

SENATE COMMITTEE ON RULES AND REDISTRICTING

April 12, 2001 Hearing Room C
3:00 PM Tape 58

MEMBERS PRESENT: **Sen. Peter Courtney, Vice-Chair**
 Sen. Jason Atkinson
 Sen. Lee Beyer
 Sen. Kate Brown
 Sen. Randy Miller

MEMBER EXCUSED: **Sen. Steve Harper, Chair**
 Sen. John Minnis

STAFF PRESENT: **Craig Allen, Committee Administrator**
 Annetta Mullins, Committee Assistant

MEASURE/ISSUES HEARD: **Redistricting**
 Work Session
 SB 216

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 58, A		
003	Vice-Chair Courtney	Calls meeting to order at 3:05 p.m.
<u>REDISTRICTING</u>		
003	Vice-Chair Courtney	Notes there are no witnesses signed up to testify on redistricting. Enters into record documents received: <ul style="list-style-type: none">• E-mail, Janet Miltenberger, North Coast Women's Political Caucus (EXHIBIT A).• E-mail, Aaron Hill, Salem, OR (EXHIBIT B).• Letter, Susan Hamilton, Portland, OR (EXHIBIT C).• Letter and enclosures, Harold E. Warner, RN, Tigard, OR (EXHIBIT D).
022	Vice-Chair Courtney	Announces redistricting meeting schedule for the evening and Friday.
041	Vice-Chair Courtney	Opens a work session on SB 216.
<u>SB 216 – WORK SESSION</u>		
067	Sen. Miller	States that he has a question about the degree of knowledge of the chief petitioner before the chief petitioner can be held liable for signatures that are not qualified appearing on a petition. Asks if adding the words “actual knowledge” would be helpful.
06	Ted Reutlinger	Deputy Legislative Counsel. Explains that the new language about knowledge will only apply to violations of rules or law subject to civil penalties. The only thing the chief petitioner could be subject to is the \$250 civil penalty that would be imposed by the Secretary of State (SOS). Explains that in

		drafting the bill, his presumption was that the language meant the chief petitioner had to have actual knowledge that the activity was occurring or had occurred. States he meant "actual knowledge" when he used the word "knowledge" in drafting. Putting in "actual" would clarify the intent. But to him "knowledge" is sufficient to say the chief petitioner must know the violation is occurring.
108	Sen. Miller	Gives example of chief petitioners telling someone to get the signatures and that is all they tell them. Asks if the new language would protect the chief petitioner from civil suit if petitions contain signature that should not be on them.
131	Reutlinger	Responds he thinks it probably would protect the chief petitioner because it requires knowledge. Believes if the chief petitioner does not go through the signature sheets to make sure the correct signatures are on them, there could be some questions about whether the chief petitioner should have known or should have identified some violations. Believes the way it is now written if the chief petitioner does not do that, they are not going to have knowledge and will not be liable for any activities of the signature gatherer.
	Sen. Miller	Comments that the responsibilities could be dumped by the disclaimer.
150	Reutlinger	Responds he believes that is the way it works now. If a signature has been falsified, the person who falsely entered the name is the responsible person.
164	Sen. Miller	Asks Sen. Courtney if the discussion and statements by Reutlinger are consistent with what he intended when he drafted the bill and the amendments.
	Vice- Chair Courtney	Responds affirmatively.
186	Sen. Miller	MOTION: Moves to ADOPT SB 216-2 amendments dated 04/06/01.
190	Sen. Brown	Comments that she understands the political realities and believes Sen. Courtney was on the right track in the first place.
100		VOTE: 4-0 EXCUSED: 3 - Atkinson, Minnis, Harper
	Vice-Chair Courtney	Hearing no objection, declares the motion CARRIED.
203	Sen. Miller	MOTION: Moves SB 216 to the floor with a DO PASS AS AMENDED recommendation.
208		VOTE: 4-0 EXCUSED: 3 - Atkinson, Minnis, Harper
	Vice-Chair Courtney	Hearing no objection, declares the motion CARRIED. SEN. COURTNEY will lead discussion on the floor.
221	Vice-Chair Courtney	Adjourns meeting at 3:22 p.m.

Submitted By,

Reviewed By,

Annetta Mullins,
Committee Assistant

Craig Allen,
Committee Administrator

EXHIBIT SUMMARY

- A - Redistricting, e-mail, Janet Miltenberger, 1 p**
- B - Redistricting, e-mail, Aaron Hill, 1 p**
- C - Redistricting, letter, Susan Hamilton, 1 p**
- D - Redistricting, letter and attachments, Harold Warner, 4 pp**
- E - SB 216, SB 216-2 amendments, Sen. Courtney, 2 pp**