

HOUSE COMMITTEE ON RULES, REDISTRICTING, AND PUBLIC AFFAIRS

March 02, 2001
1:30 PM

Hearing Room D
Tape 34

MEMBERS PRESENT: Rep. Carl Wilson, Chair
Rep. Richard Devlin, Vice-Chair
Rep. Dan Doyle, Vice-Chair
Rep. Bill Garrard
Rep. Steve March
Rep. Cheryl Walker

MEMBER EXCUSED: Rep. Dan Gardner
Rep. Bruce Starr
Rep. Joanne Verger

STAFF PRESENT: Cara Filsinger, Committee Administrator
Jennifer Goodman, Committee Assistant

MEASURE/ISSUES HEARD: SB 215A – WORK SESSION
HB 2093 – 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.

<u>TAPE/#</u>	<u>Speaker</u>	<u>Comments</u>
TAPE 34, A		
004	Chair Wilson	Calls the meeting to order at 1:32 p.m. Opens a work session SB 215A.
<u>SB 215A – WORK SESSION</u>		
006	Chair Wilson	States that he will not pass this bill out today because there are some questions and amendments to consider. Explains that the amendments will affect the house rules and asks Mr. Reutlinger to explain.
023	Ted Reutlinger	Legislative Counsel. Explains that the amendment requires a different reporting requirement that conflicts with the House Rules. States that he believes House Rules would dominate statute provisions based on constitutional authority.
046	Chair Wilson	Asks what will happen if we adopt SB 215A without the –4 amendments.
067	Reutlinger	States that SB 215A with amendments would differ by filing a statement with the Secretary of State's Office no later than 2 business days after the contribution is received. Adds that the House Rules define the time differently, in that after seven days a contribution has to be reported as received.
086	Rep. Devlin	Asks about the seven-day period to return a contribution. Inquires where the rule originated.
098	Reutlinger	Responds that he does not know the answer. Adds that he believes the books have to be updated every seven days.
105	Rep. Devlin	Asks if this bill passed without requiring notification to the Chief Clerk if the House Rules could compel the Secretary of State's Office to provide the report without statutory authority.

113	Reutlinger	Replies that he does not believe this could not be done. Adds that the constitution grants the right to self impose rules on the legislature but cannot reach into the executive branch.
119	Rep. Devlin	Asks if this would then need to be accomplished by statute.
120	Reutlinger	Responds in the affirmative.
121	Chair Wilson	States that he would like a meeting to discuss this issue. Asks about the problems in section 13.
139	Reutlinger	States that section 13 is too broad for the relating to clause.
159	Chair Wilson	Asks what process a citizen would follow if section 13 were amended out.
161	Reutlinger	Responds that if section 13 were taken out it would default to the normal practice. Adds that aggrieved citizens could go to circuit court to address this. Believes that the Secretary of State is unlikely to enforce ORS 260.74 on the advice of the Attorney General. Adds that if the Secretary of State fails to enforce this statute and a member receives a contribution they may not have standing to go to court. Adds that a citizen could claim that they have a public interest in enforcing the law but doubts that the court would accept this as a reason to confer standing. Explains further other alternatives for bringing grievances to the court.
191	Chair Wilson	Asks how to remedy this statutorily.
196	Reutlinger	Responds to directly to the Supreme Court for a ruling on the constitutionality. Adds that the problem of standing again arises. States that it would be best to start at the circuit court level with a real grievance.
216	Chair Wilson	States that they will continue working on this bill. Closes the work session on SB 215. Opens a work session on HB 2093.
<u>HB 2093 – WORK SESSION</u>		
229	Cara Filsinger	Committee Administrator. Explains that they have –2 amendments (EXHIBIT A) that are supported by Representative Betsy Close.
236	Chair Wilson	Asks the members to review the amendments. Closes the work session on HB 2093. Adjourns the meeting at 1:53 p.m.

Submitted By,

Reviewed By,

Jennifer Goodman,
Committee Assistant

Cara Filsinger,
Committee Administrator

EXHIBIT SUMMARY

A – SB 215, -2 amendments, staff, 1 p.