

## **HOUSE COMMITTEE ON WATER AND ENVIRONMENT**

**June 18, 1999 Hearing Room C**

**8:30 AM Tapes 211 - 212**

**MEMBERS PRESENT: Rep. Jim Welsh, Chair**

**Rep. Jackie Taylor, Vice-Chair**

**Rep. Jason Atkinson**

**Rep. Deborah Kafoury**

**Rep. Jeff Kruse**

**Rep. Jeff Merkley**

**Rep. Susan Morgan**

**STAFF PRESENT: Cara Filsinger, Administrator**

**Harrison Conley, Administrator**

**Stephen Kosiewicz, Administrative Support**

**MEASURE/ISSUES HEARD: SCR 14 Public Hearing and Work Session**

**SB 1184B Work Session**

**SB 778A Work Session**

**SB 1267A 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 211, A		
004	Chair Welsh	Calls the committee to order at 8:38 a.m. Opens the public hearing on SCR 14.
<u>SCR 14 ñ PUBLIC HEARING</u>		

008	Cara Filsinger	Committee Administrator. Explains the provisions of SCR 14.
011	Sen. Joan Dukes	Senate District 1. Testifies in support of SCR 14.
045	Jim Lockwood	Government Relations Manager, Parks and Recreation Department. Testifies in support of SCR 14.
054	Chair Welsh	Closes the public hearing and opens the work session on SCR 14.
<b><u>SCR 14 n WORK SESSION</u></b>		
056	Rep. Kruse	<b>MOTION: Moves SCR 14 be sent to the floor with a BE ADOPTED recommendation.</b>
059	Rep. Morgan	Comments on the tragedy of this incident and that it is appropriate to send the regards of the state out in this manner.
		<b>VOTE: 7-0</b> <b>AYE: In a roll call vote, all members present vote Aye.</b>
067	Chair Welsh	<b>The motion CARRIES.</b> <b>REP. HOPSON will lead discussion on the floor.</b>
071	Chair Welsh	Closes the work session on SCR 14 and opens the work session on SB 1184B.
<b><u>SB 1184B n WORK SESSION</u></b>		
086	Jon Chandler	Director of Government Affairs, Oregon Building Industry Association. Submits written material ( <b>EXHIBIT A</b> ) and explains the provisions of the conceptual amendments to SB 1184B.
129	Rep. Taylor	States that she has trouble knowing what is a pattern or practice of delaying or stopping issuance of permits.
132	Chandler	States that others have the same problem. Notes that current language of the statute is pattern or practice.
139	Dave Hunnicutt	Oregonians in Action. Notes that Mr. Crean is available to comment on whether the committee can adopt the conceptual amendments.
148	Chris Crean	Legislative Counsel Office. States that he does not see any legal problems with

		the conceptual amendments to SB 1184B.
165	Chandler	Notes that Clackamas County was active in reworking the bill.
179	B. J. Smith	Government Relations Director, Clackamas County. Submits written testimony <b>(EXHIBIT B)</b> and testifies on their initial concerns with SB 1184.
201	Rep. Kruse	Asks if there is any opposition to the conceptual amendments.
203	Chandler	Responds that there is not.
208	Rep. Kruse	<b>MOTION: Moves to ADOPT the conceptual amendments offered by the Oregon Building Industry Association to SB 1184B.</b>
		<b>VOTE: 7-0</b>
215	Chair Welsh	<b>Hearing no objection, declares the motion CARRIED.</b>
216	Rep. Kruse	<b>MOTION: Moves SB 1184B to the floor with a DO PASS AS AMENDED recommendation.</b>
		<b>VOTE: 7-0</b> <b>AYE: In a roll call vote, all members present vote Aye.</b>
234	Chair Welsh	<b>The motion CARRIES.</b> <b>REP. MERKLEY will lead discussion on the floor.</b>
240	Chair Welsh	Closes the work session on SB 1184B and opens the work session on SB 778A.
<b><u>SB 778A ñ WORK SESSION</u></b>		
245	Harrison Conley	Committee Administrator. Explains the provisions of the ñA6 amendments.
257	Jim Greer	Director, Department of Fish and Wildlife. Testifies in support of SB 778A and the ñA6 amendments.
293	Rudy Westerband	General Counsel Division, Department of Justice. Comments on ODFW's policy for dealing with ethics violations.

316	Rep. Kruse	Notes that he is still concerned about the amount of time it took for Mr. Greer to become aware of the preference points situation. Expresses hope that there will be less disconnect in the chain-of-command in the future.
333	Greer	Notes that this has been a learning experience for everyone.
344	Rep. Morgan	Notes that there are two issues raised by this situation. Comments that the degree of communication that did not take place is as important and distressing as the use of inside information.
366	Greer	States that he has had in depth discussions about this.
391	Chair Welsh	Expresses appreciation for Mr. Greer's efforts in addressing the preference points situation.
<b>TAPE 212, A</b>		
009	Rep. Morgan	Notes that the language in the A6 amendments is part of ODFW's policy. Asks if putting this language in statute give it any additional force or weight.
013	Westerband	Notes that there is no written policy at present that mirrors the language in the A6 amendments. Responds that ODFW feels it is important to have this expressly stated in the law.
<b>026</b>	<b>Rep. Kafoury</b>	<b>MOTION: Moves to ADOPT SB 778A-A6 amendments dated 6/18/99.</b>
		<b>VOTE: 7-0</b>
<b>029</b>	<b>Chair Welsh</b>	<b>Hearing no objection, declares the motion CARRIED.</b>
<b>030</b>	<b>Rep. Kafoury</b>	<b>MOTION: Moves SB 778A to the floor with a DO PASS AS AMENDED recommendation.</b>
		<b>VOTE: 7-0</b> <b>AYE: In a roll call vote, all members present vote Aye.</b>
<b>037</b>	<b>Chair Welsh</b>	<b>The motion CARRIES.</b> <b>REP. KAFOURY will lead discussion on the floor.</b>
040	Chair Welsh	Closes the work session on SB 778A and opens the work session on SB 1267A.

**SB 1267A n WORK SESSION**

Written material from John McCulley, Tree Fruit Growers, regarding SB 1267A submitted by staff **(EXHIBIT C)**.

055	Rep. Morgan	Asks whether the committee had adopted the nA4 amendments.
056	Chair Welsh	Responds that they did at yesterday's meeting.
060	Rep. Taylor	Asks if the Chair has talked to the proponents, opponents, and the Governor's Office regarding SB 1267A.
061	Chair Welsh	Responds that he has not heard back from them yet. States that he will not move SB 1267A today.
066	Rep. Merkley	Notes that he has also not received answers to some questions he asked at a previous meeting.
068	Conley	Asks Rep. Merkley if his question pertained to Mr. McCulley's representation that workers preferred working under the H-2A program.
071	Rep. Merkley	Responds that one of his questions was in regard to whether the contractors or farmers can charge for housing.
076	Conley	Notes that the members have a document in their packet from Mr. McCulley containing survey responses related to assertions about worker preferences.
093	Chair Welsh	Closes the work session on SB 1267A. Adjourns the committee at 9:13 a.m.

Reviewed By, Reviewed By,

Cara Filsinger, Harrison Conley,  
Administrator Administrator

Submitted By,

Stephen Kosiewicz,  
Administrative Support

**EXHIBIT SUMMARY**

**A ñ SB 1184B, written material, Jon Chandler, 1 p**

**B ñ SB 1184B, written testimony, B. J. Smith, 2 pp.**

**C ñ SB 1267A, written material, staff, 25 pp.**