

HOUSE COMMITTEE ON RULES, ELECTIONS, AND PUBLIC AFFAIRS

June 3, 1999 Hearing Room D

3:00 P.M. Tapes 76 - 77

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

STAFF PRESENT: Cara Filsinger, Policy Analyst

Janet Adkins, Policy Analyst

Brad Daniels, Administrative Support

MEASURE/ISSUES HEARD: SB 912 Public Hearing and Work Session

SB 1264B Public Hearing and Work Session

SB 867A Public Hearing and Work Session

SB 115A Public Hearing

SJM 9 Public Hearing and Work Session

TAPE/#	Speaker	Comments
TAPE 76, A		
004	Chair Simmons	Opens the meeting at 3:25 p.m. Opens the public hearing on SB 912.
<u>SB 912 PUBLIC HEARING</u>		
012	Dennis Mullvihill	Washington County. Explains the ñ2 and ñ3 amendments. Notes the support of the Special Districts Association and the League of Oregon Cities for SB 912 with the ñ3 amendments (EXHIBITS A & B).
040	Burton Weast	Indicates that Washington County is not opposed to the bill. Explains the reason for the county's neutrality.
053	Phillip Fell	League of Oregon Cities. States that they would like the bill to be restricted to Washington County.
060	Rep. Starr	Notes that the concerns of the Oak Lodge Sanitary District are moot given the ñ3 amendments and the restriction to Washington County (EXHIBIT C).
067	Linda Modrell	Benton County. Supports SB 912.
074	Rep. Starr	Asks about the definition of human services.
078	Modrell	Replies that she intended the definition to be broad and to encompass a wide range of groups, from seniors to teens and younger children.
087	Chair Simmons	Closes the public hearing on SB 912. Opens the public hearing on SB 1264B.
<u>SB 1264B PUBLIC HEARING</u>		
100	Mike Grainey	Office of Energy. Supports SB 1264B. States that the bill seeks to encourage renewable resource development in Oregon. Reviews the changes to energy siting jurisdiction and loan program changes enacted by the bill (EXHIBITS D & E).
126	Cindy Finlayson	Portland General Electric. Supports SB 1264B (EXHIBIT F).
135	Ken Evans	Sustainable Energy Development. Supports SB 1264B. Mentions the beneficial impact on rural communities.

140	Ken Armstrong	Oregon Ports Association. Supports the bill on the behalf of the Port of St. Helens.
147	Chair Simmons	Closes the public hearing on SB 1264B. Opens the work session on SB 1264B.
<u>SB 1264B WORK SESSION</u>		
149	Rep. Starr	MOTION: Moves SB 1264B to the floor with a DO PASS recommendation.
152		VOTE: 10-0 EXCUSED: 2 - Mannix, Welsh
	Chair Simmons	Hearing no objection, declares the motion CARRIED. REP. STARR will lead discussion on the floor.
160	Chair Simmons	Closes the work session on SB 1264B. Opens the work session on SB 912.
<u>SB 912 WORK SESSION</u>		
162	Rep. Starr	MOTION: Moves to ADOPT SB 912 ñ3 amendments dated 06/03/99.
166	Rep. Beyer	Asks if the intent is to adopt the ñ2 amendments.
169	Chair Simmons	Replies no.
170	Rep. Beyer	Opposes the ñ3 amendments. Notes the conditional nature of the ñ3 amendments, which are designed to address a possible ballot measure.
181	Rep. Starr	Disagrees with Rep. Beyer. States that the ñ3 amendments represent the prudent course of action.
190	Rep. Devlin	Cites an example of the necessity of preventative action.
201		VOTE: 9-1

		AYE: 9 - Atkinson, Beck, Devlin, Edwards, Gardner, Piercy, Starr, Williams, Simmons NAY: 1 - Beyer EXCUSED: 2 - Mannix, Welsh
	Chair Simmons	The motion CARRIES.
210	Rep. Starr	MOTION: Moves SB 912 to the floor with a DO PASS AS AMENDED recommendation.
216	Rep. Beyer	Stresses that the initiative addressed by SB 912 is only proposed at this point. Reiterates his opposition to taking preventative action of this nature.
220		VOTE: 9-1 AYE: 9 - Atkinson, Beck, Devlin, Edwards, Gardner, Piercy, Starr, Williams, Simmons NAY: 1 - Beyer EXCUSED: 2 - Mannix, Welsh
	Chair Simmons	The motion CARRIES. REP. WILLIAMS will lead discussion on the floor.
240	Chair Simmons	Closes the work session on SB 912. Opens the public hearing on SB 867A.
<u>SB 867A PUBLIC HEARING</u>		
264	Bill Sizemore	Oregon Taxpayers United. Supports SB 867A. Discusses the history of confusing initiative questions, the positive response to legislation designed to simplify initiative statements and the effects of vote by mail on the word requirement. Explains that SB 867A allows for simpler wording on initiative summaries. Notes that the ñA4 amendments represent a compromise with the Attorney Generalís office (EXHIBIT G).
319	Rep. Williams	Refers to EXHIBIT H . Comments on the confusing wording in past initiative

		summaries due to the 15-word requirement.
336	Rep. Edwards	Asks if the current 15-word requirement includes conjunctions and articles.
340	Sizemore	Replies yes. Adds that the 25-word requirement will allow the use of articles and conjunctions, translating into more readable summaries.
359	Rep. Edwards	Asks for comments on page 2 of the bill.
363	Sizemore	Replies that the expansion of the summary requirement to 125 words follows the same reasoning: to allow more flexibility and thoroughness in the explanations. Notes that local ballot measures have 175-word requirements. Describes what will be included in the vote-by-mail packets.
401	Rep. Edwards	Cites page 2, line 7. Asks about the subjectivity of the reference to normal written or conversational speech.
410	Sizemore	Replies that this phrase defines the standard for simplicity.
424	Chair Simmons	Notes that the ñA4 amendments replace all of section one.
TAPE 77, A		
012	Rep. Mannix	Notes the constrictive bureaucratic regulations surrounding campaign volunteers and employees. Explains the ñA5 amendments, which add a new section to the bill dealing with the status of persons who provide election services for remuneration. Indicates that the amendments are designed for a more informal campaign structure. Reviews the specific requirements on campaign-related "independent contractors" (EXHIBIT I).
066	Sizemore	Supports the ñA5 amendments if there are enough votes on committee. Comments that the proposed changes will apply to independent paid petitioners.
092	Rep. Gardner	Opposes independent contractors, noting the lack of insurance coverage and other benefits.
099	Rep. Devlin	Asks if Sizemore employs his own petitioners or contracts with a national firm.
108	Sizemore	Replies that they contract with Oregon petition companies for approximately 80% of their work. Discusses the independent petitioner process, the problems with classifying them as employees, and their actual status as independent contractors.
138	David Schuman	Deputy Attorney General. Supports the ñA4 amendments.

145	Rep. Piercy	Supports the ñA4 amendments, but expresses concern about the ñA5 amendments.
150	Chair Simmons	Closes the public hearing on SB 867A. Opens the work session on SB 867A.
<u>SB 867A WORK SESSION</u>		
152	Rep. Mannix	MOTION: Moves to ADOPT SB 867 -A4 amendments dated 06/03/99.
		VOTE: 12-0 AYE: In a roll call vote, all members present vote Aye.
		Chair Simmons The motion CARRIES.
165	Chair Simmons	Notes a small error on page 2, line 9 of the ñA4 amendments.
175	Rep. Mannix	MOTION: Moves to AMEND SB 867 ñA4 amendments on page 2, in line 9 delete "practicable" and insert "practical".
180	Rep. Williams	Asks if the rules need to be suspended.
182	Rep. Mannix	Notes that the committee amendment is technical, not conceptual, and does not require a rules suspension.
185	Chair Simmons	Agrees with Rep. Mannix.
195		VOTE: 12-0
	Chair Simmons	Hearing no objection, declares the motion CARRIED.
200	Rep. Mannix	States that he is withdrawing the ñA5 amendments.
205	Rep. Mannix	MOTION: Moves SB 867A to the floor with a DO PASS

		AS AMENDED recommendation.
207	Rep. Beck	Mentions the irony of adding more verbage to ballot measure summaries.
218	Rep. Devlin	Supports the bill.
238		VOTE: 12-0 AYE: In a roll call vote, all members present vote Aye.
	Chair Simmons	The motion CARRIES. REP. DEVLIN will lead discussion on the floor.
264	Chair Simmons	Closes the work session on SB 867A. Opens the public hearing on SB 115A.
<u>SB 115A PUBLIC HEARING</u>		
265	Sarah Snyder	Deputy District Attorney, Marion County. Supports SB 115A, but expresses concern about the references to law enforcement agencies and their role in any mandated standards for minor decoy operations.
293	Chair Simmons	Closes the public hearing on SB 115A. Opens the work session on SJM 9.
<u>SJM 9 PUBLIC HEARING</u>		
298	Sen. Marilyn Shannon	District 15. Explains SJM 9, which would inform Congress that Oregon rescinds its call for a constitutional convention. Reviews the history of efforts to convene a constitutional convention. Expresses concern that a constitutional convention will not be limited to one issue.
345	Rep. Edwards	Asks why a 20-year-old memorial binds the current legislature.
348	Sen. Shannon	Replies that there is no time limit on the call for a constitutional convention.
363	Rep. Edwards	Asks for a copy of the previous memorial.
370	Sen. Shannon	Replies that it was a simple statement calling for a constitutional convention to

		consider a balanced budget amendment.
374	Rep. Piercy	Asks how many states are currently "calling" for a constitutional convention.
376	Sen. Shannon	Expresses uncertainty.
382	Rep. Devlin	Asks if the bill addresses last session's resolution urging Congress to send a balanced budget amendment to the states for ratification. Asks if the memorial only affects actual calls for constitutional convention.
400	Sen. Shannon	Replies that the memorial is only referring to one specific call, the call for a convention to consider a balanced budget amendment.
TAPE 76, B		
012	Arthur Kunis	AFL-CIO. Reads written testimony from Irv Fletcher that supports SJM 9 and notes the lack of prior restraints on what part of the Constitution may be amended (EXHIBIT J).
026	Chair Simmons	Closes the public hearing on SJM 9. Opens the work session on SJM 9.
<u>SJM 9 WORK SESSION</u>		
027	Rep. BEYER:	MOTION: Moves SJM 9 be sent to the floor with a BE ADOPTED recommendation.
		VOTE: 12-0 AYE: In a roll call vote, all members present vote Aye.
Chair Simmons		The motion CARRIES. REP. STARR will lead discussion on the floor.
035	Rep. Simmons	Adjourns the meeting at 4:30 p.m.

Brad Daniels, Cara Filsinger,

Administrative Support Policy Analyst

Reviewed By,

Janet Adkins,

Policy Analyst

EXHIBIT SUMMARY

A ñSB 912, -2 amendments, staff, 4 pp.

B ñSB 912, -e amendments, staff, 3 pp.

C ñSB 912, written testimony, Ken Squires, 8 pp.

D ñSB 1264B, written testimony, Mike Grainey, 4 pp.

E ñSB 1264B, written testimony, Mike Grainey, 1 p.

F ñSB 1264B, written testimony, Cindy Finlayson, 1 p.

G ñSB 867A, -A4 amendments, staff, 3 pp.

H ñSB 867A, prior ballot measure summaries, staff, 1 p.

I ñSB 867A, -A5 amendments, staff, 2 pp.

J ñSJM 9, written testimony, Irv Fletcher, 1 p.