

SENATE COMMITTEE ON RULES

June 24, 2005
1:00 P.M.

Hearing Room C
Tapes 125 - 126

Corrected 10/27/05

MEMBERS PRESENT: Sen. Kate Brown, Chair
Sen. Ted Ferrioli, Vice-Chair
Sen. Jason Atkinson
Sen. Charlie Ringo
Sen. Frank Shields

STAFF PRESENT: Tiffany Harris, Committee Administrator
Katie Lowry, Committee Assistant

MEASURE/ISSUES HEARD:

SB 1057A – Work Session
HB 2089A – Work Session
HB 2234C – Work Session
HB 2514 – Work Session
HB 3143B – Work Session
SB 660 – Work Session
SB 1074 – Work Session
HB 2233A – Public Hearing and Work Session
SB 1082 – Work Session
HB 3145A – Public Hearing and Work Session
SB 446 – 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 125, A		
005	Chair Brown	Calls meeting to order at 1:06 p.m. Makes opening remarks regarding today's agenda. Opens a work session on SB 1057A.
<u>SB 1057A – WORK SESSION</u>		
014	Tiffany Harris	Committee Administrator. Provides an overview of SB 1057A. Submits the –A7 amendments to SB 1057A (EXHIBIT A).
018	Sen. Floyd Prozanski	Senate District 4. Explains the –A7 amendments.
054	Chair Brown	Asks clarification question regarding the freezing of an account.
057	Sen. Prozanski	Discusses requirements for an individual to freeze an account.
073	Chair Brown	Closes the work session on SB 1057A and opens a work session on HB 2089A, HB 2234C, HB 2514 and HB 3143B.
<u>HB 2089A, HB 2234C, HB 2514 AND HB 3143B – WORK SESSION</u>		
080	Chair Brown	MOTION: Moves HB 2089A, HB 2234C, HB 2514, AND HB 3143B to the floor WITHOUT RECOMMENDATION as to passage and BE REFERRED to the committee on Revenue.
090		VOTE: 5-0-0

092 **Chair Brown**
Chair Brown

SB 660 – WORK SESSION

095 Tiffany Harris

104 Amanda Rich

126 Sen. Ringo

130 Rich
137 Chair Brown

SB 1074 – WORK SESSION

145 Sen. Floyd
 Prozanski

200 Sen. Prozanski
220 Sen. Prozanski
234 Sen. Prozanski

240 Sen. Prozanski
267 Sen. Shields

275 Sen. Prozanski
297 Sen. Shields

311 Sen. Prozanski

325 Sen. Shields
329 Sen. Prozanski

360 Don Bishoff

414 Chair Brown

TAPE 126, A

002 John Bosley

003 Chair Brown
004 Bosley

020 Sen. Shields

023 Bosley

029 Sen. Shields
030 Bosley

033 Bill Judd

Hearing no objection, declares the motion CARRIED.

Closes the work session on HB 2089A, HB 2234C, HB 2514 and HB 3143B.

Committee Administrator. Provides an overview of SB 660. Submits the -3 amendments (**EXHIBIT B**). Special Districts of Oregon. Explains SB 660 with the -3 amendments. Submits written testimony in support of SB 660 with the -3 amendments (**EXHIBIT C**). Wonders if this will make it easier or create additional hurdles to form special districts. Responds. Closes the work session on SB 660 and opens a work session on SB 1074.

Senate District 4. Discusses SB 1074. Submits and discusses the -3 amendments (**EXHIBIT D**) and the -5 amendments (**EXHIBIT E**) to SB 1074. Discusses the City of Coburg's reliance on ticketing for revenue. Comments on legislation passed in 2003 on this issue. Comments on the annexation that took place in Coburg which incorporated a part of I-5 into the city limits. Concludes testimony on SB 1074. Wonders about the size of cities with a four percent average of revenue. Asks for clarification. Discusses how the study was done and the results of the study. Believes that part of this seems like a corrective action and part of it seems punitive. Discusses the change in administration in Coburg. Asks for comments. Discusses reliance on this revenue in Coburg. Discusses level of service provided for in Coburg. Asks if Sen. Prozanski has talked with Sen. Morrisette. Replies he has talked with Sen. Morrisette two or three times. Discusses the conversations. Legislative Assistant, Sen. Morrisette's office. Submits and reads written testimony regarding SB 1074 (**EXHIBIT F**). Asks for Mr. Bosley's thoughts on the -3 and the -5 amendments to SB 1074.

Chief of Police, City of Coburg. Asks if the -3 amendments would leave the moratorium in place. Replies yes. Expresses opposition to any type of moratorium because of its punitive nature. Explains he cannot identify what the city of Coburg has done wrong. Discusses the -5 amendments. Refers to Sen. Morrisette's testimony. Verifies that they do not stop anyone going under 80 mph. Confirms this. Provides background information on citations given. Comments this is a 65 mph zone. Explains he has all the violations by type that were cited in that period. Council Member, Coburg City Council. Discusses concerns with

055	Sen. Atkinson	SB 1074. Discusses services provided for by the City of Coburg.
057	Judd	Wonders how they would lose the ability to patrol.
		Explains they would have to make some cuts in the police
		department. Believes that affects everyone.
064	Chair Brown	Closes the work session on SB 1074 and re-opens the work
		session on SB 660.
<u>SB 660 – WORK SESSION</u>		
065	Chair Brown	MOTION: Moves to ADOPT SB 660-3 amendments dated
		06/24/05.
066		VOTE: 5-0-0
	Chair Brown	Hearing no objection, declares the motion CARRIED.
067	Chair Brown	MOTION: Moves SB 660 to the floor with a DO PASS AS
		AMENDED recommendation.
069		VOTE: 5-0-0
	Chair Brown	Hearing no objection, declares the motion CARRIED.
		SEN. SHIELDS will lead discussion on the floor.
075	Chair Brown	Closes the work session on SB 660 and re-opens the work session
		on SB 1057A.
<u>SB 1057A – WORK SESSION</u>		
076	Chair Brown	MOTION: Moves to ADOPT SB 1057-A7 amendments dated
		06/13/05.
		VOTE: 4-1-0
		AYE: 4 - Atkinson, Ringo, Shields, Brown
		NAY: 1 - Ferrioli
	Chair Brown	The motion CARRIES.
085	Chair Brown	MOTION: Moves SB 1057A to the floor with a DO PASS AS
		AMENDED recommendation.
		VOTE: 3-2-0
		AYE: 3 - Ringo, Shields, Brown
		NAY: 2 - Atkinson, Ferrioli
	Chair Brown	The motion CARRIES.
		SEN. PROZANSKI will lead discussion on the floor.
090	Sen. Ferrioli	Serves notice of a possible minority report.
092	Chair Brown	Closes the work session on SB 1057A and opens a work session
		SB 1082.
<u>SB 1082 – WORK SESSION</u>		
	Tiffany Harris	Committee Administrator. Submits the -1 amendments
		(EXHIBIT G) , the -2 amendments (EXHIBIT H) , and the -3
		amendments (EXHIBIT I) to SB 1082.
096	Mark Nelson	Industrial Customers of NW Utilities. Explains opposition to SB
		1082.
105	Sen. Ferrioli	Discusses compromises considered.
110	Nelson	Responds.
119	Sen. Atkinson	Wonders about removing the tribal definition from the language
		of the bill.
122	Nelson	Responds.
135	Chair Brown	Explains understanding of agreement made on both sides.
141	Nelson	States he did not agree to make an amendment.
144	Chair Brown	States that was her understanding at the time.
145	Sen. Shields	Wonders if witness discussed the benefit of cleaning up the forest
		floors relative to forest fires.
149	Nelson	Replies yes. Believes that is not the appropriate use for electricity
		rates. Explains in detail.

163	Chair Brown	Closes the work session on SB 1082 and opens a public hearing on HB 2233A.
<u>HB 2233A – PUBLIC HEARING</u>		
176	Tiffany Harris	Committee Administrator. Provides an overview of HB 2233A.
182	Fred Boss	Department of Justice. Testifies in support of HB 2233A.
200	Kevin Neely	Department of Justice. Discusses the amendments added to the original bill in the House.
216	Chair Brown	Closes the public hearing on HB 2233A and opens a work session on HB 2233A.
<u>HB 2233A – WORK SESSION</u>		
218	Chair Brown	MOTION: Moves HB 2233A to the floor with a DO PASS recommendation.
219	Tiffany Harris	Committee Administrator. Informs the committee there is an amendment that needs to be adopted to resolve conflicts. Submits the –A6 amendments to HB 2233A (EXHIBIT J).
220	Chair Brown	Withdraws the motion.
226	Chair Brown	MOTION: Moves to ADOPT HB 2233-A6 amendments dated 06/24/05.
229		VOTE: 3-0-2
		EXCUSED: 2 - Atkinson, Ferrioli
	Chair Brown	Hearing no objection, declares the motion CARRIED.
230	Chair Brown	MOTION: Moves HB 2233A to the floor with a DO PASS AS AMENDED recommendation.
232		VOTE: 3-0-2
		EXCUSED: 2 - Atkinson, Shields
		(Note: See Tape 126, A, counter 325, and page 5 of these minutes.)
	Chair Brown	Hearing no objection, declares the motion CARRIED.
		SEN. RINGO will lead discussion on the floor.
244	Chair Brown	Closes the work session on HB 2233A and opens a public hearing on HB 3145A.
<u>HB 3145A – PUBLIC HEARING</u>		
250	Tiffany Harris	Committee Administrator. Provides an overview of HB 3145A and submits the –A3 amendments for the record (EXHIBIT K).
258	Kevin Neely	Department of Justice. Discusses the –A3 amendments.
280	Chair Brown	Asks if the House is receptive to these amendments.
285	Neely	Responds.
291	Chair Brown	Makes comments.
300	Chair Brown	Closes the public hearing on HB 3145A and opens a work session on HB 3145A.
<u>HB 3145A – WORK SESSION</u>		
301	Chair Brown	MOTION: Moves to ADOPT HB 3145-A3 amendments dated 06/24/05.
302		VOTE: 3-0-2
		EXCUSED: 2 - Atkinson, Shields
	Chair Brown	Hearing no objection, declares the motion CARRIED.
304	Chair Brown	MOTION: Moves HB 3145A to the floor with a DO PASS AS AMENDED recommendation.
305		VOTE: 3-0-2
		EXCUSED: 2 - Atkinson, Shields
		(Note: See Tape 126, counter 336, and page 5 of these minutes.)
	Chair Brown	Hearing no objection, declares the motion CARRIED.

310	Chair Brown	SEN. FERRIOLI will lead discussion on the floor.
321	Sen. Atkinson	Closes the work session on HB 3145A.
325	Chair Brown	Requests to cast his vote on the last two measures.
		MOTION: Requests unanimous consent that the rules be SUSPENDED to allow SEN. ATKINSON and SEN. FERRIOLI to BE RECORDED as voting AYE on the "motion to move HB 2233A to the floor with a DO PASS AS AMENDED recommendation".
332		VOTE: 4-0-1
		EXCUSED: 1 - Shields
333		VOTE: 5-0-0
		(Note: See Tape 126, A, counter 229, and page 4 of these minutes.)
	Chair Brown	Hearing no objection, declares the motion CARRIED.
		SEN. RINGO will lead discussion on the floor.
336	Chair Brown	MOTION: Requests unanimous consent that the rules be SUSPENDED to allow SEN. ATKINSON to BE RECORDED as voting AYE on the "motion to move HB 3145A to the floor with a DO PASS AS AMENDED recommendation".
337		VOTE: 4-0-1
		EXCUSED: 1 - Shields
338		VOTE: 4-0-1
		EXCUSED: 1 – Shields
		(Note: See Tape 126, A, counter 232, and page 5 of these minutes.)
	Chair Brown	Hearing no objection, declares the motion CARRIED.
		SEN. FERRIOLI will lead discussion on the floor.
354	Chair Brown	Opens a public hearing on SB 446.
<u>SB 446 – PUBLIC HEARING</u>		
	Tiffany Harris	Committee Administrator. Submits the -12 amendments to SB 446 (EXHIBIT L).
360	Rep. Dave Hunt	House District 40. Notes the -12 amendments are intended to replace the original bill. Explains the -12 amendments.
389	Tina Kotek	Children First for Oregon. Testifies in support of SB 446 with the -12 amendments.
404	Sen. Shields	Makes comments.
408	Rep. Hunt	Thanks Sen. Ringo and Sen. Bates.
422	Sen. Ringo	Makes comments.
432	Chair Brown	Closes the public hearing on SB 446 and opens a work session on SB 446.
<u>SB 446 – WORK SESSION</u>		
438	Sen. Ringo	MOTION: Moves to ADOPT SB 446-12 amendments dated 06/17/05.
442		VOTE: 5-0-0
	Chair Brown	Hearing no objection, declares the motion CARRIED.
445	Sen. Ringo	MOTION: Moves SB 446 to the floor with a DO PASS AS AMENDED recommendation.
449		VOTE: 5-0-0
	Chair Brown	Hearing no objection, declares the motion CARRIED.
		SEN. SHIELDS will lead discussion on the floor.

015	Chair Brown	Closes the work session on SB 446 and opens a work session on SB 1082.
<u>SB 1082 – WORK SESSION</u>		
018	Sen. Ferrioli	MOTION: Moves to ADOPT SB 1082-3 amendments dated 06/23/05.
020	Sen. Ferrioli	Believes the tribes support the -3 amendments.
021	Chair Brown	Agrees.
023	Sen. Ringo	Verifies that Chair Brown believes the tribes support the -3 amendments.
024	Chair Brown	Replies that is her understanding.
025	Sen. Ringo	Verifies the -3 amendments apply only to tribal land.
026	Chair Brown	Replies no. Believes it to be broader.
027	Sen. Ferrioli	Makes comments on language.
029	Chair Brown	Reads specific language from the -3 amendments.
030	Sen. Ringo	States he does not have the -3 amendments. Wonders if they change the definition of a qualifying forest biomass project.
034	Mark Nelson	Industrial Customers of NW Utilities. Explains the -3 amendments.
039	Sen. Ringo	Expresses concerns.
044	Sen. Ferrioli	Withdraws the motion on the -3 amendments.
047	Chair Brown	Closes the work session on SB 1082.
055	Sen. Ringo	Requests the committee recess for ten minutes to allow time for Chris Crean to arrive.
060	Chair Brown	Recesses the meeting at 2:10 p.m.
	Chair Brown	Calls the meeting back to order at 2:21 p.m. Makes comments regarding SB 1037A and SB 1074.
065	Chair Brown	Adjourns the meeting at 2:23 p.m.

EXHIBIT SUMMARY

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- A. SB 1057A, -A7 amendments, staff, 6 pp**
- B. SB 660, -3 amendments, staff, 7 pp**
- C. SB 660, written testimony, Amanda Rich, 6 pp**
- D. SB 1074, -3 amendments, Sen. Floyd Prozanski, 1 p**
- E. SB 1074, -5 amendments, Sen. Floyd Prozanski, 4 pp**
- F. SB 1074, written testimony, Don Bishoff, 1 p**
- G. SB 1082, -1 amendments, staff, 1 p**
- H. SB 1082, -2 amendments, staff, 1 p**
- I. SB 1082, -3 amendments, staff, 1 p**
- J. HB 2233A, -A6 amendments, staff, 2 pp**
- K. HB 3145A, -A3 amendments, staff, 5 pp**
- L. SB 446, -12 amendments, staff, 1 p**