

## HOUSE COMMITTEE ON RULES AND PUBLIC AFFAIRS

May 06, 2003 Hearing Room E  
1:00 PM Tapes 54 - 55

**MEMBERS PRESENT:**       Rep. Dan Doyle, Chair  
                                  Rep. Linda Flores, Vice-Chair  
                                  Rep. Laurie Monnes Anderson, Vice Chair  
                                  Rep. Vic Backlund  
                                  Rep. Phil Barnhart  
                                  Rep. Betsy L. Close  
                                  Rep. Joanne Verger

**STAFF PRESENT:**        Cara Filsinger, Administrator  
                                  Annetta Mullins, Committee Assistant

**MEASURE/ISSUES HEARD:** Introduction of committee bills – Work Session  
                                  Approval of measure drafting request – Work Session  
                                  SB 212 A – Public Hearing and Work Session  
                                  HB 2813 – Work Session

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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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<u>TAPE/#</u>	<u>Speaker</u>	<u>Comments</u>
<b>Tape 54, A</b> 004	Chair Doyle	Calls meeting to order at 1:08 p.m., announces order agenda items will be considered, and opens a work session for the purpose of introduction of committee bills.
<b><u>INTRODUCTION OF COMMITTEE BILLS – WORK SESSION</u></b>		
008	Rep. Flores	<b>MOTION: Moves LCs 3594 (EXHIBIT A) AND 3612 (EXHIBIT B) BE INTRODUCED as committee bills.</b>
010		<b>VOTE: 7-0-0</b>
	Chair Doyle	<b>Hearing no objection, declares the motion CARRIED.</b>
	Chair Doyle	Closes the work session on introduction of committee bills and opens a work session on approval of measure drafting request.
<b><u>MEASURE DRAFTING REQUEST – WORK SESSION</u></b>		
020	Rep. Flores	<b>MOTION: Moves TO APPROVE THE LC DRAFTING REQUEST IN LETTER DATED MAY 5, 2003 AS APPROVED BY SPEAKER MINNIS (EXHIBIT C).</b>
036	Rep. Verger	Asks if this drafting request is a duplication of HB 3575.
038	Chair Doyle	Responds that part of HB 3575 would be part of the new draft.
041	Rep. Close	Explains that HB 3575 is in the House Business, Labor and Consumer Affairs committee and they have chosen to go another route on the bill.
045		<b>VOTE: 7-0-0</b>
	Chair Doyle	<b>Hearing no objection, declares the motion CARRIED.</b>
020	Chair Doyle	Closes the work session on drafting requests and opens a public hearing on SB 212 A.

**SB 212 A – PUBLIC HEARING**

056 Bill Buckley Manager, Firearms Unit of the Identification Services Section, Department of State Police. Testifies in support of SB 212 A **(EXHIBIT D)**.  
Scott Tighe Department of Public Safety Standards and Training. Testifies in support of SB 212 A **(EXHIBIT E)**.  
104 Chair Doyle Closes the public hearing and opens a work session on SB 212 A.

**SB 212 A – WORK SESSION**

106 Rep. Flores **MOTION: Moves SB 212 A to the floor with a DO PASS recommendation.**

109 **VOTE: 7-0-0**

Chair Doyle **AYE: In a roll call vote, all members present vote Aye. The motion CARRIES.**

113 Rep. Doyle **MOTION: Moves SB 212 A be placed on the CONSENT CALENDAR.**

115 **VOTE: 7-0-0**

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

115 Chair Doyle Closes the work session on SB 212 A and opens a work session on HB 2813.

**HB 2813 – WORK SESSION**

117 Rep. Close Notes that the committee has two sets of amendments: HB 2813-1 **(EXHIBIT F)** and HB 2813-2 **(EXHIBIT G)**. Explains that the bill would require proof of citizenship when registering to vote for the first time; it is already the law that a person must be a U.S. citizen to vote. Explains the HB 2813-1 amendments.

135 Rep. Close Explains that the HB 2813-2 amendments are clarification at the request of the county clerks. The amendments include the requirement that there is a database and the clerks have to be given the opportunity to access it. Adds that there is a question about the fiscal impact with the HB 2813-2 amendments. The fiscal on the HB 2813-1 is around \$70,000 because the Department of Motor Vehicles (DMV) would not have to enter the information into a database; they could design the driver license to indicate the citizenship requirement had been met. The HB 2813-2 amendments go farther and talks about a new field on the database, but they would have to do some work to fit this bill. That would make it a lot less expensive for the clerks. The clerks also asked that the notice requirement be taken out of the bill. Because the clerks send out a registration card, we don't need a notice as well.

142 Rep. Close States that the committee has a choice of the two amendments and that she prefers the HB 2813-2. Adds that she hopes another bill that sets up the trust fund will allow that money to be used to provide these provisions because they are similar to those in the federal legislation passed last October.

172 Kelly Taylor Oregon Department of Transportation. States that the least expensive option is the original bill that has about a \$72,000 cost. Explains process of registering people to vote. States that the same process happens today as in the bill except for asking the person if this is his/her first time registering to vote and looking for evidence of citizenship.

198	Taylor	States that giving access, whether they are updating a database or not, is expensive. Explains that the record they currently have is full and expansion of the record would be very expensive. States that they would have to hire private contractors to build a little database that would match up the name, driver license number, date of birth, and citizenship. The cost to build a database system would be over \$100,000 and that could not be done by the effective date of the bill. The least expensive thing to do is the original HB 2813 and there is not a lot of difference between the HB 2813-1 and HB 2813-2 amendments for their department.
234	Rep. Close	Questions whether they could combine fields on a database to streamline this, or simply add a new field. Adds that it is a requirement that every person be a citizen to vote and it is appropriate that DMV should be checking and keeping a record. Suggests that if the committee has concerns with the costs, experts should look at the database and verify that this could not be added easily. States she doesn't think the country needs to be documented, only whether the person is a citizen, non-citizen, illegal alien, legal alien, identified by letter codes in an extra field.
264	Taylor	Explains how the two systems could be integrated to provide information to the county clerks.
284	Rep. Close	Asks why they could not add a code in the "Oregon" field.
290	Taylor	Responds that the staff say that the fields are full, and where it would be displayed would be different than where it would be stored. Adds that she can ask if the information could be added to an existing field.
299	Rep. Barnhart Taylor	Summarizes how he understands the record keeping by DMV. Explains that all spots for coding in the driver license record are full. To expand that record would cost a lot more than the estimate provided. Explains how they could construct the system to allow the existing information to be pulled from the master file.
328	Rep. Barnhart Taylor	Asks if the costs are for programming. Responds affirmatively.
335	Rep. Barnhart  Taylor	Asks Taylor to explain her comment that he county clerks would have to collect driver license numbers. Comments that they would have to put in some key identifier to allow the clerks to get into the data base. The voter registration card would need to be modified.
361	Rep. Barnhart  Taylor	Asks if the information would become part of the voter file record in the county elections office. Responds that it might. Suggests that she would need to check with the Secretary of State to see when they would provide that information, or whether they would block it out.
330	Taylor	Comments on people who would not be in the database because the driver license cycle is eight years.
<b>398</b>	<b>Rep. Close</b>	<b>MOTION: Moves to ADOPT HB 2813-2 amendments dated 5/1/03.</b>
403	Rep. Barnhart	Asks if a fiscal impact statement will be prepared on the HB 2813-2 amendments.
405	Chair Doyle	Responds that a fiscal has not been prepared. The indication is that the impact is greater than on the HB 2813-1 amendments.

States that based on that cost, the bill will be referred to the Ways and Means Committee.

**VOTE: 5-2-0**

**AYE: 5 - Backlund, Close, Flores, Verger, Doyle**

**NAY: 2 - Barnhart, Monnes Anderson**

Chair Doyle

**The motion CARRIES.**

430

Rep. Close

**MOTION: Moves HB 2813 to the floor with a DO PASS AS AMENDED recommendation and BE REFERRED to the committee on Ways and Means.**

441

Rep. Barnhart

Comments that he thinks the bill is unnecessary and dangerous. Notes letter from Legislative Counsel (**EXHIBIT H**), states that he thinks there are a number of problems, and that the bill should not be passed out.

447

Chair Doyle

Enters into the record a letter from Debbie Murdock, Portland State University, in opposition to HB 2813 (**EXHIBIT I**), and an email from Ruth Bendl in support of HB 2813 (**EXHIBIT J**).

**TAPE 55, A**

025

Rep. Monnes  
Anderson

Comments that when people are registering, they sign the form saying they are a citizen of the United States. States she is not convinced that a lot of illegal people will want to vote; if they are illegal residents they don't want to have their name and address on any document.

043

Rep. Verger

Comments there is a responsibility in voting and thinks we have made things too easy. States that the only troublesome part is the money to do this.

054

Rep. Close

Comments that it is important to maintain the integrity of the election process. Oregon cannot ask for identification at the polls, many states do ask for identification at the polls, and those that do not are asking for legislation to require identification at the polls. Comments on letter from Fred Neal correcting his statement that there had been no complaints (**EXHIBIT K**). Comments on report attached to the letter (**EXHIBIT K, page 2**).

083

Chair Doyle

**VOTE: 5-2-0**

**AYE: 5 - Backlund, Close, Flores, Verger, Doyle**

**NAY: 2 - Barnhart, Monnes Anderson**

**The motion CARRIES.**

088

Chair Doyle

States that if HB 2813 comes from Ways and Means, he recommends that Rep. Close carry the bill on the floor.

095

Chair Doyle

Closes the work session on HB 2813 and adjourns meeting at 1:42 p.m.

**EXHIBIT SUMMARY**

**A – Introduction of committee bills, letter request, staff, 2 pp**

**B – Introduction of committee bills, letter request, staff, 3 pp**

**C – Measure drafting request, letter request, staff 3**

**D – SB 212, prepared statement, Bill Buckley, 2 pp**

**E – SB 212, prepared statement, Scott Tighe, 1 p**

**F – HB 2813, HB 2813-1 amendments, Rep. Close, 6 pp**  
**G – HB 2813, HB 2813-2 amendments, Rep. Close, 6 pp**  
**H – HB 2813, letter from Legislative Counsel, Ted Reutlinger, 2**  
**I – HB 2813, prepared statement, Debbie Murdock, 2 pp**  
**J – HB 2813, email, Ruth Bendl, 1 p**  
**K – HB 2813, letter, Fred Neal, 2 pp**