

# HOUSE COMMITTEE ON RULES, REDISTRICTING, AND PUBLIC AFFAIRS

June 01, 2001  
1:30 PM

Hearing Room D  
Tapes 124 - 125

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

**MEMBER EXCUSED:** Rep. Dan Gardner  
Rep. Bill Garrard

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

**MEASURE/ISSUES HEARD:** HB 3795 – WORK SESSION  
HCR 10 – PUBLIC HEARING AND WORK SESSION  
HOUSE RULE CHANGES – WORK SESSION  
HB 3742 – WORK SESSION  
HB 3194 – PUBLIC HEARING

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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.

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TAPE/#	Speaker	Comments
<b>TAPE 124, A</b>		
004	Chair Wilson	Opens the meeting at 1:35 p.m. and opens a work session on HB 3795.
<b><u>HB 3795 – WORK SESSION</u></b>		
027	Dave Fiskum	Oregon Association of Broadcasters. Introduces himself.
028	Tom Gallagher	Oregon Newspaper Publishers Association. Introduces himself.
029	Chair Wilson	Explains that they have been working together and have reached an impasse. Asks the parties to proceed with meetings during the interim. Asks them to return in a year and contact Representative Doyle. Explains that he has contacted the Oregon State Bar and discussed this issue. <ul style="list-style-type: none"><li>• Need to look at effective public notice.</li><li>• Notes that broadcast media should be brought in.</li></ul>
077	Fiskum	Asks that the parties keep in touch. States that he would be pleased to keep working on this issue.
091	Gallagher	States that he would welcome a third party to mediate. Believes this issue needs to be updated. States that he will meet with the Oregon State Bar and broadcasters.
098	Staff	Submits for the record ( <b>EXHIBIT A</b> ).
099	Chair Wilson	Closes the work session on HB 3795 and opens a public hearing on HCR 10.
<b><u>HCR 10 – PUBLIC HEARING</u></b>		

106	Staff	Submits for the record the –1 amendments ( <b>EXHIBIT B</b> ).
107	Frank Brawner	Asks for support of HCR 10 and the –1 amendments. Describes Mr. Gribbling and his respect for the legislative process.
129	Rep. Devlin	Supports the bill.
134	Gary Wilhelms	Describes Mr. Gribbling and his relationship with him. Urges support for the bill.
152	Roger Martin	Describes Mr. Gribbling and his participation in the lobby.
199	Chair Wilson	Closes the public hearing on HCR 10 and opens a work session on HCR 10.

**HCR 10 – WORK SESSION**

202	Rep. Devlin	<b>MOTION: Moves to ADOPT HCR 10-1 amendments dated 05/23/01.</b>
203		<b>VOTE: 7-0</b>
		<b>EXCUSED: 2 - Gardner, Garrard</b>
	Chair Wilson	<b>Hearing no objection, declares the motion CARRIED.</b>
207	Rep. Devlin	<b>MOTION: Moves HCR 10 be sent to the floor with a BE ADOPTED AS AMENDED recommendation.</b>
215		<b>VOTE: 7-0</b>
		<b>AYE: In a roll call vote, all members present vote Aye.</b>
		<b>EXCUSED: 2 - Gardner, Garrard</b>
	Chair Wilson	<b>The motion CARRIES.</b>
		<b>REP. WILSON will lead discussion on the floor.</b>
225	Chair Wilson	Closes the work session on HCR 10 and opens a work session on rule changes.

**COMMITTEE RULE CHANGES – WORK SESSION**

232	Marjorie Taylor	Explains the rule changes ( <b>EXHIBIT C</b> ). Explains that Appendix A has been modified on page 3 to require redistricting amendments to be filed as a datafile. Explains Appendix B.
250	Rep. March	Asks if caucuses will have access to the datafile.
258	Taylor	States that the information is confidential through the Legislative Counsel process. Adds that when the amendment is presented at committee it then becomes public.
269	Rep. March	Believes that this information should be available after it has become public.
286	Taylor	States that she is working on it.
290	Chair Wilson	States that Rep. March can work on this because it will not be passed out of committee today.
295	Rep. March	Responds that he would be happy to.
299	Chair Wilson	Closes the work session on Rule Changes and opens a work session on HB 3742.

**HB 3742 – WORK SESSION**

318	Dawn Phillips	Legislative Assistant for Representative Jim Hill. Explains that the –4 amendments ( <b>EXHIBIT D</b> ) contains three changes. Introduces and explains ( <b>EXHIBIT E</b> ). Discusses the –4 amendments. Discusses military ballots and the sunset clause.
414	Rep. March	Asks about the postmark for long term absent electors.
419	Phillips	Responds that the county clerks have 7 days after the election to receive mail.

**TAPE 125, A**

012	Rep. March	Explains that the window between 8 p.m. and midnight is still in this bill.
016	Phillips	Responds in the affirmative.
024	Rep. Devlin	Asks if this includes both an effective date and a sunset clause.

030	Phillips	Responds that Legislative Counsel is required to include both the existing law and the proposed law in the bill.
037	Rep. Devlin	Asks if the effective date is 90 days from the day of the Governor's signature.
040	Phillips	Responds that it would be January 1 <sup>st</sup> .
041	Rep. Devlin	Asks if that would be 2002.
042	Phillips	Responds in the affirmative.
045	Chair Wilson	Asks if Ms. Phillips has spoken to Ed Dennis from the Secretary of State's Office.
046	Phillips	Responds that they have spoken regarding a technical question. Adds that Legislative Counsel will make the change.
059	Rep. Doyle	Refers to an earlier bill and asks about conflict.
069	Fred Neal	Elections Division. Explains that there is a conflict but Legislative Counsel will work it out.
079	Rep. Doyle	Asks if a family can have an immediate member drop off a ballot.
085	Neal	Responds that it would be true if both bills pass.
091	Rep. Verger	Discusses the issue of illegible postmarks.
104	Phillips	Responds to the concern of illegible postmarks and explains that the United States Postal Service believes the number to be negligible. Explains the design of the voter registration card.
122	Rep. Verger	Asks if she has had a response from the post office regarding staying open four hours later on election day.
128	Phillips	Explains that increased turnout would be the consequence of keeping the Post Office open later.
145	Rep. Verger	States that the originating city is clear but the date is not on the postmarks.
151	Phillips	Refers to the disclaimer in the amendments.
167	Rep. Doyle	Asks if she is aware of any post office that is open until midnight.
172	Phillips	Responds that the Post Office in Downtown Portland is.
180	Rep. Devlin	Explains that he has posted many ballots around midnight in Downtown Portland.
195	Rep. Devlin	Asks if rules will have to be adopted regarding the definition of valid postmarks.
203	John Lindback	Secretary of State's Office. Responds in the affirmative. Explains that he has seen many illegible postmarks. Asks that amendments be added to guide them as to what to do in specific situations.
234	Chair Wilson	Asks how the State of Washington deals with these problems.
236	Lindback	Responds that they use a sworn affidavit. Adds that this is not included in the -4 amendments.
250	Chair Wilson	Closes the work session on HB 3742.
252	Chair Wilson	Asks that they work on this issue.
257	Rep. Devlin	States that he is inclined to support the bill. Adds that he would be more comfortable if the rules were clearer.
266	Chair Wilson	States that he would be happy to convene a work group for HB 3742.
282	Chair Wilson	Opens a public hearing on HB 3194.
<b><u>HB 3194 – PUBLIC HEARING</u></b>		
284	Staff	Submits proposed -1 amendments ( <b>EXHIBIT F</b> ).
285	David Fidanque	ACLU of Oregon. Explains that the amendments would make significant changes to Oregon election law. States that they oppose the amendments. Concerned with the difference in voting

		numbers between the primary and general elections. Discusses voter turn out. States that an additional 630,000 voted in November than in May. Believes that it is important to have the most people voting as possible.
333	Rep. Devlin	Suggests that we put initiatives on the presidential election every four years.
351	Fidanque	Supports the idea that constitutional amendments should be voted on at a time when people vote most.
370	Rep. Starr	Believes that voting is a privilege. Believes that if these initiatives are on the ballot it will increase voter participation.
387	Fidanque	Agrees that voting should occur at every opportunity. Adds that voter turn out is low when there is no presidential election and at the primary. Asks if important issues should be decided by fewer voters.
438	Rep. Starr	Asks if this bill passes would increase voter turnout at the primary election.
<b>TAPE 124, B</b>		
004	Fidnaque	Responds that voter turnout does not vary because of initiatives but because of candidates.
016	Dan Meek	Coalition for Initiative Rights and Pacific Green Party. Testifies in opposition to the amendments. Believes that initiatives should be voted on when there is the highest turnout. States that they would support the amendments if they included only referenda. Explains that for referendum, signatures need to be gathered in the fall. Suggests that votes on referendum could be moved to May. Adds that there is a problem with moving initiatives to May and still being able to have them addressed in the legislature. Explains that sponsors will need to craft their measures long before the legislature adjourns. Explains that it will complicate initiative drafting. Suggests that initiative sponsors have a choice of primary or general elections.
095	Chair Wilson	Closes the work session on HB 3194 and asks Ms. Filsinger to review the week's schedule.
102	Cara Filsinger	Committee Administrator. Discusses the week's schedule.
115	Chair Wilson	Asks Representative March to meet with Ms. Taylor regarding the House Rules change.
120	Chair Wilson	Adjourns the meeting at 2:37 p.m.

Submitted By,

Reviewed By,

Jennifer Goodman,  
Committee Assistant

Cara Filsinger,  
Committee Administrator

**EXHIBIT SUMMARY**

- A – HB 3795, written testimony, Staff, 2pp.**
- B – HCR 10, -1 amendments, Staff, 2pp.**
- C – Committee Rule Changes, proposed changes, Staff, 6pp.**
- D – HB 3742, -4 amendments, Staff, 6pp.**
- E – HB 3742, written testimony, Dawn Phillips, 9pp.**

**F – HB 3194, -1 amendments, Staff, 1p.**