

# SENATE COMMITTEE ON RULES

March 13, 2003  
3:00 pm

Hearing Room 343  
Tapes 21 - 23

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

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

**MEASURE/ISSUES HEARD:** Introductions of Committee Measures – Work Session  
SJR 11 – Public Hearing  
SJR 27 – Public Hearing  
SJR 21 – Public Hearing  
SB 457 – 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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<u>TAPE/#</u>	<u>Speaker</u>	<u>Comments</u>
<u>TAPE 21, A</u>		
005	Co-chair Brown	Calls committee meeting to order at 3:05 p.m. Opens work session for the introduction of committee measures.
<u>MEASURE INTRODUCTIONS – WORK SESSION</u>		
008	Sen. Clarno	<b>MOTION: Moves one request BE APPROVED FOR DRAFTING AND INTRODUCTION, and LC 3477 BE INTRODUCED as a committee bill.</b>
009	Co-chair Brown	<b>VOTE: 6-0</b>
<b>Hearing no objection, declares the motion CARRIED.</b>		
<u>SJR 11 – PUBLIC HEARING</u>		
032	Jim Stembridge	Committee Administrator. Summarizes SJR 11, which proposes amendment to Oregon Constitution to require annual sessions of Legislative Assembly.
039	Sen. Richard Devlin	District 19. Offers prepared testimony in support of SJR 11 and outlines the reasons: <ul style="list-style-type: none"><li>• Biennial format is unsuitable for dealing with the complex issues that confront the legislature</li><li>• Annual sessions make it a co-equal branch of state government</li><li>• Annual sessions offer continuous oversight of administration and accountability for the execution of policies</li><li>• States may respond more rapidly to new federal laws which require state participation</li><li>• Annual sessions may help make the policy-making</li></ul>

process more timely and orderly

- The legislature will be able to address more effectively the complex issues that now face them
- Annual sessions will diminish the need for special sessions

Explains the bill has been before the committee before and stresses the need to schedule it for a work session.

107	Rep. Randy Miller	District 37. Testifies in support of SJR 11 and discusses the considerations and outcomes of an annual legislative session.
176	Sen. Corcoran	Notes some members live out of the area and further explains the difficulties of recruiting members if the sessions were all year long.
180	Rep. Miller	States he has heard these concerns but explains the advantages of knowing exactly the length of time the session will last.
216	Sen. Develin	States he has heard these concerns before but feels the advantages outweigh the disadvantages.
247	Sen. Clarno	Asks how he arrived at the timelines.
270	Rep. Miller	Offers prepared testimony involving other states on the number of days for annual sessions ( <b>EXHIBIT A</b> ).
295	Sen. Clarno	Notes the uncertainty of lives here at the capitol not knowing when each session will end.
323	Sen. Burdick	Comments the legislature will feel a lot of turmoil from the bills that are passed this session and cuts that are made.
343	Sen. Devlin	Responds this is a good time to make this change and gives figures for those 44 states out of 50 that have annual sessions.
381	Rep. Miller	Notes there are a lot of people that think they are full time employees already that the bill would probably limit the time spent here.

#### **TAPE 22, A**

010	Sen. Atkinson	Notes he is entirely behind SJR 11 and states he hopes the bill passes.
058	Paula Krane	The League of Women Voters of Oregon. Testifies in support of SJR 11 and elaborates that the legislature would operate more efficiently with time limitations ( <b>EXHIBIT B</b> ).
090	Co-chair Brown	Closes public hearing on SJR 11 and opens a public hearing on SJR 27.

#### **SJR 27 - PUBLIC HEARING**

113	Jim Stembridge	Committee Administrator. Summarizes SJR 27, which proposes amendment to Oregon Constitution to eliminate double majority voting requirements in property tax elections.
116	Jess Carreon	President, Portland Community College. Testifies in support of SJR 27. Submits written testimony ( <b>EXHIBIT C</b> ). Discusses experiences where the double majority requirement resulted in a no vote.
157	Rem Nivens	Oregon Community College Association. Testifies in support of SJR 27 and makes notes that all seventeen colleges agree.
163	Co-chair Brown	Closes public hearing on SJR 27 and opens public hearing on SJR 21.

#### **SJR 21 - PUBLIC HEARING**

164	Jim Stembridge	Committee Administrator. Summarizes SJR 21, which proposes amendment to Oregon Constitution to eliminate double majority voting requirements in property tax elections. Explains the difference between SJR 21 and SJR 27.
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167	Paula Krane	League of Women Voters of Oregon. Testifies in support of SJR 21. Submits and summarizes written testimony <b>(EXHIBIT D)</b> . Explains the League feels the double majority works against government by the people.
203	Sen. Beyer	Points out an inaccuracy in her testimony.
216	Co-chair Brown	Closes public hearing on SJR 27 and reopens a hearing on SJR 21 and SJR 27.

**SJR 21 & 27 – PUBLIC HEARING**

218	Sen. Devlin	Offers testimony in support of SJR 27 and points out we have been rewarding people for not participating; that to have a democracy we need to take an involved roll.
302	Sen. Charlie Ringo	District 17. Introduces students from Sunset High School and notes he has encouraged students to become involved in the legislative process. Explains he has introduced a bill for them regarding double majority voting requirements.
372	Sara Roeder	Sunset High School. Testifies in support of SJR 21 and offers and delivers written testimony <b>(EXHIBIT E)</b> .

**TAPE 21, B**

001	Jessica Andrews	Testifies in support of SJR 21. Submits and summarizes written testimony <b>(EXHIBIT F)</b> .
042	Shannon Mills	Testifies in support of SJR 21. Submits and summarizes written testimony <b>(EXHIBIT G)</b> .
043	Co-chair Brown	Asks if they think the legislature will pass this bill.
049	Sen. Burdick	Asks if they are concerned that if it is easier for the voters to vote, too many bills are passed and too many fees or taxes are approved.
063	Roeder	Answers that their position in the end will play out and be more significant.
071	Mills	Answers the bill should only be repealed in May and November.
078	Sen. Burdick	Agrees and states they have made an effective argument.
084	Andrew Simon	Sunset High School. Offers and summarizes written testimony in support of SJR 21 <b>(EXHIBIT H)</b> .
102	Co-chair Brown	Asks if he knows how Ballot Measure 50 came about.
119	Simon	Answers he does not know and states that those who choose to participate should determine the outcome of an election.
133	Chris Rifer	Sunset High School. Submits and summarizes written testimony <b>(EXHIBIT I)</b> . Informs the committee of examples of tragedies where the double majority has caused social programs to lack funding.
165	Co-chair Brown	Asks how they would express to the voters that this is the time to pass the bill.
187	Sen. Burdick	Informs the committee on the passage of the death-with-dignity bill and asks how he would address SJR 21 to the voters.
188	Simon	Notes people at the time did not understand the death-with-dignity bill but since some time has passed it should be put out for vote again.
200	John Marshall	Oregon School Board Association. Testifies in support of SJR 21 and SJR 27 and explains his position.
247	Laurie Wimmer	Oregon Education Association. Testifies in support of SJR 21 and SJR 27. Discusses the loss in funding when there is a failure of voter turnout <b>(EXHIBITS J, K)</b> .
302	Dave Baronberg	League of Oregon Cities (LOC). Testifies in support of SJR 21 and urges passage.
373	Patricia Gray	Finance Director, City of Sweet Home. Submits and summarizes

written testimony in support of SJR 21 and SJR 27 (**EXHIBIT L**). Explains in her town the newspaper stated if people did not want a bill to pass, don't come out to vote.

**TAPE 22, B**

001	Gray	Continues.
061	Chris Childs	City Administrator, City of Stayton. Submits and summarizes prepared testimony in support of SJR 21 and SJR 27 ( <b>EXHIBIT M</b> ). Offers case studies on the double majority vote.
131	Co-chair Brown	Asks if the double majority issue is a problem to pass in a small community.
132	Gray	Offers information on voting in Sweet Home and the many people who do not vote.
177	Marshall	States this has been a problem with cities of every size.
182	Childs	States it is a matter of relativity.
195	Sen. Burdick	Points out that Tigard would have liked to be present here today and that they have been able to overcome the double majority.
203	David Judd	Deputy Director, Portland Parks & Recreation. Testifies in support of SJR 21. Submits and summarizes written testimony ( <b>EXHIBIT N</b> ). Offers information on the problems the city had with the double majority.
283	T. Allen Bethel	Member of Parks Board, City of Portland. Offers testimony in support of SJR 21 and SJR 27. Submits written testimony ( <b>EXHIBIT O</b> ). Explains the lack of fairness of someone having a say and not voting.
326	Andi Miller	Executive Director, Common Cause Oregon. Testifies in support of SJR 27 and suggests passage of these bills.

The following prepared testimony is submitted for the record without public testimony for SJR 21:

Jason Heuser Submits written testimony (**EXHIBIT P**)

The following prepared testimony is submitted for the record without public testimony for SJR 27:

Richard Levine Submits written testimony (**EXHIBIT Q**)

356	Co-chair Brown	Closes public hearing on SJR 21 and SJR 27 and reopens public hearing on SJR 11.
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**SJR 11 – PUBLIC HEARING**

358	Andi Miller	Executive Director, Common Cause Oregon. Testifies in support of SJR 11 and offers and summarizes written testimony ( <b>EXHIBIT R</b> ). Suggests passage of this bill is in the best interest of democracy.
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The following prepared testimony is submitted for the record without public testimony for SJR 11:

Treasurer Randall Edwards Submits written testimony (**EXHIBIT S**)

388	Co-chair Brown	Closes public hearing on SJR 11 and opens a public hearing on SB 457.
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**SB 457 – PUBLIC HEARING**

**TAPE 23, A**

001	Sen. Richard Devlin	District 19. Offers testimony in support of SB 457 and explains the bill changes the number of signatures needed on a petition to audit.
058	Larry Barrett	Mayor of Rivergrove. Testifies in support of SB 457 and informs the committee of legal fees the city has incurred. Explains the process of an audit that is forcing the city to disincorporate.
130	Sen. Burdick	Notes this bill may not solve this problem but asks if this could be a harassment case against cities.
135	Barrett	States the attorney is working pro bono so it would be hard to ask

		if he could do anything in addition.
138	Sen. Devlin	Notes this problem won't be solved by the passage of this bill, because there are judgments against the party that's filing for the audit but he is judgment proof.
150	Co-chair Brown	Asks what happens if the city needs to disincorporate.
155	Barrett	Comments that the city would petition and go back to the state.
158	Phil Hopkins	Secretary of State Audit Commission. Explains the audit process and offers information to Rivergrove on what may be done.
165	Co-chair Brown	Asks if he could help with the city of Rivergrove's situation.
166	Hopkins	Answers the rationale of population requesting an audit but explains the Secretary of State's position is to become involved before an audit has been requested.
238	Michelle Dyster	League of Oregon Cities. Offers testimony in support of SB 457 and supports the city of Rivergrove.
254	Co-chair Brown	Closes public hearing on SB 457. Adjourns committee meeting at 5:12 p.m.

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**EXHIBIT SUMMARY**

- A – SJR 11, table “Legislative Sessions,” Rep. Randy Miller, 4 pp**
- B – SJR 11, written testimony, Paula Krane, 1 p**
- C– SJR 21, written testimony, Jess Carreon, 14 pp**
- D – SJR 21 and SJR 27, written testimony, Paula Krane 1 p**
- E – SJR 21, written testimony, Sara Roeder, 1 p**
- F– SJR 21, written testimony, Jessica Andrews, 1 p**
- G – SJR 21, written testimony, Shannon Mills, 1 p**
- H – SJR 21, written testimony, Andrew Simon, 2 pp**
- I – SJR 21, written testimony, Chris Rifer, 1 p**
- J – SJR 21, prepared document, Laurie Wimmer, 2 pp**
- K – SJR 21, prepared document, Laurie Wimmer, 10 pp**
- L– SJR 21, written testimony, Patricia Gray, 1 p**
- M – SJR 21, prepared document, Chris Childs, 1 p**
- N – SJR 21, written testimony, David Judd, 3 pp**
- O – SJR 21, written testimony, T. Allen Bethel, 2 pp**
- P – SJR 21, written testimony, Jason Heuser, 1 p**
- Q – SJR 27, written testimony, Richard Levine, 1 p**
- R – SJR 11, written testimony, Andi Miller, 1 p**
- S – SJR 11, written testimony, State Treasurer Randall Edwards, 1 p**