

HOUSE COMMITTEE ON GENERAL GOVERNMENT

June 30, 1993 Hearing Room 357 11:30 a.m. Tapes 77 - 78

MEMBERS PRESENT: Rep. Cedric Hayden, Chair Rep. Jim Edmunson,
Vice-Chair Rep. Ken Baker Rep. Carl Hosticka Rep. Patti Milne Rep. Chuck
Norris Rep. Del Parks Rep. Lonnie Roberts Rep. Sharon Wylie

VISITING MEMBER: Sen. Joan Dukes, District 1

STAFF PRESENT: Janet Adkins, Committee Administrator Katy
Yetter, Committee Clerk

MEASURES CONSIDERED: SB 61 SB 505

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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.

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TAPE 77, SIDE A

008 CHAIR HAYDEN: Calls meeting to order at 11:45 a.m.

WORK SESSION ON SB 61

010 JANET ADKINS, COMMITTEE ADMINISTRATOR: Reviews SB 61 and
the amendments. -Discusses letters submitted to the committee after
previous meeting

(EXHIBIT H).

035 MOTION: REP. BAKER: Moves to ADOPT the -3 amendments dated
with the following changes: -Line 10 add "at the tribe's request" after
"remove" and before "from."

057 MICHAEL MASON, ATTORNEY FOR THE CONFEDERATION OF GRAND RONDE
TRIBES: Clarifies that the tribes want their burial sites to remain in
tact. -Under current law, any reinterrment cost is absorbed by the
developer.

070 VOTE: In a roll call vote, all members are present and vote
AYE.

076 CHAIR HAYDEN: The motion CARRIES.

087 REP. ROBERTS: States that he is in disagreement with the tribes
is the amendments regarding specific sites.

090 ADKINS: Reviews the -4 amendments to SB 61 and the
hand-engrossed version of SB 61. -Reviews processes in bill dealing with
disputes over skeletal remains

and issuing of permits.

143 MOTION: REP. PARKS: Moves to ADOPT the -4 amendments (except for Section 4, which will be discussed later) dated 6-29-93.

VOTE: CHAIR HAYDEN: Hearing no objection, the motion CARRIES.

All members are present for vote.

170 MOTION: REP. PARKS: Explains position and reason for proposed amendments. Moves to AMEND with conceptual amendments

the -4 amendments dated 6-29-93: -Discusses definition of a tool. -Page 2A of the hand-engrossed (6-30-93) bill add "that

has been exposed by the forces of nature" after the word "object" on Line 41 and restores public land.

215 MASON: Expresses concern over looters and would like to leave some of the current language in tact applying to someone who unintentionally

discovers certain artifacts. -Does not want to criminalize the occasional picking up of an arrowhead (for instance).

292 MOTION: REP. PARKS: Moves to ADOPT the boldface language of Section 4 Subsection 1 of the -4 amendments dated 6-29-93.

360 VOTE: In a roll call vote, all members present vote AYE with the exception of REP. HOSTICKA who votes NO.

364 CHAIR HAYDEN: The motion CARRIES.

365 MOTION: REP. PARKS: Moves to add language addressing Page 3 of the 6-30-93 hand-engrossed bill.

TAPE 78, SIDE A

007 MASON: Reviews reasoning behind Section 4.

020 MOTION: REP. EDMUNSON: Moves to AMEND SB 61 by deleting ARCHEOLOGICAL OBJECT and adding ARROWHEAD.

046 REP. HOSTICKA: Objects to the motion due to the fact that he would like to minimize the amounts of loopholes for poachers of artifacts. 098 REP. EDMUNSON: Discusses issue of private land in addition to public land.

106 REP. ROBERTS: Does not necessarily want to include private land in the amendments.

112 REP. NORRIS: Expresses concern over citizens not being aware of what to do with indian objects on their own land.

142 MOTION: REP. BAKER: Moves to AMEND SB 61 by inserting KNOWINGLY and INTENTIONALLY into Subsection 1a of Section 4. Suggests

the inclusion of private land with the public land

language.

178 VOTE: CHAIR HAYDEN: Hearing no objection, the motion CARRIES. All members are present for vote.

190 MOTION: REP. PARKS: Moves SB 61 AS AMENDED to the Floor with a DO PASS recommendation.

192 VOTE: In a roll call vote, all members are present and vote AYE.

195 CHAIR HAYDEN: The motion CARRIES.

200 REP. PARKS will lead discussion on the Floor.

250 CHAIR HAYDEN: Recesses at 12:25 p.m. and reconvenes at 12:35 p.m.

PUBLIC HEARING ON SB 505

WITNESSES: Sen. Joan Dukes, District 1 Don Forbes, ODOT Steve Johnston, ODOT Michael Meredith, Oregon Trucking Association Bill Penhollow, Association of Oregon Counties Don Shellenberg, Oregon Farm Bureau

272 SEN. JOAN DUKES, DISTRICT 1: Presents testimony in favor of SB 505 (EXHIBITS A, B).

TAPE 76. SIDE B

002 SEN. DUKES: Continues with testimony.

035 DON FORBES, ODOT: Presents testimony in opposition to SB 505 (EXHIBIT C).

075 STEVE JOHNSTON, ODOT: Testifies in opposition to SB 505.

140 MICHAEL MEREDITH, OREGON TRUCKING ASSOCIATION: Presents testimony in favor of SB 505 (EXHIBIT E).

214 BILL PENHOLLOW, ASSOCIATION OF OREGON COUNTIES: Presents testimony on SB 505 (EXHIBIT F).

222 DON SHELLENBERG, OREGON FARM BUREAU: Testifies on SB 505, requesting a possible amendment regarding hauling of cattle.

273 REP. EDMUNSON: Adjourns the meeting at 1:00 p.m.

Submitted by:

Reviewed by:

Katy Yetter
Committee Administrator

Janet Adkins Committee Clerk

EXHIBIT LOG

A - Testimony on SB 505 - Sen. J. Dukes - 13 pages B - Amendments to SB 505-3 - Sen. J. Dukes - 14 pages C - Testimony on SB 505 - D. Forbes - 2

pages D - Amendments to SB 505-5 - Staff - 2 pages E - Testimony on SB 505 - M. Meredith - 2 pages F - Testimony on SB 505 - B. Penhollow - 1 page G - Testimony on SB 505 - Public Utilities Commission - 1 page H - Committee packet on SB 61 I - Committee packet on SB 505 J - Committee packet on HB 3623