

HOUSE COMMITTEE ON RULES, REDISTRICTING, AND PUBLIC AFFAIRS

April 18, 2001
1:30 PM

Hearing Room D
Tapes 85 - 86

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. Joanne Verger
Rep. Cheryl Walker

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

MEASURE/ISSUES HEARD: Redistricting - Public Hearing
HB 3313 - Public Hearing
HB 3156 - Work Session
HB 2436 - Work Session
HJR 40 - 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.

TAPE/#	Speaker	Comments
TAPE 85, A		
004	Chair Wilson	Calls the meeting to order at 1:36 p.m. Opens a public hearing on redistricting.
<u>REDISTRICTING – PUBLIC HEARING</u>		
007	Cara Filsinger	Committee Administrator. Enters into the record (EXHIBITS A-G).
018	Kathleen O'Daniels	Citizen of McMinnville. Comments that Yamhill County sees itself as part of the Portland Metro area. States that issues include: <ul style="list-style-type: none">• Transportation.• Diversity.• Media market.
099	Chair Wilson	Closes the public hearing on redistricting. Opens a public hearing on HB 3313.
<u>HB 3313 - PUBLIC HEARING</u>		
092	Representative. Cheryl Walker	House District 51. Submits (EXHIBIT H) and testifies in support of HB 3313. Explains the need to prepare an amendment to delete line 23 after the word 'alter.' Notes that she will submit an amendment.
147	Rep. Devlin	Asks how this would work, and how this could be modified so a quote could not be altered.
158	Rep. Walker	States that the bill refers only to the tampering with the form.
170	Rep. Starr	Asks if she is talking about the quote.

173	Rep. Walker	Responds that they are not talking about the quote, only about falsely enhancing ones title.
184	Fred Neal	Elections Division. Submits (EXHIBIT I) . Offers a suggestion on the proposed amendment.
212	Chair Wilson	Asks about the penalty assessments for violation under this law.
215	Neal	Responds that it is \$1000.
220	Rep. Garrard	Asks if this is a problem.
221	Neal	Replies that it has arisen, and that there have been many instances where they had to be corrected.
262	Chair Wilson	Asks what would happen if someone's title changes during the printing process of the voter's pamphlet.
268	Neal	Replies that one person was fired when it was unintentional. Remarks that they should be held responsible if it is intentional.
286	David Fidanque	ACLU. Testifies in opposition to this bill. States that the ballot measure arguments should not be included. Notes that endorsement statements are big in ballot campaigns.
348	Rep. Walker	Comments that the idea was to include all endorsement forms and does not see how this will really affect the individual since they need to sign the form.
368	Fidanque	Replies that the SEL 400 form refers to check off boxes. Explains that these are filled in at the last minute.
397	Neal	Replies that the name is for the person who presents the argument, not for the one who drops it off.
428	Rep. Walker	States that it is for information only and not in the voter pamphlet.
441	Neal	Believes the concern is about who is going to sign the forms.
460	Rep. Walker	States that he would need to revise the form. Suggests that the instructions reflect this.
472	Neal	Asks what happens if the argument changes.
482	Fidanque	Suggests consideration to add some clarification to the to the word 'alter' in the amendment so it will allow more wiggle room.

Tape 86, A

047	Chair Wilson	Remarks that they will wait for the amendment from Representative Cheryl Walker. Closes the public hearing on HB 3313. Opens a work session on HB 3156.
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HB 3156 - WORK SESSION

053	Chair Wilson	States that he does not want to amend this bill and that he wants to send it on to the Senate.
070	Rep. Garrard	MOTION: Moves HB 3156 to the floor with a DO PASS recommendation.
073	Rep. Devlin	Notes that he will vote in favor of the bill, but feels that 'limited geographical area' is an undefined term.
080	Chair Wilson	Agrees and does not want to over legislate this.
086	Rep. Garrard	States his support for this bill.
092		VOTE: 8-0
		AYE: In a roll call vote, all members present vote Aye.
	Chair Wilson	EXCUSED: 1 – Starr
		The motion CARRIES.
		REP. WILSON will lead discussion on the floor.
099	Chair Wilson	Closes the work session on HB 3156. Opens a work session on HB 2436.

HB 2436 - WORK SESSION

100		Staff submits –8 amendments to HB 2436 (EXHIBIT J).
102	Representative. Steve March	House District 15. Discusses the –8 amendments. Notes that the media does not support this bill.
158	Chair Wilson	Asks who would be able to obtain the recordings.
160	Rep. March	Replies that the District Attorney has access, among others.
181	Chair Wilson	Asks for an explanation of the last two lines.
183	Rep. March	Defers to Mr. Chaimov.
193	Greg Chaimov	Legislative Council. Refers to page 2. Clarifies that the exemption does not apply to a transcript.
202	Rep. Devlin	Asks if anything prohibits a civil case from a subpoena to get this.
205	Chaimov	Replies that that is correct.
208	Rep. Garrard	Comments that 9-1-1 operators have expressed concern over an additional workload in supplying written transcripts. Asks where additional money would come from to compensate them.
222	Chaimov	Replies that it does not require a transcript be made.
228	Rep. March	Adds they have the authority to make rules regarding 9-1-1 dispatch centers.
236	Rep. Devlin	Asks if they can charge for a request for public information.
244	Chaimov	Responds in the affirmative.
252	Dave Fiskum	Oregon Association of Broadcasters. Testifies in opposition to the bill. States that they are not opposed to privacy, and they believe they are careful not to invade a family’s grief.
290	Rep. Gardner	MOTION: Moves to ADOPT HB 2436-8 amendments dated 04/17/01.
292		VOTE: 8-0
		EXCUSED: 1 - Starr
	Chair Wilson	Hearing no objection, declares the motion CARRIED.
303	Rep. March	Thanks the committee for their indulgence.
310	Rep. Devlin	Comments that some of the best testimony is the same as received for another bill.
293	Rep. Gardner	MOTION: Moves HB 2436 to the floor with a DO PASS AS AMENDED recommendation.
295		VOTE: 8-0
		AYE: In a roll call vote, all members present vote Aye.
		EXCUSED: 1 - Starr
	Chair Wilson	The motion CARRIES.
		REP. MARCH will lead discussion on the floor.
328	Chair Wilson	Closes the work session on HB 2436. Opens a public hearing on HJR 40.
<u>HJR 40 - PUBLIC HEARING</u>		
336	Representative Alan Bates	House District 52. States that he was asked that initiatives be brought forth more simply by his constituents. Suggests that Legislative Counsel write all initiatives and summaries. States that he believes it will help make the process clearer and simpler.
402	Rep. March	Asks if there is a provision for those who don’t want to go through Legislative Counsel (LC).
408	Rep. Bates	Replies there is not and they are forced to go to LC.
425	Rep. Devlin	Asks if a petitioner can request a special form, or is LC a gatekeeper.
435	Rep. Bates	Responds yes and they want voters to be equal.

447	Rep. Devlin	Comments that the direct access process and the fees may be objectionable.
461	Rep. Bates	States that he wants to create a process and not to change the content. Explains that cost is a factor, but it is appropriate.
483	Rep. Devlin	Comments that they have a number of measures that are unconstitutional, and that LC does not stop the legislature from doing this.
Tape 85, B		
036	Rep. Bates	States that he hopes they will give counsel, but that they don't have to take advice.
041	Rep. Garrard	States his concern about the fee, and asks Representative Bates to explain it.
046	Rep. Bates	Replies that he does not know, but believes it is \$1000 to have it drafted.
056	Chaimov	States that he will be happy to take on obligations.
061	Chair Wilson	Asks what the role will be when something unconstitutional is brought to LC.
067	Chaimov	Replies that this does not address this problem, and will try to do their best to make it good.
078	Chair Wilson	Asks a personnel question.
082	Chaimov	Responds that they will need four additional employees.
085	Rep. Devlin	Comments on similar legislation in the past.
103	Chair Wilson	Asks about the constitutionality of this bill because of the use of a single legal firm.
110	Chaimov	Agrees and states that it is an amendment to the constitution which would make it constitutional.
114	Rep. March	Asks how much effort has been given to unconstitutional initiatives, and if there are any savings.
127	Chaimov	Replies that each session they spend hundreds of hours working with members in order to repair issues the people adopted.
134	Rep. Garrard	Asks if this would be a restriction of free speech.
137	Chaimov	Responds that it is, but it is not unconstitutional.
141	Rep. Verger	Comments that the initiative process gives the people a voice. Adds that it is not perfect. Asks if he has any other suggestions for accomplishing what this bill is attempting to do.
157	Chaimov	Responds that nine out of ten people do not ask the services of LC. Suggests that they might serve citizens better if the initiative process ran better.
178	Chair Wilson	Closes the public hearing on HJR 40. Adjourns the meeting at 3:10 p.m.

Submitted By,

Reviewed By,

Jennifer Goodman,
Administrative Support

Cara Filsinger,
Administrator

Transcribed By,

Cheryl Young

Committee Assistant

EXHIBIT SUMMARY

- A – Redistricting, email from Dan Thompson, submitted by Staff, 1p.**
- B – Redistricting, email from Rodger Juntunen, submitted by Staff, 1p.**
- C – Redistricting, email from Greg Sackos, submitted by Staff, 1p.**
- D – Redistricting, email from Charlotte Kohl, submitted by Staff, 1p.**
- E – Redistricting, web page of Register Guard, from Mayor Jim Torrey, submitted by Staff, 6pp.**
- F – Redistricting, Proclamation from Mayor Bob Severson, submitted by Staff, 1p.**
- G – Redistricting, memo from Centennial Community Association, submitted by Staff, 1p.**
- H – HB 3313, submitted written testimony, Rep. Cherryl Walker, 2pp.**
- I – HB 3313, submitted written testimony, Fred Neal, 2pp.**
- J – HB 2436-8 amendment, submitted by Staff, 7pp.**