

**SENATE COMMITTEE ON RULES AND ELECTIONS**

**May 15, 1997 Hearing Room 343**

**3:00 PM Tapes 62 - 63**

**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:**

**SJM 4 Public Hearing and Work Session**

**SJR 15 Public Hearing**

**SB 1203 Public Hearing**

**SB 485 Work Session**

**SB 577 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.**

<b>Tape/#</b>	<b>Speaker</b>	<b>Comments</b>
<b>TAPE 62, A</b>		
003	Chair Miller	Opens meeting at 3:10 p.m. and opens public hearing on SJM 4.
<b><u>SJM 4 PUBLIC HEARING</u></b>		
		Vice-State Commander. Supports SJM 4. Comments on recognizing

021	T. Steve Jolly	the veterans who were underage during the wars in which they fought.
072	Jolly	States the effort is to get these military veterans to come forward.
097	Charles Huey	Member, Veterans of Underage Military Service and Commander. Supports SJM 4. Comments on veterans who are still alive, but afraid to come forward because they were illegally in the military.
119	Chair Miller	Comments on Jolly's experience.
128	Rev. Leham Gearty	Represents the Greater Salem Veterans, Salem, Oregon. Supports SJM 4. Explains many of the underage veterans do not get the benefits which other veterans receive.
178	Chair Miller	Adjourns public hearing on SJM 4 and opens public hearing on SJR 15.
<b><u>SJR 15</u></b> <b><u>PUBLIC</u></b> <b><u>HEARING</u></b>		
184		Staff presents a letter from the Governor presented prior to the meeting ( <b>EXHIBIT A</b> ).
186	Chair Miller	Explains some of the main concerns addressed in SJR 15.
210	Sen. Leonard	Comments on the term "public safety."
234	Chair Miller	Comments on "economic development."
246	Sen. Trow	States he does not agree with the dedication of lottery funds under SJR 15.
264	Chair Miller	Asks if the lottery money should be allowed to flow into the General Fund.
276	Sen. Trow	States it should and suggests education may fall under the General Fund.
279	Don Hull	Department of Geology and Mineral Industries. Presents testimony ( <b>EXHIBIT C</b> ). Comments on the language of SJR 15.
317	Joni Low	League of Oregon Cities. Presents testimony in opposition to SJR 15 ( <b>EXHIBIT D</b> ). States the funds would be used for public safety. States SJR 15 would shift funding to personnel and public safety.
367	Low	States the elimination of lottery funds would detract from other state programs.
388	Sen. Leonard	Comments on public safety jobs having benefits to the state.
402	Low	Explains lottery money should create or provide jobs.
415	Chair Miller	Comments on public safety having benefits in the community.
420	Low	States funding should go towards basic services which are necessary for communities.
435	Chair Miller	Asks about money in the General Fund.

442	Low	Comments on the distribution of lottery proceeds and General Funds.
<b>TAPE 63, A</b>		
001	Chair Miller	Asks if the programs to be funded would still be meritorious.
005		Discussion of infrastructure and the voters' decisions to use funds first for economic development then for education.
022	Alan Willis	Port of Portland. Presents testimony in opposition to SJR 15 ( <b>EXHIBIT B</b> ). Comments on the channel dredging project.
060	Gordon Folks	Association of Oregon Counties. Expresses concerns for the funding and infrastructure which affect many people who are involved in economic development.
079	Chair Miller	Closes public hearing on SJR 15 and re-opens public hearing on SJM 4.
<b><u>SJM 4 PUBLIC HEARING</u></b>		
080	Chair Miller	Closes public hearing on SJM 4 and opens work session on SJM 4.
<b><u>SJM 4 WORK SESSION</u></b>		
082	<b>Chair Miller:</b>	<b>MOTION: Moves SJM 4 be sent to the floor with a BE ADOPTED recommendation.</b>
088		Discussion of the impact of SJM 4.
104	<b>Chair Miller</b>	<b>Hearing no objection, declares the motion CARRIED.</b> <b>SEN. STULL will lead discussion on the floor.</b>
109	Chair Miller	Closes work session on SJM 4 and opens public hearing on SB 1203.
<b><u>SB 1203 PUBLIC HEARING</u></b>		
110	Jessica Harris	Speaks on behalf of Sen. Jeanette Hamby, District 5. Explains SB 1203. States the new legislators would have the option to have useful orientation experiences as listed in SB 1203.
152	Sen. Leonard	Comments on a letter concerning the criminal justice system in Oregon which was very informative.
173	Chair Miller	Comments on the ideas in SB 1203.
182	Sen. Trow	Asks if these are voluntary choices.
187	Harris	States this measure is based solely on the choice of each legislator.
191	Sen. Trow	Redefines the efforts of SB 485.
198	Chair Miller	Asks about the need of the program being in the statutes versus simply being a policy.
211	Harris	Comments that the firsthand knowledge would be strongly encouraged if this were in the law.
234	Chair Miller	Asks about the public which votes for people who will represent them

		in the legislature.
238	Harris	States most legislators have full-time jobs which do not allow them to accurately see these other areas.
253	Chair Miller	Closes public hearing on SB 1203 and opens work session on SB 485.
<b>SB 485 WORK SESSION</b>		
272		Governor's office presents a letter in opposition to SB 485 ( <b>EXHIBIT E</b> ).
273	Jan Nordlund	Committee Administrator. Reviews the previous meetings on SB 485. Reviews the proposed -2, -3, -4, -5, -6, -7, and -8 amendments ( <b>EXHIBIT F</b> ).
335		Discussion of the various amendments.
387	Sen. Bryant	Comments on members being active in more than one type of workgroup or committee. Asks if members would need to refrain from answering certain questions due to conflicts of interest.
415	Chair Miller	States members could be careful about remaining neutral.
436		Discussion of the Attorney General's input.
<b>TAPE 62, B</b>		
002	Sen. Bryant	Asks about situations where the Attorney General or Deputy Attorney General would need to give testimony.
011	Nordlund	Comments on the option of invited testimony.
013	Sen. Trow	Asks about situations which may arise with differing opinions of people on the committee.
020	Nordlund	Explains testimony is allowed upon invitation by any member of the committee in the -8 amendments.
032	Sen. Derfler	Asks about the details of lobbying.
038		Discussion of per diem for lobbyists.
049	Sen. Leonard	States this could be unconstitutional due to separation of powers.
070	Lee Hazelwood	Governor's Commission on Seniors. Comments on concerns with the compensation issues. States senior citizen's should be allowed to be represented in Oregon.
110	Rollie Smith	Member, Governor's Commission on Seniors. States there appears to be a conflict in the existing statute. States he is not hired by anyone, yet is considered a state employee. Addresses responding to ballot measures.
135	Sen. Bryant	Asks about section 2, subsection 2 concerning contracting out for lobbying and asks about the portion of section 3 relating to the Governor and the separation of powers.
160	Hazelwood	States seniors cannot be represented without the Governor's Commission.

177	David Schumann	Deputy Attorney General (AG). Comments on the Governor's duty to advise the Legislature. Comments on possible problems with advice coming from the AG and the AG's office.
205	Chair Miller	Asks about wording which would allow neutral advice from the Attorney General's office.
209	Schumann	States some of the bills are sponsored by units in the AG's office.
221	Sen. Trow	Asks if SB 485 would allow the Attorney General's office to advocate for measures.
227	Schumann	States it probably would.
233		Discussion of opinions from the Attorney General's office.
237	Sen. Trow	States this could be a problem looking for a solution.
246	Chair Miller	Comments that much of the testimony is quite expensive because many people are present only to monitor progress of a measure.
260	Chair Miller	Closes work session on SB 485 and opens work session on SB 577.
<b>SB 577 WORK SESSION</b>		
278		Staff presents proposed -1, -2 and -3 amendments to SB 577 presented prior to the meeting ( <b>EXHIBIT G</b> ).
280	Jan Nordlund	Committee Administrator. Explains the -1 amendments.
291	Chair Miller	Asks for clarification of the emergency clause.
293	Nordlund	Clarifies the sponsors intentions in the -1 amendments.
297	<b>Chair Miller</b>	<b>MOTION: Moves to ADOPT SB 577-1 amendments dated 3/5/97.</b>
313		<b>VOTE: 3-2</b> <b>AYE: 3 - Bryant, Derfler, Miller</b> <b>NAY: 2 - Leonard, Trow</b>
	<b>Chair Miller</b>	<b>The motion CARRIES.</b>
313	<b>Chair Miller</b>	<b>MOTION: Moves SB 577 to the floor with a DO PASS AS AMENDED recommendation.</b>
		<b>VOTE: 3-2</b> <b>AYE: 3 - Bryant, Derfler, Miller</b> <b>NAY: 2 - Leonard, Trow</b>
	<b>Chair Miller</b>	<b>The motion CARRIES.</b> <b>SEN. SHANNON will lead discussion on the floor.</b>
317	Sen. Leonard	Serves notice of a possible minority report.

334	Chair Miller	Closes work session on SB 577 and adjourns meeting at 4:34 p.m.
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Submitted By, Reviewed By,

Jennifer Peck, Jan Nordlund,

Administrative Support Administrator

**EXHIBIT SUMMARY**

**A - SJR 15, letter and data, staff, 5 pp**

**B - SJR 15, written testimony, Alan Willis, 3 pp**

**C - SJR 15, written testimony, Don Hull, 1 p**

**D - SJR 15, written testimony and data, Joni Low, 3 pp**

**E - SB 485, letter, Governor's office, 2 pp**

**F - SB 485, proposed -2, -3, -4, -5, -6, -7, and -8 amendments, staff, 7 pp**

**G - SB 577, proposed -1, -2, and -3 amendments, staff, 5 pp**

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