

SENATE COMMITTEE ON RULES

March 27, 2003
3:00 pm

Hearing Room 343
Tapes 30 - 31

MEMBERS PRESENT: **Sen. Kate Brown, Co-chair**
 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: **SR 1 - Public Hearing and Work Session**
 SJR 12 – Public Hearing
 Introduction of Committee Measures – Work Session
 Executive Appointments – Work Session
 Oregon Board of Dentistry
 Commission on Judicial Fitness and Disability
 State Parks and Recreation Commission
 Oregon Racing Commission
 SB 102 – Work Session

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 30, A		
005	Co-chair Brown	Opens committee meeting at 3:08 p.m. Opens public hearing on SR 1.
<u>SR 1 – PUBLIC HEARING</u>		
009	Jim Stembridge	Committee Administrator. Summarizes SR 1, which recognizes contribution of Dutch resistance fighters in World War II.
010	Gus Smoorenburg	Veteran of WW II. Informs the committee on his experiences being a member of the Dutch Resistance against Germany.
111	Sen. Gary George	District 12. Points out the information published regarding Mr. Smoorenburg's experiences and submitted it to the committee (EXHIBIT A) .
198	Co-chair Brown	Closes public hearing on SR 1 and opens a work session on SR 1.
<u>SR 1 – WORK SESSION</u>		
200	Sen. Atkinson	MOTION: Moves SR 1 be sent to the floor with a BE ADOPTED recommendation.
201		VOTE: 4-0
	Co-chair Brown	EXCUSED: 2 - Sen. Burdick, Sen. Clarno Hearing no objection, declares the motion CARRIED. SEN. GEORGE will lead discussion on the floor.
209	Co-chair Brown	Closes work session on SR 1 and opens a public hearing on SJR 12.

SJR 12 – PUBLIC HEARING

- 209 Jim Stemberge Committee Administrator. Summarizes SJR 12, which proposes amendment to Oregon Constitution to limit initiative amendments to Constitution to those that relate to structure and organization of government, limitation of government powers or election of government officials.
- 210 Sen. Rick Metsger District 26. Testifies in support of SJR 12. Informs the committee regarding the limitations of amendments to the Constitution.
- 313 Co-chair Brown Closes public hearing on SJR 12 and opens a work session for the purpose of introduction of committee measures.

INTRODUCTION OF COMMITTEE MEASURES – WORK SESSION

- 315 Jim Stemberge Committee Administrator. Summarizes measure drafts.
- 320 Sen. Clarno **MOTION: Moves LC 3545 and drafts BE INTRODUCED as committee bills.**
- VOTE: 6-0**
- 321 Co-chair Brown **Hearing no objection, declares the motion CARRIED.**
Co-chair Brown Closes work session on introduction of committee measures and opens a work session for executive appointments.

EXECUTIVE APPOINTMENTS – WORK SESSION

- 322 Jim Stemberge Summarizes information for executive appointments.
- 345 Sen. Clarno **MOTION: Moves that the appearances be waived and that the committee recommend the following appointments be confirmed by the Senate, with multiple appointments made to multiple boards or commissions to be considered en bloc:**

OREGON BOARD OF DENTISTRY –RODNEY NICHOLS (EXHIBITS B, C).

COMMISSION ON JUDICIAL FITNESS AND DISABILITY – DICK FEENEY (EXHIBITS D, E).

STATE PARKS AND RECREATION COMMISSION – NIK BLOSSER (EXHIBITS F, G).

OREGON RACING COMMISSION – JEFF GILMOUR & STEPHEN WALTERS (EXHIBITS H, I).

- 346 Co-chair Brown **VOTE: 6-0**
Hearing no objection, declares the motion CARRIED.
SEN. BROWN will lead discussion on the floor.
- 410 Co-chair Brown Closes the work session on executive appointments and opens a work session on SB 102.

SB 102 – WORK SESSION

- 411 Jim Stemberge Committee Administrator. Summarizes SB 102, which allows circulation of state initiative petition with summary prepared by Attorney General. Discusses -3 amendments dated 3-19-03 **(EXHIBIT J).**
- 415 Sen. Burdick **MOTION: Moves to ADOPT SB 102-3 amendments dated 03/19/03.**
- 416 **VOTE: 4-2**
AYE: 4 - Sen. Burdick, Sen. Corcoran, Sen. Clarno, Sen. Brown
NAY: 2 - Sen. Atkinson, Sen. Beyer
The motion Carries.
- 417 Co-chair Brown **MOTION: Moves SB 102A to the floor with a DO PASS AS**
Sen. Burdick **AMENDED recommendation.**
- 417 **VOTE: 4-2**
AYE: 4 - Sen. Burdick, Sen. Corcoran, Sen. Clarno, Sen. Brown

Co-chair Brown

NAY: 2 - Sen. Atkinson, Sen. Beyer
The motion Carries.
SEN. BURDICK will lead discussion on the floor.

TAPE 31, A

002	Sen. Burdick	Describes the amendment changes of SB 102 relating to signature gathering for ballot title requirements.
026	Sen. Atkinson	States he and Sen. Beyer are requesting an additional amendment and describes the differences but notes they have not received the draft from Legislative Counsel as yet.
054	Co-chair Brown	Notes the number of ballot titles were submitted last session and the process and cost.
060	Sen. Beyer	Acknowledges the cost but states a different process that will save money.
071	Co-chair Brown	Notes the challenges would have to be done on the court level.
073	Sen. Beyer	Offers a flow chart on how the process will work.
084	Sen. Burdick	Asks if they would keep the twenty-five signature requirement.
090	Sen. Beyer	Answers the amendment would leave the twenty-five signature requirement.
091	Sen. Atkinson	States the new amendment will be a friendly process that their only objection is the timeline.
148	Co-chair Brown	Notes looking forward to a minority report from Sen. Atkinson and Sen. Beyer.
150	Co-chair Brown	Closes work session on SB 102A. Reopens a public hearing on SJR 12.

SJR 12 – PUBLIC HEARING

160	Kappy Eaton	The League of Women Voters of Oregon. Testifies in support of SJR 12 and submits written testimony regarding the need for Constitutional amendments not to address extraneous material, extraneous people and extraneous interests (EXHIBIT K) .
217	Ken Tollenaar	Eugene, Oregon. Testifies in support of SJR 12, submits written testimony and explains how constitutions and city and county charters should establish the fundamental framework of government but should not include administrative detail (EXHIBIT L) .
282	Co-chair Brown	Notes an analogy she has used that the constitution is the building structure and the laws are the walls and windows.
283	Eaton	Responds the Constitution should be the basic rule and then the legislation would support it.
299	Tollenaar	States what SJR 12 proposes is entirely reasonable.
313	Sen. Burdick	Agrees and notes that petitioners sometimes think if they try to make changes to the Constitution the legislature will just repeal, and that is not the case.
342	Jim Stembridge	Notes that written testimony from Oregon Common Cause opposing SJR 12 and written material submitted by David Frohnmayer will be entered into the record regarding SJR 12 (EXHIBITS M, N) .
350	Co-chair Brown	Closes public hearing on SJR 12 and adjourns committee meeting at 4:20 p.m.

EXHIBIT SUMMARY

A – SR 1, written testimony, Sen. George, 3 pp

B – Oregon Board of Dentistry, Governor’s office, 4pp

C – Executive appointee, Rodney Nichols, staff 13 pp
D – Commission on Judicial Fitness and Disability, Governor’s office, 4 pp
E – Executive appointee, Dick Feeney, staff, 6 pp
F – State Parks and Recreation Commission, Governor’s office, 4 pp
G – Executive appointee, Nik Blosser, staff, 7 pp
H – Oregon Racing Commission, Governor’s office, 6 pp
I – Executive appointees, Jeff Gilmour and Stephen Walters, staff, 10 pp
J – SB 102, -3 amendments (3-19-03) and analysis, staff, 12 pp
K – SJR 12, written testimony, Kappy Eaton, 1 p
L – SJR 12, written testimony, Ken Tollenaar, 1 p
M – SJR 12, written testimony, Oregon Common Cause, 2 pp
N – SJR 12, written material, David Frohnmayr, 7 pp