

SENATE COMMITTEE ON RULES

March 20, 2003
3:00 PM

Hearing Room 343
Tapes 26 - 27

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

MEMBER EXCUSED: Sen. Tony Corcoran

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

MEASURE/ISSUES HEARD: Introduction of Committee Measures – Work Session
SJR 13 – Work Session
SJR 14 – Work Session
SJR 30 – Work Session
SM 1 – Work Session
SM 3 – Work Session
SB 137 – Work Session
SB 141 – Work Session
SB 319 – Work Session
SB 678 – Public Hearing
SB 680 – Public Hearing
SB 706 – Public Hearing
SB 780 – Public Hearing
SB 565 – 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.

<u>TAPE/#</u>	<u>Speaker</u>	<u>Comments</u>
TAPE 26, A		
005	Co-chair Brown	Opens committee meeting at 3:10 p.m. Opens work session for the purpose of introducing committee measures.
<u>INTRODUCTION OF COMMITTEE MEASURES – WORK SESSION</u>		
011	Jim Stembridge	Committee Administrator. Summarizes LC 3501, LC 3510, LC 3482, and LC 3483.
020	Sen. Clarno	MOTION: Moves LC 3501, LC 3510, LC 3482, and LC 3483 BE INTRODUCED as committee bills.
022		VOTE: 5-0
	Co-chair Brown	EXCUSED: 1 - Sen. Corcoran Hearing no objection, declares the motion CARRIED.

023 Co-chair Brown Closes work session on committee measures and opens work session on SJR 13, SJR 14 and SJR 30.

SJR 13, SJR 14, SJR 30 – WORK SESSION

024 Sen. Clarno **MOTION: Moves SJR 13 to the Committee on Revenue without RECOMMENDATION to passage.**

VOTE: 5-0

EXCUSED: 1 - Sen. Corcoran

Hearing no objection, declares the motion CARRIED.

025 Co-chair Brown
Sen. Clarno **MOTION: Moves SJR 14 to the Committee on Transportation and Economic Development without RECOMMENDATION to passage.**

VOTE: 5-0

EXCUSED: 1 - Sen. Corcoran

Hearing no objection, declares the motion CARRIED.

026 Co-chair Brown
Sen. Clarno **MOTION: Moves SJR 30 to the Committee on Revenue without RECOMMENDATION to passage.**

VOTE: 5-0

EXCUSED: 1 - Sen. Corcoran

Hearing no objection, declares the motion CARRIED.

027 Co-chair Brown
Co-chair Brown Closes work session on SJR 13, SJR 14 and SJR 30. Opens work session on SM 1 and SM 3.

SM 1, SM 3 – WORK SESSION

028 Sen. Clarno **MOTION: Moves SM 3 to the Committee on Agriculture and Natural Resources without RECOMMENDATION to passage.**

VOTE: 5-0

EXCUSED: 1 - Sen. Corcoran

Hearing no objection, declares the motion CARRIED.

029 Co-chair Brown
Sen. Clarno **MOTION: Moves SM 1 to the Committee on Water and Land Use without RECOMMENDATION to passage.**

VOTE: 5-0

EXCUSED: 1 - Sen. Corcoran

Hearing no objection, declares the motion CARRIED.

036 Co-chair Brown
Co-chair Brown Closes work session on SM 1 and SM 3 and opens a work session on SB 137.

SB 137 – WORK SESSION

058 Jim Stenbridge Committee Administrator. Summarizes SB 137, which modifies candidate portrait requirements for state voters' pamphlet. Discusses -3 amendments dated 2-10-03 (**EXHIBIT I**). Describes specific portrait changes.

081 Sen. Beyer Asks if there has been any challenge to this bill.

085 Co-chair Brown States she does not know of any.

092 Sen. Beyer **MOTION: Moves to ADOPT SB 137-3 amendments dated 02/10/03.**

VOTE: 5-0

EXCUSED: 1 - Sen. Corcoran

Hearing no objection, declares the motion CARRIED.

096 Co-chair Brown
Sen. Beyer **MOTION: Moves SB 137 to the floor with a DO PASS AS AMENDED recommendation.**

VOTE: 5-0

EXCUSED: 1 - Sen. Corcoran

	Co-chair Brown	Hearing no objection, declares the motion CARRIED. SEN. BEYER will lead discussion on the floor.
100	Co-chair Brown	Closes work session on SB 137 and opens a work session on SB 141.
<u>SB 141 – WORK SESSION</u>		
127	Jim Stembridge	Committee Administrator. Summarizes SB 141, which prohibits use of undue influence with intent to induce person to sign or refrain from signing initiative, referendum or recall petition.
165	Co-chair Brown	States the need for discussion between committee members on this bill. Closes work session on SB 141 and opens a work session on SB 319.
<u>SB 319 – WORK SESSION</u>		
166	Jim Stembridge	Committee Administrator. Summarizes SB 319, which prescribes deadline for individual nominated or elected by write-in votes to file form accepting nomination or office. Discusses -3 amendments dated 2-24-03 (EXHIBIT J).
167	Sen. Atkinson	Asks for clarification of the -3 amendment.
202	John Lindback	Elections Division, Secretary of State. States they requested the change because it established a different deadline on the recount process and it needed to be consistent with other deadlines.
212	Sen. Atkinson	Asks for clarification on the amendment of SB 319.
214	Lindback	States the normal deadline for requesting recount is no later than the 35 th day.
264	Sen. Atkinson	Asks for clarification on the timeline for write-in votes.
275	Lindback	Answers currently there is no deadline.
286	Sen. Atkinson	Notes the primary is the first of May and refers to the lapse in June.
299	Lindback	States the forty-five day issue is the timeline of accepting a position if you have won the election.
330	Sen. Clarno	MOTION: Moves to ADOPT SB 319-3 amendments dated 02/24/003.
		VOTE: 5-0
		EXCUSED: 1 - Sen. Corcoran
332	Co-chair Brown Sen. Clarno	Hearing no objection, declares the motion CARRIED. MOTION: Moves SB 319 to the floor with a DO PASS AS AMENDED recommendation.
		VOTE: 5-0
		EXCUSED: 1 - Sen. Corcoran
	Co-chair Brown	Hearing no objection, declares the motion CARRIED. SEN. WALKER will lead discussion on the floor.
334	Co-chair Brown	Closes work session on SB 319. Opens public hearing on SB 678, SB 680, SB 706 and SB 780.
<u>SB 678, SB 680, SB 706, SB 780 – PUBLIC HEARING</u>		
340	Jeannie Berg	Voter Education Project. Testifies in support of measures: <ul style="list-style-type: none"> • SB 678, which directs circulator of election petitions, including initiative, referendum and recall petitions, to certify that circulator witnessed the signing of the petition signature sheet by each individual whose name appears on the signature sheet • SB 680, which prohibits consideration of state initiative, referendum or recall petition signature sheets certified by

petition circulator if circulator has been convicted of attempting to obtain signatures on, circulating or filing petition knowing it to contain false signature or making false statement, oath or affidavit under election laws

- SB 706, which prohibits person other than person signing petition from writing information about person signing petition on signature sheet of state initiative or referendum petition or recall petition
- SB 780, which directs chief petitioner of state initiative petition to file signature sheet with Secretary of State not later than 90 days after date first signature was obtained on signature sheet

Submits written testimony (**EXHIBITS A, B**). Discusses forgery issue (video) and informs how to alleviate the problem.

TAPE 27, A

001	Berg	Continues.
090	Co-chair Brown	Asks if the name is spelled incorrectly or is not legible how any one could know who signed the petition.
110	Berg	Explains that on the petitioner's copy they will print the name just above the signature.
111	Co-chair Brown	Asks how the video was taken.
112	Berg	States on the balcony at the mall with a strong zoom lens.
125	Sen. Burdick	Notes a petitioner came to her at her campaign and tried to sell her signatures and notes that charges were filed.
157	Berg	States signature gatherers were able to read the crowd and obtained signatures illegally.
178	Sen. Ginny Burdick	District 18. Testifies in support of SB 780. Submits written testimony (EXHIBIT C). Informs the committee about her experiences of signature gathering. Suggests chief petitioners should turn in their signatures periodically.
238	Sen. Atkinson	Asks why she needed to receive thousands of signatures in 85 days.
250	Sen. Burdick	Answers she was unclear about the process and if she had known more she would have started much earlier.
253	Sen. Atkinson	States the problem is there is a false deadline, and there should not be a deadline if the measure has merit.
293	Sen. Burdick	Explains other concerns, with people moving and changing counties. Comments that as the chief petitioner the issue was getting on the ballot and there was adequate time for that.
312	Sen. Richard Devlin	District 19. Testifies in support of SB 678. Points out the bill requires a witness when signing an initiative.
351	Sen. Devlin	Testifies in support of SB 680 and offers information on falsifying a signature on a witness sheet. Explains cases where this has happened.
387	Co-chair Brown	With public hearing on SB 678, SB 680, SB 706 and SB 780 remaining open, opens public hearing to include SB 565.

SB 565 – PUBLIC HEARING

425	Sen. Deckert	District 14. Offers testimony in support of SB 565, which requires ballot title caption and statement describing result of yes vote for certain state measures to include statement listing not more than three state services that could be reduced if measure is adopted. Submits and summarizes written testimony (EXHIBIT D).
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Explains voters should have a full explanation of what they are voting for, so they will cast an educated vote.

TAPE 26, B

020	Sen. Deckert	Continues.
025	Steve Novick	Legislative Coordinator, Oregon Department of Education. Offers testimony in support of SB 565. Submits written testimony (EXHIBIT E). Explains this bill will require full disclosure in requiring a title caption on the ballot.
103	Kristen Leonard	Oregon Education Association (OEA). Submits written testimony in support of SB 565, SB 678, SB 680, SB 706 and SB 780 and explains it is very important for voters to understand the ballot measures (EXHIBITS F, G).
111	Tim Nesbitt	President, AFL-CIO. Testifies that petition signatures are just as important as ballot signatures and states we need to be every bit as careful on this process and he supports all three of the bills.
189	Leonard	Explains these bills will protect a person's signature.
200	Sen. Burdick	Notes when you are a chief petitioner some of the signers want an explanation of the bill.
203	Nesbitt	Explains sometimes there would be conversations.
215	Sen. Burdick	States in her petitioning the signatures were needed very quickly but signers wanted an explanation on controversial issues.
225	Daniel Meek	Attorney; Common Cause. Testifies in opposition to SB 706. Submits written testimony (EXHIBIT H). Expresses concern over the number of signatures thrown out for no reason and explains the time factor on studying signatures.
287	Meek	Testifies in opposition to SB 780 and offers information on deadlines for turning in signature sheets. Testifies in support of SB 680 and SB 565 only if the bills are amended. Discusses the initiative primary process which would eliminate fraudulent signatures.

TAPE 27, B

001	Meek	Continues.
057	Sen. Burdick	Asks if he would allow for signature collection to allow initiative campaigns to correct signatures for the disabled.
069	Meek	States he would.
073	Sen. Burdick	Asks about someone reviewing the signatures calling the petitioner to ask the party who has signed the petition if they really intended to do so.
079	Meek	Explains if a person signed a petition then the list was turned in early and much time had elapsed they might not remember signing.
107	Ross Day	Director Legal Affairs, Oregonians in Action. Testifies in opposition to these bills and states the bills are improper.
201	Jason Williams	Executive Director, Taxpayer's Association of Oregon. Testifies in opposition to these bills and states they only meet the need of the government.
241	John Lindback	Elections Division, Secretary of State. Discusses problems with writers, and petitions that are turned in from counties where the signatures were filled in by writers, which has created serious problems.
308	Sen. Burdick	Asks if he would have a problem if the signature gatherer prints the name above an illegible signature the name of the signer.
314	Lindback	Agrees there is no problem with this.
315	Sen. Burdick	Notes even people who have disabilities in writing still want to

333	Lindback	sign the petitions. States printing their name above their signature will help the chief petitioner gather more signatures.
349	Co-chair Brown	Closes public hearing on SB 678, SB 680, SB 706, SB 780 and SB 565. Adjourns committee meeting at 4:55 p.m.

EXHIBIT SUMMARY

A – SB 678, SB 680, SB 706 & SB 780, written testimony, Jeannie Berg, 13 pp

B – SB 678, SB 680, SB 706 & SB 780, written testimony, Jeannie Berg, 9 pp

C – SB 780, written testimony, Sen. Ginny Burdick, 1 p

D – SB 565, written testimony, Sen. Ryan Deckert, 1 p

E – SB 565, written testimony, Steve Novick, 9 pp

F – SB 565, written testimony, Kristen Leonard, 1 p

G – SB 678, SB 680, SB 706, & SB 780, written material, Kristen Leonard, 1 p

H – SB 565, SB 680, SB 706 & SB 780, written testimony, Daniel Meek, 3 pp

The following exhibits are listed out of order in the body of the tape log:

I – SB 137, -3 amendments (2-10-03), staff, 1 p

J – SB 319, -2 amendments (2-24-03), staff, 6 pp