

HOUSE COMMITTEE ON GENERAL GOVERNMENT

April 29, 2003 Hearing Room D
8:30 AM Tapes 73 - 75

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 3136 – Work Session
HB 3617 – Work Session
SB 161A – Public Hearing and Work Session
SB 250A – Public Hearing and Work Session
SB 692A – Public Hearing and Work Session
SB 724A – 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.

<u>TAPE/#</u>	<u>Speaker</u>	<u>Comments</u>
<u>TAPE 73, A</u>		
004	Chair Krummel	Calls meeting to order at 8:35 AM. Opens a work session on HB 3136.
<u>HB 3136 – WORK SESSION</u>		
007	Rep. Cliff Zauner	House District 22. Testifies in favor of HB 3136. Explains the bill would assist the Oregon Boxing and Wrestling Commission focus on bringing professional boxing to Oregon.
025	Chair Krummel	Inquires about the -2 amendments (EXHIBIT A).
029	Rep. Zauner	Answers the amendments are a 'gut and stuff'
032	Chair Krummel	Poses question regarding the commission.
045	Rep. Kitts	Asks Rep. Zauner to differentiate between professional and amateur boxing.
048	Rep. Zauner	Answers the professional are paid.
055	Rep. Kitts	Requests what is prohibiting Oregon from drawing professional fights.
058	Rep. Zauner	Responds. Provides his intent for the bill.
064	Rep. Mabrey	Remarks.
073	Jim Cassidy	Executive Director, Oregon State Boxing and Wrestling Commission. Introduces his colleagues. Notes the commission does not regulate 'smokers'.
080	Rep. Kitts	Asks what 'smokers' are.
083	Chair Krummel	Responds regarding the fights.
100		VIDEO PRESENTATION
349	Cassidy	Testifies in opposition of HB 3136. Provides information on Toughman Boxing contests (EXHIBIT B). Explains rules for

Toughman Boxing. Notes a man died last week from serious head injuries suffered during a Toughman fight.

TAPE 74, A

012	Dr. Ferdinand Rios	General surgeon, American Association of Ringside Physicians. Believes Oregon has stringent boxing regulations that provide for safe fights. Provides perspective on amateur and professional boxing regulations.
055	Wally Jorgenson	Boxing Club of Salem. Testifies in opposition to HB 3136. Provides a personal situation with Toughman wrestling.
075	Chair Krummel	Requests the death rate per 100,000 participants.
079	Jorgenson	Replies he does not have those statistics, but believes Oregon's current regulations allow for safety.
095	Rep. Prozanski	Speaks on a death in Texas and the commission that state already has.
100	Rios	Responds there is no guarantee a commission will prevent death, but that boxing should be as safe as possible.
119	Rep. Prozanski	Asks if there is a false idea that with a commission, fighters will be protected.
127	Rios	Explains it is up to the commission
135	Cassidy	Adds that the regulation in Texas is less strict than in Oregon.
141	Rep. Kitts	Asks for clarification that individuals were encouraged not to wear headgear.
143	Rios	Affirms.
144	Kitts	Disagrees on the value of headgear. Speaks on his own situation in wrestling. States he will support the bill as he believes problems addressed can be regulated.
160	Cassidy	Speaks on the difference between boxing and wrestling.
182	Rep. Avakian	Asks if he consider the participants to be professional boxers. Clarifies the commission's intent.
188	Cassidy	Explains the opposition of the commission to the bill.
199	Rep. Avakian	Restates his question. Asks if the commission feels that the participants are professional boxers.
202	Cassidy	Answers that because of the prize money, the commission considers the participants professionals. Reiterates the state is liable.
223	Chair Krummel	Submits that financial compensation for fights would require a license. Asks if the professionals wear headgear when they spar.
230	Cassidy	Affirms.
233	Rep. Mabrey	Speaks on lives lost in competitive sports.
250	Rep. Mabrey	MOTION: Moves to ADOPT HB 3136-2 amendments dated 4/18/03.
253	Rep. Prozanski	Asks Rep. Zauner if the term 'professional boxers' is needed in the bill. Speaks on the intent.
273	Rep. Zauner	Responds that Legislative Counsel (LC) came up with the wording and he is unsure.
279	Rep. Prozanski	Asks if professional boxing is defined in statute.
283	Patrick Brennan	Provides explanation.
285	Rep. Zauner	Remarks.
286	Chair Krummel	Suggests the term is not needed as professionals have cards and should not be in the exhibitions.
303	Rep. Prozanski	Asks if professional boxers could be covered by the commission.
307	Chair Krummel	Responds that professional boxers are not allowed in the Toughman contests.
310	Rep. Zauner	Reiterates that no money can be accepted.

312	Rep. Prozanski	Speaks further on the wording of the bill.
341	Rep. Avakian	Asks about the other wrestling bill the committee passed.
349	Brennan	Notes conflict amendments would then be drafted.
355	Chair Krummel	Requests if the members are comfortable with conceptual amendments.
360	Rep. Avakian	Supposes the bill would limit the persons involved and that rulings would fall to the commission.
384	Chair Krummel	MOTION: Moves to SUSPEND the rules for the purpose of making a conceptual amendment to HB 3136.
387		VOTE: 7-0
	Chair Krummel	Hearing no objection, declares the motion CARRIED.
400	Rep. Mabrey	Withdraws motion.
401	Rep. Mabrey	MOTION: Moves to ADOPT HB 3136-2 amendments dated 4/18/03 and that the measure be FURTHER AMENDED on page 1, line 23, by deleting "or" after "boxers" and on page 1, line 23, by inserting "and" after "boxers".
406		VOTE: 7-0
	Chair Krummel	AYE: In a roll call vote, all members present vote Aye. The motion CARRIES.
TAPE 73, B		
004	Rep. Mabrey	Speaks on the bill.
008	Rep. Wirth	States she will be a 'no' vote and lists reasons.
015	Rep. Prozanski	MOTION: Moves HB 3136 to the floor with a DO PASS AS AMENDED recommendation.
018	Passes	VOTE: 6-1
		AYE: 6 - Avakian, Kitts, Mabrey, Nelson, Prozanski, Krummel
		NAY: 1 - Wirth
	Chair Krummel	The motion CARRIES.
		REP. ZAUNER will lead discussion on the floor.
023	Chair Krummel	Closes work session on HB 3136. Opens work session on 3617. Notes -1 amendments (EXHIBIT C).
<u>HB 3617 – WORK SESSION</u>		
047	Patrick Brennan	Reads Staff Measure Summary (SMS) on HB 3617.
051	Chair Krummel	Speaks on the -1 amendments.
057	Rep. Prozanski	Poses question regarding government involvement.
059	Chair Krummel	Responds concerning the City of Salem and the Department of Corrections (DOC). Recesses work session on HB 3617. Opens public hearing on SB 161A.
<u>SB 161A – PUBLIC HEARING</u>		
080	Patrick Brennan	Reads SMS on SB 161A.
091	Ray Milojevich	Commission for the Blind. Testifies in favor of SB 161A (EXHIBIT D).
129	Rep. Nelson	Poses question regarding other special needs groups.
130	Milojevich	Responds.
132	Rep. Nelson	Asks if other special needs groups need similar legislation.
134	Milojevich	Responds regarding the Randolph-Shepherd Act.
139	Rep. Nelson	Asks about the purpose of the fees.
143	Milojevich	Answers that vending costs help to fund the operations.
148	Rep. Nelson	Clarifies.
150	Milojevich	Affirms.
153	Chair Krummel	Closes public hearing and opens work session on SB 161A.

SB 161A – WORK SESSION

160 Rep. Prozanski **MOTION: Moves SB 161A to the floor with a DO PASS recommendation.**

163 **VOTE: 6-0-1**
AYE: In a roll call vote, all members present vote Aye.
EXCUSED: 1 - Kitts
Chair Krummel The motion CARRIES.
REP. PROZANSKI will lead discussion on the floor.

167 Chair Krummel Closes work session on SB 161A. Reopens work session on HB 3617.

HB 3617 – WORK SESSION

169 Rep. Prozanski Requests that Mr. Conley explain the focus of the bill.

175 Harrison Conley Legislative Counsel (LC). Responds to Rep. Prozanski's question and provides the 'nexus' of the bill.

191 Rep. Avakian Asks about the property costs posing a problem to the relating clause.

195 Conley Negates.

213 Rep. Jeff Kropf House District 17. Testifies in favor of HB 3617 (**EXHIBIT E**) regarding homeland defense. Discusses homeland defense issues and dollars.

262 Rep. Prozanski Clarifies the agencies he is speaking of.

266 Rep. Kropf Answers agencies such as the Department of Environmental Quality (DEQ). Offers that lottery funds could also be used to fund projects. Proposes that lands be sold and a trust account be created with interest funding the Full Time Equivalent (FTE) employees.

TAPE 74, B

004 Rep. Kropf Continues. Speaks on the Civil Air Patrol. Requests the bill be moved to Ways and Means after it goes to the committee on Rules and Public Affairs.

029 Rep. Prozanski Refers to the bill and poses question regarding Department of Administrative Services (DAS) sale of equipment.

041 Rep. Kropf Concurs with Rep. Prozanski's remarks and believes there may be a policy reason behind another entity selling the equipment. States he would be happy to remove the section if there is an issue.

054 Rep. Prozanski Refers to the bill and poses question regarding Department of Corrections (DOC) property sale and compensation.

070 Rep. Kropf Speaks on the previous agreement with DOC regarding property. Asks that the homeland defense ideas laid out by the bill be considered.

087 Rep. Prozanski Recalls Rep. Kropf's discussion with Tom Ridge and asks if Rep. Kropf had a chance to ask about federal funds to assist with homeland security mandates now being placed on states.

093 Rep. Kropf Speaks on homeland defense appropriations to the state and local governments. Notes there are restrictions on the funds.

139 Rep. Nelson Asks about a current building project.

142 Rep. Kropf Speaks on state property and buildings being able to be used for lab facilities.

148 Rep. Nelson Remarks on the use of lottery bonds.

160 Rep. Kropf Responds concerning discussions with the treasurer's office.

163 Rep. Nelson Asks about a deed for the property.

171 Rep. Kropf Explains the long-range plans of the emergency board regarding DOC property zoning.

178	Rep. Nelson	Remarks and encourages alternative use of facilities.
188	Rep. Kropf	Speaks on local responders' cooperation with federal officials.
192	Rep. Nelson	Clarifies.
194	Rep. Kropf	Concurs.
204	Rep. Wirth	Asks if there is an estimate as to cost of full compliance.
210	Rep. Kropf	Responds the figure is around \$800 million. Notes the state must look at what it can do to aid homeland defense.
237	Rep. Wirth	Asks why funds are not allocated to Oregon Emergency Management (OEM) in other ways.
245	Rep. Kropf	Responds regarding issuance of funds and notes he has confidence in OEM management of funds.
274	Rep. Prozanski	MOTION: Moves HB 3617 to the floor WITHOUT RECOMMENDATION as to passage and BE REFERRED to the committee on Rules and Public Affairs.
280	Chair Krummel	Explains sending the bill to Rules Committee will help Rep. Kropf allow time to work on the bill.
290		VOTE: 6-0-1 AYE: In a roll call vote, all members present vote Aye. EXCUSED: 1 - Nelson The motion CARRIES.
	Chair Krummel	
	<u>SB 250A – PUBLIC HEARING</u>	
315	Patrick Brennan	Reads SMS on SB 250A.
325	Graham Slater	Research Administrator, Oregon Employment Department. Testifies in favor of SB 250A (EXHIBIT F). Speaks on the proposals and highlights the key concepts of the bill. Notes there is no general fund money used or a fiscal impact.
346	Chair Krummel	Closes public hearing and opens work session on SB 250A.
	<u>SB 250A – WORK SESSION</u>	
350	Rep. Prozanski	MOTION: Moves SB 250A to the floor with a DO PASS recommendation.
353		VOTE: 5-0-2 AYE: In a roll call vote, all members present vote Aye. EXCUSED: 2 - Kitts, Nelson The motion CARRIES. REP. WIRTH will lead discussion on the floor.
	Chair Krummel	
360	Chair Krummel	Closes public hearing on SB 250A. Opens public hearing on SB 692A.
	<u>SB 692A – PUBLIC HEARING</u>	
365	Patrick Brennan	Reads SMS on SB 692A.
370	Gerald Kubiak	Washington County Board of Commissioners. Testifies in favor of SB 692A (EXHIBIT G).
	TAPE 75, A	
014	Rep. Mabrey	Poses question regarding county involvement.
017	Kubiak	Negates and explains.
019	Rep. Mabrey	Clarifies.
022	Kubiak	Concurs and reiterates county governing bodies are not required to perform anything, only allowed the option.
045	Rep. Nelson	Asks what happens if the county assessors are appointed.
049	Kubiak	Speaks on the matter of appointed positions.
055	Chair Krummel	Closes public hearing and opens work session on SB 692A.
	<u>SB 692A – WORK SESSION</u>	
056	Rep. Prozanski	MOTION: Moves SB 692A to the floor with a DO PASS

060

Chair Krummel

recommendation.

VOTE: 7-0

AYE: In a roll call vote, all members present vote Aye.

The motion CARRIES.

REP. AVAKIAN will lead discussion on the floor.

065

Chair Krummel

Closes work session on SB 692A. Opens public hearing on SB 724A.

SB 724A – PUBLIC HEARING

067

Patrick Brennan

Reads SMS on SB 724A.

075

Don Bishoff

Legislative Assistant, Senator Bill Morrisette. Testifies in favor of SB 724A on behalf of Sen. Morrisette.

103

Jon Stubenvoll

Oregon Liquor Control Commission (OLCC). Testifies in favor of SB 724A (**EXHIBIT H**).

120

Rep. Kitts

Speaks on a matter concerning voting and the OLCC concerning liquor licensing.

139

Stubenvoll

Appreciates concern at the time required on the local level, but believes the process is valid.

154

Rep. Kitts

Requests how long the license period has been set at thirty days.

157

Stubenvoll

Answers two years.

159

Rep. Kitts

Request what the time set was prior to that decision.

160

Stubenvoll

Answers there was no time set.

163

Rep. Kitts

Clarifies.

165

Stubenvoll

Affirms.

166

Chair Krummel

Adds that previously the law indicated a ‘timely fashion’ for licensure should be followed.

170

Kristy Monson

League of Oregon Cities (LOC). Testifies in favor of SB 724A (**EXHIBIT I**).

178

Rep. Kitts

Understands the OLCC does background checks

180

Monson

Responds that it depends upon the city.

181

Rep. Kitts

Clarifies a background check could be done twice.

182

Monson

Responds that is feasible.

183

Chair Krummel

Closes public hearing and opens work session on SB 724A.

SB 724A – WORK SESSION

184

Rep. Prozanski

MOTION: Moves SB 724A to the floor with a DO PASS recommendation.

185

Rep. Kitts

Restates his conflict of interest.

195

VOTE: 7-0

AYE: In a roll call vote, all members present vote Aye.

Chair Krummel

The motion CARRIES.

REP. MABREY will lead discussion on the floor.

200

Chair Krummel

Closes work session on SB 724A. Adjourns meeting at 10:47 AM.

EXHIBIT SUMMARY

A – HB 3136-2, Staff, 2 pp

B – HB 3136, Jim Cassidy, 9 pp

C – HB 3617-1, Staff, 4 pp

D – SB 161A, Ray Milojevich, 1 p

E – HB 3617, Rep. Jeff Kropf, 1 p

F – SB 250A, Graham Slater, 2 pp

G – SB 692A, Gerald Kubiah, 1 p

H – SB 724A, Jon Stubenvoll, 2 pp

I – SB 724, Kristy Munson, 1 p