

HOUSE COMMITTEE ON RULES, ELECTIONS, AND PUBLIC AFFAIRS

January 26, 1999 Hearing Room D

3:30 P.M. Tapes 3 - 4

MEMBERS PRESENT: Rep. Mark Simmons, Chair

Rep. Richard Devlin, Vice-Chair

Rep. Bruce Starr, Vice-Chair

Rep. Jason Atkinson

Rep. Chris Beck

Rep. Roger Beyer

Rep. Randall Edwards

Rep. Dan Gardener

Rep. Kevin Mannix

Rep. Kitty Piercy

Rep. Jim Welsh

Rep. Max Williams

MEMBER EXCUSED:

STAFF PRESENT: Cletus B. Moore, Jr., Administrator

Kevin E. Wells, Administrative Support

MEASURE/ISSUES HEARD: HB 2415 Public Hearing

HB 2269 Public Hearing and Work Session

TAPE/#	Speaker	Comments
TAPE 3, A		
002	Chair Simmons	Calls the meeting to order at 3:38 p.m.
<u>PUBLIC HEARING ON HB 2415</u>		
008	Chair Simmons	Opens Public hearing on HB 2415. Asks for staff summary on HB 2415.
011	Cletus Moore	Administrator. States that HB 2415 brings Oregon Revised Statutes (ORS) up-to-code with court's ruling on campaign finance laws.
013	Chair Simmons	Calls first witness, John DiLorenzo.
014	John DiLorenzo	Lawyer, Portland. Supports the measure. Applauds Speaker Snodgrass' efforts to take those portions of Measure 9 (1994) the Oregon Supreme Court rules unconstitutional off of the books. Reviews the Oregon Supreme Court's ruling on VanNatta v. Keisling concerning limits on campaign contributions. States that this measure brings ORS in line with the court's ruling.
044	Chair Simmons	Asks if the Supreme Court has plans to rule on campaign finance reform.
046	DiLorenzo	Provides more information on judicial rulings.
069	Rep. Beck	Asks if court threw out voluntary spending limits.
073	DiLorenzo	Answers that the court left those limits intact, which are tied to tax credits, and the prohibitions of personal use of campaign funds.
079	Rep. Beck	Inquires if those voluntary spending limits are going to be removed. Asks if any candidate voluntarily limited spending. Suggests that those provisions be removed as part of this bill. States that the current system works as a disincentive.
083	Chair Simmons	Asks staff to get the answer.
085	Rep. Edwards	Asks if this bill addresses the recent Supreme Court ruling on Colorado's campaign financing laws (the Buckley Decision).
099	DiLorenzo	Answers that HB 2415 does not address that ruling, it only repeals those measures ruled unconstitutional by the Oregon Supreme Court.

095	Chair Simmons	Thanks DiLorenzo for his testimony and calls J.L. Wilson to testify.
097	J.L. Wilson	Director of Legislation, Speaker's Office. Conveys the Speaker's support of the bill. States that the bill repeals those statutes ruled unconstitutional by the Oregon Supreme Court. States that the Speaker would like committee to support this bill as well as HB 2209, which will be referred to this committee in the next week or so. Requests that the two bills be worked on together.
135	Chair Simmons	Asks for further discussion. Closes public hearing on HB 2415.
<u>PUBLIC HEARING HB 2269</u>		
142	Chair Simmons	Opens Public Hearing on HB 2269. Asks for staff summary of bill.
150	Moore	HB 2269 re-instates <i>The Union</i> as the state motto, which appears on the State Seal.
155	Chair Simmons	Introduces Chet Orloff of the Oregon Historical Society.
160	Chet Orloff	Executive Director of the Oregon Historical Society (OHS). Offers history of current and proposed State mottoes. Explains the creation of the Oregon Territorial Motto, which translates as <i>She Flies with Her Own Wings</i> . States the motto reflected the independent nature of Oregonians. Explains the creation of the current seal with the phrase <i>The Union</i> in 1854. States that in 1957, for the centennial, the State Legislature officially adopted <i>The Union</i> as the State Motto. States that <i>She Flies with Her Own Wings</i> was adopted in 1987.
231	Orloff	Emphasizes that State mottoes are important, but ought not create division. States <i>She Flies with Her Own Wings</i> emphasizes independence. Notes <i>The Union</i> came at a time when it was important to be admitted as a Union or Secessionist state. Stresses <i>The Union</i> was a proud phrase for Oregonians of the time.
291	Rep. Mannix	Thanks Orloff for testimony. Emphasizes that 1857 that <i>The Union</i> was adopted over <i>She Flies with Her Own Wings</i> purposefully.
305	Orloff	Agrees that <i>The Union</i> was intentionally adopted by Oregon as part of joining the Union.
320	Rep. Mannix	Asks if the 1987 debate that characterized <i>The Union</i> as "antebellum factionalism" was a fair characterization.
332	Orloff	Indicates he does not consider support of <i>The Union</i> factionalist.
349	Rep. Piercy	Asks if pride of being a state occurred in a time of exclusionary laws.

356	Orloff	Replies in the affirmative.
371	Rep. Beck	Wants to explore the purpose of a motto. Asks what other state mottoes are and if they are suppose to show action.
392	Orloff	Answers that mottoes vary in length and style, but believes that simpler is better.
408	Rep. Piercy	Wants to know the costs associated with the proposed change.
438	Rep. Mannix	Emphasizes that <i>She Flies with Her Own Wings</i> does not need to be removed as it, too, is part of State history.
Tape 4, A		
034	Vice-Chair Devlin	Asks if <i>The Union</i> ties us to the historical context of Lincoln preserving the Union.
042	Orloff	Notes the strong connection between Lincoln and Oregon. Comments that issues of racism were common to all states at the time.
064	Chair Simmons	Asks for discussion of the mottoes with Orloff.
072	Rep. Piercy	States that she does not object to <i>The Union</i> per se but does not see it as an improvement. Emphasizes that <i>She Flies with Her Own Wings</i> is a strong and appropriate motto for Oregonians and that it will be a loss for Oregonians if the motto is changed.
091	Rep. Mannix	Shares background information. (EXHIBIT A) Explains that bill was filed for purposes of historic recognition. Reviews the historical context in which <i>The Union</i> was originally crafted; <i>The Union</i> was an evolution away from secessionist tendencies. Details how the motto was gradually accepted as the State Motto before official adoption in 1957. States that <i>The Union</i> is a guiding principle for Oregon.
146	Rep. Mannix	Sees <i>The Union</i> as a rejection of factionalism and a part of the history of the state.
154	Vice-Chair Devlin	Asks if 1987 records can be brought before committee if there is another public hearing.
162	Chair Simmons	Expresses inclination toward having a work session to allow free discussion of the issue, taking advantage of Orloff's presence. States that this is part of our heritage.

170	Rep. Edwards	Asks for the debate arguments of 1857.
178	Orloff	Explains that there was little debate over the mottoes; debate was over whether the state would be admitted as a free state or secessionist state. Comments that the seal, with <i>The Union</i> , was an advertisement of where Oregon stood in regard to the larger debate.
210	Rep. Williams	Asks what the ships on the seal represent.
211	Orloff	Explains one ship represents the British sailing out of Oregon in 1846. Explains the other, a Boston Schooner sailing into Oregon, represents the inward tide of immigration from the Continental U.S.
220	Rep. Williams	Emphasizes that a two word motto can be a powerful motto.
227	Rep. Beck	Agrees that a short motto is acceptable. Comments that Orloff is a great resource for the legislature. Supports the legislature appropriating more money for OHS.
253	Orloff	Emphasizes that he is not here to lobby, but to provide information. States that the society does not have a position on the issue.
265	Chair Simmons	Agrees that OHS does excellent work and appreciates it.
275	Rep. Piercy	Reviews Cecil Edwards testimony from 1987. (EXHIBIT B) Emphasizes that <i>She Flies with Her Own Wings</i> is a strong statement of the independent thinking Oregon and Oregonians have demonstrated over the years.
300	Rep. Atkinson	Supports OHS. Comments on the ships on the State Seal, particularly how the Boston schooner is flying a Union flag, showing the State's support of the Union.
313	Chair Simmons	Closes Public Hearing on HB 2269.
<u>WORK SESSION HB 2269</u>		
321	Chair Simmons	Opens work session on HB 2269.
328	Rep. Mannix	States that it is important to work united.
336	Rep. Mannix	MOTION: Moves HB 2269 to the floor with a DO PASS recommendation.
		VOTE: 8-4

		AYE: 8 - Atkinson, Beyer, Devlin, Mannix, Starr, Welsh, Williams, Simmons NAY: 4 - Beck, Edwards, Gardner, Piercy
356	Chair Simmons	The motion CARRIES. REP. MANNIX will lead discussion on the floor.
360	Chair Simmons	Closes meeting at 4:28 p.m.

Submitted By, Reviewed By,

Kevin E. Wells, Cletus B. Moore, Jr.,
Administrative Support Administrator

EXHIBIT SUMMARY

A ñ HB 2269, written testimony, Rep. Mannix, 1 p

B - HB 2269, notes from Cecil Edwardsí testimony 1987, Rep. Piercy, 2 pp