

SENATE COMMITTEE ON GENERAL GOVERNMENT

April 29, 1999 Hearing Room C

3:00 p.m. Tapes 69 - 72

MEMBERS PRESENT: Sen. Verne Duncan, Chair

Sen. Cliff Trow, Vice-Chair

Sen. John Lim

Sen. Marilyn Shannon

Sen. Frank Shields

MEMBERS EXCUSED:

STAFF PRESENT: Marjorie Taylor, Administrator

Valerie Luhr, Administrative Support

MEASURE/ISSUES HEARD: SB 276 Work Session

SB 879 Work Session

SB 898 Public Hearing

SB 67 Public Hearing

SB 1071 Public Hearing and Work Session

SB 1072 Public Hearing and Work Session

SB 1073 Public Hearing and Work Session

SB 1219 Public Hearing and Work Session

SB 486 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 69, A		
004	Chair Duncan	Calls the meeting to order at 3:05 p.m. Opens a work session on SB 276.
010	Kennedy	0-2 amendments meet our needs we are happy
Closes 276 opens work on SB 879.		
<u>SB 879 WORK SESSION</u>		
	Taylor	Reviews committee action on SB 879.
	Chair Duncan	Closes the work session on SB 879. Opens a public hearing on SB 898.
<u>SB 898 PUBLIC HEARING</u>		
063	Mary Botkin	AFSCME Council 75. Introduces audience members as from juvenile detention centers. Explains what these juvenile detention officers do and why they should be classified as police officers for purposes of benefits under the Public Employees Retirement System.
110	Chair Duncan	States he believes there are many inequities in the system and those inequities need to be looked at. Does not believe those inequities will be resolved in this session, but expresses hope that it will be done in future sessions.
	Botkin	Expresses thanks to Chair Duncan for his remarks. States she has made it abundantly clear to AFSCME's members to not have false hopes.
	Brian Montgomery	Multnomah County Department of Juvenile and Adult Submits written information [EXHIBIT A]. Explains what his agency does. Youth beyond etc. Encourages members to visit their facilities.
	Bruce Kosharek	Displays confiscated weapons for members of the committee. Submits a copy of

		the risk assessment form used by Multnomah County Department of Juvenile Justice Services. Speaks to the dangers of his job. The single most thing that makes their job dangerous is that they work with the kids. They are not locked up; we recreate with them; we eat with them; we think of ourselves as their last hope.
	Wil Wilhite	Multnomah County Juvenile and Adult Community Justice. Reads scenarios that highlight the dangers of their work
307	Alisa Stubblefield	Discusses some instances at her job site that highlight the dangers of the job.
330	Jody Darr	Multnomah County Juvenile and Adult Community Justice. Reviews what her agency does. States Multnomah County has a separate sex offender unit for juveniles. Discusses the unit for probation violators. Discusses the diversion program.
	Debra K. Mead	Displays a confidential police report. Reviews circumstances
TAPE 70, A		
010	Chair Duncan	Asks Mead if these are case she personally deals with.
	Mead	States she does. States often time parent do not see anything wrong with the actions of their children. States they are surprised if a
	John Hawkins	OPEU Local 503, SEIU, and
	John Harkins	Juvenile Probation Officer, Jackson County. Submits and presents testimony in Support of SB 898 [EXHIBIT C]. Relates some of his on-the-job experiences dealing with youth offenders.
	John Shaffer	OPEU Local 503, SEIU juvenile probation officer. Submits and presents testimony in support of SB 898 [EXHIBIT D]. Relates some of his on-the-job experiences dealing with youth offenders and their parents.
	Jill Morgan	States she is before the committee on her own time. Relates some of the duties of her job working with youth offenders. States youth 15 years and older are treated as adults as a result of Measure 11. Discusses circumstance of transporting a youth to Multnomah County. The youth is covered
	Amy Schumacher	Juvenile Detention Center, Albany, Linn County. Relates on-the-job procedures related working with youth offenders.
155	Tencha Soto	Explains how she incurred an on-the-job injury.
	Hawkins	
	Chair Duncan	
	Sen. Shields	Expresses his appreciation for the witnesses.
	Sen. Trow	Expresses his appreciation for the witnesses and for the job they do.

	Sen. Lim	Wants to know how many employees at the juvenile detention facilities
	Botkin	States she will get the information for Sen. Lim.
	Chair Duncan	States the need to have the information for a
	Darr	Multnomah County has Because of Measure 11, we holding and have held up to 33 offenders.
	Botkin	More in depth work during the interim. Difficulty defining who is in police and fire. Some people have been reluctant to step forward for fear of losing their benefit.
	Sen. Lim	Expresses thanks on behalf of Multnomah County.
	Chair Duncan	Closes public hearing on SB 879. Opens a public hearing on SB 671.
<u>SB 67 PUBLIC HEARING</u>		
250	Sen. Ferrioli	Senate Bill 671 would require state agencies to keep a databank of interagency and intergovernmental agreements. States no one can tell him how many agreements exist and how many are in force. DAS keep
	Sen. Trow	Asks if the bill was retroactive
	Sen. Ferrioli	States it was retroactive to five years. Encourages the committee to consider the SB 671-3 amendments {EXHIBIT }. Reviews provisions of the SB 671-3 amendments. Encourages a do pass with a referral to Ways and Means.
	Trow	Asks if the database is meant to be
	Ferrioli	The bill requires an index memorial be available.
	Chair Duncan	Is it from the time bill is enacted
	Taylor	All agreements that are currently active and then from the time the bill is enacted
	Trow	Then it would be retroactive
	Taylor	Retroactive only for those agreements that are active.
	Sen./Ferrioli	
	Chair Duncan	Asks Sen. Ferrioli to stay.
	Sen. Ferrioli	State he will stay. Comments
	Trow	
	Ferrioli	States there is no penalty. The bill is to create the database.

	Cam Birnie	<p>Department of Administrative Services.</p> <p>DAS would have amendments to have DOJ to it. However, that changes with the ñ3 amendments.</p> <p>States DAS needs to know how many agreements there are in order to do a fiscal impact on SB 671.</p>
	Chair Duncan	Asks for clarification
	Birnie	DAS is not for or against the ñ1
	Trow	How onerous is the task
	Birnie	
	Trow	
	Birnie	Question remains how many agreements there are.
	Trow	Asks if it is necessary to have the contract in hand.
	Ferrioli	Would like to let people know where to look.
	Don Charlton	<p>Department of Human Resources, Polk County.</p> <p>Expresses concern about the amount of paper flow.</p>
063	Trow	What about the amendments
	Ferrioli	<p>Do no want to increase the blizzard of paperwork between agencies.</p> <p>Capture agreements between agencies that will have an effect on the public. States the bill may need to be refined.</p>
	Charlton	Contracts do no automatically go to DAS for reviewóthey are no procurement contracts.
	Chair Duncan	What about a smaller agency that does not have as many contracts.
	Grattan Kerans	Oregon University System (OUS). Reminds the committee that he testified at the last hearing on SB 671. Discusses Oregon University Systemís intergovernmental agreements. Discusses how the ñ3 amendments affect OUS
	Trow	Why shouldnít the agreements go to archives
	Kerans	<p>They are subject to</p> <p>OUS is in favor of the concept. Think it is a good thing.</p>
143	Sen. Ferrioli	Sounds like a good idea. Did not connect legal sufficiency

	Chair Duncan	Requests an extension for a work session on Tuesday. So the interested parties can work on amendments.
	Trow	If we amend the bill and send it to Ways and Means
	Chair Duncan	Must request an extension.
	Ferrioli	Would like to have the work group today. DOJ nexus might be the solution. Interested in contacting other agencies
	Vice-Chair Trow	All that information should get to Archives
	Chair Duncan	
	Lynn Rosik	Department of Justice. If amendments proposed , DOJ would be will to take on the task instead of DAS. 191.010 ñ intergovernmental agreements ñ not currently coming to the department of Justice. Happy to work with Ferrioli to further work the bill.
	Chair Duncan	Tell senate president urgent, urgent matter. Closes the pub
	Ferrioli	Appreciates the committee and willingness
	Chair Duncan	Closes public hearing on 671. States he will hear 486 at 4:45 p.m. because Senator Lim will be out of committee. Opens public hearing on SB 1071, 1072, and 1073.
1071, 1072, 1073		
	Sen. Shields	Explains
	Chair Duncan	Support of the bill from the committee.
	Mark Landauer	City of Portland's Office of Government Relations. Submits and presents testimony in opposition to SB 1071, SB 1072, and SB 1073. Discusses why the bills would result in significant setbacks for the city of Portland.
380	Commander Kaufman	States his opposition to SB 1071, SB 1072, and SB 1073. States the city of Portland has been working very hard on the issue of homeless youth. Homeless are not only getting into trouble, but are also being victimized. Is very concerned by that victimization. Addresses some of the issues revolving around campsites of homeless persons.
TAPE 70, B		
	Stan Grubbs	Commander, Bureau of Police, Portland, Oregon. An issue of great community concern. Regarding advocacy, no more stubborn animal in the world than a police officer. Through a unique program, we no longer need 22 officers to do camp sweeps. Coordinated a program at Sen. Tarno. Francis Parish called JOIN. JOIN is a center for advocacy and is a fantastic program. Spanish Access. With one phone call, ask JOIN to check a campsite. Police officers are now advocates. If the bills are passed they will impede the progress we have already made.

	Jerry Bieberle	<p>Submits written information [EXHIBIT]. States his support for</p> <p>Reviews provisions of ORS 203.077(2). States citing a homeless person is not very humane.</p> <p>Urges the committee to pass SB 1071</p>
	Chair Duncan	Closes pub on 1071 1072 and 1072. Opens work session on 1071.
SB 1071 WORK SESSION		
	Sen. Shields	<p>Reviews provisions of 1071-1 amendments.</p> <p>Stops them from issuing a citation at the time of posting a notice. States the bill did pass</p>
	Trow	Asks if the bill passed.
	Shields	States the bill passed and refers to the ors handed out by Bieberle. Encourages passage of SB 1071 using the language proposed by the City of Portland.
	Chair Duncan	Let's try the comment about city hall
	Shields	That was far-fetched example. The common occurrence is not in city hall or in Waterfront Park. The homeless do not want to be seen. Northwest Portland, a trendy area. They were very well hidden. Sisters of the Road Café showed us where the people were.
	Chair Duncan	Sense of concern from Portland Police Bureau.
	Sen. Shields	Does not live in southeast Portland and not pastor of the church that caused all the trouble.
	Chair Duncan	I detected a change in philosophy in how Portland operates now compared to how they used to operate.
	Sen. Shields	What they are doing now is very intelligent. Joined with JOIN. JOIN staff will check out a campsite. Homeless advocate cleaning up the mess made by homeless. Nothing in SB 1072 prevents that from happening.
	Chair Duncan	Asks if the citations are being issued in the
	Sen. Shields	Fourth paragraphs from Landauer's testimony
	Landauer	Explains
	Sen. Shields	If drugs are involved, 24-hour notice is not relevant. Do not cite people just because they are homeless. How will a \$100 fine help the homeless person.
	Vice-Chair Trow	Refers to text in Landauer's testimony.
	Landauer	Asks Trow to repeat his question.

	Vice-Chair Trow	Your testimony state
	Landauer	Or camping
	Sen. Shields	States he does not understand the
	Landauer	Compel an individual to seek the treatment they need
	Chair Duncan	If you don't go with us, we will issue a citation.
	Landauer	Yes, in some instances
	Shields	Expresses concerns about issuing a citation just for being homeless
	Sen. Lim	
TAPE 71, a		
007	Landauer	Excellent question. Homeless cannot afford the citation. Get them into the assistance they need so they won't be in the situation they are in. Get arrest them if they are violating the law. Don't want to arrest unless dealing drugs.
	Lim	How many homeless in Portland Metro area
	Landauer	Does not know and no want to guess
	Shields	Clarifies he moved the ñ1 amendments.
	Trow	Expresses his concern about the ñ1
	Chair Duncan	Closes work on 1071. Opens a public hearing on 1219.
SB 1218 PUBLIC HEARING		
	Taylor	Refers the committee to the 1219-2 amendments, which are more correct and
	Chair Duncan	Closes the pub on SB 1219. Opens a work session on SB 1219.
	Ronelle Shankle	Department of Justice, Support Enforcement. Reviews the ñ2 amendments.

Chair Duncan	Closes work on 1219. Opens pub on SB 486.
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SB 486 PUBLIC HEARING

102	Sen. Peter Courtney	States there will be opposition to the bill. States the bill is pro-family, pro etc.
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Betsy Earls	Legislative Representative, Associated Oregon Industries. Submits and presents testimony in opposition to SB 486 [EXHIBIT] . States the issue is a court issue with AOI. Not regulated by government.
Sen. Courtney	Does not want sick leave used.
Heynderickx	That was in the bill last session. Delete Section 5 from the bill

Vice-Chair Trow	Do people negotiate leave.
Courtney	Sick leave is a very specific kind of leave.
Chair Duncan	Hoping to send the bill out with the Will have to ask for extension
Trow	Let the house remove Section 5.
Sen. Shields	Did a conceptual amendment in stream enhancement.
Chair Duncan	Reads from the committee rules.
Sen. Shields	How did we do it last night in the committee
Trow	Have to suspend committee rules

Laurie Wimmer	Government Relations Consultant, Oregon Education Association. Submits and presents testimony in support of SB 486 [EXHIBIT]. Refers the committee to the
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TAPE 72, A

028	Sen. Lim	Has their been a problem with this issue in the past
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Wimmer	Family pregnancy leave, etc. form them into one leave. Develop a consensus law.
Vice-Chair Trow	If we negotiated
Earls	Would not make the bill more palatable. Should be negotiated by individual employers and employees and not mandated by the legislature
Chair Duncan	If a person went to a typical member
Earls	Yes absolutely
Chair Duncan	Is it possible someone in your organization is not a good employer. And
Earls	Make these decisions on their own.
Chair Duncan	I ask the question because Said any good employer will do this.
Earls	States she cannot speak to that.
Chair Duncan	
Earls	That argument has been brought up before.
Chair Duncan	School-home-parent-child relationship
Sen. Lim	Not a good or bad employer, but can the employer afford
Chair Duncan	Closes the public hearing on SB 486. Opens a work on 486.

133	Taylor	Explains suspending the committee rules.
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Heynderickx	Explains the motion Sen. Trow made to conceptually remove Section 5 from the bill
Chair Duncan	Closes work on 486. adjourns

Submitted By, Reviewed By,

Valerie Luhr, Marjorie Taylor,
Administrative Support Administrator

EXHIBIT SUMMARY

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