

SENATE COMMITTEE ON GENERAL GOVERNMENT

April 15, 1999 Hearing Room C

3:00 p.m. Tapes 57 - 60

MEMBERS PRESENT: Sen. Verne Duncan, Chair

Sen. Cliff Trow, Vice-Chair

Sen. John Lim

Sen. Marylin Shannon

Sen. Frank Shields

STAFF PRESENT: Marjorie Taylor, Administrator

Valerie Luhr, Administrative Support

MEASURE/ISSUES HEARD: SR 3 Public Hearing and Work Session

SB 1106 Work Session

SJR 2 Public Hearing and Work Session

SB 361-A Public Hearing

SB 1024 Public Hearing

SB 889 Public Hearing

SB 891 Public Hearing

SB 1201 Public Hearing and Work Session

SB 879 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 57, A		
004	Chair Duncan	Opens the meeting at 3:08 p.m. Opens a public hearing on SR 3.

<u>Sr 3 public hearing</u>		
007	Marjorie Taylor	Committee Administrator. Reviews provisions of SR 3.
011	Rep. Anitra Rasmussen	House District 11. Testifies in support of SR 3, which calls for a Day of Acknowledgement, April 22, 1999, of Oregon's racial heritage. States Oregon Uniting has asked the Governor to create a proclamation. States SR 3 has a twin bill in the House. Concludes by reading an e-mail message sent to Sen. Avel Gordly and urges the committee's support of SR 3.
066	Sen. Shields	States society cannot move forward unless they acknowledge the past, and encourages committee members to read the 1849 Territorial legislative law to prevent Negroes and Mulattos to come to or reside in Oregon.
074	Chair Duncan	Indicates his family was here at that time and thinks they would act differently in today's society.
078	Rep. Rasmussen	States the need to look back in order to move forward. States she has been very excited to be involved in the process.
080	Sen. Shields	States Sen. Mark Hatfield and Myrlie Evers-Williams are the honorary co-chairs of the April 22 event.
084	Rep. Rasmussen	States the language for the resolution has been worked very carefully with leadership of both chambers.
092	Sen. Shannon	States she does not feel guilty for the sins of her ancestors and she looks to the future. Comments on treatment of returning Vietnam veterans and suggests there should be a day of acknowledgement for them.
107	Chair Duncan	Requests the audience to refrain from outbursts.
110	Rep. Rasmussen	Acknowledges damage done during the Vietnam era. States she would support a day of acknowledgement for Vietnam veterans.
126	Sen. Lim	Comments on America's Chinese Exclusion Act of 1895, and states discrimination should stop. Comments on Korea's discrimination against the Chinese that lived in Korea, and Japan's discrimination against Koreans living in Japan. Believes SR 3 is a good beginning, and states he is glad to be a sponsor.
156	Chair Duncan	States Sen. Lim has made a good point.
159	Rep. Rasmussen	States it is clear Americans do not have a monopoly on racial discrimination.
168	Chair Duncan	Closes public hearing on SR 3. Opens a work session on SR 3
<u>SR 3 WORK SESSION</u>		
171	Sen. Lim	MOTION: Moves SR 3 be sent to the floor with a BE ADOPTED recommendation.
		VOTE: 5-0

		AYE: In a roll call vote, all members present vote Aye.
	Chair Duncan	The motion CARRIES. SEN. GORDLY will lead discussion on the floor.
185	Chair Duncan	Closes work session on SR 3. Opens a work session on SB 1106
<u>SB 1106 WORK SESSION</u>		
188	Sen. Trow	MOTION: Moves to SUSPEND the rules for the purpose of reconsidering SB 1106.
192	Marjorie Taylor	Committee Administrator. States Sen. Metsger, the bill requestor, asked the committee to bring back the bill in order to look at other related issues.
197	Sen. Trow	Indicates he made the motion to accommodate Sen. Metsger.
		VOTE: 5-0 AYE: In a roll call vote, all members present vote Aye.
	Chair Duncan	The motion CARRIES.
205	Sen. Trow	MOTION: Moves to RECONSIDER the vote by which SB 1106 MOVES to the floor with a DO PASS RECOMMENDATION.
214	Chair Duncan	Clarifies the committee's action for Sen. Lim
		VOTE: 5-0 AYE: In a roll call vote, all members present vote Aye.
	Chair Duncan	The motion CARRIES.
224	Chair Duncan	Closes the work session on SB 1106. States he is changing the agenda order to accommodate members of the audience. Opens a public hearing on SJR 2.
<u>SJR 2 PUBLIC HEARING</u>		
238	Jon Mangis	Director, Oregon Department of Veterans Affairs (ODVA). Submits and presents testimony in support of SJR 2 [EXHIBIT A] . Acknowledges appreciation for Sen. Shannon's remarks about Vietnam veterans. Urges the committee's support of SJR 2 without any amendments.
290	Mangis	Indicates soldiers are not paid enough for what the country asks them to do. Recognizes a lieutenant commander that was veteran of 90 combat hours in the Persian Gulf and close to 200 counter-drug missions in the United States and Latin America. States the person does not qualify for a veteran's home loan because he is a volunteer. Acknowledges the military service of Bob Hagen, Senate Democratic Office. States his opposition to the amendments proposed by Dave Barrows.

355	David Barrows	President, Oregon League of Financial Institutions. States he is not speaking for the United Financial Lobby today. States Mr. Mangis has impugned the words he spoke to the committee at the first hearing on SJR 2. States he honors Oregon's veterans and is not anti-veteran. States this discussion revolves around a policy question of a state's appropriate role in giving an extra perk available to only a very few veterans—a below market rate home loan. Comments on attempts to provide housing for low-income citizens.
400	Barrows	States the veterans home loan program will consume a huge portion of Oregon's bonding authority. States the issue has nothing to do with Kosovo. Comments on eligibility criteria in the veterans' home loan program. States 45 states have never had a veterans' home loan program, and there are veteran programs at the national level.
TAPE 58, A		
008	Barrows	Indicates most home loan program recipients will never serve in a theater of conflict. States his amendments would honor those who serve in a combat zone. States the home loan program was originally set up for those veterans returning from World War II. Encourages the committee to consider the SJR-1 [EXHIBIT B] and SJR-2 [EXHIBIT C] amendments if they disagree with his view of public policy. Reviews provisions of the amendments. Indicates he is not embarrassed to bring the amendments forward. States he was authorized to say he represented the United Financial Lobby at the previous hearing. States he has never spoken to the committee about the issue of military pay and believes the military is grossly underpaid.
074	Chair Duncan	Invites Sen. Ferrioli to the witness table.
079	Sen. Ted Ferrioli	Senate District 28. States he disagrees with the testimony he has heard based on his experience as a loan officer for the Department of Veterans' Affairs. States he believes the veterans deserve the benefit offered by SJR 2. Comments on problems with interest rates in the past. Believes the home loan program recognizes veterans' service in some measure. Comments on benefits to veterans of the Korean and Vietnam conflicts. Comments on those who support SJR 2.
120	Sen. Ferrioli	Comments on recent interest rate problems and failures of savings and loan institutions. States there were savings and loan institutions that did not go bankrupt because they were able to refinance using the veterans' loan eligibility. Comments on women in the military. Comments on earning eligibility for the home loan program. Comments on letters he has about SJR 2. Urges the committee's support of SJR 2 without amendments. Copies of the letters [EXHIBIT D] are submitted for the record.
186	Barrows	Discusses the home loan program's affect on Oregon's bond rating. States people who were not veterans subsidized the veterans' home loan program in the 1980s.
226	Sen. Shannon	States those who did not serve had their freedom subsidized.
229	Barrows	States his agreement with Sen. Shannon. States he is not against the Oregon veterans' home loan program, but believes reasonable sidebars should be put on the program.
237	Chair Duncan	Explains bill deadlines for the benefit of the audience.
245	Ed Hughes	On behalf of veterans. Announces the Gresham unit of the Oregon National Guard

		will be called to active duty next week.
249	Chair Duncan	States he understands another unit has been notified of possible activation. Closes public hearing on SJR 2. Opens a work session on SJR 2.
<u>SJR 2 WORK SESSION</u>		
258	Chair Duncan	Asks the committee if there is interest in the amendments. Members do not indicate interest.
260	Sen. Trow	MOTION: Moves SJR 2 be sent to the floor with a BE ADOPTED recommendation.
276	Sen. Lim	States he wants assurance that what happened in the 1980s will not happen again.
281	Mangis	States he did not want to impugn Barrows. Believes ODVA runs a tight financial ship and does not think the 1980s will happen again if people pay attention to business. States the economy of the entire financial institution in the United States, not just ODVA, was in terrible shape.
295	Sen. Lim	Asks what the guarantee is that financial institutions will not go down.
302	Mangis	States he will pay attention to business as long as he is in charge. Comments on how the home loan program is entirely different currently than it was in the 1970s and 1980s.
324	Sen. Lim	Asks how many people will take advantage of the program in the future.
327	Mangis	States roughly 60,000 veterans will take advantage of the program.
333	Sen. Lim	Expresses appreciation and confidence in Mangis' work.
343	Sen. Shannon	Comments on the failed savings and loan debacle of the 1980s. States she is the wife of a veteran and reservist, and they took over a veteran's home loan and feel fortunate to have done so. Believes the home loan program is good.
358	Sen. Shields	States many of the phone calls he has received on behalf of veterans have been the most unkind calls he has ever received. States he will support the bill. States he was offended by the comments made about Barrows. Encourages people to be kind and considerate of each other.
397	Chair Duncan	Indicates he is a veteran and has also received calls accusing him of being anti-veteran. Appreciates Sen. Shields' comments. Declares a conflict of interest because he has a veteran's home loan and is a veteran.
425	Sen. Shannon	Declares a possible conflict of interest.
		VOTE: 5-0 AYE: In a roll call vote, all members present vote Aye.
Chair Duncan		The motion CARRIES.

		SEN. SHANNON will lead discussion on the floor.
TAPE 57, B		
009	Chair Duncan	Calls a brief recess. Reopens the meeting at 4:03 p.m. Closes the work session on SJR 2. Opens a public hearing on SB 361.
<u>SB 361-A PUBLIC HEARING</u>		
032	Maria Keltner	League of Oregon Cities (LOC) and Association of Oregon Counties (AOC). States LOC and AOC support the SB 361-A2 amendments [EXHIBIT E] . States the amendments are consistent with her previous testimony. States LOC and AOC would request the committee support the SB 361-A4 amendments [EXHIBIT F] if they choose not to support the SB 361-A2 amendments. States AOC and LOC would like to be exempt from the SB 361-A5 amendments [EXHIBIT G] .
063	Mary Botkin	American Federation of State, County & Municipal Employees (AFSCME) Council 75. States AFSCME is okay with the SB 361-A5 amendments. The SB 361-A3 amendments [EXHIBIT H] are current practice. States they do not have people who fall into the full-time off-duty category. States AFSCME does not want local government exempted.
087	Chair Duncan	Requests Dan Kennedy to come forward. Comments on the Department of Administrative Services' participation in a workgroup.
089	Dan Kennedy	Department of Administrative Services (DAS). States DAS has been working with staff and Sen. Derfler's office. States the SB 361-A3 and SB 361-A5 amendments conflict in terms of retroactivity, and DAS prefers the SB 361-A5 amendments.
097	Marjorie Taylor	Committee Administrator. States Sen. Derfler is approving of the SB 361-A3 amendments.
101	Sen. Trow	Asks what the difference is between the SB 361-A3 and SB 361-A5 amendments.
102	Kennedy	States the SB 361-A3 amendments apply retirement credit for any two years in a ten-year period that somebody can be out on leave and remain a member of the Public Employees Retirement System (PERS). States that provision is fine with DAS prospectively. States, retroactively, DAS has members of unions who have been out longer and fears they will be disadvantaged and lose their PERS service credits under the SB 361-A3 amendments.
111	Taylor	States she understands the SB 361-A5 amendments would be harmful to past recipients and the SB 361-A3 amendments are okay.
113	Chair Duncan	States that is his understanding, also. States Sen. Derfler wanted the SB 361-A5 amendments, but was willing to compromise.
117	Ann Boss	Assistant Attorney General, Department of Justice (DOJ). States the intent of the SB 361-A5 amendments makes the term limitations not retroactive, and they protect the individuals who have worked as union officials in the past.
133	Sen. Trow	Clarifies the SB 361-A3 amendments would exclude the union officials.
134	Boss	Reviews the limitation provision in the SB 361-A3 amendments.

141	Steve Delaney	Government Relations Manager, PERS. States he understands the SB 361-A3 amendments are restrictive language that would take some service time away from individuals that may have been working for more than two years out of 10. States the SB 361-A5 amendments grandfather those individualsóproviding them their service up to this point, but beginning the restriction on service credit into the future. States both amendments cover costs.
152	Sen. Trow	Asks if Sen. Derfler supports the SB 361-A5 amendments.
155	Boss	States she does not know.
156	Kennedy	States he does not know.
158	Sen. Trow	States he understood Sen. Derfler supports the SB 361-A5 amendments.
162	Chair Duncan	Closes the public hearing on SB 361. Opens public hearing on SB 1024.
<u>SB 1024 Public Hearing</u>		
182	Marjorie Taylor	Committee Administrator. Reviews provisions of SB 1024.
186	Fred McDonnal	Executive Director, Public Employees Retirement System (PERS). Submits and presents testimony in opposition to SB 1024 [EXHIBIT I] . Reviews reasons why the introduction of an optional retirement plan could lead to increased costs. States individuals who most likely move to an optional retirement plan will be primarily younger.
290	Mike Shea	Human Resource Director, Blue Mountain Community College. Discusses how SB 1024 would affect Blue Mountain Community College as they do recruitment.
315	Chair Duncan	Asks why the recruit could not leave her money in TIAA-CREF and move into PERS.
323	Shea	Explains it was a difficult decision for the recruit.
343	Hugo Grimaldi	Professor, Clackamas Community College. Submits and presents testimony in support of SB 1024 [EXHIBIT J] . Discusses SB 1024ís effects on freedom of choice, immediate vesting, and investment flexibility.
400	Grimaldi	Discusses effects of SB 1024 on cashability, estate benefits, and loans.
TAPE 58, B		
011	Peter Angstadt	Dean of College Services, Clackamas Community College. Submits and presents testimony on behalf of John Keyser in support of SB 1024 [EXHIBIT K] . Emphasizes SB 1024 would authorize any community college to establish a plan as an "option" or "alternative" to PERS. States the bill would not require any employee to transfer out of PERS.
042	Jay Jorgensen	Northwest Regional Vice President, Variable Annuity Life Insurance Company. Submits and reviews testimony on SB 1024 [EXHIBIT L] . Reviews the effects of an optional retirement plan. Reviews the difference between "defined benefit" and "defined contribution" plans.

066	Sen. Trow	Asks Jorgensen how he knows the optional retirement plans enacted by other states have not had negative effects on state retirement systems.
067	Jorgensen	Answers the state of Montana did a study, and states he will provide a copy of the study for the committee.
069	Sen. Trow	Asks if Montana studied the other states' retirement plans.
070	Jorgensen	States Montana studied their own plan.
075	Sen. Trow	Indicates his question is still not answered.
077	Jorgensen	States there has never been a study that has shown optional retirement plans have had adverse effects.
084	Chair Duncan	States he will not hold a work session on SB 1024 today.
088	Jorgensen	States Oregon Health Sciences University (OHSU) has an annual opt out availability. States he has not heard that the Oregon University System (OUS) and OHSU have had a negative impact. Discusses portability and immediate vesting.
110	Chair Duncan	States the committee needs to know the impact if a change is made in Oregon before taking any action on the bill.
122	Jorgensen	States the seven letters in his testimony should be helpful.
129	Mary Botkin	AFSCME Council 75. States, "Bad bill; kill it."
132	Tamara Dykeman	Oregon Community College Association (OCCA). States her association does not have a position on SB 1024, and they took the position they would not pursue an optional retirement plan. States portability is a big issue for OCCA.
148	Tricia Smith	Oregon School Employees Association (OSEA). Testifies in opposition of SB 1024. States OSEA supports SB 328 to allow public employers to provide portability options for employees. Reviews provisions in Section 2 of HB 1024. States there is no need for the bill and it is too extreme. States there are alternatives to solve problems for community colleges, and encourages the committee to pursue other legislation to solve the problems.
170	Chair Duncan	Closes public hearing on SB 1024. Reiterates public hearing timelines for benefit of the audience. Opens a public hearing on SB 889.
<u>SB 889 PUBLIC HEARING</u>		
208	John Leonard	Mental Health Therapist, Oregon State Hospital. Testifies in support of SB 889. States his nose was shattered and deviated, and the individual who did it was not prosecuted. Comments on other things that have happened to him and the effects on his family.
229	Karen Schmit	Forensics Program, Oregon State Hospital. Testifies in support of SB 889. Reviews her experience with the Department of Corrections and with the Oregon State Hospital. Schmit's written comments are submitted for the record [EXHIBIT M] .

273	Bruce Adams	Mental Health Therapist, Oregon State Hospital. States he has been involved in over 500 physical assaults in 23 years. States the incidents are generally over in less than three minutes.
287	Adams	States two to three minutes is not quick. Demonstrates what 10 seconds of hitting would be like.
311	Sen. Trow	States his appreciation for the witness to share his experience.
319	Dan Reichman	Oregon State Hospital. Discusses how employees at the hospital are connected with the guard status at correctional facilities. States he will submit handwritten comments on patient histories.
347	Chair Duncan	States the handwritten comments can be put in the record.
348	Reichman	States there are few consequences for incidents by patients. States he knows of one patient that was charged for assaulting staff. Discusses a patient who was admitted for murdering someone in Albany and who then murdered a fellow patient. Reviews provisions of ORS 162.135 [EXHIBIT N]. States the current union contract lists the employees as "nonstrikeable." Urges the committee's support of SB 889.
410	Stan Mazur-Hart	Superintendent, Oregon State Hospital, and on behalf of the Mental Health and Developmental Disability Services Division. Acknowledges the previous witnesses' testimony and the work they do at the State Hospital. Expresses concern on behalf of the hospital and the division that they see the Oregon State Hospital as primarily a mental health care facility, not a correctional facility. States staff are not guards or police officers, and they do not receive police officer training. States there are other bills this session regarding this same issue in terms of different classifications of state hospital employees under PERS. Suggests the committee review those bills.
TAPE 59, A		
010	Rich Peppers	Oregon Public Employees Union (OPEU). States OPEU would like the opportunity to respond to Mazur-Hart's testimony if the committee proceeds with the bill. States OPEU supports SB 889. States SB 1280 covers a broader group of employees.
017	Chair Duncan	Closes the public hearing on SB 889. Opens a public hearing on SB 891.
<u>SB 891 Public hearing</u>		
025	Marjorie Taylor	Committee Administrator. Reviews provisions of SB 891.
031	Maria Keltner	LOC and AOC. States the association's proposed amendment would expand the Oregon Collective Bargaining Law to the exemptions from collective bargaining that already apply to the state. States the amendment would add an exemption for managerial employees. States she will provide the committee with the Employment Relations Board (ERB) decision, which shows a very narrow exception in terms of how "managerial employee" is defined. On behalf of the Special Districts Association, states the association would like to propose an amendment that would include special district employees. Reviews reasons why the associations need SB 891. States she will provide more information in writing.
056	Sen. Trow	Asks Ms. Keltner if she has looked at the bill carefully enough to determine who is excluded.

060	Keltner	States the associations believe that with ERB's interpretation and the language in the bill that requires people to have discretion in the performance of those management responsibilities beyond the routine discharge of duties, it does not exclude additional employees.
063	Sen. Trow	Comments on exclusion of employees that might have discretion over one small thing.
067	Keltner	Comments on a case that came before ERB after the state management employees were excluded in the law. Will provide information about the case in writing. States AOC and LOC do not oppose the Special Districts Association proposed amendment.
085	Bob Livingston	Oregon State Fire Fighters Council. Requests the committee to look at the definition of "managerial employee." States he thinks the definition is "ambiguous and squishy." States the council's opposition to SB 891. States trust and loyalty in emergency situations are paramount for fire fighters to work in teams.
108	Pat West	President, Oregon State Fire Fighters Council. States he does not believe there has been a demonstrated need for the language on "managerial."
119	Mary Botkin	AFSCME Council 75. States AFSCME opposed the change in state statute for state employees, but ended up agreeing with it after very lengthy and articulate discussions with managerial counterparts. AFSCME believes the bill is an effort to erode their bargaining units. States AFSCME opposes the bill.
137	Brian DeLashmutt	Oregon Nurses Association, Oregon Council of Police Associations, Association of Oregon Corrections Employees, and Federation of Oregon Parole and Probation Officers (FOPPO). States his organizations have a problem with the bill. States the concern of the attorney for the Oregon Nurses Association on how the bill affects nurses. States nurses have discretion in every bit of their practice.
156	Chair Duncan	Closes the public hearing on SB 891. Opens a public hearing on SB 1201.
<u>SB 1201 PUBLIC HEARING</u>		
163	Chair Duncan	States SB 1201 could be very technical and requests the witness to highlight their comments.
170	Lance Colley	Finance Director, City of Roseburg, Oregon Municipal Finance Officers Association. States they have discussed the bill with members of the committee, either individually or collectively. Submits written testimony in support of SB 1201 [EXHIBIT O] . States the bill has no fiscal impact and there is no opposition to the bill.
184	Chair Duncan	Closes the public hearing on SB 1201. Opens a work session on SB 1201.
<u>SB 1201 WORK SESSION</u>		
191	Sen. Trow	Asks if there is opposition to the bill
193	Colley	States he is not aware of any opposition. States the amendments were done at the request of Special Districts.

198	Chair Duncan	States the questions have been clarified in the SB 1201-1 amendments [EXHIBIT P].
199	Sen. Trow	MOTION: Moves to ADOPT SB 1201-1 amendments dated 04/06/99.
		VOTE: 3-0 EXCUSED: 2 - Lim, Shannon
	Chair Duncan	Hearing no objection, declares the motion CARRIED.
203	Sen. Trow	MOTION: Moves SB 1201 to the floor with a DO PASS AS AMENDED recommendation.
		VOTE: 3-0 AYE: In a roll call vote, all members present vote Aye. EXCUSED: 2 - Lim, Shannon
	Chair Duncan	The motion CARRIES. SEN. DUNCAN will lead discussion on the floor.
215	Chair Duncan	Closes the work session on SB 1201. Opens a public hearing on SB 879.
<u>SB 879 public hearing</u>		
235	Robert Shelby	Valley Radio Club of Oregon and amateur radio operator, Springfield. Submits and presents testimony in support of SB 879 [EXHIBIT Q]. Clarifies the amateur radio service differs greatly from the citizenis radio service (CB). States the intent of SB 879 is already contained in Federal Communications Commission (FCC) Regulation Section 97.15(e). States the Valley Radio Club of Oregon wants the regulation in the Oregon Revised Statutes because the local planning and zoning officials do not always check federal regulations. States his support of the SB 879-1 amendments [EXHIBIT R].
272	Marshall Johnson	American Radio Relay League. States his support for SB 879 and the SB 879-1 amendments. Explains the bill and the amendments are important to amateur radiois future in Oregon, because amateur radio has been involved in supplanting wire communications within the state that have been downed due to natural disaster or civil unrest. Explains his organization supports the bill because without it there is the possibility of undue financial burden on the government and the radio amateur community to precisely determine what the law is in the state of Oregon.
334	Sen. Trow	Asks what the problem is if there is already a federal law. States cities and counties are being told they need do something. Asks if cities and counties are doing what they should.
337	Johnson	States Sen. Trow is correct. States municipalities, counties, and districts have wanted to set up antenna law or ordinance based on some level, but the last people they ask are the radio amateurs.
348	Sen. Trow	States the municipalities, counties, and district will not have the ability to ask

		anybody if the requirement is proscribed.
351	Johnson	States legal counsel for cities, counties, and special districts should be supplying them with a complete list of laws that will affect their decisions on the day the decision is made, but that is not happening
368	Sen. Lee Beyer	Senate District 21. States if the requirements are in Oregon law, planners will more likely be aware of it. States the FCC rules make the Oregon Revised Statutes look like midgets. Indicates city planners do not like to dwell in the FCC rules and regulations. States the language in SB 879 parrots federal language and does not impose new restrictions on local governments.
414	Sen. Trow	Reviews the provisions in the SB 879-1 amendments and asks if the amendment is part of the federal law.
420	Johnson	States it is part of the national law, but is more specific than PRB-1. Apologizes if his previous response seemed flippant. States Sen. Beyer has steered the conversation in the right direction. States antenna law and antenna structural law in FCC law is "not all antennas are lumped into one legal bag." Antennas are separated by service. States it is easy to overlook the one section of the law in Section 97 that says state and local governments do not have the ability to do these things.
TAPE 60, A		
016	Sen. Trow	Asks Sen. Beyer if he has reviewed the bill with people representing cities, counties, and others involved with local ordinances.
020	Sen. Beyer	States he has not.
021	Shelby	States committee staff was uncertain whether an amendment would be dealt with at today's meeting, and submits additional information that helps calculate and verify the 70-foot elevation [EXHIBIT S] .
025	Sen. Trow	Reiterates he wants to know whether local jurisdictions have been asked about the bill. States the bill repeats federal law, which applies to local jurisdictions anyway. States the amendment appears to be more specific than federal law, though he may be wrong. States a number of people want to pre-empt what cities can do, and states he wants local government to do what it wants. Believes Sen. Beyer has made a good case for the bill.
038	Sen. Beyer	States Shelby believed the original bill was enough by referencing federal law. States Shelby is concerned that if the 70 feet is not in the bill, local governments will miss it. States the associations want the amendment in the law so city technicians will see it.
049	Chair Duncan	Asks if the 70-foot requirement is also in federal law.
051	Johnson	States federal law allows antennae as high as 300 feet. States the SB 879-1 amendments define effective height for amateur radio.
057	Sen. Trow	States the amendment does not put an outer limit, but a lower limit.
058	Johnson	States the amendments says 70 feet or lower would not be under the jurisdiction of local government. States the amateur radio community would like to be part of the discussion on, "unless the restriction is necessary to achieve a clearly defined,

		health, . . ."
064	Sen. Trow	Asks if the legislature will define "aesthetic," "health" and "safety."
065	Johnson	States the amateur radio community wants to be partners.
067	Shelby	States federal law says the height must be "reasonable" and reasonable has been debated for decades. States his second handout mathematically calculates and defines "reasonable."
075	Sen. Trow	States he is not ready to act on the bill.
076	Chair Duncan	States it is important to get the reactions from cities and counties.
078	Johnson	Extends thanks to the committee for their consideration of the bill. Urges the committee to pass the bill.
082	Chair Duncan	Closes public hearing on SB 879. Declares the meeting adjourned at 5:33 p.m.
		Staff submits written testimony on behalf of Laurie Wimmer, Government Relations Consultant, Oregon Education Association, in opposition to SB 1024 [EXHIBIT T] . Staff submits written testimony on behalf of John Mangan, Assistant Vice President, Standard Insurance Company, in support of SJR 2 [EXHIBIT U] .

Submitted By, Reviewed By,

Valerie Luhr, Marjorie Taylor,

Administrative Support Administrator

EXHIBIT SUMMARY

A ñ SJR 2, written testimony, Jon Mangis, 26 pp.

B ñ SJR 2, -1 amendments, staff, 1p.

C ñ SJR 2, -2 amendments, staff, 1 p.

D ñ SJR 2, written information, Sen. Ted Ferrioli, 16 pp.

E ñ SB 361, -A2 amendments, staff, 1 p.

F ñ SB 361, -A4 amendments, staff, 1 p.

G ñ SB 361, -A5 amendments, staff, 1 p.

H ñ SB 361, -A3 amendments, staff, 1 p.

I ñ SB 1024, written testimony, Fred McDonnal, 1 p.

J ñ SB 1024, written testimony, Hugo Grimaldi, 2 pp.

K ñ SB 1024, written testimony, Peter Angstadt, 3 pp.

L ñ SB 1024, written testimony, Jay Jorgensen, 29 pp.

M ñ SB 889, written testimony, Karen Schmit, 6 pp.

N ñ SB 889, written information, Dan Reichman, 2 pp.

O ñ SB 1201, written testimony, Lance Colley, 4 pp.

P ñ SB 1201, -1 amendments, staff, 1 p.

Q ñ SB 879, written testimony, Robert Shelby, 13 pp.

R ñ SB 879, -1 amendments, staff, 1 p.

S ñ SB 879, written testimony, Robert Shelby, 16 pp.

T ñ SB 1024, written testimony, staff, 1 pp.

U ñ SJR 2, written testimony, staff, 1 p.