

HOUSE COMMITTEE ON RULES AND ELECTIONS

April 28, 1997 Hearing Room E

3 PM Tapes 51, 52

MEMBERS PRESENT:

Rep. Lynn Snodgrass, Chair

Rep. Peter Courtney, Vice-Chair

Rep. Lee Beyer

Rep. Bill Markham

Rep. Bob Montgomery

Rep. Kitty Piercy

MEMBER EXCUSED:

Rep. Ken Messerle

STAFF PRESENT:

Rosemary Wood, Administrator

Valerie Luhr, Administrative Support

Kellie Shoemaker, Committee Clerk

MEASURE/ISSUES HEARD:

HB 2480 Public Hearing

SJR 41 Public Hearing and Work Session

HCR 24 Work Session

HB 2200 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 51, A		
		Calls the meeting to order at 4:05 p.m. Opens the public hearing

003	Chair Snodgrass	on HB 2480.
HB 2480 - PUBLIC HEARING		
009	Rosemary Wood	Reviews the provisions of the measure.
011	Chair Snodgrass	Asks about the -2 amendments.
020	Dave Henderson	Legislative Administrator, explains the -2 amendments as one small change from the -1 amendments which made a reference to paying per diem on a biweekly basis. The -2 correct that to be a semi-monthly basis.
022	Rep. Markham	Asks if that is the way Henderson wants it.
023	Henderson	Replies that ideally monthly would be the way to go, but recognizes there are some concerns that members may need the check more regularly.
027	Vice-Chair Courtney	Asks if you could request having it paid to you monthly.
029	Henderson	Responds that he would prefer that it be mandated that they be paid semi-monthly or monthly, one or the other.
036	Rep. Montgomery	Asks if there is an outcry to have this done.
038	Henderson	Has had a number of members concerned with how the checks are being done. It's more than just the sponsor of the bill, probably half a dozen members.
042	Vice-Chair Courtney	Asks Henderson to explain why the monthly check helps some of us.
044	Henderson	Says he does not understand the question.
045	Vice-Chair Courtney	Clarifies the question.
048	Henderson	The frequency of payment should not matter on the amount that you are receiving. It is a matter of handling and processing the paper work. You should be receiving the same total dollars over the course of a month.
053	Vice-Chair Courtney	Before we finalize, we should bring in some experts to deal with these issues.
058	Rep. Beyer	Are we doing an option?
059	Chair Snodgrass	Replies that Henderson's preference would be to do one or the other. Asks Henderson how much money he thinks his department could save by choosing one or the other.
065	Henderson	The money would actually be saved by the Department of Administrative Services, and it is estimated to be about \$2400 during the course of the session.
067	Rosemary Wood	Committee Administrator, reviews wording in the bill and in the amendments to show that there is an option written into the bill

		and the amendments.
078	Rep. Markham	Asks Henderson, if that takes care of what he is after.
079	Henderson	We would prefer it be mandated to pay one way or the other. An option would make it more difficult to process the paperwork.
083	Chair Snodgrass	Asks Courtney who he would like to have speak to his concerns on this issue for the committee.
086	Vice-Chair Courtney	Doesn't have the information right now.
088	Chair Snodgrass	Asks if there are any other questions for Henderson.
089	Rep. Montgomery	States this bill makes an assumption that a lot of the representatives want the per diem monthly or semi-monthly, when many of us might like to get it weekly. Doesn't have a problem with the way it is.
095	Chair Snodgrass	Closes the public hearing on HB 2480; opens a public hearing on SJR 41.
<u>SJR 41 - PUBLIC HEARING</u>		
099	Rosemary Wood	Committee Administrator, reviews the provisions of the measure.
109	Craig Honeyman	Senior Vice President of the company which is managing the 1998 Nike World Masters Games. Testifies in support of SJR 41. Explains the dates involved. Comments on the video intended to show the committee what the games are about. Reminds the committee the video was prepared for corporate sponsorship solicitation.
128	Chair Snodgrass	Clarifies that Honeyman is not here asking for money?
129	Honeyman	"No." * tries to play the video, but there are problems
148	Rep. Beyer	Comments on some games that took place in Eugene: The World Masters Games. It was a great event; recommends supporting it.
152	Rep. Piercy	Comments to see if everyone is prepared, if this is the "Nike World Masters Games," to deal with cries about Nike's corporate practices around the world.
158	Chair Snodgrass	Asks if Rep. Piercy is referring to the word "masters" or "Nike"?
159	Rep. Piercy	Responds she is referring to "Nike."
175	Chair Snodgrass	Comments that the video is not working, asks if anyone else has any questions.
177	Rep. Montgomery	Asks if "Nike" was left off the bill intentionally.
179	Honeyman	Responds that he doesn't know. Nike is the title sponsor of these games, however, they are not the company that is staging the

		games.
184	Rep. Montgomery	But all the stuff is going to say Nike on it?
185	Honeyman	Yes, because of the contract we signed with them in regard to their title sponsorship.
186	Chair Snodgrass	Comments that on page two, line 6 of the bill refers to Nike.
187	Rep. Beyer	Comments, "what we are endorsing is the 1998 World Masters Games, to be held in Oregon. Not necessarily the corporate sponsor."
192	Honeyman	Adds that there will be over 20 other major corporate sponsors, national and international companies as well as regional and local companies. Clarifies that the event Rep. Beyer referred to was the World Athletic Veterans Association Track and Field Championships.
205	Chair Snodgrass	Tells Honeyman that it appears the committee may want to go on to listen to other testimony. If the video is going to change our minds then would be happy to include it in the record.
208	Honeyman	Responds that in the interest of the committee's time, and sensing support for the measure, would be happy to suspend from showing the video.
216	Rollie Wisbrock	Chief of Staff for the Treasury, testifies in support of SJR 41 on behalf of treasurer Jim Hill, who is on the board of the Masters Games.
245	Rep. Markham	Asks where the Treasurer is.
248	Wisbrock	Explains that the Treasurer is at a business meeting.
253	Chair Snodgrass	Closes the public hearing on SJR 41, opens a work session on SJR 41.
<u>SJR 41 - WORK SESSION</u>		
259	Rep. MARKHAM:	MOTION: Moves SJR 41 be sent to the floor with a BE ADOPTED recommendation.
263		VOTE: 6-0 EXCUSED: 1 - Messerle
	Chair Snodgrass	Hearing no objection, declares the motion CARRIED. REP. COURTNEY will lead discussion on the floor.
272	Chair Snodgrass	Closes the work session on SJR 41, opens a work session on HCR 24.
<u>HCR 24 - WORK SESSION</u>		
276	Rosemary Wood	Reviews the provisions of HCR 24.

282	Chair Snodgrass	Explains the amendments to HCR 24[EXHIBIT A].
289	Rep. Montgomery	MOTION: Moves to ADOPT HCR 24-2 amendments dated 04/23/97.
		VOTE: 4-2 AYE: 4 - Courtney, Markham, Montgomery, Snodgrass NAY: 2 - Beyer, Piercy EXCUSED: 1 - Messerle
	Chair Snodgrass	The motion CARRIES.
303	Rep. MONTGOMERY:	MOTION: Moves HCR 24 be sent to the floor with a BE ADOPTED AS AMENDED recommendation.
309		VOTE: 4-2 AYE: 4 - Courtney, Markham, Montgomery, Snodgrass NAY: 2 - Beyer, Piercy EXCUSED: 1 - Messerle
	Chair Snodgrass	The motion CARRIES. REP. OAKLEY will lead discussion on the floor.
319	Chair Snodgrass	Closes the work session on HCR 24, opens a work session on HB 2200.
<u>HB 2200 - WORK SESSION</u>		
327	Chair Snodgrass	Asks the committee to recognize that HB 3086 is a legislative bill, that has been signed by Rep. Beyer and Rep. Montgomery. It is a bipartisan bill. Would be the chair's choice to use HB 3086 as the vehicle for these issues.
333	Rep. Beyer	Asks to have a county clerk help walk them through the amendments.
339	Chair Snodgrass	To HB 2200, comments that these amendments could potentially, at the committee's desire, be used in a different vehicle.
342	Rosemary Wood	Explains there are six different hand-engrossed versions of the bill using each set of amendments in the members' packets.
363	Chair Snodgrass	Asks the committee administrator to explain the HB 2000-1 amendments [EXHIBIT B].
364	Rosemary Wood	Explains the HB 2200-1 amendments.
393	Chair Snodgrass	Realizes the amendments have not been out long. Asks if there is anyone in the audience who would like to address the

		amendments.
399	Rep. Beyer	Comments that maybe the county clerks or the Secretary of State's office would like to address them; is looking for technical clarification.
403	Chair Snodgrass	Comments that the reason she did not propose that type of discussion to happen today is "because this bill or these amendments or 3086 will have continuing work sessions where we can get into those details."
411	Rep. Montgomery	Asks for clarification on the procedure. Do we move them into HB 3086?
417	Chair Snodgrass	Clarifies that the committee cannot do that right now, but these amendments can be drafted to go into HB 3086.
422	Rep. Montgomery	"At this point, if we are mentally thinking of a bill, the number doesn't matter, all of these things [amendments] will be going into the 3086 bill?"
423	Chair Snodgrass	Responds and clarifies that as the committee chooses, these amendments could go into a different bill.
429	Rep. Beyer	Asks if HB 3086 is essentially the same bill as HB 2200.
430	Chair Snodgrass	Says she has not compared them line by line, but it is Rep. Beyer's vote-by-mail bill.
TAPE 52, A		
004	Vicki Ervin	Director of Elections, Multnomah County. We support the -1 amendments. They are essentially the ones we proposed.
006	Phil Keisling	Secretary of State, We support the -1 amendments.
008	Rep. Courtney	Asks if anyone else is going to testify on the -1 amendments.
009	Chair Snodgrass	No.
011	Rep. Courtney	MOTION: Moves to ADOPT HB 2200-1 amendments dated 04/25/97.
013	Rep. Montgomery	Asks for clarification as to where the amendment is being moved.
015	Chair Snodgrass	Clarifies that the committee is in work session for HB 2200, so the amendment is being moved to HB 2200.
017	Rep. Beyer	Asks the chair if it is her preference the committee moves HB 3086.
018	Chair Snodgrass	"Yes."
018	Rep. Beyer	Asks when she intends to deal with HB 3086.
019	Chair Snodgrass	HB 3086 is up for a public hearing on Wednesday.
022	Rep. Beyer	Would it be appropriate then, if the amendments meet people's interest to just have those by consensus drawn to HB 3086.
024	Chair Snodgrass	States that these amendments have not been posted long enough for other people to look at them, so it is her preference to give

		the public a chance to review them before any action is taken.
031	Montgomery	Asks for more clarification.
035	Chair Snodgrass	The amendments need to be redrafted for HB 3086. Whatever is done here is for HB 2200. By choosing to go into HB 3086, which is the chair's choice, there would need to be some changes in language and drafting of the amendments.
042		VOTE: 3-3 AYE: 3 - Beyer, Courtney, Piercy NAY: 3 - Markham, Montgomery, Snodgrass EXCUSED: 1 - Messerle
	Chair Snodgrass	The motion FAILS.
048	Rep. Montgomery	Asks for procedure clarification; did not vote that he doesn't like the -1 amendments, but wants them in HB 3086.
050	Rep. Courtney	Moves to conceptually adopt the -1 amendments.
051	Rep. Markham	Comments that he "just did that."
052	Rep. Courtney	Clarifies that the previous motion was to adopt the -1 amendments; which if they had been adopted, would have become a part of HB 2200. Now, he is moving to conceptually adopt the -1 amendments.
056	Rep. Markham	Asks if it has to be clarified as to what the amendments are being moved into.
058	Chair Snodgrass	States that the committee is still in work session for HB 2200.
059	Rep. Courtney	Comments that in his experience, he has seen many things adopted conceptually. Does not think his motion is so outrageous.
069	Ramona Kenady	Chief Clerk of the House, explains the ramifications of using the word "conceptual" in that it gives a sense that the amendments are not drafted and before you. Committee rules do not allow for conceptual amendments without the authorization of the committee.
085	Chair Snodgrass	Comments that the committee has only scheduled a public hearing on Wednesday for HB 3086.
087	Kenady	Responds that at the time you would schedule a work session, should you chose to do so, then you would take the substance from 2200 that may be developed today and add that, replacing the language that is currently in 3086.
091	Rep. Beyer	Asks the chair if the public hearing could be changed to a work session.
		Wants to give the committee some time to review amendments give the public a chance to address each of the amendments.

096	Chair Snodgrass	Asks Kenady if everything that may potentially come before the committee today on 2200 could come forward on 3086 on Wednesday?
108	Kenady	That is correct, amendments would have to be redrafted to be applied to HB 3086.
113	Chair Snodgrass	Asks Kenady if it is also correct that the amendments would not have to be conceptually adopted.
116	Kenady	Has trouble with using the term "conceptual." Conceptual is used when you don't have something in writing before you.
123	Rep. Montgomery	Is there any real problem in following the first motion and going ahead with adopting them, working through the amendments. Then put them into 3086.
134	Chair Snodgrass	Still wants the public to have the opportunity to address the amendments.
149	Vice-Chair Courtney	Withdraws his motion to conceptually adopt the -1 amendments.
153	Chair Snodgrass	States that her intent right now would be to go through each one of the amendments and then close the work session. Asks the committee staff to schedule HB 3086 for a public hearing and work session for Wednesday.
162	Rep. Beyer	If there are people here today who would like speak, can they speak today.
162	Chair Snodgrass	No, they are not prepared today because they have not had the chance to go over the amendments. Asks to go on to the -2 amendments [EXHIBIT C] .
167	Rosemary Wood	Reviews the -2 amendments.
172	Vicki Ervin	We do not think these are necessary, but if the committee thinks it needs to be referred, then we suggest changing it to November 1997.
180	Rosemary Wood	Reviews the -3 amendments [EXHIBIT D] .
197	Vice-Chair Courtney	Asks where the -3 amendments came from.
202	Rep. Beyer	Are they the same as -1 amendments.
206	Keisling	Explains differences between the -3 and -1 amendments.
230	Rosemary Wood	Reviews the -4 amendments [EXHIBIT E] .
221	Ervin	This significantly alters the time frame involved in mailing out ballots, the other problem is that we don't always get all of the registrations that are eligible until after this "not later than" date.
240	Rep. Beyer	Comments that the committee has been discussing narrowing the window in which ballots are out, and this would actually open it more.
		Yes, it would because this says you can't mail them out later than

243	Ervin	the 20th day, and currently the 20th day is the earliest they can be mailed.
247	Rep. Piercy	Asks if this is this result of the conversation of people not having enough time to get the ballots out?
249	Chair Snodgrass	"A combination of that and, I think Rep. Gardner has a bill that proposes something similar."
254	Rosemary Wood	Reviews the -5 amendments [EXHIBIT F].
292	Chair Snodgrass	Asks Ervin questions about information on the Staff Measure Summary regarding the third bullet on the second page.
296	Ervin	This bullet describes how we would distribute ballots to voters in a primary election.
311	Chair Snodgrass	"When you mail out absentee ballots, or vote-by-mail ballots at other times, is this the process you use?"
315	Ervin	Doesn't recall that there is currently anything in statute that addresses the mechanics of requesting a ballot.
318	Keisling	The -5 amendments are identical in every respect to HB 2200, except for the sunset dates in the -5.
329	Rosemary Wood	Reviews the -6 amendments [EXHIBIT G].
344	Ervin	Comments on the -6 amendments. This is a concept that we asked for, however, we would prefer to have this in a separate bill because it is a separate issue from vote-by-mail.
356	Chair Snodgrass	Goes back to the -2 amendments, asks Keisling if he has any comments.
359	Keisling	Agrees with Ervin's comments. Does not support referring it out to the people.
370	Chair Snodgrass	Asks about the turnout of May elections, and off-year special elections in November.
376	Keisling	In November 1997, if there were issues of statewide significance, predicts the turn out would be substantially higher than the turnout of May 1996.
384	Chair Snodgrass	Comments that the only potential legislation she has heard of is term limits. Asks Keisling if he has any predictions on how that would effect turnout.
389	Keisling	Responds that his view is that the legislature ought to take the first available opportunity for a special statewide election if it were going to refer it to the people.
398	Chair Snodgrass	If we want a higher turnout and in a polling place it would have to be November 1998.
402	Keisling	November 1998 is far worse choice than even May 1998.
403	Chair Snodgrass	Why?
405	Keisling	Responds, the longer this issue remains unresolved, the more money we waste, the more confusing elections are.

416	Chair Snodgrass	What was the voter turnout in November 1996?
418	Keisling	71% of registered voters.
419	Rep. Markham	Asks Keisling, "haven't we had these two-way elections for 13 years?" Or has it changed?
428	Keisling	Has changed dramatically in terms of usage. Gives figures on absentee ballots.
441	Rep. Markham	Asks if the amount of paper shuffling by the clerks goes up with increases in the number of absentee ballots.
TAPE 52, B		
004	Ervin	Responding to Rep. Markham, that is the biggest reason for the increase in costs, because there is an increase in postage along with the continued expenses of maintaining the polling place.
009	Rep. Markham	Comments on the cost of postage.
013	Rep. Beyer	Comments that if we are using HB 3086 as the vehicle, we will have to do a gut and stuff.
019	Chair Snodgrass	Closes the work session on HB 2200. Declares the meeting adjourned at 5:04 p.m.

Submitted by, Reviewed by,

Valerie H. Luhr Janet Adkins

Administrative Support Specialist Administrator

Transcribed by,

Kellie A. Shoemaker

Committee Clerk

EXHIBIT SUMMARY

A - HCR 24, proposed amendments, staff, 1 p.

B - HB 2200, proposed amendments, staff, 2 pp.

C - HB 2200, proposed amendments, staff, 1 p.

D - HB 2200, proposed amendments, staff, 2 pp.

E - HB 2200, proposed amendments, staff, 1 p.

F - HB 2200, proposed amendments, staff, 4 pp.

G, HB 2200, proposed amendments, staff, 2 pp.