

HOUSE COMMITTEE ON RULES, REDISTRICTING, AND PUBLIC AFFAIRS

May 09, 2001
1:30 PM

Hearing Room D
Tapes 108 - 109

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

MEMBER EXCUSED: Rep. Dan Doyle, Vice-Chair

MEMBER ABSENT: Rep. Bruce Starr

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

MEASURE/ISSUES HEARD: REDISTRICTING
HB 3169 – PUBLIC HEARING
HB 3734 – PUBLIC HEARING
HB 2756 – WORK SESSION
SB 777 – 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 108, A		
004	Chair Wilson	Opens the meeting at 1:46 p.m. and opens a public hearing on redistricting.
REDISTRICTING – PUBLIC HEARING		
006	Chair Wilson	Explains the redistricting process.
025	Michael Mason	The Confederated Tribes of the Warm Springs. Submits and testifies from (EXHIBIT J) . Explains that the reservation falls entirely within House District 55. Adds that the ceded area that is in Districts 55, 56, 59, and 54. Asks that the committee consider the importance of the ceded area. Discusses the map on page 3 of (EXHIBIT J) . Accentuates watershed importance especially the Deschutes Basin. States that the tribe wants to be linked to those who make decisions. Explains that it is acceptable to have 2 representatives for the tribe.
085	Rep. March	Asks about a preferred line for breaking up the reservation.
093	Mason	Responds that they would prefer along the Wasco and Jefferson county lines.
102	Chair Wilson	Submits (EXHIBITS A, B, C, D, E, F, G, H, & I) into the record.
108	Brad Witt	Oregon AFL-CIO. Submits and testifies directly from (EXHIBIT K) . Discusses the importance of the Columbia River and the Port of Portland.

149

Chair Wilson

Closes the public hearing on redistricting and opens a public hearing on HB 3169.

HB 3169 – PUBLIC HEARING

171

Representative Tim Knopp

House District 54. Explains HB 3169. Believes that it is too easy to collect signatures on petitions. Explains that he supports the initiative process but is concerned with the fiscal impact. Discusses the fiscal process when an initiative is filed. Quotes statistics:

- Explains that the number of initiatives filed has doubled from 84 to 166 since 1998. States that the vast majority did not qualify for the ballot.
- States that in 2000 the cost to the Attorney General’s office was more than \$200,000.
- Explains that the Supreme Court proceedings involving ballot title challenges has doubled from 40 to 92 from 1998 to 2000.
- Adds that the cost to the Supreme Court was \$150,000.
- States that less than half the initiatives in 2000 were approved for circulation.
- States that in 2000 Oregon Taxpayers United filed 50 initiatives.
- Adds that unions were responsible for 28 filings.
- Explains that Don McIntyre was responsible for a dozen or so initiative filings.

Believes that this bill is a way of opening a dialog about how the system might be changed so that initiatives can still be filed but without the high cost to the taxpayers. Explains that he is open to discussion and amendments regarding HB 3169.

261
268

Senator Bev Clarno
Senator Ginny Burdick

Senate District 27. Offers her support of HB 3169.

Senate District 6. Testifies in support of the bill. Discusses her experience as a chief petitioner. Discusses her ballot title problems. Explains that if this bill were in place it would not have made a difference in how her process went forward. Adds that the bill requires a front-end commitment. Believes that the initiative process is important so the public has a voice.

352

Rep. Walker

Asks how many signatures would be required for statutory and constitutional measures.

360

Rep. Knopp

Responds that the number is 10% of the signatures required. Believes it is 6,900 for statutory and 12,000 for constitutional.

372

Rep. Devlin

States that constitutional should be 8,900.

374

Rep. Knopp

Responds that that is correct.

377

Rep. Walker

States that the 10% figure is based on the last gubernatorial election.

383

Rep. Knopp

States that he is open to other options. Asks to work with the opponents to this bill on compromise language.

406

Bill Perry

Oregon Restaurant Association. Explains that they have had many ballot title challenges. Explains that these challenges cost money for the government and those involved. Explains that this bill does not change the amount of time and effort put into the ballot title process. Adds that the bill would require a serious

471	Ray Wilkinson	effort before others join in. Oregon Forest Industries Council. Testifies in support of HB 3169. Explains that he has fought many ballot measures. Believes many of these are a waste of time and money. Adds that the process is too user friendly. Believes that this bill addresses the issue of ‘ballot title shopping.’
TAPE 109, A		
060	Bruce Bishop	Oregon Association of Hospitals and Health Systems. Testifies in support of HB 3169. Explains that he has appeared 12 times in front of the Oregon Supreme Court on ballot title challenges. Adds that seven were the same ballot title in different versions. Explains that he would like to put a stop to ‘ballot title shopping’. Expresses a desire to work with the committee on this bill.
093	Greg Wasson	Submits and testifies in opposition to HB 3169 from (EXHIBIT L) . States the he does not believe the legislature should be involved in this process. Reviews the initiative petition process. Believes the petition due date should be spread out through the year. Discusses the term limit bill.
160	Philip Schradle	Department of Justice. Submits and testifies from (EXHIBIT M) . Believes that this bill only addresses part of the ballot title problem. Discusses the ballot title proposal he submitted. Explains that his proposal allows the signature gathering process to continue through litigation. Believes the current law supports the idea of litigating the ballot title. Explains that the signature gathering threshold should be 20% of the required signatures to add to the ballot. Adds that now many initiatives do not make it to the ballot. Believes that this results because there are those that never intend their initiative to end up on the ballot. Explains that there is a court case pending regarding the Oregon Supreme Court and whether the Court has the authority to rewrite the ballot titles. Proposes that the Oregon Supreme Court send the titles to the Department of Justice for review. Lists the issues that his proposal addresses: <ul style="list-style-type: none"> • Litigating for delay purposes. • Doing ballot title shopping through multiple filings. • Expenditure of court and judicial resources on matters that were never intended to go anywhere. Believes they need to still work on the proposal and invites the committee to establish a work group.
323	Rep. Devlin	Asks if once they reach the 20% threshold they can continue circulating the petition.
331	Schradle	Responds in the affirmative.
336	Rep. Devlin	Explains that a recent similar bill that has received wide support. Discusses ballot title shopping.
388	Rich Peppers	Submits testimony for Tim Nesbitt (EXHIBIT N) . Reads part of the testimony for Mr. Nesbitt.
417	Peppers	Agrees that the problems with the initiative process need to be addressed. Believes that HB 3169 is a start in discussing these issues.
TAPE 108, B		
005	Tricia Bozak	Oregon Education Association. Submits and testifies in support

033 Staff of HB 3169 from **(EXHIBIT O)**.
034 Chair Wilson Submits **(EXHIBIT P)** into the record.
Asks the interested parties to discuss the bill in a work group.
Closes the public hearing on HB 3169 and opens a public hearing on HB 3734.

HB 3734 – PUBLIC HEARING

053 Melanie King Submits **(EXHIBIT Q)** for Representative Al King. Explains that he is currently working on amendments to this bill.
068 Hasina Squires Special Districts Association. Submits and testifies in support of HB 3734 from **(EXHIBIT R)**.
082 Rob Carnahan Fire Chief for Clackamas County. Discusses the history of and his experience with Public Employees Retirement System (PERS). Refers to **(EXHIBIT R)** and testifies in support of the bill. Explains that he cannot get a response from PERS regarding his requests.
177 Rep. March Explains that yesterday the legislature cut five counseling positions within PERS.
181 Carnahan Comments that in order to get an appointment you need to schedule with multiple counselors. Explains that he does not know how much money he will be charged in the upcoming year.
195 Rep. Verger Suggests that when the fire department merged perhaps they had not been paying the full amount into PERS.
200 Carnahan Responds in the negative. Explains PERS contributions.
228 Rep. Devlin Asks if a failed bill would have been helpful to him in terms of being able to bond for his liabilities.
241 Carnahan Responds that PERS has caused him much concern and loss of trust in the system.
254 Squires Replies that Representative Devlin is probably referring to SB 134. Responds that the bill would have helped out. Adds that PERS could have solved the problem with their own administrative rule without the legislature.
267 Rep. Devlin States that there were other elements in the bill in terms of bonding liability.
271 Squires Agrees. Responds that a debt is still a debt.
278 Rep. Devlin States that the House was sending a message to those in search of a third tier.
280 Chair Wilson Closes the public hearing on HB 3734 and opens a work session on 2756.

HB 2756 – WORK SESSION

294 Don Miner Oregon Manufactured Housing Association. Reviews the inception of HB 2756. Explains that buyers who pay off their loan often wait for documents that never arrive. Expresses a desire to create a process that mirrors the real property process. Asks that the Department of Motor Vehicles (DMV) be able to issue new titles for manufactured homes.
345 Chair Wilson Asks if he is aware of anyone who opposes the bill.
347 Miner Believes that the DMV has some concern regarding terminology. Asks that they can consider this on the Senate side.
359 Rep. Devlin **MOTION: Moves to ADOPT HB 2756-3 amendments dated 05/02/01.**
364 **VOTE: 6-0**
EXCUSED: 2 - Doyle, Gardner

	Chair Wilson	ABSENT: 1 - Starr
365	Rep. Devlin	Hearing no objection, declares the motion CARRIED.
		MOTION: Moves HB 2756 to the floor with a DO PASS AS AMENDED recommendation.
369		VOTE: 6-0
		AYE: In a roll call vote, all members present vote Aye.
		EXCUSED: 2 - Doyle, Gardner
		ABSENT: 1 - Starr
	Chair Wilson	The motion CARRIES.
		REP. WILSON will lead discussion on the floor.
387	Chair Wilson	Closes the work session on HB 2756 and opens a work session on SB 777.
<u>SB 777 – WORK SESSION</u>		
398	Chair Wilson	Asks if everyone except Representative March is satisfied with this bill.
411	Rep. Devlin	MOTION: Moves SB 777 to the floor with a DO PASS recommendation.
414	Rep. March	States that the 1% threshold that is current is more than adequate. Adds that he would rather be dealing with House bills now rather than Senate bills.
438	Rep. Devlin	States that he would prefer that candidates run for office because they want to, not just to maintain their status as a minor political party.
		VOTE: 5-1
		AYE: 5 - Devlin, Garrard, Verger, Walker C, Wilson
		NAY: 1 - March
		EXCUSED: 3 - Doyle, Gardner
		ABSENT: 1 - Starr
	Chair Wilson	The motion CARRIES.
		REP. KROPF will lead discussion on the floor.
471	Chair Wilson	Closes the work session on SB 777 and adjourns the meeting at 3:08 p.m.

Submitted By,

Reviewed By,

Jennifer Goodman,
Committee Assistant

Cara Filsinger,
Committee Administrator

EXHIBIT SUMMARY

- A – Redistricting, redistricting letter, Staff, 4 pp.**
- B – Redistricting, written testimony, Staff, 1 p.**
- C – Redistricting, written testimony, Staff, 1 p.**
- D – Redistricting, written testimony, Staff, 2pp.**
- E – Redistricting, written testimony, Staff, 1 p.**
- F – Redistricting, written testimony, Staff, 1 p.**
- G – Redistricting, written testimony, Staff, 1 p.**
- H – Redistricting, written testimony, Staff, 1 p.**
- I - Redistricting, written testimony, Staff, 1p.**

J – Redistricting, written testimony, Michael Mason, 29 pp.
K – Redistricting, written testimony, Brad Witt, 2 pp.
L – HB 3169, written testimony, Greg Wasson, 2 pp.
M – HB 3169, written testimony, Philip Schradle, 8 pp.
N – HB 3169, written testimony, Rich Peppers, 2 pp.
O – HB 3169, written testimony, Patricia Bozak, 1 p.
P – HB 3169, written testimony, Staff, 1 p.
Q – HB 3734, written testimony, Melanie King, 1 p.
R – HB 3734, written testimony, Hasina Squires, 3 pp.
S – HB 2756, -3 amendments, Staff, 5 pp.