

HOUSE COMMITTEE ON RULES, ELECTIONS, AND PUBLIC AFFAIRS

May 11, 1999 Hearing Room D

3:30 P.M. Tapes 57 - 61

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. 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: SB 568 Public Hearing and Work Session

SB 558 Public Hearing

SB 806 Public Hearing and Work Session

HB 2776 Public Hearing and Work Session

HB 3252 Public Hearing and Work Session

HB 3285 Public Hearing and Work Session

SB 368A Public Hearing and Work Session

HB 3516 Public Hearing and Work Session

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 57, A		
002	Chair Simmons	Calls the meeting to order at 3:30 p.m. Opens Public Hearing SB 568. Asks for staff summary.
<u>SB 568 PUBLIC HEARING</u>		
006	Cletus Moore	Administrator. Explains SB 568 expands membership of the Capitol Foundation Board.
008	Sen. Verne Duncan	District 12. Testifies in support of SB 568. Reviews the history of the Capitol Foundation and why the board needs to be expanded.
032	Chair Simmons	Asks what the board has done so far.
033	Sen. Duncan	Explains the board is not yet operational.
034	Rep. Beyer	Asks why the board has not been functional and how will SB 568 make it functional.
037	Dave Henderson	Explains what the Capitol Foundation has done so far (recruitment) and how they are proceeding.
043	Rep. Beyer	Asks what the Capitol Foundation will do if the board is expanded.
046	Sen. Duncan	Explains that it would raise fund and contribute to the upkeep of the capitol.
052	Henderson	Explains that the board would oversee capital improvements to the building and supporting celebrations (for which the Legislature currently does not have a funding mechanism).
056	Rep. Beyer	Asks if the board will spend more money in an effort to raise money.
060	Henderson	Explains the details of expanding the board. Adds it will not have a large fiscal impact.

067	Sen. Duncan	Explains that several high profile individuals (e.g. Sen. Mark Hatfield) want to be involved and that is why SB 568 was proposed.
069	Rep. Beyer	Asks if the board will need to be expanded in the next couple of years.
075	Sen. Duncan	States that the Capitol Foundation will move forward.
102	Chair Simmons	Closes Public Hearing SB 568. Opens Work Session SB 568.
<u>SB 568 WORK SESSION</u>		
105	Rep. Devlin	MOTION: Moves SB 568 to the floor with a DO PASS recommendation.
108	Rep. Beyer	States he will vote no.
111		VOTE: 10-1 AYE: 10 - Atkinson, Beck, Devlin, Gardner, Mannix, Piercy, Starr, Welsh, Williams, Simmons NAY: 1 - Beyer EXCUSED: 1 - Edwards
	Chair Simmons	The motion CARRIES. REP. ATKINSON will lead discussion on the floor.
120	Chair Simmons	Closes Work Session SB 568. Opens Public Hearing SB 558. Notes letters submitted to committee (EXHIBITS A, B, C, & D).
<u>SB 558 PUBLIC HEARING</u>		
143	Lt. Ethan Wilson	Oregon State Police (OSP). Opposes SB 558 (EXHIBIT E). States the increased speed limit will result in increased incidents of fatal accidents. Adds that OSP supports the current speed limit. Discusses the results of vehicles moving at higher speeds. States OSP does not have the resources to cope with an increased speed limit.
199	Vice-Chair Starr	Asks about slow drivers using passing lanes and the hazard that creates.

206	Wilson	States that a driver driving the speed limit does not create a driving hazard. Adds that people exceeding the speed limit and their resulting behavior creates unsafe driving conditions.
219	Vice-Chair Starr	Asks about "road rage" and drivers frustrated by slow drivers.
227	Wilson	Discusses aggressive driving, noting that it has existed for a very long time. Explains that aggressive driving is not caused by people needing to get somewhere faster, but that they want to get there faster.
243	Vice-Chair Devlin	Asks if Wilson has been involved in traffic investigation. Asks how long it would take an 80,000-pound vehicle to stop at 70 miles per hour (MPH). Notes that many in the trucking industry oppose increasing the speed limit, because it will increase fuel costs.
259	Wilson	Replies that he does not have that information, but points out that information is in EXHIBIT E .
266	Vice-Chair Devlin	Asks if the length required to stop increases on wet roadways.
268	Wilson	Replies that is correct.
269	Vice-Chair Devlin	Asks if any rural highways are non-separated highways.
272	Wilson	Indicates that all rural highways are separated by at least a guardrail.
273	Vice-Chair Devlin	Asks if drivers who speed today will increase their driving speed as the speed limit increases; will speeders continue to speed.
281	Wilson	Suggests that a percentage of drivers will continue to exceed the speed limit by several MPH.
290	Rep. Edwards	Asks when the speed limit was increased from 55 MPH to 65 MPH.
296	Wilson	Replies that he is not sure, but estimates 1987.
300	Rep. Edwards	Asks if OSP opposed that speed limit increase.
301	Wilson	Replies that he does not know.
304	Rep. Edwards	Asks if highways were designed for higher speeds.

306	Wilson	Replies that he does not have the qualifications to answer.
313	Rep. Edwards	Suggests that highways were designed to accommodate higher speeds.
318	Wilson	Replies that highways may have been designed for higher speeds, but the traffic counts have changed, which skews the formula.
330	Rep. Beyer	Asks about methods of determining stopping distances.
336	Wilson	Indicates that the information provided was calculated by another organization and he does not know their methods.
352	Rep. Beyer	Expresses questions about the data in EXHIBIT E .
360	Wilson	Explains that crash severity increases with the square of the speed.
368	Chair Simmons	Asks if OSP has considered that their budget is being increased to provide for more troopers on highways.
383	Wilson	Replies that the increase in personnel was considered. Explains why that workforce increase is insufficient to deal with an increased speed limit. Discusses the proposed budget.
404	Chair Simmons	Asks if OSP has a policy to oppose to any increase in the speed limit
406	Wilson	Answers yes.
410	Rep. Piercy	Asks if driving at 75 MPH is considerably more dangerous than 65 MPH.
419	Wilson	Replies yes.
TAPE 58, A		
002	Rep. Piercy	Asks about the level of "supervision" on the highways and if it is sufficient. Asks if the same drivers that exceed the speed limit today will continue to speed given supervision levels.
008	Wilson	Replies that OSP anticipates that current speeders will exceed 75 MPH.
012	Rep. Piercy	Suggests that regardless of the speed limit, some people will always exceed the speed limit by 10 to 15 MPH unless monitoring improves.

016	Wilson	Agrees with Rep. Piercy.
018	Chair Simmons	Asks if Idaho has superior highway enforcement to Oregon.
025	Wilson	Replies that he does not know Idaho's circumstances.
030	Vice-Chair Starr	Asks if highways can be engineered to accommodate travel at 75 MPH.
035	Wilson	Indicates that the highways can be engineered for higher speeds, but driver behavior is the issue.
043	Vice-Chair Starr	Asks if ODOT has the engineering capability to study these issues.
046	Wilson	Answers that ODOT can do studies to see if a 75 MPH speed limit is safe, but he cannot comment on what their other capabilities are.
050	Vice-Chair Starr	Recesses Public Hearing SB 558. Opens Public Hearing SB 806. Asks for staff summary.
<u>SB 806 PUBLIC HEARING</u>		
053	Moore	Explains SB 806 modifies regulations relating to initiative petitions.
054	Sen. Randy Miller	District 13. Testifies in support of SB 806. Reviews the Buckley decision. Discusses the history of the issues SB 806 addresses, namely contribution and expenditure reporting of amounts paid to petition circulators. Reviews other requirements regarding petition circulators.
100	Sen. Miller	States that SB 806 repeals regulations that are unenforceable under the Buckley decision. Stresses that the U.S. Supreme Court requires the changes proposed in SB 806.
121	Rep. Piercy	Asks if it can be reported that a petition circulator is paid.
125	Sen. Miller	Answers that the Supreme Court has not ruled on that issue.
131	Rep. Piercy	Explains that the requirement provides useful public information, even if it is not enforceable.
145	Sen. Miller	Discusses reporting requirements that remain enforceable.
150	Rep. Edwards	Asks what the intent was regarding the requirement that petition circulators make

		it known to petition signers that they are paid.
157	Sen. Miller	Replies that that debate occurred in the late 1980s.
163	Rep. Edwards	Asks what the policy discussion was and has the policy been effective.
170	Sen. Miller	Suggests that the policy is irrelevant. States that Oregonians vote on initiatives regardless of who collects signatures.
189	Rep. Edwards	Asks if deletion of that provision is a result of Legislative Counsel (LC) applying the Supreme Court's Buckley decision.
191	Sen. Miller	Answers yes.
193	Rep. Piercy	States that SB 806 retains a provision that allows for notification that some petition circulators are paid.
201	Vice-Chair Starr	Referring to Secretary of State's letter (EXHIBIT F), relates a proposed amendment to set an age requirement.
206	Sen. Miller	Replies that he does not particularly support the concept.
215	Rep. Williams	Asks if a separate bill containing the age requirement would be opposed in the Senate.
221	Sen. Miller	Answers that he does not know how much support such a measure would have on the Senate floor.
230	Vice-Chair Starr	Closes Public Hearing SB 806. Opens Work Session SB 806.
<u>SB 806 WORK SESSION</u>		
234	Rep. Beyer	MOTION: Moves SB 806 to the floor with a DO PASS recommendation.
236	Rep. Piercy	Asks to hear from LC on why the requirement to indicate that an individual petition circulator is paid has been deleted.
240	Ted Reutlinger	LC. Explains that the Buckley decision struck down requirements to report individual records of paid circulators. States that decision guided the drafting of SB 806.

278		VOTE: 1-1
295	Vice-Chair Starr	Recesses Work Session SB 806 and the meeting.
TAPE 59, A		
001	Chair Simmons	Re-opens Work Session SB 806.
005		VOTE: 11-0 AYE: In a roll call vote, all members present vote Aye. EXCUSED: 1 - Edwards
	Chair Simmons	The motion CARRIES. REP. DEVLIN will lead discussion on the floor.
018	Chair Simmons	Closes Work Session SB 806. Opens Pubic Hearing HB 2776. Asks for staff summary.
<u>HB 2776 WORK SESSION</u>		
029	Moore	Reviews the -1, -2 and -3 amendments for HB 2776.
039	Rep. Welsh	Asks who brought the amendments.
043	Rep. Mannix	States he brought the -2 and -3 amendments to the committee.
046	Rep. Mannix	MOTION: Moves to ADOPT HB 2776-3 amendments dated 5/10/99.
048	Rep. Mannix	Explains the ñ3 amendment (EXHIBIT G) reduces delays in petition circulation while ballot titles are reviewed. Discusses the ñ2 amendment and the Secretary of State's opposition. Adds that ñ3 amendment addresses the problems people had with the ñ2 amendment.
088	Rep. Beyer	Asks if signature gatherers have to wait until all litigation concerning a ballot title is resolved to gather signatures.

091	Rep. Mannix	States that is correct.
092	Rep. Beyer	States he does not support ñ3 or the original bill. Explains that litigation should be finalized before a petition is circulated so that people know what they are supporting.
097	Rep. Beck	Asks how HB 2776 with the ñ3 amendment works; offers an example.
105	Rep. Mannix	States Rep. Beck's example is correct. Discusses how the Supreme Court typically changes petitions. Stresses the ñ3 amendment improves the initiative process for everyone.
122	Rep. Williams	Asks to hear from LC on the ramifications of the ñ3 amendment.
132	Reutlinger	States that ñ3 amendment does not present any legal issues. Discusses the process of legal review of ballot titles. States that the problem is that various petitions circulate in different stages of review.
144	Rep. Mannix	Asks if the ñ3 amendment requires that a petition circulates with either the Supreme Court approved title or the Attorney General certified title.
147	Reutlinger	Replies that Rep. Mannix is correct. Clarifies that the problem is that different petitions circulate while at different steps in the process.
159	Chair Simmons	Asks if this will lead to litigation.
161	Reutlinger	Replies that it should not lead to litigation. Discusses the issue.
171	Rep. Williams	States satisfaction with the ñ3 amendment. Discusses the risks of circulating petitions while under review. Supports adoption of the ñ3 amendment.
193	Chair Simmons	Explains that the ñ3 amendment will make it easier to gather signatures.
197	Rep. Mannix	Suggests that HB 2776 with ñ3 will reduce litigation aimed at preventing the petition circulators from gathering signatures.
203	Chair Simmons	Expresses personal concerns that the initiative process should not be sped up; supports litigation to keep some measures from circulating.
213	Rep. Mannix	States that overall the Legislature is making process on improving the initiative process.
219	Rep. Williams	Explains the purpose of HB 2776; to review initiatives before they are placed on

		the ballot in order to increase quality of initiatives. States that HB 2776 will need to be referred to Ways and Means.
247	Chair Simmons	Asks if the amendments have been submitted to Legislative Fiscal Office.
250	Rep. Williams	Discusses the fiscal impact statement of the original bill.
261	Rep. Beck	Suggests that HB 2776 be used to deal with constitutional issues. Proposes possible amendments.
280	Rep. Williams	Asks that Rep. Beck move the proposed amendments in another bill.
282	Rep. Beck	Continues to discuss proposed amendments.
295	Vice-Chair Devlin	Explains that granting one group of individuals greater rights based on voluntary compliance with unconstitutional regulations and requirements is problematic.
310	Rep. Beck	States that compliance is a choice the petition circulators make.
312	Rep. Mannix	Reminds the committee that there is a motion to adopt the ñ3 amendments.
315	Vice-Chair Devlin	Offers an analogy to point out problems with Rep. Beckís proposal.
329	Chair Simmons	Offers Rep. Mannix the opportunity to lobby the committee for support of the ñ3 amendment.
333	Rep. Mannix	Declines to withdraw the motion; wants the committee to vote.
345		VOTE: 8-3 AYE: 8 - Atkinson, Beck, Devlin, Gardner, Mannix, Piercy, Starr, Williams NAY: 3 - Beyer, Welsh, Simmons EXCUSED: 1 - Edwards
353	Chair Simmons	The motion CARRIES.
355	Rep. Mannix	MOTION: Moves HB 2776 to the floor with a DO PASS AS AMENDED recommendation and BE REFERRED to the committee on Ways and Means.

360	Vice-Chair Devlin	Asks that HB 2776 be sent to the House Committee on Ways and Means with a revised fiscal impact statement.
369	Rep. Welsh	MOTION: Moves HB 2776 to the floor WITHOUT RECOMMENDATION as to passage and BE REFERRED to the committee on Ways and Means.
376	Rep. Williams	Opposes the motion to send HB 2776 to Ways and Means without recommendation.
		VOTE: 4-7 AYE: 4 - Atkinson, Beyer, Welsh, Simmons NAY: 7 - Beck, Devlin, Gardner, Mannix, Piercy, Starr, Williams EXCUSED: 1 - Edwards
Chair Simmons		The motion FAILS.
400	Chair Simmons	Calls for a roll call vote on the motion to send HB 2776 to Ways and Means with a do pass as amended recommendation.
402		VOTE: 9-2 AYE: 9 - Atkinson, Beck, Devlin, Gardner, Mannix, Piercy, Starr, Williams, Simmons NAY: 2 Beyer -, Welsh EXCUSED: 1 - Edwards
Chair Simmons		The motion CARRIES.
416	Chair Simmons	Closes Work Session HB 2776. Re-opens Public Hearing SB 558.
<u>SB 558 PUBLIC HEARING</u>		
TAPE 60, A		
004	Ed Fischer	State Traffic Engineer. ODOT. Explains the changes made by SB 558 (EXHIBIT H) . Discusses safety issues.

033	Rep. Welsh	Asks if ODOT is officially neutral on SB 558.
034	Fischer	States that is correct.
035	Rep. Welsh	Asks if Washington and California have 70 MPH speed limits.
036	Fischer	Replies that is correct.
037	Rep. Welsh	Asks what Idaho's speed limit is.
038	Fischer	States Idaho's speed limit is 75 MPH.
040	Troy Costales	Manager of Transportation Safety Division, ODOT. Discusses emergency response times and its importance. Notes that there is little public support of increasing the speed limit (EXHIBIT I). Points out that increased speed on highways affect connecting roads. Adds that 85% of the driving public drive 71 MPH or slower.
083	Chair Simmons	Comments on factors other than speed that relates to driving safety. Asks if the public opinion poll was scientific and what was the margin of error.
093	Costales	Explains the survey has a $\pm 3\%$ margin of error and is statistically significant for the entire state.
096	Rep. Atkinson	Asks what the sample size was for the survey.
098	Costales	Answers the sample was 4,000 individuals.
100	Rep. Atkinson	Asks if the respondents were distributed through out the state.
101	Costales	Explains that the distribution was designed to be statistically valid for the entire state.
102	Rep. Atkinson	Asks what the response was in region 3 and 4 for those under the age of 65.
103	Costales	Offers to provide that information.
104	Rep. Atkinson	Asks if there is corresponding data that respondents drive.
106	Costales	Explains that participation in the survey required that respondents drive and have a valid driver's license.

108	Rep. Atkinson	Asks who did the survey.
109	Costales	States that Intercept Research Corporation conducts a survey on multiple safety issues for ODOT every May and June.
111	Rep. Atkinson	Asks what other questions were on the survey.
112	Costales	Explains what other questions were on the survey.
119	Rep. Atkinson	Expresses desire to see the data and survey. Asks if region 4 is Central Oregon.
123	Costales	Explains what area is encompassed by region 4.
127	Rep. Atkinson	Asks what the results were in Eastern Oregon.
130	Costales	Responds that he will provide that data.
134	Chair Simmons	Asks to see the data.
137	Rep. Atkinson	Comments on the emergency response needs of rural Oregon. Asks if there is a difference between response times by ambulances and helicopters.
166	Costales	Explains that his data does not consider mode of transportation, just the time elapsed before a patient from an accident scene arrives at a medical facility.
174	Chair Simmons	Asks for a comment on the previous posted speed limit of 75 MPH.
177	Fischer	Explains ODOT designs were for 70 MPH highways. Notes exceptions to that general design rule.
186	Rep. Williams	Asks if SB 558 allows for lower speed limits if ODOT believes the roadway would not support 75 MPH.
190	Costales	States that is correct.
193	Grant Higginson	State Health Officer, Health Division. Opposes SB 558. Explains that with increased speed limits deaths increase. Reviews statistics concerning traffic related deaths.
230	Rep. Atkinson	Asks if cars are safer today or are there as many accidents today as in years past.

242	Higginson	Replies that he will have to research the question. Acknowledges that cars are safer today, but those improvements do not mean that crashes at higher speeds are less dangerous.
253	Rep. Atkinson	States that the auto industry has responded to societal pressure to provide safer cars. Suggests that the debate will continue until policy catches up with the wishes of citizens.
261	Vice-Chair Devlin	Asks a question about statistics on accidents.
272	Higginson	Replies that he has to look up that information. Comments on the exponential increase of energy as vehicle speed increases.
284	Vice-Chair Devlin	Reviews statistics related to driving speeds.
295	Vice-Chair Starr	Asks what is the role personal responsibility plays in this discussion.
302	Higginson	Explains that people need to drive responsibly for the road and weather conditions. Adds that people exceed reasonable driving speeds.
317	Chair Simmons	Notes that people are driving these speeds already. Suggests that current speed limits foster disrespect of the law. Notes that increased speed limits work in other states. Asks what data Higginson uses to assert that an increased speed limit is more dangerous.
346	Higginson	Explains where the data is from and how the analysis was carried out. Interprets the data.
362	Chair Simmons	Asks Higginson to comment on the fact that people already drive at these increased speeds.
265	Higginson	Notes that when he drives 69 mph he is passed by other drivers.
393	Costales	Relates that Dr. Tongue is almost here; asks that the public hearing be extended until he can testify.
TAPE 59, B		
014	Chair Simmons	Recesses Public Hearing SB 558. Opens Public Hearing HB 3252.
<u>HB 3252 PUBLIC HEARING</u>		
015	Rep. Gardner	Reviews 3252 and the ñ2 amendment (EXHIBIT I), which sets age and

		citizenship requirements for signature gatherers.
024	Rep. Williams	Asks why the citizenship requirement was changed from state citizenship to U.S. citizenship.
026	Rep. Gardner	Explains LC recommended this language.
030	Rep. Atkinson	Asks how many people under 18 circulate petitions.
032	Rep. Gardner	Replies that he is not aware of anyone under 18 gathering signatures. Explains the need for the provision.
038	Chair Simmons	Closes Public Hearing HB 3252. Opens Work Session HB 3252.
<u>HB 3252 WORK SESSION</u>		
040	Rep. Williams	MOTION: Moves to ADOPT HB 3252-2 amendments dated 4/29/99.
		VOTE: 7-0 EXCUSED: 5 - Beyer, Edwards, Mannix, Starr, Welsh
	Chair Simmons	Hearing no objection, declares the motion CARRIED.
042	Rep. Gardner	MOTION: Moves HB 3252 to the floor with a DO PASS AS AMENDED recommendation.
		VOTE: 7-0 EXCUSED: 5 - Beyer, Edwards, Mannix, Starr, Welsh
	Chair Simmons	Hearing no objection, declares the motion CARRIED. REP. GARDNER will lead discussion on the floor.
052	Chair Simmons	Closes Work Session HB 3252. Opens Public Hearing HB 3285. Asks for staff summary.

HB 3285 PUBLIC HEARING

054	Moore	Notes the ñ9 amendment (EXHIBIT J). Reviews ñ10 amendment (EXHIBIT K) to HB 3285.
058	Rep. Williams	Asks if HB 3285 will move today.
059	Chair Simmons	Explains the ñ10 amendment and that it should move today.
062	Rep. Williams	Asks if there is a revised fiscal impact statement.
063	Moore	Explains that a revised analysis will need to be done, but the amendments were submitted too late to get the information today.
067	Vice-Chair Devlin	Discusses the ñ10 amendment and funding for the task force
070	Chair Simmons	Discusses staffing of the interim task force.
073	Rep. Gardner	Asks if the fiscal impact will be under \$50,000.
085	Vice-Chair Devlin	Suggests that the ñ10 be adopted and work on the bill later.
091	Rep. Williams	Supports the ñ10 amendment.
101	Rep. Beck	Comments on interim task forces and committees. Expresses opposition to HB 3285. Supports adoption of ñ10 amendment as they significantly weaken the bill.
112	Chair Simmons	Close Public Hearing HB 3285. Opens Work Session HB 3285.

HB 3285 WORK SESSION

119	Rep. Devlin	MOTION: Moves to ADOPT HB 3285-10 amendments dated 5/11/99.
122	Rep. Piercy	States opposition to HB 3285 and all the amendments.
125	Vice-Chair Devlin	Supports the ñ10 amendments to HB 3285 because it removes the most onerous portions of the bill.
127	Rep. Gardner	Agrees with Vice-Chair Devlin.

		VOTE: 10-0 EXCUSED: 2 - Edwards, Starr
	Chair Simmons	Hearing no objection, declares the motion CARRIED.
132	Chair Simmons	Close Work Session HB 3285. Opens Work Session SB 368A.
<u>SB 368A WORK SESSION</u>		
136	Rep. Welsh	MOTION: Moves to ADOPT SB 368A-6 amendments dated 5/5/99.
146	Moore	Explains the ñ6 amendment (EXHIBIT L) modifies requirements for preparing and publishing the State Votersí Pamphlet.
149	Chair Simmons	Asks if Elections Division supports the amendment.
150	Sealock	Answers yes.
153	Chair Simmons	Reviews the motions.
155		VOTE: 10-0 EXCUSED: 2 - Edwards, Starr
158	Chair Simmons	Hearing no objection, declares the motion CARRIED.
170	Matthew Donohue	Coalition for Initiative Rights and Pacific Green Party. Opposes SB 368A (EXHIBIT M). Discusses the increased cost to submit arguments to the State Votersí Pamphlet. Explains the need to publish the diverse opinions of Oregonians.
215	Donahue	Discusses the costs of political campaigns. Restates concern about increased cost to file arguments in State Votersí Pamphlet. Suggests an amendment to SB 368A to eliminate fee increases.
247	Chair Simmons	Asks Donahue if he is aware that the changes in SB 368A were adopted originally in 1993.

248	Donahue	Replies that he is aware of the history of the legislation; has always opposed the provisions.
263	Rep. Piercy	States that fees do not cover the cost of publishing the State Votersí Pamphlet.
272	Donahue	Stresses that the State Votersí Pamphlet is the main resource for voters to get information on candidates and measures. Emphasizes that the State Votersí Pamphlet is necessary for the stateís democracy.
301	Chair Simmons	Points out that increased fees do not eliminate the state subsidy of the State Votersí Pamphlet.
305	Fillard Rhyne	Opposes SB 368A. Discusses the proposal to raise the number of signatures required to waive the fee to file arguments in the State Votersí Pamphlet. States that 1,000 signatures shows broad public support for an argument.
321	Rep. Mannix	Asks if it would be acceptable to change the number of signatures required, by SB 368A, to file an argument. Explains that the changes in the bill cheapen the value of citizensí signature. Asks Rhyne if 1,000 signatures is acceptable for the requirement.
341	Rhyne	Answers 1,000 signatures is better than 2,500.
359	Rep. Welsh	MOTION: Moves to ADOPT SB 368A-7 amendments dated 5/6/99.
367	Moore	Explains the ñ7 amendment (EXHIBIT N) provides an option for certain local election information to be published in the State Votersí Pamphlet.
373	Rep. Welsh	Notes that local officials support the ñ7 amendment.
384	Chair Simmons	Asks for clarification on what constitutes a special district.
390	Colleen Sealock	Director, Elections Division. Explains that no special districts are covered in SB 368A. Explains that ñ7 allows local officials to participate in State Votersí Pamphlet if a county one is not available.
416	Chair Simmons	Asks about districts that overlaps several counties and not all of them publish votersí pamphlets.
TAPE 60, B		
001	Sealock	Explains what happens when a candidate is in two counties, for instance, one that prints a pamphlet and one that does not, each countyís version will have to

		comply with SB 368A.
011	Chair Simmons	Asks if it will be confusing as to who can file in which publication.
013	Sealock	Answers no. Explains that SB 368A makes it clear where a candidate can publish arguments.
017	Rep. Gardner	Asks how many people file arguments by submitting signatures, rather than paying a fee.
020	Sealock	Responds that very few people have submitted arguments with that method. Offers to provide that information.
030	Rep. Piercy	Suggests that if only a few people have used this method there is no reason to make it more difficult. Supports the level 1,000 signatures.
039	Rep. Beyer	Asks if the 2,500 signature level was part of the 1995 legislation.
041	Sealock	Answers yes. Explains they were trying to establish a ratio.
049	Paul Snyder	Association of Oregon Counties. Supports the ñ7 amendment as an improvement on the original bill.
058		VOTE: 8-0 EXCUSED: 4 - Edwards, Mannix, Starr, Williams
059	Chair Simmons	Hearing no objection, declares the motion CARRIED.
060	Rep. Welsh	MOTION: Moves to ADOPT SB 368A-8 amendments dated 5/6/99.
062	Moore	Explains the ñ8 amendment (EXHIBIT O) resolves conflicts.
		VOTE: 8-0 EXCUSED: 4 - Edwards, Mannix, Starr, Williams
066	Chair Simmons	Hearing no objection, declares the motion CARRIED.

070	Rep. Piercy	MOTION: Moves to AMEND SB 368 on on page 8, in line 16, after "of," delete "2,500 signatures," and after "of," insert "1,000 signatures".
		VOTE: 8-0 EXCUSED: 4 - Edwards, Mannix, Starr, Williams
	Chair Simmons	Hearing no objection, declares the motion CARRIED.
090	Rep. Welsh	MOTION: Moves SB 368A to the floor with a DO PASS AS AMENDED recommendation.
		VOTE: 8-0 EXCUSED: 4 - Edwards, Mannix, Starr, Williams
	Chair Simmons	Hearing no objection, declares the motion CARRIED. REP. PIERCY will lead discussion on the floor.
105	Chair Simmons	Closes Work Session SB 368A. Opens Work Session HB 3516. Asks for staff summary.
<u>HB 3516 WORK SESSION</u>		
107	Moore	Reviews HB 3516 and the ñ1, -2, and ñ3 amendments (EXHIBITS P, Q, & R).
119	Chair Simmons	Explains that the amendments will be considered separately.
126	Rep. Beck	Asks if any of these amendments removes the original language of HB 3516.
128	Vice-Chair Devlin	Replies that they do not. Suggests that the committee discuss the issue.
133	Sealock	Discusses the ñ1 and subsequent amendments. Supports 3516 with ñ2 and ñ3.
145	Rep. Beck	Asks where the \$10,000 level for requiring electronic filing of contribution and expenditure reports comes from.

147	Sealock	Explains that at that level most campaigns own computers and have someone who knows how to use them.
152	Rep. Devlin	MOTION: Moves to ADOPT HB 3516-2 amendments dated 5/5/99.
		VOTE: 8-0 EXCUSED: 4 - Edwards, Mannix, Starr, Williams
	Chair Simmons	Hearing no objection, declares the motion CARRIED.
162	Rep. Devlin	MOTION: Moves to ADOPT HB 3516-3 amendments dated 5/6/99.
164	Rep. Gardner	Opposes the ñ3 amendment. Explains that some candidates are not prepared for the requirement to file C&E reports electronically.
172	Rep. Beyer	Agrees with Rep. Gardner.
174	Vice-Chair Devlin	States that the ñ3 amendment reflects bills already passed by the Senate.
176	Chair Simmons	Supports the ñ3 amendment; thinks electronic filing is a good idea.
182	Vice-Chair Devlin	Asks Sealock to comment on the ñ3 amendment.
191	Sealock	Explains the ñ3 provides time for Elections Division and candidates to prepare themselves for this requirement. Notes that a candidate can request an exception from that requirement through 2002.
204	Rep. Piercy	Asks if that is a one-time exception.
206	Sealock	Replies that is correct.
212	Rep. Piercy	Asks if people will be able to comply at that time.
213	Sealock	Explains that most people can comply today.
221	Rep. Beyer	Asks if committees can file C&E reports electronically today.

222	Sealock	Explains that Elections Division cannot accept electronic filing today.
227	Rep. Beyer	Asks if a bill is needed to authorize developing the system to handle electronic filing of C&E reports.
228	Sealock	Answers no.
230	Rep. Beyer	Suggests that this provision be taken up in the next Legislature.
236	Rep. Beck	States that the process needs to be set in motion and 2001 session is needed to fix problems. Stresses that this technology should already be in operation.
256	Vice-Chair Devlin	Asks if the date is changed if it would be more acceptable.
266	Rep. Beck	Suggests the committee consider the issue for a few more days.
280	Chair Simmons	States that HB 3516 will be taken up Thursday.
288	Vice-Chair Devlin	Offers to work with committee members. Reviews history of legislation, noting that the original language is not that important.
304	Chair Simmons	Agrees that the original language of HB 3516 is a public policy decision.
311	Vice-Chair Devlin	Explains the precedent for the provision; that is the current level for statewide candidates.
317	Chair Simmons	Closes Work Session HB 3516. Reopens SB 558.
<u>SB 558 PUBLIC HEARING</u>		
345	Dr. John Tongue	Chair, Oregon Transportation Safety Committee. Opposes SB 558 (EXHBIT S). Discusses the physics of car crashes. Reviews statistics on public opinion concerning raising the speed limit.
400	Tongue	Continues to review the statistics in EXHBIT S .
TAPE 61, A		
010	Tongue	Continues to discuss the danger of increasing speed limits.
052	Chair Simmons	Asks if it is acceptable for ODOT to set the speed limit on highways.

057	Tongue	Supports not changing current speed limits. States that there is no public support for increasing the speed limit.
070	Chair Simmons	Asks what the current data is regarding effects of safer cars and driving safety laws.
075	Tongue	Replies that deaths per vehicle mile continue to decrease. Emphasizes that improvements can still be made.
091	Simmons	Asks if there is increased risk exposure because of increased number of miles traveled, while the number of fatal accidents continues to decline.
094	Tongue	Answers yes. Adds that the numbers are volatile.
095	Vice-Chair Devlin	Asks about forces of kinetic energy involved relative to passengers.
105	Tongue	Explains what happens to passengers in high-speed accidents. Comments on trauma these accidents cause families.
129	Rep. Beck	Thanks Tongue for testimony and the effort to come to Salem.
140	Chair Simmons	Asks about people who are driving 75 MPH already; why not adjust law to reflect current practice.
156	Tongue	Agrees that drivers are smart and know where they can exceed the speed limit.
163	Chair Simmons	States that people in Idaho do not exceed their speed limit.
170	Tongue	Stresses that slight increases in driving speed are very deadly.
194	Chair Simmons	Asks if the argument is the same if people are already traveling at these speeds.
196	Tongue	Answers that drivers will increase their speed with the speed limit.
198	Chair Simmons	Asks if Tongue considered that more OSP troopers will be on the highways.
200	Tongue	States that the effect of additional troopers will be very small.
216	Chair Simmons	Close Public Hearing SB 558. Adjourns the meeting at 6:55 p.m.

Submitted By, Reviewed By,

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

EXHIBIT SUMMARY

A ñ SB 558, written testimony, staff, 1 p.

B ñ SB 558, written testimony, staff, 1 p.

C ñ SB 558, written testimony, staff, 1 p.

D ñ SB 558, written testimony, staff, 1 p.

E ñ SB 558, written testimony, staff, 2 pp.

F ñ SB 806, written testimony, Phil Keisling, 1 p.

G ñ HB 2776, LC ñ3 amendment (5/10/99), 4 pp.

H ñ SB 558, written testimony, Ed Fischer, 2 pp.

I ñ HB 3252, LC ñ2 amendment (4/29/99), staff, 1 p.

J ñ HB 3285, LC ñ9 amendment (5/11/99), staff, 9 pp.

K ñ HB 3285, LC ñ10 amendment (5/11/99), staff, 3 pp.

L ñ SB 368A, LC -A6 amendment (5/5/99), staff, 1 p.

M ñ SB 368A, written testimony, Matthew Donohue, 2 pp.

N ñ SB 368A, LC -A7 amendment (5/6/99), staff, 6 pp.

O ñ SB 368A, LC -A8 amendment (5/6/99), staff, 1 p.

P ñ HB 3516, LC ñ1 amendment (5/5/99), staff, 4 pp.

Q ñ HB 3516, LC ñ2 amendment (5/5/99), staff, 6 pp.

R ñ HB 3516, LC ñ3 amendment (5/6/99), staff, 4 pp.

S ñ SB 558, written testimony, John Tongue, 7 pp.