

## SENATE COMMITTEE ON RULES

July 16, 2003  
1:30 PM.

Hearing Room B  
Tapes 91-92

**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**  
                                  **Romy Dye, Committee Assistant**

**MEASURE/ISSUES HEARD:**     **SB 923 – Public Hearing and Work Session**  
                                  **SB 918 – Public Hearing and Work Session**  
                                  **SB 912 – Public Hearing and Work Session**  
                                  **SB 927 – Public Hearing and Work Session**  
                                  **HB 3154 A – Public Hearing and Work Session**  
                                  **HJR 18 B – Work Session**  
                                  **HB 2651 A – Work Session**

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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.

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<b>TAPE/#</b>	<b>Speaker</b>	<b>Comments</b>
<b>TAPE 91, A</b>		
005	Co-chair Brown	Calls the meeting to order at 1:37 PM. Opens a public hearing on SB 923.
<b><u>SB 923 – PUBLIC HEARING</u></b>		
010	Jim Stembridge	Committee Administrator. Provides an overview of SB 923, which limits authority of Division of State Lands to retain mineral or geothermal resource rights when selling certain real property.
015	Harlan Levy	Staff Attorney, Oregon Association of Realtors (OAR). Testifies in support of SB 923. States history of the bill. Feels good public policy. Submits written testimony ( <b>EXHIBIT A</b> ).
020	Sen. Corcoran	Clarifies that was a committee passing a total of six bills.
023	Jeannette Holman	Assistant Director, Finance and Administration for Division of State lands. Testifies in support of SB 923. Believes the bill addresses needs of realtors as well as protecting public trust responsibilities of the land board in managing trust lands. Submits written testimony ( <b>EXHIBIT B</b> ).
033	Sen. Brown	Closes the public hearing on SB 923 and opens a work session on SB 923.

The following prepared testimony is submitted for the record without public testimony for SB 923:

Jim Hall                             Submits written testimony (**EXHIBIT J**)

**SB 923 – WORK SESSION**

**038                     Sen. Atkinson                     MOTION: Moves SB 923 to the floor with a DO PASS**

042  
Co-chair Brown  
044 Co-chair Brown

**recommendation.**  
**VOTE: 4-0**  
**EXCUSED: 2 - Sen. Beyer, Sen. Clarno**  
**Hearing no objection, declares the motion CARRIED.**  
**SEN. BURDICK will lead discussion on the floor.**  
Closes the work session on SB 923 and opens a public hearing on SB 918.

**SB 918 – PUBLIC HEARING**

050 Marjorie Taylor  
055 Rick Partipilo  
070 Sen. Atkinson  
072 Partipilo  
074 Sen. Atkinson  
075 Partipilo  
078 Sen. Atkinson  
080 Partipilo  
085 Co-Chair Brown  
088 Taylor  
090 Co-chair Brown

Committee Administrator. Provides an overview of SB 918, which requires operator of mobile unit to notify county health department when unit is relocated to county other than county that licensed unit.  
Environmental Health Program Manager, Linn County. Speaks on behalf of Linn County Board of Commissioners. Testifies in favor of SB 918. States reason for requesting legislation. Explains concerns with food safety and oversight relating to mobile food units in existing statute.  
Asks if this has to do with people following fairs in Oregon.  
Responds only if they operate a mobile food unit.  
Asks if any small businesses have been notified about the bill.  
Believes Oregon Restaurant Association is aware of the bill.  
Asks if there has been a large problem.  
Responds does not think so. Elaborates it was a concern of the Board that small number of the units are able to operate without knowledge and inspection. Claims a handful in Linn County have occurred during busy season and a small amount statewide.  
Asks for clarification this bill came out of the House in a House version of 55-1.  
Responds that is correct.  
Closes the public hearing on SB 918 and opens a work session on SB 918.

**SB 918 – WORK SESSION**

095 Sen. Clarno  
100 Co-chair Brown  
105 Co-chair Brown

**MOTION: Moves SB 918 to the floor with a DO PASS recommendation.**  
**VOTE: 4-1**  
**AYE: 4 - Sen. Burdick, Sen. Corcoran, Sen. Clarno, Co-chair Brown**  
**NAY: 1 - Sen. Atkinson**  
**EXCUSED: 1 - Sen. Beyer**  
**The motion Carries.**  
**SEN. BURDICK will lead discussion on the floor.**  
Closes the work session on SB 918 and opens a public hearing on SB 912.

**SB 912 – PUBLIC HEARING**

108 Judith Callens  
110 Bill Linden  
137 Doug Myers

Committee Administrator. Provides an overview of SB 912, which deletes requirement that glass container manufacturers use at least 50 percent recycled glass in manufacturing glass, food, drink or beverage containers on and after January 1, 2004. Presents -1 amendments dated 7/15/03 (**EXHIBIT C**).  
Glass Packaging Institute. Testifies in support of SB 912 with -1 amendments. Provides history of the bill. Explains issues with Owens Plant.  
Association of Oregon Recyclers. Testifies in support of SB 912 with -1 amendments. Explains purpose of the -1 amendments.

150	Bob Danko	Urges need for the bill for Owens Plant. Oregon Department of Environmental Quality. Testifies in support of SB 912 with -1 amendments.
155	Sen. Burdick	Asks what impact co-mingling of recycling had on progress towards recycling goal of 50%.
162	Linden	Responds it has had impact of reducing amount of reusable cullet at the Owens Plant. Explains results of co-mingling.
165	Sen. Burdick	Asks about separation of colored glass with co-mingling.
167	Linden	Responds yes the colors need to be separated. Describes colored glass used at Owens Plant.
172	Sen. Burdick	Asks if it is harder to separate the glass when it arrives broken.
179	Linden	Responds yes.
182	Sen. Burdick	Claims did not realize the work involved with the separation of colored glass.
188	Co-chair Brown	Closes the public hearing on SB 912 and opens a public hearing on SB 927.

**SB 927 – PUBLIC HEARING**

193	Judith Callens	Committee Administrator. Provides an overview of SB 927, which establishes conditions for siting dwelling in conjunction with farm use in exclusive farm use zone.
198	Co-chair Brown	Closes the public hearing on SB 927 and opens a work session on SB 912.

**SB 912 – WORK SESSION**

200	Sen. Clarno	<b>MOTION: Moves to ADOPT SB 912-1 amendments dated 7/15/03.</b>
205		<b>VOTE: 6-0</b>
	Co-chair Brown	<b>Hearing no objection, declares the motion CARRIED.</b>
210	Sen. Clarno	<b>MOTION: Moves SB 912 to the floor with a DO PASS AS AMENDED recommendation.</b>
215		<b>VOTE: 6-0</b>
	Co-chair Brown	<b>Hearing no objection, declares the motion CARRIED.</b>
		<b>SEN. BURDICK will lead discussion on the floor.</b>
223	Co-chair Brown	Closes the work session on SB 912 and reopens a public hearing on SB 927.

**SB 927 – PUBLIC HEARING**

225	Ron Eber	Department of Land Conservation and Development. Testifies in support of SB 927. Explains intent of SB 927. Submits written testimony ( <b>EXHIBIT D</b> ).
234	Sen. Atkinson	Asks if the Farm Bureau is okay with the bill.
236	Eber	Responds that is correct.
238	Lynn Parfin	Farm Worker Programs Representative, Oregon Housing and Community Services Department. Testifies in support of SB 927.
256	Dennis Mulvihill	Washington County. Testifies in support of SB 927.
260	Carrie MacLaren	Staff Attorney, One Thousand Friends of Oregon. Testifies in support of SB 927. Notes Washington County statistics for agricultural production. Submits written testimony ( <b>EXHIBIT E</b> ).
265	Co-chair Brown	Closes the public hearing on SB 927 and opens a work session on SB 927.

**SB 927 – WORK SESSION**

275	Sen. Atkinson	<b>MOTION: Moves SB 927 to the floor with a DO PASS recommendation.</b>
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280 **Co-chair Brown** **VOTE: 4-0**  
**EXCUSED: 2 - Sen. Beyer, Sen. Clarno**  
**Hearing no objection, declares the motion CARRIED.**  
**SEN. ATKINSON will lead discussion on the floor.**  
285 Co-chair Brown Closes the work session on SB 927 and opens a public hearing on HB 3154 A.

**HB 3154 A – PUBLIC HEARING**

288 Marjorie Taylor Committee Administrator. Provides an overview of HB 3154 A, which abolishes Primary Public Safety Answering Points Consolidation Incentive Fund.  
295 Michelle Deister League of Oregon Cities. Testifies in support of HB 3154 A. Notes the bill passed the House with no opposition. Comments there has been discussion of consolidating peace apps and interoperability of public safety systems. Submits written testimony (**EXHIBIT F**)  
305 Rodger Bennett City Manager, Florence, Oregon. Testifies in support of HB 3154 A. Explains importance of passing the bill. Submits written testimony (**EXHIBIT G**).  
325 Co-chair Brown Closes the public hearing on HB 3154 A and opens a work session on HB 3154 A.

The following prepared testimony is submitted for the record without public testimony for HB 3154 A:

Kevin Campbell Submits written testimony (**EXHIBIT K**)

**HB 3154 A – WORK SESSION**

330 **Sen. Burdick** **MOTION: Moves HB 3154 A to the floor with a DO PASS recommendation.**

335 **Co-chair Brown** **VOTE: 4-0**  
**EXCUSED: 2 - Sen. Atkinson, Sen. Clarno**  
**Hearing no objection, declares the motion CARRIED.**  
**SEN. CORCORAN will lead discussion on the floor.**

340 Co-chair Brown Recesses the meeting at 2:04 PM.

\*\*\*\*\*RECESS\*\*\*\*\*

345 Co-chair Brown Reconvenes the meeting at 2:11 PM.

350 Co-chair Brown Closes the work session on HB 3154 and opens work sessions on HJR 18 B & HB 2651 A

**HJR 18 B & HB 2651 A – WORK SESSION**

354 Harrison Conley Legislative Counsel. Clarifies looking to adopt –B6 amendments for HJR 18 B. Presents HJR 18 B-B6 amendments dated 7/15/03 and HB 2651 A-A4 amendments dated 7/15/03 (**EXHIBITS H, I**).

Co-chair Brown Responds that is correct.

Conley Clarifies the interest is changing the total market value of property that could be incurred at 1% instead of 2%.

Co-chair Brown Asks what the impact of the change is from 2% to 1%.

370 Conley Answers 1% real market value is \$2.8 billion and 2% is \$5.6 billion.

375 **Sen. Beyer** **MOTION: Moves to ADOPT HJR 18 B-B6 amendments dated 7/15/03**

380 **VOTE: 5-0**

**EXCUSED: 1 - Sen. Atkinson**  
**Hearing no objection, declares the motion CARRIED.**

385 **Sen. Beyer** **MOTION: Moves to SUSPEND the rules for the purpose of amending on line 20, page 1 the word "two" and changing it to the word "one".**

390		<b>VOTE: 5-0</b>
	Co-chair Brown	<b>EXCUSED: 1 - Sen. Atkinson</b>
	Sen. Beyer	Hearing no objection, declares the motion <b>CARRIED.</b>
400		<b>MOTION: Moves HJR 18 B be sent to the floor with a BE</b>
		<b>ADOPTED AS AMENDED recommendation.</b>
405		<b>VOTE: 5-0</b>
	Co-chair Brown	<b>EXCUSED: 1 - Sen. Atkinson</b>
		Hearing no objection, declares the motion <b>CARRIED.</b>
		<b>SEN. BEYER will lead discussion on the floor.</b>
408	Co-Chair Brown	<b>Closes the work session on HJR 18 B.</b>
<u>HB 2651 A</u>		
410	Sen. Beyer	<b>MOTION: Moves to ADOPT HB 2651 A-A4 amendments</b>
		<b>dated 7/15/03</b>
415		<b>VOTE: 5-0</b>
	Co-chair Brown	<b>EXCUSED: 1 - Sen. Atkinson</b>
		Hearing no objection, declares the motion <b>CARRIED.</b>
		<b>SEN. ATKINSON will lead discussion on the floor.</b>
400	Sen. Beyer	Asks for clarification of location of 2% to 1%.
405	Conley	Verifies the location of 2% to 1%.
<b>TAPE 92, A</b>		
005	Sen. Beyer	<b>MOTION: Moves to SUSPEND the rules for the purpose of</b>
		<b>conceptually amending HB 2651 A on lines 10 &amp;</b>
		<b>lines 45 on page 2 changing the word "two" to</b>
		<b>the word "one".</b>
010		<b>VOTE: 5-0</b>
	Co-chair Brown	<b>EXCUSED: 1 - Sen. Atkinson</b>
		Hearing no objection, declares the motion <b>CARRIED.</b>
		<b>SEN. BEYER will lead discussion on the floor.</b>
410	Sen. Beyer	<b>MOTION: Moves to ADOPT HB 2651 A-A4 amendments</b>
		<b>dated</b>
415		<b>VOTE: 5-0</b>
	Co-chair Brown	<b>EXCUSED: 1 - Sen. Atkinson</b>
		Hearing no objection, declares the motion <b>CARRIED.</b>
		<b>SEN. ATKINSON will lead discussion on the floor.</b>
015	Sen. Beyer	<b>MOTION: Moves HB 2651 A to the floor with a DO PASS</b>
		<b>AS AMENDED recommendation.</b>
020		<b>VOTE: 5-0</b>
	Co-chair Brown	<b>EXCUSED: 1 - Sen. Atkinson</b>
		Hearing no objection, declares the motion <b>CARRIED.</b>
		<b>SEN. BEYER will lead discussion on the floor.</b>
022	Co-chair Brown	Closes the work session on HJR 18 B and HB 2651 A. Adjourns
		the committee at 2:16 PM.

## EXHIBIT SUMMARY

- A – SB 923, written testimony, Harlan Levy, 1 p
- B – SB 923, written testimony, Jeannette Holman, 2 pp
- C – SB 912, -1 amendments dated 7/15/03, staff, 2 pp
- D – SB 927, written testimony, Ron Eber, 1 p
- E – SB 927, written testimony, Carrie MacLaren, 1 p

**F – HB 3154 A, written testimony, Michelle Deister, 1 p**  
**G – HB 3154 A, written testimony, Rodger Bennett, 2 pp**  
**H – HJR 18 B, -B6 amendments dated 7/15/03, staff, 1 p**  
**I – HB 2651 A, -A4 amendments dated 7/15/03, staff, 1 p**

**The following exhibits are listed out of order in the body of the tape log:**

**J – SB 923, written testimony, Jim Hall, 4 pp**  
**K – HB 3154 A, written testimony, Kevin Campbell, 1 p**