

HOUSE COMMITTEE ON STATE AND FEDERAL AFFAIRS

May 29, 1991 Hearing Room E 8:00 a.m. Tapes 150 -152
MEMBERS PRESENT: Rep. Bill Markham, Chair Rep. Larg Sowa, Vice-Chair
Rep. Marie Bell Rep. Mary Alice Ford Rep. Tom Novick Rep.
Carolyn Oakley Rep. Lonnie Roberts MEMBER EXCUSED: None VISITING
MEMBER: Sen. Jeannette Hamby, District 5 Rep. Denny Jones, District
60 STAFF PRESENT: Randall Jones, Committee Administrator Carolyn
Cobb, Committee Assistant MEASURES CONSIDERED: SB 287 - Permits County
Clerk to Rely on United States Postal Service Data to Reregister to Vote
Individuals Who Change Residence Within County, PH SB 359 - Authorizes
County Clerks to Hold Simulated Election on Date of Primary or General
Election for Persons Under 18 Years of Age, PH SB 502 - Requires Retail
Premises Holding Valid Liquor Licenses to Post Signs Informing Public of
Effects of Alcohol on Pregnant Women, PH, WS SB 807 - Directs Department
of Energy to Establish Rules, Guidelines and Procedures for Financing
Projects by State Facilities to Reduce Facilities' Utility Costs, PH SB
1005 - Allows State Fire Marshal to Lend Personnel and Make Grants for
Personnel Costs and for Purchase of Equipment to Communities
Participating in Statewide Hazardous Material Emergency Response System,
PH, WS

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. House Committee on State and
Federal Affairs May 29, 1991- Page 2

TAPE 150, SIDE A

003 CHAIR MARKHAM: Calls meeting to order at 8:20 a.m.

SB 1005 - ALLOWS STATE FIRE MARSHAL TO LEND PERSONNEL AND MAKE GRANTS
FOR PERSONNEL COSTS AND FOR PURCHASE OF EQUIPMENT TO COMMUNITIES
PARTICIPATING IN STATEWIDE HAZARDOUS MATERIAL EMERGENCY RESPONSE SYSTEM
- PUBLIC HEARING Witnesses: Denny Jones, State Representative, District
60 Sandra Arp, T eague of Oregon Cities Mike Grainey, Deputy Direstor,
State Department of Energy Ray Kinney, Mayor, City of Ontario

008 DENNY JONES, STATE REPRESENTATIVE, DISTRICT 60: Gives background of
the bill. -Bill is needed to get the hazardous materials response
centers going that were created by the last session of the legislature.
-Explains how response is organized.

036 REP. NOVICK: Explains Ways and Means Committee was asked to fund
six of these centers and they decided to go with ten centers. 045 REP.
FORD: What happened to the money allocated two years ago? 047 REP.
JONES: It is still there. It is received from a fuel loading fee.
Eastern Oregon has had the money for two years. There is \$450,000 to
fund these two centers. We are just waiting for the authority under this
bill to go ahead with the centers.

060 RAY KINNEY, MAYOR, CITY OF ONTARIO: The cities of Ontario and
Henniston are ready to go on this. 071 SANDRA ARP, LEAGUE OF OREGON
CITIES: Wants to be on record that the League supports SB 1005.

075 MICHAEL GRAINEY, DEPUTY DIRECTOR, OREGON DEPARTMENT OF ENERGY:
Submits and summarizes written testimony (EXHIBIT A) supporting the bill
because it gives the Fire Marshal the flexibility to deal with the

unique problems of an area like eastern Oregon in providing emergency response protection.

SB 1005 - ALLOWS STATE FIRE MARSHAL TO LEND PERSONNEL AND MAKE GRANTS FOR PERSONNEL COSTS AND FOR PURCHASE OF EQUIPMENT TO COMMUNITIES PARTICIPATING IN STATEWIDE HAZARDOUS MATERIAL EMERGENCY RESPONSE SYSTEM - WORK SESSION

084 MOTION: REP. FORD moved SB 1005 to the floor with a "do pass" recommendation.

VOTE: In a roll call vote, the motion carried, with Rep. Bell, Rep. Ford, Rep. Novick, and Chair Markham voting AYE. Rep. Oakley, Rep. Roberts and Rep. Sowa

These minutes contain materials which paraphrase and/or summarize material made during this session. Only text enclosed in quotation marks represent a speaker's exact words. For complete contents of the proceedings, please refer to the tapes. House Committee on State and Federal Affairs ^, 29, 1991- P - e 3

were excused.

Work session on SB 1005 re-opens on page 11.

SB 502 - REQUIRES RETAIL PREMISES HOLDING VALID LIQUOR LICENSES TO POST SIGNS INFORMING PUBLIC OF EFFECTS OF ALCOHOL ON PREGNANT WOMEN - PUBLIC HEARING Witnesses: Jeannette Hamby, State Senator, District 5 Rosanna Creighton, Citizens for a Drug Free Oregon Joe Gilliam, National Federation of Independent Business Jeffrey Kushner, Director, State Alcohol and Drug Abuse Programs Chris Lyons, Administrator, Oregon Liquor Control Commission Jack Munro, Association of Oregon Food Industries

097 JEFFREY KUSHNER, DIRECTOR, STATE ALCOHOL AND DRUG ABUSE PROGRAMS: The only thing I have seen in the way of a compromise on this bill or amendments to this bill are the Oregon Liquor Control Commission (OLCC) amendments. Although I respect the OLCC, you have to recognize they are in a difficult position. They are both distributing the product and enforcing the rules. -Discusses a sign distributed by the OLCC for voluntary use, which included the words "Use alcohol responsibly". -There is no responsible level of alcohol consumption for pregnant women. -Cannot support the amendments to leave the sign content up to the rule making of the OLCC. -Wants content of the sign, and possibly the illustration, contained in the statute. 116 REP. FORD: I have considered a sunset clause of July 1995 in order to evaluate the efficacy of the program. We could then evaluate the results.

127 KUSHNER: It would probably cost some money to do the evaluation. It may be difficult because we anticipate more people moving into Oregon, so you may not see the numbers go down, although the rate per thousand may go down.

133 REP. BELL: You do have some plans in the next biennium to determine if we have made any progress or have a worse problem than we have now?

135 KUSHNER: I think the best way to do that is to look at the fetal alcohol syndrome data that is collected by the Health Division, but also to do a short survey of knowledge gain by the public similar to political surveying, to find out if it has made a difference.

139 REP. FORD: If you are doing that, wouldn't a sunset in four years be appropriate, and you could bring that information to us?

144 KUSHNER: My preference would be not to sunset it and to require a report even two years or four years from now.

147 REP. FORD: My purpose in sunsetting is to find out its effectiveness.

. . . There minutes contain nuteri Is which paraphrase and/or surnrnarize naternents made during this session. Only text enclosed in quotation marks report a speaker's exact words For complete contents of tne proceedinge, please refer to the taper. House Committee on State and Federal Affairs M6y 29, 1991- Page 4

152 KUSHNER: What is done a lot of times is to require a report be done.

154 REP. FORD: If we require a report then we may have to go to Ways and Means. I do not want to require any kind of written report that is going to cost money.

157 KUSHNER: We will do a report for you at no cost. 167 JEANNETTE HAMBY, STATE SENATOR, DISTRICT 5: A compromise has been reached on the measure which will be presented after the industry representatives have spoken. 174 JACK MUNRO, ASSOCIATION OF OREGON FOOD INDUSTRIES: We are all uniformly committed to trying to come up with a bill that is workable for all. -The two areas that are resolved are the enforcement provisions and causes of action. -Still subject to discussion are the size and content of the signs and where they are to be located. -The bill contains the exact content and size of the required signs. The other choice is to turn that responsibility over to the regulatory agency. Gives reasons for preferring the regulatory agency having this responsibility. -Submits sample of sign being used in the State of California (EXHIBIT B). -Suggests amendments to the bill. 281 REP. FORD: This is the California sign? The wording is good, but it is important to have the logo as provided in the bill. 289 MUNRO: I do not disagree with that. Putting the wording of the sign in the statute might cause a problem as new types of alcoholic beverages come to market. 298 REP. FORD: But you agree about having the logo? 302 MUNRO: I have no quarrel with the logo they have selected. 309 REP. FORD: The one thing I like about this sign is the word "WARNING". I think that word is extremely important. 314 MUNRO: There are a couple of other changes that have been agreed upon like modifying the requirement for dealing with other than the english language by putting "a significant number of n in the appropriate clause. 321 CHAIR MARKHAM: Is there something in the bill about a spanish language version? 323 MUNRO: Yes there is. There are a number of small food markets that have almost exclusive Korean or other related clientele. So it should be in the language most of the patrons use. -Another issue is the restaurant people have asked for the flexibility to do their own signs. Some that have their own ambiance want to do it in a compatible material. -Another issue is the language that says where they must be displayed. There should be some flexibility. -We have settled the questions about penalties, causes of action, and allowing establishments to do their own signs.

These minutes contain rnatcials which paraphrase and/or surnmarizc SB temcntc made during this reuion. Only text enclosed in quotation marks

report a speaker's exact words. For complete contents of the proceedings, please refer to the tapes. . House Committee on State and Federal Affairs May 29, 1991- Page 5

384 CHAIR MARKHAM: Is the placement of the sign in the establishment a bone of contention?

388 MUNRO: I have not seen the language yet that specifies it. We still have specific requirements in the bill that I am not satisfied with.

400 REP. FORD: What is your objection to the way the amendment reads?

405 MUNRO: Depending on the decision the committee makes on sign size, I think that language is fine if you take out the words "large" and "reduced", and the word "all" has been suggested there.

TAPE 151, SIDE A

006 REP. FORD: If you leave it too vague, you are going to get everyone's interpretation of the size.

019 MUNRO: We can solve those problems with readability related language. Unless you have no faith in your agency, it seems to me you give them direction to do this.

036 REP. NOVICK: We have had testimony about what happens when agencies are left to establish rules. There seems to be a feeling that agencies do not always carry out the intent of the legislature.

048 MUNRO: I hear what you are saying. It would allow them at least, to decide what size makes sense.

059 SEN. HAMBY: I will propose compromise language.

063 REP. BELL: Expresses appreciation for the efforts to reach a compromise. The most important thing on the sign is the logo. Prefers the wording in the bill rather than the California wording. 088 JOE GILLIAM, NATIONAL FEDERATION OF INDEPENDENT BUSINESS: If you really want to have an impact on that pregnant consumer, use the emblem and very few words. 104 SEN. HAMBY: Most people are not aware there is the same level of alcohol in beer or wine as there is in a "shot" of hard liquor. -Explains the words "wine coolers" has been deleted because there are also some rum coolers on the market. -Exhibits "Cisco" brand of wine cooler, which has a 20% alcohol content. -Cites articles (EXHIBIT C) on the damage done to fetus by alcohol consumption of the mother. -Submits chronology of attempts to work with OLCC on the signs (EXHIBIT D). -Quotes OLCC agents regarding signs. -Proponents have tried for two years to work with OLCC. -Expresses willingness to compromise with the industry to get the bill out. -Reviews proposed hand-engrossed SB 502 (EXHIBIT E). 192 REP. NOVICK: I would prefer to have wine coolers designated in the bill since that is the fastest growing segment of the wine industry.

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. House Committee on State and Federal Affairs May 29, 1991- Page 6

202 SEN. HAMBY: Continues review of the proposed amendments.

212 REP. NOVICK: If an establishment has two entrances, is the sign only required at one?

214 SEN. HAMBY: These are compromises. I would like to think the majority of the industry wants to stop fetal alcohol syndrome. -Resumes review of the proposed amendments.

261 CHRIS LYONS, ADMINISTRATOR, OREGON LIQUOR CONTROL COMMISSION: Generally people comply when OLCC says do something. -Reviews the provisions regarding fines. From our prospective this language is clear.

292 CHAIR MARKHAM: Would you hold public hearings after you promulgate your administrative rules? 294 LYONS: Yes we would. On the issue of the fine we would go to rule making specifically on the fine amount. 298 CHAIR MARKHAM: On the questions about the sign, do you go to a public hearing? 302LYONS: Yes, we do. The Commission not staff, would make the final judgement about what the rules would look like.

307 REP. FORD: I would like some assurance that your staff would not try to get creative with the logo. How do we know this is the logo that would be used? 322 LYONS: I do not know how to answer that question specifically, we would do the best job we could. We used the wording we did on the original sign, because we wanted establishments to put up the sign. Our commissioners would ultimately decide on the content of the sign. 342 REP. FORD: We want this logo. 344 LYONS: These are not

easy issues, so the more guidance we get from you, the better off we are. 350SEN. HAMBY: I appreciate that comment, because the more guidance the committee gives, the better the sign will look. I hope you will find the sign they have worked on for the last two years as objectionable as the proponents and most women in Oregon have found them to be. "Drink alcohol responsibly" is the point we are trying to focus on. It perpetuates the myth that two or three glasses of wine or beer or shots a day while you are pregnant doesn't hurt. That is what we are trying to focus on. -I urge you to stay with the language in the bill. 379 REP. FORD: The language any way you look at it, does not mention the logo. 386 SEN. HAMBY: Subsection 3 contains a graphic depiction of the logo. 395REP. OAKLEY: Have you considered using the logo with the wording "Alcohol and pregnancy

These minutes contain materials which patapat and/of rutnratize sts emnts made during this session ODIY text enclosed in quotation marks tepott · speaker's exact words For complete contents of the ptoecedingr, please refer to the tapes House Committoce on State and Federal Affairs May 29, 1991- Pag~ 7

do not mix" and not include the rest of the proposed wording?

405 SEN. HAMBY: The real problem as shown by polls and surveys, is that people think it is safe to drink beer or wine because they believe there is not as much alcohol in them. There has to be a continual reminder, especially for coolers.

TAPE 150, SIDE B

014 SEN. HAMBY: It will be interesting to see if Mr. Kushner's survey shows the level of alcohol use during pregnancy has been affected in any way.

022 REP. ROBERTS: I want to use the words "distilled spirits". Some way you have to let them know if it has alcohol in it, it is dangerous.

028 REP. FORD: You already have alcohol stated, if you then said "drinking distilled spirits, wine, coolers and beer" then you have added them all in.

033 SEN. HAMBY: The only problem is most young Oregonians know what alcoholic beverages are. Distilled spirits is a term used more by the moderate or higher income level group.

039 REP. ROBERTS: We are going to do our best to cover them all. I am not certain that any special group of people are in danger.

044 SEN. HAMBY: It is a compromise. We are dropping the word "wine" in front of "wine coolers.. Alcoholic beverages is really quite generic.

050 CHAIR MARKHAM: My personal feeling is that these signs should be posted in doctors' offices and the public health clinics.

057 SEN. HAMBY: I am confident many doctors will request the signs from OLCC.

076 REP. FORD: Where in the bill does it discuss allowing the facilities to take the sign and make it out of their own decorative material?

084 SEN. HAMBY: The industry is calling your attention to the amendment that allows a restaurant to fashion a sign in accordance with their decor as long as the language and logo remain the same.

089 REP. FORD: Is the wording consistent with the standards established by the act and the Commission?

093 MUNRO: That was lifted from the proposed dash five LC amendments with a few words added.

SB 502 - REQUIRES RETAIL PREMISES HOLDING VALID LIQUOR LICENSES TO POST SIGNS INFORMING PUBLIC OF EFFECTS OF ALCOHOL ON PREGNANT WOMEN - PUBLIC HEARING

These minutes contain materials which paraphrase and/or wrrnrnrze statements made during this session. Only te~a enclosed in quotation marks report a spealcer'j exact wordr. For complete contents of the proceedings, please refer to the tapes. House Commtttee on State and Federal Affairs May 29, 1991- Page 8

105 CHAIR MARKHAM: Whae have we not gotten closure?

108 MUNRO: I believe the place you have not gotten closure is the issue of do you want to put size and content in the statute or do you want to give OLCC the prerogative to develop that, or something in between. 120 REP. BELL: OLCC needs some direct and specific directions, but we need to leave the opportunity to come up with a better sign in the next two years. I would like to see this put in statute with the recommendation of the current wording, but allow OLCC to make a change. In Section 3 I think we should offer industry a window of opportunity to design a sign and bring it to OLCC for approval.

153 REP. NOVICK: We are basically being given a policy choice of giving OLCC authority or giving them the language. I would leave the language and logo, and leave it to OLCC and interested parties to come up with

the size.

162 REP. FORD: It just says no smaller than, it could be made larger.

168 SEN. HAMBY: The proponents picked the two most inexpensive size frames you can purchase, if they want to frame it.

176 MOTION: REP. FORD moved to amend the hand-engrossed SB 502-C (EXHIBIT E) by inserting in Section 2, a new subsection 6, using the wording contained in page 1, Section 2, paragraph (3) of the Munro hand-engrossed SB 502 dated 5/28/91 (EXHIBIT F).

185 REP. BELL: Offers a friendly amendment, changing the word "standards" to "intent" and add the words "to be approved by Oregon Liquor Control Commission".

191 MUNRO: The language I have suggested, which I think is consistent with the desires of the proponents, was not to allow somebody to custom design the sign.

199 REP. BELL: My intent there was if you do not do that, you are going to be tied into the 5" by 7" requirement.

202 MUNRO: The proponents just indicated they selected those sizes because frames are commonly available. We are not going to frame them in grocery stores, we are going to put them on a check-writing stand. My intent is not to allow someone to evade their responsibility by putting it on a postage stamp, it is to allow flexibility to produce a sign of a size that is useful.

219 REP. ROBERTS: Let's set a minimum and let them do whatever they want. If they feel they have a problem, OLCC can work with the people in the stores and restaurants.

228 CHAIR MARKHAM: The question is to adopt Section 2, paragraph (3) at the bottom of the Munro hand-engrossed SB 502.

230 VOTE: In a roll call vote, the motion carried, with Rep. Bell, Rep. Ford, Rep. Novick, Rep. Oakley, Rep. Roberts, and Chair Markham voting AYE. Rep. Sowa was

These minutes contain materials which paraphrase and/or summarize text made during this session. Original text enclosed in quotation marks report a speaker's exact words. For complete consent of the proceedings, please refer to the tapes House Committee on State and Federal Affairs May 29, 1991 - P - e 9

excused.

265 MOTION: REP. FORD moved to adopt hand-engrossed SB 502-C (EXHIBIT E), as amended.

271 REP. BELL: In Section 3 I believe it would be a mistake not to say "citizens' groups" rather than naming specific organizations. There are many groups who are interested in the issue. 282 CHAIR MARKHAM: The organizations named have been working very hard on this the past two years and would like to be named in the statute. 284 REP. BELL: I know what is a major priority one year is not always continued in the

following years. Some other group may form that is just as involved. Writing the names of groups into statute is not a precedent we want to start. 293 CHAIR MARKHAM: How about adding "and any other interested group"?

304 VOTE: In a roll call vote, the motion carried, with Rep. Bell, Rep. Ford, Rep. Novick, Rep. Oalcley, Rep. Roberts, and Chair Markham voting AYE. Rep. Sowa was excused. 322 MOTION: REP. OAKLEY moved to amend hand-engrossed SB 502-C (EXHIBIT E) by on page 2, line 13, changing the word "shall" to "may". VOTE: In a roll call vote, the motion failed, with Rep. Oakley, Rep. Roberts, and Chair Markham voting AYE. Rep. Bell, Rep. Ford and Rep Noviclc voting NAY. Rep. Sowa was excused. 340 REP. ROBERTS: I still want to discuss having "distilled spirits" in there.

349 SEN. HAMBY: Chris Lyons suggests the words "hard liquor".

358 MIKE MC CALLUM, OREGON RESTAURANT ASSOCIATION: It should be considered on page 2, line 9, subsection (a), the written warning from the Commission should be "with a copy of the sign".

382 CHAIR MARKHAM: On page 2, line 9, of hand-engrossed SB 502-C (EXHIBIT E) insert the words "with a copy of the sign". 388 CHAIR MARKEIAM: Hearing no objection, it is so ordered. 390 MOTION: REP. BELL moved to amend hand-engrossed SB 502((EXHIBIT E) by on page 2, line 14 after the words "as well as" inserting the words "interested citizens groups including". 425 CHAIR MARKHAM: Hearing no objection, it is so ordered.

TAPE 151, SIDE B - Tnere minutes coddin teriala ~rhich paraph~e and/or rurnmarize ~temen~ made during thir re~ion. Only text enclosed in quotation marks report a spealcet's exact wordr. For complete contentr of the proceedirqgr, please refer to the tapes. House Committee on State and Pederal Affairs May 29,1991- Page 10

010 MOTION: REP. ROBERTS moved hand-engrossed SB 502-C (EXHIBIT E) as amended to the floor with a "do pass" recommendation. VOTE: In a roll call vote, the motion carried, with Rep. Bell, Rep. Ford, Rep. Novick, Rep. Oakley, Rep. Roberts, and Chair Markham voting AYE. Rep. Sowa was excused. 027 CHAIR MARKHAM: Recesses the meeting at 9:45 a.m.

-Resumes the meeting at 10:03 a.m.

Work session on SB 502 re-opens on page 12.

SB 807 - DTRECTS DEPARTMENT OF ENERGY TO ESTABLISH RULES. GUIDELINES AND PROCEDURES FOR FINANCING PROJECTS BY STATE FACILITIES TO REDUCE FACILITIES' UTILITY COSTS - PUBLIC HEARTNG Witnesses: Jeannette Hamby, State Senator, District 5 Bill Drew, Legislative Assistant to Sen. Hamby Mike Grainey, Deputy Director, Oregon Department of Energy

033 BILL DREW, LEGISLATIVE ASSISTANT TO SEN. HAMBY: SB 807 passed out of committee before some utilities had an opportunity to see the amendments. All interested parties have now agreed on the provisions of the bill. -Submits and summarizes fact sheet on the bill (EXHIBIT G).

087 JEANNETTE HAMBY, STATE SENATOR, DISTRICT 5: I am confident everyone is in agreement on the measure. -Submits and summarizes written testimony (EXHIBIT H). -Submits proposed dash A7 LC amendments dated

5/23/91 (EXHTBIT I).

135 CHAIR MARKHAM: Why do we have to reward the agencies for doing this? 142 MICHAEL GRATNEY, DEPUTY DIRECTOR, STATE DEPARTMENT OF ENERGY: I agree with you. State agencies should be leaders in energy conservation. The Department of Energy should be a leader in this area. -Submits and summarizes written testimony (EXHTBIT J) in support of the measure. -Does not put state agencies in competition with local utilities. 177 CHAIR MARKHAM: Do you have federal funds you can allocate if a state agency has an energy program, but no money in their budget to do it? 181 GRAINEY: If they do not have funding, we do have funds in our Small Scale Energy Fund to finance conservation measures. There is also limited federal money for audits, or in some cases the utilities are willing to do audits. There have not been the incentives to do much beyond what we have seen so far. 191 REP. NOVICK: Just give us an example of how this would work.

Tbcec minuter. contain matcriab which paraphrase and/or summarize s~atcrnents nude during this session. Only text enclosed in quotation marks report a speaker's exact wordfi. For complete contentfi of the proceedings, please refer to the tapes. House Committoe on State and Fedenl Affairs May 29,1991- Page 11

194 GRAINEY: Gives an example of the savings that might result from a project to replace existing lighting with a more efficient system.

207 REP. NOVICK: All new state buildings have to be built with energy efficient systems. What is the standard for older buildings?

211 GRAINEY: There is none. This is an attempting to deal with older buildings. 213 CHAIR MARKHAM: If the State Penitentiary does not already have them, would that be a prospect for solar panels to heat water? 216 GRAINEY: We renovated their laundry facility. There are more projects like it that could be done. 220 CHAIR MARKHAM: The state is in the process of building four or five new buildings. Do they consult with the architect and you to make them as energy efficient as possible? 224 GRAINEY: That was mandated under SB 1060 that passed the last session. 230 RANDALL JONES, COMMITTEE ADMINISTRATOR: The University of Oregon has a sawdust heating system which generates excess power. What do they do with it through this bill?

237 GRAINEY: If it is an existing project, it is not affected by this bill. If it is a new project, under this bill, excess power must be sold to the local utility or Bonneville Power Administration.

252 LIBBY HENRY, EUGENE WATER AND ELECTRIC BOARD: We are supporting this bill.

258 CHAIR MARKHAM: Do you do any co-generation at Eugene Water and Electric?

259 HENRY: We are in the process of talking about an interconnect with the University of Oregon. We do have a co-generation facility that is owned by Weyerhaeuser and we market the power from that facility to three cities in California. -In the near future we are going to need new resources, so it is in our best interest to encourage the production of new resources. -Discusses potential configurations to work with the University of Oregon.

285 CHAIR MARKHAM: How does the Eugene Water and Electric Board protect

itself, do you have to take power under this agreement?

289 HENRY: We do not have to take it. Under this agreement we have three months to put a deal together. If it is not satisfactory to the University, they can go elsewhere.

SB 1005 - ALLOWS STATE FIRE MARSHAL TO LEND PERSONNEL AND MAKE GRANTS FOR PERSONNEL COSTS AND FOR PURCHASE OF EQUIPMENT TO COMMUNITIES PARTICIPATING IN STATEWIDE HAZARDOUS MATERIAL EMERGENCY RESPONSE SYSTEM - WORK SESSION

There minuter contain rna~eriab which paraphreae and/or rummarize rt lement6 made duny thir rearion. Only text enclored in quotation nurks report a epeabor'a exact wordr. For complete contents of the procoedingr, pleare refer to the taper. House Commi~ee on State and Federal Affalrs May 29,1991- Page 12

300 REP. ROBERTS: Requests unanimous consent to suspend that the rules be suspended to allow him, Rep. Oakley and Rep. Sowa to be recorded as voting on the motion to move SB 1005 to the floor with a "do pass" recommendation.

307 CHAIR MARKHAM: Hearing no objections, it is so ordered. -REP. OAKLEY: Votes aye. -REP. ROBERTS: Votes aye. -REP. SOWA: Votes aye.

SB 502 - REQUIRES RETAIL PREMISES HOLDING VALID LIQUOR LICENSES TO POST SIGNS INFORMING PUBLIC OF EFFECTS OF ALCOHOL ON PREGNANT WOMEN - WORK SESSION

312 VICE CHAIR SOWA: I have a real problem with some of the concepts in this bill. However, people have worked extensively on it. I have a real concern about discrimination against pregnant women who are in a facility buying alcohol for other than their own purposes. -Requests unanimous consent that the rules be suspended to allow him to be recorded as voting AYE on the motion to move SB 502 as amended to the floor with a "do pass. recommendation.

315 CHAIR MARKHAM: Hearing no objection, it is so ordered.

SB 359 - AUTHORIZES COUNTY CLERKS TO HOLD SIMULATED ELECTION ON DATE OF PRIMARY OR GENERAL ELECTION FOR PERSONS UNDER 18 YEARS OF AGE - PUBLIC HEARING Witnesses: Sample Brown, Legislative Assistant to Sen. Ron Grensky Vicki Ervin, Director of Elections, Multnomah County

381 VICKI ERVIN, DIRECTOR OF ELECTIONS, MULTNOMAH COUNTY: When you try to determine why voter turnout is so low, and what can be done to improve the process, inevitably someone hits upon the fact we need to have more involvement sooner. Our young people need to be educated and they need to have involvement in the process. -This removes the present restrictions against doing this sort of thing at the polling place.

413 CHAIR MARKHAM: This would be county wide? 418 ERVIN: It depends on the school. Whether they want to do a mock election district wide or an individual teacher wants to take a class to a polling place to observe.

TAPE 152, SIDE A

014 REP. ROBERTS: We are talking about a mock election on the same day as the election?

016 ERVIN: This simulated election legislation is needed only if you do it on the same day and at the polling place. You can do it now on any other date.

017 REP. FORD: Would this not add to the confusion at the polling place?

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. -

021 ERVIN: There is not any county clerk in the state that is going to set up anything that causes more confusion. This just allows flexibility so if there are opportunities, they can be taken advantage of.

024 REP. FORD: Do they go through the voting process, going into the booth with a ballot? 027 ERVIN: There is nothing in the bill that

sets up a structure; It could be something as simple as going to the polling place to observe adults voting, versus setting up an entire separate election. There is nothing in the bill that would mingle

students with real voters. 031 CHAIR MARKHAM: If you had a hypothetical school board, they could mandate that every student in high school go through this. 034 ERVIN: There is nothing in this bill that would

allow a school to mandate that county clerks allow students into the polling places. The control factor is with the county clerk. 037 REP.

ROBERTS: They could actually have a mock election and vote for their own candidates for class president, could they not? 039 ERVIN: You could

design a ballot that was suitable to the age of the participating students. 045 REP. BELL: Why do we need a law about this? I have

taken my cub scouts to the polling place and shown them the process, which I worked out with the election officials in advance. How much

would it cost to do this in your county? This is a frill in a tight year. 057 ERVIN: The law does not currently allow visitation at the

polling place unless you are a voter or an authorized poll watcher. 059 JONES: Would that include a mother taking her children?

064 ERVIN: Yes, technically it does. This removes that restriction in the law. -The fiscal impact statement is written the way it is because

this is such a flexible bill. You could have no fiscal impact where a class just went into the polling place to observe. At the other extreme,

you could set up an election for the students with their own ballots. 083 REP. BELL: The reason the fiscal impact statement does not sit

well with me is that usually we get some estimation of the worst case scenario, so we have some basis to know what we may be getting into.

091 ERVIN: It might not cost the county anything, the school may offer to pay the expenses and supply the supervisory personnel.

097 REP. BELL: I am just as protective of the school budget as I am the state budget. It could cost the school extra money. 099 ERVIN:

That is why this is permissive and not compulsory. 107 REP. OAKLEY: Are there any circumstances where the student could use the same ballot

other

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. House Committee on State and Federal Affairs May 29, 1991- Page 14

voters use?

119 ERVIN: I do not believe that would ever happen because, depending

on the county, ballots can be fairly expensive. You do not want to take any chance the ballots could be mixed up. The students would probably not have the interest in the entire ballot. Their interest would be limited to the major races.

132 SAMPLE BROWN, LEGISLATIVE ASSISTANT TO SEN. RON GRENSKY: Submits letter from Sen. Grensky (EXHIBIT K) in support of the measure as a way to encourage greater voter participation. 158 REP. FORD: Are there enough of the proper ballots to support this program? Would the counties that use punch card systems have those available for this program?

167 ERVIN: That would be an option in the counties that have that type of system. 172 REP. FORD: Could leftover ballots be used?

175 ERVIN: After an election, leftover ballots are required to be destroyed, so official ballots could not be used. 192 BROWN: The State of Arizona is an example of where parents and children are going to the polls together. They also have children's ballots so they can vote by picture for those too young to read. 198 REP, BELL: What percentage of their adults vote and how does it compare to Oregon?

200 BROWN: I do not know, but the figures in Oregon show that in some counties less than five percent turnout.

SB 287 - PERMITS COUNTY CLERK TO RELY ON UNITED STATES POSTAL SERVICE DATA TO REREGISTER TO VOTE - PUBLIC HEARING Witnesses: David Buchanan, Executive Director, Oregon Common Cause Al Davidson, President, Oregon Association of County Clerks Vicki Ervin, Director of Elections, Multnomah County

216 VICKI ERVIN:, DIRECTOR OF ELECTIONS, MULTNOMAH COUNTY: Is available for questions since her testimony was given at a previous hearing.

222 DAVE BUCHANAN, EXECUTIVE DIRECTOR, OREGON COMMON CAUSE: Expresses wholehearted support of the measure. -Instead of having the current system that just allows cancellation of voter registrations when a voter moves, it takes a small additional step of instituting a new registration under the new address. Then the elector can say that is correct, or it is incorrect. -It will have a very beneficial effect on both the voters and the county clerks because it will help to alleviate some of the last minute jam up when people realize they are not properly registered, and have to go through the process to take care of the problem.

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. House Committee on State and Federal Affairs May 29, 1991- Page 15

248 REP. OAKLEY: Is this supported by all the county clerks?

250 ERVIN: No, it is not. It does not have the support of the Oregon Association of County Clerks.

255 CHAIR MARKHAM: Why did they not support it?

259 AL DAVIDSON, PRESIDENT, OREGON ASSOCIATION OF COUNTY CLERKS: The arguments against the bill were the issues that it may increase costs in some counties, and there was a philosophical objection in that some felt the voter should be responsible to maintain his or her registration rather than the government. 272 REP. NOVICK: Are the county clerks in favor of "motor voter" which makes it much easier for people to

register? 281 DAVIDSON: Yes, in fact they worked very hard to write
the bill that passed last session. 284 REP. NOVICK: Didn't some
county clerics have the same philosophical objections? 285 DAVIDSON:
I do not recall those kinds of objections. Submitted by:
Reviewed by: Carolyn Cobb Randall Jones Assistant
Administrator

EXHIBIT LOG:

A - Testimony on SB 1005 - Michael Grainey - 4 pages B - Testimony on SB
502 - Jack Munro - 1 page C - Testimony on SB 502 - Sen. Jeannette
Harnby - 1 page D - Testimony on SB 502 - Sen. Jeannette Hamby - 2 pages
E - Hand-engrossed SB 502-C - Sen. Jeannette Hamby - 3 pages F -
Hand-engrossed SB 502 - Jack Munro - 3 pages G - Testimony on SB 807 -
Bill Drew - 1 page H - Testimony on SB 807 - Sen. Jeannette Hamby - 4
pages I - Amendments to SB 807 - Sen. Jeannette Harnby - 3 pages J -
Testimony on SB 807 - Michael Grainey - 2 pages K - Testimony on SB 359
- Sample Brown - 1 page

These minutes contain materials which paraphrase and/of summarize
statetnenLe made during dlis aesaion. Only text enclosed in quotation
marks report a speaker'a exact worda. For complete contents of the
ptuceedings, please refer to the tapea.