

SENATE COMMITTEE ON
RULES AND ELECTIONS

Hearing Room C
9:00 a.m. Tapes - 27

MEMBERS PRESENT:

Sen. Randy Miller, Chair
Sen. Paul Phillips, Vice-Chair
Sen. Brady Adams
Sen. Shirley Gold
Sen. Dick Springer

STAFF PRESENT:

Kristina McNitt, Committee Administrator
Gretchen Haber, Committee Assistant

MEASURES HEARD:

SB 342: Public Hearing

SJM2: Public Hearing and Work Session

SB 176, SJM4, SJM3 - allowing late vote for Senator Gold

SJR16: Public Hearing

Bill Introduction:

LC 3806, LC 3803, LC 3811, LC 2883

Request regarding the Frank Roberts Service Award

Request dealing with discouragement of a food product or commodity

agricultural origin

of

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 , A

003 CHAIR MILLER: Calls the meeting to order at 9:37 a.m. Reviews agenda.

Explains to audience that the committee may not convene a work session this
morning.

Opens PUBLIC HEARING on SB 342.

Witnesses: Senator Jon Lim
David Dellah
Chris Dearth

015 SEN. JOHN LIM: Testifies in favor of SB 342.

-- The Asian community is a large group without the voice a commission
would provide

-- The Asian community provides much for themselves

-- The Asian community lacks a central support system that a commission
would provide

-- Language and cultural barriers complicate adjustment to the United
States, calling for an Asian American Commission

063 -- Explains the commission would encourage increased participation in
the political process.

071 -- Points out that commissions for similar minority groups are funded
at a significant level.

081 -- Argues the importance of recognition to the Asian community either
with or without funding for the organization.

094 SEN. PHILLIPS: Notes a variety of commissions in the status quo.
Discusses the challenge of funding a variety of commissions.

103 SEN. LIM: Explains that he would like to receive funding, but that
funding is not absolutely required.

110 DAVID DELLAH, Executive Director, Washington State Commission on Asian
Affairs. Testifies in favor of SB 342. Presents written testimony
(EXHIBIT A) and brochure on the Washington Commission on Asian American
Affairs (EXHIBIT B).

120 -- Provides history on the Washington state commission. Explains that
the commission was established and funded in 1974 by the state legislature.

122 -- Explains that the primary role of the organization is to advise
public officials on the impacts of public policy on the Asian community.

Notes the research arm of the organization, which identifies issues that
would be relevant to the community.

145 -- Testifies that active issues have included economic development,
international trade, civil rights, and education.

162 -- Explains that there is a need to establish separate commissions for
different minorities. Notes the unique and complex nature of the cultures,

and that a general human services commission would not be effective at

responding to those differences.

173 -- Encourages committee support, given the increase in the Asian population in Oregon.

206 CHRIS DEARTH, Legislative Director for Governor Kitzhaber. Testifies in

favor of SB 342. Presents written testimony (EXHIBIT C). Indicates the governor's strong support for SB 342.

216 -- Notes increasing cultural diversity of the state. Argues that public services will be made more efficient and effective should they be more open to all cultures.

220 CHAIR MILLER: Discusses the importance of establishing separate commissions for each group and how that relates to being inclusive.

242 -- Asks if there is a funding threshold the governor has in mind.

245 DEARTH: Says the Governor had considered funding at comparable levels to other commissions.

Closes PUBLIC HEARING on SB 342

Opens PUBLIC HEARING on SJM2.

Witness: Senator Jon Lim

275 SEN. JOHN LIM: Testifies in favor of SJM2.

-- Describes service of former Senator Glenn Otto

Closes PUBLIC HEARING on SJM2.

SB 176, SJM4, SJM3 - late vote

310 CHAIR MILLER: Requests unanimous consent to allow Senator Gold to record her vote on three measures heard on Tuesday, March 21, SB 176, SJM4

and SJM3. Hearing no objection,

VOTE: SENATOR GOLD votes AYE on SB 176, SJM4 and SJM3.

Opens PUBLIC HEARING on SB 342.

Witnesses: Jack Wagner
Thach Nguyen
Johnny Fang
Lynn Nakamoto
Jeannette Pai-Espinosa
Lieutenant Ken Chambers
Charles Stoudamire
Jan Mihara
Jamie Partridge
James Carr
Mary Eng-Samuel

328 JACK WAGNER, Business Owner: Testifies in favor of SB 342.

330 -- Views the bill as a significant economic development tool for Oregon. As a business owner in Oregon, he sees the Commission as a critical component to his business.

369 -- Testifies that it would help to expand Oregon's marketing base.

391 -- Has been working at the local level to assist Asian Americans in cultural assimilation.

TAPE 27-A

005 THACH NGUYEN: Testifies in favor of SB 342. Presents written testimony (EXHIBIT D).

035 JOHNNY FANG: Testifies in favor of SB 342. Presents letter from the Hotel Workers Organizing Committee (EXHIBIT E).

061 LYNN NAKAMOTO, Asian Pacific American Political Action Committee:

Testifies in favor of SB 342. Refers to written testimony (EXHIBIT F).

070 --Argues that Oregon does not need more division. Explains that the Asian group is a bi-modal community.

083 SEN. GOLD: Refers to her district in Southeast Portland, where there is

a large group of Asian Americans. She is aware of the bi-modal nature of the community. Notes broad variety of religions and cultures within the Asian community, and finds it exciting that so many cultures could unite under one Asian Commission.

110 JEANNETTE PAI-ESPINOSA: Testifies in favor of SB 342. Refers to written testimony (EXHIBIT G).

135 -- Notes high level of discrimination she has experienced personally. Argues against the myth of the model minority. Asks that the commission be

created as a concrete step towards the dismantling of misconceptions about the Asian community.

160 LIEUTENANT KEN CHAMBERS: Testifies in favor of SB 342. Refers to written testimony (EXHIBIT H).

168 -- States concern with bias crime. Notes that many of these crimes go unreported. Believes that a commission on Asian affairs will have a positive impact.

180 SEN. SPRINGER: Asks how the recruitment efforts are going with regards to hiring minorities at the offices of the State Police.

191 CHAMBERS: Says that his office works very hard in that regard. Refers to examples of three members of the Asian community in law enforcement that are no longer on staff.

210 SEN. SPRINGER: States that there is still work to be done in that area.

215 CHARLES STODAMIRE, Executive Director, Oregon Commission on Black Affairs. Testifies in favor of SB 342. Refers to written testimony (EXHIBIT I).

244 JAN MIHARA, Co-Chair, Portland Rainbow Coalition: Testifies in favor of SB 342.

260 JAMIE PARTRIDGE, Portland Jobs for Justice Coalition: Testifies in favor of SB 342.

265 -- Indicates high level of harassment on the job experienced by Asian Americans. Feels there is a strong need for such a coalition. Indicates this will encourage increased participation in the democracy.

315 CHARLES CHI, Chair, Asian-Pacific-American Alliance: Refers to a the explosion in economic change in Burma. Cites the open gateways in China and Burma now. Indicates those countries have been landlocked for thousands of years.

359 -- Indicates that the citizens are not trying to demand a commission. Rather they are requesting support. Refers to possibilities for names of the commission.

383 JAMES CARR, a Certified Public Accountant. Testifies in support of SB 342. Indicates that in his work with the state Department of Revenue, he saw a lot of problems the Asian community had to deal with.

TAPE 26-B

024 MARY ENG-SAMUEL, Salem resident: Testifies in favor of SB 342. Provides address for the record (EXHIBIT J).

047 -- Testifies that the creation of the commission and the funding of the commission are separate issues. Suggests that lottery dollars fund the commission.

060 -- Notes that in discussions with Sen. Adams

Closes PUBLIC HEARING on SB 342.

Opens PUBLIC HEARING on SJM2.

Witnesses: Grover Simmons
Gail Ryder

70 GROVER SIMMONS, Lobbyist: Testifies in favor. Gives remembrance of early days with former Senator Otto.

116 GAIL RYDER, Director of Government Affairs, Oregon Newspaper: Testifies in favor of SJM2. Submits amendments to SJM2 (EXHIBIT K).

STAFF: Submits LC amendment SJM2-1 -- (EXHIBIT L).

Closes PUBLIC HEARING on SJM2.

Opens WORK SESSION on SJM2.

134 MOTION: SEN. PHILLIPS: Moves to adopt the -1 amendments to SJM2.

136 VOTE: CHAIR MILLER: Hearing no objections, the motion carries. All are present and voting aye.

138 MOTION: SEN. PHILLIPS: Moves the bill as amended to the floor with a DO PASS RECOMMENDATION.

139 VOTE: CHAIR MILLER: Hearing no objections, the motion carries. All are present and voting aye. Carrier: Senator Lim.

BILL INTRODUCTION/REQUESTS - (EXHIBIT N)

LC 3806, LC 3803, LC 3811, LC 2883

Request regarding the Frank Roberts Service Award

Request dealing with discouragement of a food product or commodity of agricultural origin

MOTION: CHAIR MILLER: Moves the committee introduce LC 3806, LC 3803, LC 3811, LC 2883 and consider the requests.

VOTE: CHAIR MILLER: Hearing no objections, the motion carries. All are present and voting aye.

Closes WORK SESSION ON SJM2.

Opens PUBLIC HEARING on SJR16.

Witnesses: Lori O'Brien
Marsha Ackerland
Jamie Nibler (sp?)
Charles Stoudamire
Sherri Grossman
Carla Mosher
Susan Morehead
James K. Lace

155 CHAIR MILLER: Notes that Senator Kintigh yields time for testimony to those who have traveled a long distance.

160 LOIS O'BRIEN: Testifies in favor of SJR16.
190 -- States that she is concerned with the scheduling of these hearings and possibility that the state is not serving the people in this issue.
-- Implores the committee to listen to the public on the measure.

210 MARSHA ACKERLAND, HillSB oro: Testifies in favor of SJR16. Presents written testimony (EXHIBIT O). Feels the central issue is to ask, "Whose children are these?" Expresses concern that the measure be placed in the constitution so that it may not be subject to hasty change.

235 -- Shares personal experiences in attempting to give input into the education of their children.

261 -- Indicates frustration with an experiment held in her school district. The experiment worked with multiple age classrooms.

292 -- Testifies that in her local elementary school, a project to remove the walls in the schools. States that the public notice laws were broken, given that over \$10,000. Was spent on the proposal.

319 -- States that she has traveled around the state and discovered similar

concerns with parents in many school districts.

331 -- Mentions task force report that "invites parents to become partners."

Disagrees with this.

-- Asks members to consider HB 3000, noting a confession from Beaverton School District superintendent, Yvonne Katz, saying "This is the most frightening legislation I have seen in many years. It would undo all we've

accomplished over the years."

362 CHAIR MILLER: Gives brief explanation for scheduling of hearings. States that there is probably no convenient time to convene all members. States this issue will be scheduled again.

383 JAMIE NIBLER (unsure of spelling), HillSB oro Educator and mother: Urges support of SJR16.

392 CHARLES STODAMIRE: Submits written testimony - (EXHIBIT V) Testifies in opposition to SJR16.

-- Says language in amendment is misleading and unnecessary.

TAPE 27-B

018 SHERRI GROSSMAN: Testifies in favor of SJR16. Presents written testimony (EXHIBIT P).

025 Testifies that schools should teach factual information only. Argues that parents should be the persons to teach morality, values, opinions, etc.

040 CARLA MOSHER, Eugene: Testifies in favor of SJR16. Refers to written testimony (EXHIBIT Q).

048 -- States that parents rights have been violated in the educational arena.

061 -- Refers to the Oregon Educational Act for the 21st Century, as referenced in the first paragraph of her written testimony.

077 -- Indicates that parents do provide the financial support for medical treatment, and yet do not have the right to know what that treatment entails.

094 -- Discusses services available to students. Testifies that students who are involved are less likely.

111 -- Testifies that SJR16 restores the role of the parent.

125 SUSAN MOREHEAD, Eugene: Testifies in support of SJR16.

-- Says that many sociopathic conditions are attributable to the breakdown

of the family unit.

-- Says that the state is responding to legitimate social concerns in creating the network of social agencies, however, does not agree to state trying to take the place of parents.

151 -- Refers to the U.N. Convention on the Rights of the Child. Notes unjust treatment of parents, such as the Whiteheads of Aloha.

173 JAMES K. LACE, Pediatrician, Oregon Medical and Pediatric Societies: Testifies in opposition to SJR16. Presents written testimony (EXHIBIT R) and a letter from Robert Dervede, CEO, Oregon Medical Association (EXHIBIT

S).

178 -- Indicates the bill would immune the parents from potential legal action from the state.

-- Discusses problems with abusive and/or irresponsible parenting, stating

that not all parents are supportive and concerned for their children.

-- Indicates that raising children is a joint effort. Feels society is also needed in the appropriate raising of children.

235 CHAIR MILLER: Asks if Dr. Lace feels the CSD acted wisely in the Whitehead situation.

240 LACE: Responds that he did not have an opinion on that particular case,

but that he does feel situations where bruises or injuries are apparent then investigations should occur. Feels that the state has been unable to appropriately research situations due to a lack of funding.

269 CHAIR MILLER: States that as a member of the Ways and Means Committee, he suggests that the problem is not due to lack of funding.

274 LACE: Responds that in his experience, there are two day waits for the investigation of child abuse with the Children's Services Division.

285 CHAIR MILLER: Asks for his response to the portion of the resolution that states "the rights of parents to direct the upbringing and education of their children shall not be unreasonably infringed."

290 LACE: Indicates that the language is vague. Who will define the words, "unreasonable" and "upbringing?"

The following submitted testimony for the record and did not testify:

Irv Fletcher, President, American Civil Liberties Union, (EXHIBIT M).
Senator Bob Kintigh - (EXHIBIT T)
Timothy Travis, Juvenile Rights Project - (EXHIBIT U)
Gayle Nelson, Oregon Family Council and Parents Education Assoc. - (EXHIBIT

W)

Stan Johnson - (EXHIBIT X)
C. Booth - (EXHIBIT Y)

306 CHAIR: Adjourns meeting at 11:20 a.m.

Submitted by,

Reviewed by,

Gretchen Haber
Committee Assistant

Kristina McNitt
Committee Administrator

EXHIBIT SUMMARY:

A - Testimony on SB 342 - D. Dellah - 13 pages
B - Brochure on SB 342 - D. Dellah - 2 pages
C - Testimony on SB 342 - C. Dearth - 1 page
D - Testimony on SB 342 - T. Nguyen - 1 page
E - Letter on SB 342 - J. Fang - 1 page
F - Testimony on SB 342 - L. Nakamoto - 3 pages
G - Testimony on SB 342 - J. Pai-Espinoza - 2 pages
H - Testimony on SB 342 - K. Chambers - 3 pages
I - Testimony on SB 342 - C. Stoudamire - 1 page
J - Testimony on SB 342 - M. Eng-Samuel - 1 page
K - Amendments to SJM2 - G. Ryder - 1 page
L - Amendments to SJM2 - staff - 2 pages
M - Testimony on SJM2 - I. Fletcher - 1 page
N - List of bill introductions - staff - 1 page
O - Testimony on SJR16 - M. Ackerlund - 3 pages
P - Testimony on SJR16 - S. Grossman - 1 page
Q - Testimony on SJR16 - C. Mosher - 2 pages
R - Testimony on SJR16 - J. Lace - 2 pages
S - Letter on SJR16 - J. Lace - 2 pages
T - Testimony on SJR16 - B. Kintigh - 6 pages
U - Testimony on SJR16 - T. Travis - 1 page
V - Testimony on SJR16 - C. Stoudamire - 1 page
W - Testimony on SJR16 - G. Nelson - 2 pages
X - Testimony on SJR16 - S. Johnson - 1 page
Y - Testimony on SJR16 - C. Booth - 1 page