

HOUSE COMMITTEE ON
RULES, ELECTIONS AND PUBLIC AFFAIRS

July 09, 1999 Hearing Room D

3:00 p.m. Tapes 142 - 143

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

Keith Putman, Policy Analyst

Janet Adkins, Policy Analyst

Judith Callens, Policy Analyst

Annetta Mullins, Administrative Support

MEASURE/ISSUES HEARD: SB 728-A ñ Work Session

SB 1089-B ñ Work Session

SJR 15-A ñ Work Session

HJR 31 ñ Work Session

SB 535-A ñReconsideration 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 142, A		

004	Vice Chair Starr	Calls meeting to order at 4:17 p.m. and opens a work session on SB 728-A.
<u>SB 728-A n WORK SESSION</u>		
005	Rep. Beyer	MOTION: Moves to ADOPT SB 728-A3 amendments dated 06/24/99 (EXHIBIT A).
007	Janet Adkins	Policy Analyst. Explains the SB 728-A3 amendments. (EXHIBIT A).
913		VOTE: 4-0-3 EXCUSED: 3 - Reps. Edwards, Gardner, Mannix
	Vice Chair Starr	Hearing no objection, declares the motion CARRIED.
016	Rep. Beyer	MOTION: Moves SB 728-A to the floor with a DO PASS AS AMENDED recommendation.
016		VOTE: 4-0-3 EXCUSED: 3 - Reps. Mannix, Edwards, Gardner
	Vice Chair Starr	Hearing no objection, declares the motion CARRIED.
		REP. BEYER will lead discussion on the floor.
019	Vice Chair Starr	Opens a work session on SB 1089-B.
<u>SB 1089-B n WORK SESSION</u>		
032	Rep. Beyer	MOTION: Moves to ADOPT SB 1089-B3 amendments dated 7/7/99 (EXHIBIT B).
033	Keith Putman	Administrator. Explains the SB 1089-B3 amendments (EXHIBIT B).
042	Vice Chair Starr	Advises members that questions have been raised relating to the billing, re-licensing when the licenses are issued, and when the Department of Environmental Quality (DEQ) has the authority to check to see if the license is posted.

060	Rep. Beyer	Notes the requirement when payment of the fees is due.
068	Rep. Simmons	Comments that if a person does not have a re-license certificate on the premises through no fault of his own and the holdup is on the part of DEQ, no fine is authorized or incurred.
077		VOTE: 6-0-1 EXCUSED: 1 - Rep. Gardner
	Vice Chair Starr	Hearing no objection, declares the motion CARRIED.
078	Rep. Beyer	MOTION: Moves SB 1089-B to the floor with a DO PASS AS AMENDED recommendation.
081	Rep. Beyer	States that the annual license fee is a calendar year fee, ending in December and the fee is due 20 days following January 1.
098		VOTE: 6-0-1 AYE: In a roll call vote, all members present vote Aye. EXCUSED: 1 - Rep. Mannix
	Vice Chair Starr	The motion CARRIES. REP. GARDNER will lead discussion on the floor.
117	Chair Simmons	Opens a work session on SJR 15-A.
<u>SJR 15-A ñ WORK SESSION</u>		
119	Ray Phelps	American Federation of State and County Employees (AFSCME), Oregonians to Maintain Community Standards, and International Brotherhood of Electrical Workers 48. Testifies in support of the SJR-A7 amendments (EXHIBIT C). States it has been his and otherís desire to try to convince people who circulate initiative petitions that they ought to move about Oregon and talk to all the people about their issues.

		<p>They are proposing a variation of what voters looked at a couple of years ago. The voters voted on a proposal to have equal distribution among the five congressional districts; 20 percent was required in each district. The voters rejected it.</p>
		<p>The proposal is that the person who wishes to gain ballot status through the initiative process would be required to obtain three percent of the signatures of qualified voters in the particular county. The signature base is the votes last cast for the governor. A statutory measure requires six percent and a Constitutional measure currently requires eight percent. Submits and reviews percentages of votes that would be needed (EXHIBIT D).</p>
183	Phelps	Comments that the proposal moves people out into Oregon to discuss the measures and there is an incentive for a petitioner.
196	Mary Botkin	AFSCME Council 75. Comments that AFSCME thinks this is a good idea. It is important that people in the rural areas have a chance for input into the discussion.
238	Rep. Edwards	Comments, for clarification, how the proposal determines the number of signatures required from a certain number of counties.
245	Botkin	Comments the goal is not to stop initiatives from being qualified. It is to broaden the base of counties and citizens involved in the discussions.
253	Edwards	Asks why this proposal has more of a chance.
267	Phelps	The objective was to reach out. Believes voters would take a more favorable look. It causes an interaction among Oregonians.
295	Phelps	The object is to get three percent of the signatures in 18 counties. Is interested in a material number of signatures that makes it meaningful.
303	Edwards	Comments that 3,000 signatures is not many.
330	Phelps	Responds the signatures must come from beyond the valley. The combination can be worked any way. To get to the total, a person would probably work their way into the tri-county area, and Lane and Deschutes counties, but one could not get the 18 counties in the valley and that is the whole idea.
342	Chair Simmons	Asks if any other state has a similar requirement.
343	Phelps	Explains Idaho and Missouri requirements for signatures. Adds that only 25 states have the initiative process.

351	Chair Simmons	Asks if there will be any Constitutional challenges to this.
	Phelps	Believes it is a ballot access issue. Not aware of any challenge in other states. This is not unreasonable.
386	Rep. Edwards	Asks if this needs to be in the Constitution.
386	Phelps	Responds he believes so. Explains information he received from Legislative Counsel.
405	Rep. Mannix	Comments that SJR 15 would be at the general election in 2000. Asks if anyone has considered the fact that if this on the ballot with the old percentage language in addition to the new language that it might create an inconsistency.
425	Phelps	States they are not changing the base number. Only making the constant three percent of that number.
440	Rep. Mannix	Comments he thinks the proponents should consider a notwithstanding that this is not intended to change whatever percentage exists at the time, based on any other initiatives that may have been voted on. Suggest SJR 15 could be on the ballot at the same time as the other one.
TAPE 143, A		
008	Rep. Mannix	Comments that the bill could be amended to allow circulation of petitions through the internet.
013	Rep. Starr	Asks if it the legislature could say that the Secretary of State had to post them on the website and that they could be downloaded.
014	Rep. Mannix	Responds affirmatively.
026	Rep. EDWARDS:	MOTION: Moves SJR 15-A be sent to the floor with a BE ADOPTED recommendation.
031	Rep. Edwards	Comments there has been a lot of discussion in this committee on annual sessions. Believes there should be a chance to vote on annual sessions.
036	Chair Simmons	Comments it was not his intention to move the bill today. Explains that a vehicle was needed to get the proposal up for discussion by the committee.
065	Rep. Edwards	Withdraws his motion on SJR 15-A.

068	Chair Simmons	Closes the work session on SJR 15-A and opens a work session on HJR 31.
<u>HJR 31 n WORK SESSION</u>		
081	Rep. Mannix	MOTION: Moves to ADOPT HJR 31-1 amendments dated 07/09/99 (EXHIBIT E).
085	Rep. Mannix	Explains the HJR 31-1 amendments (EXHIBIT E) .
144		VOTE: 7-0-0
	Chair Simmons	Hearing no objection, declares the motion CARRIED.
147	Rep. MANNIX:	MOTION: Moves HJR 31 be sent to the floor with a BE ADOPTED AS AMENDED recommendation.
165		VOTE: 5-2-0 AYE: 5 - Beyer, Devlin, Mannix, Starr, Simmons NAY: 2 - Edwards, Gardner
	Chair Simmons	The motion CARRIES. REP. MANNIX will lead discussion on the floor.
166	Rep. Gardner	Serves notice of possible minority report.
167	Chair Simmons	Closes the work session on HJR 31.
172	Chair Simmons	Advises members that SB 535-A is scheduled for possible reconsideration and work session today.
<u>SB 535-A - RECONSIDERATION</u>		

179	Rep. Devlin	MOTION: Moves to SUSPEND the rules for the purpose of reconsidering the vote by which SB 535-A was passed and for consideration of amendments.
187		VOTE: 7-0-0
	Chair Simmons	Hearing no objection, declares the motion CARRIED.
189	Rep. Beyer	MOTION: Moves to RECONSIDER the vote by which SB 535-A was passed.
192		VOTE: 7-0-0
	Chair Simmons	Hearing no objection, declares the motion CARRIED.
194	Chair Simmons	Opens a work session on SB 535-A.
<u>SB 535 ñA ñ WORK SESSION</u>		
197	Rep. Starr	Explains that he has requested two sets of amendments be drafted: SB 535-A7 (EXHIBIT F) and SB 535-A8 (EXHIBIT G).
200	Rep. Starr	Explains the ñA7 and ñA8 amendments and the differences with the ñSB 535-A4 amendments previously adopted by the committee.
227	Chair Simmons	Requests the committee stand at ease at 5:02 p.m.
228	Chair Simmons	Reconvenes the meeting at 5:55 p.m.
230	Rep. Beyer	MOTION: Moves to delete the SB 535-A4 amendments previously adopted by the committee.
237		VOTE: 7-0-0

	Chair Simmons	Hearing no objection, declares the motion CARRIED.
237	Rep. Beyer	MOTION: Moves SB 535-A to the floor with a DO PASS recommendation and BE REFERRED to the committee on Ways and Means.
248		VOTE: 6-1-0 AYE: 6 - Beyer, Devlin, Edwards, Mannix, Starr, Simmons NAY: 1 - Gardner
	Chair Simmons	The motion CARRIES.
274	Chair Simmons	Announces that the committee will meet on Sunday at 1:00 p.m. and adjourns meeting at 5:57 p.m.

Submitted By, Reviewed By, Reviewed By, Reviewed By Reviewed by,

Annetta Mullins, Janet Adkins Keith Putman Judith Callens Cletus B. Moore, Jr.

Administrative Support Policy Analyst Policy Analyst Policy Analyst Administrator

EXHIBIT SUMMARY

A ñ SB 728, B 728-A3 amendments, Rep. Beyer, 1 p

B ñ SB 1089, SB 1089-A3 amendments, Rep.Beyer, 1 p

C ñ SJR 15, SJR 15-A7 amendments, Ray Phelps, 4 pp

D ñ SJR 15, required signature information, Ray Phelps, 1 p

E ñ HJR 31, HJR 31-1 amendments, Rep. Mannix, 2 pp

F ñ SB 535, SB 535-A7 amendments, Rep. Starr, 12 pp

G ñ SB 535, SB 535-A8 amendments, Rep. Starr, 18 pp