

SENATE COMMITTEE ON RULES AND REDISTRICTING

July 4, 2001 Hearing Room C

9:30 AM

Tapes 135-136

MEMBERS PRESENT: Sen. Steve Harper, Chair
Sen. Peter Courtney, Vice-Chair
Sen. Jason Atkinson
Sen. Lee Beyer
Sen. John Minnis

STAFF PRESENT: Craig Allen, Committee Administrator
Rick Berkobien, Committee Administrator
Jan McComb, Committee Administrator
Marjorie Taylor, Committee Administrator
Paula Merritt, Committee Assistant

MEASURES HEARD: HB 2294-B - Work Session
HB 3126 - A Public Hearing and Work Session
HB 3200 - A Public Hearing and Work Session
HB 2004-B - Work Session
HB 2764-A - Public Hearing and Work Session
SCR 11 - Public Hearing and Work Session
HB 2659-A - 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.

<u>TAPE/#</u>	<u>Speaker</u>	<u>Comments</u>
TAPE 136, A		
004	Chair Harper	Calls the committee to order at 9:55 a.m. and opens a public hearing on HB 2294-B.
<u>HB 2294-B WORK SESSION</u>		
005	Sen. Courtney	MOTION: Moves HB 2294-B to the floor WITHOUT RECOMMENDATION as to passage and BE REFERRED to the committee on Ways and Means.
		VOTE: 5-0
006	Chair Harper	Hearing no objection, declares the motion CARRIED.
015	Chair Harper	Closes work session on HB 2294-B and recesses the committee at 10:00 a.m.
018	Chair Harper	Reconvenes the committee at 10:30 a.m. and opens a public hearing on HB 3126-A.
<u>HB 3126-A PUBLIC HEARING</u>		
020	Rep. Mary Nolan	District 11. Submits and presents the HB 31266-A6 amendments (EXHIBIT A) . Explains HB 3126-A.
030	Chair Harper	Closes the public hearing and opens a work session on HB 3126-A..
<u>HB 3126-A WORK SESSION</u>		
040	Sen. Courtney	MOTION: Moves to ADOPT the HB 3126-A6 amendments dated 07/03/01.

025	Mark Nelson	Oregon Society of Clinical Social Workers. Comments on the – A7 amendments (EXHIBIT B). VOTE: 5-0
050	Chair Harper	Hearing no objection, declares the motion CARRIED.
051	Chair Harper	MOTION: Moves HB 3126-A to the floor with a DO PASS AS AMENDED recommendation. VOTE: 4-1-0 AYE: 4-Atkinson, L. Beyer, Minnis, Harper NAY: 1-Courtney NOTE: A motion is made later in the meeting to allow Sen. Courtney to change his vote on passage of HB 3126-A to "Nay." (SEE TAPE 136, A AT 220.)
052	Chair Harper	The motion CARRIES. SEN. HARPER will lead the discussion on the floor.
060	Chair Harper	Closes the work session on HB 3126-A and opens a public hearing on 3200-A.
<u>HB 3200-A PUBLIC HEARING</u>		
119	Rick Berkobien	Committee Administrator. Explains HB 3200-A.
120	Sen. L. Beyer	Submits and explains the HB 3200–A9 amendments (EXHIBIT C).
130	Chair Harper	Closes the public hearing and opens a work session on HB 3200-A.
<u>HB 3200-A WORK SESSION</u>		
138	Sen. L. Beyer	MOTION: Moves to ADOPT the HB 3200-A9 amendments dated 07/04/01. VOTE: 2-3-0 AYE: 2-L. Beyer, Courtney NAY: 3-Atkinson, Minnis, Harper
139	Chair Harper	The motion FAILS.
140	Chair Harper	MOTION: Moves HB 3200-A to the floor with a DO PASS recommendation. VOTE: 5-0-0
145	Chair Harper	Hearing no objection, declares the motion CARRIED. SEN. HARPER will lead discussion on the floor.
146	Chair Harper	Closes the work session on HB 3200-A and opens a work session on HB 2004-B.
<u>HB 2004-B WORK SESSION</u>		
147	Sen. Harper	MOTION: Moves HB 2004-B to the floor with a DO PASS recommendation. VOTE: 3-2-0 AYE: 3-Atkinson, Minnis, Harper NAY: 2-Courtney, L. Beyer
148	Chair Harper	The motion CARRIED. SEN. HARPER will lead the discussion on the floor.
149	Chair Harper	Closes the work session on HB 2004-B and opens a public hearing on HB 2764-A.

HB 2764-A PUBLIC HEARING

154 John McCulley Oregon Association of Mortgage Brokers. Presents testimony supporting HB 2764-A. Explains that this bill would require mortgage broker testing and continuing education.

160 Sen. Atkinson Asks about continuing education, how much is required, and who determines this.

172 McCulley Responds that the bill identifies this and sets the requirement.
Sen. Atkinson Asks if this bill will upset mortgage brokers.

177 McCulley Responds that he does not believe so and explains that in a study done, most were in agreement to continuing education.

180 Paul Cosgrove Primerica Financial Services. Presents testimony and states that he is neutral on HB 2764-A.

190 Chair Harper Asks again if there will be complaints on this bill.

192 McCulley Responds that he cannot guarantee this but does not believe so.

195 Chair Harper Closes the public hearing and opens a work session on HB 2764-A.

HB 2764-A WORK SESSION

198 Sen. Courtney **MOTION: Moves to ADOPT the HB 2764-A13 amendments dated 07/04/01.**

199 Chair Harper **VOTE: 5-0-0**
Hearing no objection, declares the motion CARRIED.

Sen. Courtney **MOTION: Moves HB 2764-A to the floor with a DO PASS AS AMENDED recommendation and the SUBSEQUENT REFERRAL to the committee on Ways and Means BE RESCINDED.**
VOTE: 5-0-0

201 Chair Harper **Hearing no objection, declares the motion CARRIED.**
SEN. ATKINSON will lead discussion on the floor.

Sen. Harper **MOTION: Moves to SUSPEND the rules for the purpose of allowing Sen. Courtney to change his vote on passage of HB 3126-A as amended to "NAY."**
VOTE: 5-0-0

220 Chair Harper **Hearing no objection, declares the motion CARRIED.**
SENATOR COURTNEY changes his vote to NAY on passage of HB 3126-A as amended.

246 Chair Harper Closes the work session on HB 2764-A and recesses the committee at 11:25 a.m.

247 Chair Harper Reconvenes the committee at 2:45 p.m. and opens a work session on SCR 11.

SCR 11 WORK SESSION

251 Sen. Courtney **MOTION: Moves SCR 11 be sent to the floor with a BE ADOPTED recommendation.**
VOTE: 4-0-1
EXCUSED: 1 - Minnis

SEN. YIH will lead discussion on the floor.

HB 2659-A PUBLIC HEARING

258 Virginia Lang Director, Governmental Relations, Quest. Submits and presents the HB 2659-A11 amendments (**EXHIBIT D**) and written testimony (**EXHIBIT E**) supporting HB 2659-A.

380 John Powell AT & T. Presents testimony opposing HB 2659-A and explains that AT & T would be affected by this bill. States that this bill does not reflect SB 622 (1999 Session).

TAPE 136, A

001 Powell Suggests an interim committee vs. the passage of HB 2659A.

005 Sen. L. Beyer Asks about competing companies and why they would care how funds are distributed.

010 Powell Responds that initially there were two separate funds and he does not know of the overall policy or reasoning for fine money placement.

016 Lang Responds that it seems logical to go to the education community.

017 Chair Harper Asks why this was not done in the House.

020 Lang Responds they are in the process of workshop sessions and there was not an issue at the time of drafting.

038 Sen. Minnis Asks why AT & T would be concerned.

050 Powell Responds that penalty money goes to the General Fund and back into an agency that is regulating who is penalized. Believes that this is a broader policy issue.

072 Paul Romain Portland Attorney representing MCI Worldcom. Presents testimony opposing the -A11 amendments and states that the bill's implications are of concern.

080 Chair Harper Asks Mr. Romain if he would be comfortable if the funds went to the General Fund.

100 Romain Responds yes.

110 Sen. Minnis Refers to page 4 and asks if he would prefer another amendment.

112 Romain Responds that he believes too much time is being spent on this.

129 Sen. L. Beyer Comments on the perception of public relations benefits using the technology fund. States that most fines go to the General Fund.

133 Romain Comments on the "gut and stuff" bill in the House and refers to page 3 of the bill. Explains intra state phone access.

241 Powell Explains long distance routes.

254 Mike Dewey Oregon Cable Communications Association. Comments on SB 622. Voices his concern that the bill is incremental and believes the bill distorts a level playing field between businesses.

343 Ken Armstrong N.W. Public Communications Counsel. Presents testimony supporting HB 2659-A and the -A10 (**EXHIBIT F**).

370 Sen. L. Beyer Asks for clarification.

377 Armstrong Explains the Universal Service Fund and states that they want to maintain a competitive market.

TAPE 135, B

011 Sen. L. Beyer Comments on the reasons for structuring SB 622 (1999).

022 Chair Harper Asks where this bill was.

023 Armstrong Responds that they have worked with Sen. Nelson and that the Public Utilities Commission did not see a problem with this amendment.

032	Sen. L. Beyer	Questions the amount that is fair and asks if there are additional costs to someone else if the Universal Service Fund is reduced.
033	Armstrong	Responds that it will reduce the funds only.
043	Chair Harper	Closes the public hearing on HB 2659-A and opens a work session.
<u>HB 2659-A WORK SESSION</u>		
044	Sen. Harper	MOTION: Moves to ADOPT the HB 2659-A11 amendments dated 07/03/01.
		VOTE: 4-0-1
		EXCUSED: 1 - Minnis
045	Chair Harper	Hearing no objection, declares the motion CARRIED.
046	Sen. Harper	MOTION: Moves HB 2659-A to the floor with a DO PASS AS AMENDED recommendation.
		VOTE: 3-1-1
		AYE: 3-Atkinson, L. Beyer, Harper
		NAY: 1-Courtney
		EXCUSED: 1-Minnis
047	Chair Harper	The motion CARRIED. SEN. L. BEYER will lead discussion on the floor.
048	Chair Harper	Closes the work session on HB 2659-A and adjourns the committee at 3:30 p.m.

Submitted by, Reviewed by,

Paula Merritt and Annetta Mullins
Committee Assistants

Craig Allen
Committee Administrator

EXHIBIT SUMMARY

- **A -HB 3126-A, -A6 amendments, Rep. Mary Nolan, 34 pp.**
- **B -HB 3126-A, -A7 amendments, Mark Nelson, 34 pp.**
- **C -HB 3200-A, -A9 amendments, Sen. L. Beyer, 4 pp.**
- **D -HB 2659-A, -A11 amendments, Virginia Lang, 8 pp.**
- **E -HB 2659-A, written testimony, Virginia Lang, 2 pp.**
- **F -HB 2659-A, -A10 amendments, Ken Armstrong, 4 pp.**