

HOUSE COMMITTEE ON GENERAL GOVERNMENT

April 1, 2003 Hearing Room D
8:30 AM Tapes 46 - 48

MEMBERS PRESENT: Rep. Jerry Krummel, Chair
Rep. Donna Nelson, Vice-Chair
Rep. Floyd Prozanski, Vice-Chair
Rep. Brad Avakian
Rep. Derrick Kitts
Rep. John Mabrey
Rep. Kelley Wirth

STAFF PRESENT: Patrick Brennan, Committee Administrator
Jeana Harrington, Committee Assistant

MEASURES HEARD: HB 3162 – Public Hearing and Work Session
HB 3206 – Public Hearing
HB 3136 – Public Hearing
HB 3581 – Public Hearing and Work Session
HB 3530 – Public Hearing
HB 3488 – 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.

<u>TAPE/#</u>	<u>Speaker</u>	<u>Comments</u>
TAPE 46, A		
004	Chair Krummel	Calls meeting to order at 8:44 AM. Opens public hearing on HB 3162.
<u>HB 3162 – PUBLIC HEARING</u>		
009	Patrick Brennan	Committee Administrator. Reads Staff Measure Summary (SMS) on HB 3162.
013	Rep. Derrick Kitts	House District 30. Testifies in favor of HB 3162. Notes the bill was brought to him by Associated Oregon Industries (AOI). Explains HB 3162 regarding the High Tech Hall of Fame. Submits the importance of technology to the economy in Oregon.
038	Rep. Prozanski	Comments.
042	Rep. Nelson	Requests if a fiscal statement has been issued.
043	Chair Krummel	Responds it has not yet been received.
044	Rep. Nelson	Asks if private sources such as Intel will fund the program.
058	Harvey Mathews	AOI. Testifies in favor of HB 3162 (EXHIBIT A). Speaks on the heritage of Oregon. Notes the importance of the high-tech industry to the economy of the state.
092	Larry Wade	President and Director, Software Association of Oregon. Testifies in favor of HB 3162. Comments on the status of the high-tech industry in other states. Explains the genesis of the bill. (EXHIBIT B). Describes the concept behind the Hall of Fame.
150	Peter Mackie	Former President, Software Association of Oregon. Testifies in favor of HB 3162. Speaks on his personal experience in the high tech industry. Comments on the work of the software industry. Informs the committee of the different sects of the industry.

217	Rep. Nelson	Explains the industry is seeking recognition.
223	Wade	Requests the financing of the Hall of Fame.
232	Rep. Nelson	Believes it will be privately funded.
235	Wade	Requests the space needed.
		Expects it be around the size of a kiosk. Notes his hopes that the Hall of Fame would be interactive.
252	Rep. Prozanski	Wonders what steps have been taken as to development of a concept.
258	Mathews	Offers he has not engaged Legislative Administration yet as he was waiting for the committee's response to the measure.
270	Chair Krummel	Closes public hearing on HB 3162. Opens public hearing on HB 3206.

HB 3206 – PUBLIC HEARING

274	Patrick Brennan	Reads SMS on HB 3206.
286	Robert Garrison	State Fire Marshall. Testifies in favor of HB 3206 (EXHIBIT C). Explains how the bill will amend the current statute. Informs the committee of the current task force existing. Notes minor changes proposed by the sheriffs
356	Ken Murphy	Director, Oregon Emergency Management. Testifies in favor of HB 3206 (EXHIBIT D). Comments on search and rescue issues. Believes the program will be an asset.

TAPE 47, A

002	Garrison	Notes the presence of Fire Chief Fitzgerald in the audience to answer questions.
006	Ken Armstrong	Oregon Fire Chiefs Association. Testifies in favor of HB 3206. Notes the addition is an important one for safety issues. Notes there are amendments needing to be made.
026	Rep. Mabrey	Wonders if there will be an impact on local communities.
031	Garrison	Differentiates search and rescue terms.
047	Rep. Nelson	Poses question on local jurisdictions.
052	Garrison	Speaks on local fire marshals work with local jurisdictions.
066	Armstrong	Adds they can obtain feedback for the committee.
077	Rep. Nelson	Notes she has received presence of opposition. Requests the information include others.
091	Armstrong	Comments.
096	Burton Weast	Oregon Fire Marshals Association (OFMA). Responds to concerns on local fire marshal issues. Explains OFMA did not take position on the matter because it did not directly affect them.
107	Rep. Nelson	Comments on the word 'urban' in the bill.
115	Weast	States he will.
121	Garrison	Explains the purpose of the bill. Offers they have attempted to be as inclusive as they can be.
136	Chris Crean	Deputy Legislative Counsel.
138	Chair Krummel	Requests a briefing on the amendments.
141	Crean	Explains the sections of the bills relating to current provisions. Defines the keystone problem of the bill. Offers options to rectify it. Describes situations regarding negligence to illustrate to problem. Differentiates negligence. Recommends the sentence is left and the courts can decide on the problem.
218	Chair Krummel	Requests the parties collaborate and provide Mr. Crean with material to draft amendments. Closes public hearing on HB 3206. Opens public hearing on HB 3136.

HB 3136 – PUBLIC HEARING

235	Rep. Cliff Zauner	Comments on the need for time since amendments have not been
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		receive (EXHIBIT E) .
270	Chair Krummel	Closes public hearing on HB 3136. Opens public hearing on HB 3581.
HB 3581 – PUBLIC HEARING		
280	Rep. Tootie Smith	Testifies in favor of HB 3581 (EXHIBIT F) . Notes those in support of the measure. Provides information on wrestling and the issue (EXHIBIT G) .
331	Richard Hering	World Wrestling Entertainment. Testifies in favor of HB 3581. Comments on professional wrestling. Explains it is an entertainment event.
TAPE 46, B		
003	Hering	Continues.
010	Chair Krummel	Comments.
012	Hering	Responds. Notes the expansive nature of professional wrestling. Comments on the taxes.
027	Rep. Avakian	Requests if the organization would consider funding of a baseball stadium.
030	Hering	Notes Oregon is a location to which wrestling would like to come.
040	Stan Pulliam	Legislative Assistant to Rep. Tootie Smith. Notes the written submission of J.E. Isaac (EXHIBIT H) . Notes the proposed amendments on the bill (EXHIBIT I) . Explains the current bill's conflict with other forms of wrestling. Defines the term 'entertainment wrestling'.
070	Chair Krummel	Identifies a section in the bill.
075	Pulliam	Presents wording established on page 6, line 28 of HB 3581.
090	Chair Krummel	Asks Mr. Hering if he has seen the current proposed amendment.
095	Hering	Thanks Mr. Pulliam for his work with the commission. Notes the consideration taken for the wrestlers with regard to medical care. Comments on the ancillary effects on local employment.
120	Rep. Mabrey	Asks if there is an emergency clause.
125	Rep. Smith	Explains they originally wanted an emergency clause, but believe it can be accomplished through regulation. Informs it is not constitutional to have an emergency clause with revenue raising measures.
140	Chair Krummel	Inquires about the authority of the commission under current statute.
144	Rep. Smith	Believes that the commission does as the regulations came under administrative rule.
147	Rep. Nelson	Understands the state wrestling commission will be eliminated by the bill.
153	Rep. Smith	Negates and state the state wrestling commission will remain.
155	Rep. Nelson	Clarifies.
157	Rep. Smith	Explains the current Boxing and Wrestling Commission.
160	Pulliam	Adds the commission exists, but a new promoter's license jurisdiction will be added.
166	Rep. Nelson	Reads her notes.
169	Brennan	Explains the -1 amendments would change the original bill, and would remove the name change.
171	Rep. Nelson	Clarifies the intent of the commission.
173	Rep. Smith	Affirms.
175	Rep. Nelson	Clarifies the current commission will not be gone
177	Rep. Smith	Affirms.
179	Rep. Nelson	Poses question regarding the Native American community.

181	Rep. Smith	Responds the issue is not considered in HB 3581.
184	Rep. Nelson	Asks if there is governance over tribal areas.
188	Rep. Smith	Responds that Native Americans constitute their own sovereign nations.
190	Chair Krummel	Speaks to the Grande Ronde tribe regulating themselves.
203	Pulliam	Notes those able to answers that.
206	Rep Kitts	Asks about the need for the bill.
212	Rep. Smith	Assumes there is still wrestling being conducted for sport in Oregon. Informs this bill concerns entertainment wrestling.
220	Brennan	Differentiates ultimate fighting and wrestling.
230	Hering	Comments in the term being removed. Explains the intent of the bill.
253	Sen. Margaret Carter	District 22. Testifies in favor of HB 3581. Urges wrestling be deregulated. Believes it presents opportunity for economic development.
282	Chair Krummel	Asks if Sen. Carter is aware of the -1 amendments.
284	Sen. Carter	Affirms.
288	Chair Krummel	Comments.
290	Sen. Carter	Notes she is a “scholar of wrestling”.
295	Rep. Prozanski	Asks if she has a current contract with a wrestling promoter.
297	Sen. Carter	Negates.
298	Rep. Nelson	Comments. Asks if there is a betting process involved.
310	Sen. Carter	States she does not believe so as she has followed wrestling extensively.
333	Rep. Avakian	Comments.
335	Rep. Derrick Kitts	House District 30. States he would have like to be a co-sponsor of the bill. Informs the committee that he and Rep. Avakian were wrestlers for sport. Supports the abolishment of the entire commission. Testifies in favor of HB 3581.
382	Bob Miller	Director, Portland Gaming Commission. Testifies in favor of HB 3581.
TAPE 47, B		
005	Miller	Believes the bill has been an excellent catalyst in public policy concerning wrestling. Notes he has reviewed the -1 amendments and is in support of them. Differentiates real and fake blood.
039	Rep. Kitts	Clarifies his reasons for the support of abolishing the commission as wrestling is for entertainment.
053	Rep. Nelson	Comments on the terms used in the bill. Asks how the gaming commission affects the native American communities.
058	Miller	Responds that Oregon State law does not apply on those lands and statutes to not apply to those laws. Informs there is an intergovernmental agreement with some tribes. Provides there is a federal law protecting some aspects.
084	Rep. Nelson	Asks if there is jurisdiction over gaming and betting at the events.
088	Miller	Responds that there is no betting on professional wrestling as outcome is predetermined.
090	Chair Krummel	Closes public hearing and opens work session on HB 3581.
<u>HB 3581 – WORK SESSION</u>		
096	Rep. Kitts	MOTION: Moves to ADOPT HB 3581-1 amendments dated 4/1/03.
099		VOTE: 7-0
	Chair Krummel	Hearing no objection, declares the motion CARRIED.
105	Rep. Kitts	MOTION: Moves HB 3581-1 to the floor with a DO PASS

		AS AMENDED recommendation.
110	Rep. Mabrey	Comments on wrestling moves.
116	Chair Krummel	Comments on being a wrestling coach.
127		VOTE: 7-0
	Chair Krummel	AYE: In a roll call vote, all members present vote Aye.
		The motion CARRIES.
		REP. TOOTIE SMITH AND REP. KITTS will lead discussion on the floor.
131	Chair Krummel	Closes work session on HB 3581. Opens public hearing on HB 3530.
		<u>HB 3530 – PUBLIC HEARING</u>
133	Patrick Brennan	Reads SMS on HB 3530.
139	Burton Weast	Special Districts Association of Oregon (SDAO). Testifies in favor of HB 3530. Provides brief history on the genesis of HB 3530. Notes a key provision of past requirements and the reasons behind it. Comments on past court decisions.
243	Linda Ludwig	League of Oregon Cities (LOC). Testifies in favor of HB 3530 (EXHIBIT J) . Speaks on the situation in La Grande to illustrate the need for legislation regarding annexation and taxes. Believes it is an equity issue.
329	Rep. Nelson	Asks how many cities have agreed with the bill.
335	Ludwig	Responds that all cities support the bill.
340	Chair Krummel Weast	Asks if there will be an effect on cities. Negates. Explains the methods of the certain type of annexation by the bill.
349	Chair Krummel	Asks if citizens can determine whether they want services or not.
360	Ludwig	Affirms.
370	Chair Krummel	Asks about charges for services.
380	Ludwig	Responds that rates differ.
390	Chair Krummel	Clarifies.
395	Ludwig	Notes that the city of La Grande would have liked to have been present.
		TAPE 48, A
002	Jerry Ritter	Oregon Communities for a Voice in Annexation (OCVA). Testifies in opposition of HB 3530 (EXHIBIT K) . Lists reasons for opposition. Believes there are fundamental flaws in existing statute. Describes situations in various cities regarding annexation. Believes the bill is a mandate. Comments on his own experiences with services.
068	Chair Krummel	Asks about the agreements already in place.
073	Ritter	Responds with OCVA wishes for the annexation and voting.
081	Chair Krummel	Requests if OCVA supports the services being shut off.
085	Ritter	Affirms.
087	Rep. Prozanski	Asks for the OCVA position on issues of annexation regarding land owners and agreements already established.
104	Ritter	Responds on safety issues having no impact with regard to the statute. Explains the OCVA reservations with city handling of annexation.
121	Rep. Nelson	Asks if there is any room for compromise on the bill.
125	Ludwig	States she is unsure there is a compromise position as wording was being reconstructed regarding votes.
130	Rep. Nelson	Asks if Mr. Ritter would be willing to compromise.
134	Ritter	Responds current policy does not allow that.
137	Chair Krummel	Poses question regarding double majority.

140	Rep. Avakian	Wonders why LOC opposes double majority.
145	Ludwig	Offers the type of annexation is very different from others. Notes property owners have already signed written contracts.
153	Rep. Prozanski	Inquires about individuals who do not have agreements.
163	Ludwig	Replies she is not an expert on issues in La Grande.
166	Rep. Prozanski	Requests information on the La Grande situation.
169	Chair Krummel	Explains the committee will hold off on a work session as issues are still present. Asserts as mayor he would shut off the services for those who did not agree. Poses question regarding property.
179	Ludwig	States she is unsure.
182	Chair Krummel	Comments on amending the bill. Requests follow up by LOC. Closes public hearing on HB 3530. Opens public hearing on HB 3488.

HB 3488 PUBLIC HEARING

195	Chair Krummel	Closes public hearing on HB 3488. Opens work session on 3162.
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HB 3162 WORK SESSION

203	Rep. Kitts	MOTION: Moves HB 3162 to the floor with a DO PASS recommendation and be placed on the CONSENT CALENDAR.
209	Rep. Prozanski	Objects to the motion. Believes there need to be administrators and facilitators on board first and would like the measure to go to the floor do pass.
219	Rep. Kitts	Withdraws motion.
230	Rep. Nelson	Comments on the space. Supports despite uncertainties.
232	Chair Krummel	Points out state policy question.
249	Rep. Kitts	Hopes the issues raised are brought up prior to and on the floor.
256	Rep. Nelson	Questions if a precedent will be set by passage.
261	Chair Krummel	Comments in history versus present day issues.
270	Rep. Kitts	Explains that issues raised will find answers by the time of floor consideration.
277	Chair Krummel	Remarks.
280	Rep. Kitts	MOTION: Moves HB 3162 to the floor with a DO PASS recommendation.
283		VOTE: 7-0
		AYE: In a roll call vote, all members present vote Aye.
	Chair Krummel	The motion CARRIES.
		REP. KITTS will lead discussion on the floor.
285	Chair Krummel	Closes work session on HB 3162. Adjourns meeting at 10:49 AM.

EXHIBIT SUMMARY

- A – HB 3162, Harvey Mathews, 4 p**
- B – HB 3162, Larry Wade, 9 p**
- C – HB 3206, Robert Garrison, 2 p**
- D – HB 3206, Ken Murphy, 1 p**
- E – HB 3136, Rep. Cliff Zauner, 2 p**
- F – HB 3581, Rep. Tootie Smith, 1 p**
- G – HB 3581, Rep. Tootie Smith, 12 p**
- H – HB 3581, J.E. Isaac, 1 p**
- I – HB 3581, Staff, 14 p**
- J – HB 3530, Linda Ludwig, 4 p**

K – HB 3530, Jerry Ritter, 2 p