

**HOUSE COMMITTEE ON RULES, ELECTIONS, AND PUBLIC AFFAIRS**

**July 22, 1999 Hearing Room D**

**2:00 P.M. Tape 166**

**MEMBERS PRESENT: Rep. Mark Simmons, Chair**

**Rep. Richard Devlin, Vice-Chair**

**Rep. Bruce Starr, Vice-Chair**

**Rep. Roger Beyer**

**Rep. Randall Edwards**

**Rep. Dan Gardner**

**Rep. Kevin Mannix**

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

**Janet Adkins, Policy Analyst**

**Diane M. Lewis, Administrative Support**

**MEASURE/ISSUES HEARD: SB 1334 Work Session**

**SB 103A Work Session**

**SJR 21A 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 166, A		

006	Chair Simmons	Calls the meeting to order at 9:25 PM and opens a work session on SB 1334 A.
<b><u>SB 1334 WORK SESSION</u></b>		
014	Jim Markee	Amalgamated Transit Union, testifies in support of SB 1334-A9 amendments dated 7/20/99 ( <b>EXHIBIT A</b> ). Explains that the A9 amendments are offered by the Oregon State Police. States that they allow background checks through the Federal Bureau of Investigation (FBI). Explains that all bodies potentially affected by the bill support the amendments.
024	Rep. Starr	<b>MOTION: Moves to ADOPT SB 1334-A9 amendments dated 7/20/99.</b>
		<b>VOTE: 4-0</b> <b>EXCUSED: 3 - Edwards, Gardner, Mannix</b>
026	Chair Simmons	<b>Hearing no objection, declares the motion CARRIED.</b>
027	Rep. Starr	<b>MOTION: Moves SB 1334A to the floor with a DO PASS AS AMENDED recommendation.</b>
030		<b>VOTE: 4-0</b> <b>AYE: In a roll call vote, all members present vote Aye.</b> <b>EXCUSED: 3 - Edwards, Gardner, Mannix</b>
029	Chair Simmons	<b>The motion CARRIES.</b>  <b>REP. STARR will lead discussion on the floor.</b>
032	Chair Simmons	Closes the work session on SB 1334 and opens a work session on SB 103A.
<b><u>SB 103A WORK SESSION</u></b>		
040	Chair Simmons	States that SB 103A contains legislation that Sen. Avel Gordly has been working on for a long time. Explains that the bill speaks to conducting multicultural education in Oregon schools. Comments that he supports the bill's intention.

045	Janet Adkins	Policy Analyst, notes for the committee that there is a fiscal impact statement on the bill.
046	Rep. Starr	Asks for comments from the school board regarding SB 103A.
048	Jim Green	Oregon School Board, testifies that the school board supports the bill.
052	Rep. Starr	Asks if the bill is necessary. Asks if schoolis already have the capability to teach multiculturalism.
054	Jim Green	Responds affirmatively.
058	Chair Simmons	Puts the committee at ease at 9:25 PM.
060	Chair Simmons	Calls the meeting to order at 9:35 PM and recesses the work session on SB 103A and opens a work session on SJR 21A.
<b><u>SJR 21A WORK SESSION</u></b>		
064	Sen. Rick Metsger	Senate District 14, testifies in support of SJR 21A. Explains that individuals and groups have attempted to place laws effecting private conduct in the constitution. States that SJR 21A stipulates that initiative amendments to the constitution must relate to the structure and form of government, limitations of governmentís powers over private citizens, and the election of officers. Explains that constitutional amendments that effect private conduct would not be appropriate initiatives to amend the constitution. States that constitutional amendments can be applied in statute. Discusses supporters of the bill. Explains that the bill would be referred to the Oregon voters in the November 2000, general election.
098	Rep. Edwards	Asks if existing law in the constitution would be changed through referendum.
103	Sen. Metsger	Explains that law which is currently in the constitution would require revision of the constitution. States that changes in constitutional law require constitutional amendments.
113	Edwards	Asks if tax structures can be changed under SJR 21A.
114	Sen. Metsger	Responds affirmatively.
121	Rep. Devlin	Asks if cougar restrictions found in statute would be able to be placed in the constitution under SJR 21A.
128	Sen. Metsger	Respond Negatively.

134	Rep. DEVLIN:	<b>MOTION: Moves SJR 21A be sent to the floor with a BE ADOPTED recommendation.</b>
136	Rep. Mannix	States his opposition to the bill. Believes it is an insult to Oregon voters.
144	Rep. Beyer	States his support of the bill.
152	Rep. Devlin	Comments that SJR 21A intends to bring the constitution in line with the traditional and historical intentions of state constitutions.
170	Rep. Edwards	Comments that SJR 21A can be decided by the voters.
173	Rep. Mannix	Discusses his criticism of the legislative process where special interest groups have an unbalanced amount of control in the process. States that the history of the constitution rests in the hands of elitist white males. Believes that citizen involvement in state government has moved in a positive and inclusive direction, and SJR 21A will be a step backward.
217	Sen. Metsger	Responds that issues addressed in SJR 21A are important policy debates. States that the citizens of Oregon have not had an opportunity to respond to these issues and believes they should have the chance to do so.
228	Rep. Devlin	Comments that he supports the motion and asks for the committee to follow through on a vote.
		<b>VOTE: 6-1</b> <b>AYE: 6 - Beyer, Devlin, Edwards, Gardner, Starr, Simmons</b> <b>NAY: 1 - Mannix</b>
245	Chair Simmons	<b>The motion CARRIES.</b>
248	Rep. Beyer	<b>MOTION: Serves NOTICE of possible reconsideration.</b>
250	Rep. Mannix	<b>MOTION: Moves to CHANGE his vote and serves NOTICE of possible reconsideration.</b>
254	Chair Simmons	Closes the work session on SJR 21A.
278	Chair Simmons	Adjourns the meeting at 9:50 PM.

Submitted By, Reviewed By,

Diane M. Lewis, Cletus B. Moore, Jr.,  
Administrative Support Administrator

Reviewed By,

Janet Adkins,  
Administrator

**EXHIBIT SUMMARY**

**A ñ SB 1334-A9 amendments dated 7/20/99, Jim Markee, 2 pp.**

## HOUSE COMMITTEE ON RULES, ELECTIONS, AND PUBLIC AFFAIRS

July 22, 1999 Hearing Room D

11:50 P.M. Tape 167

**MEMBERS PRESENT:** Rep. Mark Simmons, Chair

Rep. Bruce Starr, Vice-Chair

Rep. Roger Beyer

Rep. Kevin Mannix

**MEMBER EXCUSED:** Rep. Richard Devlin, Vice-Chair

Rep. Randall Edwards

Rep. Dan Gardner

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

Kevin E. Wells, Administrative Support

**MEASURES HEARD:** HB 3017 Work Session

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TAPE/#	Speaker	Comments
TAPE 167, A		
003	Chair Simmons	Calls meeting to order at 11:50 p.m. Opens work session on HB 3017.
<u>HB 3017 WORK SESSION</u>		

006	Cletus Moore	Committee Administrator. Reviews HB 3017 and the ñ2 amendments (EXHIBIT A).
013	Rep. Starr	<b>MOTION: Moves to ADOPT HB 3017-2 amendments dated 7/22/99.</b>
016	Rep. Ben Westlund	House District 55. Testifies in support of HB 3017. Explains the need to provide enhanced funds for public schools.
020		<b>VOTE: 4-0</b> <b>EXCUSED: 3 - Devlin, Edwards, Gardner</b>
	Chair Simmons	<b>Hearing no objection, declares the motion CARRIED.</b>
023	Rep. Starr	<b>MOTION: Moves HB 3017 to the floor with a DO PASS AS AMENDED recommendation.</b>
025	Vice-Chair Starr	Comments that HB 3017-2 amendments present a unique opportunity.
027	Rep. Beyer	Agrees with Vice-Chair Starr.
028	Chair Simmons	States it is appropriate to enhance the funding for the K-12 school system when the opportunity arises.
031		<b>VOTE: 4-0</b> <b>AYE: In a roll call vote, all members present vote Aye.</b> <b>EXCUSED: 3 - Devlin, Edwards, Gardner</b>
	Chair Simmons	<b>The motion CARRIES.</b>  <b>REP. HILL will lead discussion on the floor.</b>
039	Chair Simmons	Closes work session on HB 3017. Adjourns the meeting at 11:55 p.m.

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

**EXHIBIT SUMMARY**

**A ñ HB 3017, proposed -2 amendments, staff, 2 pp.**