

SENATE COMMITTEE ON RULES

July 28, 2003
1:30 PM

Hearing Room B
Tape 103

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

STAFF PRESENT: **Jim Stembridge, Committee Administrator**
 Romy Dye, Committee Assistant

MEASURES HEARD: **Executive Appointments**
 Director of Affirmative Action
 Peggy Ross
 Disabilities Commission, Oregon
 Robert Pope
 Michael James
 Geology and Mineral Industries, Governing Board of the Department of
 Vera Simonton
 State Board of Higher Education
 Henry Lorenzen
 SB 929 – Work Session
 SB 926 – Public Hearing and Work Session
 Work Session – Consideration of legislative concepts for drafting and
 introduction
 SB 920 – 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>
TAPE 103, A		
005	Co-Chair Beyer	Calls the meeting to order at 1:38 PM. Opens a work session on executive appointments.
<u>WORK SESSION</u>		
010	Jim Stembridge	Committee Administrator. Provides an overview of list of appointees.
020	Sen. Clarno	MOTION: Moves that the appearances be waived and that the committee recommend the following appointments and reappointments be confirmed by the Senate, with multiple appointments made to a single board or commission to be considered en bloc:

DIRECTOR OF AFFIRMATIVE ACTION – APPOINTMENT OF PEGGY ROSS (EXHIBIT A)

**DISABILITIES COMMISSION, OREGON – APPOINTMENTS OF ROBERT POPE AND
MICHAEL JAMES (EXHIBIT B)**

**GEOLOGY AND MINERAL INDUSTRIES, GOVERNING BOARD OF THE DEPARTMENT OF –
APPOINTMENT OF VERA SIMONTON (EXHIBIT C)**

STATE BOARD OF HIGHER EDUCATION – APPOINTMENT OF HENRY LORENZEN

(EXHIBIT D)

- 025 Co-chair Beyer **VOTE: 6-0**
Hearing no objection, declares the motion CARRIED.
SEN. CLARNO will lead discussion on the floor.
- 030 Co-chair Beyer Closes the work session on executive appointments and opens a work session on SB 929.
- SB 929 – WORK SESSION**
- 034 Jim Stenbridge Committee Administrator. Provides an overview of SB 929, which expands description of powers of semi-independent state agency with regard to acquisition of property. Presents -1 amendments dated 7/24/03, -2 amendments dated 7/28/03 and -3 amendments dated 7/28/03 (**EXHIBITS E, F, G**).
- 041 Co-chair Beyer Asks if necessary to rescind the -1 amendments if -3 amendments adopted.
- 046 Stenbridge Responds affirmative.
- 050 Sen. Burdick **MOTION: Moves to SUSPEND the rules for the purpose of reconsidering the vote by which "MOTION: Moves to ADOPT SB 929-1 amendments dated 7/24/03".**
- 056 Co-chair Beyer **VOTE: 6-0**
Co-chair Beyer **Hearing no objection, declares the motion CARRIED.**
- 065 Sen. Brown Refers to a letter from the Department of Administration signed by Gary Weeks citing continued concerns with -2 amendments.
MOTION: Moves to ADOPT SB 929 -2 amendments dated 7/28/03 and -3 amendments dated 7/28/03.
- 070 Co-chair Beyer **VOTE: 6-0**
Co-chair Beyer **Hearing no objection, declares the motion CARRIED.**
- 075 Sen. Brown **MOTION: Moves SB 929 to the floor with a DO PASS AS AMENDED recommendation.**
- 080 Co-chair Beyer **VOTE: 6-0**
Co-chair Beyer **Hearing no objection, declares the motion CARRIED.**
CO-CHAIR BEYER will lead discussion on the floor.
- 083 Co-chair Beyer Closes the work session on SB 929 and opens a public hearing on SB 926.

The following prepared testimony is submitted for the record without public testimony for SB 926:

Kate Richardson Submits written testimony (**EXHIBIT M**)

Gary Weeks Submits written testimony (**EXHIBIT N**)

SB 926 – PUBLIC HEARING

- 085 Judith Callens Committee Administrator. Provides an overview of SB 926, which allows beverage container dealers to refuse to accept beverage containers that are damaged to such extent that bar code or brand name is unreadable. Presents the -1 amendments dated 7/24/03 (**EXHIBIT H**).
- 090 Gary Oxley Oxley and Associates. Representing Fred Meyer and Safeway. Testifies in support of SB 926. Discusses the background of the bill and purpose for the bill today.
- 112 Sen. Burdick Asks whether crushing into disks is done in a methodical way.
- 115 Oxley States machines that can be bought today are similar to a french fry machine that crushes creating a disk.
- 118 Sen. Burdick Asks if clients have any plan to educate people that they cannot

125 Oxley use these machines.
 Responds the notice will be posted in the stores informing consumer that stores will no longer accept crushed containers. Claims then the issue will become mute when consumer realizes they no longer can return those containers.

130 Sen. Burdick Asks whether someone can recycle unreturned crushed cans.
 133 Oxley Responds they could but would not receive five cents.
 135 Doug Myers Representing Oregon Association of Recyclers. Testifies in support of SB 926 with -1 amendments. Comments the grocer should not have to take back something he did not sell.

142 Sen. Beyer Closes the public hearing on SB 926 and opens a work session on SB 926.

SB 926 – WORK SESSION

145 Sen. Atkinson **MOTION: Moves to ADOPT SB 926 -1 amendments dated 7/24/03.**

150 **VOTE: 6-0**
 Co-chair Beyer **Hearing no objection, declares the motion CARRIED.**

155 Sen. Atkinson **MOTION: Moves SB 926 to the floor with a DO PASS AS AMENDED recommendation.**

160 **VOTE: 6-0**
 Co-chair Beyer **Hearing no objection, declares the motion CARRIED. SEN. ATKINSON will lead discussion on the floor.**

163 Co-chair Beyer Closes the work session on SB 926 and opens a work session on consideration of legislative concepts for drafting and introduction. .

WORK SESSION

165 Co-Chair Beyer Comments on a request from Senator Brown requiring state government to require open source software, reincarnation of HB 2892.

170 Sen. Atkinson **MOTION: Moves legislative concepts 1, submitted by staff, BE APPROVED FOR DRAFTING by Legislative Counsel and BE INTRODUCED as committee bills (EXHIBIT I).**

175 **VOTE: 6-0**

178 Co-chair Beyer Recesses the meeting at 1:54 PM.
 185 Co-chair Beyer **Hearing no objection, declares the motion CARRIED.**
 *****RECESS*****

190 Co-chair Beyer Reconvenes the meeting at 1:55 PM. Closes the work session on measure drafting and opens a work session on SB 920.

SB 920 – WORK SESSION

196 Judith Callens Committee Administrator. Provides an overview of SB 920, which modifies land use planning requirements for metropolitan service district. Presents -1 amendments dated 7/23/03, -2 amendments dated 7/23/03 and -3 amendments dated 7/23/03 **(EXHIBITS J, K, L).**

297 Sen. Burdick **MOTION: Moves to ADOPT SB 920 -2 amendments dated 7/23/03.**

325 Sen. Brown Comments about discussion in Governor’s office on issues addressed with technical changes. Refers to page 2, lines 2 through 7 on -2 amendments.

335 Co-chair Beyer Suggests setting bill for tomorrow in hopes for an amendment that is more clear.

340 Sen. Burdick **Withdraws motion.**

EXHIBIT SUMMARY

- A – Director of Affirmative Action, staff and Governor’s office, 9 pp**
- B – Oregon Disabilities Commission, staff and Governor’s office, 13 pp**
- C – Governing Board of the Department of Geology and Mineral Industries, staff and Governor’s office, 7 pp**
- D – State Board of Higher Education, Staff and Governor’s office, 10 pp**
- E – SB 929, -1 amendments dated 7/24/03, staff, 11 pp**
- F – SB 929, -2 amendments dated 7/28/03, staff, 1 p**
- G – SB 929, -3 amendments dated 7/28/03, staff, 12 pp**
- H – SB 926, -1 amendments dated 7/24/03, staff, 1 p**
- I – Legislative concepts, memo, staff, 1 p**
- J – SB 920, -1 amendments dated 7/23/03, staff, 2 pp**
- K – SB 920, -2 amendments dated 7/23/03, staff, 3 pp**
- L – SB 920, -3 amendments dated 7/23/03, staff, 1 pp**

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

- M – SB 929, letter, Kate Cooper Richardson, 1 p**
- N – SB 929, letter, Gary Weeks, 1 p**