

SENATE COMMITTEE ON RULES AND ELECTIONS

July 4, 1997 Hearing Room 343

9:00 AM Tapes 134 - 135

MEMBERS PRESENT:

Sen. Randy Miller, Chair

Sen. Gene Derfler, Vice-Chair

Sen. Neil Bryant

Sen. Kate Brown

Sen. Randy Leonard

Sen. Cliff Trow

MEMBER EXCUSED:

STAFF PRESENT:

Jan Nordlund, Administrator

Jennifer Peck, Administrative Support

Julie Havel, Administrative Support

MEASURE/ISSUES HEARD:

Executive Appointments:

State Scholarship Commission

HB 3742 Public Hearing and Work Session

HB 3502 Public Hearing and Work Session

HB 2201 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 134, A		
	Chair	Opens meeting at 10:10 a.m. and opens public hearing on the

003	Miller	State Scholarship Commission.
<u>EXECUTIVE APPOINTMENTS - STATE SCHOLARSHIP COMMISSION</u>		
		Staff presents EXHIBIT A and EXHIBIT B .
017	Jessica Harris	Explains the reasons she is a good representative for the private college representative.
027	Sen. Trow	States he hopes the commission looks towards the good of all students.
036	Harris	States she agrees.
041	Chair Miller	Closes public hearing and opens work session.
042	Sen. Trow	MOTION: Moves the appointment of Jessica Harris and the re-appointment of David Mesirov to the State Scholarship Commission to the floor with the recommendation that the appointments be confirmed en bloc.
		EXCUSED: 1 - Derfler
	Chair Miller	Hearing no objection, declares the motion CARRIED. SEN. TROW will lead discussion on the floor.
047	Chair Miller	Closes the work session and recesses meeting at 10:14 a.m.
060	Chair Miller	Reconvenes meeting at 7:10 pm, opens public hearing on HB 3502. (*Sen. Brown standing in for Sen. Leonard by prior arrangement).
<u>HB 3502 - PUBLIC HEARING</u>		
056	Bob Castagna	Oregon Catholic Conference, testifies in favor of HB 3502.
072	Gayle Attebery	Oregon Right to Life, testifies in favor of HB 3502.
080	Sen. Brown	Asks why they want a special process for this ballot measure and not the others that are being referred to the voters.
085	Castagna	Explains position.
092	Sen. Brown	Asks if he would agree that the language in this ballot title is substantially different than the ballot measure of the original measure 16.
094	Castagna	States that under the statute, the ballot title must contain the caption, the question, and an impartial summary of not more than 85 words.

101	Sen. Brown	Re-states question.
103	Castagna	States the language of both are different and the ballot titles reflect that difference.
106	Sen. Brown	Asks about reinstating criminal penalties for physicians assisting with suicides.
109	Castagna	States HB 2954 is silent with respect to criminal penalties.
110	Diana Godwin	Oregon Right to Die, testifies in opposition to HB 3502. States the process is provided for in HB 3742. Explains details and states they do not believe the language in HB 3502 is impartial. States this ballot summary fails to inform voters that what they are being asked to repeal is the identical measure which they passed in 1994.
161	Godwin	Addresses Sen. Brown's question about summary with regard to criminal penalties.
182	Godwin	Continues testimony.
201	David Fidanque	American Civil Liberties Union of Oregon, testifies in opposition to HB 3502 (EXHIBIT C).
232	Fidanque	Urges committee to let Attorney General draft the ballot title along with the others that will be on the November ballot.
237	Sen. Brown	Asks Godwin to address Castagna's statement about citizens' opportunity to challenge the ballot title under ORS 250.085.
242	Godwin	Responds.
267	Chair Miller	Closes public hearing on HB 3502, opens work session on HB 3502.
<u>HB 3502 - WORK SESSION</u>		
270	Sen. Miller	MOTION: Moves HB 3502A to the floor with a DO PASS recommendation and BE REFERRED to the committee on Ways and Means.
272	Sen. Brown	Offers proposed -A4 amendments to HB 3502 and explains intent (EXHIBIT D).
278	Sen. Brown	MOTION: Moves to ADOPT HB 3502A-4 amendments dated 7/4/97.
		VOTE: 2-3 AYE: 2 - *Brown, Trow NAY: 3 - Bryant, Derfler, Miller *Sen. Brown standing in for Sen. Leonard
	Chair Miller	The motion FAILS.

		<p>VOTE: 3-2</p> <p>AYE: 3 - Bryant, Derfler, Miller</p> <p>NAY: 2 - *Brown, Trow</p> <p>*Sen. Brown standing in for Sen. Leonard</p>
	Chair Miller	The motion CARRIES.
290	Sen. Derfler	States he has voted "aye" as a courtesy, but cannot promise that he will vote "aye" on the floor.
300	Chair Miller	Closes work session on HB 3502, opens public hearing on HB 3742.
<u>HB 3742 - PUBLIC HEARING</u>		
305	Chair Miller	Summarizes provisions of HB 3742.
310	Chair Miller	Closes public hearing on HB 3742, opens work session on HB 3742.
<u>HB 3742 - WORK SESSION</u>		
320	Sen. Bryant	Asks if the minority report is the bill that passed the House.
328	Jan Nordlund	Committee Administrator, confirms, and explains provisions of proposed -A17 amendments (EXHIBIT E).
342	Sen. Trow	Asks for and receives clarification that these amendments include SB 346 in the November special election.
349	Sen. Miller	MOTION: Moves to ADOPT HB 3742A-17 amendments dated 7/4/97.
		<p>VOTE: 3-2</p> <p>AYE: 3 - Bryant, Derfler, Miller</p> <p>NAY: 2 - *Brown, Trow</p> <p>*Sen. Brown standing in for Sen. Leonard</p>
	Chair Miller	The motion CARRIES.
355	Sen. Miller	MOTION: Moves HB 3742A to the floor with a DO PASS AS AMENDED recommendation.
		<p>VOTE: 3-2</p> <p>AYE: 3 - Bryant, Derfler, Miller</p>

		NAY: 2 - *Brown, Trow *Sen. Brown standing in for Sen. Leonard
	Chair Miller	The motion CARRIES.
		SEN. MILLER will lead discussion on the floor.
364	Sen. Brown	Serves notice of possible minority report.
365	Sen. Brown	Asks if the Governor has the ability to veto HB 3502.
369	Nordlund	Defers question to Legislative Counsel.
378	Sen. Trow	States they have left the provisions in HB 3742 that allow for a process for determining a ballot title in case this is vetoed.
381	Sen. Bryant	Adds that this is already in statute as well.
382	Chair Miller	Closes work session on HB 3742, re-opens work session on HB 2201.
<u>HB 2201 - WORK SESSION</u>		
397	Jan Nordlund	Committee Administrator, explains the committee adopted six amendments to HB 2201 on July 1, 1997, which are combined in the proposed -A23 amendments (EXHIBIT E) and since then, there have been three additional changes. Explains details.
TAPE 135, A		
004	Colleen Sealock	Elections Director, addresses changes in the -A23 amendments.
011	Nordlund	States first change is in section 13, page 19, second change is on page 57, and explains details.
029	Sealock	Adds the change in section 52 (a) is language to address conflicts if HB 3519 becomes law.
034	Chair Miller	Asks for clarification about change regarding HB 3519.
035	Sealock	Explains.
043	Sen. Miller	MOTION: Moves to ADOPT HB 2201A-23 amendments dated 7/4/97.
		VOTE: 4-1 AYE: 4 - Bryant, Derfler, Miller NAY: 1 - *Brown, Trow * Sen. Brown standing in for Sen. Leonard

	Chair Miller	The motion CARRIES.
050	Sen. Trow	Offers proposed -A19 amendments and explains provisions.
054	Sen. Trow	MOTION: Moves to ADOPT HB 2201A-19 amendments dated 07/03/97.
056	Sen. Trow	Explains why he believes the Mannix amendments are detrimental, and why vote-by-mail should be put into HB 2201.
064		VOTE: 2-3 AYE: 2 - *Brown, Trow NAY: 3 - Bryant, Derfler, Miller *Sen. Brown standing in for Sen. Leonard
	Chair Miller	The motion FAILS.
068	Sen. Miller	MOTION: Moves HB 2201A to the floor with a DO PASS AS AMENDED recommendation and BE REFERRED to the committee on Ways and Means.
		VOTE: 3-2 AYE: 3 - Bryant, Derfler, Miller NAY: 2 - *Brown, Trow *Sen. Brown standing in for Sen. Leonard
	Chair Miller	The motion CARRIES.
	Chair Miller	Comments on Sine Die Resolution, closes work session on HB 2201, and adjourns meeting at 7:47 pm.

Submitted By, Reviewed By,

Jennifer Peck, Jan Nordlund,

Administrative Support Administrator

Submitted By,

Julie Havel,

Administrative Support

EXHIBIT SUMMARY

A - State Scholarship Commission, executive appointment for Jessica Harris, staff, 11 pp.

B - State Scholarship Commission, executive appointment for David Mesirow, staff, 8 pp.

C - HB 3502, Measure 16 ballot title copy, David Findanque, 1 p.

D - HB 3502, proposed -A4 amendments, Sen. Brown, 1 p.

E - HB 3742, proposed -A17 amendments, staff, 1 p.

F - HB 2201, proposed -A23 amendments, staff, 112 pp.

G - HB 2201, proposed -A19 amendments, staff, 110 pp.
