

HOUSE COMMITTEE ON  
GENERAL GOVERNMENT AND REGULATORY REFORM

April 28, 1995 Hearing Room 357  
1:30 pm Tapes 120 - 123

MEMBERS PRESENT:

Rep. Bob Tiernan, Chair  
Rep. Mike Lehman, Vice Chair  
Rep. Bev Clarno  
Rep. Jerry Grisham  
Rep. Cedric Hayden  
Rep. Bryan Johnston  
Rep. Bill Markham  
Rep. Lonnie Roberts  
Rep. Barbara Ross  
Rep. Charles Starr  
Rep. Ken Strobeck  
Rep. Sharon Wylie

STAFF PRESENT:

Greg Moore, Committee Counsel  
Anne Tweedt, Committee Counsel  
Kay C. Shaw, Committee Assistant

MEASURES HEARD:

HB 2001 Work Session  
HB 2159 Work Session  
HB 2314 Work Session  
HB 2444 Work Session  
HB 2456 Work Session  
HB 2520 Reconsideration & Work Session  
HB 2842 Work Session  
HB 3097 Work Session  
HB 3217 Work Session  
HB 3389 Work Session  
HB 3392 Work Session  
HB 3449 Work Session  
HB 3453 Work Session  
HJR 43 Work Session  
SB 365 Public Hearing & Work Session  
SB 483 A Work Session  
SB 532 Work Session  
SB 538 Public Hearing & Work Session  
SB 642 A Public Hearing & Work Session  
SB 647 A Public Hearing & Work Session  
SB 790 A Public Hearing & Work Session  
SB 987 Public Hearing & Work Session  
SB 1134 Work Session  
SCR 4 Public Hearing & Work Session

These minutes contain materials which paraphrase and/or summarize  
statements made during this session. Only text enclosed in quotation marks

report a speaker's exact words. For complete contents of the proceedings,  
please refer to the tapes.

TAPE 120, A

015 CHAIR TIERNAN: Calls meeting to order at 1:45 pm. ALL MEMBERS ARE  
PRESENT.

> Announcements.

060 CHAIR TIERNAN: Opens public hearing on HB 3453.

HB 3453 - PUBLIC HEARING

Witness: Rep. Kitty Piercy (D - District 39)  
James R. Seaberry (Eugene)  
Scott Rohter (Eugene)  
Melva Barnes (Eugene)  
Jeannine Wilkins (Eugene)  
Marie Gray (Eugene)  
Wanda Simmons (Eugene)  
Fora Hines (Eugene)  
Phillip Lemman, City of Eugene  
Bill Sizemore, Oregon Taxpayers United  
Daniel G. Vizzini, City of Portland

ANNE TWEEDT, Committee Counsel: Reviews the Preliminary Staff Measure  
Summary. The Preliminary Staff Measure Summary is hereby made a part of  
these Minutes (EXHIBIT A).

085 REP. KITTY PIERCY (D - District 39): Testifies in support of HB 3453.

149 JAMES R. SEABERRY (Eugene): Testifies from prepared testimony in  
support of HB 3453. Submits (EXHIBIT B).

179 SCOTT ROHTER (Eugene): Testifies from prepared testimony in support of  
HB 3453. Submits (EXHIBIT C).

228 MELVA BARNES (Eugene): Testifies in support of HB 3453.. Submits

prepared testimony (EXHIBIT D).

234 JEANNINE WILKINS (Eugene): Testifies from prepared testimony in support of HB 3453. Submits (EXHIBIT E).

250 MARIE GRAY (Eugene): Testifies from prepared testimony in support of HB 3453. Submits (EXHIBIT F).

263 WANDA SIMMONS (Eugene): Testifies in support of HB 3453.

270 FORA HINES (Eugene): Testifies in support of HB 3453.

322 PHILLIP LEMMAN, City of Eugene: Testifies in opposition to HB 3453. Submits prepared testimony (EXHIBIT G).

377 CHAIR TIERNAN: Do you agree the law should be changed?

MR. LEMMAN: Yes. Comments about discussion with Rep. Kitty Piercy and proposed alternatives.

CHAIR TIERNAN: Continues questioning Mr. Lemman.

TAPE 121, A

008 BILL SIZEMORE, Oregon Taxpayers United. Testifies in support of HB 3453. Submits prepared testimony and proposed amendments (EXHIBIT H).

COUNSEL TWEEDT: Seeks an explanation of the proposed amendments.

040 MR. SIZEMORE: It was a mistake in drafting by Legislative Counsel to include the language "and including interest, penalties and the costs of conducting the sale." The proponents of the bill agree the language should not be included in the bill; therefore, that portion was deleted.

050 REP. ROBERTS: What is the process to determine how the property is going to be sold?

MR. LEMMAN: Send out a notice. If there is more than one party who submits a bid, then the first party who submits a bid for the value of the lien gets the property.

REP. ROBERTS: What safeguards against inside trading?

MR. LEMMAN: Explains the public process.

105 REP. WYLIE: Provides general comments about the issue.

CHAIR TIERNAN: Closes public hearing and opens work session on HB 3453.

HB 3453 - WORK SESSION

148 REP. JOHNSTON: Suggests restoring the bracketed language in ORS 223.525 with the exception of deleting the words "but not exceeding" and on Page 1, Line 7, after "sold to the" to insert "a highest". Would adopt the remainder of the amendments submitted by Mr. Sizemore.

REP. ROBERTS: Refers to language on Page 1, Lines 10-11, "the lesser of" and reference to "highest bidder." Will those two phrases be in conjunction with the other?

163 REP. JOHNSTON: Agrees that "the lesser of" should also be deleted. Explains that it would say that the highest bidder, who offers more than 80 percent of the property, can buy the property and if there isn't anyone who offers more than 80 percent, there is a six months' wait and then a resale with the sale going to the highest bidder regardless of the offer. Any amount received above and beyond the amount of the lien is paid to the heirs or assigns.

REP. ROBERTS: References "highest bidder." Is this a sealed bid or an auction bid?

REP. JOHNSTON: Oral auction and there is a requirement in the statute for advertising and posting.

176 CHAIR TIERNAN: Restates proposed new amendment.

209 REP. WYLIE: Wants to be sure the city can collect all actual and reasonable costs in dealing with this property.

REP. JOHNSTON: Restored language allows the unpaid lien or final assessment thereon, the interest, penalty and the cost of advertising the sale are all recoverable by the city.

REP. GRISHAM: The notice requirement is by certified or registered mail. Do you know whether or not it is also sent by regular mail?

225 DANIEL G. VIZZINI, Assessments Manager, Office of City Auditor, City of Portland: That is a local option. The City of Portland sends it by both regular and certified mail.

REP. GRISHAM: Suggests inserting a requirement in the bill that notice be sent uncertified, because people who are experiencing difficulties do not pick up certified or registered mail.

REP. JOHNSTON: Notice also must be posted on the house.

235 REP. STROBECK: Seeks further clarification on Rep. Johnston's amendments.

245 REP. JOHNSTON: In the event the lien has grown to an amount greater than 80 percent of the property, that would control. The amendment is intended for circumstances in which the lien has not grown to an amount greater than 80 percent of the property.

REP. STROBECK: Opines the language is unclear.

REP. JOHNSTON: Intent is to ensure that the city is entitled to capture all of its investments in the property. Says Rep. Ross is of the opinion that HB 2930 already does that; therefore, based on those representations, suggests striking Lines 5 through 9 and adopting the amendments.

REP. STROBECK: Agrees with that change.

REP. JOHNSTON: We are basically back to the bill as amended by Mr. Sizemore, picking it up at Line 10 and adopting his language on the hand-engrossed version. The hand-engrossed amendment to HB 3453, Page 1, beginning on Line 10, and on Line 12, after "(a)" insert "Not less than" and after "thereon" insert "minus 20%" and on Lines 12-13 delete "and including interest, penalties and the costs of conducting the sale". Line 16 is deleted. On Line 19 after "be" insert "sold to the highest bidder in a public sale following proper public notice." Lines 20 through 28 are deleted. On Line 29, delete "(6)" and insert "(3)".

298 MOTION: REP. JOHNSTON: Moves to amend HB 3453: On Page 1, Line 12, after "(a)" insert "Not less than" and after "thereon" insert "minus 20 percent" and on Lines 12-13 delete "and including interest, penalties and the costs of conducting the sale". Line 16 is deleted. On Line 19 after "be" insert "sold to the highest bidder in a public sale following proper public notice." Lines 20 through 28 are deleted. On Line 29, delete "(6)" and insert "(3)".

REP. STROBECK: Opines that Rep. Johnston meant on Page 1, Line 19, after "be" to also delete "offered for 90 percent of the least value described in".

308 CHAIR TIERNAN: Restates the motion.

VOTE: In a roll call vote, REPS. CLARNO, GRISHAM, JOHNSTON, LEHMAN, MARKHAM, ROBERTS, ROSS, STARR, STROBECK, WYLIE and CHAIR TIERNAN vote AYE.

REP. HAYDEN is EXCUSED

CHAIR TIERNAN: Declares the MOTION ADOPTED.

328 MOTION: REP. STROBECK moves HB 3453, as amended, to the Floor with a DO PASS recommendation.

VOTE: In a roll call vote, REPS., JOHNSTON, LEHMAN, MARKHAM, ROBERTS, ROSS, STARR, STROBECK, WYLIE and CHAIR TIERNAN vote AYE. REPS. CLARNO, GRISHAM, HAYDEN are EXCUSED.

CHAIR TIERNAN: Declares the MOTION PASSED. Carriers of the bill are REPS. JOHNSTON and PIERCY.

CHAIR TIERNAN: Closes the work session on HB 3453 and opens public hearing on SB 538.

SB 538 - PUBLIC HEARING

Witness: Jody Fischer, Oregon Ambulance Association  
Shawn Baird, Woodburn Ambulance, Silverton Ambulance and Oregon Ambulance Association

Ambulance

350 ANNE TWEEDT, Committee Counsel: Reviews the Preliminary Staff Measure Summary. The Preliminary Staff Measure Summary is hereby made a part of these Minutes (EXHIBIT I).

369 JODY FISCHER, Nan Heim/Associates, representing the Oregon Ambulance Association: Testifies in support of SB 538. Submits prepared testimony (EXHIBIT J).

374 SHAWN BAIRD, Operations Director, Woodburn Ambulance and Silverton Ambulance, and Oregon Ambulance Association: Testifies in support of SB 538.

CHAIR TIERNAN: Closes public hearing and opens work session on SB 538.

SB 538 - WORK SESSION

385 REPS. ROBERTS and STARR moves SB 538 to the Floor with a DO PASS recommendation.

VOTE: In a roll call vote, REPS. GRISHAM, JOHNSTON, LEHMAN, MARKHAM, ROBERTS, ROSS, STARR, STROBECK, WYLIE and CHAIR TIERNAN vote AYE. REP. HAYDEN is EXCUSED.

CHAIR TIERNAN: Declares MOTION PASSED. Carrier of the bill is REP. GRISHAM.

CHAIR TIERNAN: Closes work session on SB 538 and opens public hearing on SB 642A.

SB 642A - PUBLIC HEARING

Witnesses: Capt. James H. Stevenson, Oregon Department of State Police  
Douglas R. Hoffman, Oregon Council of Police Associations  
Kelly Taylor, Oregon Department of Transportation, DMV Services  
Jim Botwinis, Oregon State Police Officers' Association  
Sen. Lenn Hannon (R - District 26)  
Kevin L. Campbell, Oregon Association Chiefs of Police  
Rep. Bob Repine (R - District 49)  
Lieutenant William V. Johnson, Oregon Department of State Police  
Bryan Platt, Oregon Window Tinters Association  
Carol Berg, International Window Film Association

398 ANNE TWEEDT, Committee Counsel: Reviews the Preliminary Staff Measure Summary. The Preliminary Staff Measure Summary is hereby made a part of these Minutes (EXHIBIT K).

CAPT. JAMES H. STEVENSON, Patrol Services Division, Oregon Department of State Police: Submits prepared testimony in support of SB 642A (EXHIBIT L).

DOUGLAS R. HOFFMAN, President, Oregon Council of Police Associations: Submits prepared testimony in support of SB 642A (EXHIBIT M).

KELLY TAYLOR, DMV Legislative Coordinator, Oregon Department of Transportation, DMV Services: Submits prepared testimony in support of SB 642A (EXHIBIT N).

JIM BOTWINIS, President, Oregon State Police Officers' Association: Submits prepared testimony in support of SB 642A (EXHIBIT O).

SEN. LENN HANNON (R - District 26): Submits prepared testimony in support of SB 642A (EXHIBIT P).

KEVIN L. CAMPBELL, Oregon Association Chiefs of Police: Submits prepared testimony in support of SB 642A (EXHIBIT Q).

417 REP. BOB REPINE (R - District 49): Submits prepared testimony (EXHIBIT R). Testifies in support of SB 642A:  
> Introductory comments.  
> Comments about discrepancy in federal laws.

473 LIEUTENANT WILLIAM V. JOHNSON, Patrol Services, Oregon Department of State Police: Submits prepared testimony (EXHIBIT S). Testifies in support

of SB 642A:  
> Introductory comments.  
> FOR THE RECORD: Oregon State Police endorses the legislation.

482 BRYAN PLATT, Oregon Window Tinters Association: Testifies from prepared testimony in support of SB 642A. Submits (EXHIBIT T).

538 CAROL BERG, International Window Film Association: Testifies in support of SB 642A.

[Unidentified]: Submits prepared testimony in opposition to SB 642A (EXHIBIT U).

CHAIR TIERNAN: Closes public hearing and opens work session on SB 642A.

SB 642 - WORK SESSION

551 MOTION: REP. WYLIE moves SB 642A to the Floor with a DO PASS recommendation.

VOTE: In a roll call vote, REPS. CLARNO, GRISHAM, JOHNSTON, LEHMAN, MARKHAM, ROBERTS, ROSS, STARR, STROBECK, WYLIE and CHAIR TIERNAN vote AYE.

REP. HAYDEN is EXCUSED.

CHAIR TIERNAN: Declares the MOTION PASSED. Carrier of the bill is REP. WYLIE.

CHAIR TIERNAN: Closes work session on SB 642A and opens work session on HB 2314.

HB 2314 - WORK SESSION

593 GREG MOORE, Committee Counsel: Reviews Preliminary Staff Measure Summary and the proposed HB 2314-1 amendments. The Preliminary Staff Measure Summary, including the proposed HB 2314-1 amendments, is hereby made a part of these Minutes (EXHIBIT V).

MOTION: REP. LEHMAN moves ADOPTION of HB 2314-1 amendments.

CHAIR TIERNAN: Hearing no objection from ALL MEMBERS PRESENT, declares the MOTION ADOPTED. REP. HAYDEN is EXCUSED.

614 MOTION: REP. LEHMAN moves HB 2314, as amended, to the Floor with a DO PASS recommendation.

VOTE: In a roll call vote, REPS. CLARNO, GRISHAM, JOHNSTON, LEHMAN, MARKHAM, ROBERTS, ROSS, STARR, STROBECK, WYLIE and CHAIR TIERNAN vote AYE.

REP. HAYDEN is EXCUSED

CHAIR TIERNAN: Declares MOTION PASSED. Carrier of the bill is REP.\_KEVIN MANNIX.

CHAIR TIERNAN: Closes work session on HB 2314 and opens reconsideration on HB 2444.

HB 2444 - RECONSIDERATION

650 GREG MOORE, Committee Counsel: Reviews Preliminary Staff Measure Summary. Preliminary Staff Measure Summary is hereby made a part of these Minutes (EXHIBIT W).

MOTION: REP. ROBERTS moves for reassignment of HB 2444 from the Subcommittee on Regulatory Reform to the Full Committee.

VOTE: In a roll call vote, REPS. CLARNO, GRISHAM, MARKHAM, ROBERTS, ROSS, STARR, WYLIE and CHAIR TIERNAN vote AYE. REPS. JOHNSTON, LEHMAN and STROBECK vote NAY. REP. HAYDEN is EXCUSED

INTERIM CHAIR MARKHAM: Declares the MOTION PASSED.

677 CHAIR TIERNAN: Opens the work session on HB 2444.

TAPE 120, B

HB 2444 - WORK SESSION

029 REP. STROBECK: Provides history of work in the subcommittee. The effect of the bill would transfer local building code authorities to the state level -- there is the potential of an enormous consequence.

044 REP. JOHNSTON: Agrees that the testimony was as expressed by Rep. Strobeck. Concludes this is a solution in search of a problem.

047 REP. ROSS: Understands that the League of Oregon Cities has many technical problems with this bill in terms of how it would work out with the Department of Consumer & Business Services issuing a permit that overlaps local zoning and building code enforcement.

CHAIR TIERNAN: Closes work session on HB 2444 and opens reconsideration on HB 2456.

HB 2456 - RECONSIDERATION

054 GREG MOORE, Committee Counsel: Reviews the Preliminary Staff Measure Summary. The Preliminary Staff Measure Summary is hereby made a part of these Minutes (EXHIBIT X).

MOTION: CHAIR TIERNAN moves for unanimous consent to suspend the rules for the purpose of reconsideration of HB 2456.

CHAIR TIERNAN: Hearing no objection from ALL MEMBERS PRESENT, declares the MOTION PASSED.

MOTION: CHAIR TIERNAN moves for reassignment of HB 2456 from the Subcommittee on State and Federal Affairs to the Full Committee.

CHAIR TIERNAN: Hearing no objection from ALL MEMBERS PRESENT, declares the MOTION PASSED.

067 CHAIR TIERNAN: Opens work session on HB 2456.

HB 2456 - WORK SESSION

070 MOTION: REP. STARR moves HB 2456 to the Floor with a DO PASS recommendation.

REP. ROSS: Desires to support the bill. Did the League of Oregon Cities or Association of Counties submit testimony against the bill?

COUNSEL MOORE: Doesn't recall such testimony.

REP. ROSS: Explains support for the bill.

083 REP. ROBERTS: The bill provides people with rights to their own property. Supports the bill.

VOTE: In a roll call vote, REPS. CLARNO, GRISHAM, HAYDEN, JOHNSTON, LEHMAN, MARKHAM, ROBERTS, ROSS, STARR, STROBECK, WYLIE and CHAIR TIERNAN vote AYE.

CHAIR TIERNAN: Declares MOTION PASSED. Carrier of the bill is REP. CHARLES STARR.

CHAIR TIERNAN: Closes work session on HB 2456 and opens work session on HJR 43.

HJR 43 - WORK SESSION

097 ANNE TWEEDT, Committee Counsel: Reviews the Preliminary Staff Measure Summary and proposed HJR 43-7 amendments. The Preliminary Staff Measure Summary, including the proposed HJR 43-7 amendments, is hereby made a part

of these Minutes (EXHIBIT Y).

REP. LEHMAN: Was there a decision about why this is a constitutional amendment?

COUNSEL TWEEDT: Understands that it was at the request of the original proponent of the measure. Currently it is unconstitutional to require fair

share contributions. People have to request the amount of money a union or organization would use for political activities -- they have to request that back rather than not pay it up front.

128 REP. STARR: Is the provision prohibiting fair share now in the Constitution?

COUNSEL TWEEDT: No. Currently it is unconstitutional to require fair share contributions.

CHAIR TIERNAN: The proponent of the measure believes that it is a fundamental right and something that should be espoused in Constitution (i.e., not to be compelled to join an organization or contribute to political activities which a person may not wish to belong to).

REP. ROSS: Which amendments have been acted on?

CHAIR TIERNAN: Proposed HJR 43-7 amendments.

149 REP. JOHNSTON: Presents his recollection about the testimony as testimony in opposition to the bill. Appears to be "simply a political swipe at the unions."

161 CHAIR TIERNAN: Provides more in-depth explanation of the bill.

REP. JOHNSTON: The bill establishes a blanket that prevents people from doing things that we want people to do (i.e., participate in a democratic deliberation of ideas). It is designed to "chill the participation of the union voice in this deliberation." Opines that the bill is unduly harsh and "we shouldn't be doing this."

CHAIR TIERNAN: Agrees with Rep. Johnston's comments to the extent that it is "fair and that it provides an opportunity for people." Opines the bill doesn't change anything except the process as well as it defines a fairer process on how political moneys are collected.

202 REP. LEHMAN: Adds to Rep. Johnston's comments. Says this is an attempt to legislate to regulate local unions. This ignores the rights of members and the public to vote on their representation and to control the local process.

MOTION: REP. ROBERTS: Opines the issues does not belong in the State's Constitution. Moves to TABLE HJR 43.

VOTE: In a roll call vote, REPS. JOHNSTON, LEHMAN, ROBERTS, ROSS and WYLIE vote AYE. REPS. CLARNO, GRISHAM, HAYDEN, MARKHAM, STARR, STROBECK and CHAIR TIERNAN vote NAY.

CHAIR TIERNAN: Declares MOTION FAILS.

233 MOTION: REP. STROBECK moves ADOPTION of proposed HJR 43-7 amendments.

CHAIR TIERNAN: Hearing no objection from ALL MEMBERS PRESENT, declares MOTION ADOPTED.

MOTION: REP. STROBECK moves HJR 43-7, as amended, to the Floor with a DO PASS recommendation.

VOTE: In a roll call vote, REPS. CLARNO, GRISHAM, HAYDEN, MARKHAM, STARR, STROBECK and CHAIR TIERNAN vote AYE. REPS. JOHNSTON, LEHMAN, ROBERTS, ROSS and WYLIE vote NAY.

CHAIR TIERNAN: Declares MOTION PASSED. Carriers of the bill are REPS. STROBECK and CHAIR TIERNAN.

259 REP. LEHMAN: Notice of Minority Report.

REP. JOHNSTON: Joins in the Minority Report.

MOTION: REP. STROBECK moves HB 3392 from the table for consideration by the Committee.

CHAIR TIERNAN: Hearing no objection from ALL MEMBERS PRESENT, declares MOTION PASSED.

CHAIR TIERNAN: Opens work session on HB 3392.

HB 3392 - WORK SESSION

CHAIR TIERNAN: Closes work session on HB 3392 and opens reconsideration on HB 3217.

HB 3217 - RECONSIDERATION

MOTION: CHAIR TIERNAN moves for unanimous consent to suspend the rules for the purpose of reconsideration of HB 3217.

CHAIR TIERNAN: Hearing no objection from ALL MEMBERS PRESENT, declares MOTION PASSED.

MOTION: CHAIR TIERNAN moves for reassignment of HB 3217 from the Subcommittee on State and Federal Affairs to the Full Committee.

CHAIR TIERNAN: Hearing no objection form ALL MEMBERS PRESENT, declares MOTION PASSED.

296 CHAIR TIERNAN: Opens work session on HB 3217.

HB 3217 - WORK SESSION

Witness: JOE DELILLO, Oregon Retail Liquor Association

297 GREG MOORE, Committee Counsel: Provides brief summary of the bill. Defers to Rep. Johnston for explanation of the hand-engrossed, proposed HB 3217-13 amendments. Submits (EXHIBIT Z).

JOE DELILLO, Oregon Retail Liquor Association: Submits prepared testimony (EXHIBIT\_AA).

REP. JOHNSTON: Explains the history of HB 3217, including the proposal to reward agents by allowing them to share in the equity of retail outlets. Submits (EXHIBIT BB). The amendments require OLCC to develop within six months of the effective date of this Act a series of options for OLCC agents (i.e., remain on the status quo, enter into an enhanced-agent relationship or enter into whatever other options OLCC develops for them, but it would be the agent's choice).

> Provides details about the enhanced-agent relationship.

392 REP. STROBECK: When a person gets into the OLCC franchise business, do they buy a franchise from the State?

REP. JOHNSTON: No.

REP. STROBECK: So, they get that for free?

REP. JOHNSTON: That's correct.

395 REP. STROBECK: Continues to question Rep. Johnston about the amendments.

REP. ROSS: Explains opposition to the amendments, because the effect is loosening of control over the agents and put the agents in a position of promoting the sale of liquor. OLCC would be limited in its capacity to choose a licensee or an operator of a specific location and it is important

to control alcohol in this state. Opines it is a mistake to move in this direction.

TAPE 121, B

016 REP. HAYDEN: Explains opposition to the bill. Stresses the importance that OLCC have the strongest possible control over the sale of this product.

MOTION: REP. STARR moves ADOPTION of the hand-engrossed, conceptual amendments proposed by Rep. Johnston.

078 REP. JOHNSTON: Agrees with the comments by Reps. Hayden and Ross, except their intent to vote "No." Points out the problem to be cured is the lack of benefits to agents.

057 REP. LEHMAN: Opines that Rep. Johnston has developed a good system to solve the problem and the proposed system is a "great start for an interim study"; however, he already foresees problems. Questions whether a requirement of interest can be waived. Says the State will be in the position of warranting the value of these stores. Seems this legislature is creating so many exceptions; however, the whole system requires serious consideration.

VOTE: In a roll call vote, REPS. CLARNO, GRISHAM, JOHNSTON, LEHMAN, MARKHAM, ROBERTS, STARR, STROBECK, WYLIE and CHAIR TIERNAN vote AYE. REPS.

HAYDEN and ROSS vote NAY.

CHAIR TIERNAN: Declares MOTION ADOPTED.

095 MOTION: REP. JOHNSTON moves HB 3217, as amended, to the Floor with DO PASS recommendation.

VOTE: In a roll call vote, REPS. CLARNO, GRISHAM, JOHNSTON, MARKHAM, ROBERTS, STARR, WYLIE and CHAIR TIERNAN vote AYE. REPS. HAYDEN, LEHMAN, ROSS and STROBECK vote NAY.

CHAIR TIERNAN: Declares MOTION PASSED. Carrier of the bill is REP. JOHNSTON.

CHAIR TIERNAN: Closes work session on HB 3217 and opens work session on HB 2001.

HB 2001 - WORK SESSION

106 MOTION: REP. CLARNO moves ADOPTION of HB 2001-3 amendments.

CHAIR TIERNAN: Hearing no objection from ALL MEMBERS PRESENT, declares MOTION ADOPTED.

110 MOTION: REP. CLARNO moves HB 2001, as amended, to the Floor with a DO PASS recommendation.

116 ANNE TWEEDT, Committee Counsel: Reviews the Preliminary Staff Measure Summary and the proposed HB 2001-3 amendments. The Preliminary Staff Measure Summary, including proposed HB 2001-3 amendments, is hereby made a part of these Minutes (EXHIBIT CC).

REP. CLARNO: This legislation does not take effect unless the private sector can actually provide the service cheaper.

VOTE: In a roll call vote, REPS. CLARNO, GRISHAM, HAYDEN, JOHNSTON, MARKHAM, ROBERTS, ROSS, STARR, STROBECK and CHAIR TIERNAN vote AYE. REPS. LEHMAN and WYLIE vote NAY.

CHAIR TIERNAN: Declares the MOTION PASSED. Carrier of the bill is REP. GRISHAM.

140 CHAIR TIERNAN: Declares a recess at 3:35 pm.

CHAIR TIERNAN: Reconvenes the meeting at 3:49 pm.

CHAIR TIERNAN: Opens public hearing on SB 790A.

SB 790A - PUBLIC HEARING

Witness: Sandra Bishop, Wine Institute

146 ANNE TWEEDT, Committee Counsel: Reviews the Preliminary Staff Measure Summary. The Preliminary Staff Measure Summary is hereby made a part of these Minutes (EXHIBIT\_DD).

SANDRA BISHOP, Wine Institute: Submits prepared testimony in support of SB 790A (EXHIBIT EE).

CHAIR TIERNAN: Closes public hearing and opens work session on SB 790A.

SB 790A - WORK SESSION

MOTION: REP. STARR moves SB 790A to the Floor with a DO PASS recommendation.

VOTE: In a roll call vote, REPS. CLARNO, GRISHAM, HAYDEN, JOHNSTON, LEHMAN, ROSS, STARR and CHAIR TIERNAN vote AYE. REPS. MARKHAM, ROBERTS, STROBECK and WYLIE are EXCUSED.

CHAIR TIERNAN: Declares MOTION PASSED.

CHAIR TIERNAN: Closes work session on SB 790A and opens public hearing on SB 365.

SB 365 - PUBLIC HEARING

Witness: Ray Gribbling, Oregon Automobile Dealers Association

176 ANNE TWEEDT, Committee Counsel: Reviews the Preliminary Staff Measure Summary. The Preliminary Staff Measure Summary is hereby made a part of these Minutes (EXHIBIT\_FF).

184 RAY GRIBBLING, Oregon Automobile Dealers Association: Testifies in support of SB 365. Submits prepared testimony (EXHIBIT GG).

CHAIR TIERNAN: Closes public hearing and opens work session on SB 365.

SB 365 - WORK SESSION

MOTION: REP. JOHNSTON moves SB 365 to the Floor with a DO PASS recommendation.

VOTE: In a roll call vote, REPS. CLARNO, GRISHAM, HAYDEN, JOHNSTON, LEHMAN, MARKHAM, ROSS, STARR and CHAIR TIERNAN vote AYE. REPS. ROBERTS, STROBECK and WYLIE are EXCUSED.

CHAIR TIERNAN: Declares the MOTION PASSED. Carrier of the bill is REP.\_HAYDEN.

CHAIR TIERNAN: Closes work session on SB 365 and opens work session on SB 1134.

SB 1134 - WORK SESSION

208 GREG MOORE, Committee Counsel: Summarizes the bill and work history by the Committee.

220 REP. ROSS: Seeks confirmation that the effect of this bill would "kill the one percent for art program"?

REP. MARKHAM: Yes.

REP. ROSS: States opposition to bill. Supports art.

227 REP. WYLIE: Expresses favor with original bill from the Senate; however, is not in favor of "sweeping this entire program aside." Intends to vote "no."

CHAIR TIERNAN: Clarifies this legislation does not stop the legislature from appropriating money for a building to add money for art.



246 MOTION: REP. MARKHAM moves SB 1134, as amended, to the Floor with a DO PASS recommendation.

VOTE: In a roll call vote, REPS. CLARNO, GRISHAM, HAYDEN, MARKHAM, STARR and CHAIR TIERNAN vote AYE. REPS. JOHNSTON, LEHMAN, ROSS, STROBECK and WYLIE vote NAY. REP. ROBERTS is EXCUSED.

CHAIR TIERNAN: Declares MOTION FAILS.

257 REP. JOHNSTON requests to amend the bill.

CHAIR TIERNAN: Intends to put over until Tuesday.

263 REP. JOHNSTON: Relates conversation with Rep. Roberts who would not have been an affirmative vote for this bill and would support a proposed amendment.

MOTION: REP. JOHNSTON moves ADOPTION of SB 1134 to return it to its same position when it came over from the Senate (i.e., delete the amendment to expand the scope of the bill from just corrections facilities to all buildings).

VOTE: In a roll call vote, REPS. CLARNO, HAYDEN, JOHNSTON, LEHMAN, ROSS, STARR, STROBECK, WYLIE and CHAIR TIERNAN vote AYE. REPS. MARKHAM and GRISHAM vote NAY. REP. ROBERTS is EXCUSED.

CHAIR TIERNAN: Declares the MOTION ADOPTED.

MOTION: REP. JOHNSTON moves SB 1134 to the Floor with a DO PASS recommendation.

VOTE: In a roll call vote, REPS. CLARNO, GRISHAM, HAYDEN, JOHNSTON, LEHMAN, MARKHAM, ROSS, STARR, STROBECK, WYLIE and CHAIR TIERNAN vote AYE. REP. ROBERTS is EXCUSED.

CHAIR TIERNAN: Declares the MOTION PASSED. Carrier of the bill is REP.\_JERRY GRISHAM.

312 CHAIR TIERNAN: Opens work session on HB 3392.

HB 3392 - WORK SESSION

By implied consent, HB 3392 IS TAKEN FROM THE TABLE.

GREG MOORE, Committee Counsel: Summarizes the bill, work by the Subcommittee on Regulatory Reform and the proposed HB 3392-5 amendments. Proposed HB 3392-5 amendments are hereby made a part of these Minutes (EXHIBIT HH).

361 MOTION: REP. HAYDEN moves ADOPTION of proposed HB 3392-5 amendments.

CHAIR TIERNAN: Hearing no objection from ALL MEMBERS PRESENT, declares MOTION ADOPTED. REPS. CLARNO and ROBERTS are EXCUSED.

MOTION: REP. HAYDEN moves HB 3392, as amended, to the Floor with a DO PASS recommendation.

REP. JOHNSTON: Reads from HB 3392-5 amendments, Lines 11-13. It seems to imply that 800 numbers could be dialed and not invoke this billing. Provides example of dialing an 800 number to access AT&T when at a phone that attempts to block the use of dial around. How does that work technologically?

388 JOE GILLIAM, Northwest Payphone Association: Phone providers are not allowed to "block"; therefore, if a phone is blocking, that phone provider is in violation. The complaint would be with the FCC that the phone provider is blocking customer service.

REP. JOHNSTON: If a customer dials an 800 number to access, how does the phone company know the purpose of the customer's 800 call?

MR. GILLIAM: For the telephone numbers that access the long distance services the payphone provider knows which phone numbers those are. Each phone keeps a record of what numbers were called. Any 800 or toll-free call that a business or individual uses for business other than providing long distances services is excluded.

REP. JOHNSTON: What about "throw away" cards?

MR. GILLIAM: The debit cards are included, but only on a per phone basis.

REP. LEHMAN: Has this issue been heard before the PUC?

MR. GILLIAM: Yes.

REP. LEHMAN: Continues inquiries about PUC's findings.

462 CHAIR TIERNAN: The reason the issue is being heard is that it seemed fundamentally fair that someone should be reimbursed for their efforts in the business.

VOTE: In a roll call vote, REPS. GRISHAM, HAYDEN, MARKHAM, STROBECK and CHAIR TIERNAN vote AYE. REPS. JOHNSTON, LEHMAN, ROSS, STARR and WYLIE vote

NAY. REPS. CLARNO and ROBERTS are EXCUSED.

CHAIR TIERNAN: Declares the MOTION FAILS.

CHAIR TIERNAN: Closes work session on HB 3392 and opens work session on HB 3389.

HB 3389 - WORK SESSION

490 GREG MOORE, Committee Counsel: Summarizes the bill, the work by the Subcommittee on Regulatory Reform and the proposed hand-engrossed HB 3389-9 amendments. The proposed hand-engrossed HB 3389-9 amendments are hereby made a part of these Minutes (EXHIBIT II).

536 MOTION: CHAIR TIERNAN moves for unanimous consent to suspend the rules for the purpose of moving HB 3389 from the Subcommittee on Regulatory Reform to the Full Committee.

CHAIR TIERNAN: No objection heard from REPS. GRISHAM, HAYDEN, LEHMAN, MARKHAM, ROSS, STARR and WYLIE. REP. JOHNSTON objects. REPS. CLARNO, ROBERTS and STROBECK are EXCUSED.

CHAIR TIERNAN: Declares MOTION FAILS.

CHAIR TIERNAN: Closes work session on HB 3389.

REP. JOHNSTON: Will withdraw objection to suspension of the rules for the purpose of moving HB 3389 from Subcommittee on Regulatory Reform to the Full Committee.

CHAIR TIERNAN: Declares MOTION PASSED.

MOTION: CHAIR TIERNAN moves for reconsideration of the vote on HB 3389.

CHAIR TIERNAN: Hearing no objection, declares MOTION PASSED. REPS. CLARNO, ROBERTS and STROBECK are EXCUSED.

MOTION: CHAIR TIERNAN moves that HB 3389 be moved from the Subcommittee on Regulatory Reform to the Full Committee.

CHAIR TIERNAN: Hearing no objection, declares MOTION PASSED. REPS. CLARNO, ROBERTS and STROBECK are EXCUSED.

CHAIR TIERNAN: Closes work session on HB 3389 and opens work session on SCR\_4.

SCR 4 - PUBLIC HEARING

580 ANNE TWEEDT, Committee Counsel: Reviews the Preliminary Staff Measure Summary. The Preliminary Staff Measure Summary is hereby made a part of these Minutes (EXHIBIT JJ).

CHAIR TIERNAN: Closes public hearing and opens work session on SCR 4.

SCR 4 - WORK SESSION

588 MOTION: REP. JOHNSTON moves SCR 4 to the Floor with a DO PASS recommendation.

VOTE: In a roll call vote, REPS. GRISHAM, HAYDEN, JOHNSTON, LEHMAN, MARKHAM, ROSS, STARR, WYLIE and CHAIR TIERNAN vote AYE. REPS. CLARNO, ROBERTS and STROBECK are EXCUSED.

CHAIR TIERNAN: Declares MOTION PASSED. Carrier of the bill is REP. MARKHAM.

CHAIR TIERNAN: Closes work session on SCR 4 and opens work session on SB 532.

SB 532 - WORK SESSION

Witness: Mary Eichler (Corvallis)

629 ANNE TWEEDT, Committee Counsel: Reviews the Preliminary Staff Measure Summary. The Preliminary Staff Measure Summary is hereby made a part of these Minutes (EXHIBIT KK).

DON SCHELLENBERG, Associate Director, Governmental Affairs Division, Oregon Farm Bureau: Submits prepared testimony in support of SB 532 (EXHIBIT LL).

638 MOTION: REP. ROSS moves SB 532 to the Floor with a DO PASS recommendation.

REP. JOHNSTON: Is the intent to not allow a person who didn't either bale it or grow it to move it?

REP. LEHMAN: The bill is very specialized and "truly a citizen bill." The bill is specialized to the grass seed fields in terms of being able to get the straw off the field very quickly after its harvested, because it is used as a field product for animals. It is very critical to be able to do this and it means they go onto another seed farmer's property to bale and haul it plus have the right to use their farm plates.

MARY EICHLER (Corvallis): Testifies in support of SB 532. There are a few farm families that when the legislators asked for the non-burning of straw,

these farmers shifted part of the farming operation over to fill in that gap and do the straw. The acreage is somewhat co-farmed with other farmers

who have farm plates through DMV, but "PUC said that doing the straw is a second product that is not ours to bale, because we didn't plant the seed and, of course, you don't need to place the seed when you are trying to get

rid of the straw." This new farming package has been developed to get all of the seed and straw off the land; however, the wording limits the use of farm plates.

714 VOTE: In a roll call vote, REPS. GRISHAM, HAYDEN, JOHNSTON, LEHMAN, MARKHAM, ROSS, STARR, WYLIE and CHAIR TIERNAN vote AYE. REPS. CLARNO, ROBERTS and STROBECK are EXCUSED.

CHAIR TIERNAN: Declares the MOTION PASSED. Carrier of the bill is REPS. ROSS and HAYDEN.

TAPE 122, A

070 CHAIR TIERNAN: Closes work session on SB 532 and opens reconsideration on HB 2520.

HB 2520 - RECONSIDERATION

MOTION: CHAIR TIERNAN moves for unanimous consent to suspend the rules for the purpose of reconsideration of the vote on HB 2520.

CHAIR TIERNAN: Hearing no objection from ALL MEMBERS PRESENT, declares the MOTION PASSED. REPS. CLARNO, ROBERTS and STROBECK are EXCUSED.

MOTION: CHAIR TIERNAN moves for reconsideration of the vote on HB 2520.

CHAIR TIERNAN: Hearing no objection from ALL MEMBERS PRESENT, declares the MOTION PASSED. REPS. CLARNO, ROBERTS and STROBECK are EXCUSED.

CHAIR TIERNAN: Opens work session on HB 2520.

HB 2520 - WORK SESSION

MOTION: REP. JOHNSTON moves HB 2520 to the Floor with a DO PASS recommendation and to rescind the subsequent referral to the Committee on State and School Finance.

VOTE: In a roll call vote, REPS. GRISHAM, HAYDEN, JOHNSTON, LEHMAN, MARKHAM, ROSS, STARR, WYLIE and CHAIR TIERNAN vote AYE. REPS. CLARNO, ROBERTS and STROBECK are EXCUSED.

CHAIR TIERNAN: Declares MOTION PASSED. Carrier of the bill is REP. MARKHAM.

CHAIR TIERNAN: Closes work session on HB 2520 and opens work session HB 3097.

HB 3097 - WORK SESSION

089 GREG MOORE, Committee Counsel: Reviews the Preliminary Staff Measure Summary, proposed HB 3097-1 amendments and conceptual amendments to proposed HB 3097-1 amendments. The Preliminary Staff Measure Summary, proposed HB 3097-1 amendments and conceptual amendments to proposed HB 3097-1 amendments are hereby made a part of these Minutes (EXHIBIT MM).

MOTION: REP. ROSS moves ADOPTION of the conceptual HB 3097-1 amendments.

CHAIR TIERNAN: Hearing no objection from ALL MEMBERS PRESENT, declares the MOTION PASSED. REPS. CLARNO, ROBERTS and STROBECK are EXCUSED.

MOTION: REP. STARR moves HB 3097, as amended, to the Floor with a DO PASS recommendation.

129 REP. ROSS: Sympathizes with private operators who perceive there is unfair competition with government, but through communications with both the Association of Oregon Counties, who object strenuously to this bill, and a local parks director, they opine this will interfere with cooperative efforts between government. Intends to vote "no."

VOTE: In a roll call vote, REPS. GRISHAM, STARR and CHAIR TIERNAN vote AYE. REPS. HAYDEN, JOHNSTON, LEHMAN, MARKHAM, ROSS and WYLIE vote NAY. REPS. CLARNO, ROBERTS and STROBECK are EXCUSED.

CHAIR TIERNAN: Declares MOTION FAILS.

147 CHAIR TIERNAN: Closes work session on HB 3097 and reopens work session on HB 3453.

HB 3453 - WORK SESSION

MOTION: CHAIR TIERNAN moves for unanimous consent to suspend the rules for the purpose of reconsideration of the vote on HB 3453.

CHAIR TIERNAN: Hearing no objection from ALL MEMBERS PRESENT, declares the MOTION PASSED. REPS. CLARNO, ROBERTS and STROBECK are EXCUSED.

MOTION: CHAIR TIERNAN moves for reconsideration of the vote on HB 3453.

CHAIR TIERNAN: Hearing no objection from ALL MEMBERS PRESENT, declares the MOTION PASSED. REPS. CLARNO, ROBERTS and STROBECK are EXCUSED.

155 ANNE TWEEDT, Committee Counsel: Provides explanation that prompted reconsideration. Committee did not specify whether or not the bid had to be at least to the value of the lien. There is concern that property could

be sold for \$1 and the local government would be unable to recoup its losses. Additionally, if the Committee specified that the property needed to equal the amount of the lien there is a suggestion from the proponent of the hand-engrossed amendments that it read "the amount of the lien or 60 percent of the value of the land whichever is greater."

176 REP. JOHNSTON: If the city takes the property, the city should be able to sell it and should be required to sell it. If there is not a market for the property, we should not require that the city hold onto the property.

186 MOTION: CHAIR TIERNAN moves that HB 3453, as amended, be re-passed to the Floor with a DO PASS recommendation.

VOTE: In a roll call vote, REPS. GRISHAM, HAYDEN, JOHNSTON, LEHMAN, MARKHAM, ROSS, STARR, WYLIE and CHAIR TIERNAN vote AYE. REPS. CLARNO, ROBERTS and STROBECK are EXCUSED.

CHAIR TIERNAN: Declares MOTION PASSED. Carriers of the bill are REPS. JOHNSTON and PIERCY.

CHAIR TIERNAN: Closes work session on HB 3453 and opens reconsideration on HB 2842.

HB 2842 - RECONSIDERATION

MOTION: CHAIR TIERNAN moves for unanimous consent to suspend the rules for the purpose of moving HB 2842 from the Subcommittee on State and Federal Affairs to the Full Committee [see tape at 363].

CHAIR TIERNAN: Hearing no objection from ALL MEMBERS PRESENT, declares MOTION PASSED. REPS. CLARNO and ROBERTS are EXCUSED.

MOTION: CHAIR TIERNAN moves that HB 2842 be moved from the Subcommittee on State and Federal Affairs to the Full Committee.

CHAIR TIERNAN: Hearing no objection from ALL MEMBERS PRESENT, declares MOTION PASSED. REPS. CLARNO and ROBERTS are EXCUSED.

CHAIR TIERNAN: Opens work session on HB 2842 [see tape at 370].

HB 2842 - WORK SESSION

Witnesses: Brant Williams, Oregon Department of Transportation (ODOT)  
Dell Isham, BlueStar Inc.

204 ANNE TWEEDT, Committee Counsel: Reviews the Preliminary Staff Measure Summary. The Preliminary Staff Measure Summary is hereby made a part of these Minutes (EXHIBIT NN).

217 REP. ROSS: Recounts discussion with ODOT that indicates the problem with the devices is that they measure the temperature of the air. They do not measure whether or not there is ice on the pavement. The objection is that they mislead the motorist.

REP. MARKHAM: Recounts testimony by the Highway Engineer and the understanding that ODOT's position was "indecisive".

REP. ROSS: This is a specific product by a specific manufacturer and "if things were free, I wouldn't object to additional testing, but . . . an additional test costs a lot of money . . . it is important . . . not to micromanage the Department of Transportation."

REP. MARKHAM: Comments about the effort to install fencing on the overpasses and the state is spending millions of dollars when this is a safety protection that might save a few lives.

REP. LEHMAN: Recounts other testimony from the Highway Department of the concern about whether these devices actually affected behavior. Concerned this would cost several million dollars.

REP. MARKHAM: What is the cost of the device in the bill?

COUNSEL TWEEDT: There is no fiscal statement available yet. Says the two numbers for the testing are \$55,000 and \$100,000 for 1,500 devices, 20-25 test sites.

CHAIR TIERNAN: How much did the test cost?

269 BRANT WILLIAMS, Traffic Engineer, Oregon Department of Transportation (ODOT): Testifies that the pilot study involved the installation of approximately \$55,000 worth of the devices and the total project was about \$80,000. It encompassed about 600 devices. The first year cost for installation could be between \$150,000-\$300,000 plus approximately \$90,000 in maintenance based on the results of the pilot project. Thereafter, it would be that much more each year.

290 MR. WILLIAMS: Continues to testify:  
> Says the pilot study was conducted over the past few years to check these

devices to determine what would be the affect on motorists' behavior and whether or not they were a positive device that would help with safety. The results were inclusive -- no benefit was seen for the devices in changing motorists' driving behavior.

> Questions the reliability of the devices, because the devices could tell a motorist there is not ice on the road or that it isn't freezing when in fact there is ice on the road. That presents a real liability problem for the State.

> Agrees with the concept of these devices; however, ODOT is seeking a device that does adequately warn the motorist of potential icy conditions.

Opines these devices are not at a point where ODOT should be mandated to install 150,000 miles of them. Additionally, it is not a cost effective way of dealing with the issue.

320 DELL ISHAM, BlueStar Inc.: Recounts testimony and documentation before the Subcommittee on State and Federal Affairs.

371 MOTION: REP. WYLIE moves HB 2842 to the Floor with a DO PASS recommendation and that it be referred to the Committee on Ways and Means.

VOTE: In a roll call vote, REPS. GRISHAM, HAYDEN, MARKHAM, STARR, STROBECK, WYLIE and CHAIR TIERNAN vote AYE. REPS. JOHNSTON, LEHMAN and ROSS vote NAY. REPS. CLARNO and ROBERTS are EXCUSED.

CHAIR TIERNAN: Declares MOTION PASSED. Carrier of the bill is REP. WYLIE.

CHAIR TIERNAN: Closes work session on HB 2842 and opens work session on HB

3449.

HB 3449 - WORK SESSION

390 ANNE TWEEDT, Committee Counsel: Reviews the Preliminary Staff Measure Summary and proposed HB 3449-1 amendments. The Preliminary Staff Measure Summary, including proposed HB 3449-1 amendments, is hereby made a part of these Minutes (EXHIBIT OO).

REP. MARKHAM: What is the purpose of the bill?

414 COUNSEL TWEEDT: The bill allows ODOT to continue studying high speed trains, but it also appropriates money each fiscal year beginning July 1, 1997, for further track improvements (i.e., \$8 Million each fiscal year).

MOTION: REP. HAYDEN moves ADOPTION of proposed HB 3449-1 amendments.

CHAIR TIERNAN: Hearing no objection from ALL MEMBERS PRESENT, declares MOTION ADOPTED. REPS. CLARNO and ROBERTS are EXCUSED.

425 MOTION: REP. HAYDEN moves HB 3449, as amended, to the Floor with a DO PASS recommendation and to rescind the subsequent referral to the Committee on Ways and Means.

REP. JOHNSTON: Seeks further clarification from Rep. Hayden regarding why it is unnecessary to send the bill to the Committee on Ways and Means.

REP. HAYDEN: Provides background history of the bill. The funding is prospective -- it does not begin until the next biennium. The next session of the Legislature will have the right of review. It does allow ODOT to begin laying the framework, contacting bonding authorities, etc.

REP. JOHNSTON: Continues inquiries about the history of money allocation.

VOTE: In a roll call vote, REPS. GRISHAM, HAYDEN, JOHNSTON, LEHMAN, MARKHAM, ROSS, STARR, STROBECK, WYLIE and CHAIR TIERNAN vote AYE. REPS. CLARNO and ROBERTS are EXCUSED.

CHAIR TIERNAN: Declares the MOTION PASSED. Carrier of the bill is REP. HAYDEN.

CHAIR TIERNAN: Closes work session on HB 3449 and opens public hearing on SB 987.

SB 987 - PUBLIC HEARING

Witness: Carol Fischer, Marion County  
Hassina E. Cassim, Special Districts Association

501 ANNE TWEEDT, Committee Counsel: Reviews the Preliminary Staff Measure Summary. The Preliminary Staff Measure Summary is hereby made a part of these Minutes (EXHIBIT PP).

511 CAROL FISCHER, Public Affairs Director, Marion County: Testifies from prepared testimony in support of SB 987. Submits (EXHIBIT QQ).

CHAIR TIERNAN: Questions the language that the bill requires an appointment by a member to the board.

MS. FISCHER: Yes, it is based on a very successful system when the Salem Transit System was first formed. Explains the system. This bill allows Marion County to have elected officials sit on the board and be a voice in the decisions made by the board should a Recreation District ever be established.

552 REP. GRISHAM: Would this Park and Recreation District then be empowered to build an athletic club, swimming pool and health facility?

MS. FISCHER: Possibly, however, it would require a vote of the people. This would serve as any special district does with voters approving the formation of the district in the first place and then approving its budget from year to year.

REP. GRISHAM: The intent would be to build those types of facilities?

MS. FISCHER: Unsure that's the intent -- that is one of the possible outcomes. Opines the intent is just an ability to give more flexibility in local government to make things happen in tandem with not-for-profit groups and perhaps profit groups that do offer recreation facilities.

571 HASSINA E. CASSIM, Special Districts Association: Testifies in support of SB 987.

CHAIR TIERNAN: Closes public hearing and opens work session on SB 987.

SB 987 - WORK SESSION

MOTION: REP. JOHNSTON moves SB 987 to the Floor with a DO PASS recommendation.

VOTE: In a roll call vote, REPS. HAYDEN, JOHNSTON, LEHMAN, MARKHAM, ROSS, STARR, STROBECK, WYLIE and CHAIR TIERNAN vote AYE. REPS. GRISHAM votes NAY. REPS. CLARNO and ROBERTS are EXCUSED.

CHAIR TIERNAN: Declares MOTION PASSED. Carrier of the bill is REP.\_STROBECK.

CHAIR TIERNAN: Closes work session on SB 987 and opens work session on HB 2159.

HB 2159 - WORK SESSION

592 MOTION: REP. MARKHAM moves HB 2159 to the Committee on Ways and Means without recommendation as to passage.

CHAIR TIERNAN: Hearing no objection from ALL MEMBERS PRESENT, declares MOTION PASSED. REPS. CLARNO and ROBERTS are EXCUSED.

CHAIR TIERNAN: Closes work session on HB 2159 and opens work session on SB 483A.

SB 483A - WORK SESSION

609 ANNE TWEEDT, Committee Counsel: Reviews the Preliminary Staff Measure Summary. The Preliminary Staff Measure Summary is hereby made a part of these Minutes (EXHIBIT RR).

MOTION: REP. STARR moves SB 483A to the Floor with a DO PASS recommendation.

VOTE: In a roll call vote, REPS. GRISHAM, HAYDEN, JOHNSTON, MARKHAM, ROSS, STARR, STROBECK, WYLIE and CHAIR TIERNAN vote AYE. REPS. LEHMAN votes NAY. REPS. CLARNO and ROBERTS are EXCUSED.

CHAIR TIERNAN: Declares MOTION PASSED. Carrier of the bill is REP.\_HAYDEN.

CHAIR TIERNAN: Closes the work session on SB 483A and opens public hearing on SB \_647A.

TAPE 123, A

SB 647A - PUBLIC HEARING

009 ANNE TWEEDT, Committee Counsel: Reviews the Preliminary Staff Measure Summary. The Preliminary Staff Measure Summary is hereby made a part of these Minutes (EXHIBIT SS).

CHAIR TIERNAN: Closes public hearing and opens work session on SB 647A.

SB 647A - WORK SESSION

MOTION: REP. STARR moves SB 647A to the Floor with a DO PASS recommendation.

VOTE: In a roll call vote, REPS. GRISHAM, HAYDEN, JOHNSTON, LEHMAN, MARKHAM, ROSS, STARR, STROBECK, WYLIE and CHAIR TIERNAN vote AYE. REPS. CLARNO and ROBERTS are EXCUSED.

026 CHAIR TIERNAN: Declares MOTION PASSED. Carrier of the bill is REP.\_STARR.

CHAIR TIERNAN: Closes work session on SB 647A.

037 CHAIR TIERNAN: Adjourns the meeting at 5:05 pm.

Submitted by, Reviewed by, Reviewed by,

Kay C. Shaw      Gregory G. Moore      Anne Tweedt  
Committee Assistant      Committee Counsel      Committee Counsel

EXHIBIT SUMMARY:

A      - Preliminary Staff Measure Summary on HB 3453 -- Staff -- 4 Pages  
B      - Prepared Testimony on HB 3453 -- James R. Seaberry -- 3 Pages  
C      - Prepared Testimony on HB 3453 - Scott Rohter -- 3 Pages  
D      - Prepared Testimony on HB 3453 -- Melva Barnes -- 2 Pages  
E      - Prepared Testimony on HB 3453 -- Jeannine Wilkins -- 1 Page  
F      - Prepared Testimony on HB 3453 -- Marie Gray -- 4 Pages  
G      - Prepared Testimony on HB 3453 -- Phillip Lemman -- 2 Pages  
H      - Prepared Testimony on HB 3453 -- Bill Sizemore -- 2 Pages  
I      - Preliminary Staff Measure Summary on SB 538 -- Staff -- 2 Pages  
J      - Prepared Testimony on SB 538 -- Jody Fischer -- 1 Page  
K      - Preliminary Staff Measure Summary on SB 642 -- Staff -- 2 Pages  
L      - Prepared Testimony on SB 642 -- Capt. James H. Stevenson -- 1 Page  
M      - Prepared Testimony on SB 642 -- Douglas R. Hoffman -- 1 Page  
N      - Prepared Testimony on SB 642 -- Kelly Taylor -- 1 Page  
O      - Prepared Testimony on SB 642 -- Jim Botwinis -- 2 Pages  
P      - Prepared Testimony on SB 642 -- Sen. Lenn L. Hannon -- 2 Pages  
Q      - Prepared Testimony on SB 642 -- Kevin L. Campbell -- 2 Pages  
R      - Prepared Testimony on SB 642 -- Rep. Bob Repine -- 1 Page  
S      - Prepared Testimony on SB 642 -- Lt. William V. Johnson -- 1 Page  
T      - Prepared Testimony on SB 642 -- Bryan Platt -- 6 Pages  
U      - Prepared Testimony on SB 642 -- Unidentified -- 1 Page  
V      - Preliminary Staff Measure Summary on HB 2314 and Proposed HB 2314-1  
Amendments      -- Staff -- 3 Pages  
W      - Preliminary Staff Measure Summary on HB 2444 -- Staff -- 3 Pages  
X      - Preliminary Staff Measure Summary on HB 2456 -- Staff -- 2 Pages  
Y      - Preliminary Staff Measure Summary on HJR 43 and Proposed HJR 43-7  
Amendments --      Staff -- 3 Pages  
Z      - Proposed Hand-engrossed HB 3217-13 Amendments -- Staff -- 3 Pages  
AA      - Prepared Testimony on HB 3217 -- Joe DeLillo -- 3 Pages  
BB      - Proposed Conceptual HB 3217 Amendments -- Rep. Bryan Johnston -- 4  
Pages  
CC      - Preliminary Staff Measure Summary on HB 2001 and Proposed HB 2001-3  
Amendments      -- Staff -- 5 Pages  
DD      - Preliminary Staff Measure Summary on SB 790 -- Staff -- 2 Pages  
EE      - Prepared Testimony on SB 790 -- Sandra Bishop -- 2 Pages  
FF      - Preliminary Staff Measure Summary on SB 365 -- Staff -- 2 Pages  
GG      - Prepared Testimony on SB 365 -- Ray Gribbling -- 2 Pages  
HH      - Proposed HB 3392-5 Amendments -- Staff -- 2 Pages  
II      - Proposed HB 3389-9 Amendments -- Staff -- 2 Pages  
JJ      - Preliminary Staff Measure Summary on SCR 4 -- Staff -- 2 Pages  
KK      - Preliminary Staff Measure Summary on SB 532 -- Staff -- 3 Pages  
LL      - Prepared Testimony on SB 532 -- Don Schellenberg -- 1 Page  
MM      - Preliminary Staff Measure Summary on HB 3097, Proposed HB 3097-1  
Amendments      and Proposed Hand-engrossed HB 3097-1 Amendments -- Staff -- 5  
Pages  
NN      - Preliminary Staff Measure Summary on HB 2842 -- Staff -- 2 Pages  
OO      - Preliminary Staff Measure Summary on HB 3449 and Proposed HB 3449-1  
Amendments -- Staff -- 5 Pages  
PP      - Preliminary Staff Measure Summary on SB 987 -- Staff -- 2 Pages  
QQ      - Prepared Testimony on SB 987 -- Carol Fischer -- 2 Pages

RR - Preliminary Staff Measure Summary on SB 483 -- Staff -- 3 Pages  
SS - Preliminary Staff Measure Summary on SB 647 -- Staff -- 3 Pages