SENATE COMMITTEE ON RULES

July 3, 2003 1:30 P.M. Hearing Room B Tapes 80 - 81

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 Jeana Harrington, Committee Assistant
MEASURES HEARD:	SCR 7 – Public Hearing and Work Session HB 2378 – Public Hearing and Work Session Work Session – Consideration of legislative concepts for drafting and introduction SB 450 – Work Session SB 905 – Public Hearing

These minutes are in compliance with Senate and House Rules. <u>Only text enclosed in quotation marks reports a speaker's exact words.</u> For complete contents, please refer to the tapes.

TAPE/#	Speaker	Comments
TAPE 80, A		
005	Sen. Clarno	Calls meeting to order at 1:36 PM. Opens public hearing on SCR
		7.
SCR 7 PUB	LIC HEARING	
007	Sen. Avel Gordly	 Senate District 23. Testifies in support of SCR 7, in memoriam of Charles Britton (Maxey) Maxey, 1917-2001. Introduces her colleague, Denise Peterson. Speaks on the impact of Mr. and Mrs. Maxey's accomplishments on her family and her community. Notes Mr. Maxey's involvement in the National Association for the Advancement of Colored People (NAACP). Provides personal account of her relationship with Mr. and Mrs. Maxey. Accounts for Mr. Maxey's experiences during the Civil Rights movement. States pleasure in the fact that Mr. Maxey's accomplishments have been documented by the Oregon
098	Denise Peterson	Historical Society. Assistant to Sen. Gordly. Testifies in support of SCR 7. Offers
078	Denise Teterson	she has known Mr. Maxey personally for over forty years. Provides personal account of the relationship between the Maxey's and the neighborhood.
119	Sen. Burdick	Asks if Sen. Gordly knows of a possible relative to Mr. Maxey.
126	Sen. Gordly	Responds she is unsure of the connection, but will inform her later.
130	Co-Chair Brown	Closes public hearing on SCR 7. Opens work session on SCR 7.
SCR 7 – W	ORK SESSION	
$\frac{5CK}{132}$	Sen. Clarno	MOTION: Moves SCR 7 be sent to the floor with a BE

135		ADOPTED recommendation. VOTE: 4-0-2
	Co-chair Brown	EXCUSED: 2 - Atkinson, Beyer Hearing no objection, declares the motion CARRIED.
139	Co-chair Brown	SEN. GORDLY will lead discussion on the floor. Closes work session on SCR 7. Opens public hearing on HB 2378.
<u>HB 2378 – PUB</u>	BLIC HEARING	2370.
142	Jim Stembridge	Committee Administrator. Summarizes HB 2378, which directs the Secretary of State to reimburse county clerks for expenses of conducting special election on a state measure on a date other than that of primary or general election. Notes -1 amendments to HB 2378 (EXHIBIT A).
147	Rep. Lane Shetterly	House District 23. Testifies in support of HB 2378. States provisions of the bill regarding primary and general elections. Notes he endorses the -1 amendments.
165	Sen. Vicki Walker	Senate District 7. Testifies in support of HB 2378. Explains that SB 315 (2003) is included in the -1 amendments.
182	Sen. Burdick	Requests the vote on SB 315 in the Senate.
186	Sen. Walker	States it was unanimous.
192	Sen. Corcoran	Remarks.
198	Paul Snider	Association of Oregon Counties (AOC). Testifies in support of HB 2378. Understands that the county clerks do not oppose the bill.
212	Co-chair Brown	Closes public hearing and opens work session on HB 2378.
<u>HB 2378 – WO</u>	RK SESSION	
216	Sen. Clarno	MOTION: Moves to ADOPT HB 2378-1 amendments dated 6/26/03.
218		VOTE: 4-0-2
	Co-chair Brown	EXCUSED: 2 - Atkinson, Beyer Hearing no objection, declares the motion CARRIED.
	Co-chair Drown	Tearing no objection, declares the motion CARRIED.
220	Sen. Clarno	MOTION: Moves HB 2378 to the floor with a DO PASS AS AMENDED recommendation.
223		VOTE: 4-0-2
		EXCUSED: 2 - Atkinson, Beyer
	Co-chair Brown	Hearing no objection, declares the motion CARRIED. SEN. WALKER will lead discussion on the floor.
224	Co-chair Brown	Closes work session on HB 2378. Opens work session on consideration of legislative concepts for drafting and introduction.
WORK SESSI	<u>ON</u>	
225	Co-chair Brown	MOTION: Moves HB 3319 as amended with the -2 amendments
		requested by staff, BE APPROVED FOR DRAFTING
		by Legislative Counsel and BE INTRODUCED as
		a committee bill (EXHIBIT B)
232		committee bill (EXHIBIT B). VOTE: 4-0-2
		EXCUSED: 2 – Atkinson, Beyer
	Co-chair Brown	Hearing no objection, declares the motion CARRIED.
239	Co-chair Brown	Closes work session. Opens work session on SB 450.

	VORK SESSION	
242	Sen. Burdick	Explains a past scenario aided by the bill, which directs the Secretary of State to contact a person filing argument for inclusion in voters' pamphlet if the secretary believes the person made error in designating argument as supporting or opposing a
		state measure. Notes the -1 amendments (EXHIBIT C).
270	Co-chair Brown	Requests if Sen. Burdick knows of any opposition by the absent committee members.
273	Sen. Burdick	Negates.
275	Sen. Burdick	MOTION: Moves to ADOPT SB 450-1 amendments dated 3/4/03.
278		VOTE: 4-0-2
	Caraba'a Davara	EXCUSED: 2 – Atkinson, Beyer
200	Co-chair Brown	Hearing no objection, declares the motion CARRIED.
280	Sen. Burdick	MOTION: Moves SB 450 to the floor with a DO PASS AS AMENDED recommendation.
283		VOTE: 4-0-2
	Co-chair Brown	EXCUSED: 2 – Atkinson, Beyer Hearing no objection, declares the motion CARRIED. SEN. BURDICK will lead discussion on the floor.
287	Sen. Corcoran	Remarks.
290	Co-chair Brown	Closes work session on SB 450. Opens public hearing on SB 905.
<u>SB 905 – F</u>	PUBLIC HEARING	
293	Marjorie Taylor	Committee Administrator. Summarizes SB 905, which clarifies that modification of approved utility facility used to provide personal wireless services is not subject to subsequently enacted approval criteria.
299	John Powell	AT&T Wireless. Testifies in support of SB 905. Informs the committee of the reintroduction of the concepts of HB 2785 by SB 905. Reminds the committee of his position of retroactivity. Speaks on the issue of cell tower modification and land use. Believes the solution is statewide. Notes a forthcoming amendment from 1,000 Friends of Oregon. Overviews the bill by sections. Refers the committee to page three, section three to
387	Kevin Martin	 speak on governance of modifications. Land use consultant, AT&T Wireless. Testifies in support of SB 905. Explains the two major issues set out by SB 905. Speaks on the costs of the facilities. Summarizes that the bill would simplify current actions, and notes that any changes would be subject to current rule.
TAPE 81,	Α	
027	Sen. Burdick	Voices concern that the measure is too broad and would have unintended consequences.
040	Martin	Describes the modification of cell towers. Explains limitations and interference standards. Speaks on visual and structural issues regarding co-location.
061	Powell	Notes the bill was changed to include cities in the re-draft. Voices hope the League of Oregon Cities (LOC) and AT&T can
072	Son Durdial	work together on a resolution.
072	Sen. Burdick	Voices hope the workgroup extends to 1,000 Friends of Oregon.
074	Powell	Affirms 1,000 Friends will be included.

079	Co-chair Brown	States the bill will not have a work session today.
081	Dave Fiskum	T-Mobile. Testifies in support of SB 905. Notes T-Mobile would like to participate in the resolution.
097	Richard Kosesan	Verizon Wireless. Testifies in support of SB 905. Believes it addresses the issue of modification well. States Verizon also desires to be included in the group.
119	Brian DeLashmutt	Nextel Communications. Testifies in support of SB 905. Offers to be a part of the work group.
136	Randy Tucker	1,000 Friends of Oregon. Testifies in opposition to SB 905 (EXHIBIT D). Speaks on efforts to find a consensus. States 1,000 Friends will work with the proponents of the measure.
155	Sen. Corcoran	Refers to earlier testimony regarding switch out of towers. Asks if 1,000 Friends wishes to impose requirements for switch outs.
162	Tucker	Responds the wording was "additional tower." States he will confirm the change with his colleagues.
175	David Barenberg	LOC. Testifies in opposition to SB 905. Believes cities did not realize the potential impact to them. States he is willing to work to come to a consensus.
192	Co-chair Brown	States desire for the parties to work together. Closes public hearing on SB 905. Adjourns meeting at 2:19 PM.

EXHIBIT SUMMARY

- A HB 2378, -1 amendments, Staff, 9 pp. B Legislative Concepts for drafting, Staff, 1 p
- C SB 450, -1 amendments, Staff, 2 pp.
- D SB 905, written testimony, Randy Tucker, 1 p