

HOUSE COMMITTEE ON ADVANCING E-GOVERNMENT

June 14, 2001
10:00 AM

Hearing Room E
Tape 63-64

MEMBERS PRESENT: Rep. Jim Hill, Chair
Rep. Rob Patridge, Vice-Chair
Rep. Kathy Lowe

MEMBER EXCUSED:

STAFF PRESENT: Mark Jolley, Committee Administrator
Alice Morton, Committee Assistant

MEASURE/ISSUES HEARD: SB 479A – 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 63, A		
005	Chair Hill	Calls the meeting to order at 10:05 am and opens a work session on SB 479A.
<u>SB 479A – Work Session</u>		
007	Mark Jolley	Committee Administrator. Gives overview of the bill
024	Tom O'Connor	Oregon Municipal Utilities. Says they do not support the –7 amendments.
039	Olive Henry	Olympia Water board Details reasons she does not support the –7 amendments. Adds the definitions do not correspond with the Federal definitions.
064	Rep. Patridge	Points out that a three-year cost projection is the base line, that it can be longer.
075	Chair Hill	Invites others to come speak. Notes that AT&T is not present.
077	Ginny Lang	Lobbyist representing QWEST. Explains the amendments she has proposed and the two primary changes they would make to Sec. 105.
103	Mike Dewey	Oregon Cable Telecommunications Association. Says he want to talk about HB 2680. Says it almost no longer exists.
210	Dewey	Continues testimony.
228	Dave Barenberg	League of Oregon Cities. Speaks to the QWEST amendments. Indicates cities have serious problems with it. Refers to the 4% franchise fees.
273	Chair Hill	Clarifies rates and PUC authority in determining basic rates.
294	Barenberg	Concurs and points out other changes.
329	Beth Vergis-Duncan	Franchise Coordinator for the City of Salem. Presents her position.
354	Chair Hill	Responds to her comments on the franchise fees.
425	Barenberg	Makes additional comments related to the franchise issue.
435	Susan Schneider	Lobbyist, City of Portland. Says their pledge to come back next session is not a delaying technique against change, instead the issues is just so complex they want to give it appropriate attention.

TAPE 64A

032	Bill Penhollow	Lobbyist, Association of Oregon Counties. Says they did not receive the -8 amendments, but can comment on the -5, which has elements of HB 2280.
059	Steve McClure	Commissioner in an eastern Oregon community. Says he will talk about delivering telecommunications and the necessary infrastructure from the rural Oregon perspective.
075	Rep. Patridge	Asks why they are opposed to the -5 and -7.
085	Penhollow	Responds.
100	Rep. Patridge	Says that Mr. Penhollow still has not answered the question he raised. Asks can you state for the record, how this takes that tool away.
115	Penhollow	Responds he spoke from his understanding of Mr. Dewey's testimony, and, if he misunderstands, sorry.
123	Rep. Patridge	Pursues clarifying their point.
127	McClure	Responds as an elected official.
140	Rep. Lowe	Says she is trying to envision an election of this type.
219	Rep. Patridge	Makes it clear that he is reading this correctly and stresses that the AOC is objecting because it has more public process, and they are objecting the public process part of it, not because of what it would take from them.
250	Penhollow	Responds that there would be an additional expense to the public.
270	Rep. Patridge	Again stresses his view that having public input and debate is important. For the record, he disagrees with them.
300	Chair Hill	Expresses his agreement with Rep. Patridge comments.
350	Penhollow	Responds.
449	Kathy Scapp	Former Mayor of Ashland, Oregon. Says she oversaw the Ashland FiberNetwork. Says she has heard many misrepresentations in the past several months.
Tape 62, B		
100	Scapp	Continues testimony.
140	Chair Hill	Says he does not agree with her.
145	Scapp	Clarifies her point that those with money win, and continues her testimony.
187	Rep. Patridge	Asks, given the controversy around the Ashland FiberNetwork, why didn't people come out to meet and show their disagreement.
200	Scapp	Responds that this was an issue supported by the Ashland Community.
235	Rep. King	Testifies regarding the -3 amendments, (EXHIBIT D) which basically define telecommunications.
290	Doris Penwell	OECD. Says they worked with Rep. King on the amendment and support it. The OECD currently believes it has the authority to deal with this, and that the amendment are clarifying language.
315	John Power	Lobbyist representing AT&T. Says he does not agree with what Rep. King says would happen and therefore they oppose it.
390	Rep. Patridge	MOTION: Moves to SUSPEND the rules for the purpose of conceptual amendments.
400	Rep. Patridge	MOTION: Moves to AMEND SB 479A, -5 amendments, on page 2, in line 6, after "a local government must," insert "initially".
410	Rep. Patridge	Gives his rationale for the proposed change.

VOTE: 2-1
AYE: 2 - Patridge, Hill
NAY: 1 - Lowe
The motion CARRIES.

440 Chair Hill

443 Rep. Patridge **MOTION: Moves to ADOPT SB 479A, -5 amendments dated 6/11/01, as conceptually amended on 6/14/01.**

024 Rep. Lowe Says she does not like this fast approach and feels it could be preferable to give interested parties more time to work it out.

035 Rep. Patridge Says for the record he is voting for the A5 amendments. Asks cities and counties, what are you afraid of.

045 Rep. Lowe Says she wants to respond, says that it is the local flavor of how participation evolves which should be viewed and respected.

050 **VOTE: 2-1**
AYE: 2 - Patridge, Hill
NAY: 1 - Lowe
Chair Hill **The motion CARRIES.**

065 Rep. Patridge **MOTION: Moves to ADOPT SB 479A, -6 amendments dated 6/13/01.**

070 Rep. Lowe Asks for clarification of the different amendments.

075 Chair Hill Summarizes the different amendments.

086 **Chair Hill** **VOTE: 2-1**
AYE: 2 - Patridge, Hill
NAY: 1 - Lowe
Chair Hill **The motion CARRIES.**

089 Rep. Patridge **MOTION: Moves to ADOPT SB 479A, -3 amendments dated 5/25/01.**

VOTE: 3-0
Hearing no objection, declares the motion CARRIED.

106 Chair Hill

110 Rep. Patridge **MOTION: Moves SB 479A as conceptually amended to the floor with a DO PASS recommendation, AND to rescind referral to School Funding and Tax Fairness/Revenue Committee.**

125 Rep. Lowe Says she does not like it.

126 **Chair Hill** **VOTE: 2-1**
AYE: 2 - Patridge, Hill
NAY: 1 - Lowe
Chair Hill **The motion CARRIES.**

134 Rep. Patridge Moves the committee adjourn at 5 p.m.

140 Rep. Patridge Moves the committee recess at 11:40 a.m. until 1:00 p.m. today.

145 **The Committee does not reconvene from the recess and adjourns at 5 p.m.**

Submitted By,

Reviewed By,

Alice Morton,
Committee Assistant

Mark Jolley,
Committee Administrator

EXHIBIT SUMMARY

A – SB 479, -5 amendment, staff, 2pp.

B – SB 479, -6 amendment, staff, 2pp.

C - SB 479, -3 amendment, staff, 2pp.

D – SB 479, written comments, Rep. Al King, 1p.