

HOUSE COMMITTEE ON RULES, ELECTIONS, AND PUBLIC AFFAIRS

February 18, 1999 Hearing Room D

3:30 P.M. Tapes 7 - 8

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 2441 Public Hearing

HB 2274 Public Hearing

SB 369 Public Hearing

SB 370 Public Hearing

TAPE/#	Speaker	Comments
TAPE 7, A		
003	Chair Simmons	Calls meeting to order at 3:30 p.m. Opens Public Hearing on HB 2441.
<u>PUBLIC HEARING HB 2441</u>		
018	Cletus Moore	Administrator. Summarizes HB 2441 and concomitant issues. Notes that the bill violates federal statutes.
034	Rep. Beyer	Asks if the bill can be amended to eliminate daylight savings time with the existing relating to clause.
038	Chair Simmons	Closes Public Hearing on HB 2441.
<u>PUBLIC HEARING HB 2274</u>		
040	Moore	Summarizes HB 2274, which sets a regular effective date for legislative Acts.
050	Philip Klatte	Attorney, Portland. Supports HB 2274. Notes that the time lags between effective dates for statutes and when they are published (EXHIBIT A).
100	Klatte	Suggests that it will simplify, for citizens, researching Oregon Revised Statutes. Comments on the need to make laws effective only after they have been "readily publishable." Argues that statutes should reflect current law and be easily accessible to the public.
150	Klatte	Discusses the issue of emergency clauses in legislative Acts.
161	Rep. Mannix	Comments on written testimony. Discusses the speed of publishing statutes. Asks if the prescribed date will be helpful to citizens, even if one does not know when the bill passed.
174	Klatte	States that it is an easy date to understand and communicate.
177	Rep. Mannix	Comments on the emergency clause and effective dates prescribed in any bill. Asks if a regular effective date would be helpful.
185	Klatte	Agrees that regular effective dates would be helpful.

191	Rep. Beck	Asks when Acts are typically effective. Asks about ramification of HB 2274, particularly if it will increase use of grandfather clauses.
207	Rep. Mannix	States that grandfather clauses are always a problem, but that it can be dealt with.
220	Klatte	Notes they are a problem today.
225	Vice-Chair Devlin	Discusses "sunset" clauses.
242	Rep. Mannix	Agrees with Rep. Devlin insight on sunset clauses. Comments on the issue. Notes that currently effective dates are "a moving target" and hard to plan for.
269	Rep. Beck	Expresses desire for more information on background issues and from leadership offices.
280	Rep. Piercy	Expresses that she wants to be briefed on the constitutionality of HB 2274.
288	Chair Simmons	Asks staff for additional information on constitutionality and other relevant issues.
300	Rep. Mannix	Notes that Greg Chaimov cleared HB 2274. States that there are no constitutional issues.
316	Rep. Beyer	Asks what happens if the constitutional effective date is after the proposed statutory date.
320	Rep. Mannix	States that the constitutional effective date will take priority.
330	Chair Simmons	States they will take more testimony next Thursday. Close Public Hearing HB 2274.
<u>PUBLIC HEARING SB 369</u>		
352	Chair Simmons	Opens Public Hearing on SB 369.
360	Colleen Sealock	Director, Elections Division. Summarizes and explains SB 369 (EXHIBIT B). States that the bill increases the aggregate threshold for reporting campaign contributions and expenditures.
390	Vicki Ervin	Represents, Oregon Association of County Clerks (OACC). Supports SB 369.
410	Vice-Chair Devlin	Asks what happens if a someone certifies that they will not exceed the threshold

		but does. Asks if an opponent would then be able to obtain disclosure documents.
TAPE 8, A		
005	Sealock	Replies in the affirmative and clarifies.
015	Chair Simmons	Closes Public Hearing SB 369.
<u>PUBLIC HEARING SB 370</u>		
018	Chair Simmons	Asks staff for summary of SB 370.
022	Moore	Summarizes provisions of SB 370. Provides background information including existing statutes, which are similar.
034	Sealock	Director, Elections Division. Explains the provisions of SB 370. Discusses importance of mandating requirement to provide one's date of birth for voter registration. Discusses provision to classify non-participating voters as "inactive." Notes that the provision operates within federal parameters. Explains voter signatures are currently subject to public record laws. States SB 370 would exempt these signatures from public record laws within specified parameters (EXHIBIT C) .
085	Rep. Piercy	Asks how registration can be re-activated.
091	Ervin	Explains the process for re-activating registration records. Notes that the process is currently in place. Reviews history of legislation (1997). Notes that SB 370 is a safeguard for vote by mail.
108	Rep. Williams	Asks how Washington County handles voter records.
110	Ervin	Explains that regulations are state wide.
114	Rep. Williams	Asks why two years period was selected.
116	Ervin	Explains that the period includes a primary and national election cycles.
122	Rep. Welsh	Asks if four years would be acceptable.
126	Ervin	States that developing tools is more important than specifics, so four years should be adequate and acceptable.

139	Vice-Chair Devlin	Asks her past experience with inactive files .
150	Ervin	Relates current processes and practices.
165	Rep. Gardener	Asks if a four year period would classify too many people as inactive.
169	Ervin	States that it would only effect those who do not vote, who are the people they want to move from the active files.
176	Rep. Beck	Asks if this is driven by the double majority issue. Discusses the need to keep files up to date. Comments on the ease of registering to vote.
190	Sealock	Agrees that there is concern with 50% turnout requirement for elections. Explains there are many reasons that people are inactive and there is a need for many tools to deal with voter records. Notes that SB 370 is an attempt to address legislators concerns with the accuracy of voter records.
220	Chair Simmons	Notes for the record that the League of Women Voters provided written testimony (EXHIBIT D). Adjourns meet 4:25.

Submitted By, Reviewed By,

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

EXHIBIT SUMMARY

A ñ HB 2274, written testimony, Philip Klatte, 11 pp.

B ñ SB 369, written testimony, Colleen Sealock, Elections Division, 1 p.

C ñ SB 370, written testimony, Colleen Sealock, Elections Division, 2 pp.

D ñ SB 370, written testimony, Kappy Eaton, League of Women Voters, 1 p.