

# HOUSE COMMITTEE ON RULES, REDISTRICTING, AND PUBLIC AFFAIRS

January 31, 2001  
1:30 PM

Hearing Room D  
Tapes 12 - 13

**MEMBERS PRESENT:** Rep. Carl Wilson, Chair  
Rep. Richard Devlin, Vice-Chair  
Rep. Dan Doyle, Vice-Chair  
Rep. Dan Gardner  
Rep. Bill Garrard  
Rep. Steve March  
Rep. Bruce Starr  
Rep. Joanne Verger  
Rep. Cheryl Walker

**STAFF PRESENT:** Cara Filsinger, Administrator  
Jennifer Goodman, Administrative Support

**MEASURE/ISSUES HEARD:** WORK SESSION – INTRODUCTION OF COMMITTEE BILLS  
HB 2106 - PUBLIC HEARING AND WORK SESSION  
HB 2087 - 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.

---

<b>TAPE/#</b>	<b>Speaker</b>	<b>Comments</b>
<b>TAPE 12, A</b>		
003	Chair Wilson	Calls meeting to order at 1:31 p.m. Opens a work session on committee bills.
<b><u>WORK SESSION – COMMITTEE BILLS</u></b>		
014	Rep. March	<b>MOTION: Moves LC 2324, LC 2329, LC 2326, LC 2302, LC 2330 BE INTRODUCED as committee bills.</b>
015		<b>VOTE: 6-0</b> <b>EXCUSED: 3 - Devlin, Gardner, Starr</b> <b>Hearing no objection, declares the motion CARRIED.</b>
019	Chair Wilson	Closes the work session and opens a public hearing on HB 2106.
<b><u>PUBLIC HEARING – HB 2106</u></b>		
024	Cara Filsinger	Committee administrator. Explains HB 2106.
030	Charles Hester	Board of Geologist Examiners, chair of compliance committee. Submits and testifies in support of HB 2106 from <b>(EXHIBIT A)</b> . States that he would like to see the board empowered to pursue issues. Adds that he would like to address anonymous complaints.
059	Chair Wilson	Asks what type of complaints arise.
063	Hester	Responds that they usually receive twelve complaints a year. States that most inquiries are related to whether the geologist is practicing as a public geologist. Explains that they inquire whether their reports meet the current standards practice. Adds that the board then reviews all complaints to determine whether there may be public harm. States if there is a potential for harm, the chair asks for a report on any allegations. Explains that if it is not resolved, a meeting with the chair ensues. Continues that

		if the problem is still not resolved then the actions by the compliance committee are brought in front of the entire board. Adds that they are allowed to issue sanctions. Discusses the different types of geologists.
097	Chair Wilson	Asks what types of tasks geologists perform.
099	William Orr	Board of Geologist Examiners. Explains that one job is to certify that a site is suitable for construction. Describes the jobs of a certified engineering geologist and a registered geologist. Uses the example of underground storage tanks. Adds that they deal with natural hazards, construction, suitability of sites, and landslides.
115	Rep. Garrard	Asks what changes this bill makes.
108	Hester	Responds that the citizen can bypass the chair and go directly to the board and the members. Explains that the bill also allows the board to look into anonymous complaints.
152	Chair Wilson	Asks if they are aware of any opposition to this bill.
153	Hester	Responds that he is not.
160	Chair Wilson	Closes the public hearing on HB 2106 and opens a work session on HB 2106.
<b><u>WORK SESSION – HB 2106</u></b>		
161	Rep. Starr	<b>MOTION: Moves HB 2106 to the floor with a DO PASS recommendation.</b>
162		<b>VOTE: 8-0</b>
	Chair Wilson	<b>EXCUSED: 1 - Gardner</b>
		<b>Hearing no objection, declares the motion CARRIED.</b>
		<b>Rep. Wilson will lead discussion on the floor.</b>
164	Rep. Walker	Suggests putting this bill on the consent calendar.
165	Chair Wilson	Believes it would be best to explain it out. Closes work session and opens public hearing on HB 2087.
<b><u>PUBLIC HEARING – HB 2087</u></b>		
176	Filsinger	Notes that there is a subsequent referral to Ways and Means.
180	Representative Betsy Close	Asks that members read the fiscal impact report ( <b>EXHIBIT B</b> ). District 36. Submits and summarizes from ( <b>EXHIBIT C</b> ). Adds that she has and will bring the –3 amendment ( <b>EXHIBIT D</b> ). Adds that she is working on an amendment that would require identification when registering. Desires to meet with county clerks in order to perfect this bill.
256	Rep. March	Refers to page 2 subsection 6, discusses depositing of the ballot. Asks where ballots are issued and about the requirements for voting booths.
282	Rep. Close	Responds that the ballot has to be dropped at the county clerk's office.
287	Rep. Verger	Asks why the ballot should have paid postage.
290	Rep. Close	Responds that the U.S. Constitution does not allow a poll tax. States that this could be viewed as a payment to vote.
309	Rep. Devlin	States that the requirements Rep. March referred to earlier were addressed in HB 2001 that was passed two legislative sessions ago. Discusses election procedures. Believes that there should not be many limits on casting ballots.
345	Rep. Walker	Asks that Representative Close affirm that this bill relates only to state elections.
349	Rep. Close	Affirms that is correct.
350	Rep. Walker	Asks which drop boxes would be eliminated.
357	Rep. Close	Responds that the drop box has become the post office box.

373	Rep. March	Explains that there will be plenty of drop boxes. Adds that they designate a box at the county election office only.
385	Rep. Close	Asks if post marks on the last day would be counted if only post office and county drop boxes are used. Believes that the ballot should be received by the election day. Adds that the county clerks would like to count the ballots ahead of time.
398	Rep. Walker	Refers to page 3. Asks what would happen if family members or friends want to collect ballots.
416	Rep. Close	Refers to section 1, 7(C). States that immediate family members may deposit the ballot in the mail. Adds that friends would not be allowed to collect ballots.
<b>TAPE 13, A</b>		
002	Rep. Walker	States that the ballots would have to be dropped in the mail not brought to the county clerk's office, according to 7(A).
007	Rep. Close	States that her intent was that the family could bring the ballot and sign for it in the county clerk's office. Adds that she will review this with Legislative Counsel.
010	Rep. Garrard	States that county clerks begin counting ballot on election day at 7:00 a.m.
014	Rep. Close	States that absentee ballots cannot be counted until after the election.
019	Paddy McGuire	Deputy Secretary of State. Submits and testifies in opposition to <b>(EXHIBIT E.)</b> States that it is an over-reaction to a perception of problems. Reports that in the 2000 election there was not one reported missing ballot. States that there are already strong penalties against ballot stealing. Feels this bill would inhibit elderly or disabled people from receiving help in delivering their ballots. Reviews three alternatives expressed in <b>(EXHIBIT E.)</b>
103	Chair Wilson	Expresses surprise that no missing ballot was reported in the 2000 election. Asks if Mr. McGuire believes that the average citizen knows the penalty for ballot theft.
112	McGuire	Responds that people involved in the process are aware. Concedes that he is not aware of the knowledge of the average citizen.
123	Chair Wilson	Questions whether vote fraud will increase as the vote by mail becomes more established.
127	McGuire	Expresses hope that this is not the case. Declares that all people need to be vigilant in the voting process and that identification prior to voting is necessary.
144	Rep. Devlin	Suggests reviewing the 2000 election process.
167	McGuire	Responds that right now the Secretary of State's office in conjunction with the county clerk's association are reviewing the 2000 election, and that this information will be shared with the legislature in the beginning of February.
191	Rep. Devlin	States that the Secretary of State is in favor of a state wide voter file. Asks why it is so difficult to do what is necessary.
203	McGuire	States that centralized voter registration is a priority. Adds that in the past Oregon has had a very low count of voter fraud.
233	Rep. Devlin	Refers to HB 2001. Asks if the county clerk counts late ballots.
251	McGuire	Responds that the Secretary of State does not receive this information.
257	Rep. Devlin	Requests the information.
262	McGuire	Responds that if there is interest, the Secretary of State could do

277	Vicki Ervin	a poll and furnish the results to the committee. Multnomah County Director of Elections. States that the 2000 election was the first time a vote by mail election was conducted during a primary and general election, coincidentally it was the first time that these balloting issues arose. Refers to Ballot Measure 47. States that this measure increased the number of door to door balloting. Points out that the designated county clerk drop boxes infers accountability. Continues to express concern over unofficial drop boxes because there is no accountability. Stresses that her concern is letting the general public know that there is a difference between official and unofficial drop boxes. Reviews the following issues:
		<ul style="list-style-type: none"> <li>• Updating voter information.</li> <li>• Assuring that duplicate ballots are not counted.</li> <li>• Consistency in paid postage, if it is done in state elections it should be done in county elections.</li> </ul>
445	Rep. Devlin	Asks if Multnomah County kept a count on how many late votes were cast.
<b>TAPE 12, B</b>		
007	Ervin	Responds that they did not keep a tally. Guesses at a maximum number of 2000 votes.
014	Rep. Devlin	States that he does not believe the average citizen checks to see if their ballot has been received. Asks if this is a fair statement.
027	Ervin	Responds that it is a fair statement.
034	Rep. Devlin	Proposes that even in previous elections there was a high, up to 50% absentee ballot voting, therefore, these issues are not all new.
038	Ervin	Responds in the affirmative.
046	Kappy Eaton	League of Women Voters. Expresses concern about HB 2087. Opposes the bill as written because of the difficulty some citizens face in delivering their ballot to the appropriate place on their own. Submits <b>(EXHIBIT F.)</b> Believes that the cost of paid postage would be very high.
091	Chair Wilson	Asks if she has any concerns regarding ballot collections as it is done now.
096	Eaton	Believes that individuals should check to assure their ballots are received. Recognizes that there should be labeled drop boxes. Believes there should be a centralized voting list.
128	Andy High	Western Oregon University, student body president. Supports the state wide voter file but opposes HB 2087. Explains that he was involved in student registration and ballot casting on campus for the 2000 election. States that they were unable to have an official drop box but were told they could collect them unofficially. Efforts were not only for the student body but extended into the community. Reports that on the last day of the election over 500 ballots were collected and dropped off at the Polk County clerk's office. Expresses concern that it is not always possible for citizens to drop their own ballots in time.
182	John Wykoff	Legislative Director Oregon Student Association. Explains that the idea of marked unofficial boxes is supported by Secretary of State Bill Bradbury.
203	Chair Wilson	Asks if it is known on campus that ballot tampering is a felony.

206	High	Replies that he is very aware.
217	Wykoff	Adds that the participants are aware, is unsure whether the general student body is aware.
227	Rep. Doyle	Asks how the ballots were collected.
233	High	Answers that they had to go to the student government office.
241	Rep. Doyle	Asks if other colleges did it differently. Believes that some collected from the dormitories. Offers to look into that and furnish Representative Devlin with the information.
256	Rep. Doyle	Replies that he would appreciate that.
260	Rep. Doyle	Asks if any guidelines or instructions were given to ballot collectors.
263	Wykoff	Replies that training was given.
278	Rep. Garrard	Commends them for their efforts.
287	Jaqueline Zimmer	Director of the Oregon Association of Area Agencies on Aging and Disabilities. States her opposition to HB 2087. Explains that seniors rely on people to assist them and feels this bill would inhibit good intentions to assist the elderly. Believes that the cost of postage in this bill is too high.
350	Chair Wilson	Adjourns the meeting at 2:50 p.m.

Submitted By,

Reviewed By,

Jennifer Goodman,  
Committee Assistant

Cara Filsinger,  
Committee Administrator

-

**EXHIBIT SUMMARY**

- A – HB 2106, written testimony, Charles Hester, 2 pp.**
- B – HB 2087, Fiscal Analysis, Staff, 2 pp.**
- C – HB 2087, written testimony, Rep. Betsy Close, 1 p.**
- D – HB 2087, -3 amendments, Rep. Betsy Close, 4 pp.**
- E – HB 2087, written testimony, Paddy McGuire, 2 pp.**
- F – HB 2087, written testimony, Kappy Eaton, 1 p.**