

HOUSE COMMITTEE ON RULES, REDISTRICTING, AND PUBLIC AFFAIRS

April 23, 2001
1:30 PM

Hearing Room D
Tapes 89 - 91

MEMBERS PRESENT: Rep. Carl Wilson, Chair
Rep. Richard Devlin, Vice-Chair
Rep. Dan Doyle, Vice-Chair
Rep. Bill Garrard
Rep. Steve March
Rep. Bruce Starr
Rep. Joanne Verger
Rep. Cheryl Walker

MEMBERS EXCUSED: Rep. Dan Gardner

STAFF PRESENT: Cara Filsinger, Committee Administrator
Jennifer Goodman, Committee Assistant

MEASURE/ISSUES HEARD: HB 3366 - Public Hearing and Work Session
HB 3795 - Public Hearing
House Rules Amendments - Work Session
HB 2756 - Public Hearing
HB 3684 - Public Hearing and Work Session
HB 3917- Public Hearing and Work Session
HB 3686 - Public Hearing

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 89, A		
004	Chair Wilson	Calls the meeting to order at 1:33 p.m. Opens a public hearing on HB 3366.
<u>HB 3366 – PUBLIC HEARING</u>		
010	Representative Bob Jensen	House District 57. Believes this bill is fair because he feels it is unfair for judges to be treated differently from the rest of public employees.
044	Jon Smallmon	judge. Explains that he is able to withdraw his contributions only upon his death.
074	Steve Delaney	Manager, Government Relations at Public Employees Retirement System (PERS). Supports this bill that allows judges to be treated like other public employees.
085	Chair Wilson	Closes the public hearing on HB 3366. Opens a work session on HB 3366.
<u>HB 3366 – WORK SESSION</u>		
090	Rep. March	MOTION: Moves HB 3366 to the floor with a DO PASS recommendation.
093		VOTE: 5-0 AYE: In a roll call vote, all members present vote Aye. EXCUSED: 4 - Devlin, Gardner, Starr, Walker

Chair Wilson

The motion CARRIES.

REP. JENSEN will lead discussion on the floor.

100 Chair Wilson Closes the work session on HB 3366. Opens a public hearing on HB 3795.

HB 3795 – PUBLIC HEARING

107 Representative s Tim Knopp

House District 54. Believes these notices should be done outside the local papers. Notes that no agreement has been made yet on this bill, and also believes it is a reasonable pilot.

148 Leroy Yorgason

Oregon Newspaper Publishers Association. Describes the publishing of legal notices in newspapers.

201 Rep. Verger

Asks if part of the problem is that the public notices are put in the back in small print and many people miss them. Asks for comments on what the newspaper association can use from this discussion to better help notify people by the use of print media.

218 Yorganson

Replies that they encourage their members to promote and display the legal notices each day.

229 Rep. Verger

Comments that she is not sure whether they only do it because it is required. Notes that she feels it is incumbent that the association does a better job at a more reasonable rate.

241 Yorgason

Responds that they are willing to explore methods to accomplish that.

247 Tom Gallagher

Representing Newspaper Publishers. Submits and testifies from **(EXHIBIT A & B)**. Gives examples of legal notices and paid ads. States that he believes there should be criteria, and that people need to become involved in this process.

400 Rep. Doyle

Asks if he thought of using the Oregon Law Commission.

414 Gallagher

Answers yes and no and expands on response.

431 Rep. Doyle

States he believes this is why the commission was put together.

439 Gallagher

Responds that it is a good idea.

444 Chair Wilson

Asks for the biggest issue for the broadcasters.

453 Gallagher

Responds that what is most important is notification which will take the cooperation of all involved.

488 Chair Wilson

Asks what newspapers do best.

494 Gallagher

Responds that it is the permanent record.

Tape 90, A

045 Gallagher

Continues testimony.

065 Rep. Verger

Comments that people have to get used to a new medium but feels this is very costly for local governments.

082 Gallagher

Responds that they are exploring other alternatives.

108 Dave Fiskum

Oregon Association of Broadcasters. Submits and testifies in support of the bill from **(EXHIBIT C)**.

165 Bill Johnstone

Executive Director of the Oregon Association of Broadcasters. Submits and testifies in support of the bill from **(EXHIBIT D)**.

236 Gary Grossman

Vice President and General Managers of six stations in the Albany, Corvallis areas. Testifies in support of this bill. Explains that newspaper circulation has dropped greatly. Presents options to the government.

324 Dom Monahan

Oregon Association of Broadcasters. Testifies that this bill sets out good criteria regarding the types of notices.

367 Chair Wilson

Asks for comments regarding legal notices versus public notices.

370 Monahan

Responds that they are basically the same.

403	Chair Wilson	Asks how radio and print differ in an auction sale scenario.
424	Grossman	Responds that one way would be to split the funds and advertising.
455	Rep. Doyle	Asks who he considers to be a state or public officer.
462	Monahan	Responds the one with authority.
481	Rep. Doyle	Refers to the previous comment and asks if the attorney would be the public officer.
487	Monahan	Responds that it depends on who is foreclosing.
Tape 89, B		
036	Rep. Doyle	Notes that there is confusion when attorneys are considered public officers.
038	Monahan	Responds that they wanted to include all responsible parties for public notices.
048	Rep. Doyle	Asks to confirm that this bill does not encompass those areas where attorneys would have the ability to serve public notices.
053	Monahan	Responds that it does not.
091	Rep. Garrard	Comments that he does not understand how they would condense a 3-column newspaper legal notice into a 30 second television or radio ad.
096	Monahan	Describes how to transfer print into radio announcements.
121	Bill Johnstone	Notes that he wants to level the playing field.
126	Rep. Walker	Notes that it is already legal to place ads on radio, and asks what the problem is.
130	Johnstone	Responds that it is a fact and elaborates.
147	Chair Wilson	Closes the public hearing on HB 3795. Opens a work session on House Rules amendment.

HOUSE RULES AMENDMENT - WORK SESSION

156	Cara Filsinger	Committee Administrator. Explains the amendment, which is in response to SB 215. Staff submits (EXHIBIT K) .
165	Rep. Devlin	MOTION: Moves AMENDMENTS TO HOUSE RULES 19.20, 19.50, 19.60 be sent to the floor with a BE ADOPTED recommendation.
171		VOTE: 8-0 AYE: In a roll call vote, all members present vote Aye. EXCUSED: 1 – Gardner Chair Wilson The motion CARRIES. REP. DEVLIN will lead discussion on the floor.
179	Chair Wilson	Closes the work session on House Rules Amendment. Opens a public hearing on HB 2756.

HB 2756 – PUBLIC HEARING

188	Diane Belt	Oregon Association of County Tax Collectors. Submits (EXHIBIT E) and testifies in support of HB 2756.
263	Don Miner	On behalf of Oregon Manufactured Housing Association. Submits (EXHIBIT F) and testifies in support of HB 2756.
308	Craig Chisholm	Oregon Land & Title Association. Speaks in support of this bill.
320	Rep. Starr	Refers to Ms. Belt’s flowchart and states that he does not believe we should go through the Department of Motor Vehicles.
344	Chair Wilson	Closes the public hearing on HB 2756. Opens a public hearing on HB 3684.

HB 3684 – PUBLIC HEARING

366	Cheryl Pelligrini	Department of Justice. Testifies in support of this bill. Describes
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Tape 90, B

034 Pelligrini
066 Representative Jeff Merkley

101 Don Miner

124 Alan Youse

184 Chair Wilson

HB 3684 – WORK SESSION

186 Rep. Starr

193 Chair Wilson

Rep. Starr

194

Chair Wilson

206 Chair Wilson

HB 3917 – PUBLIC HEARING

219 Cheryl Peligrini

342 Rep. Devlin

344 Pelligrini

426 Don Miner

482 Chair Wilson

486 Alan Youse

487 Chair Wilson

HB 3917 - WORK SESSION

497 Rep. Verger

Tape 91, B

042 Rep. Starr

Chair Wilson

some problems the bill sought to address.

Continues her testimony.

House District 16. Briefly comments on three bills before the committee. Comments that these bills will help create an industry with a strong foundation for the future. Notes that because they are not regulated as Real Estate, there have been problems.

Oregon Manufactured Housing Association. Submits **(EXHIBIT G)** and testifies in support of the bill as amended.

American Association of Retired People (AARP). Submits **(EXHIBIT H)** and testifies in support of this bill.

Closes the public hearing on HB 3684. Opens a work session on HB 3684.

MOTION: Moves to ADOPT HB 3684-1 amendments dated 04/23/01.

VOTE: 7-0

EXCUSED: 2 - Doyle, Gardner

Hearing no objection, declares the motion CARRIED.

MOTION: Moves HB 3684 to the floor with a DO PASS AS AMENDED recommendation.

VOTE: 7-0

AYE: In a roll call vote, all members present vote Aye.

EXCUSED: 2 - Doyle, Gardner

The motion CARRIES.

REP. MERKLEY will lead discussion on the floor.

Closes the work session on HB 3684. Opens a public hearing on HB 3917.

Department of Justice. Describes the –1 amendments to the bill, and speaks of the practices some unscrupulous dealers may and do engage in.

Asks for clarification regarding full percentages.

Explains and continues testimony.

Oregon Manufactured Housing Association. Submits **(EXHIBIT I)** and speaks in support of the bill as amended, with a minor caveat.

Asks if Mr. Youse approves of this bill.

AARP. Responds that they are and submits **(EXHIBIT J)**.

Closes the public hearing on HB 3917. Opens a work session on HB 3917.

States that she feels this bill goes too far regarding consumer disclosure.

MOTION: Moves to ADOPT HB 3917-1 amendments dated 04/20/01.

VOTE: 8-0

EXCUSED: 1 – Gardner

Hearing no objection, declares the motion CARRIED.

047	Rep. Starr	MOTION: Moves HB 3917 to the floor with a DO PASS AS AMENDED recommendation.
048	Rep. Verger	Asks that it have no recommendation.
049	Rep. Devlin	States that sending without recommendation is highly unusual.
065	Chair Wilson	States it is his desire to send this as a Do Pass to the floor.
082		VOTE: 7-1
		AYE: 7 - Devlin, Doyle, Garrard, March, Starr, Walker, Chair Wilson
		NAY: 1 - Verger
		EXCUSED: 1 - Gardner
	Chair Wilson	The motion Carries.
		REP. MERKLEY will lead discussion on the floor.
089	Chair Wilson	Closes the work session on HB 3917. Opens a public hearing on HB 3686.
<u>HB 3686 – PUBLIC HEARING</u>		
092	Cheryl Pelligrini	Department of Justice. States that this work is the result of the Attorney General’s Manufacturing Task Force and speaks of the findings and recommendations made as a result of that.
143	Bob Repine	Director, Oregon Housing and Community Services. Comments that this bill allows one more tool for the residents to control their destiny.
183	Brian DeMarco	Oregon Real Estate Agency. States that this bill is not intended to apply to new manufactured home parks, but to apply to those in existence now. Continues his testimony.
215	Jerry Duerkser	Owner, Duerkser & Associates Real Estate & Property Management in Corvallis. States that he has been working on something like this for four years and has come up with nothing. States that subdivision lots would give owners a great opportunity.
244	Chair Wilson	Closes the public hearing on HB 3686. Adjourns the committee at 3:52 p.m.

Submitted By,

Reviewed By,

Jennifer Goodman,
Committee Assistant

Cara Filsinger,
Committee Administrator

Transcribed By,

Cheryl Young

EXHIBIT SUMMARY

- A – HB 3795, written testimony, Tom Gallagher, 21pp.**
- B – HB 3795, written testimony, Tom Gallagher, 2pp.**
- C – HB 3795, written testimony, Dave Fiskum, 2pp.**
- D – HB 3795, written testimony, Bill Johnstone, 2pp.**

E – HB 2756, written testimony, Diane Belt, 3pp.
F – HB 2756, written testimony, Don Miner, 2pp.
G – HB 3684, written testimony, Don Miner, 1p.
H – HB 3684, written testimony, Alan Youse, 1p.
I – HB 3917, written testimony, Don Miner, 1p.
J – HB 3917, written testimony, Alan Youse, 1p.
K – House Rules Amendment, Staff, 4pp.