

HOUSE COMMITTEE ON WATER AND ENVIRONMENT

June 24, 1999 Hearing Room C

8:14 A.M. Tapes 219 - 220

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

Danielle Hamilton, Administrative Support

MEASURES HEARD: HB 3633 ñ Public Hearing

SB 855A ñ Public Hearing and Work Session

SJR 42A ñ 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 219, A		
004	Chair Welsh	Calls meeting to order at 8:30 a.m. and opens public hearing on HB 3633.
<u>HB 3633 PUBLIC HEARING</u>		

008	Stan Bunn	Superintendent of Public Instruction. Testifies in support of HB 3633 (EXHIBIT A). Suggests various amendments. Comments on the current status of education in Oregon.
055	Superintendent Bunn	Recommends that the seven leaders choose the five top education issues. Expresses concern that the education stakeholders are not involved enough in the proposed Education Leadership Team. Provides a list of additional groups to involve.
095	Superintendent Bunn	Details suggestions to hold a summit following work by stakeholder groups.
140	Rep. Kafoury	Asks about using the Secretary of State's Audit Division.
150	Superintendent Bunn	Answers that he is meeting with the Secretary of State. Comments that his emphasis would be on goals and less on accountability.
167	Rep. Taylor	States her agreement with the proposed amendments. Asks if there will still be disagreement to choose five issues.
180	Superintendent Bunn	Answers that the list would be top quality.
194	Rep. Taylor	Asks if Bunn has any suggestions to combine some of the items on the list.
201	Superintendent Bunn	Answers that some items could be grouped.
207	Rep. Taylor	Comments that the work that has already been done should be recognized.
210	Superintendent Bunn	Agrees with Rep. Taylor.
217	Rep. Merkley	Asks what type of schedule Bunn has in mind.
223	Superintendent Bunn	Discusses his intentions for the schedule. Comments that the timeline gives the best opportunity to focus on each topic.
235	Rep. Merkley	Asks if each of the eight organizations will select six representatives.
246	Superintendent Bunn	Answers that is correct. Points out that HB 3633 would be the first time that the entities would meet together on equal footing.
257	Chair Welsh	Closes public hearing on HB 3633 and opens public hearing on SB 855A.

SB 855A PUBLIC HEARING

267	Dave Barrows	AK Media NW. Testifies in support of SB 855 A (EXHIBITS B and C). States the bill addresses outdoor advertising.
330	Barrows	States that SB 855A will allow the use of tri-vision signs. Comments that the Federal Highway Administration will need to approve the use of tri-vision signs. Details concerns raised by the Realtors Association about signage for real estate and addresses the proposed amendments in (EXHIBIT C).
340	Chair Welsh	Clarifies the committee is in a public hearing.
352	Rep. Atkinson	Asks if the bill continues the status quo.
370	Barrows	Answers that is correct. Describes the Beautification Act.
385	Rep. Atkinson	Asks what the changes in SB 855A do to protect from people forcing the issue.
398	Joe Willis	AK Media NW. Responds the effort the Department of Justice has made addresses those concerns. Comments the new rules will be enforceable.
TAPE 220, A		
004	Rep. Atkinson	Asks how difficult is it to put up a new billboard.
006	Willis	Answers that it is very difficult. Explains the various regulations applicable to billboards. Comments there is an absolute cap on the number of billboards allowed.
020	Barrows	Comments on a billboard in Rep. Atkinson's district.
025	Rep. Merkley	Asks about Section 7 of SB 855A and the regulation of the size of signs. Asks about the effect of SB 855A on campaign signs.
038	Willis	Responds the concept was to remove the content-based provisions in statute. Comments that Rep. Merkley is probably correct.
046	Rep. Merkley	Expresses concerns with size of signs allowed.
050	Willis	States that the sign owner must meet local and state regulations.
060	Rep. Merkley	Asks if there is anything in SB 855A that would preempt local restrictions on size of signs or content of signs.

083	Willis	Responds that regulations based on content should be removed.
085	Al Lightner	Oregon Department of Transportation. Responds that an affidavit is required from the city or county prior to allowing a permit for a sign.
087	Rep. Merkley	Asks if there are restrictions on city or county ordinances.
091	Willis	Answers that in a broad sense, there may be. Comments the state must comply with federal law and cities must comply with state law. States a city could not do something SB 855A prohibits.
105	Rep. Merkley	Cites page eight of SB 855A regarding a sign remaining for 60 days. Asks if SB 855A will prevent a local area from imposing more strict guidelines.
114	Lightner	Responds it would not prevent that. Clarifies situation when an affidavit is required of cities and counties.
129	Rep. Taylor	Asks if there are requirements to maintain signage.
135	Willis	Responds that AK Media NW has standards. Says that local codes require them to be maintained.
150	Ted Hughes	Outdoor Systems Advertising. Testifies in support of SB 855 A.
155	Terry Sandblast	Oregon Outdoor Advertising Association. Testifies in support of SB 855A.
160	Chair Welsh	Closes public hearing on SB 855A and opens a work session on SB 855 A.
<u>SB 855 A WORK SESSION</u>		
167	Rep. Taylor	MOTION: Moves to ADOPT SB 855-A10 amendments dated 6/24/99.
		VOTE: 7-0
Chair Welsh		Hearing no objection, declares the motion CARRIED.
175	Rep. Taylor	MOTION: Moves SB 855A to the floor with a DO PASS AS AMENDED recommendation.

		<p>VOTE: 7-0</p> <p>AYE: In a roll call vote, all members present vote Aye.</p>
	Chair Welsh	<p>The motion CARRIES.</p> <p>REP. ATKINSON will lead discussion on the floor.</p>
183	Chair Welsh	Closes SB 855A work session and re-opens public hearing on HB 3633.
<u>HB 3633 PUBLIC HEARING</u>		
187	Frank McNamara	Confederation of Oregon School Administrators. Testifies in opposition to HB 3633. Comments on transition from a locally funded to state funded school system. States HB 3633 may have statutory conflicts.
240	McNamara	Comments that membership of the team is unrealistic. Questions allowing representatives of elected officials to attend in their place. States timelines are unreasonable.
277	Rep. Merkley	Asks if McNamara participated in any discussions held in the process of preparing HB 3633.
280	McNamara	Answers no.
288	Jon Marshall	Oregon School Boards Association. Comments his concerns with HB 3633 are similar to McNamara. Agrees with Superintendent Bunnís proposal.
331	Laurie Wimmer	Oregon Education Association. Comments on HB 3633 (EXHIBIT D). Expresses her concerns with HB 3633 as it is written, but supports Superintendent Bunnís proposed amendments.
380	Wimmer	Expresses concern about a non-elected body setting policy. States it is difficult to separate out money issues. Comments on local control.
TAPE 219, B		
035	Rep. Kruse	States that the team cannot make law only offer recommendations.
044	Wimmer	Asserts that HB 3633 says that agencies "shall" implement recommendations. Cites specific examples.

052	Rep. Kruse	States that any recommendation or rule is always superceded by statue.
058	Chair Welsh	Announces the committee may meet again this afternoon.
061	Rep. Merkley	States that he would like a chance to consult with his local school board.
067	Chair Welsh	States that Superintendent Bunnis suggestions are being in drafted by Legislative Counsel. Asks prior witnesses if they have requested amendments.
072	McNamara	Responds he sent a letter to the Speaker.
081	Chair Welsh	Closes public hearing on HB 3633 and opens public hearing on SJR 42A.
<u>SJR 42A PUBLIC HEARING</u>		
094	Sen. Charles Starr	Senate District 5. Testifies in support of SJR 42A. Describes equipment used to assist in delivering children. Discusses health advisory issued by the Food and Drug Administration (FDA) regarding vacuum extraction in childbirth. States parents should have information about the dangers of vacuum extraction.
145	Rep. Taylor	Asks if the Health Division could use the FDA advisory when developing educational materials.
158	Sen. Starr	Answers that it would be helpful in developing the materials.
167	Rep. Taylor	Asks if SJR 42A calls for rulemaking.
182	Sen. Starr	Answers it requires training materials.
187	Rep. Taylor	Expresses concerns that SJR 42A may cause fear. Asks what other alternatives are available.
194	Sen. Starr	Answers that will be part of the work of developing the materials.
196	Rep. Taylor	Asks how SJR 42A will reassure women in childbirth.
201	Sen. Starr	Replies that he thinks that the mother and doctors would want to know.
204	Rep. Merkley	Comments he has never heard of this procedure before.
233	Chair Welsh	Closes public hearing on SJR 42A and opens a work session on SJR 42A.

SJR 42A WORK SESSION

245	Rep. KRUSE:	MOTION: Moves SJR 42A be sent to the floor with a BE ADOPTED recommendation.
255	Rep. Kruse	Expresses concern that this is another task for the Health Division to complete within their current budget.
273	Rep. Morgan	Asks if there is a fiscal impact.
275	Cara Filsinger	Committee Administrator. Explains there is a minimal fiscal impact.
278	Rep. Kruse	Clarifies that his concern is on the cumulative fiscal impact on the Health Division.
		VOTE: 7-0 AYE: In a roll call vote, all members present vote Aye.
Chair Welsh		The motion CARRIES. REP. KRUSE will lead discussion on the floor.
298	Rep. Welsh	Closes work session on SJR 42A and adjourns at 9:50 a.m.

Submitted By, Reviewed By,

Danielle Hamilton, Jennifer Peck,
Administrative Support Committee Coordinator

Reviewed By, Transcribed By,

Harrison Conley Cara Filsinger

Committee Administrator Committee Administrator

EXHIBIT SUMMARY

A ñ HB 3633, written testimony, Stan Bunn, 2 pp

B ñ SB 855A, written testimony, Dave Barrows, 2 pp

C ñ SB 855A, proposed ñA10 amendments, Dave Barrows, 1 p

D ñ HB 3633, written testimony, Laurie Wimmer, 2 pp