

HOUSE COMMITTEE ON RULES AND REORGANIZATION

June 7, 1993 Hearing Room E 1:00 p.m. Tapes 76 - 78

MEMBERS PRESENT: Rep. John Watt, Chair Rep. Lonnie Roberts, Vice-Chair
Rep. Dave McTeague Rep. Cedric Hayden Rep. Michael Payne Rep. Eldon
Johnson Rep. Fred Girod Rep. Avel Gordly Rep. Delna Jones

STAFF PRESENT: Adrienne Sexton, Committee Administrator Bryan
Boehringer, Committee Clerk

MEASURES CONSIDERED: SB 156 A - Relating to the office of the
State Fire Marshal; declaring an emergency. SB 157 B -
Relating to the Emergency Management Division. SB 155 A -
Relating to public safety; declaring an

emergency. SB 158 B - Relating to crime; declaring an emergency. SB 1044
B - Relating to criminal justice.

[--- Unable To Translate Graphic ---]

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. [--- Unable To Translate
Graphic ---]

TAPE 76, SIDE A

005 CHAIR WATT: Calls the meeting to order at 1:35 p.m.

PUBLIC HEARING ON SB 156 A Witnesses: Sen. Catherine Webber, District
16 Reg Madsen, Oregon State Police Susan Browning, Acting Fire Marshal
Jack Snook, Tualitin Valley Fire and Rescue Burton Weast, Oregon Fire
Chief's Association Jack Munro, Association of American Insurance Tom
Bessonette, Oregon Mutual Insurance Ralph Groener, American Federation
of State, County & Municipal Employees

007 ADRIENNE SEXTON, COMMITTEE ADMINISTRATOR: SB 156 A relocates the
office of the State Fire Marshal, appointment of State Fire
Marshal and

reporting responsibility, from the Executive Department to the
Department of State Police. Discusses the program in relation to the
Governor's programs.

045 SEN. CATHERINE WEBBER, DISTRICT 16: Testifies in favor of SB
156 A. Discusses concerns with consistency in the narrow criteria.
Suggests

possible amendments.

070 CHAIR WATT: Asks about the qualifications for the Superintendent of the State Police.

073 SEN. WEBBER: Discusses qualifications in the statutes.

090 REG MADSEN, SUPERINTENDENT OF OREGON STATE POLICE: Addresses the qualifications. Explains that the Superintendent is appointed by the

Governor.

094 CHAIR WATT: Asks about restoring the original language.

108 MADSEN: There are no problems with the amendments. Testifies in support of SB 156 A. Discusses the benefits that would come from the

transfer.

125 SUSAN BROWNING, ACTING STATE FIRE MARSHAL: Discusses the agencies mission statement. Explains the responsibilities of the State Fire

Marshal's Office.

147 CHAIR WATT: Asks about the authority of the Fire Marshal to investigate criminal action in the new structure.

154 BROWNING: Discusses the new system. Addresses the current duplication of efforts.

165 MADSEN: Discusses the advisory committee that is looking at the current options.

172 REP. GIROD: Asks about the relationship with rural areas in the new structure.

179 BROWNING: Continues to explain the responsibilities of the Office of the State Fire Marshal.

244 CHAIR WATT: Asks about problems with the collection of fees.

257 BROWNING: Explains that she is not aware of the specific instance, but that they are trying to eliminate the problems.

262 CHAIR WATT: Discusses the problem.

271 REP. GIROD: Asks about the Department's involvement with various gases.

288 BROWNING: Explains that she will research these issues.

295 REP. JOHNSON: Asks about the propane program.

299 BROWNING: Explains the "Community Right to Know" program. Explains the fees assessed.

323 JACK SNOOK, TUALITIN VALLEY FIRE AND RESCUE: Testifies in favor of the bill. Explains how the reorganization will address some of the problems in the current system.

350 CHAIR WATT: Asks about the associations opinion of the changes.

356 SNOOK: Explains that the groups agree with the changes.

405 BURTON WEAST, FIRE CHIEF'S ASSOCIATION: Testifies in favor of SB 156 A. Explains that he is in favor of the amendments.

433 JACK MUNRO, ASSOCIATED AMERICAN INSURANCE: Explains the insurance industries interest in the reorganization.

TAPE 77, SIDE A

035 MUNRO: Continues with testimony on SB 156 A.

049 TOM BESSONETTE, OREGON MUTUAL INSURANCE: Testifies on SB 156 A. Discusses concerns with the bill.

094 CHAIR WATT: Asks about the qualifications of selecting a superintendent.

112 BESSONETTE: Discusses the requirement for drawing from the pool of fire-fighters. Discusses concerns with section 6. Discusses possible

amendments.

169 RALPH GROENER, AMERICAN FEDERATION OF STATE, COUNTY, & MUNICIPAL EMPLOYEES: Testifies in favor of SB 156 A. Discusses the efficiency in

the reorganization.

188 REP. GORDLY: Asks about affirmative action.

192 GROENER: Supports affirmative action.

WORK SESSION ON SB 156 A

202 MOTION: REP. ROBERTS: Moves SB 156 A to the Floor with a DO PASS recommendation.

VOTE: 7-0 Motion passes (Rep. Girod later changes his vote to AYE)

AYE: Gordly, Johnson, Jones, McTeague, Payne, Roberts, Watt NO:

None EXC.: Girod, Hayden

REP. ROBERTS will lead discussion on the Floor.

PUBLIC HEARING ON SB 157 B Witnesses: Reg Madsen, Oregon State Police David Yandell, Oregon Emergency Management Jim Swinyard, Oregon Emergency Management

228 ADRIENNE SEXTON, COMMITTEE ADMINISTRATOR: SB 157 B shifts the Emergency Management Division of the Executive Department to the Department of

State Police (department), as the Office of Emergency Management

(office). 291 REP. ROBERTS: Are we taking FEMA out of the Governor's office?

293 ADRIENNE SEXTON, COMMITTEE ADMINISTRATOR: Yes.

303 REG MADSEN, OREGON STATE POLICE: Testifies in favor of SB 157 B. Explains the rationale behind the consolidation.

322 DAVID YANDELL, OREGON EMERGENCY MANAGEMENT: Testifies in favor of SB 157 B. Explains the responsibilities of OEM.

371 REP. GORDLY: Asks about the amount of employees of OEM. Asks about the employment of women and minorities.

386 YANDELL: Explains that the turnover in the agencies has been low.

391 REP. GORDLY: Asks about language barriers.

398 YANDELL: Explains that they rely on the Executive Department.

416 JIM SWINYARD, OREGON EMERGENCY MANAGEMENT: Testifies in favor of SB 157 B.

457 CHAIR WATT: Asks about language in the Interstate Emergency and Disaster Assistance Compact.

467 YANDELL: Explains that the section is to lay the groundwork for cooperative efforts with neighboring states. Explains that the language came from work done in the interim.

492 REP. D. JONES: Asks about consistency with other states.

TAPE 76, SIDE B

042 YANDELL: Explains that the language has been cleared through the national organization.

WORK SESSION ON SB 157 B

052 MOTION: REP. ROBERTS: Moves SB 157 B to the Floor with a DO PASS recommendation.

055 REP. GORDLY: Discusses the lack of minority employees.

VOTE: 6-0 Motion passes AYE: Girod, Gordly, Hayden, Johnson, Jones, McTeague, Payne,

Roberts, Watt NO: None EXC.: Hayden, Johnson, Payne

REP. GIROD will lead discussion on the Floor.

064 MOTION: REP. ROBERTS: Moves to suspend the rules to allow Rep. Girod to vote on SB 156 A.

VOTE: CHAIR WATT: Hearing no objection the rules are suspended.

Rep. Hayden, Rep. Johnson, and Rep. Payne are excused.

VOTE ON SB 156 A

VOTE: 8-0 Motion passes AYE: Girod, Gordley, Johnson, Jones, McTeague,

Payne, Roberts,

Watt NO: None EXC.: Hayden

PUBLIC HEARING ON SB 155 A Witnesses: Steve Bennett, Board of Public Safety Standards and Training

079 ADRIENNE SEXTON, COMMITTEE ADMINISTRATOR: SB 155 A abolishes the Fire Standards and Accreditation Board (FASB); terminates tenure of board

members on Act's effective date.

109 REP. D. JONES: Is it not unusual to have 3 year terms?

112 ADRIENNE SEXTON, COMMITTEE ADMINISTRATOR: Explains that the three year term is not common.

125 STEVE BENNETT, BOARD ON PUBLIC SAFETY STANDARDS AND TRAINING: Testifies in support of SB 155 A. The Board is constituency based, and oversees

planning and fiscal management. Believes Board will be effective in the new format. Looking forward to public involvement.

248 REP. GORDLY: What will the combined staff be under consolidation?

249 BENNETT: Explains that the combined staff will be 37 people.

251 REP. GORDLY: Asks how many are women.

255 BENNETT: Estimates that 50% of the personnel are women.

258 REP. GORDLY: How many are in management positions?

260 BENNETT: Explains that three are in management.

264 REP. GORDLY: Why are there no minority employees, but only contractors?

272 BENNETT: Explains that there has been very little turn over. Discusses the use of contractors.

295 CHAIR WATT: Asks how the training is funded.

307 BENNETT: Explains the training costs and the assessment of fees.
WORK SESSION ON SB 155 A

363 SEXTON: Explains SB 156, page 3, section 6. Compares this section with SB 155, page 15, section 7.

418 CHAIR WATT: Explains that the bills would probably not conflict.

432 MOTION: REP. ROBERTS: Moves SB 155 A to the Floor with a DO PASS recommendation.

436 REP. D. JONES: Asks about the three year term.

446 STEVE BENNETT, BOARD OF PUBLIC SAFETY AND TRAINING: Explains the

first term.

VOTE: 9-0 Motion passes AYE: Girod, Gordly, Hayden, Johnson, Jones, McTeague, Payne,

Roberts, Watt NO: None

REP. GORDLY will lead discussion on the Floor.

PUBLIC HEARING ON SB 158 B Witnesses: Robert Thornton, Crime Prevention Association of Oregon Steve Bennett, Board of Public Safety and Training Sylvia Loftus, Criminal Justice Services Division Teri Poppino, Portland Police Bureau Joe Anderson, Gresham Police Department

494 ADRIENNE SEXTON, COMMITTEE ADMINISTRATOR: SB 158 B abolishes the Oregon Crime Prevention Resource Center and tenure of its coordinator and

advisory committee members. There is a subsequent referral to the Appropriations Committee.

TAPE 77, SIDE B

035 ADRIENNE SEXTON, COMMITTEE ADMINISTRATOR: Continues with explanation of the bill.

058 ROBERT THORNTON, CRIME PREVENTION ASSOCIATION OF OREGON: Testifies in support of SB 158 B.

206 STEVE BENNETT, BOARD OF PUBLIC SAFETY AND TRAINING: Testifies in support of SB 158 B.

217 SYLVIA LOFTUS, CRIMINAL JUSTICE SERVICES DIVISION: Submits and reviews written testifies in support of SB 158 B. (EXHIBIT A & B)

233 REP. GIROD: Asks about the rationale of transferring the Department to the Executive Department.

240 LOFTUS: Explains the Department is currently under the Executive Department.

248 ADRIENNE SEXTON, COMMITTEE ADMINISTRATOR: Explains the bill summary.

265 REP. GORDLY: Discusses the plan against hate crimes.

281 TERI POPPINO, PORTLAND POLICE BUREAU: Testifies in support of SB 158 B.

320 JOE ANDERSON, GRESHAM POLICE DEPARTMENT: Testifies in support of SB 158 B.

364 REP. HAYDEN: Discusses the involvement of local community churches.

381 ANDERSON: Discusses the work and the programs in the churches.

403 CHAIR WATT: Discusses the importance of focusing on the youth in the churches.

WORK SESSION ON SB 158 B

417 MOTION: REP. ROBERTS: Moves SB 158 B to the Floor with a DO PASS recommendation.

VOTE: 6-0 Motion passes (Rep. Gordly later changes her vote to AYE)
AYE: Girod, Hayden, Johnson, McTeague, Roberts, Watt NO: None
EXC.: Gordly, Jones, Payne

REP. HAYDEN will lead discussion on the Floor.

PUBLIC HEARING ON 1044 B Witnesses: Reg Madsen, Oregon State Police
Lloyd Smith, Law Enforcement Data System Pat Merina, Albany Police
Department David Factor, Criminal Justice Council

436 ADRIENNE SEXTON, COMMITTEE ADMINISTRATOR: SB 1044 B expands the duties of the Oregon Criminal Justice Council (OCJC) regarding development,

maintenance and dissemination of certain data, including federal criminal justice analytical and statistical information which is now managed by the Department of Justice.

TAPE 78, SIDE A

042 REG MADSEN, OREGON STATE POLICE: Testifies in support of SB 1044 B.

055 REP. ROBERTS: Asks about personnel shifts.

066 LLOYD SMITH, MANAGER OF LAW ENFORCEMENT DATA SYSTEM (LEDS): Testifies in support of SB 1044 B. Explains the duties of the data system.

077 REP. ROBERTS: Asks about the systems interaction with the Federal System. 079 SMITH: Explains the system.

108 PAT MERINA, ALBANY POLICE DEPARTMENT: Testifies in support of SB 1044 B. Explains the necessity of the LEDS system to the patrol officers.

Discusses the Police Department's ability to administer the data system.

149 REP. MCTEAGUE: Asks about the problems with the data systems.

152 MERINA: Explains that the group is trying to streamline the systems into one basic data system.

174 DAVID FACTOR, CRIMINAL JUSTICE COUNCIL: Submits and reviews testimony in support of SB 1044. (EXHIBIT C)

214 CHAIR WATT: Asks if the council's size inhibits its effectiveness.

218 FACTOR: Discusses representation.

234 REP. GORDLY: Asks about gender and racial biases in the

criminal justice system.

243 FACTOR: Explains the current efforts that are taking place.

274 REP. GORDLY: Asks about the disparity of funding of women's programs.

287 REP. JOHNSON: Asks about the moving of the physical equipment of LEDS.

289 FACTOR: Explains that the system will remain where it is currently located.

325 REP. HAYDEN: Asks about the tracking of trends in crimes and the sentences that are levied on the crimes.

335 FACTOR: Explains the disparity in the numbers, and the problems in the sentencing system.

357 REP. HAYDEN: Discusses the increases in the lengths of sentences.

367 FACTOR: Explains the sentencing guidelines.

WORK SESSION ON 1044 B

416 MOTION: REP. ROBERTS: Moves SB 1044 B to the Floor with a DO PASS recommendation.

VOTE: 7-0 Motion passes AYE: Girod, Gordly, Hayden, Johnson, Jones, McTeague, Payne,

Roberts, Watt NO: None

REP. MCTEAGUE will lead discussion on the Floor.

433 MOTION: REP. GIROD: Moves for unanimous consent to allow Rep. Gordly to vote on SB 158 B.

VOTE: CHAIR WATT: Hearing no objection, so ordered.

VOTE ON SB 158 B

VOTE: 7-0 Motion passes AYE: Girod, Gordly, Hayden, Johnson, McTeague, Roberts, Watt NO: None EXC.: Jones, Payne

444 CHAIR WATT: Adjourns the meeting at 3:55 p.m.

Submitted by:

Reviewed by:

Bryan Boehringer
Committee Administrator

Adrienne Sexton Committee Clerk

EXHIBIT LOG:

A - Testimony on SB 158 B - Sylvia Loftus - 1 page B - Testimony on SB
158 B - Sylvia Loftus - 1 page C - Testimony on SB 1044 B - David
Factor - 19 pages D - Testimony on SB 158 B - Bill Cross - 1 page E -
Testimony on SB 1044 - Bill Cross - 1 page F - Testimony on SB 156 -
John Alto - 1 page