

SENATE COMMITTEE ON RULES AND ELECTIONS

June 3, 1997 Hearing Room 343

2:30 PM Tapes 73 - 76

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

Jim Stembridge, Administrator

Jennifer Peck, Administrative Support

MEASURE/ISSUES HEARD:

HB 2910 Public Hearing and Work Session

HB 2598 Public Hearing and Work Session

HB 2640 Public Hearing and Work Session

SJR 42 Public Hearing

SB 485 Work Session

SB 638 Work Session for Reconsideration

SB 853 Public Hearing and Work Session

HB 3404 Public Hearing and Work Session

HB 2909 Public Hearing

HB 3519 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 73, A		
003	Chair Miller	Opens meeting at 2:36 p.m. and opens public hearing on HB 2910.
HB 2910 PUBLIC HEARING		
012		Staff submits proposed -A6 amendments to HB 2910 (EXHIBIT A).
013	Rep. Lonnie Roberts	District 21. Reads from a statement concerning HB 2910.
035	Sen. Derfler	Comments on the effects of HB 2910.
041	Chair Miller	Closes public hearing on HB 2910 and opens public hearing on HB 2598.
HB 2598 PUBLIC HEARING		
048		Staff submits proposed -A4 amendments to HB 2598 (EXHIBIT B).
049	Jim Stembridge	Committee Administrator. Explains HB 2598.
063	Dick Larowe	President, Oregon Council of Vehicle Associations. Supports HB 2598. Explains effects of HB 2598.
086	Chair Miller	Asks if this has been in legislation before.
088	Larowe	Responds. Discusses emergency lights being purple, not blue.
095	Jack Kinney	Oregon Council of Vehicle Associations. Supports HB 2598.
109	Glenn Jaeger	Studebaker Drivers Club, Multnomah Hot Rod Council. Supports HB 2598.
112	Sen. Trow	Asks about the visibility of these taillights.
116	Kinney	Responds.
121	Jackie Bloom	City of Portland. Comments on the proposal to add white to the list of permitted light colors. Supports the -3 amendments.
158	Patrick Nelson	Portland Police Bureau. Supports HB 2598.
175	Sen. Derfler	Asks if there are any objections to blue dots on the back of cars.
178	Nelson	States he does not support adding blue to the fire department response lights.
182	Sen.	Asks what the objection is to blue dots in those cases.

	Leonard	
184	Nelson	Responds.
192	Sen. Leonard	Asks if Nelson has reviewed the statistics around the country regarding conversion to blue lights. Discusses visibility of lights.
203	Kurt Curtis	Oregon State Police. Agrees with the -3 amendments. Comments on concern with -A4 amendments.
222	Chair Miller	Closes public hearing on HB 2598 and opens work session on HB 2598.
HB 2598 WORK SESSION		
225	Sen. Leonard	MOTION: Moves to ADOPT HB 2598-A4 amendments dated 6/3/97.
228	Sen. Derfler	Asks about allowing individuals to use blue lights on cars.
230	Sen. Leonard	Explains how the blue lights are more visible.
244	Chair Miller	VOTE: Hearing no objection, declares the motion CARRIED.
247	Sen. Leonard	MOTION: Moves HB 2598-A to the floor with a DO PASS AS AMENDED recommendation.
248	Chair Miller	VOTE: Hearing no objection, declares the motion CARRIED. Sen. Leonard will lead discussion on the floor.
257	Chair Miller	Closes work session on HB 2598 and opens public hearing on HB 2640.
HB 2640 PUBLIC HEARING		
259	Jim Stembridge	Committee Administrator. Explains the effect of HB 2640.
266	Dick Larowe	President, Oregon Council of Vehicle Associations. Supports HB 2640.
294	Sen. Trow	Asks about the importance of the definition and what changes it allows.
296	Larowe	Explains only about ten states do not have this law.
316	Jack Kinney	Oregon Council of Vehicle Associations. Supports HB 2640.
338	Glenn Jaeger	Studebaker Drivers Club, Multnomah Hot Rod Council. Supports HB 2640. Comments on the registration of hot rods.
351	Sen. Derfler	Asks about a "25-year" clause and two different definitions of street rod in HB 2640.
378	Chair Miller	Responds.

389	Jaeger	Comments on special interest cars.
398	Chair Miller	Closes public hearing on HB 2640 and opens work session on HB 2640.
HB 2640 WORK SESSION		
404	Sen. Bryant	MOTION: Moves to send HB 2640 to the floor with a DO PASS recommendation.
409	Chair Miller	VOTE: Hearing no objection, declares the motion CARRIED. Sen. Bryant will lead discussion on the floor.
418	Chair Miller	Closes work session on HB 2640 and opens public hearing on SJR 42.
SJR 42 PUBLIC HEARING		
420	Jan Nordlund	Committee Administrator. Explains SJR 42.
454	Kappy Eaton	Government Chair, League of Women Voters of Oregon. Presents testimony in opposition to SJR 42 (EXHIBIT C).
TAPE 74, A		
001	Eaton	Continues to state problems with SJR 42. Requests the committee consider other ways to address campaign reform.
034	Chair Miller	Asks for her suggestions.
037	Eaton	Responds. Expressed concern that the reports be accurate.
046	Randy Tucker	Oregon State Public Interest Research Group (OSPIRG). Presents testimony in opposition to SJR 42 (EXHIBIT D).
095	Tucker	Comments that SJR 42 will help wealthier people to set laws. States SJR 42 will not reduce campaign spending, which is exemplified in Washington.
135	Sen. Bryant	Asks how Tucker would constitutionally address public spending.
139	Tucker	Explains the amendments he is trying to get drafted.
155	Sen. Bryant	Asks about public funding.
156	Tucker	Comments on matching public funds.
167	Sen. Bryant	Asks about banning political action committees.
168	Tucker	Responds.
204	Tucker	Discusses distinction between large contributions from one individual versus those from large groups of individuals.

207	Chair Miller	Comments on citizens using tax dollars for political campaigns.
223	Tucker	Comments on public funding of campaigns. States OSPIRG supports limits.
251	Chair Miller	Asks about public control of spending.
253	Tucker	Responds. Comments on independent expenditures.
261	Chair Miller	Asks his opinion on the Supreme Court's defense of free speech.
264	Tucker	Comments on protecting the integrity of the political process.
269	Sen. John Lim	District 11. Comments on amendments he is having drafted to ban the use of foreign political contributions in Oregon races.
315	David Fidanque	American Civil Liberties Union of Oregon (ACLU). Opposes SJR 42. Comments on ACLU consistently opposing limits to campaigns. Explains the opposition to the political funds in campaigns. States SJR 42 is unnecessary at this point.
355	Fidanque	Continues testimony.
397	Sen. Trow	Asks about being involved in expensive, lengthy litigation if SJR 42 is approved.
402	Fidanque	Responds. States SJR 42 does not really accomplish anything.
430	Sen. Trow	Asks if public funds for the voters' pamphlet are restricted by SJR 42.
434	Fidanque	Responds. Discusses fees and signatures.
480	Fidanque	Continues his response.
TAPE 73, B		
001	Phil Keisling	Secretary of State. Opposes SJR 42. Comments on lack of clear consensus on SJR 42.
022	Chair Miller	Recesses meeting for 20 minutes at 3:40 p.m.
030	Chair Miller	Reconvenes meeting at 4:19 p.m.
032	Keisling	Comments on issues SJR 42 ignores. Comments on confusion of the intent of SJR 42.
082	Keisling	Continues testimony.
110	Sen. Trow	Asks for the sponsor's intent in Section 23.
125	Keisling	States political tax credit was voted on by Oregonians.
133	Chair Miller	Comments on intent of measures being misconstrued.
137	Sen. Leonard	Discusses asking legislative counsel for an opinion on political contribution credits.
		Discusses legitimacy of the issue. Discusses putting the

168	Chair Miller	issue before the people.
186	Sen. Trow	Discusses knowing the intent of this measure.
196	Chair Miller	Closes public hearing on SJR 42 and opens work session on SB 485.
SB 485 WORK SESSION		
204		Staff presents proposed -10 amendments to SB 485 (EXHIBIT E).
215	John DiLorenzo	Attorney and member, Oregon Small Business Coalition, Portland. Explains the -10 amendments.
255	DiLorenzo	Comments on Section 3 of SB 485. Comments on some of the Attorney General's concerns. Comments on exemptions.
293	DiLorenzo	Continues testimony.
308	Sen. Derfler	Asks if Section 4 would cover a lobbyist's concerns, such as Lee Hazelwood.
320	DiLorenzo	Explains how certain people who are paid per diem could continue to lobby.
338	Lee Hazelwood	Governor's Commission on Seniors, Mid-Willamette Valley Senior Services Advisory Council. Presents the proposed -11 amendments to SB 485 (EXHIBIT F).
380	Hazelwood	Continues testimony. Discusses Governor's Commission not being able to accept the -10 amendments.
404	DiLorenzo	Responds. Refers to ORS 292.495.
436	Hazelwood	Comments on the need for the -11 amendments.
467	Chair Miller	Asks about budget limitations of the Governor's Commission.
TAPE 74, B		
002	Hazelwood	Explains how per diem pay is taken by members of the Governor's Commission.
006	Sen. Leonard	Asks about there being an unconstitutional encroachment by the legislative branch on the executive branch.
024	DiLorenzo	Discusses exemption for Governor's staff. Addresses the -10 amendments. Discusses Governor's designated staff.
050	Sen. Leonard	Discusses legislature micromanaging agencies and Governor's staff.
055	DiLorenzo	Responds.
062	Hazelwood	Comments on being classified as a state employee and getting a parking ticket. Comments on not feeling comfortable without the -10 amendments.

099	Sen. Trow	Asks DiLorenzo's opinion on the -11 amendments.
101	DiLorenzo	Responds. Discusses lobbying and drawing per diem at the same time.
111	Sen. Bryant	Asks about section 5.
120	DiLorenzo	Responds.
126	Sen. Trow	Asks about discussions in neutral territories.
134	DiLorenzo	Responds.
156	Reefe McEwen	Oregon Disabilities Commission. Discusses concern with SB 485.
168	Hazelwood	Discusses the -11 amendments and comments on lines 9-11.
182	DiLorenzo	Comments on members of commissions lobbying on their own time.
198	Chair Miller	Asks how SB 485 would affect a recent event.
207	DiLorenzo	Comments on a situation where lobbying could be prohibited by SB 485.
228	Sen. Trow	Asks about Higher Education lobbying and how it would work.
239	DiLorenzo	Responds.
248	Chair Miller	States a member of a committee could invite testimony.
255	Sen. Trow	Discusses the importance of being able to initiate testimony.
265	DiLorenzo	Discusses ways it could work in practice.
294	Chair Miller	Asks about agencies listening to telecasts of committee meetings.
308	DiLorenzo	States if it was on their own time it would be permissible.
325	Sen. Bryant	Suggests amending the -11 amendments. Explains his suggestions.
371	DiLorenzo	Comments on changing personnel.
388	Sen. Bryant	Asks what language he would use.
392	DiLorenzo	Responds. Discusses a possible conceptual amendment.
417	Chair Miller	Closes work session on SB 485 and opens work session for possible reconsideration of SB 638.
<u>SB 638 WORK SESSION FOR POSSIBLE RECONSIDERATION</u>		
427	Chair Miller	MOTION: Moves to RECONSIDER SB 638.

430	Chair Miller	Discusses legislative history of bill. VOTE: Hearing no objection, declares the motion CARRIED.
461	Chair Miller	Closes work session on SB 638 and opens public hearing on SB 853.
<u>SB 853 PUBLIC HEARING</u>		
TAPE 75, A		
001	Chair Miller	Discusses the purposes of SB 853. Closes public hearing and SB 853 and opens work session on SB 853.
<u>SB 853 WORK SESSION</u>		
014	Sen. Bryant	Suggests moving SB 853 to the floor.
		Discussion of filling in line 7 of SB 853.
048	Sen. Bryant	MOTION: Moves to insert "July 1, 1997", into the blank on line 7 of SB 853.
052	Chair Miller	VOTE: Hearing no objection, declares the motion CARRIED.
053	Sen. Bryant	MOTION: Moves SB 853 to the floor with a DO PASS AS AMENDED recommendation.
055	Chair Miller	VOTE: Hearing no objection, declares the motion CARRIED. Sen. Bryant will lead discussion on the floor.
056	Chair Miller	Closes work session on SB 853 and opens public hearing on HB 3404.
<u>HB 3404 PUBLIC HEARING</u>		
057	Steve McCoid	Oregon Grocery Industry Association. Supports HB 3404. Explains HB 3404.
080	Sen. Trow	Asks why we need HB 3404.
081	McCoid	Responds. Discusses family members undergoing background checks.
100	David Hooper	Oregon Lottery. Presents testimony in support of HB 3404 (EXHIBIT G). Comments on SB 667A which deals with the same section of the statute.
133	Chair Miller	Closes public hearing on HB 3404 and opens work session on HB 3404.
<u>HB 3404 WORK SESSION</u>		
137	Jan Nordlund	Committee Administrator. Discusses the proposed -A2 conflict amendments (EXHIBIT H).
139	Chair Miller	MOTION: Moves to ADOPT HB 3404-A2 amendments dated 6/3/97.

135	Chair Miller	VOTE: Hearing no objection, declares the motion CARRIED.
135	Chair Miller	MOTION: Moves HB 3404-A to the floor with a DO PASS AS AMENDED recommendation.
143	Chair Miller	VOTE: Hearing no objection, declares the motion CARRIED. Chair Miller will lead discussion on the floor.
156	Chair Miller	Closes work session on HB 3404 and opens public hearing on HB 2909.
HB 2909 PUBLIC HEARING		
157	Kevin Spellman	Oregon/Columbia Chapter of Associated General Contractors. Presents testimony in support of HB 2909 (EXHIBIT I).
190	David Douthwaite	Oregon/Columbia Chapter of Associated General Contractors. Presents testimony in support of HB 2909 (EXHIBIT J).
227	Chair Miller	Asks status of HB 2909 amendments as described in EXHIBIT J .
236	Sen. Trow	Asks if amendments change the thrust of HB 2909 and asks why the amendments are needed.
238	Douthwaite	Responds. Discusses HB 2909 being too broad.
238	Chair Miller	Closes public hearing on HB 2909 and opens public hearing on HB 2910.
HB 2910 PUBLIC HEARING		
251	David Douthwaite	Oregon/Columbia Chapter of Associated General Contractors. Presents and reads testimony in support of HB 2910 (EXHIBIT K).
300	Douthwaite	Continues testimony.
318	Sen. Trow	Asks if public agencies are comfortable with HB 2910.
320	Douthwaite	States they are.
331	Jack Kalinoski	Public Contracting Council. Supports HB 2910.
346	Chair Miller	Closes public hearing on HB 2910 and opens work session on HB 2910.
HB 2910 WORK SESSION		
361	Kalinoski	Explains how the language in HB 2910 could be interpreted.
407	Sen. Bryant	Discusses the intent of HB 2910.
410	Sen. Bryant	MOTION: Moves HB 2910 to the floor with a DO PASS recommendation.

413	Chair Miller	VOTE: Hearing no objection, the motion is CARRIED. Sen. Bryant will lead discussion on the floor.
428	Chair Miller	Closes work session on HB 2910 and opens work session on HB 3519.
HB 3519 WORK SESSION		
429	Jan Nordlund	Committee Administrator. Explains HB 3519 and the proposed -A5 amendments (EXHIBIT L).
477	Chair Miller	MOTION: Moves to ADOPT HB 3519-A5 amendments dated 6/3/97.
483	Chair Miller	VOTE: 4-1 AYE: 4 - Bryant, Derfler, Leonard, Miller NAY: 1 - Trow
	Chair Miller	The motion CARRIES.
484	Chair Miller	MOTION: Moves HB 3519-A to the floor with a DO PASS AS AMENDED recommendation.
490		VOTE: 4-1 AYE: 4 - Bryant, Derfler, Leonard, Miller NAY: 1 - Trow
	Chair Miller	The motion CARRIES. SEN. MILLER will lead discussion on the floor.
TAPE 76, A		
011	Chair Miller	Closes work session on HB 3519 and adjourns the meeting at 5:50 p.m.

Submitted By, Reviewed By,

Jennifer Peck, Jan Nordlund,

Administrative Support Administrator

Transcribed By,

Shirley Spendal,

Administrative Support

EXHIBIT SUMMARY

A - HB 2910, proposed -A6 amendments, staff, 2 pp

B - HB 2598, proposed -A4 amendments, staff, 2 pp

C - SJR 42, written testimony, Kappy Eaton, 1 p

D - SJR 42, written testimony, Randy Tucker, 3 pp

E - SB 485, proposed -10 amendments, staff, 4 pp

F - SB 485, proposed -11 amendments, staff, 4 pp

G - HB 3404, written testimony, David Hooper, 1 p

H - HB 3404, proposed -2 conflict amendments, staff, 4 pp

I - HB 2909, written testimony, Kevin Spellman, 1 p

J - HB 2909, proposed draft amendments, David Douthwaite, 2 pp

K - HB 2910, written testimony, David Douthwaite, 2 pp

L - HB 3519, proposed -A5 amendments, staff, 1 p
