

SENATE COMMITTEE ON RULES

February 4, 2003
3:00 pm

Hearing Room 343
Tape 3

MEMBERS PRESENT: **Sen. Bev Clarno, Co-chair, Presiding**
 Sen. Kate Brown, Co-chair
 Sen. Ginny Burdick Vice-chair
 Sen. Roger Beyer
 Sen. Tony Corcoran

MEMBER EXCUSED: **Sen. Jason Atkinson, Vice-chair**

STAFF PRESENT: **Jim Stembridge, Committee Administrator**
 Pam Cox, Committee Assistant

MEASURE/ISSUES HEARD: **SB 132 – Public Hearing**
 SB 139 – Public Hearing
 SB 140 – Public Hearing

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 3, A		
005	Co-chair Clarno	Opens committee meeting 3:09 p.m. Opens public hearing SB 132.
<u>SB 132 - PUBLIC HEARING</u>		
006	Jim Stembridge	Committee Administrator. Outlines SB 132, which increases maximum amount of civil penalty for each violation of election laws or rules adopted under election laws from \$250 to \$1,000.
007	John Lindback	Director of Elections Division, Office of Secretary of State. Testifies in support of SB 132. Submits written materials (EXHIBITS A, B, C).
047	Sen. Corcoran	Asks for clarification on the election law as to first time offender.
053	Sen. Beyer	Introduces Civil Penalty Law, and asks for clarification of sections of ORS and the increase in penalties.
059	Lindback	Answers.
080	Sen. Corcoran	Asks for options.
090	Co-chair Clarno	Asks for clarifying size of pamphlet if the fees are doubled.
097	Lindback	Outlines pamphlet costs.
121	Sen. Brown	Asks for percentage on the subsidy of pamphlet.
122	Lindback	Produces clarification and pamphlet.
150	Co-chair Clarno	Closes public hearing on SB 132 and opens public hearing on SB 139.

SB 139 - PUBLIC HEARING

161 Steve Lanning Oregon AFL-CIO. Testifies in opposition to SB 139. Submits written testimony (**EXHIBIT D**).
180 Co-chair Clarno Closes public hearing on SB 139 and opens public hearing on SB 140.

SB 140 - PUBLIC HEARING

181 Jim Stenbridge Committee Administrator. Summarizes SB 140, which allows court discretion in determining whether to award costs, disbursements and attorney fees to prevailing party in election contest proceeding.
185 John Lindback Testifies in favor of SB 140 and describes a particular case on a contest of election. Submits written summary (**EXHIBIT E**).
237 Co-chair Clarno Asks for explanation of filing errors.
238 Lindback Explains and describes filing suits regarding elections.
244 Sen. Beyer Asks for clarification regarding payment of attorney fees.
260 Co-chair Clarno Comments on the filing of a lawsuit stopping an election.
261 Lindback Responds affirmatively.
274 Sen. Corcoran Asks if it would create a new election and how long would it take.
280 Lindback Explains judges' decisions and throwing out an election.
321 Sen. Burdick Asks for clarification on filing a contest of election before or after election.
419 Sen. Corcoran Notes it is a higher bar for a judge to call off an election.
Lindback Acknowledges and testifies on the judge's situation.
453 Co-chair Clarno Closes public hearing on SB 140. Adjourns committee meeting at 3:42 p.m.

EXHIBIT SUMMARY

- A – SB 132, written summary, John Lindback, 1 p**
- B – SB 132, Voter's Pamphlet Statistics, John Lindback, 1 p**
- C – SB 139, written summary, John Lindback, 1 p**
- D – SB 139, written testimony, Steve Lanning, 1 p**
- E – SB 140, written summary, John Lindback, 1 p**