

SENATE COMMITTEE ON RULES

June 26, 2003
1:30 P.M.

Hearing Room D
Tapes 73 - 74

MEMBERS PRESENT: **Sen. Kate Brown, Co-chair, Presiding**
 Sen. Bev Clarno, Co-chair
 Sen. Jason Atkinson, Vice-chair
 Sen. Ginny Burdick, Vice-chair
 Sen. Roger Beyer
 Sen. Tony Corcoran

STAFF PRESENT: **Jim Stembridge, Committee Administrator**
 Patricia Nielsen, Committee Assistant

MEASURE/ISSUES HEARD: **HB 3304A – Public Hearing and Work Session**
 HB 3631A – Public Hearing
 HB 3613 – Work Session
 SB 139 – Work Session
 HB 3328A – Public Hearing
 SB 903 – Work Session
 Work Session – Consideration of legislative concepts for drafting and
 introduction

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 73, A		
005	Co-chair Brown	Calls the meeting to order at 1:30 p.m. Opens public hearing on HB 3304A.
<u>HB 3304A – PUBLIC HEARING</u>		
010	Jim Stembridge	Committee Administrator. Presents overview of HB 3304A, which requires county registrar who receives certificate of death to notify county clerk of name, age, date of birth and address of deceased person.
015	Rep. Linda Flores	District 51. Testifies in support of HB 3304A. Discusses -A2 amendments dated 6-26-03 (EXHIBIT A), which change the two-day requirement to five days.
025	Eugene Schoenheit	Testifies in support of HB 3304A. Submits written testimony (EXHIBIT B).
060	Rep. Flores	Comments that the measure will eliminate need to review death notices by county staff.
080	Janet Schoenheit	Testifies in support of HB 3304A.
<u>HB 3304A – WORK SESSION</u>		
085	Sen. Atkinson	MOTION: Moves to ADOPT HB 3304A-2 amendments dated 6/26/03.
		VOTE: 6-0
	Co-chair Brown	Hearing no objection, declares the motion CARRIED.
090	Sen. Atkinson	MOTION: Moves HB 3304A to the floor with a DO PASS AS AMENDED recommendation.
		VOTE: 6-0

Co-chair Brown

Hearing no objection, declares the motion CARRIED.

SEN. ATKINSON will lead discussion on the floor.

095

Co-chair Brown

Closes work session on HB 3304A. Opens public hearing on HB 3631A.

HB 3631A – PUBLIC HEARING

100

Sen. Charlie Ringo

District 17. Testifies in support of HB 3631A, which designates Forest Park and area of influence around Forest Park, including wildlife corridors connecting Forest Park to other areas of wildlife habitat, as area of substantial resource subject to inventory and protection. Discusses -A3 amendments dated 6-19-03 (**EXHIBIT C**). Explains a special case warrants the bill.

155

Dave Hunnicutt

Testifies in support of HB 3631A. Supports -A3 amendments. Notes section 4 of the bill, and raises concerns that the meaning is ambiguous. Explains intent for zoning in the area.

190

Rep. Mitch Greenlick

District 33. Testifies in support of HB 3631A. Prefers original language. Explains the area is unique in the state. Concurs with sections 2, 3 and 4, and makes no comment on section 5.

225

Susan Muir

Land Use Director, Multnomah County. Testifies in opposition to HB 3631A. Submits written materials (**EXHIBITS D, E**).

265

Sen. Corcoran

Suggests because this property was owned before land use laws came into being, it should be allowed to continue as the owner expected.

275

Muir

Explains Multnomah County applies zoning rules after effective date of ordinances, and gives notice to owners.

295

Sen. Corcoran

Asks whether county had the ability to make the adjustments the owner requested.

300

Muir

Discusses process to allow for exception, and advises there was no request here.

305

Randy Tucker

1000 Friends of Oregon. Testifies in opposition to HB 3631A and the -A3 amendments. Takes no position on sections 1 through 4, but opposes section 5.

- Asserts it undermines land use program to legislate in favor of individual owners
- Section 5 might allow owners to subdivide
- Not a compelling fairness issue at stake:
Explains Mrs. English purchased 39 acres for \$4500 in 1953. In 2000, remaining 20 of 39 acres valued at \$200,000, not including house.
Owned 25 years before land use laws.

370

Art Schlack

Associated Oregon Counties (AOC). Raises concern over section 4, as applied to individual property. Suggests the land use issue should be addressed through the local land use process, not by bills asking for special consideration.

410

Bob Rindy

Department of Land Conservation and Development (DLCD). Testifies in opposition to HB 3631A. Raises concern about how a city or county is to comply with the measure:

- If intent is to protect lands in Forest Park, it is unnecessary
- If intent is to protect residential use surrounding Forest Park, it is unclear and may be unnecessary

TAPE 74, A

030

Rindy

Continues.

035 Ron Eber Farm Forest Specialist, DLCD. Suggests section 5 sets precedent for allowing one property to receive special treatment. Discusses other laws which have allowed for exceptions.

050 Co-chair Brown Closes public hearing on HB 3631A. Opens work session on HB 3613.

HB 3613 – WORK SESSION

070 Jim Stembridge Committee Administrator. Presents overview of HB 3613, which requires that specified percentage of value of state investment funds be invested in emerging growth businesses in Oregon. Discusses -5 amendments dated 6-20-03 (**EXHIBIT F**).

080 Harvey Mathews Associated Oregon Industries (AOI). Testifies in support of HB 3613. Discusses development of -5 amendments.

100 Rep. Greenlick Testifies in support. Discusses intent to stimulate Oregon Investment Council and to stimulate business in Oregon. Expresses union support.

130 Kate Richardson Chief of Staff, Oregon State Treasury. Testifies in support of HB 3613 and -5 amendments.

145 Co-chair Brown Thanks everyone for hard work and cooperation to make this work.

150 Sen. Corcoran Clarifies whether the unions agree with the proposal.

155 Richardson Explains the Oregon Growth Account (OGA) shares goal of investing in venture capital.

160 **Sen. Burdick** **MOTION: Moves to ADOPT HB 3613-5 amendments dated 6/20/03.**

VOTE: 5-0

EXCUSED: 1 - Clarno

Hearing no objection, declares the motion CARRIED.

170 **Co-chair Brown** **MOTION: Moves HB 3613 to the floor with a DO PASS AS**

Sen. Burdick **AMENDED recommendation.**

VOTE: 5-0

EXCUSED: 1 - Clarno

Hearing no objection, declares the motion CARRIED.

SEN. BROWN will lead discussion on the floor.

175 Co-chair Brown Closes work session on HB 3613. Opens work session on SB 139.

SB 139 – WORK SESSION

185 Jim Stembridge Committee Administrator. Presents overview of SB 139, which establishes Elections Operating Account. Describes -5 amendments dated 6-25-03 (**EXHIBIT G**). Advises there is a possible technical change (conceptual amendment) to remove several lines and renumber (**EXHIBIT H**).

205 Sen. Burdick Clarifies text of ballot measures would still be included the voter's pamphlet.

210 Stembridge Affirms and explains it would add one or two pages per measure.

215 Co-chair Brown Asks about effect of deleting the operating account.

220 Stembridge Advises funds received for the voter's pamphlet space would be added to the General Fund, and the Secretary of State would need a General Fund appropriation to create the voter's pamphlet.

225 Co-chair Brown Asks about consequence to voter's pamphlet if the legislature could not agree on a General Fund appropriation.

230 Stembridge Responds that would jeopardize the existence of the voter's pamphlet.

235 Sen. Burdick Clarifies now there is not a separate account, and purpose of

240	Sen. Beyer	separate account is to provide accountability to see that voter's pamphlet income is paying the cost of the pamphlet. Expresses preference to have a separate account.
245	Stembridge	Asks what is deleted in the text of the amendment.
		Explains drafters did not remove some text, but the information described will still be both online and in the voter's pamphlet.
255	Co-chair Brown	Closes work session on SB 139. Opens public hearing on HB 3328A.

HB 3328A – PUBLIC HEARING

270	Jan McComb	Committee Administrator. Presents overview of HB 3328A, which revises laws administered by Oregon Government Standards and Practices Commission (GSPC).
300	Rep. Linda Flores	District 51. Testifies in support of HB 3328A.
325	Co-chair Clarno	Takes gavel.
340	Sarah Wetherson	Money in Politics Research Action Project. Submits written testimony (EXHIBIT I). Testifies in support of HB 3328A with -A6 amendments (EXHIBIT J). Discusses details.
400	Sen. Burdick	Clarifies that the -A6 amendments were drafted for the Money in Politics organization.
405	Wetherson	Affirms.
410	Co-chair Clarno	Requests earlier submission of amendments in future.
415	Wetherson	Acknowledges.

TAPE 73, B

005	Genoa Ingram	Special Districts Association of Oregon. Testifies in support of HB 3328A. Submits written testimony (EXHIBIT K).
125	Ron Downs	General Counsel, Special Districts Association of Oregon. Discusses volunteerism within the special districts in Oregon. Explains training is a problem so volunteer members do not always have sufficient training to keep from making errors. Urges protection of volunteers. Discusses case law regarding liability of board members. Describes civil penalties where commission can issue a formal letter of reprimand.
200	Christy Monson	League of Oregon Cities (LOC) Counsel. Testifies in support of HB 3328A. Confirms ethics laws should not be diluted or slackened. Submits written testimony (EXHIBIT L).
235	Candace Haines	City attorney, City of McMinnville. Testifies in support of HB 3328A. Discusses need for clarity and understandability of ethics laws.
275	Sen. Burdick	Asks whether she has seen the -A6 amendments.
285	Haines	Discusses safe harbor provision in proposed -A6 amendments.
305	Co-chair Brown	Takes gavel. Closes public hearing on HB 3328A. Opens work session on SB 903.

SB 903 – WORK SESSION

320	Jim Stembridge	Committee Administrator. Presents overview of SB 903, which extends emergency unemployment benefits for up to 15 weeks for period ending September 27, 2003. Discusses proposed amendments: <ul style="list-style-type: none"> • -1 dated 6-20-03 (EXHIBIT M) • -2 dated 6-24-03 (EXHIBIT N) • -3 dated 6-26-03 (EXHIBIT O)
325	Tim Nesbitt	Oregon AFL-CIO. Testifies in support of SB 903 with -1 and -2 amendments. Submits chart describing unemployment benefits

370 Lisa Trussell **(EXHIBIT P)**. Proposes additional amendment.
Associated Oregon Industries (AOI). Testifies in support of -1
and -2 amendments.

380 Sen. Beyer Asks about costs for different amendments.

385 Trussell Explains the difference is cut-off dates proposed.

400 **Sen. Burdick** **MOTION: Moves to SUSPEND the rules for the purpose of
further amending the -1 amendments dated 6-20-
03.**

VOTE: 5-0
EXCUSED: 1 – Atkinson
Hearing no objection, declares the motion CARRIED.

405 **Co-chair Brown**
Sen. Beyer **MOTION: Moves to AMEND the SB 903-1 amendments
dated 6/20/03 on page 1, line 2, by deleting the
words "May 29, 2004" and inserting the words
"February 28, 2004" and on page 1, line 3, by
deleting the words "May 29, 2004" and inserting
the words "February 28, 2004".**

VOTE: 5-0
EXCUSED: 1 – Atkinson
Hearing no objection, declares the motion CARRIED.

410 **Co-chair Brown**
Sen. Beyer **MOTION: Moves to ADOPT SB 903-1 amendments dated
6/20/03 as further amended.**

VOTE: 5-0
EXCUSED: 1 – Atkinson
Hearing no objection, declares the motion CARRIED.

415 **Co-chair Brown**
Sen. Beyer **MOTION: Moves to ADOPT SB 903-2 amendments dated
6/24/03.**

		VOTE: 5-0
		EXCUSED: 1 – Atkinson
	Co-chair Brown	Hearing no objection, declares the motion CARRIED.
420	Sen. Beyer	MOTION: Moves SB 903 to the floor with a DO PASS AS AMENDED recommendation.
		VOTE: 5-0
		EXCUSED: 1 – Atkinson
	Co-chair Brown	Hearing no objection, declares the motion CARRIED.
		SEN. COURTNEY will lead discussion on the floor.
425	Co-chair Brown	Closes work session on SB 903. Opens work session for consideration of legislative concepts for drafting and introduction.
<u>WORK SESSION – LEGISLATIVE CONCEPTS</u>		
435	Sen. Clarno	MOTION: Moves legislative concepts 1 through 8, requested by staff, BE APPROVED FOR DRAFTING by Legislative Counsel and BE INTRODUCED as committee bills.
440	Co-chair Brown	Lists proponents of legislative concepts (EXHIBIT Q):
		1. Legislative Advocates
		2. Public Affairs Counsel
		3. Public Affairs Counsel
		4. Public Affairs Counsel
		5. Public Affairs Counsel
		6. RPD Government Relations
		7. Oregon Landscape Contractors Association
		8. Associated Oregon Industries (AOI)
		VOTE: 4-0
		EXCUSED: 2 - Atkinson, Corcoran
	Co-chair Brown	Hearing no objection, declares the motion CARRIED.
445	Co-chair Brown	Closes work session on legislative concepts. Adjourns the committee at 3:04 p.m.

EXHIBIT SUMMARY

- A – HB 3304, -A2 amendments (6-26-03), staff, 1 p**
- B – HB 3304A, written testimony, Eugene Schoenheit, 1 p**
- C – HB 3631, -A3 amendments (6-19-03), staff, 3 pp**
- D – HB 3631A, written testimony, Susan Muir, 2 pp**
- E – HB 3631A, letter from Maria Rojo de Steffey, Susan Muir, 1 p**
- F – HB 3613, -5 amendments (6-20-03), staff, 6 pp**
- G – SB 139, -5 amendments (6-25-03), staff, 12 pp**
- H – HB 139, suggested technical amendments to -5 amendments, Fred Neal, 1 p**
- I – HB 3328A, written testimony, Sarah Wetherson, 2 pp**
- J – HB 3328, -A6 amendments (6-17-03), Sarah Wetherson, 11 pp**
- K – HB 3328A, written testimony, Genoa Ingram, 4 pp**
- L – HB 3328A, written testimony, Christy Monson and Candace Haines, 2 pp**
- M – SB 903, -1 amendment dated 6-20-03, staff, 1 p**
- N – SB 903, -2 amendment dated 6-24-03, staff, 1 p**
- O – SB 903, -3 amendment dated 6-26-03, staff, 1 p**
- P – SB 903, chart “Maximum Weeks of Unemployment Insurance Benefits Available,” Tim Nesbitt, 1 p**
- Q – Legislative concepts, memo, staff, 1 p**