

—

SENATE COMMITTEE ON RULES AND ELECTIONS

April 17, 1997 Hearing Room 343

3:00 PM Tapes 44 - 45

MEMBERS PRESENT:

Sen. Randy Miller, Chair

Sen. Gene Derfler, Vice-Chair

Sen. Neil Bryant

Sen. Randy Leonard

Sen. Cliff Trow

MEMBER EXCUSED:

STAFF PRESENT:

Jan Nordlund, Administrator

Jennifer Peck, Administrative Support

MEASURE/ISSUES HEARD:

Introduction of Committee Bills

SB 222 Work Session

SB 284 Public Hearing and Work Session

SJR 34 Public Hearing 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 44, A		
002	Chair Miller	Opens meeting at 3:15 p.m. and opens work session for introduction of measures for approval.
<u>INTRODUCTION OF COMMITTEE BILLS</u>		
008		Discussion of the measure for introduction.
023	Chair Miller	MOTION: Moves draft and introduction requests from the Oregon Small Business Coalition BE INTRODUCED as a committee bill.
	Chair Miller	Hearing no objection, declares the motion CARRIED.
028	Chair Miller	Closes work session and opens work session on SB 222.
<u>SB 222 WORK SESSION</u>		
028		Staff submits public letters and proposed -6 amendments to SB 222 (EXHIBIT A).
029	Colleen Sealock	Director of Elections, Secretary of State. Presents (EXHIBIT B) in explanation of SB 222. States the 1993 language sunset December 31, 1996. States that amendments restore sunset language.
057	Sen. Leonard	Asks what the -6 amendments do to the one argument for and against a measure.
058	Sealock	Comments on the sunset provisions.
061	Chair Miller	Asks about language in section 4.
065	Sealock	Refers to page 2 of the amendments and explains the section.
075	Sen. Derfler	Asks if there are any changes other than the sunset provisions.
080	Sealock	States there are changes in section 4, in section 13 which allow the writers of the fiscal statement to meet early, and in section 9 concerning the state printer.
090	Chair Miller	Asks about the amounts of fees.
		Refers to section 7 and states the fees are not increased from

092	Sealock	values in sunset language.
096	Sen. Derfler	Asks for the actual costs per argument.
097	Sealock	Lists the cost of \$5,204 per page. Explains there are two arguments per page.
117	Chair Miller	States a person may also get an argument on the ballot for free if sufficient signatures are gathered.
124	Sen. Leonard	Asks about the -6 amendments.
125	Chair Miller	Explains the reasons for the -6 amendments.
127		Discussion of limitation of one argument per side.
142	Sen. Leonard	States voters would be more apt to read the arguments if they were more precise.
149	Chair Miller	Discussion of the arguments and who would write them.
180	Sen. Leonard	Restates he would support restoring the one argument per side.
189	Chair Miller	States that we may be able to save the taxpayers money by increasing the fee argument sponsors must pay.
204	Sen. Derfler	Asks about arguments in the -6 amendments.
206	Sealock	States the -6 amendments keep the fees at current levels.
223	Sen. Bryant	Asks if there is a legal way to submit only one argument from each group.
229	Sealock	States the voters' pamphlet is not a free speech document because it is not constitutionally mandated to be published. Comments that many times one group submits arguments through different writers and the public cannot tell that is the case from the voters' pamphlet.
240	Sen. Bryant	States problems with limiting the number of arguments.
251	Sen. Derfler	Suggests raising the fee for the arguments from \$500 to \$750.
260	Sen. Leonard	Comments that statements ought to be affordable for all groups.
279	Sen. Trow	Asks how long the fee has been \$500.
281	Sealock	States it was \$300 and has been \$500 since 1993.
312	Sen. Derfler	MOTION: Moves to AMEND the proposed -6 amendments dated 4/14/97 to SB 222 on page 10, in line 24, replacing "\$500" with "\$750."
	Chair Miller	Hearing no objection, declares the motion CARRIED.

315	Sen. Bryant	Suggests a conceptual amendment which would allow only one argument per group or person.
324	Sen. Trow	Suggests making a second argument per group or person \$1,000.
335	Sen. Bryant	Suggests charging \$2,500 for each additional argument to cover the costs of the printing.
340		Discussion of the amendments.
360	Sen. Trow	Comments he will not support that because it is unfair to people with less money.
366	Sen. Bryant	MOTION: Moves to conceptually AMEND the proposed -6 amendments dated 4/14/97 to SB 222 on page 10, in line 24, so that the first argument submitted by an individual or group costs \$750, and any additional argument costs \$2,500.
	Chair Miller	VOTE: 4-1 AYE: 4 - Bryant, Derfler, Leonard, Miller NAY: 1 - Trow
	Chair Miller	The motion CARRIES.
409	Chair Miller	Closes work session on SB 222 and opens public hearing on SB 284.
<u>SB 284 PUBLIC HEARING</u>		
410		Staff submits proposed -2 amendments to SB 284 offered by State Court Administrator (EXHIBIT C).
411	Sen. Bryant	Notes the -2 amendments were drafted upon his request.
420	Bradd Swank	Court Administrators Office. Explains the -2 amendments.
<u>TAPE 45, A</u>		
003	Chair Miller	Restates that this applies only to measures which have been passed by the voters.
006	Swank	Agrees.
007	Chair Miller	Asks if Marion County is prepared for the additional work from SB 284.
011	Sen. Bryant	Comments that most appeals are in Marion County area because state agencies are in the area.
035	Chair Miller	Asks about petitioners getting different treatment in different counties.
037	Sen. Bryant	Explains SB 284 may give an advantage to attorneys in the area.
046	Chair Miller	Closes public hearing on SB 284 and opens work session on SB 284.
<u>SB 284 WORK</u>		

SESSION		
050	Sen. Bryant	MOTION: Moves to ADOPT SB 284 -2 amendments dated 4/17/97.
	Chair Miller	Hearing no objection, declares the motion CARRIED.
055	Sen. Bryant	MOTION: Moves SB 284 to the floor with a DO PASS AS AMENDED recommendation.
	Chair Miller	Hearing no objection, declares the motion CARRIED. SEN. BRYANT will lead discussion on the floor.
057	Chair Miller	Closes work session on SB 284 and opens public hearing on SJR 34.
<u>SJR 34 PUBLIC HEARING</u>		
060		Staff presents (EXHIBIT D).
061	Chair Miller	Explains the effects of SJR 34. States the session would be 120 days in the odd-numbered years and 60 days in the even-numbered years and the per diem would run out at the end of these set days, although the session could be continued with two-thirds votes in each house, but legislators would receive only their base pay.
086	Sen. Leonard	Asks what the base pay is.
088	Sen. Bryant	States it is \$1,092 per month gross.
089	Chair Miller	Explains it has not been increased since 1993.
090	Sen. Derfler	Asks about the Governor's authority to call legislature into special session.
091	Chair Miller	States it would not change.
095	Jan Nordlund	Committee Administrator. Explains subsection 1.
097	Sen. Leonard	States he does not support cutting the per diem. Supports the two-thirds vote.
120		Discussion of the difficulty of some people to serve as legislators if not getting per diem beyond the 120 days of a regular session.
133	Sen. Bryant	States he likes the concept of SJR 34 because interim is long enough to lose some of the momentum. Comments that focusing on the budget can detract from other more complicated issues. Suggests that if session is extended then the legislators will meet

		seven days per week.
165	Chair Miller	Comments on the two-thirds votes for extensions.
178	Sen. Derfler	Comments on the starting dates.
179	Chair Miller	States he intends to change the date to the first Monday of March. States he wants to make the interims more meaningful.
197	Sen. Derfler	Comments on campaigning in even-numbered years.
206	Chair Miller	Suggests hearings on the campaigning issues.
217	Sen. Leonard	Suggests members be eligible for only 50% of their salary when session is extended. Comments that most people do not understand the concept of per diem.
236	Sen. Bryant	Comments that people who vote are likely to understand this concept.
242		Discussion of the "per diem" wording.
251	Chair Miller	Comments on salaries during session versus during interim.
280		Discussion of the incentive to cut off the per diem.
286	Chair Miller	Closes public hearing on SJR 34 and opens work session on SJR 34.
<u>SJR 34 WORK SESSION</u>		
304	Sen. Leonard	Proposes changing "two-thirds" to "three-fourths" in subsection 2, changing section 3 by deleting "per diem payments" and substituting "only 50% of their salary," and deleting the word "not" in line 17.
313	Sen. Derfler	Comments on special session.
317	Nordlund	Explains that anything over 120 or 60 day periods might include special sessions.
320		Discussion of proposed amendments.
336	Chair Miller	Asks if base salary is figured on a daily basis.
350		Discussion of the amendments.
364	Sen. Leonard	MOTION: Moves to AMEND SJR 34 on page 1, deleting lines 17-18 and inserting "members are eligible for one-half their salary for any period exceeding the limits specified in subsection (1) of this section."
	Chair Miller	Hearing no objection, declares the motion CARRIED.

380	Chair Miller	Comments that special sessions would be treated as they are now since the 60-day and 120-day sessions are defined as "regular session."
390		Discussion of changing session dates.
TAPE 44, B		
001		Discussion continues concerning the dates and the primary elections. Discussion of campaigning while currently holding a position and having time for a meaningful interim.
039	Chair Miller	MOTION: Moves to AMEND SJR 34 on page 1, in line 10, replacing "April" with "February."
	Chair Miller	Hearing no objection, declares the motion CARRIED.
050	Chair MILLER:	MOTION: Moves SJR 34 be sent to the floor with a BE ADOPTED AS AMENDED recommendation.
	Chair Miller	Hearing no objection, declares the motion CARRIED. SEN. MILLER will lead discussion on the floor.
055	Sen. Derfler	Asks when it would be up for a vote to the people.
056	Chair Miller	States it will be the May primary in 1998. Comments that a similar measure did not pass in 1990 by about 5,000 votes.
059	Chair Miller	Closes work session on SJR 34 and adjourns meeting at 4:20 p.m.

Submitted By, Reviewed By,

Jennifer Peck, Jan Nordlund,

Administrative Support Administrator

-

EXHIBIT SUMMARY

A - SB 222, submitted public letters and proposed -6 amendments, staff, 15 pp

B - SB 222, explanation of -6 amendments, Colleen Sealock, 3 pp

C - SB 284, proposed -2 amendments, State Court Administrators Office, 4 pp

D - SJR 34, legislative legal provisions, staff, 2 pp
