

HOUSE COMMITTEE ON RULES, REDISTRICTING, AND PUBLIC AFFAIRS

May 23, 2001
1:30 PM

Hearing Room D
Tapes 119 - 120

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, Committee Administrator
Jennifer Goodman, Committee Assistant

MEASURE/ISSUES HEARD: REDISTRICTING – PUBLIC HEARING
SB 457A – PUBLIC HEARING AND WORK SESSION
SB 194A – WORK SESSION
HB 2087 – WORK SESSION
HB 2577 – WORK SESSION
HB 3707 – 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 119, A		
004	Chair Wilson	Calls the meeting to order at 1:36 p.m. and opens a public hearing on redistricting.
<u>REDISTRICTING – PUBLIC HEARING</u>		
012	Chair Wilson	Introduces written testimony (EXHIBITS A - H).
015	Chair Wilson	Closes the public hearing on redistricting and opens a public hearing on SB 457A.
<u>SB 457A – PUBLIC HEARING</u>		
027	Gabriel Silva	Commission on Hispanic Affairs. Submits and testifies in support of SB 457A from (EXHIBIT I). Recounts a story regarding his mother.
059	Cara Filsinger	Committee Administrator. Introduces written testimony (EXHIBIT J).
062	Ed Dennis	Secretary of States Office. Submits and testifies in support of SB 457A from (EXHIBIT K). Reviews the requirements for implementing a second language ballot and pamphlet. States that we need to study this issue now because we may be in violation of the law. Discusses his handouts and the number of Hispanics in Oregon counties. Discusses scenarios where other language voter materials are required: <ul style="list-style-type: none">• More than 5% of the citizens of voting age in a state or political subdivision are part of a single language minority and are limited English proficient.

- More than 10,000 of voting public in a political subdivision are members of a single language minority and are limited English proficient or the illiteracy rate of the language minority is larger than the national illiteracy rate.

Adds that if the State of Oregon does not act on this, others will force the issue.

142	Rep. Walker	Asks if he has worked with other groups to disseminate information.
145	Dennis	Responds in the affirmative. Refers to <i>Votando En Oregon</i> pamphlet (EXHIBIT L). Adds that this effort is limited and voluntary.
154	Rep. Walker	Recounts her Spanish website.
169	Dennis	Explains that he worked with twenty groups on how to implement this legislation.
184	Chair Wilson	Explains that only citizens can vote. Adds that to be a citizen, one needs to know minimal English.
190	Dennis	Responds that second English classes are offered throughout the state. Explains that there is an interim period when people are not yet proficient.
225	Fred Neal	Elections Division. Submits (EXHIBIT L). Explains that the voter pamphlet contains more than basic English. Adds that it uses more complicated language.
245	Rep. Devlin	Asks if they inquire as to preferable language in the census.
252	Neal	Responds that he does not have that information.
258	Senator Rick Metsger	Senate District 14. Explains that this is an issue we are facing since the census has been completed. Adds that many counties have increased greatly in Hispanic population. States that fiscal responsibility is very important. Adds that the task force will determine who should receive a ballot and pamphlet. Believes they need to determine how to handle ballot title litigation. States that inclusiveness in the voting process is very important.
330	Rep. Garrard	Asks if there would be a third ballot in Italian if they formed another sub-division.
335	Metsger	Responds that the issue is proficiency of the language. Adds that if the population was over 5% that used Italian as their only language they would then fall under the right to have their own voter information in Italian.
350	Frank Garcia, Jr.	Oregon Latino Voter Registration Education Project. Explains that they registered 6,000 Latinos last year. Recounts a story regarding his history and <i>Votando En Oregon</i> . Desires to increase voter participation. Explains that the Hispanic population has grown 144% over the last decade.
445	Staff	Submits (EXHIBIT M).
446	Chair Wilson	Closes the public hearing on SB 457A and opens a work session on SB 457A.

SB 457A – WORK SESSION

451	Rep. Devlin	MOTION: Moves SB 457A to the floor with a DO PASS recommendation and be referred to the Committee on WAYS AND MEANS
461		VOTE: 8-0 AYE: In a roll call vote, all members present vote Aye. EXCUSED: 1 - Gardner

500 **Chair Wilson**
Chair Wilson **The motion CARRIES.**
Closes the work session on SB 457A and opens a work session on SB 194A.

SB 194 A– WORK SESSION

TAPE 120, A

047 Filsinger Explains that the members have –A4 amendments (**EXHIBIT N**).

054 John VanLandingham Lane County Law and Advocacy Center. Submits (**EXHIBIT O**). Discusses the –A4 amendments regarding:

- Pet Fees.
- Nail and Mail.
- Rent History.
- Rule Changes.

Explains that Legislative Counsel dropped a phrase from the –A4 amendments. Refers to page 42 line 13 after “unless tenants of” adds “at least”.

134 Charles Greeff Oregon Park Owners’ Alliance. Submits (**EXHIBIT P**). States that they support the bill.

155 **Rep. Devlin** **MOTION: Moves to SUSPEND the rules for the purpose of conceptual amendment.**

158 **VOTE: 9-0**

Chair Wilson **Hearing no objection, declares the motion CARRIED.**

162 **Rep. Devlin** **MOTION: Moves to AMEND SB 194A –4 amendments on page 42, in line 13, after "unless tenants of," insert "at least".**

163 **VOTE: 9-0**

Chair Wilson **Hearing no objection, declares the motion CARRIED.**

175 **Rep. Devlin** **MOTION: Moves SB 194A to the floor with a DO PASS AS AMENDED recommendation.**

188 **VOTE: 9-0**

AYE: In a roll call vote, all members present vote Aye.

Chair Wilson **The motion CARRIES.**

REP. WILSON will lead discussion on the floor.

192 Chair Wilson Closes the work session on SB 194A and opens a work session on HB 2087.

HB 2087 – WORK SESSION

195 Chair Wilson Explains that the bill has a subsequent referral to Ways and Means.

201 Filsinger States that the members have the –7 amendments and –6 fiscal analysis (**EXHIBITS Q & R**).

208 Chair Wilson Explains that the only difference between the –7 amendments and the –6 amendments is that the –7’s on page 5 line 20, 21, and 22 include photocopies. Explains that some believe there is a conflict with federal law and some do not. Explains that there is a fiscal with the –6 amendments. Assumes there will still be a fiscal with the –7 amendments.

232 **Rep. Starr** **MOTION: Moves to ADOPT HB 2087-7 amendments dated 05/22/01.**

234 Rep. Walker Asks about line 18.

239 Filsinger Explains that a conflict amendment will be generated.

243	Rep. March	Explains that there are a lot of problems with the amendments. States that it would not allow a director from carrying a nursing home resident's ballot to the box. Adds that the United States citizen question is a federal problem. Adds that the challenge section is unnecessary.
259	Rep. Gardner	Agrees with Representative March. States that he has not seen any compelling testimony that this is necessary.
269	Rep. Devlin	Explains that he will support the amendments. Adds that he will not support the main bill unless it passes without recommendation.
276		VOTE: 9-0
	Chair Wilson	Hearing no objection, declares the motion CARRIED.
277	Rep. Starr	MOTION: Moves HB 2087 to the floor with a DO PASS AS AMENDED recommendation and be sent to the committee on WAYS AND MEANS by PRIOR REFERENCE.
283	Rep. Verger	Asks what is meant by prior reference.
284	Chair Wilson	Replies that they have been instructed to send the bill to Ways and Means.
288		VOTE: 6-3
		AYE: 6 - Doyle, Garrard, Starr, Verger, Walker C, Wilson
		NAY: 3 - Devlin, Gardner, March
	Chair Wilson	The motion CARRIES.
297	Chair Wilson	Closes the work session on HB 2087 and opens a work session on HB 2577.
		<u>HB 2577 – WORK SESSION</u>
302	Filsinger	Explains that the members have –1 amendments and a letter from Legislative Counsel (EXHIBITS S and T).
307	John Lindback	Elections Division, Secretary of States Office. Discusses the –1 amendments and that they give authority to the Secretary of State's Office to impose a fee for electronic filing. Adds that they also include a special account for the fees imposed. States that they are in support of the amendments.
330	Chair Wilson	Asks Mr. Lindback to review the letter from Mr. Reutlinger in Legislative Counsel.
338	Lindback	Explains that fees can be charged only if there is a service performed. Refers to the Fidanque case. Explains that this does not appear to be an infringement of free speech.
365	Chair Wilson	States that he will send HB 2577 to the Senate side.
374	Filsinger	Explains that there was a fiscal on the original bill.
378	Lindback	Describes the fiscal.
385	Wilson	States that he is reviewing the amendments.
398	Rep. Devlin	Discusses the waiver. Asks if the fee will remain nominal.
409	Lindback	Responds in the affirmative.
430	Rep. Devlin	MOTION: Moves to ADOPT HB 2577-1 amendments dated 05/23/01.
437	Rep. Garrard	States that he will vote against this bill. Believes there are other priorities.
443	Rep. Verger	States that she will oppose the bill because of the fiscal impact.
463		VOTE: 7-1
		AYE: 7 - Devlin, Gardner, Garrard, March, Starr, Walker C, Wilson

		NAY: 1 - Verger
		EXCUSED: 1 - Doyle
	Chair	The motion CARRIES.
481	Rep. Devlin	MOTION: Moves HB 2577 to the floor with a DO PASS AS AMENDED recommendation and be referred to the committee on WAYS AND MEANS.
484		VOTE: 6-2
		AYE: 6 - Devlin, Gardner, March, Starr, Walker C, Wilson
		NAY: 2 - Garrard, Verger
		EXCUSED: 1 - Doyle
	Chair Wilson	The motion CARRIES.
498	Chair Wilson	Closes the work session on HB 2577 and opens a work session on HB 3707.
<u>HB 3707 – WORK SESSION</u>		
<u>TAPE 119, B</u>		
038	Chair Wilson	Believes that the social security number was never intended to be used as an identifier.
056	Julie Brandis	Associated Oregon Industries. Testifies in opposition of HB 3707. Discusses that retailers use of the social security number for credit history. Explains that identity theft is a concern, but not allowing its use will not lessen the misuse of it. States that she does not believe that there is another alternative. Asks about employment use and background checks.
116	Peggy Anet	Health Insurance Association of America. Explains that they use social security numbers for assigning benefits. Refers to SB 269. Discusses privacy requirements, believes they are stringent enough. Discusses the health care industry.
154	Paul Cosgrove	Oregon Financial Services Association and Nationwide Insurance. Explains that banks do not use social security numbers as an identifier. Explains that all financial institutions are required to use the number to report to the courts. Adds that they use social security numbers for loans for title company's liens.
177	Pam Leavitt	Credit Union Association of Oregon. States that they are concerned about the right to conduct credit checks. Adds that a concern is also what the courts will require of them. Explains that privacy is a very important issue and has been addressed by the federal legislature in 1999. Discusses privacy policies.
231	Rep. Devlin	Suggests without an identifier like a social security number, if they are making identity theft easier.
242	Brandis	Explains that the FBI has stated that social security numbers were not originally created as an identifier but it has evolved into this. Speaks on identity theft.
282	Chair Wilson	States that privacy issues will keep arising.
292	Rep. March	Suggests forming a study group over the interim
295	Chair Wilson	Closes the work session on HB 3707 and adjourns the meeting at 2:50 p.m.

Submitted By,

Reviewed By,

Jennifer Goodman,
Committee Assistant

Cara Filsinger,
Committee Administrator

EXHIBIT SUMMARY

- A – Redistricting, written testimony, Staff, 1p.**
- B - Redistricting, written testimony, Staff, 1p.**
- C - Redistricting, written testimony, Staff, 1p.**
- D - Redistricting, written testimony, Staff, 1p.**
- E - Redistricting, written testimony, Staff, 2pp.**
- F - Redistricting, written testimony, Staff, 2pp.**
- G - Redistricting, written testimony, Staff, 1p.**
- H - Redistricting, written testimony, Staff, 1p.**
- I – SB 457A, written testimony, Gabriel Silva, 1p.**
- J – SB 457A, written testimony, Staff, 2pp.**
- K – SB 457A, written testimony, Ed Dennis, 79p.**
- L – SB 457A, *Votando En Oregon*, Fred Neal, 2pp.**
- M – SB 457A, written testimony, Staff, 1p.**
- N – SB 194A, -A4 amendments, Staff, 70pp.**
- O – SB 194A, written testimony, John VanLandingham, 32pp.**
- P – SB 194A, written testimony, Charles Greeff, 3pp.**
- Q – HB 2087, -7 amendments, Staff, 11pp.**
- R – HB 2087, fiscal analysis, Staff, 2pp.**
- S – HB 2577, -1 amendments, Staff, 2pp.**
- T – HB 2577, written testimony, Staff, 2pp.**