

**HOUSE COMMITTEE ON RULES AND ELECTIONS**

**April 30, 1997 Hearing Room E**

**4 P.M. Tapes 53, 54**

**MEMBERS PRESENT:**

**Rep. Lynn Snodgrass, Chair**

**Rep. Peter Courtney, Vice-Chair**

**Rep. Lee Beyer**

**Rep. Bill Markham**

**Rep. Ken Messerle**

**Rep. Bob Montgomery**

**Rep. Kitty Piercy**

**MEMBER EXCUSED:**

**STAFF PRESENT:**

**Rosemary Wood, Administrator**

**Valerie Luhr, Administrative Support**

**Kellie Shoemaker, Committee Clerk**

**MEASURE/ISSUES HEARD:**

**SJM 2 Public Hearing and Work Session**

**SJM 6 Public Hearing and Work Session**

**HB 3519 Public Hearing and Work Session**

**HB 2205 Work Session**

**HB 3086 Public Hearing**

**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 |
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| <b>TAPE, 53 A</b>                    |                            |   |
| 002                                  | Chair<br>Snodgrass         | Calls the meeting to order at 4:10 p.m. Opens the public hearing on SJM 2.            |
| <b><u>SJM 2 - PUBLIC HEARING</u></b> |                            |   |
| 011                                  | Rosemary<br>Wood           | Committee Administrator, reviews the provision of SJM 2.                              |
| 015                                  | Sen. Bill<br>Fisher        | Senate District 23, testifies in support of SJM 2.                                    |
| 049                                  | Rep. Jeff<br>Kruse         | House District 45, testifies in support of SJM 2.                                     |
| 069                                  | Chair<br>Snodgrass         | Closes the public hearing on SJM 2, opens a work session on SJM 2.                    |
| <b><u>SJM 2 - WORK SESSION</u></b>   |                            |   |
| 072                                  | <b>Rep.<br/>MARKHAM:</b>   | <b>MOTION: Moves SJM 2 be sent to the floor with a BE ADOPTED recommendation.</b>     |
| 076                                  |                            | <b>VOTE: 7-0</b>  |
|                                      | <b>Chair<br/>Snodgrass</b> | <b>Declares the motion CARRIED.<br/>REP. KRUSE will lead discussion on the floor.</b> |
| 080                                  | Chair<br>Snodgrass         | Opens a public hearing on SJM 6.  |
| <b><u>SJM 6 - PUBLIC HEARING</u></b> |                            |   |
| 082                                  | Rosemary<br>Wood           | Committee Administrator, reviews the provisions of SJM 6.                             |
| 081                                  | Sen. Bill<br>Fisher        | Senate District 23, testifies in support of SJM 6.                                    |
| 132                                  | Rep. Jeff<br>Kruse         | House District 45, testifies in support of SJM 6.                                     |
| 170                                  | Rep. Markham               | Comments in support of SJM 6. Gives examples of Mr. Ford's contributions.             |
| 188                                  | Rep. Messerle              | Comments in support of SJM 6 and his appreciation of Mr. Ford.                        |
| 199                                  | Chair<br>Snodgrass         | Closes the public hearing on SJM 6, opens a work session on SJM 6.                    |
| <b><u>SJM 6 - WORK SESSION</u></b>   |                            |   |
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| 201                                    | Rep.<br>MARKHAM:   | <b>MOTION: Moves SJM 6 be sent to the floor with a BE ADOPTED recommendation.</b>                                       |
| 203                                    |                    | <b>VOTE: 7-0</b>  |
|  | Chair<br>Snodgrass | <b>Declares the motion CARRIED.</b><br><b>REP. KRUSE will lead discussion on the floor.</b>                             |
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| 212                                    | Chair<br>Snodgrass | Opens a public hearing on HB 3519.  |
| <b><u>HB 3519 - PUBLIC HEARING</u></b> |                    |   |
| 219                                    | Rosemary<br>Wood   | Reviews the provisions of HB 3519.  |
| 224                                    | Bill Sizemore      | Testifies in support of HB 3519. Comments in support of the - 4 amendments [EXHIBIT C].                                 |
| 260                                    | Rep.<br>Montgomery | Asks if this is "that environmental bill"?  |
| 263                                    | Sizemore           | Comments that there were a couple of environmentalists at the last meeting, who wanted to do initiatives to save trees. |
| 269                                    | Rep. Markham       | Comments on the use of the word "slaughter".  |
| 270                                    | Sizemore           | "It is only slaughter when it is waste."  |
| 278                                    | Rep. Messerle      | Comments on using the word "slaughter" in reference to cattle.  |
| 283                                    | Chair<br>Snodgrass | Closes the public hearing on HB 3519, opens a work session on HB 3519.  |
| <b><u>HB 3519 - WORK SESSION</u></b>   |                    |   |
| 289                                    | Chair<br>Snodgrass | Comments on the - 4 amendments. Makes a reference to line 9 on page 1.  |
| 293                                    | Rep.<br>Courtney   | <b>MOTION: Moves to ADOPT HB 3519-4 amendments dated 04/30/97.</b>  |
| 298                                    | Rep. Markham       | Asks to have the - 4 amendments reviewed.   |
| 299                                    | Chair<br>Snodgrass | Explains the - 4 amendments.  |
| 303                                    |                    | <b>VOTE: 7-0</b>  |
|  | Chair<br>Snodgrass | <b>Declares the motion CARRIED.</b>   |
| 312                                    | Rep.<br>Courtney   | <b>MOTION: Moves HB 3519 to the floor with a DO PASS AS AMENDED recommendation.</b>                                     |

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| 318                                  |                        | <b>VOTE: 7-0</b>   |
|                                      | <b>Chair Snodgrass</b> | <b>Hearing no objection, declares the motion CARRIED.</b><br><b>REP. SNODGRASS will lead discussion on the floor.</b>  |
| 314                                  | Chair Snodgrass        | Closes the work session on HB 3519; opens a work session on HB 2205.   |
| <b><u>HB 2205 - WORK SESSION</u></b> |                        |  |
| 333                                  | Rosemary Wood          | Reviews the provisions of HB 2205, reviews the - 1 amendments [ <b>EXHIBIT D</b> ].  |
| 352                                  | Rep. Montgomery        | Asks if this is a change from previous rules. Opposes the change. It is difficult to get people to run for these positions for free, why should we charge people to get involved in the system? States that he is adamantly opposed. |
| 364                                  | Rep. Piercy            | States that all the components to the - 1 amendments seem to be obstacles to getting precinct people. States that she is opposed to the amendments.  |
| 374                                  | Rep. Beyer             | Sees no reason for the bill, nor the amendments.   |
| 362                                  | Chair Snodgrass        | Agrees with many of the comments by the committee. Comments on previous testimony by county clerks that this would help off-set the cost of doing business.  |
| 394                                  | Rep. Courtney          | Asks if elections for precinct committee persons are in the voter's pamphlets.   |
| 396                                  | Chair Snodgrass        | No.  |
| 398                                  | Rep. Beyer             | Comments that he appreciates the county clerks' comments about cost, but everyone must realize there is a cost in democracy.   |
| 406                                  | Rep. Markham           | Comments on the bill without the amendments.   |
| 414                                  | Rep. Montgomery        | Comments that this may be some individuals' only opportunity in their life to run for office, and thinks they should have their name on the ballot. Comments, again, that he is adamantly opposed to the bill.                       |
| <b>TAPE, 54 A</b>                    |                        |  |
| 003                                  | Rep. Markham           | Asks Rep. Montgomery if he received a certificate from the county.   |
| 005                                  | Rep. Montgomery        | Yes.   |
| 005                                  | Rep. Markham           | And that isn't adequate?   |
| 006                                  | Rep. Montgomery        | The name on the ballot meant a lot.  |
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| 014  | Chair<br>Snodgrass | Closes the work session on HB 2205, opens a public hearing on HB 3086.   |
| <b><u>HB 3086 -<br/>PUBLIC<br/>HEARING</u></b> |                    |  |
| 018  | Rosemary<br>Wood   | Reviews the provisions of HB 3086.   |
| 021  | Chair<br>Snodgrass | Comments on the - 1 amendments <b>[EXHIBIT E]</b> and - 2 amendments <b>[EXHIBIT F]</b> .  |
| 029  | Rep. Beyer         | Asks a procedural question.  |
| 032  | Chair<br>Snodgrass | Comments that she would be willing to adopt the -1 amendments.   |
| 035  | Rep. Courtney      | Asks about the - 1 amendments.   |
| 036  | Chair<br>Snodgrass | Reviews the - 1 and - 2 amendments.  |
| 042  | Irene Hobson       | Coordinator for the Capital City Task Force for American Association of Retired Persons (AARP), presents testimony in support of HB 3086 <b>[EXHIBIT G]</b> and in support of the amendments. AARP requests the legislature approve vote by mail this session. If the issue is referred to a vote, it should not be later than the November 1997 election. |
| 064  | John Glascock      | AARP, <b>[EXHIBIT H]</b> testifies in support of HB 3086 and vote by mail.   |
| 096  | Kappy Eaton        | Government Chair, League of Women Voters of Oregon, submits and presents testimony <b>[EXHIBIT I]</b> in support of HB 3086.   |
| 142  | Rep. Piercy        | Shares the concerns of the chair concerning people feeling undue pressure from spouses or other people who live with them. Asks if the league has considered this issue.   |
| 150  | Eaton              | Explains the actions which have been taken by the league.  |
| 172  | Rep. Piercy        | Comments that the other issue she thinks about is education, talking to the community on how one may deal with the issue and make them aware.  |
| 186  | Eaton              | Comments on the league's involvement in voter education.   |
| 194  | Chair<br>Snodgrass | Asks what the league has in mind regarding the three voting booths.  |
| 199  | Eaton              | Comments on conversations within the league and with county clerks on drop-off sights. The opportunity to vote in a secluded place should not be all together, but in separate places to accommodate the population.   |
| 212  | Chair<br>Snodgrass | Would you be satisfied if the three polling places for Lane County were at the University of Oregon campus.  |
| 211  | Eaton              | No; explains, emphasizes the need for more than three in large counties.   |
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| 226               | Chair Snodgrass | Asks if the language should clarify geographical locations.  |
| 227               | Eaton           | Replies the language should give some direction to the clerks regarding demographics, geography. Does not want it to be so specific that it would put a barrier in front of what you are trying to do.   |
| 238               | Chair Snodgrass | Asks about a specific number of voting booths.   |
| 240               | Eaton           | Comments that it would again depend on the demographics of the county, where people are located.   |
| 251               | Rep. Messerle   | Asks for more discussion on the location of drop off sights as well as population considerations.  |
| 256               | Eaton           | States that it would be a decision made by each county in terms of where the elections officials determined it would be most logical to place the polling places.  |
| 267               | Jim Seaberry    | Eugene, Oregon. Comments on a drop station at the University of Oregon and a shuttle service.  |
| 304               | Seaberry        | Begins prepared testimony <b>[EXHIBIT J]</b> .   |
| 354               | Seaberry        | Continues testimony.   |
| <b>TAPE 53, B</b> |                 |  |
| 004               | Rep. Beyer      | Asks Seaberry about his comments on the University of Oregon and comments on the placement of ballot boxes in Springfield. The location of the ballot box may not be an issue, but the number may be. Thinks there should be more than three.  |
| 016               | Seaberry        | Responds that if there can be a fixed minimum number which allows one to always be at the University of Oregon, and all of the rest elsewhere. If there is only going to be three, then take them off campus.  |
| 040               | Steve Lanning   | Oregon AFL-CIO, submits and presents testimony <b>[EXHIBIT K]</b> in favor of HB 3086. Comments on the -1 amendments, does not think it is necessary to send the issue to the voters.  |
| 055               | Rae Everitt     | Public Policy Chair, American Association of University Women, submits and presents testimony <b>[EXHIBIT L]</b> in favor of HB 3086 and the amendments.   |
| 083               | Randy Tucker    | <p>Oregon State Public Interest Research Group (OSPIRG), testifies in support of expanding vote by mail to all elections. Comments on -1, -2, -3<b>[EXHIBIT M]</b>, -4<b>[EXHIBIT N]</b>, -5<b>[EXHIBIT O]</b> amendments.</p> <ul style="list-style-type: none"> <li>* Believes it is unnecessary to refer the issue to the voters.</li> <li>* Supports a later mailing period.</li> <li>* Opposes sunseting the bill.</li> <li>* Has concerns on the issue of coercion and fraud, believes the -5</li> </ul> |

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|     |                 | amendments address this issue.  |
| 124 | Chair Snodgrass | Asks Tucker for clarification on the mailing date.  |
| 127 | Tucker          | Likes the mailing date being closer to the election. Prefers the -1 amendment regarding the mailing period, but not in terms of referring the issue to the people.  |
| 135 | Rep. Messerle   | Would you speak to the need for absentee ballots, even in a vote by mail election.  |
| 136 | Tucker          | Thinks absentee ballots should remain available.  |
| 148 | Rep. Messerle   | Discusses the issue that the shorter time frame, makes it difficult to mail ballots very far and still get it back in time to be counted for the election.  |
| 151 | Tucker          | Brings up other bills that are out right now which would have a vote-by-mail window that is closer to the election, but for absentee ballots there is a longer window.  |
| 157 | Rep. Beyer      | Asks if the bill or any of the amendments touch dates already in statute such as out of state or out of country mailing dates.  |
| 165 | Chair Snodgrass | Asks Tucker why he does not support sending this major of a change to the voters.   |
| 168 | Tucker          | Doesn't oppose sending things to the voters, in general, when it is necessary. Believes it is not necessary in this case because it is widely supported.  |
| 175 | Chair Snodgrass | Asks Tucker what he is basing his information on.   |
| 179 | Tucker          | Responds he is partly using the dramatic increase in the number of people voting by mail, and partly the dramatic increase in turn-outs the vote by mail has produced.  |
| 187 | Vicki Ervin     | Director of Elections, Multnomah County, addresses the provision dealing with the proposed amendment which requires three locations in the county to be set up with voting booths on election day. These are different than drop sites. The requirements are for places to have voting booths where someone could go to mark and deposit their ballot. It is treacherous ground to put specific numbers and locations in statute. |
| 223 | Chair Snodgrass | That is a very interesting perspective. Asks Ervin how the legislature should handle the issue and account for flexibility.   |
| 236 | Ervin           | A possibility would be to give guidelines to the county clerk.  |
| 250 | Chair Snodgrass | Asks for Ervin and other county clerks to come up with some language.   |
| 260 | Rep. Piercy     | Comments on location of voting booths.  |
| 269 | Ervin           | Responds to Rep. Piercy's comments, basing information on Multnomah County.   |
|     |                 | States that there is potential for a whole group of people to use the   |

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| 285               | Rep. Piercy     | voting booths made available in a vote by mail election.   |
| 288               | Ervin           | Responds that anything is possible, and that is one of the challenges to their position.   |
| 294               | Rep. Beyer      | Comments on the intent of multiple sites. Maybe the solution would be to require the Secretary of State to develop administrative rules.   |
| 308               | Ervin           | One possible way to deal with it is to allow some standards to be set by administrative rule another is to establish the minimum of three voting booths and specify that is for any election county wide and then if it is less, leave it at the discretion of county clerks.                          |
| 322               | Rep. Piercy     | Comments on a handout from the Oregon Student Association in support of vote by mail.  |
| 326               | David Buchanan  | Executive Director, Oregon Common Cause, comments on HB 3086 and the popularity of vote by mail. Comments on permanent absentee status and projects instigated by county clerks and the Secretary of State to get more citizens to become permanent absentee voters.                                   |
| <b>TAPE 54, B</b> |                 |  |
| 001               | Chair Snodgrass | Comments on poll watching. Is it possible for that to happen with a mail-in ballot?  |
| 005               | Ervin           | Yes; explains that it has slightly different form. You want to find out who has returned their ballot in order to find out if your targeted voters have voted yet. One of the biggest complaints from voters is that they are contacted by campaigns and they may have already turned in their ballot. |
| 015               | Chair Snodgrass | Asks what happens after a ballot is received.  |
| 018               | Ervin           | Reviews the process they go through once they have received a ballot.  |
| 026               | Chair Snodgrass | What would I ask for if I wanted information on ballots which have been received, all the people who have voted or all the people who have not voted?  |
| 028               | Ervin           | Thinks that in Multnomah County either information would be available.   |
| 029               | Chair Snodgrass | Asks how she would receive the information.  |
| 030               | Ervin           | Thinks it can be asked for in more than one way, most people ask for a computer disc. There is a cost, the cost of actually producing it.  |
| 039               | Chair Snodgrass | Closes the public hearing on HB 3086. Asks the committee to review the amendments.   |
| 045               | Rep. Piercy     | Comments on the handout from the Oregon Student Association, and support vote by mail 94% in the research they have conducted.   |
| 047               | Chair Snodgrass | Declares the meeting adjourned at 5:50 p.m.  |

Submitted by, Reviewed by,



Valerie H. Luhr Janet Adkins

Administrative Support Specialist Policy Analyst

Transcribed by,

Kellie Shoemaker

Committee Clerk

**EXHIBIT SUMMARY**

**A - HB 3519, proposed amendments, staff, 1 p.**

**B - HB 3519, proposed amendments, staff, 2 pp.**

**C - HB 3519, proposed amendments, Secretary of State, 2 pp.**

**D - HB 2205, proposed amendments, staff, 2 pp.**

**E - HB 3086, proposed amendments, staff, 8 pp.**

**F - HB 3086, proposed amendments, staff, 8 pp.**

**G - HB 3086, written testimony, Irene Hobson, 1 p.**

**H - HB 3086, written testimony, John Glascock, 1 p.**

**I - HB 3086, written testimony, Kappy Eaton, 1 p.**

**J - HB 3086, written testimony, Jim Seaberry, 2 pp.**

**K - HB 3086, written testimony, Steve Lanning, 1 p.**

**L - HB 3086, written testimony, Rae Everitt, 1 p.**

**M - HB 3086, proposed amendments, staff, 4 pp.**

**N - HB 3086, proposed amendments, staff, 10 pp.**

**O - HB 3086, proposed amendments, staff, 9 pp.**

**P - HB 3086, written testimony, Carolyn Kohn, 1 pp.**