

HOUSE COMMITTEE ON ELECTION AND RULES

April 26, 2005 Hearing Room E

1:00 P.M. Tapes 46 - 47

MEMBERS PRESENT: Rep. Derrick Kitts, Chair

Rep. Paul Holvey, Vice-Chair

Rep. Kim Thatcher, Vice-Chair

Rep. Billy Dalto

Rep. Debi Farr

Rep. Mitch Greenlick

Rep. Steve March

STAFF PRESENT: Cletus Moore, Committee Administrator

Annetta Mullins, Committee Assistant

MEASURES/ISSUES HEARD:

HJR 39 – Public Hearing and Work Session

HB 3223 – Public Hearing and Work Session

Introduction of Committee Measures

These minutes are in compliance with Senate and House Rules. Only text enclosed in quotation marks reports a speaker's exact words. For complete contents, please refer to the tapes.

TAPE/#	Speaker	Comments
TAPE 46, A		
003	Chair Kitts	Calls the meeting to order at 1:04 p.m. and opens a public hearing on HJR 39.
<u>HJR 39 – PUBLIC HEARING</u>		
007	Cletus Moore	Committee Administrator. Reads summary of HJR 39 and calls attention to the -1 amendments (EXHIBIT A).
015	Rep. Farr	Rep. Farr, co-sponsor of HJR 39, states she will defer to Sen. Deckert.
018	Sen.. Ryan Deckert	SD 14. Explains that HJR 39 deals with how Oregon redistricts. Believes this is the only opportunity the legislature will have to do something on redistricting. States they think the commission form of redistricting is a better, fairer way, though not perfect, of redistricting ourselves and that is what is in the -1 amendments (EXHIBIT A). The -1 amendments are answers to many of the questions that were raised at the last hearing on HJR 39. Explains that the bolded language in his prepared statement is in response to the questions. States there are 140 retired judges in Oregon. Reviews a prepared statement explaining the -1 amendments (EXHIBIT B).
082	Rep. Farr	Comments that her staff research shows there are 109 retired judges but will stick with the 140 that Sen. Deckert has stated. States that about 70 of those judges still live in Oregon and believes the pool is ample.
099	Rep. Holvey	Asks if they know how many judges are in each party classification or affiliation.
099	Rep. Farr	Responds there would be two judges from each major political party and the fifth person would be an independent.
	Sen. Deckert	Points out that the four members would have to choose the fifth member.
	Rep. Farr	Reports that they attempted to do the research on the affiliation of the judges and were unable to find the information.

	Rep. Holvey	Comments that judges are nonpartisan and is curious how they would determine which judge is of what party.
108	Rep. Greenlick	Refers members to lines 14-30 on page 2 of the -1 amendments (EXHIBIT A) .
	Sen. Deckert	Points out that the language is on page 3, beginning on line 3.
115	Rep. Greenlick	Comments the question was whether the fifth member had to be nonpartisan.
	Sen. Deckert	Responds the fifth member would not have to be nonpartisan.
121	Rep. March	Asks if the first sentence on page 5 in subsection (11) beginning on line 4, means that in 2013 the legislature could come back and set a new commission and do another plan.
	Sen. Deckert	Responds that they used the California statute as a model but thinks it is a good provision. The language requires a 2/3 vote. The legislature may want the commission to come back and look at different issues. States he likes the idea that the legislature has some recourse especially if there is an overwhelming interest in this building to involve itself.
144	Rep. March	States that this is a proposal in California by the governor, not existing law.
149	Rep. Greenlick	Asks if the language beginning in line 43 of page 4 of the bill and the remaining language would remain in the bill.
	Sen. Deckert	Responds that the language would stay in the measure.
173	Moore	Explains where the amendments are inserted in HJR 39.
		The Legislative Fiscal Impact on the original HJR 39 is hereby made a part of the record (EXHIBIT C) .
184	Chair Kitts	Closes the public hearing and opens a work session on HJR 39.

203	Rep. Thatcher	MOTION: Moves to ADOPT HJR 39-1 amendments dated 4/19/05.
	Rep. March	Comments he will agree with the amendments at this point but would like to see the measure printed and returned to the committee before the committee votes on it.
214		VOTE: 7-0-0
		AYE: In a roll call vote, all members present vote Aye.
	Chair Kitts	The motion CARRIES.
217	Rep. Thatcher	MOTION: Moves HJR 39 be sent to the floor with a BE ADOPTED AS AMENDED recommendation.
	Rep. March	Comments that he cannot support moving this measure at this time. States he did not get the amendments until today and he understands the intent but would like to take some time to seriously consider it. If the committee votes on it today, he will be a no vote and may serve notice of a minority report.
210	Chair Kitts	Asks members for their desired timeframe to act on the measure.
	Rep. March	Comments that he does not know how long it would take to get the measure printed.
236	Chair Kitts	Comments he could reschedule HJR 39 for the committee meeting on Thursday if that is okay with Sen. Deckert.
	Sen. Deckert	States that is fine with him in order to get the words right.
243	Rep. Dalto	Comments he struggles with the bill because he believes the plan in place is unfair. States his concern with the commission is whether we would have a fair fix to the current plan that is currently adopted, or will the commission take up the plan we have now and make adjustment to reflect the population changes. States that if the commission starts with the plan we have now, it is not legitimate.

States he is supportive of what Sen. Deckert is trying to accomplish but he cannot support the bill today.

- 267 Sen. Deckert Comments he thinks the legislature has two choices: either the status quo or go to a commission process. Believes the legislature would miss an opportunity by no looking ahead.
- 291 Chair Kitts Advises that the committee will bring the bill back on Thursday.
- Rep. Dalto Asks Sen. Deckert if he would entertain a friendly amendment that would direct the new commission to throw out the existing plan and create a new plan.
- 304 Rep. Greenlick Comments that he does not see anything in the bill that suggests one way or the other—the commission does have the option to either move from where they are or throw it out, as is always the case. Asks if Rep. Dalto’s amendment would instruct the commission to ignore the plan that is in place.
- Rep. Dalto States he interprets the bill that the commission could take it upon themselves to create a new plan, but does not want the commission to not do the work. State he would like for the commission to start with a fresh perspective. That could be the commission’s baseline plan that moves forward into the future. States he does not think it would be necessary to create a new baseline every 10 years.
- Rep. Thatcher **BY IMPLIED CONSENT WITHDRAWS HER MOTION that HJR 39 be sent to the floor with a BE ADOPTED AS AMENDED recommendation.**
- 322 Chair Kitts Comments that the -1 amendments have been adopted, closes the work session on HJR 39 and opens a public hearing on HB 3223.

HB 3223 – PUBLIC HEARING

Cletus Moore Committee Administrator. Reads summary of HB 3223.

Rep. Greg Macpherson and Rep. Patty Smith Introduce themselves.

Rep. Macpherson

Explains they bring forward this bill as a bi-partisan effort. States it is not clear to him why state statute controls the timing and mechanics of county party organizational meetings. The state law is too inflexible and the Multnomah Democrats and Republicans have jointly requested the changes in HB 3223 to give them more latitude as to how they hold their meetings county wide. Introduces Jeff Merrick, Chair of the Multnomah County Democrats and Tim Trickey, Political Director for the Multnomah County Republicans.

- 362 Rep. P. Smith Comments this is a bi-partisan effort and urges support of the bill.
- Rep. Greenlick Asks why they did not introduce a bill to delete the section from the statutes.
- Rep. Macpherson States that would have gone beyond what was requested of them. Suggests the committee could ask the requestors of the bill.
- 374 Rep. Holvey States he is curious as to the central committees from other counties and perhaps the Democratic and Republican parties of Oregon.
- Rep. Macpherson Suggests a good question to ask those who are here would be what input was obtained from other participants and party organizations around the state. States from his reading the proposal, it gives them more latitude and it is difficult to see how it would be troublesome to other county organizations.
- 396 Jeff Merrick Multnomah County Democratic Central Committee. Submits and summarizes a prepared statement in support of HB 3223 **EXHIBIT D**).
- 430 Tim Trickey Political Director, Multnomah County Republican Party. States he is speaking on behalf of their chairman and other members of the Central Committee. This bill does very little to change the actual structure in terms of how county parties are organized, in terms of how the state party is organized and it gives flexibility in terms of involving the most people possible in the process. States they faced a similar situation as the Democrats did. They had a difficult time getting people out for their organizational meeting. They had 185 people out of the 697 precinct people in Multnomah County in attendance at the meeting, barely a quorum to be able to hold an official meeting. States they are trying to pursue a minute change rather than throwing out the entire statute. Believes there should be no opposition on either side of the aisle and there should be no nominal fiscal impact to the bill.

513 Chair Kitts Closes the public hearing and opens a work session on HB 3223.

TAPE 47, A

HB 3223 – WORK SESSION

020 Rep. Thatcher **MOTION: Moves HB 3223 to the floor with a DO PASS recommendation.**

023 **VOTE: 7-0-0**

AYE: In a roll call vote, all members present vote Aye.

Chair Kitts **The motion CARRIES.**

REP. MACHERSON AND REP. P. SMITH will lead discussion on the floor.

Chair Kitts Closes the work session on HB 3223 and opens a work session for the purpose of introduction of committee measures.

INTRODUCTION OF COMMITTEE MEASURES

035 Rep. Thatcher **MOTION: Moves LCs 9092, 9093, 9094, 9095, 9096, 9097, 9098, 9099, 9100, 9101, 9102, 9103, 9104, 9405, 9106, 9107, 9108, 9109, 9110, 9111, 9112, 9113, 9114, 9115, 9116, 9117, 9118, 9119, 9120, 9121, 9122, 9123, 9124, 9125, 9126, 9127, 9128, 9129, 9130, 9131 relating to state financial administration, appropriating money and declaring an emergency (EXHIBIT E) BE INTRODUCED as committee bills.**

042 Chair Kitts Explains these are budget bills.

045 Rep. Greenlick Requests copies of the LC drafts.

051 **VOTE: 7-0-0**

Chair Kitts **Hearing no objection, declares the motion CARRIED.**

051 Chair Kitts Closes the work session on introduction of committee measures and adjourns meeting at 1:40 p.m.

EXHIBIT SUMMARY

- A. HJR 39, -1 amendments, Sen. Deckert, 9 pp
- B. HJR 39, prepared statement, Sen. Deckert, 2 pp
- C. HJR 39, Legislative Fiscal Statement, staff, 1 p
- D. HB 3223, prepared statement, Jeff Merrick, 1 p
- E. Introductions, LCs 9092, 9093, 9094, 9095, 9096, 9097, 9098, 9099, 9100, 9101, 9102, 9103, 9104, 9405, 9106, 9107, 9108, 9109, 9110, 9111, 9112, 9113, 9114, 9115, 9116, 9117, 9118, 9119, 9120, 9121, 9122, 9123, 9124, 9125, 9126, 9127, 9128, 9129, 9130, 9131, staff, 80 pp