

SENATE COMMITTEE ON RULES AND REDISTRICTING

April 19, 2001 Hearing Room C
3:00 PM Tapes 63 - 64

MEMBERS PRESENT: Sen. Steve Harper, Chair
Sen. Peter Courtney, Vice-Chair
Sen. Jason Atkinson
Sen. Lee Beyer
Sen. Kate Brown
Sen. Randy Miller
Sen. John Minnis

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

MEASURE/ISSUES HEARD: Redistricting
Work Session
SB 752
SB 960
Public Hearing
SJR 41

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.

<u>TAPE/#</u>	<u>Speaker</u>	<u>Comments</u>
TAPE 63, A		
004	Chair Harper	Calls meeting to order at 3:05 p.m. and opens a public hearing on redistricting.
<u>REDISTRICTING - PUBLIC HEARING</u>		
007	Chair Harper	Notes that nobody is signed up to testify. Enters into the record documents received by the committee: <ul style="list-style-type: none">• Letter from Rodger Juntunen (EXHIBIT A).• Memo from Centennial Community Association (EXHIBIT B).• E-mail and note from Greg Sackos, Baker City (EXHIBIT C).• E-mail from Charlotte Kohl, Broadbent (EXHIBIT D).• Proclamation from City of Hermiston (EXHIBIT E).• Resolution from Board of Commissioners of Umatilla County (EXHIBIT F).
	Chair Harper	Closes the public hearing on redistricting and opens a work session on SB 752.
<u>SB 752 – WORK SESSION</u>		
017	Sen. Atkinson	Explains that the work group met and has come up with a proposal. States he wanted to have this hearing before requesting that amendments be drafted to see if the committee wishes to

037	Fred Neal	proceed. Manager, Elections Division, Secretary of State's Office. Introduces Annette Newingham, Director of Elections for Lane County.
	Neal	Submits packet outlining issues raised at March hearing on the SB 752-1 amendments (EXHIBIT H). The SB 752-1 amendments would move the primary election date to the first Tuesday in September (SEE EXHIBIT N OF COMMITTEE MINUTES DATED 3/20/01). The work group alternative proposal diminishes, and in some cases fully eliminates many of the obstacles to a September date, and proposes the third Tuesday in August.
053	Neal	States that a September primary, even the first Tuesday, considering the other expectations of how the elections process should be conducted in a methodical, efficient, informational, and fair manner, is not feasible. Reviews statement (EXHIBIT H, page 1).
156	Sen. L. Beyer	Asks if other deadline dates could be changed.
159	Neal	Explains that Legislative Counsel has changed other deadline dates including the date to mail military and absentee ballots from the 45 th day before the election to the 40 th day before the general election. Adds that counties do not know what is on the ballot until the day they have to print and mail it.
168	Sen. L. Beyer	Asks if minor and independent candidate filing dates would be earlier. Comments that changing the day when initiative measures could get on the ballot just ratchets the process back -- maybe it would be a year out.
	Neal	Responds that is true and he will cover the issue.
175	Annette Newingham	Lane County Elections. States the actual filing deadline causes the conflict because the results of the September election are unknown and they cannot certify a ballot for the general election until a later date. That created having to push the filing deadline closer to the general election date.
181	Sen. L. Beyer	Asks if the issue is how quickly they can count the ballots.
	Neal	Responds that it takes close to 20 days to count the ballots. In the alternative, that has been shortened and they have come up with an interim step that is "a summary of ballots counted as of this day".
		Issues discussed:
192		• Why it takes 20 days to count ballots.
242		• Reconciliation of the tally of ballots.
295		• Washington's method of recounting ballots and their concerns about a September election.
311	Sen. Atkinson	Comments this is the first proposal of the work group. Asks Chair Harper what his wishes are for proceeding with work on the bill.
	Chair Harper	Asks that Neal proceed with his presentation of the work group proposal.
326	Neal	Reviews deadlines if an election were held the third Tuesday in August (EXHIBIT H, page 9).
439	Neal	States the biggest concern in the work group proposal is signature verification. The work group would prefer to go with the first Tuesday in August and that would resolve any of the overlaps.

The work group also would recommend that the initiative and referendum process be moved to some other election--either to the current primary date or the November date in odd numbered years.

- 461 Neal Thanks the participants of the work group, many county clerks including Annette Newingham and Vickie Irwin of Multnomah County, the Elections Division staff, and Legislative Counsel.
- 456 Sen. Atkinson Comments his interest level is still really high but would like to get direction from the committee on when to put initiatives on the ballot.
- Neal Comments they agree with Legislative Counsel that although the Constitution says it is the general election "or such other date as the legislature determines", the legislature could statutorily determine another date with the signature deadline four months before the election at which the petition would be voted on.
- 496 Sen. Brown Comments she likes the concept but the two issues are voter participation and costs of election. States that from talking to people, if we move the primary to August not only will people not vote, there won't be anybody home to receive their Voter's Pamphlet. Also does not believe it reduces the cost of the campaigns.

TAPE 64, A

- 036 John Lindback Director of Elections, Oregon Secretary of State's office. Reports he called Gary McIntosh, Director of Elections in Washington, and asked what their situation is with their September primary. They want to move it back to May but have run into obstacles with their campaign finance law and annual sessions and their ability to raise money during a legislative session and having a primary right after the session. According to McIntosh they are unhappy with their September primary election date. One of the reasons is the compressed time between the primary election and the general election. If there is a very close primary race, it takes time to straighten it out. It has given one party an "unfair" advantage because they do not know who their candidate is.
- 078 Chair Harper Closes the public hearing on SB 752 and opens a work session on SB 960.

SB 960 – WORK SESSION

- 096 Bruce Bishop Harrang/Long/Gary/Rudnick and member of The Capitol Club Board of Directors. Testifies in support of SB 960 and the SB 960-1 amendments (**EXHIBIT I**). Reports he has met with Pat Hearn of the Government Standards and Practices Commission to discuss their concerns. States that the Government Standards and Practices Commission met last Friday and identified concerns with the proposed bill. States the SB 960-1 amendments are further modifications to the bill to accommodate those concerns. Mr. Hearn has been on vacation this week but based on their conversations, it is his impression the changes should be acceptable.
- 112 Sen. Minnis States that Hearn's concern was that "lobbying" did not include the Executive Branch. Asks if there is a reason it is not included in the SB 960-1 amendments.
- Bishop Responds they did not propose to expand the scope of the definition of "lobbying." Adds that Hearn did not communicate that as a concern following the commission meeting on Friday.

136 Sen. Minnis Comments he believes "Executive Branch" should be included in the definition.

Chair Harper Asks if they are still in disagreement about registration dates.

Bishop Responds affirmatively. Explains that they suggested that lobbyists registration not terminate; currently they terminate two years after the registration was made. Mr. Hearn and the commission objected to that because they were concerned outdated registrations would clutter their files and they wanted a two-year termination. The commission proposed that all registrations terminate on June 30 of even numbered years. The concern was that would be in the off-session years when nobody was probably going to pay attention to the registration. The Capitol Club countered with a proposal to terminate all registrations on December 31 of odd numbered years. Adds that would conform to the expenditure reporting requirements for both lobbyists and lobbying interests who have to make annual expenditure reports. Believes the December 31 termination with a grace period in the odd numbered years is an acceptable solution.

166 Sen. Brown **MOTION: Moves to ADOPT SB 960-1 amendments dated 4/19/01.**

167 **VOTE: 6-0**
EXCUSED: 1 - Courtney
 Chair Harper **Hearing no objection, declares the motion CARRIED.**

169 Sen. Brown **MOTION: Moves SB 960 to the floor with a DO PASS AS AMENDED recommendation.**

171 **VOTE: 6-0**
EXCUSED: 1 - Courtney
 Chair Harper **Hearing no objection, declares the motion CARRIED.**

SEN. BROWN will lead discussion on the floor.

SJR 41 – PUBLIC HEARING

224 Michelle Deister League of Oregon Cities. Reads prepared statement in opposition to SJR 41 (**EXHIBIT J**).

260 Chuck McLaran Mayor of Albany. Testifies in opposition to SJR 41:

- Economic impacts on City of Albany if bill into effect. General Fund is \$8,895,800 from property taxes. Police and Fire budgets total \$9,922,400. Franchise fees are the second largest income to the General Fund and are about \$2.4 million. Other programs are well constrained. Population of Albany is 40,852, about 14 percent are seniors over the age of 65. Everyone gets services of fire and police, parks and recreation facilities, and the library. They also use the Senior Center. If seniors in Albany were placed in the position of being exempt, the impact would be \$2.2 million to the city General Fund.
- About 54 percent of ambulance calls are Medicare patients. Federal changes will cause an estimated loss of 184,000. That loss will put more strain on General Fund dollars.
- The Senior Center provides recreation, crafts, meals for seniors in need, and transportation.

		<ul style="list-style-type: none"> Albany also has one-half of one community policing officer for seniors' in-home inspection for safety issues, and gives them classes on personal hazards and scam artists. There is already a senior property tax deferral in place and it is something that does help low-income seniors. Bill would devastate the budget of Albany and believes other cities could make the same type of statements.
415		Issues discussed:
425		<ul style="list-style-type: none"> Whether the bill has a residency requirement.
450		<ul style="list-style-type: none"> Whether an income test should be included in the bill. How witnesses feel such a ballot measure would do in Oregon. Why Albany does not go to a user-pay system.
460		
TAPE 63, B		
008	Rich Peppers	Service Employees, OPEU. Testifies in opposition to SJR 41. Concerns about proposal are: <ul style="list-style-type: none"> Revenue impact. No means test based on income. Fairness issues. Refundable income tax. Fair to expect that seniors also pay taxes for schools.
054	David Williams	Oregon School Employees Association. Testifies in opposition SJR 41: <ul style="list-style-type: none"> Is bad tax policy. Continues to shrink the tax base, shifting burden onto others. Is enormously expensive and could result in cutting services seniors rely on. Urges no vote on SJR 41.
083	Laurie Wimmer Whelan	Oregon Education Association. Submits and summarizes a prepared statement in opposition to SJR 41 (EXHIBIT K). Issues discussed: <ul style="list-style-type: none"> Reasonable level for means test. Whether existing property tax relief options are satisfactory Whether there are similar property tax advantages for single parents and Oregon families who are having a difficult time.
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232		
265	Jim Davis	Oregon State Council of Senior Citizens, United Seniors of Oregon, and Grey Panthers, testifies in opposition to SJR 41 and states his organizations would oppose a ballot measure (EXHIBIT L).
322	Bob Porter	Vice president, United Seniors of Oregon. Testifies in opposition to SJR 41: <ul style="list-style-type: none"> Is happy and privileged to pay his fair share as long as those who need the services are getting them.
		Issues discussed:
357		<ul style="list-style-type: none"> Whether polling has been done to see how seniors would vote on a ballot measure.
387	Gil Riddell	Association of Oregon Counties. Testifies in opposition to SJR 41 (EXHIBIT M). Issues discussed: <ul style="list-style-type: none"> Why not means test such a program.
470		
TAPE 64, B		

020	Hasina Squires	<p>Special Districts Association of Oregon. Comments she will be brief because many witnesses have already made the points they agree with. Testifies in opposition to SJR 41:</p> <ul style="list-style-type: none"> • Special districts typically are funded solely through property tax revenue; some special districts function on a fee-based service. • Fire districts would have to operate with less money unless they raise additional revenues. <p>Issues discussed:</p>
044		<ul style="list-style-type: none"> • Assessments in lieu of property taxes.
054		<ul style="list-style-type: none"> • Fees.
062		<ul style="list-style-type: none"> • Whether some special district fees are specified in statute.
078	Bill Sizemore	<p>Executive Director, Oregon Taxpayers United. Testifies in support of SJR 41:</p> <ul style="list-style-type: none"> • SJR 41 is phased in over five years. • Benefits are capped; a \$1 million house would not have all property taxes removed even if the person is above 65. • The maximum benefit is 150 percent of what the average tax is on a home in the same county.
099		<ul style="list-style-type: none"> • Polling number is extremely high; 70 percent support this proposal.
112		<ul style="list-style-type: none"> • Does not believe all services will be cut. • Does not benefit specific demographic of population. • Good public policy choice and goals are lofty. <p>Issues discussed:</p>
165		<ul style="list-style-type: none"> • Whether concept is that people have paid and should not have to continue to pay, or whether it is that they are not using services.
230		<ul style="list-style-type: none"> • Whether there are senior citizens that do not own property and will receive no benefit.
242		<ul style="list-style-type: none"> • How tax relief for renters would be calculated.
256		<ul style="list-style-type: none"> • Why proponents chose property tax relief rather than income tax relief.
284		<ul style="list-style-type: none"> • Polling method used on property tax issue. • Whether Oregon Taxpayers United has looked at property tax relief for low-income families with children.
355	Chair Harper Chair Harper	<p>Closes the public hearing on SJR 41. Thanks Senate Page Cory Larsen for his services to the committee and wishes him well in his endeavors in Alaska.</p>
362	Chair Harper	<p>Adjourns meeting at 4:53 p.m.</p>

Submitted By,

Reviewed By,

Annetta Mullins,
Committee Assistant

Craig Allen,
Committee Administrator

EXHIBIT SUMMARY

A - Redistricting, letter, Rodger Juntunen, 1 p

B - Redistricting, memo, Centennial Community Association, 1 p
C - Redistricting, e-mail and note, Greg Sackos, 2 pp
D - Redistricting, e-mail, Charlotte Kohl, 1 p
E - Redistricting, Proclamation, City of Hermiston, 1 p
F - Redistricting, Resolution, Umatilla County Board of Commissioners, 3 pp
G - NOT USED
H - SB 752, work group report, Fred Neal, 16 pp
I - SB 960, SB 960-1 amendments, Bruce Bishop, 1 p
J - SJR 41, prepared statement, Michelle Deister, 2 pp
K - SJR 41, prepared statement, Laurie Wimmer, 2 pp
L - SJR 41, prepared statement, Jim Davis, 1 p
M - SJR 41, prepared statement, Gil Riddell, 2 pp