

SENATE COMMITTEE ON RULES AND ELECTIONS

May 29, 1997 Hearing Room 343

3:00 PM Tapes 71 - 72

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

Anne Tweedt, Policy Analyst

Glen Stonebrink, Administrator

Jennifer Peck, Administrative Support

MEASURE/ISSUES HEARD:

HB 3634 Public Hearing and Work Session

SB 428 Public Hearing and Work Session

HB 3522 Public Hearing and Work Session

HCR 29 Public Hearing and Work Session

HB 3519 Public Hearing and Work Session

SB 638 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
TAPE 71, A		
003	Chair Miller	Opens meeting at 3:10 p.m. and opens public hearing on HB 3634.
<u>HB 3634 PUBLIC HEARING</u>		
009	Rep. Mark Simmons	District 58. Supports and explains HB 3634.
024	Sen. Trow	Asks about resistance to HB 3634 in the House.
026	Rep. Simmons	States it was unanimously passed out of the House.
030	Chair Miller	Asks about the numbers which were chosen.
036	Rep. Simmons	Defers to Todd Heidgerken.
040	Todd Heidgerken	Water Resources Department. Supports HB 3634. Comments on the current law and costs of developing ponds. Comments on section 2, subsection 11.
089	Sen. Trow	Asks about the pond sizes.
094	Heidgerken	Explains the pond sizes.
094	Tan Byler	Water Resources Department. Presents testimony neutral to HB 3634 (EXHIBIT A).
118	Sen. Trow	Asks if he is aware of any opposition to HB 3634.
120	Byler	Explains he is not aware of opposition.
133	Chair Miller	Closes public hearing on HB 3634 and opens work session on HB 3634.
<u>HB 3634 WORK SESSION</u>		
138	Chair Miller	MOTION: Moves HB 3634 to the floor with a DO PASS recommendation.
	Chair Miller	Hearing no objection, declares the motion CARRIED. SEN. MILLER will lead discussion on the floor.
145	Chair Miller	Closes work session on HB 3634 and opens public hearing on SB 428.
<u>SB 428 PUBLIC HEARING</u>		
148	Jack Kane	Oregon Optometric Association. Supports and explains SB 428.
170	Bob Tibolt, M.D.	Ophthalmologist and President, Oregon Academy of Ophthalmology. Presents testimony in support of SB 428 (EXHIBIT B). Comments on the population affected by eye

		problems. States in the long run SB 428 will save the citizens money.
200	Jody Fischer	Oregon Academy of Opthamology. Supports SB 428. Explains the -A8 amendments (EXHIBIT F) and the health plan.
240	Wayne Shoemaker	Executive Director, Oregon Optometric Association and licensed insurance agent. Discusses the gatekeeper system. Comments on equipment of the primary care physician.
285	Sen. Bryant	Asks about the fiscal impact.
290	Shoemaker	States he does not know where the data came from.
310	Hersh Crawford	Office of Medical Assistance Programs. Presents testimony in opposition to SB 428 (EXHIBIT C). Discusses referrals and insurance carriers.
358	Chair Miller	Requests a brief sketch of the situation.
361	Crawford	Discusses routine eye exams.
395	Sen. Trow	Asks about the effects of the amendment to SB 428.
407	Peggy Anet	Health Insurance Association of America. Presents testimony in opposition to SB 428 (EXHIBIT D). States SB 428 allows the primary care physician to be uninvolved in the cases. States SB 428 is unclear.
TAPE 72, A		
003	Anet	Comments on the higher payments by individuals outside medical plans. Comments on section 1 (1) and section 1 (3) (b). States SB 428 is technically flawed.
036	John Powell	Blue Cross/Blue Shield of Oregon. Opposes SB 428.
056	Joe Gilliam	National Federation of Independent Businesses. Opposes SB 428.
078	Bruce Bishop	Kaiser Permanente. Presents testimony in opposition to SB 428 (EXHIBIT E). Comments on current statutory requirements and mandates.
087	Sen. Trow	Asks for clarification.
088	Fischer	Refers to ORS 171.875. Comments on mandated benefits.
122		Staff presents proposed -A8 amendments to SB 428 (EXHIBIT F).
123	Chair Miller	Closes public hearing on SB 428 and opens public hearing on HB 3522.
<u>HB 3522 PUBLIC HEARING</u>		
128	Rep. Jim Welsh	District 43. Supports HB 3522. Explains the background of HB 3522.
162	Glen Stonebrink	Committee Administrator. Explains a possible amendment as suggested by Rep. Messerle.

170	Rep. Welsh	States the amendment could work.
172	Steve Gordon	Coordinator of the West Eugene Wetlands Bank Project. Presents testimony in support of HB 3522 (EXHIBIT G).
188	Sen. Trow	Asks if there was opposition to HB 3522 in the House.
189	Gordon	Comments on the House vote.
193	Rep. Ken Messerle	District 48. Supports HB 3522. Comments on the intention of HB 3522.
222	Paul Cleary	Director, Division of State Lands. Presents testimony in support of HB 3522 (EXHIBIT H).
237		Staff presents proposed -A4 amendments to HB 3522 (EXHIBIT K).
238	Chair Miller	Closes public hearing on HB 3522 and opens work session on HB 3522.
HB 3522 WORK SESSION		
250	Sen. Leonard	MOTION: Moves to ADOPT HB 3522-A4 amendments dated 5/29/97.
		VOTE: 3-0 AYE: 3 - Leonard, Trow, Miller EXCUSED: 2 - Bryant, Derfler
	Chair Miller	The motion CARRIES.
254	Sen. Leonard	MOTION: Moves HB 3522 to the floor with a DO PASS AS AMENDED recommendation.
		VOTE: 3-2 AYE: 3 - Leonard, Trow, Miller EXCUSED: 2 - Bryant, Derfler
	Chair Miller	The motion CARRIES. SEN. LEONARD will lead discussion on the floor.
265	Chair Miller	Closes work session on HB 3522 and opens public hearing on HCR 29.
HCR 29 PUBLIC HEARING		
267	Jan Lee	Oregon Water Resources Congress. Presents testimony in support of HCR 29 (EXHIBIT I).
278	Reed Marbut	Water Resources Department. Presents testimony in support of HCR 29 (EXHIBIT J). Comments on expense and timing.

315	Sen. Trow	Asks about precedence.
317	Marbut	Responds
328	Sen. Trow	Asks if there is any precedence for this.
330	Marbut	Comments on precedence.
345	Chair Miller	Closes public hearing on HCR 29 and opens work session on HCR 29.
<u>HCR 29 WORK SESSION</u>		
348	Sen. TROW:	MOTION: Moves HCR 29 be sent to the floor with a BE ADOPTED recommendation.
	Chair Miller	Hearing no objection, declares the motion CARRIED. SEN. TROW will lead discussion on the floor.
356	Chair Miller	Closes work session on HCR 29 and opens public hearing on HB 3519.
<u>HB 3519 PUBLIC HEARING</u>		
365	Rose Marie Opp	Supports HB 3519. States that each petitioner should have a fact sheet with them while gathering signatures.
417	Sen. Leonard	Comments on the requirements of petitioners.
429	Lawrence Hudetz	Multnomah County. Supports HB 3519. Comments on petitioner requirements.
<u>TAPE 71, B</u>		
005	Bill Sizemore	Oregon Taxpayers United. Supports HB 3519 with amendments. Describes a slight technical flaw in HB 3519.
036	Chair Miller	Asks about page 5, lines 32 and 33. Asks if deleting a couple lines could help.
042	Sizemore	States that could work.
066	Chair Miller	Asks if Sizemore notices if citizens are concerned by petitioners being paid versus those who volunteer.
073	Sizemore	Comments that the citizens who sign petitions care more about the issue than if the petitioner is being paid.
087	Chair Miller	Reiterates Sizemore's comments.
093	Sizemore	Explains the only important issue is that the signers of petitions are registered Oregon voters.
103	Dan Meek	Coalition for Initiative Rights. Comments on problems with section 5.
122	Chair Miller	Asks if there is a choice among petitions.
125	Meek	Explains the various petition forms and their formats.
		Asks if paid signature gatherers could be given slightly

145	Chair Miller	different forms to indicate they are being paid.
150		Discussion of citizens signing petitions.
164	Scott Tighe	Operations Manager, Elections Division.
167	Rick Hansen	Executive Assistant, Secretary of State.
170	Tighe	Comments that Section 5 needs clarification. Comments on suggested language which could be added.
189	Sen. Trow	Asks about the rationale for attaching a petition to each sheet.
191	Tighe	Explains it allowed the signer of the petition to view the original wording.
215		Discussion of available text for petition signers.
246	Sen. Trow	Comments on copies of the text being available to citizens when signing petitions.
255	Hansen	Comments on petitioners getting paid.
281		Discussion of citizens being aware of paid petitioners.
290	Chair Miller	Asks if citizens could request to see a measure before they signed their signature.
296	Hansen	Explains citizens could do that.
303	Jan Nordlund	Asks for clarification of the current laws concerning designation of petition gatherers who are being paid.
320	Tighe	Explains the designation on petition sheets for paid signature gatherers.
357	Meek	Comments on the designation of payment for signature gathering. Describes the difference between petitioner sheets.
404	Sen. Trow	Asks about the enforcement of checking paid signature gatherers.
428	Meek	Comments on that enforcement.
440	Chair Miller	States the citizen may ask to see the measure's text.
425	Meek	States the credibility of the signature gatherers is questioned under the current system.
430	Sen. Trow	Comments on enforcing the law.
TAPE 72, B		
017	Chair Miller	Closes public hearing on HB 3519 and opens work session on HB 3519.
<u>HB 3519 WORK SESSION</u>		
020	Chair Miller	Suggests on page 6, line 15 of the bill to delete the words "prior to."
031	Bill Sizemore	Oregon Taxpayers United. Clarifies the effect of these suggested changes.

041	Jan Nordlund	Committee Administrator. Explains the suggested changes from Legislative Counsel.
049	Scott Tighe	Operations Manager, Elections Division. Comments on the changes.
051	Chair Miller	States HB 3519 will be considered in the next meeting. Closes work session on HB 3519 and opens work session on SB 638.
<u>SB 638 WORK SESSION</u>		
061	Jan Nordlund	Committee Administrator. Explains the -5 amendments to SB 638 (EXHIBIT L).
073		Discussion of related measures.
078	Fred Neal	Comments on the differences between the -4 and -5 amendments.
089	Nordlund	Explains and comments on the status of the fiscal office's input.
092	Neal	Comments on the possible fiscal impact.
112	Sen. Trow	Asks if the reports will be useful but not onerous.
119	Neal	Discusses filing times and deadlines.
146	Sen. Trow	Asks about clear and simple forms.
148	Neal	Comments that only a couple new forms needed to be created with the -5 amendments.
160		Discussion of political contributions and accounting.
172	Neal	States filling out the forms for smaller amounts may be considered onerous by some.
189		Discussion of possibly postponing voting on SB 638.
215	Sen. Bryant	MOTION: Moves to AMEND the -5 amendments to SB 638 dated 5/29/97 on page 20, in line 18, and on page 21, in line 13, and on page 25, in line 11 to delete "500" and replace it with "2,000" and to make this change consistent throughout.
		VOTE: 3-1 AYE: 3 - Bryant, Derfler, Miller NAY: 1 - Trow EXCUSED: 1 - Leonard
	Chair Miller	The motion CARRIES.
240	Chair Miller	MOTION: Moves to ADOPT SB 638-5 amendments dated 5/29/97 AS AMENDED.
		VOTE: 4-0

		AYE: 4 - Bryant, Derfler, Trow, Miller EXCUSED: 1 - Leonard
	Chair Miller	The motion CARRIES.
235	Chair Miller	MOTION: Moves SB 638 to the floor with a DO PASS AS AMENDED recommendation and BE REFERRED to the committee on Ways and Means.
		VOTE: 4-0 AYE: 4 - Bryant, Derfler, Trow, Miller EXCUSED: 1 - Leonard
	Chair Miller	The motion CARRIES.
250	Chair Miller	Closes work session on SB 638 and opens work session for approval of new measures.
<u>INTRODUCTION OF COMMITTEE BILLS</u>		
246	Chair Miller	Explains the measure for introduction.
258	Chair Miller	MOTION: Moves draft and introduction requests concerning speed limits on rural state highways BE APPROVED as a committee bill.
265		VOTE: 4-0 AYE: 4 - Bryant, Derfler, Trow, Miller EXCUSED: 1 - Leonard
	Chair Miller	The motion CARRIES.
259	Chair Miller	Closes work session and adjourns meeting at 4:55 p.m.

Submitted By, Reviewed By,

Jennifer Peck, Jan Nordlund,

Administrative Support Administrator

EXHIBIT SUMMARY

A - HB 3634, written testimony, Tan Byler, 2 pp

B - SB 428, written testimony and letter, Robert Tibolt, 4 pp

C - SB 428, written testimony, Hersh Crawford, 2 pp

D - SB 428, written testimony and article, Peggy Anet, 3 pp

E - SB 428, written testimony, Bruce Bishop, 3 pp

F - SB 428, proposed -A8 amendments, staff, 1 p

G - HB 3522, written testimony and pamphlets, Steve Gordon, 15 pp

H - HB 3522, written testimony, Paul Cleary, 1 p

I - HCR 29, written testimony and letter, Jan Lee, 3 pp

J - HCR 29, written testimony, Reed Marbut, 2 pp

K - HB 3522, proposed -A4 amendments, staff, 1 p

L - SB 638, proposed -5 amendments, staff, 37 pp
