

HOUSE COMMITTEE ON RULES, ELECTIONS, AND PUBLIC AFFAIRS

March 30, 1999 Hearing Room D

3:30 P.M. Tapes 26 - 27

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 Gardner

Rep. Kitty Piercy

Rep. Jim Welsh

Rep. Max Williams

MEMBER EXCUSED: Rep. Kevin Mannix

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

Kevin E. Wells, Administrative Support

MEASURE/ISSUES HEARD: HCR 5 Public Hearing and Work Session

HJM 8 Public Hearing and Work Session

HJR58 Public Hearing

HB 3340 Public Hearing

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.

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TAPE/#	Speaker	Comments
TAPE 26, A		
004	Chair Simmons	Opens meeting at 3:30 p.m. Opens Public Hearing HCR 5.
<u>PUBLIC HEARING HCR 5</u>		
010	Cletus Moore	Explains the ñ1 amendment to HCR 5 corrects statistical information.
013	Chair Simmons	Closes Public Hearing HCR 5. Opens Work Session HCR 5.
<u>WORK SESSION HCR 5</u>		
015	Rep. Starr	MOTION: Moves to ADOPT HCR 5-1 amendments dated 3/23/99.
		VOTE: 8-0 AYE: In a roll call vote, all members present vote Aye. EXCUSED: 4 - Beck, Edwards, Mannix, Williams
	Chair Simmons	The motion CARRIES.
019	Rep. STARR:	MOTION: Moves HCR 5 be sent to the floor with a BE ADOPTED AS AMENDED recommendation.
		VOTE: 8-0 AYE: In a roll call vote, all members present vote Aye. EXCUSED: 4 - Beck, Edwards, Mannix, Williams
	Chair Simmons	The motion CARRIES. REP. STROBECK will lead discussion on the floor.
026	Chair Simmons	Closes Work Session HCR 5. Opens Public Hearing HJR 58. Asks for a staff

		summary.
<u>PUBLIC HEARING HJR 58</u>		
030	Moore	Explains HJR 58 declares 1999 the year of law enforcement and safety.
037	Chair Simmons	Suspends Public Hearing HJR 58. Opens Public Hearing HJM 8.
<u>PUBLIC HEARING HJM 8</u>		
049	Moore	Explains HJM 8 urges Congress and the President to conduct a fair and accurate decennial census. Reviews associated issues.
070	Rep. Jackie Winters	District 31. Testifies in support of the ñ1 amendment to HJM 8. Explains the amendment directs that members of hard to count communities be hired to conduct the census.
086	Deven Lyons	Speakerís Office. Testifies on behalf of Speaker Snodgrass in support of HJM 8. Discusses the issue of statistical sampling in the census.
099	Vice-Chair Devlin	Asks what other states are considering similar resolutions.
103	Lyons	Reviews similar legislation in other state legislatures.
107	Vice-Chair Devlin	Discusses re-apportionment. Asks if there is a clear issue of one person, one vote at stake in this instance.
112	Rep. Winters	States that there is a clear issue of one-person, one vote, especially among the minority communities. Explains that the ñ1 amendments will provide staff and resources for ensuring that hard to count communities are accurately counted.
127	Vice-Chair Devlin	Asks if statistical methods of counting are more accurate for counting hard to reach communities.
134	Lyons	States that the ñ1 amendment encourages Congress to look at just that issue. Adds that the amendment suggests possible solutions.
148	Rep. Piercy	Asks for a review of the Supreme Court decision of January 25, 1999.
154	Lyons	Reviews the cases on which the Supreme Court recently ruled.
165	Chair Simmons	Closes Public Hearing HJM 8. Opens Work Session HJM 8.

WORK SESSION HJM 8

170	Rep. BYER	MOTION: Moves to ADOPT HJM 8-1 amendments dated 3/30/99.
		VOTE: 9-0 AYE: In a roll call vote, all members present vote Aye. EXCUSED: 3 - Beck, Edwards, Mannix
	Chair Simmons	The motion CARRIES.
177	Rep. BYER:	MOTION: Moves HJM 8 be sent to the floor with a BE ADOPTED AS AMENDED recommendation.
		VOTE: 9-0 AYE: In a roll call vote, all members present vote Aye. EXCUSED: 3 - Beck, Edwards, Mannix
	Chair Simmons	The motion CARRIES. REP. WINTERS will lead discussion on the floor.
180	Vice-Chair Devlin	States that it may be better to pursue the issue in another manner, but that the ensuing court battles might not be worth it.
192	Chair Simmons	Closes Work Session HJM 8. Reopens Public Hearing 58.
<u>PUBLIC HEARIN HJR 58</u>		
200	Rep. Julie Gianella	District 38. Testifies in support of HJR 58 (EXHIBIT A). Explains the resolution supports law enforcement and public safety workers for their service to Oregon.
217	Rep. Atkinson	Thanks Rep. Gianella for the resolution and her tenacity on the issue.

221	Rep. Welsh	States that the Legislature has supported law enforcement whether or not they have received the budget they wanted. Support HJR 58.
239	Mary Botkin	American Federation of State, County and Municipal Employees. Supports HJR 58. Discusses the importance of supporting the men and women of law enforcement. Introduces Margaret Hughes.
280	Margaret Hughes	Oregon's Women's Correctional Facility. Discusses the essential and difficult work of law enforcement and public safety employees.
298	Chair Simmons	Expresses support for the work of law enforcement and public safety employees.
305	Rep. Welsh	Thanks the witnesses for their work. States that all members should be given the opportunity to sponsor the bill.
318	Diane Holm	Legislative Assistant, Rep. Karen Minnis, District 20. States the Rep. Minnis' support for HJR 58.
330	Rep. Welsh	Asks how members can sign on to the resolution.
333	Moore	Explains the process.
340	Vice-Chair Starr	Comments that all new sponsors are posted on the Internet as soon as they are added, rather than having to wait for the next printing
345	Rep. Atkinson	Suggests an amendment.
365	Chair Simmons	Asks if Rep. Gianella would like to add some declarative statements.
375	Rep. Gianella	Agrees to request an appropriate amendment.
380	Chair Simmons	Closes Public Hearing HJR 58. Opens Public Hearing HB 3340.
<u>PUBLIC HEARING HB 3340</u>		
400	Moore	Explains HB 3340. Discusses regulations regarding voting rights of convicted felons. Describes Sheridan Federal Prison in Yamhill County.
425	Rep. Julie Gianella	District 38. Testifies in support of HB 3340 (EXHIBIT B). Discusses voting rights of federal prisoners. Explains HB 3340.
TAPE 27, A		

017	Charles Stern	Yamhill County Clerk. Supports HB 3340. States that the bill closes a legal loophole in federal statute. Discusses related issues. Explains the ñ1 amendment allows other counties to remove those incarcerated at the Sheridan Federal Correctional Institution from their voter registration records.
050	Rep. Gardner	Asks how many inmates at the prison are registered to vote.
052	Stern	States that there are currently 3 people registered to vote, but the potential for a problem exists under current regulations.
060	Rep. Beyer	Asks if it would be more appropriate to make HB 3340 more generic, rather than applying only to Sheridan.
063	Stern	States that it would be appropriate to craft such amendments.
067	Moore	Asks about the intent of the ñ1 amendment to HB 3340.
073	Stern	Explains the amendment in detail, noting that it allows other counties to remove registered voters who are incarcerated at Sheridan from their voter registration records.
087	Vice-Chair Devlin	Notes that there is a federal holding facility in Portland.
093	Stern	Explains at that the facility in Portland is for short-term use only.
097	Rep. Williams	States that while amendments are needed, the committee needs to act quickly on HB 3340, now that they have raised the issue.
102	Chair Simmons	States that the suggested amendments will be drafted and brought before the committee. Closes Public Hearing HB 3340. Adjourns the meeting at 4:15 p.m.

Submitted By, Reviewed By,

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

EXHIBIT SUMMARY

A ñ HJR 58, written testimony, Rep. Julie Gianella, 1 p.

B ñ HB 3340, written testimony, Rep. Julie Gianella, 1 p.