

HOUSE COMMITTEE ON RULES, REDISTRICTING, AND PUBLIC AFFAIRS

June 22, 2001
8:30 AM

Hearing Room D
Tapes 169 - 170

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

MEMBER EXCUSED: **Rep. Dan Gardner**

STAFF PRESENT: **Jim Stenbridge, Committee Administrator**
 Sandy Thiele-Cirka, Committee Administrator
 Diane Lewis, Committee Administrator
 Cara Filsinger, Committee Administrator
 Pamela Johansen, Committee Assistant

MEASURE/ISSUES HEARD: **SB 827B – Public Hearing**
 SB 933A – Public Hearing and Work Session
 SB 917A – Public Hearing
 SB 811 – Work Session
 HB 3877A – Public Hearing and 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.

TAPE/#	Speaker	Comments
TAPE 169, A		
003	Chair Wilson	Calls the meeting to order at 8:47 a.m. and opens a public hearing on SB 827B.
<u>SB 827B – PUBLIC HEARING</u>		
013	Jim Stenbridge	Committee Administrator. Presents background information on SB 827B.
023	Darrell Fuller, Kassie Fuller	Representing the Oregon Auto Dealers Association. Discusses the proposed amendments, copy to follow (EXHIBIT A). Submits written testimony (EXHIBIT B) and testifies in support of SB 827B.
076	Jim Garner	Representing Hertz. Testifies in support of amendments.
078	Chair Wilson	Closes the public hearing on SB 827B and opens a public hearing on SB 933A.
<u>SB 933A - PUBLIC HEARING</u>		
	Staff	Submits the –2 and –3 amendments (EXHIBITS C, D).
084	Sandy Thiele-Cirka	Committee Administrator. Summarizes SB 933A.
095	Laura Pryor	County Judge, Gilliam County. Submits written information (EXHIBIT E) and testifies in support of SB 933A.
130	Bill Penhollow	Representing the Association of Oregon Counties (AOC). Testifies in support of the SB 933A and the amendments.
143	Andrea Fogue	Representing the League of Oregon Cities (LOC). Testifies in

		support of SB 933A. Clarifies support of the –2 and -3 amendments.
162	Rep. Garrard	Questions if the bonding is for maintenance or new construction.
167	Pryor	Explains that bonding could include several areas.
182	Jacob Brostoff	Transportation Advocate for 1000 Friends of Oregon. Discusses their proposed amendment and the additional changes. Expresses their concerns with SB 933A and suggests that HB 3408 can address this issue.
209	Rep. March	Questions the status of HB 3408.
212	Rep. Starr	Responds that it is in the Senate Rules, Redistricting and Public Affairs Committee.
213	Brostoff	Adds that they are working with a diverse group of stakeholders.
223	Rep. Verger	Asks if the interest is that overall planning is consistent with the environmental regulations.
226	Brostoff	Responds affirmatively and explains.
251	Rep. Verger	Notes the steps needed prior to implementing a project. Asks if the current process offers protections.
259	Brostoff	State the process of complying with environmental regulations is not a public participation issue and feels sideboards are not present in SB 933A.
274	Rep. Verger	Explains that the current process contains protections.
289	Rep. Starr	Asks the position of 1000 Friends when the bill passed the Senate and if any state and federal regulations address their concerns.
305	Brostoff	Responds they supported the bill as amended upon passage from Revenue. States if there are legal problems they need to addressed up front.
315	Chair Wilson	Closes the public hearing and opens a work session on SB 933A.
<u>SB 933A – WORK SESSION</u>		
323	Rep. Starr	MOTION: Moves to ADOPT SB 933A-A2 amendments dated 5/21/01.
325	Rep. Starr	Questions the typographical error on the –A2 amendments.
327	Sandy Thiele-Cirka	Explains that the beginning of line 8 is the last syllable of facilities. VOTE: 8-0-1 EXCUSED: 1 - Rep. Gardner
339	Chair Wilson	Hearing no objection declares the motion CARRIED.
340	Rep. Starr	MOTION: Moves to ADOPT SB 933A-A3 amendments dated 6/6/01. VOTE: 8-0-1 EXCUSED: 1 - Rep. Gardner
343	Chair Wilson	Hearing no objection declares the motion CARRIED.
346	Sandy Thiele-Cirka	Explains the motion.
351	Rep. Starr	MOTION: Moves SB 933A to the floor with a DO PASS AS AMENDED recommendation and the SUBSEQUENT REFERRAL to the committee on School Tax Funding Fairness/Revenue BE RESCINDED. VOTE: 8-0-1 AYE: In a roll call vote, all members present vote Aye. EXCUSED: 1 - Rep. Gardner

361 Chair Wilson

The motion CARRIES.

372 Chair Wilson

REP. VERGER will lead discussion on the floor.

Closes work session on SB 933A and opens a public hearing on SB 917A.

TAPE 170, A

SB 917A PUBLIC HEARING

010 Phyllis Rand

Legislative Coordinator for the Governors Commission on Senior Services. Testifies in opposition of the bill. Comments that the 10 hours of patient care training is a critical piece of patient care.

035 Chair Wilson

Asks how great is the need for the financial training.

037 Rand

Explains the changes that have occurred in this industry that now requires this type of training.

053 Rep. Devlin

Asks what are some of the education requirements.

059 Rand

Refers the question to others. Comments that there is a list of the required education.

078 Grover Simmons

Representing Adult Foster Homes. Submits written testimony **(EXHIBIT F)** and testifies in support of the bill.

151 Chair Wilson

Discusses the Senate vote. Wonders if the problem is one of perception and suggests keeping the 10-hours of medical training and adding 2 to 3 hours of financial training. Asks what would be difficult in doing that.

171 Simmons

Restates the economics and the increase cost of business. States they are getting the training they need in the facility but are lacking the financial control.

193 Rep. Doyle

Asks if there is currently a requirement for continuing education.

194 Simmons

Responds yes, 10 hours a year.

199 Rep. Doyle

Asks if the business operation provision is an option.

205 Simmons

States that is correct and explains.

210 Rep. Devlin

Questions if there would be a financial impact from not having the training. Restates the question.

227 Simmons

Asks for clarification on the question. States he doesn't think that is an issue.

248 Rep. Devlin

Asks what would be preferred, adding additional training hours for business or not passing the bill.

252 Simmons

Responds that our association would prefer to stay with the bill as is without amendments and explains.

267 Rep. C. Walker

Expresses concern about the training. Offers a suggestion that the business training should be mandated prior to opening a business.

301 Simmons

States he is in favor of that idea and explains.

326 Rep. C. Walker

Discusses the change through the rules process rather writing a law.

334 Rep. Gardner

Asks if there is low cost business training available.

344 Simmons

Offers information on costs of various types of training.

369 Rep. Gardner

Asks in a double family one could stay and the other attend the training class.

376 Simmons

Explains that is not the normal process any longer.

385 Rep. Gardner

Asks if the association and the foster homes are going to encourage getting the 5 hours of training.

397 Simmons

Responds affirmatively.

400 Chair Wilson

Conveys his intentions for SB 917A.

418 Sen. Bill Fisher

Senate District 23. Testifies in opposition of SB 917A.

TAPE 169, B

101	Sen. Fisher	Continues with his testimony.
180	Rep. Verger	Asks why do you want to substitute the 10 hours rather than add the 5 hours.
187	Sen. Fisher Staff	Comments it is all a matter of money. Submits written testimony in opposition to SB 917A from: May Dasch representing the Alzheimer's Association (EXHIBIT G) . Jim David representing Oregon State Council of Senior Citizens/United Seniors of Oregon (EXHIBIT H) .
207	Vice-Chair Devlin	Closes the public hearing on SB 917A and opens a work session on SB 811.

SB 811 WORK SESSION

216	Sen. David Nelson	Senate District 29. Supports SB 811 with the –11 amendments.
239	Rep. March	References parental involvement. Asks how are the issues of community and business involvement being addressed.
252	Sen. Nelson	Comments that is a difficult issue to legislate. States the original bill was an encouragement and not a mandate.
271	Vice-Chair Devlin	Closes the work session on SB 811 and opens a public hearing on HB 3877.

HB 3877 – PUBLIC HEARING

	Staff	Submits the –6 amendments (EXHIBIT I) .
284	Rep. Jackie Winters	House District 31. Testifies in support of HB 3877.
352	Jen Dennison	Ombudsman, Department of Human Services. Testifies in support of HB 3877.
379	Rep. March	Comments to the government efficiency position.
388	Rep. Winters	States this bill will clean up the definition and continue conformity.

TAPE 170, B

014	Rep. March	Asks if we are creating a position of Government Efficiency officer.
015	Rep. Winters	Responds no that we are creating a Legislative Ombudsman.
016	Rep. March	Clarifies the reason behind the question.
023	Rep. Winters	Expresses the urgency for HB 3877.
031	Jeanne Arana	Representing Oregon Housing and Community Services. Testifies in support of the –6 amendments.
037	Don Miner	Representing the Oregon Manufactured Housing Association. Testifies in support of the –6 amendments.
043	Vice-Chair Devlin	Closes the public hearing on HB 3877 and reopens the work session on SB 811.

SB 811 – REOPENS WORK SESSION

049	BethAnne Darby	Representing the Oregon Education Association. Testifies in support of the –8 amendments (EXHIBIT J) . Comments on the -10 amendments (EXHIBIT K) and the Oregon Report Card (ORC).
096	Rep. Verger	Asks for clarification of –9 (EXHIBIT L) and –10 amendments.
103	Sandy Thiele-Cirka	Explains the –9 amendments and the –10 amendment for SB 811.
112	John Marshall	Representing the Oregon School Board Association. Testifies in support of the bill with the – 10 amendments and the –5 amendments (EXHIBIT M) .
154	Rep. March	Refers to page 1 line 19 of the –10 amendments noting the overall grade to the school.
163	Marshall	Explains why the association is advocating for the –10 and –5 amendments.

166	Rep. March	Asks for information on the –8 amendments.
168	Marshall	Explains the –8 amendments.
179	Rep. March	Asks for clarification of their request.
182	Marshall	Gives specific requests and the amendments that reflect –10 and –5.
194	Rep. Verger	Notes that the –8 amendments have the three areas being requested. Asks why did the over all school grade not get removed in the –10 amendments.
201	Marshall	Comments that the proponents of the –10 amendments did not agree on removal of the over all school grade.
206	Rep. Verger	Compares two schools and a personal anecdote. Asks what other criteria is taken into consideration.
221	Marshall	Comments on the data included on the ORC and notes individual schools can request additional information be added.
240	Rep. Verger	Expresses the importance of that issue.
248	Brian Reader	Representing the Department of Education. Gives additional information on the issue involved in rating schools and not students. Testifies that the –10 and –5 amendments will benefit the program.
307	Vice-Chair Devlin	Comments on experience in his district.
311	Reader	Explains that the ORC is a work in progress.
324	Theresa Van Winkle	Policy Analyst, Senate Majority office. Gives additional information on parental and community involvement. Testifies in support of the –10 amendments.
363	Vice-Chair Devlin	Closes the work session on SB 811. Recesses the committee for five minutes.
372	Chair Wilson	Opens a work session HB 3877.
<u>HB 3877 – WORK SESSION</u>		
376	Rep. Devlin	MOTION: Moves to ADOPT HB 3877-6 amendments dated 6/21/01.
		VOTE: 8-0-1
		EXCUSED: 1 - Rep. Gardner
380	Chair Wilson	Hearing no objection declares the motion CARRIED.
383	Rep. Devlin	MOTION: Moves HB 3877 to the floor with a DO PASS AS AMENDED recommendation and BE REFERRED to the committee on Ways and Means.
384	Rep. Devlin	Expresses thoughts on HB 3877.
395	Rep. C. Walker	Expresses her concerns on HB 3877 and offers a courtesy yes.
425	Cara Filsinger	Committee Administrator. Mentions that the –A6 remove some of the provisions.
435	Rep. Verger	Expresses her concerns on HB 3877 and offers a courtesy yes. VOTE: 8-0-1
		AYE: In a roll call vote, all members present vote Aye.
		EXCUSED: 1 - Gardner
448	Chair Wilson	The motion CARRIES.
458	Chair Wilson	Closes the work session on HB 3877 and adjourns the meeting 10:30 a.m.

Submitted By,

Reviewed By,

Pamela Johansen,
Committee Assistant

Cara Filsinger,
Committee Administrator

Transcribed By

Sara Noble
Committee Assistant

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EXHIBIT SUMMARY

- A – SB 827, -B8 amendments, Darrell Fuller, 10 pp.**
- B – SB 8827, written testimony, Darrell Fuller, 1 p**
- C – SB 933, -A2 amendments, Staff, 1 p**
- D – SB 933, -A3 amendments, Staff, 1 p**
- E – SB 933, written testimony, Laura Pryor, 1 p**
- F – SB 917, written testimony, Grover Simmons, 1 p**
- G – SB 917, written testimony, May Dasch, 1 p**
- H – SB 917, written testimony, Jim Davis, 1 p**
- I – HB 3877, -A6 amendments, Staff, 26 pp.**
- J – SB 811, -8 amendments, Staff, 2 pp.**
- K – SB 811, -10 amendments, Staff, 3 pp.**
- L – SB 811, -9 amendments, Staff, 3 pp.**
- M – SB 811, -5 amendments, Staff, 2 pp.**

HOUSE COMMITTEE ON RULES, REDISTRICTING, AND PUBLIC AFFAIRS

June 22, 2001
2:45 PM

Hearing Room D
Tape 171

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

STAFF PRESENT: **Cara Filsinger, Committee Administrator**
 Pamela Johansen, Committee Assistant

MEASURE/ISSUES HEARD: **SJR Work Session**

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<u>TAPE/#</u>	<u>Speaker</u>	<u>Comments</u>
TAPE 171, A		
003	Chair Wilson	Calls the meeting to order at 2:50 p.m. and opens a work session on SJR 24A.
<u>SJR 24A WORK SESSION</u>		
004	Chair Wilson	Gives an overview of SJR 24A. Discusses –A2 amendments (EXHIBIT A) .
029	Rep. Starr	MOTION: Moves to ADOPT SJR 24-A2 amendments dated 06/19/01.
033	Rep. Devlin	States that he has requested that Ramona Kennedy be present at the meeting.
040	Rep. Gardner	Comments that a resolution does not have the force of law and feels that this will not hold up under a constitutional challenge. States he finds this process objectionable and offensive.
050	Rep. March	States that he echoes the objections of Rep. Gardner. Comments he will be voting no on the bill.
059	Rep. Devlin	Comments that this is an attempt to avoid the process set forth by this state. States that he feels for the redistricting to have any real impact will need to be in statutory form. Suggests that the committee look at the content of this bill and the original bill to see if they are germane. Offers notice of a possible minority report.
082	Rep. Verger	Asks for Rep. Wilson to clarify his opening statement of “a Governor has never failed to sign”.
088	Chair Wilson	Responds “that a Governor has never vetoed a redistricting plan in the states 142 year history”.

092	Rep. Verger	Asks if he is under the impression due to history that it might not happen again.
096	Chair Wilson	Comments that the Governor has already announced the possibility of a veto.
091	Rep. Gardner	Comments there are many Governors who have failed to sign redistricting plans and there are many have never had them come before them because the legislature could not come to resolution therefore it automatically went to the Secretary of State. VOTE: 5-4 AYE: 5 - Doyle, Garrard, Starr, Walker, Wilson NAY: 4 - Devlin, Gardner, March, Verger
105	Chair Wilson	MOTION: Carries.
116	Rep. Starr	MOTION: Moves SJR 24A be sent to the floor with a BE ADOPTED AS AMENDED recommendation.
118	Rep. March	Comments that the Governor always indicated that he will to sign a plan that was BI-partisan manor. States that this is only preparation for pending litigation.
128	Rep. Devlin	Asks for a committee member to join in serving notice of a minority report.
129	Rep. Gardner	States he will join in the minority report.
131	Chair Wilson	Comments that the talks will continue and may possibly lead to negotiation. VOTE: 5-4 AYE: 5 - Doyle, Garrard, Starr, Walker, Wilson NAY: 4 - Devlin, Gardner, March, Verger
138	Chair Wilson	The motion Carries. REP. WILSON will lead discussion on the floor.
142	Chair Wilson	Closes the work session on SJR 24A and adjourns the meeting at 3:15 p.m.

Submitted By,

Reviewed By,

Pamela Johansen,
Committee Assistant

Cara Filsinger,
Committee Administrator

EXHIBIT SUMMARY

A – SJR 24-A2 proposed amendments, Staff, 385pp.