

## SENATE COMMITTEE ON RULES

February 15, 2005  
8:30 A.M.

Hearing Room 343  
Tapes 9 - 11

**MEMBERS PRESENT:**     **Sen. Kate Brown, Chair**  
                                  **Sen. Ted Ferrioli, Vice-Chair**  
                                  **Sen. Jason Atkinson**  
                                  **Sen. Charlie Ringo**  
                                  **Sen. Frank Shields**

**STAFF PRESENT:**       **Tiffany Harris, Committee Administrator**  
                                  **Patricia Nielsen, Committee Assistant**

**MEASURE/ISSUES HEARD:**  
                                  **SJR 5 – Public Hearing**  
                                  **SB 391 – Public Hearing**  
                                  **SB 393 – Public Hearing**  
                                  **Introduction of committee measures – Work Session**  
                                  **SJR 3 – Public Hearing**

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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.

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TAPE/#	Speaker	Comments
<b>TAPE 9, A</b>		
005	Chair Brown	Calls the meeting to order at 8:30 a.m. Opens public hearing on SJR 5.
<b><u>SJR 5 – PUBLIC HEARING</u></b>		
010	Sen. Kurt Schrader	Senate District 20. Presents overview and testifies in support of SJR 5. Expresses concern that there are no limits on campaign contributions.
040	Chair Brown	Asks why expenditures are also limited.
045	Sen. Schrader	Discusses limits on contributions and expenditures recommended by the measure. Concedes there are some issues to be resolved.
055	Sen. Ringo	Points out he had SJR 3 drafted, but SJR 5 is more expansive. Asks why the Oregon Constitution should allow unlimited contributions and expenditures. Discusses limitations in other states.
080	Chair Brown	Asks about examples where the influence of money has changed votes.
085	Sen. Schrader	Responds it is a general concern, especially over the appearance of corruption with the acceptance of large contributions. Discusses instance where he was approached.
110	Chair Brown	Comments on the appearance of corruption because legislators accept large campaign contributions.
115	Sen. Schrader	Agrees.
120	Sen. Shields	Asks about campaign finance reform in other states.
130	Sen. Schrader	Offers to return information to the committee. Reiterates there are no limits on contributions or expenditures in Oregon.
145	Sen. Ringo	Suggests it is not the vote count, but the influence on every

155	Sen. Ferrioli	legislator, which is the concern. Explains the contributors think they are buying influence with their contributions. Expresses concern about making a qualitative connection between contributions and corruption. Discusses expenditures during a senate race in a hotly contested district. Points out the Constitution allows citizens to make contributions as part of the right to free speech, which is why earlier limitations failed. Suggests the alternative is full disclosure during the campaign process.
210	Sen. Schrader	Responds while we would not like to think corruption is a problem, there is a specific case in the House of Representatives under investigation right now. Recommends taking the opportunity to make reforms. Argues that the citizens do want reform, because Oregonians passed the limits 10 years ago and it was the courts which overturned the change. Explains that is why he suggests the constitutional amendment.
260	Chair Brown	Asks about violation of current Oregon law if allegations in the House case are true. Asks how it would be different.
270	Sen. Schrader	Argues if campaign contributions are limited, there is less opportunity for candidates to use funds for unlawful purposes.
285	Chair Brown	Asks if public financing would be more appropriate.
290	Sen. Schrader	Suggests these bills are needed before that discussion can take place.
300	Rep. Peter Buckley	House District 5. Testifies in support of SJR 5 and submits written testimony ( <b>EXHIBIT A</b> ). Discusses how the amendment will level the playing field in campaigns. Comments how influence on policy is factored into the picture.
390	Sen. Atkinson	Comments on his campaigns where he was outspent by the lobby but was elected anyway. Believes the system does not work partly due to soft money contributions. Urges complete transparency in campaign financing. Suggests the problem with limits is that the body makes it harder to serve in office and low pay encourages bad behavior. Recommends his bill, SJM 6, will change the budget process and restore trust among the voters.
<b>TAPE 10, A</b>		
010	Sen. Schrader	Agrees transparency is important but comments the reforms are not mutually exclusive.
020	Rep. Buckley	Comments and agrees with transparency and explains his idea for a measure which addresses soft money issues.
030	Chair Brown	Asks why other states with limits have more credibility and why we can have a national model (Oregon Health Plan) with so much influence.
040	Rep. Buckley	Discusses systems in other states. Describes a sledgehammer aspect of large money contributions to opponents of candidates. Comments Oregon has low credibility due to inadequate school funding.
060	Sen. Schrader	Agrees systems in other states should be reviewed. Expresses pride in Oregon's voter turnout, which shows the system is working and voters are participating.
080	Sen. Ferrioli	Asks why contributors still abuse the process if limits are effective. Discusses limits in effect now. Offers to work on full disclosure issues. Suggests contributors will find a way around limits.
125	Sen. Ringo	Comments the measures are not intended to solve the problem,

135	Chair Brown	only to allow a discussion of the problem. Closes public hearing on SJR 5. Opens public hearing on SB 391 and SB 393.
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**SB 391 and SB 393 – PUBLIC HEARING**

140	Tiffany Harris	Committee Administrator. Presents overview of SB 391 and SB 393.
145	Sen. Ben Westlund	Senate District 27. Asks that SB 391 be set over because of a constitutional issue.
160	Chair Brown	Asks for testimony from witnesses from far distances.
165	Sen. Westlund	Focuses on provision for appointing the county assessor. Discusses specific qualifications required for assessor position. Explains the commissioners should be allowed to appoint the appropriate person, not the candidate who runs the most successful campaign.
190	Sen. Westlund	Testifies in support of SB 393. Discusses intent to extend voting and leadership rights to citizens who reside outside a special district but own property in that district.
210	Sen. Ferrioli	Asks about example of irrigation district.
225	Sen. Westlund	Explains if the landowner receives water from the district he is already a member. Distinguishes between an irrigation district and a water district.
235	Sen. Ferrioli	Asks about distinction between special districts and municipalities.
240	Sen. Westlund	Explains.
243	Sen. Ferrioli	Asks if districts are defined well enough to inform citizens about the boundaries.
245	Harris	Explains ORS 198 enumerates the special districts.
260	Annette Newingham	Association of County Clerks; Lane County elections official. Expresses concern over how to create ballots for elections which cross district boundaries, and how the voters could be notified of their qualifications. Offers to work on the solution with the sponsor.
295	Hasina Squires	Special Districts Association of Oregon. Expresses concern that not all special districts are covered by the measure. Explains property owners can have renters, and it is unclear who would have the voting right. Discusses differences in operations between different districts.
345	Chair Brown	Closes public hearing on SB 393. Continues public hearing on SB 391.

**SB 391 – PUBLIC HEARING**

360	Doug Ebner	Oregon Association of Assessors; Marion County Assessor. Testifies in opposition to SB 393. Submits written testimony <b>(EXHIBIT B)</b> . Discusses county home rule process. Suggests the measure would weaken county government.
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**TAPE 9, B**

018	Ray Erland	Clackamas County Assessor. Testifies in opposition to SB 393. Discusses qualifications of assessors.
025	Ron Northraff	Douglas County Assessor. Testifies in opposition to SB 393. Explains qualifications now required for assessor positions. Suggests the citizens should be allowed to elect their assessor. Expresses concern over consolidation of county government power in the commissioners.
050	Sen. Shields	Asks if all counties who elect assessors require qualifications.
055	Northraff	Responds it is a statewide requirement.

058	Ebner	Discusses requirements for continuing education.
060	Tiffany Harris	Committee Administrator. Discusses current statutory requirements. Offers to return additional information to the committee.
065	Sen. Shields	Asks about control over job performance review under the measure.
070	Chair Brown	Closes public hearing on SB 391. Opens work session on introduction of committee measures.

**INTRODUCTION OF COMMITTEE MEASURES – WORK SESSION**

075	Sen. Brown	<b>MOTION: Moves the following LC drafts BE  INTRODUCED as committee bills:</b> LC 34 (EXHIBIT C) (Printed as SB 965) LC 100 (EXHIBIT D) (Printed as SB 966) LC 853 (EXHIBIT E) (Printed as SB 973) LC 1269 (EXHIBIT F) (Printed as SCR 8) LC 1270 (EXHIBIT G) (Printed as SCR 9) LC 1285 (EXHIBIT H) (Printed as SB 967) LC 1296 (EXHIBIT I) (Printed as SB 968) LC 1596 (EXHIBIT J) (Printed as SB 974) LC 1597 (EXHIBIT K) (Printed as SJR 29) LC 1611 (EXHIBIT L) (Printed as SB 969) LC 1778 (EXHIBIT M) (Printed as SB 970) LC 1989 (EXHIBIT N) (Printed as SB 971) LC 1996 (EXHIBIT O) (Printed as SJR 28) LC 2000 (EXHIBIT P) (Printed as SB 972) LC 2017 (EXHIBIT Q) (Printed as SB 975) LC 2018 (EXHIBIT R) (Printed as SB 976) LC 2021 (EXHIBIT S) (Printed as SB 977) LC 2022 (EXHIBIT T) (Printed as SB 978) LC 2065 (EXHIBIT U) (Printed as SB 979) LC 2066 (EXHIBIT V) (Printed as SB 980) LC 2070 (EXHIBIT W) (Printed as SB 981) LC 2071 (EXHIBIT X) (Printed as SB 982) LC 2111 (EXHIBIT Y) (Printed as SB 983) LC 2167 (EXHIBIT Z) (Printed as SB 984) LC 2168 (EXHIBIT AA) (Printed as SB 985) LC 2230 (EXHIBIT BB) (Printed as SB 986) LC 2247 (EXHIBIT CC) (Printed as SB 987) LC 2514 (EXHIBIT DD) (Printed as SB 988) LC 2524 (EXHIBIT EE) (Printed as SB 989) LC 2624 (EXHIBIT FF) (Printed as SB 990) LC 2693 (EXHIBIT GG) (Printed as SB 991) LC 2723 (EXHIBIT HH) (Printed as SB 992)
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**LC 2755 (EXHIBIT II) (Printed as SB 993)**

**LC 2776-1 (EXHIBIT JJ) (Printed as SB 995)**

**LC 2777 (EXHIBIT KK) (Printed as SB 994)**

100	Sen. Ferrioli	Expresses appreciation for the chair making available the universal opportunity to introduce bills. Explains that is why there is such a variety.
110	Chair Brown	Explains the Rules Committee can draft and hear bills at any time. Discusses requirements for future drafting and introduction.
125	Sen. Ferrioli	Comments on the broad relating clause for LC 2514, "relating to food."
130		<b>VOTE: 4-0-1</b>
		<b>EXCUSED: 1 - Sen. Atkinson</b>
	<b>Chair Brown</b>	<b>Hearing no objection, declares the motion CARRIED.</b>
135	Chair Brown	Closes work session on introduction of committee measures. Reopens public hearing on SB 391.

**SB 391 – PUBLIC HEARING**

140	Shari Anderson	Clackamas County Treasurer. Testifies in opposition to SB 391. Submits written testimony ( <b>EXHIBIT LL</b> ). Explains statutory provisions for a county to have a home rule charter. Expresses concern that if the right to change the elected officials rests in the Board of Commissioners. Discusses constitutional issues.
180	Michelle Hawkins	Linn County Treasurer. Testifies in opposition to SB 391. Explains voter participation in Linn County.
195	Sam Huff	Douglas County Treasurer. Testifies in opposition to SB 391.
200	Laurie Steele	Marion County Treasurer. Testifies in opposition to SB 391. Submits written testimony ( <b>EXHIBIT MM</b> ).
210	Michael Long	Klamath County Treasurer. Testifies in opposition to SB 391.
225	Sen. Ferrioli	Comments on the dynamic tension and balance between the elected officials in counties. Points out treasurers and assessors have a watchdog role on behalf of the public.
255	Chair Brown	Closes public hearing on SB 391. Opens public hearing on SJR 3 and reopens public hearing on SJR 5.

**SJR 3 and SJR 5 – PUBLIC HEARING**

280	Norman Turrill	League of Women Voters of Oregon. Testifies in support of SJR 3 and SJR 5. Submits written testimony ( <b>EXHIBIT NN</b> ). Discusses motivation behind support of campaign finance reform.
345	Dave Buchanan	Oregon Common Cause. Testifies in support of SJR 3 and SJR 5. Submits written testimony ( <b>EXHIBIT OO</b> ). Discusses development of campaign finance reform in Oregon.

**TAPE 10, B**

005	Buchanan	Continues and discusses background and development of limitations on campaign expenditures.
035	Kappy Eaton	League of Women Voters of Oregon. Testifies in support of SJR 3 and SJR 5. Discusses history of increases in campaign costs for Oregon legislative races. Explains how voters passed reforms through initiatives.
090	Sen. Ferrioli	Asks about changes in contribution limits.
095	Eaton	Clarifies the independent expenditure side increased but the cost of the elections decreased from 1994 to 1996.
115	Turrill	Explains there is a witness coming to explain.
120	Tina Calos	Oregon Common Cause. Testifies in support of SJR 3 and SJR 5

		but favors SJR 5. Submits written testimony ( <b>EXHIBIT PP</b> ). Discusses experience in Arizona working on campaign finance reform. Suggests a first step is to limit contributions and expenditures. Mentions SB 160 which will clean up disclosure laws. Agrees reforms should pass court scrutiny. Supports constitutional amendment only as needed to allow reform, but argues the actual reforms should be in statute.
180	Calos	Compares SJR 3 to SJR 5. Discusses recommendation for campaign expenditure limitations. Summarizes and concludes.
220	Chair Brown	Suggests expenditures should be defined.
225	Calos	Agrees the courts might strike limits.
230	Turrill	Clarifies.
245	Andrea Meyer	ACLU Oregon. Testifies in opposition to SJR 3 and SJR 5. Describes constitutional protections of free speech and expression. Discusses examples. Suggests each candidate should decide whether to limit campaign financing and contributions.
350	Sarah Wetherson	Money in Politics Research Action Project. Testifies as neutral but provides background on how campaign finance reform might be evaluated. Submits written testimony ( <b>EXHIBIT QQ</b> ). Offers to answer questions.
395	Dan Meek	Portland. Testifies as neutral on SJR 3 and in support of SJR 5 if slightly amended. Discusses SJR 3 partial coverage of reform. Recommends legislative history for SJR 5 should clarify the intent of the legislature to authorize limits on independent expenditures and the spending of candidate personal wealth.
<b>TAPE 11, A</b>		
010	Meek	Continues and discusses independent expenditures in political campaigns. Describes limits in place on the federal level.
040	Chair Brown	Asks if his concern is to level the playing field and allow more diverse group to run for office.
045	Meek	Acknowledges that is partly true. Explains the existing system selects those with more resources and eliminates candidates who have fewer.
060	Chair Brown	Asks who does the selecting.
065	Meek	Suggests campaign contributors select candidates who can win elections, and then provide candidates with overwhelming financial resources.
068	Chair Brown	Comments on the role of the caucus campaign.
070	Meek	Suggests the federal system limits now in place encourage use of personal wealth in financing campaigns.
080	Chair Brown	Closes public hearing on SJR 3 and SJR 5. Adjourns the committee at 10:33 a.m.

## **EXHIBIT SUMMARY**

- A. SJR 3 and SJR 5, written testimony, Rep. Peter Buckley, 2 pp**
- B. SB 391, written testimony, Doug Ebner, 2 pp**
- C. Introductions, LC 34, staff, 3 pp**
- D. Introductions, LC 100, staff, 2 pp**
- E. Introductions, LC 853, staff, 8 pp**
- F. Introductions, LC 1269, staff, 2 pp**
- G. Introductions, LC 1270, staff, 3 pp**

**H. Introductions, LC 1285, staff, 1 p**  
**I. Introductions, LC 1296, staff, 13 pp**  
**J. Introductions, LC 1596, staff, 9 pp**  
**K. Introductions, LC 1597, staff, 5 pp**  
**L. Introductions, LC 1611, staff, 2 pp**  
**M. Introductions, LC 1778, staff, 1 p**  
**N. Introductions, LC 1989, staff 2 pp**  
**O. Introductions, LC 1996, staff, 2 pp**  
**P. Introductions, LC 2000, staff, 2 pp**  
**Q. Introductions, LC 2017, staff, 5 pp**  
**R. Introductions, LC 2018, staff, 9 pp**  
**S. Introductions, LC 2021, staff, 5 pp**  
**T. Introductions, LC 2022, staff, 5 pp**  
**U. Introductions, LC 2065, staff, 4 pp**  
**V. Introductions, LC 2066, staff, 9 pp**  
**W. Introductions, LC 2070, staff, 2 pp**  
**X. Introductions, LC 2071, staff 1 p**  
**Y. Introductions, LC 2111, staff, 3 pp**  
**Z. Introductions, LC 2167, staff, 8 pp**  
**AA. Introductions, LC 2168, staff, 2 pp**  
**BB. Introductions, LC 2230, staff, 3 pp**  
**CC. Introductions, LC 2247, staff, 2 pp**  
**DD. Introductions, LC 2514, staff, 3 pp**  
**EE. Introductions, LC 2524, staff, 3 pp**  
**FF. Introductions, LC 2624, staff, 8 pp**  
**GG. Introductions, LC 2693, staff, 5 pp**  
**HH. Introductions, LC 2723, staff, 19 pp**  
**II. Introductions, LC 2755, staff, 5 pp**  
**JJ. Introductions, LC 2776-1, staff, 2 pp**  
**KK. Introductions, LC 2777, staff, 2 pp**  
**LL. SB 391, written testimony, Shari Anderson, 1 p**  
**MM. SB 391, written testimony, Laurie Steele, 1 p**  
**NN. SJR 3 and SJR 5, written testimony, Norman Turrill, 1 p**  
**OO. SJR 3 and SJR 5, written testimony, Dave Buchanan, 1 p**  
**PP. SJR 3 and SJR 5, written testimony, Tina Calos, 2 pp**  
**QQ. SJR 3 and SJR 5, written testimony, Sarah Wetherson, 4 pp**