

HOUSE COMMITTEE ON RULES, ELECTIONS, AND PUBLIC AFFAIRS

March 23, 1999 Hearing Room D

3:30 P.M. Tapes 24 - 25

MEMBERS PRESENT: Rep. Mark Simmons, Chair

Rep. Richard Devlin, 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: Rep. Bruce Starr, Vice-Chair

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

Kevin E. Wells, Administrative Support

MEASURE/ISSUES HEARD: Public Hearing and Work Session SJR 37

Public Hearing HJR11, HJR 14, HJR 22, & HJR 30

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 24, A		

002	Chair Simmons	Calls the meeting to order at 3:40 p.m.
<u>PUBLIC HEARING SJR 37</u>		
006	Sen. Nelson	District 29. Explains SJR 37 declares a Rural Communities Day. Notes that Oregon is a rural state. Discusses development of rural areas and the rest of the state.
035	Rep. Atkinson	Asks about the date.
037	Sen. Nelson	States that the date can be changed to a future date.
040	Rep. Atkinson	Asks if the commemorative date will include March 12, 2000.
042	Sen. Nelson	States it will not.
040	Rep. Williams	States that it is odd to take this up as a future date.
052	Sen. Nelson	Agrees that the situation is unusual.
056	Rep. Edwards	Suggests to pick a date in April or May.
062	Sen. Nelson	Explains that the resolution was passed for a visiting group.
068	Rep. Piercy	States that if the resolution has served its purpose it should not go forward.
073	Vice-Chair Devlin	States that if we pass it "as is" the whole process can be over quickly.
083	Sen. Nelson	Agrees that is the best strategy to move forward.
<u>WORK SESSION SJR 37</u>		
086	Rep. Williams:	MOTION: Moves SJR 37 be sent to the floor with a BE ADOPTED recommendation.
		VOTE: 9-0 EXCUSED: 3 - Mannix, Starr, Welsh

	Chair Simmons	Hearing no objection, declares the motion CARRIED. REP. SIMMONS will lead discussion on the floor.
100	Chair Simmons	Closes Work Session SJR 37.
<u>PUBLIC HEARING HJR 11, 14, 22, & 30</u>		
105	Cletus Moore	Administrator. Explains that all the resolutions modify term limits. Reviews history of term limits. Discusses similarities and differences between the resolutions.
148	Rep. JoAnn Bowman	District 19. Testifies in support of HJR 22 (EXHIBIT A). Explains that the resolution allows for 12 years of service in either or both chambers. Stresses Legislators' need for experience.
173	Rep. Ken Strobeck	District 6. Testifies in support of HJR 14. States the resolution is designed to make the legislature work more efficiently for the state.
225	Rep. Strobeck	Emphasizes that it takes time for Legislators to learn their job and become effective legislators. States the need for equity between the two chambers. Stresses that HJR 14 retains term limits. Suggest that the lifetime ban be lifted.
274	Rep. Edwards	Expresses concern over the retroactive provisions of these resolutions. Suggests that the public does not agree with these arguments, but that they are "in the Building" concepts. States that annual sessions may be a better approach.
305	Rep. Strobeck	Agrees that the resolutions should not be retroactive and should not apply to current members. Restates that HJR 14 is designed to serve the public better. States that annual sessions would not be acceptable to the public. Suggests that HJR 15 is a better solution.
345	Rep. Bowman	States that the public does understand the issue and benefits of refining the term limit provisions in the constitution. Agrees that the resolutions should not be self-serving for current members. Comments on Legislators' need for experience and history in order to be effective.
380	Rep. Strobeck	States that 6 years was the average length of service for state Legislators prior to term limits. Emphasizes that long-term Legislature members provide guidance and continuity to the body.
410	Rep. Edwards	States that annual session could be crafted so that people serve the same length of time as they do now. Explains that annual sessions provide continuity between sessions and allow for development of experience for legislators.

TAPE 25, A

016	Rep. Bowman	States that it will be difficult to pass an annual session bill, due to practical concerns of members.
032	Rep. Beck	States that HJR 30 was crafted to ensure the integrity of the system. Explains that current members would be subject to current term limits. Adds it eliminates the life time ban. Asks that the public be polled to see what they want. Suggest they consider repealing term limits.
057	Vice-Chair Devlin	Expresses concern that the public does not want to revisit the issue of term limits at this time.
075	Rep. Prozanski	District 40. States that his district does not support term limits. Stresses that their ability to choose representation has been compromised by term limits. Explains that term limits needs to be refined. Points out that prior to term limits there was considerable turn over of members.
117	Rep. Strobeck	States that the public is concerned about term limits and their effects.
127	Vice-Chair Devlin	Agrees that there are problems with current law. States that current members are not so unique that they cannot be replaced.
137	Rep. Prozanski	States that what is at issue is institutional memory, not the capabilities of individual members. Relates examples of institutional memory. States that continuity is good for developing public policy.
174	Rep. Piercy	Asks if it would be better to do this as a referral or as a ballot initiative. States that term limits do a disservice to the public's ability to choose representation. Asks for information on the vote for term limits.
189	Rep. Bowman	Explains that the Legislature has not been successful passing referrals. States that an initiative would be more effective, but that it is not likely to happen. Discusses how to handle the issue while respecting voters. States that voters understand the issues.
227	Rep. Strobeck	Points out that there has been recent success in passing referrals that fix voter passed initiatives. States that the referral must be presented as a way to improve what the voters passed. Comments that it would be impractical to move this issue as an initiative campaign.
263	Rep. Prozanski	Emphasizes that the Legislature needs to respect the fact that voters passed term limits law. Underscores that Legislators are only making the law work better. Describes existing problems.
300	Dan Estes	Legislative Aid, Rep. Kruse, District 45. Testifies, on behalf of Rep. Kruse, in support of HJR 11 (EXHIBIT B). Notes the need to find a compromise to make

		term limits work better while respecting the wishes of voters. States HJR 11 is a win-win compromise. Comments on the need for experience and institutional memory.
338	Paula Krane	President, League of Women Voters of Oregon (LWVOR). Opposes any form of term limits (EXHIBIT C). States that term limits reduce voters' ability to choose representation. Comments on HJR 11, 14, and 22. Supports HJR 30 as the best of the four resolutions.
403	Rep. Edwards	Asks about the language regarding term limits in "each statewide office" as opposed to "any statewide office."
410	Moore	Explains that the usage and meaning of "each" and "any."
415	Rep. Edwards	Asks if the use of "any" was a Legislative Counsel mistake or if it was intended.
419	Rep. Piercy	Asks staff if the use of "any" was intentional.
420	Moore	Responds that he will discuss the matter with Legislative Counsel.
TAPE 24, B		
005	Rep. Edwards	Asks if citizen legislatures should be subject to term limits. Asks if there is a philosophical difference between citizen legislatures and the more professional Congress.
014	Krane	Restates that "the ballot box is the best form of term limits."
017	Rep. Edwards	States that any length of term limits is arbitrary. Suggests that new members improve and add something to the Legislature.
036	Krane	Stresses that LWVOR does not support term limits as it reduces control of who voters can elect. States voters have the right to vote for people who represent them well.
048	Rep. Edwards	Asks for LWVOR's position on annual sessions as a possible solution.
049	Krane	States LWVOR does not have a position on annual sessions.
055	David Buchanan	Executive Director, Oregon Common Cause. Submits written testimony (EXHIBIT D). Discusses the need for campaign finance reform. Notes term limits have not addressed the problems they were intended to solve. Discusses the differences between executive office and legislature. States those two types of public office should be treated differently as regards term limits.

100	Rep. Piercy	Asks if this should be dealt with as an initiative or as a referral.
105	Buchanan	Agrees that it would work better as a grassroots movement. States it is not a grassroots movement. Suggests that current members should be held to current term limits. Emphasizes it has to be "simple and clear."
134	Rep. Edwards	Asks what evidence there is that term limits are not working.
151	Buchanan	Relates citizens' views, which suggests that term limits, as it is today, is not what voters intended when they voted for it.
170	Rep. Williams	Agrees that voters understand term limits and the law they passed. Adds that term limits disallows votes for the most qualified people to represent the voters. Suggests that term limits is disenfranchising for the public. Supports refining current law.
202	Chair Simmons	Comments on court opinions concerning term limits.
206	Rep. Edwards	States that benefits are reaped from term limits.
221	Buchanan	Explains that it may be best for the legislators to put the referral on the ballot and then let civic groups promote it.
237	Rep. Beck	States that term limits is one of the most important issues before the Legislature this session. Asks that they work on it expeditiously.
248	Chair Simmons	Agrees with Rep. Edwards that term limits has leveled the playing field. States the need to find a compromise allows term limits to function as intended by the public.
259	Vice-Chair Devlin	Questions whether the public would support any changes to term limits. Comments on the strength of committees in the Oregon Legislature.
275	Chair Simmons	Closes Public Hearing HJR 11, 14, 22, and 30. Adjourns meeting at 5:00 p.m.

Submitted By, Reviewed By,

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

EXHIBIT SUMMARY

A ñ HJR 22, written testimony, Rep. JoAnn Bowman, 1 p.

B ñ HJR 11, written testimony, Dan Estes, 1 p.

C ñ HJR 11, 14, 22, & 30, written testimony, Paula Krane, 1 p.

D ñ HJR 11, 14, 22 & 30, written testimony, David Buchanan, 2 pp.