
		EXCUSED: 1 - Walker
	Chair Shields	Hearing no objection, declares the motion CARRIED.
508	Chair Shields	Closes the work session on SB 557 and reopens the work session on SB 402.

SB 402 – WORK SESSION

TAPE 60, A

003	Sen. Verger	Asks why a water district would not file a lien against a delinquent account.
004	Sen. Westlund	Senate District 27. Responds that it is an option. Explains his concern is for the smaller water districts where cash flow is an issue.
015	Sen. Verger	Asks how would small water districts collect.
017	Sen. Westlund	Responds through the property tax bill.
020	Sen. Verger	Confirms it would be through the assessor.
021	Sen. Westlund	Responds affirmatively.
025	Sen. George	Expresses concern about it being levied on the property tax.
040	Sen. B. Starr	Asks what was the impetus for this bill.
041	Sen. Westlund	Responds the primary concern is for small water districts and the cash flow of those districts. This does not preclude current collection means but it does insure that they get paid eventually.
065	Sen. B. Starr	MOTION: Moves to ADOPT SB 402-2 amendments dated 4/1/05.
068		VOTE: 3-1-1
		AYE: 3 - Starr B., Verger, Shields
		NAY: 1 - George
		EXCUSED: 1 – Walker
	Chair Shields	The motion CARRIES.
070	Sen. B. Starr	MOTION: Moves SB 402 to the floor with a DO PASS AS AMENDED recommendation.
113	Sen. Walker	Notes the question regarding the impact on lower incomes. Asks what the counties' position is.
115	Sen. Westlund	Responds that the counties' objections were addressed with the - 2 amendments (EXHIBIT O) .
120		VOTE: 4-1-0
		AYE: 4 - Starr B., Verger, Walker, Shields
		NAY: 1 – George
	Chair Shields	The motion CARRIES.
		SEN. WESTLUND will lead discussion on the floor.
125	Chair Shields	Closes the work session on SB 402 and opens the work session on SB 562.

SB 562 – WORK SESSION

137	Judith Callens	Committee Administrator. Reviews the provisions of SB 562, the
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		-1 amendments (EXHIBIT R),and the -2 amendments (EXHIBIT S).
151	Sen. Verger	Relays that a note from League of Oregon Cities states they are neutral on the bill but that public safety people have expressed concerns that it will take money away from homeland security grants.
199	Sen. Walker	Recalls that it was once thought to encompassed too much and thought it would be better to restrict it to schools. Suggests that it be limited to high schools.
202	Sen. Verger	Speculates the cost would be huge.
204	Chair Shields	Notes that money would not be appropriated but it would allow them the solicit for the funds.
236	Sen. George	States it could be very complex.
239	Sen. B. Starr	States they should be looking for programs to cut not create new ones in this budget environment.
254	Sen. Kate Brown	Senate District 21. Explains the bill was introduced for the safety of students in schools giving law enforcement a tool. Suggests sending it to the Committee on Ways and Means.
270	Sen. Verger	States there is no money for a full mapping system through Oregon Emergency Management.
278	Sen. Brown	Explains that this would allow local communities to access federal dollars.
286	Sen. Verger	Notes that the LOC position was it would take away homeland security grants.
291	Sen. Brown	Clarifies it would allow people the ability to access dollars that they would not have the authority to access.
297	Hans Bernard	Legislative Assistant to Senator Kate Brown. Explains that the intent of the bill is to narrow the scope only to schools allowing Oregon Emergency Management to apply for grants that were school specific and not necessarily Homeland Security money.
305	Sen. B. Starr	Asks if the intent is to use federal funds and not state funds.
308	Sen. Brown	Answers affirmatively.
328	Sen. Walker	MOTION: Moves to ADOPT SB 562-1 amendments dated 3/17/05.
334		VOTE: 5-0-0
	Chair Shields	Hearing no objection, declares the motion CARRIED.
335	Sen. Walker	MOTION: Moves to ADOPT SB 562-2 amendments dated 3/24/05.
337		VOTE: 5-0-0
	Chair Shields	Hearing no objection, declares the motion CARRIED.
341	Sen. Walker	MOTION: Moves SB 562 to the floor with a DO PASS AS AMENDED recommendation and BE REFERRED to the Committee on Ways and Means by prior reference.
350		VOTE: 5-0-0
	Chair Shields	Hearing no objection, declares the motion CARRIED.
351	Chair Shields	Closes the work session on SB 562 and opens the work session on SB 589.
<u>SB 589 – WORK SESSION</u>		
385	Judith Callens	Committee Administrator. Reviews the provisions of SB 589 and the fiscal impact statement.
397	Chair Shields	Asks if Oregon Liquor Control Commission (OLCC) supported this bill when it was originally heard.

440	Sen. Verger	Recalls the testimony was about grocery store personnel selling to minors.
442	Sen. B. Starr	States the concern was the that the bill creates a new unlawful employment practice. Adds there was concern from the off premises dealers that it would undermine the zero tolerance policy.
455	Chair Shields	Comments on the training and states that the question is whether you retain your job if one mistake is made.
TAPE 59, B		
055	Sen. Walker	Explains why she likes the bill.
056	Chair Shields	Explains why he likes the bill.
096	Sen. Verger	Discusses the responsible vendor program as a protection. Expresses this is the tip of the iceberg in getting minors not to drink.
124	Sen. Walker	MOTION: Moves SB 589 to the floor with a DO PASS recommendation and REQUESTING REFERRAL to the Committee on Ways and Means.
130		VOTE: 4-0-1
		EXCUSED: 1 - Shields
	Vice- Chair George	Hearing no objection, declares the motion CARRIED.
137	Vice-Chair George	Closes the work session on SB 589 and opens the work session on SB 690.
<u>SB 690 – WORK SESSION</u>		
138	Judith Callens	Reviews the provisions of SB 690 and the -1 amendments (EXHIBIT T) .
161	Sen. B. Starr	MOTION: Moves to ADOPT SB 690-1 amendments dated 3/23/05.
		VOTE: 4-0-1
		EXCUSED: 1 - Shields
	Vice-Chair George	Hearing no objection, declares the motion CARRIED.
165	Sen. B. Starr	Inquires about the fiscal.
167	Tamara Brinkman	Legislative Coordinator Oregon Employment Department. States there is no fiscal impact on the Employment Department’s budget.
174	Sen. B. Starr	MOTION: Moves SB 690 to the floor with a DO PASS AS AMENDED recommendation.
178		VOTE: 4-0-1
		EXCUSED: 1 - Shields
	Vice-Chair George	Hearing no objection, declares the motion CARRIED.
		SEN. VERGER will lead discussion on the floor.
180	Vice-Chair George	Closes the work session on SB 690 and opens the work session on SB 706.
<u>SB 706 – WORK SESSION</u>		
188	Judith Callens	Reviews the provisions of the bill and the -4 amendments (EXHIBIT U) .
194	Dan Gardner	Commissioner Bureau of Labor and Industries. Refers to page four, lines 5 and 12 proposes conceptually changing the word “use” to “access” in addition to the -4 amendments.
217	Callens	Clarifies the conceptual amendment being proposed is on page four, line 5 and line 12 of the -4 amendments.
227	Sen. B. Starr	Refers to the concern of the realtors regarding “facially neutral”

		and asks if this has been resolve by the amendments.
232	Gardner	Answers affirmatively.
238	Sen. B. Starr	MOTION: Moves to AMEND SB 706 – 4 amendments dated 4/5/05 on page 4, in line 5 and line 12, delete “use” and insert "access".
		VOTE: 4-0-1
		EXCUSED: 1 – Shields
		Hearing no objection, declares the motion CARRIED.
263	Vice-Chair George Sen. B. Starr	MOTION: Moves to ADOPT SB 706-4 amendments as CONCEPTUTALLY AMENDED.
		VOTE: 4-0-1
		EXCUSED: 1 – Shields
		Hearing no objection, declares the motion CARRIED.
270	Vice-Chair George Sen. B. Starr	MOTION: Moves SB 706 to the floor with a DO PASS AS AMENDED recommendation.
272	Sen. Verger	Asks about architectural barriers not being in the relating clause.
288	Annette Talbott	Deputy Commissioner, Bureau of Labor and Industries. Clarifies that in the keeping with the federal fair housing act it is included in the definition of “housing discrimination”.
270		VOTE: 4-0-1
		EXCUSED: 1 – Shields
	Vice-Chair George	Hearing no objection, declares the motion CARRIED.
		SEN. CARTER will lead discussion on the floor.
314	Vice-Chair George	Closes the work session on SB 706 and opens the work session on SB 817.
<u>SB 817 – WORK SESSION</u>		
323	Judith Callens	Committee Administrator. Explains the provisions of SB 817 and the -1 amendments (EXHIBIT V).
333	Kenneth Murphy	Director, Oregon Emergency Management. Available to address questions.
320	Vice-Chair George	Asks if he supports the -1 amendments.
340	Murphy	Answers affirmatively.
347	Sen. B. Starr	Notes that there are blanks in the bill.
352	Murphy	Explains that the majority of this will be probably be funded by Homeland Security.
359	Sen. B. Starr	MOTION: Moves to ADOPT SB 817-1 amendments dated 4/5/05.
		VOTE: 4-0-1
		EXCUSED: 1 – Shields
		Hearing no objection, declares the motion CARRIED.
364	Vice-Chair George Sen. B. Starr	MOTION: Moves SB 817 to the floor with a DO PASS AS AMENDED recommendation and REQUESTING REFERRAL to the Committee on Ways and Means.
370		VOTE: 4-0-1
		EXCUSED: 1 – Shields
	Vice-Chair George	Hearing no objection, declares the motion CARRIED.
372	Vice-Chair George	Closes the work session on SB 817 and adjourns the meeting at 6:25 p.m.

EXHIBIT SUMMARY

- A. SB 498, -1 amendments, staff, 1 p
- B. SB 498, -3 amendments, staff, 1 p
- C. SB 498, -4 amendments, staff, 1 p
- D. SB 150, -2 amendments, staff, 2 pp
- E. SB 150, prepared testimony, Dan Gardner, 8 pp
- F. SB 150, prepared testimony, Connie Ashbrook, 1 p
 - G. SB 638, prepared testimony, Senator Ryan Deckert, 1 p
 - H. SB 638, prepared testimony, Susan Wilson, 2 pp
 - I. SB 969, prepared testimony, Commissioner Tim Josi, 3 pp
 - J. SB 660, prepared testimony, Burton Weast, 5 pp
 - K. SB 1006, prepared testimony, Jon Oshel, 1 p
 - L. SB 1006, prepared testimony, League of Oregon Cities, 1 p
 - M. SB 1006, prepared testimony, Dan Gardner, 1 p
- N. SB 316, -1 amendments, staff, 1 p
- O. SB 402, -2 amendments, staff, 1 p
- P. SB 420, -2 amendments, staff, 1 p
- Q. SB 557, written testimony and -1 amendments, Senator Bill Morrisette, 3 pp
- R. SB 562, -1 amendments, staff, 1 p
- S. SB 562, -2 amendments, staff, 2 pp
- T. SB 690, -1 amendments, staff, 2 pp
- U. SB 706, -4 amendments, Senator Margaret Carter, 4 pp
- V. SB 817, -1 amendments, Senator Rick Metsger, 4 p