

SENATE COMMITTEE ON GENERAL GOVERNMENT

May 6, 1999 Hearing Room C

3:00 p.m. Tapes 76 - 77

MEMBERS PRESENT: Sen. Verne Duncan, Chair

Sen. Cliff Trow, Vice-Chair

Sen. John Lim

Sen. Frank Shields

MEMBERS EXCUSED: Sen. Marylin Shannon

STAFF PRESENT: Marjorie Taylor, Administrator

Valerie Luhr, Administrative Support

MEASURE/ISSUES HEARD: HB 2662-A Public Hearing and Work Session

SB 831 Work Session

SB 671 Public Hearing and Work Session

HB 2831 Public Hearing and Work Session

HB 2584-A Public Hearing and Work Session

HCR 8 Public Hearing

HJR 58-A 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 76, A		
004	Chair Duncan	Calls the meeting to order at 3:05 p.m.

007	Sen. Lim	Welcomes his guests in the audience.
011	Chair Duncan	Extends courtesies to Sen. Lim's guests. Opens a public hearing on HB 2662-A
<u>HB 2662-A PUBLIC HEARING</u>		
017	Marjorie Taylor	Committee Administrator. Reviews provisions of HB 2662-A.
022	Rep. Mark Simmons	House District 58. States the bill originated from an intense controversy in La Grande. Reviews the bill's history and provisions. States the bill sets up a notification process allowing the Housing and Community Services Department (HCSD) the ability to be involved on the front end of local housing disputes. States the bill is the result of a work group of the Oregon Rental Housing Association, the Association of Housing Authorities, and HCSD. Urges the committee's support of HB 2662-A.
048	Chair Duncan	Asked who testified against the bill in the House.
049	Rep. Simmons	States the individual's concerns were met.
058	Sen. Trow	Asks if HCSD is happy with the bill.
060	Rep. Simmons	States they are happy with the bill.
073	Chair Duncan	Explains he will reopen the public hearing later in the day to accommodate other witnesses.
075	Lynn Schoessler	Housing and Community Services Department. States Rep. Simmons presented an accurate history of the bill. Comments on initial opposition to the bill.
086	Chair Duncan	Recesses the hearing on HB 2662-A. Opens a work session on SB 831.
<u>SB 831 WORK SESSION</u>		
095	Sen. Trow	MOTION: Moves SB 831 to the floor WITHOUT RECOMMENDATION as to passage and BE REFERRED to the committee on Rules and Elections.
100	Sen. Lim	Asks why the committee is referring the bill to the Committee on Rules and Elections.
101	Chair Duncan	States the committee held a public hearing on the bill and explains why they did not hold a work session. States the Committee on Rules and Elections is willing to accept the bill.
		VOTE: 3-0 AYE: In a roll call vote, all members present vote Aye. EXCUSED: 2 - Shannon, Shields
Chair Duncan		The motion CARRIES.

114	Chair Duncan	Closes the works session on SB 831. Opens a public hearing on SB 671.
<u>SB 671 PUBLIC HEARING</u>		
123	Cam Birnie	Transportation, Purchasing, and Print Services Division, Department of Administrative Services (DAS). Explains he met with Sen. Ferrioli and a representative of the Oregon University System (OUS) and the Department of Human Resources (DHR) to arrive at an automated procedure to avoid transfer of hard copy. States DAS will provide an electronic database accessible through the internet. States the SB 671-6 amendments [EXHIBIT A] give agencies the option of submitting hard copy or going through the internet. Explains there is a fiscal disadvantage to hard copy submission.
151	Chair Duncan	Explains he may need to recess the public hearing on SB 671 to accommodate another member in the audience.
153	Birnie	Discusses the fiscal impact of hard copy submission. States Jon Yunker, Director of DAS, suggested pursuing a nonlegislative solution, which DAS believes would have the least cost. States DAS has not yet spoken with Sen. Ferrioli and he has a letter draft to share with him. States after a two-year period, if Sen. Ferrioli or the legislature found the system was not working, the idea could be legislated. States DAS believes they can work the database without any statutory changes
178	Chair Duncan	Recesses the public hearing on SB 671. Opens a public hearing on HB 2831.
<u>HB 2831 PUBLIC HEARING</u>		
186	Rep. Ken Messerle	House District 48. States, while updating the county maps, the Coos County Surveyor discovered the statutory descriptions of Coos, Curry and Douglas Counties were inaccurate. States the three counties are in agreement to the bill. Encourages the committee support HB 2831.
210	Chair Duncan	Closes the public hearing on HB 2831. Opens a work session on HB 2831.
<u>HB 2831 WORK SESSION</u>		
212	Sen. Trow	MOTION: Moves HB 2831 to the floor with a DO PASS recommendation.
		VOTE: 4-0 AYE: In a roll call vote, all members present vote Aye. EXCUSED: 1 - Shannon
		Chair Duncan The motion CARRIES. SEN. TARNO will lead discussion on the floor.
228	Chair Duncan	Closes the work session on HB 2831. Opens a public hearing on HB 2584.
<u>HB 2584-A PUBLIC HEARING</u>		
241	Marjorie Taylor	Committee Administrator. Reviews provisions of HB 2584-A.

250	Chair Duncan	Requests the testimony in support of HB 2584-A from the House Committee on General Government [EXHIBIT B] be entered into the record.
264	Vickie Totten	Executive Director, Oregon Community College Association (OCCA). Submits and presents testimony in support of the bill [EXHIBIT C] . Reviews reasons why Clatsop Community College would like to relocate.
279	Sen. Lim	Asks if the bill pertains to any other community college.
281	Totten	States the bill applies to any local government that is in the same situation
283	Sen. Lim	Clarifies the bill allows the college to relocate, but does not require it.
286	Chair Duncan	Closes the public hearing on HB 2584-A. Opens a work session on HB 2584-A.
<u>HB 2584-A WORK SESSION</u>		
288	Sen. Trow	MOTION: Moves HB 2584A to the floor with a DO PASS recommendation.
		VOTE: 4-0 AYE: In a roll call vote, all members present vote Aye. EXCUSED: 1 - Shannon
	Chair Duncan	The motion CARRIES. SEN. DUNCAN will lead discussion on the floor.
300	Chair Duncan	Closes the work session on HB 2584-A. Opens a public hearing on HCR 8.
318	Chair Duncan	Calls a brief recess. Closes the public hearing on HCR 8. Opens a public hearing on SB 671.
<u>SB 671 PUBLIC HEARING.</u>		
320	Sen. Ted Ferrioli	Senate District 28. States the issue revolving around SB 671 and the SB 671-6 amendments is whether agencies are given the choice to do hard-copy filing or just electronic filing. States the consensus is to do all electronic filings. Reviews language in subsection 2 (page 2, line 7) of the SB 671-6 amendments. States "may" should be "shall." States there should be closure to the issue with the proposed change.
340	Birnie	States he mentioned to Sen. Ferrioli that DAS would be willing to pursue the matter by nonlegislative means. States there will be less fiscal impact with the one-word change.
347	Sen. Trow	Asks if there will be fiscal impact.
348	Birnie	States DAS will need to set up a server and there will be programming time and the impact will be minimal.

353	Sen. Lim	Asks about costs of the change from "may" to "shall."
355	Birnie	States DAS does not know how many agreements there are. Indicates Don Charlton mentioned how many agreements DHR has during the previous hearing, and states DAS has a few hundred agreements. States he thinks the impact will be less than \$20,000 and less than \$10,000 total costs.
368	Sen. Ferrioli	Reviews the elements that brought the parties to closure on the SB 671-6 amendments, such as the bill will be prospective.
390	Grattan Kerans	Oregon University System. States OUS is fine with the SB 671-6 amendments.
395	Sen. Shields	Asks if the 90-day provision in the amendments will allow enough time.
403	Kerans	Indicates OUS will have enough time.
414	Sen. Trow	Asks if changing from may to shall mandates electronic filing. Asks if there is any provision that will require a paper trail.
421	Sen. Ferrioli	States he does not believe there is anything in the bill that would require a literature search.
425	Sen. Trow	Clarifies the filing will be done only electronically.
429	Kerans	Indicates the exception is the person requesting a copy.
434	Sen. Trow	States providing a hard copy is easily done.
tape 77, a		
002	Sen. Lim	Asks if there are any agreements that should not be publicized because of their sensitive nature.
005	Sen. Ferrioli	Reviews the information that will be kept in the index. States he does not believe confidentiality will be violated.
012	Sen. Trow	Asks if the index will say where a document is available.
016	Sen. Ferrioli	States the index is primarily a directory. States the bill does not affect any proprietary information.
020	Sen. Trow	Asks if a contract can be obtained with proprietary information blanked out.
021	Kerans	Explains procedures OUS would follow if someone requested a document that contained proprietary information.
030	Marjorie Taylor	Committee Administrator. Explains committees have received a letter from President Adams discouraging conceptual amendments, and the committee would need to suspend the Committee Rules to make the change.
035	Chair Duncan	Closes the public hearing on SB 671. Opens a work session on SB 671.

SB 671 WORK SESSION

037	Sen. Trow	MOTION: Moves to SUSPEND the Committee Rules for the purpose of amending SB 671.
		VOTE: 4-0 AYE: In a roll call vote, all members present vote Aye. EXCUSED: 1 - Shannon
	Chair Duncan	The motion CARRIES.
045	Sen. Trow	MOTION: Moves to ADOPT SB 671-6 amendments dated 5/5/99.
		VOTE: 4-0 EXCUSED: 1 - Shannon
	Chair Duncan	Hearing no objection, declares the motion CARRIED.
047	Sen. Trow	MOTION: Moves to FURTHER AMEND the SB 671-6 amendments dated 5/5/99 in subsection 2, on page 2, line 7, by changing "may" to "shall".
		VOTE: 4-0 EXCUSED: 1 - Shannon
	Chair Duncan	Hearing no objection, declares the motion CARRIED.
053	Sen. Trow	MOTION: Moves SB 671 to the floor with a DO PASS AS AMENDED recommendation.
057	Sen. Shields	States he is sorry Kerans left and reviews the provisions in subsection 4 of the SB 671-6 amendments, which addresses how information shall be made accessible to the public. Indicates there is very little expense.
		VOTE: 4-0 AYE: In a roll call vote, all members present vote Aye. EXCUSED: 1 - Shannon
	Chair Duncan	The motion CARRIES. SEN. FERRIOLI will lead discussion on the floor.
070	Sen. Ferrioli	Expresses his thanks to the committee.
072	Chair Duncan	Closes the work session on SB 671. Reopens the public hearing on HCR 8.

HCR 8 PUBLIC HEARING

078	Rep. Betsy Close	House District 36. Submits and presents testimony in support of HCR 8 [EXHIBIT D] . Reads from the article in <i>The Daily Barometer</i> . States she believes the bill is timely as we approach the turn of the century and encourages the committee to support of the bill.
121	Sen. Shields	Asks what Memoir Trail 2000 is.
123	Rep. Close	Explains Ingram was using the imagery of The Oregon Trail.
130	Vice-Chair Trow	Asks if the resolution needs an amendment to clarify the Memoir Trail 2000.
131	Rep. Close	States she is open to an amendment.
137	Vice-Chair Trow	Suggests Rep. Close and committee staff could work on an amendment. States he thinks an explanation is needed for Senate floor discussion.
145	Sen. Shields	States he agrees an explanation is needed.
146	Rep. Close	States the name of the trail has caused confusion.
147	Vice-Chair Trow	States the committee will set the resolution aside until the amendments are completed.
154	Sen. Shields	Asks why Rep. Bowman voted no.
157	Rep. Close	States Rep. Bowman is concerned any bill dealing with history should be inclusive of all races.
164	Vice-Chair Trow	Suggests the amendments could also address Rep. Bowman's concern.
165	Sen. Shields	States agreement the amendment could include inclusive language.
168	Sen. Lim	Asks what the resolution is trying to accomplish.
170	Rep. Close	States the bill gives notoriety and official sanction to the importance of the 20 th Century and observing the Memoir Trail 2000.
181	Vice-Chair Trow	Closes the public hearing on HCR 8. Reopens the public hearing on HB 2662.

HB 2662 PUBLIC HEARING

188	Shawn Miller	Oregon Rental Housing Association. Comments on incidents revolving around the low-income housing project in La Grande. States there was dispute because of the high vacancy rate in La Grande.
225	Miller	States HCSD, housing authorities, and others support the bill. States the issue revolving around low-income housing has occurred in other rural areas, as well as in Portland and Eugene. Explains the bill creates a registry of interested parties. Reviews provisions in the bill.

288	Sen. Shields	Clarifies Schoessler is okay with the bill.
291	Miller	States Schoessler helped craft the bill.
292	Sen. Shields	Clarifies the registration fee helps cover making up a mailing list and postage.
297	Miller	States a small fee could be assessed for getting on the registry.
299	Sen. Shields	Suggests saving money by making a small change in the bill whereby HCSD would send notice by e-mail. States an electronic list has no postage, is faster, and may be more secure.
314	Miller	States he agrees with Sen. Shields but there might not be electronic access in some areas of the state.
327	Sen. Shields	States permissive language in the bill would be good because computers will become more common in homes. States he does not want HCSD spending more money than necessary on mailings.
342	Miller	States the mailing list will be relatively small and that is why there is no fiscal. States he would be open to language that would say "or electronic mail."
350	Sen. Shields	States the bill could offer a choice.
352	Miller	States he thinks "or" would make the language permissive.
359	Vice-Chair Trow	Expresses concern about the market study provision in the bill. Requests clarification of market study.
368	Miller	States the market study done in La Grande was very comprehensive and studied such things as population characteristics. Comments on subjects that might be included in a market study, such as student housing and income levels.
392	Vice-Chair Trow	Asks if the market studies are done before awarding low-income housing projects.
396	Miller	States studies are not necessarily done before awarding the projects. States the market study in La Grande saved the day. States there should be a mechanism in place so HCSD can do a market study if necessary.
405	Vice-Chair Trow	Asks if there is anything to prevent HCSD from doing market studies currently.
406	Miller	States there is not. States the bill would speed up the process.
420	Vice-Chair Trow	States a practical problem with low-income housing is that everyone wants it, but not in their neighborhood, and asks if that creates problems for siting the projects.
TAPE 76,b		
001	Miller	States the complaints would not affect HCSD's decision to do a market study.
005	Vice-Chair Trow	States there may be different interpretations in the future by HCSD.

007	Miller	States the decision to approve loans for low-income housing is not affected by the bill. States the bill puts a better line of communication in place.
013	Sen. Lim	States he does not see any problem with the bill including the provision to send written notice. States an e-mail is still written notice.
020	Vice-Chair Trow	Closes the public hearing on 2662A. Opens a public hearing on HJR 58.
<u>HJR 58 PUBLIC HEARING</u>		
023	Marjorie Taylor	Committee Administrator. Reviews provisions of the bill.
025	Ken Armstrong	Oregon Fire Chiefs Association. States the association fully supports the bill. States the fire service believes those in law enforcement and public safety commit themselves to a dangerous profession and one that is altruistic in nature. Urges the committee's support of the resolution.
041	Taylor	States the committee can recess until a quorum is present.
045	Vice-Chair Trow	Calls a five-minute recess.
046	Chair Duncan	Opens a work session on HJR 58-A.
<u>HJR 58-A WORK SESSION</u>		
047	Sen. Trow	MOTION: Moves HJR 58A be sent to the floor with a BE ADOPTED recommendation.
		VOTE: 4-0 AYE: In a roll call vote, all members present vote Aye. EXCUSED: 1 - Shannon
Chair Duncan		The motion CARRIES. SEN. TROW will lead discussion on the floor.
054	Chair Duncan	Closes the work session on HJR 58-A. Opens a work session on HB 2662-A.
<u>2662 WORK SESSION</u>		
058	Vice-Chair Trow	Reviews the public hearing on the bill.
063	Sen. Shields	States he assumes the e-mail issue can be resolved by administrative rule.
067	Sen. Lim	MOTION: Moves HB 2662A to the floor with a DO PASS recommendation.
		VOTE: 4-0

		AYE: In a roll call vote, all members present vote Aye. EXCUSED: 1 - Shannon
	Chair Duncan	The motion CARRIES. SEN. LIM will lead discussion on the floor.
072	Chair Duncan	Closes the work session on HB 2662-A.
074	Vice-Chair Trow	Reviews the public hearing on HB 2662-A for Chair Duncan.
079	Chair Duncan	Adjourns the meeting at 4:10 p.m.

Submitted By, Reviewed By,

Valerie Luhr, Marjorie Taylor,

Administrative Support Administrator

EXHIBIT SUMMARY

A ñ SB 671-7 amendments, staff, 2 pp.

B ñ HB 2584-A, written testimony, staff, 4 pp.

C ñ HB 2584-A, written testimony, Vickie Totten, 1 p.

D ñ HCR 8, written testimony, Rep. Betsy Close, 2 pp.

E ñ HJR 58-A, written testimony, staff, 1 p.