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**SENATE COMMITTEE ON RULES AND ELECTIONS**

**March 11, 1997 Hearing Room 343**

**3:00 Tapes 18 - 19**

**MEMBERS PRESENT:**

**Sen. Randy Miller, Chair**

**Sen. Gene Derfler, Vice-Chair**

**Sen. Neil Bryant**

**Sen. Cliff Trow**

**MEMBER EXCUSED:**

**Sen. Randy Leonard**

**STAFF PRESENT:**

**Jan Nordlund, Administrator**

**Jennifer Peck, Administrative Support**

**MEASURE/ISSUES HEARD:**

**SB 444 Work Session**

**SB 138 Work Session**

## SJR 2 Public Hearing and Work Session

### Introduction of Committee Bills

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
<b>TAPE 18, A</b>		
000	Chair Miller	Opens meeting at 3:10 p.m. and opens work session on SB 444.
<b><u>SB 444 WORK SESSION</u></b>		
014	Paul Snider	Association of Oregon Counties. Explains the intent of the proposed-1 amendments ( <b>EXHIBIT A</b> ). Explains compensation for the commissioners.
045	Sen. Trow	Asks if all counties will be affected if SB 444 passes.
051	Snider	Responds that the different counties would be affected differently.
057	Chair Miller	Asks if the language is restrictive by requiring specific numbers.
068	Snider	Responds.
071	Sen. Trow	<b>MOTION: Moves to ADOPT SB 444-1 amendments dated 03/10/97.</b>
	Chair Miller	<b>Hearing no objection, declares the motion CARRIED.</b>
081	Sen. Trow	<b>MOTION: Moves SB 444 to the floor with a DO PASS AS AMENDED recommendation.</b>
	Chair Miller	<b>Hearing no objection, declares the motion CARRIED.</b>  <b>SEN. FERRIOLI will lead discussion on the floor.</b>
082	Chair Miller	Closes work session on SB 444 and opens work session on SB 138.
<b><u>SB 138 WORK SESSION</u></b>		
083	Sen. Trow	Explains he mostly agrees with Chair Miller's list, but would be hesitant about taking out all the commissions mentioned.
102	Chair	States SB 138 will come back to committee for further

	Miller	consideration.
120		Testimony from the Oregon Society of Certified Public Accountants and Oregon Parks and Recreation Commission submitted by staff ( <b>EXHIBIT H</b> ) and ( <b>EXHIBIT I</b> ).
121	Chair Miller	Closes work session on SB 138 and opens public hearing on SJR 2.
<b><u>SJR 2 PUBLIC HEARING</u></b>		
126	Sen. Trow	Explains SJR 10 is a repeat of some of the same concepts as SJR 2.
135	Phil Keisling	Secretary of State. Presents <b>EXHIBIT B</b> in support of SJR 2. Explains the percentage changes for signatures. Discusses constitutional versus statutory changes.  States Oregon has one of the smallest differences in signature requirements of all states with direct initiatives.  States the goal is not to have fewer initiatives, in fact the number of initiatives may increase.
200	Keisling	States Oregon has more constitutional amendments proposed than any other state.  States the goal of SJR 2 is to achieve a balance, not perfection.  Comments on public distrust in the legislative process.
255	Keisling	States this measure is straightforward, yet does not address all of the goals.
285	Chair Miller	Asks what number of initiatives for constitutional amendments have been adopted.
287	Keisling	Estimates about 30%, or about 40 initiatives.
292	Chair Miller	Discussion of the gubernatorial election as reference for signature requirements.
295	Keisling	Refers to systems in other states.
314	Sen. Bryant	Asks about the City Club of Portland report recommendation on signatures.
316	Keisling	States they proposed that constitutional amendments be subject restricted and that they do not support changing the signature spread.
320	Sen. Bryant	Asks about moving the operative date forward.
322	Keisling	States no objection.
340	Sen. Trow	Asks about restricting changes which could be made to the constitution.

343	Keisling	States he is open to alternatives.
368	Sen. Trow	Comments on changing the percentage of votes needed to pass a constitutional amendment.
370	Keisling	Discusses the super-majority requirement.
392	Sen. Trow	Asks if other states have had a constitutional convention in order to rework the amendments which collect over time. Asks what a process would be for having such a convention.
4395	Keisling	States he does not know.
<b>TAPE 19, A</b>		
008	Sandra Bishop	League of Women Voters of Oregon.
011	Mary Krahn	League of Women Voters of Oregon. Presents <b>EXHIBIT C</b> .
098	Chair Miller	Asks if Krahn would accept the 12% signatures for constitutional amendments and 5% for proposing or revising statutes.
035	Krahn	Responds that 12% is acceptable, but League wants no less than 6% for initiative laws.
037	Bishop	Explains the percentages chosen by the League of Women Voters.
056	Lloyd Marbet	Coalition for Initiative Rights. Presents <b>EXHIBIT D</b> in opposition to SJR 2.
084	Marbet	Continues presentation of testimony.
111	Chair Miller	Asks if there are other suggestions from the City Club of Portland beyond raising the number of signatures.
115	Marbet	States his opinions of the intention of their statement in the exhibit.
131	Chair Miller	Asks which part of SJR 2 would meet Marbet's approval.
136	Marbet	States fewer signatures would be supported. Comments on his experience with the legislature.
157	Sen. Trow	Comments that this measure will move a vote to the people.
167	Marbet	Responds with his views on democracy.
182	Sen. Bryant	Asks who is in the Coalition of Initiative Rights.
184	Marbet	Responds.
187	Dan Estes	Presents <b>EXHIBIT E</b> on behalf of Sen. Fisher.
222	Phillip Ramsdell	State Political Director and Lobbyist, Oregon Citizens Alliance. Presents <b>EXHIBIT F</b> in opposition to SJR 2.
264	David Buchanan	Executive Director, Oregon Common Cause. Supports SJR 2. Explains procedures of changes and comments on initiative changes.
312	Sen. Trow	Asks about affects on paid signature gathering.

320	Buchanan	States changes may be made concerning paid signature gathering.
330	Chair Miller	Asks about opinions of raising signatures beyond 12%.
331	Buchanan	Comments that the main purpose is to increase the gap between statutory and constitutional changes, so people will be less likely to try to amend the constitution.
357	Chair Miller	Asks about the percentages stated in SJR 2.
359	Buchanan	Believes it is a good step to make statutory changes easier for citizens.
385	David Fidanque	Executive Director, American Civil Liberties Union of Oregon. Supports SJR 2. Explains it should be difficult to amend the constitution.
<b>TAPE 18, B</b>		
001	John Beatty	Chair, Oregon Initiative Committee, Multnomah County. States that we cannot continue to add amendments to the constitution avoiding legislative analysis.
024	Sen. Trow	Asks about the recommendations which were in legislative counsel.
030	Beatty	Explains the status of the other proposals.
033	Sen. Trow	Asks if the committee will be able to see the other proposals.
039		Staff presents proposed-1 amendments and submitted letters <b>EXHIBIT G.</b>
040	Chair Miller	States there will be further discussion on these issues. Notes the submitted letters for and against SJR 2 and SJR 10. Closes public hearing on SJR 2 and opens work session on SJR 2.
<b><u>SJR 2 WORK SESSION</u></b>		
065	Chair Miller	Explains the SJR 2-1 amendments.
068	Ted Reutlinger	Legislative Counsel's office. Comments on SJR 2-1 amendments.
090	Sen. Bryant	Asks how many petitions are filed which are currently gathering signatures.
093	Reutlinger	Estimates in the low twenties.
097	Sen. Trow	Asks about other proposals if SJR 2 were to be put on the ballot.
109	Chair Miller	Explains this would not foreclose looking at other suggestions, since SJR 2 would be considered separately.
111	Chair Miller	<b>MOTION: Moves to ADOPT SJR 2-1 amendments dated 3/6/97.</b>
	Chair Miller	<b>Hearing no objection, declares the motion CARRIED.</b>

114	Chair MILLER:	<b>MOTION: Moves SJR 2 be sent to the floor with a BE ADOPTED AS AMENDED recommendation.</b>
	Chair Miller	Hearing no objection, declares the motion <b>CARRIED.</b>  <b>SEN. MILLER will lead discussion on the floor.</b>
114	Chair Miller	Closes work session on SJR 2 and opens work session for introduction of measures for approval.
<b><u>INTRODUCTION OF COMMITTEE BILLS</u></b>		
116	Jan Nordlund	Committee Administrator. Lists the LCs and draft requests submitted for committee approval.
153	Sen. Miller	<b>MOTION: Moves LC 4197 dated 3/4/97 BE INTRODUCED as a committee bill and LC 4216 dated 2/26/97, LC 3915 dated 3/4/97, LC 3032 dated 2/28/97, and LC 2195 dated 1/21/97 BE INTRODUCED. Moves draft and introduction requests for Oregon dentistry licensing examination and draft and introduction requests for Oregon State Bar to comply with public meeting requirements BE APPROVED.</b>
	Chair Miller	Hearing no objection, declares the motion <b>CARRIED.</b>
171	Chair Miller	Closes the work session and adjourns meeting at 4:21 p.m.

Submitted By, Reviewed By,

Jennifer Peck, Jan Nordlund,

Administrative Support Administrator

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**EXHIBIT SUMMARY**

A - SB 444, proposed-1 amendments, staff, 2 pp

**B - SJR 2, written testimony, Phil Keisling, 3 pp**

**C - SJR 2, written testimony, Mary Krahn, 1 p**

**D - SJR 2, written testimony, Lloyd Marbet, 2 pp**

**E - SJR 2, written testimony, Dan Estes, 1 p**

**F - SJR 2, written testimony, Phillip Ramsdell, 1 p**

**G - SJR 2, proposed-1 amendments and submitted letters, 11 pp**

**H - SB 138, submitted testimony, staff, 1 p**

**I - SB 138, submitted testimony, staff, 2 pp**

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