

SENATE COMMITTEE ON GENERAL GOVERNMENT

April 22, 1999 Hearing Room C

3:00 p.m. Tapes 65 - 66

MEMBERS PRESENT: Sen. Verne Duncan, Chair

Sen. Cliff Trow, Vice-Chair

Sen. John Lim

Sen. Marilyn Shannon

Sen. Frank Shields

STAFF PRESENT: Marjorie Taylor, Administrator

Valerie Luhr, Administrative Support

MEASURE/ISSUES HEARD: SB 1285 Public Hearing and Work Session

SCR 9 Public Hearing and Work Session

SB 904 Public Hearing

SB 479 Public Hearing

SB 1071 Public Hearing

SB 1072 Public Hearing

SB 1073 Public Hearing

SB 276 Public Hearing

SB 567 Public Hearing

SB 1114 Public Hearing

SB 1142 Public Hearing

SJR 24 Public Hearing

SB 1219 Public Hearing

TAPE/#	Speaker	Comments
TAPE 65, A		
004	Chair Duncan	Calls the meeting to order at 3 p.m. Announces today is the last day to have public hearings on Senate Bills. Requests witnesses to just highlight their testimony. Opens a public hearing on SB 1285.
<u>Sb 1285 public hearing</u>		
025	Marjorie Taylor	Committee Administrator. Reviews provisions of SB 1285.
033	Tom Buchholz	Clackamas, Oregon. Submits written testimony in support of SB 1285 [EXHIBIT A] . Discusses the impoundment of his dog in 1991 and his efforts to get the dog released from Multnomah County Animal Control.
081	Chair Duncan	Requests Mr. Buchholz highlight provisions of SB 1285.
082	Buchholz	Reviews provisions of SB 1285.
084	Chair Duncan	Asks Mr. Buchholz if he wants to require search warrants.
085	Buchholz	Reviews procedures for obtaining the record of a search warrant. Refers the committee to the pictures of his dog run. Discusses the conflicting reports about his dog.
117	Henry Miggins	Director, Multnomah County Animal Control (MCAC). States MCAC is in favor of SB 1285 because it provides education and training for their officers. States MCAC obtains search warrants through Multnomah County Sheriff's Office and the district attorney. States the Oregon Association of Animal Control Officers also support the bill.
132	Dianne Middle	Director, Department of Public Safety Standards and Training (DPSST). States DPSST has not taken a position on the bill. States the bill has no funding attached to it. States DPSST does not have adequate funding or facilities to meet its current mandated needs. States the Department cannot take on any further responsibilities at this time. Requests the bill go to the Committee on Ways and Means.
153	Buchholz	States a person is assessed a penalty every time they go to court and the penalty goes to the police school for training.
156	Middle	Reviews law enforcement funding for DPSST. States DPSST has a budget note to locate funding.
163	Chair Duncan	Clarifies DPSST is unable to provide 16 weeks of training.
164	Middle	States DPSST is mandated to provide 16 weeks of training, but has the facilities and financing to provide only 10 weeks of training.
175	Lt. Randall Covey	Law Enforcement Division, Oregon Humane Society. Submits testimony in support of SB 1285 [EXHIBIT B] . States animal control has not received any benefit from the public safety training fund. Believes basic animal control training

		can be provided in one to two weeks at a minimal cost.
206	Chair Duncan	Asks if the training can be done outside DPSST.
207	Covey	States agreement.
209	Andy Lane	Animal Control Officer, Medford, Oregon, and President, Oregon Animal Control Association. States animal control officers need training and to be standardized. States animal control officers deal with many situations dealt with by law enforcement. States he was told he would learn all he needed to know in his first few days on the job.
255	Chair Duncan	Suggests the witnesses confer about the bill. States Lt. Covey indicated there is the mechanism to accomplish the intention of the bill without going through DPSST. States the fiscal impact is a concern if training goes through DPSST, and the bill will never be seen again if it goes to the Committee on Ways and Means.
283	John Adair	Director, Linn County Dog Control, Oregon Animal Control Council (OACC) Legislative Committee Chair. Submits written testimony on SB 1285 [EXHIBIT C] . Comments on issues revolving around funding for animal control.
308	Chair Duncan	Asks if all Linn County officers go through the program outlined in Adair's testimony.
309	Adair	States the officers go through the program. Explains the training is paid for out of his budget.
311	Chair Duncan	Clarifies the witness wants a state training requirement and to tap into the public safety training fund.
315	Adair	States animal control has become a professional job and carries a lot of liability.
339	Beth Vargas Duncan	Staff Associate, League of Oregon Cities (LOC). Introduces Sarah Duncan. Submits a letter in opposition to SB 1285 [EXHIBIT D] on behalf of LOC and the Association of Oregon Counties (AOC). Expresses concerns about the lack of funding for training and that the training could be an unfunded mandate on local government.
363	Chair Duncan	Recommends the interested parties go to his office to work out their concerns and report back to the committee. States the bill will either die in this committee or go to the Committee on Ways and Means and never be seen again. The committee members express agreement with Chair Duncan's proposal.
382	Covey	Asks, as a point of order, how the group would report their findings to the committee
383	Chair Duncan	Tells the group to talk with his staff.
395	Buchholz	Expresses concern if individuals are not trained at the academy.
399	Chair Duncan	Encourages Mr. Buchholz to express his concerns in the work group. Closes the public hearing on SB 1285. Opens a public hearing on SCR 9.

<u>SCR 9 PUBLIC HEARING</u>		
413	Kris Damiano	On behalf of Larry Hermo and Legislative Aide to Sen. Duncan. Reads a statement from Mr. Hermo in support of SCR 9.
444	Chair Duncan	States Scott Brosius is a graduate of Rex Putnam High School and Linfield College and is an outstanding young man. Closes the public hearing on SCR 9. Opens a work session on SCR 9.
Tape 66, A		
<u>SCR 9 WORK SESSION</u>		
009	Sen. Trow	MOTION: Moves SCR 9 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. DUNCAN will lead discussion on the floor. See Tape 66, A at 173 for Sen. Shannonís vote on SCR 9.
015	Chair Duncan	Closes the work session on SCR 9. Opens a public hearing on SB 904.
<u>SB 904 PUBLIC HEARING</u>		
027	Sen. John Lim	Senate District 11. Introduces Tae Choi and other witnesses at the table. Explains he introduced SB 904 out of a deep concern for promotion, health, and safety of martial arts, especially for young people. States he has an honorary Black Belt Fourth Degree. Believes martial arts helps promote self-esteem, discipline, and good study habits for young people. States martial arts do not promote violence.
060	Ron Schubert	Owner, Martial Arts School, Gresham, Oregon. States he believes Sen. Limís idea is admirable, but he does not believe the legislation is necessary for the industry. States he supports martial arts education and martial arts does everything Sen. Lim said and more. States he does not believe the state should legislate the martial arts schools. States there is a vast number of martial art forms, each with its own certification. States there were 532 forms of kung fu practiced in China as of last year.
076	Chair Duncan	Clarifies Mr. Schubert has reservations about the bill.
077	Schubert	States he agrees with some of the points in the bill.
079	Vice-Chair Trow	Asks Mr. Schubert if he thinks those involved in martial arts facilities would be willing to pay a fee to finance the commission, especially if it regulates and certifies.
085	Schubert	States, as a small business owner, he is over-burdened by fees and would not support paying a fee to support the commission.

089	Dave Wolf	Martial arts school, State Street, Salem, Oregon, and teacher of martial arts at Chemeketa Community College. Expresses concerns about the regulation of the martial arts because there are so many forms. States there is a need for discussion of safety issues, such as CPR or first-aid training. Suggests schools would not want to pay a fee to finance a commission
108	Vice-Chair Trow	States the advisory commission would help promote martial arts. Asks Wolf is he is willing to pay a fee for promotion of martial arts.
110	Wolf	States it would depend on how the commission promoted martial arts. States regulation is not promotion. States he would pay a fee to promote the martial arts, but not to regulate.
118	Tae Hong Choi	Gresham, Oregon. States he has been teaching martial arts in Oregon since 1972. Comments on the popularity of the martial arts. States there is a very large number of different martial arts in the United States and only one accepted tae-kwon-do system. States the martial arts promote self-confidence and respect. Comments on the Tae-kwon-do Union in the United States.
145	Chair Duncan	Asks Mr. Choi if he feels an advisory commission is necessary.
146	Choi	Replies affirmatively. States some schools are not qualified to help the students and he would like Oregon to have better quality martial arts and instructors.
159	Sen. Lim	States the advisory commission would not regulate. States if the industry wants to form an advisory commission it is fine with him, but he will not push it if they do not want a commission.
166	Chair Duncan	Closes the public hearing on SB 904. Opens a public hearing on SB 479.
<u>SB 479 PUBLIC HEARING</u>		
170	Sen. Shannon	Requests permission to vote on SCR 9.
172	Chair Duncan	Closes the work session on SB 479. Reopens the work session on SCR 9.
<u>SCR 9 WORK SESSION</u>		
173	Chair Duncan	MOTION: Requests unanimous consent that the rules be SUSPENDED to allow SEN. SHANNON to BE RECORDED as voting AYE on the motion to move SCR 9 to the floor with a BE ADOPTED recommendation.
		VOTE: 5-0
	Chair Duncan	Hearing no objection, declares the motion CARRIED.
178	Chair Duncan	Closes the work session on SCR 9. Reopens the public hearing on SB 479, and opens the hearing to SB 1071, SB 1072, and SB 1073.
<u>SB 479, SB 1071, SB 1072, AND SB, 1073 PUBLIC HEARING</u>		
185	Sen. Shields	States the witnesses come from various homeless advocacy groups and religious

		organizations.
199	Sen. Shields	Reviews provisions of SB 479. Reviews provisions of the SB 479-1 amendments [EXHIBIT E] . States "may" is used instead of "must" because of the local control issue.
225	Vice-Chair Trow	Asks if the bill is needed since language would make it permissive.
226	Sen. Shields	Answers Jerry Bieberle will all address the question. Comments on a bill that requires police to post 24-hour notice if they are going to sweep away a homeless camp on public party. States the police are issuing \$100 citations, as well as posting notice, which is a distortion of legislative intent.
255	Sen. Shields	Reviews the language on lines 7, 8, and 9 of SB 1071. Reviews the proposed language from the city of Portland.
277	Vice-Chair Trow	States Portland's proposed language is clearer.
278	Sen. Shields	States the language is shorter and might be clearer. States he does not think the language omits anything. States he will have the language drafted. States he does not want people fined without public notice. Reviews provisions of SB 1072 and reasons why municipalities and counties cannot remove homeless people from public property. Believes there will be interesting public discussion revolving around SB 1072. Reviews provisions of SB 1073. States SB 1073 eliminates an anti-camping ordinance such as Portland has. Questions whether it is productive to fine a homeless person for being homeless.
338	Jerry Bieberle	Oregon Coalition on Housing and Homelessness. Submits testimony in support of SB 479 [EXHIBIT F] . Responding to the "must" to "may" issue, states the bill is still needed to get around complications dealing with zoning, conditional use permits, and other things. States the bill is not a final solution. Introduces a letter from the city of Eugene that discusses the city's experience and urges the committee to support SB 479 [EXHIBIT G] .
380	Sen. Shields	States Eugene had to go through conditional use permits before it had an ordinance.
386	Bieberle	Urges the committee to support the SB 479-1 amendments.
388	Sen. Shannon	Asks if Eugene was able to do without the law, can any city do without the law.
390	Bieberle	States Eugene did it with a local ordinance. States it would be a lengthy process to go jurisdiction by jurisdiction. States municipalities would still have option to say no.
400	Sen. Shannon	Expresses concern about how the neighbors of churches would react.
404	Bieberle	States a city or county could still say no.
414	Vice-Chair Trow	Clarifies the bill is enabling legislation.
416	Ellen Lowe	Public Policy Director, Ecumenical Ministries of Oregon (EMO). States she supports sb 479 with the amendments. Comments on her experience serving on a city planning commission. Comments on her experience working with

		congregations in rural areas.
TAPE 65, B		
010	Dan Murphy	President, Oregon Coalition on Housing and Homelessness. States the coalition supports SB 479 with the SB 479-1 amendments.
016	Bieberle	States the coalition was known as the Oregon Shelter Network and they requested the bill that put in the 24-hour sweep notice. States the coalition supports Sen. Shields' efforts.
020	Lowe	States EMO endorses Sen. Shields' efforts.
025	Chair Duncan	Announces the order in which he will hear the witnesses.
031	Chuck Currie	Coordinator, EMO's Interfaith Homeless and Housing Coalition, and Director, Community Outreach, First United Methodist Church of Portland. Urges the committee to support SB 479, SB 1071, SB 1072, and SB 1073. Discusses the study on homelessness and housing report from the Oregon Housing NOW Coalition. Expresses his appreciation to Sen. Shields and the committee.
052	Micky Ryan	Attorney, Legal Aid Services of Oregon, Multnomah County Office. Submits and presents testimony in support of SB 1073, SB 1072, SB 1071, and SB 479 [EXHIBIT I] . Comments on characteristics of those who have been cited for violation of Portland's anti-camping notice. Comments on difficulties encountered trying to find shelter. Questions whether anti-camping ordinances are constitutional when shelter is not provided.
099	Karen Lenore	Visions in Action. Submits and presents testimony in support of SB 1073, SB 1072, SB 1071, and SB 479 [EXHIBIT J] . States Visions In Action has a history of working with local leaders to help them understand the absurdity and cruelty of the anti-camping ordinances.
150	Genevieve Nelson	Co-Founder and Executive Director, Sisters of the Road Café, Portland, Oregon. Submits testimony in support of SB 1073 [EXHIBIT K] . Reads the second paragraph of her testimony. Urges the committee to consider the cost of ticketing homeless campers compared to the \$675 to transition a person from their campsite into housing.
180	Bill Boyd	JOIN: A Center for Involvement. Submits and reviews his testimony [EXHIBIT L] in support of SB 479, SB 1071, SB 1072, and SB 1073. Explains JOIN exists to support the efforts of people living on the streets to transition into permanent housing. Believes the current anti-camping ordinance is an additional barrier by criminalizing having no place else to go. Comments on the last page of his testimony
210	Sen. Shields	Expresses appreciation to Chair Duncan for allowing the homeless advocates the opportunity to speak. States he could have filled the hearing room with the number of advocates who contacted his office.
220	Chair Duncan	Explains he must adjourn the meeting by 4:30 p.m. and appreciates the desire for audience members to testify.
225	Mo Simmons	Visions In Action and former homeless camper. States he had to leave the state to get shelter. States his belief that the persecution and prosecution of the homeless is

		inhumane. Encourages the committee's support of the four bills.
245	Cindy Greaney	JOIN. Explains her dogs are her companions and there is no adequate shelter for her and the animals. Urges support of the four bills.
265	Chair Duncan	State his appreciation for learning about the problems homeless individuals with dogs might encounter.
276	David Adams	Multnomah County. Submits written information [EXHIBIT M]. Discusses the circumstances revolving around the issuance of a \$150 fine he and Christina Pulido received for living in his car.
308	Christina Pulido	Expresses appreciation for the previous witnesses. Expresses hope that something will be done to help homeless people. States she is lucky now to have shelter.
323	Doug Tindall	State Maintenance Engineer, Oregon Department of Transportation (ODOT). Submits and reviews testimony on how SB 1072 affects ODOT's ability to work with law enforcement to clean up illegal campsites [EXHIBIT N].
345	Chair Duncan	Suggests Mr. Tindall discuss his concerns with Sen. Shields.
350	Sen. Shields	Asks Mr. Tindall to contact his staff.
354	Chair Duncan	Extends thanks to the witnesses for their appearance before the committee and believes the members are sympathetic to their concerns.
366	Sen. Shields	Clarifies there was agreement on the proposed amendment for SB 1071. States he will have the amendment drafted for a meeting next week.
374	Chair Duncan	Closes the public hearing on SB 479, SB 1071, SB 1072, and SB 1073. Opens a public hearing on SB 276.
<u>SB 276 PUBLIC HEARING</u>		
380	Chair Duncan	Closes the public hearing on SB 276. Opens a public hearing on SB 567.
<u>SB 567 PUBLIC HEARING</u>		
385	Chair Duncan	Closes the public hearing on SB 567. Opens a public hearing on SB 1114.
<u>SB 1114 PUBLIC HEARING</u>		
394	Chair Duncan	Closes the public hearing on SB 1114. Opens a public hearing on SB 1142.
<u>SB 1142 PUBLIC HEARING</u>		
396	Chair Duncan	Closes the public hearing on SB 1142. Opens a public hearing on SJR 24.
<u>SJR 24 PUBLIC HEARING</u>		
402	Chair Duncan	Closes the public hearing on SJR 24. Opens a public hearing on SB 1219.

<u>SB 1219 PUBLIC HEARING</u>		
407	Chair Duncan	Closes the public hearing on SB 1219. Reopens the public hearing on 1285.
<u>SB 1285 PUBLIC HEARING</u>		
412	Dianne Middle	DPSST. States SB 1285 will take more discussion, and the interested parties will work together between legislative sessions to arrive at a solution. They hope to return in the 2001 Session with answers and resolution.
424	Henry Miggins	MCAC. Explains MCAC is concerned about money issues. States MCAC will look at the mechanics of training for animal control officers.
433	Chair Duncan	Closes the public hearing on SB 1285. Opens a work session on SB 1285.
<u>SB 1285 WORK SESSION</u>		
437	Sen. Trow	MOTION: Moves to TABLE SB 1285.
		VOTE: 4-0 AYE: In a roll call vote, all members present vote Aye. EXCUSED: 1 - Shannon
	Chair Duncan	The motion CARRIES.
448	Vice-Chair Trow	States he made the motion at Chair Duncan’s suggestion.
450	Sen. Shields	States he voted at the Chair Duncan’s suggestion.
453	Chair Duncan	Explains he opened and closed the hearing on Sen. Corcoran’s bill. Adjourns the meeting at about 4:25 p.m.
		Staff submits written information on SB 1285 [EXHIBIT O] . Staff submits written information on behalf of Janet Byrd, Oregon Housing Now Coalition, in support of SB 479, SB 1071, SB 1072, and SB 1073.

Submitted By, Reviewed By,

Valerie Luhr, Marjorie Taylor,

Administrative Support Administrator

EXHIBIT SUMMARY

A ñ SB 1285, written testimony, Thomas Buchholz, 4 pp.

B ñ SB 1285, written testimony, Lt. Randall Covey, 1 p.

C ñ SB 1285, written testimony, John Adair, 5 pp.

D ñ SB 1285, written testimony, Beth Vargas Duncan, 1 p.

E ñ SB 479-1 amendments, staff, 1 p.

F ñ SB 479, written testimony, Jerry Bieberle, 2 pp.

G ñ SB 479, written testimony, Jerry Bieberle, 1 p.

H ñ SB 479, SB 1071, SB 1072, and SB 1073, written testimony, Chuck Currie, 16 pp.

I ñ SB 479, SB 1071, SB 1072, and SB 1073, written testimony, Micky Ryan, 6 pp.

J ñ SB 479, SB 1071, SB 1072, and SB 1073, written testimony, Karen Lenore, 4 pp.

K ñ SB 479, SB 1071, SB 1072, and SB 1073, written testimony, Genevieve Nelson

L ñ SB 479, SB 1071, SB 1072, and SB 1073, written testimony, Bill Boyd, 3 pp.

M ñ SB 479, SB 1071, SB 1072, and SB 1073, written information, David Adams and Christina Pulido, 3 pp.

N ñ SB 479, SB 1071, SB 1072, and SB 1073, written testimony, Doug Tindall, 1 p.

O ñ SB 1285, written testimony, staff, 4 pp.

P ñ SB 479, SB 1071, SB 1072, and SB 1073, staff, 1 p.