

**SENATE COMMITTEE ON RULES AND ELECTIONS**

**June 4, 1997 Hearing Room C**

**8:30 AM Tapes 77 - 78**

**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**

**Glen Stonebrink, Administrator**

**Jan McComb, Policy Analyst**

**Jennifer Peck, Administrative Support**

**MEASURE/ISSUES HEARD:**

**HB 2201 Public Hearing**

**HB 2202 Public Hearing**

**HB 2443 Public Hearing and Work Session**

**HB 3725 Public Hearing and Work Session**

**SB 540 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.**

<b>Tape/#</b>	<b>Speaker</b>	<b>Comments</b>
<b>TAPE 77, A</b>		
004	Chair Miller	Opens meeting at 8:41 a.m. and opens public hearing on HB 2201.

<b><u>HB 2201 PUBLIC HEARING</u></b>		
010	Colleen Sealock	Elections Director, Secretary of State's office. Presents testimony in support of HB 2201 ( <b>EXHIBIT A</b> ). Explains HB 2201 and its impacts on elections.
034	Sealock	Explains the intent of HB 2201.
045	Chair Miller	Asks about the difference between expenditures.
046	Sealock	Explains the 24 hour notice for expenditures.
056	Chair Miller	Asks how it is determined if an expenditure is made on the behalf of a candidate.
058	Sealock	States the expenditure must be directly related to the election of that candidate.
067	Chair Miller	Asks about statements presented as one side's arguments which actually oppose the same viewpoint.
087	Sealock	Responds that the Secretary of State's office is concerned with these sorts of false arguments.
101	Chair Miller	Reviews the testimony of Sealock for committee members.
113	Sen. Trow	Asks if there are any major additional changes.
115	Sealock	States there are some revised sections, such as those concerning directors on committees.
134	Sen. Trow	Asks about the process of combining the related measures.
136	Chair Miller	Explains HB 2201 and 2202 could be blended together. Closes public hearing on HB 2201 and opens public hearing on HB 2202.
<b><u>HB 2202 PUBLIC HEARING</u></b>		
149	Colleen Sealock	Elections Director, Secretary of State's office. Presents testimony in support of HB 2202 ( <b>EXHIBIT B</b> ). Explains the effects of HB 2202.
196	Sealock	Continues to explain the effects of HB 2202. Comments on repealing ORS 260.522.
223	Sen. Bryant	Asks about the disclaimer.
225	Sealock	Explains a U.S. Supreme Court case.
245	Sen. Trow	Asks if changes have been considered which could clarify the disclaimer.
246	Chair Miller	States the section could be repealed.
248	Sen. Derfler	Asks about repealing the disclaimer on campaign literature.

250	Sealock	Explains any political material related to candidates would need a disclaimer.
273	Sen. Trow	Comments on the value of disclosure.
295	Sen. Bryant	Requests a summary of a Supreme Court case which relates to HB 2202.
298	Sealock	States that will be provided to the committee.
300	Chair Miller	Comments on the disclosure.
303	Sen. Trow	Discusses problems which can arise without disclosure.
330	Vicki Ervin	Director of Elections, Multnomah County. Describes 3 amendments and the effects of each.
363	Chair Miller	Asks if the amendments are available.
365	Sealock	States there will be proposals for the various amendments.
370	Sen. Trow	Asks about double majority and recounts.
372	Ervin	Comments on recounting ballots.
384	Sen. Derfler	Asks if any action could be taken to help count ballots more quickly.
400	Sealock	Explains current procedures which prevent a person from voting twice.
42	Sen. Derfler	Comments on the waiting time.
434	Sealock	Comments on duplicate ballots and problems with people voting late at the polls.
<b>TAPE 78, A</b>		
013	Sen. Derfler	Asks how many people cast multiple ballots in the last election.
021	Sealock	States that information would need to be researched.
025	Sen. Derfler	Comments on people voting twice.
003	Ervin	Explains that in the recent primary elections there were about 500 people who voted twice.
042	Chair Miller	Asks how the 2,500 mark was chosen for precinct size.
048	Ervin	States the number is rather arbitrary.
054		Discussion of the requirements and sizes of precincts.
062	Sen. Derfler	Asks what would happen if the number was not defined.
066	Ervin	Comments on the difficulty of choosing precinct lines.

080	Sen. Leonard	Asks why precincts are defined.
083	Ervin	Explains precincts have a role in elections and campaigns.
089	Chair Miller	Discussion of the 2,500 requirement.
104	Sen. Leonard	Asks if the polling becomes less scientific with larger precinct boundaries.
112	Ervin	States larger precincts do not allow for the detail of data.
118	Chair Miller	Closes public hearing on HB 2202 and opens public hearing on HB 2443.
<b><u>HB 2443 PUBLIC HEARING</u></b>		
130	Rep. Bill Markham	District 46. Supports and explains HB 2443.
158	David Rike	Director of Technology, Department of Education. Supports HB 2443. States this is not a recycling program, but an educational experience.
189	Sen. Trow	Asks about the process of getting HB 2443 started.
195	Rike	States he believes Greg McMurdo worked on the issue.
197	Sen. Trow	Asks if Rike is the expert on this issue.
199	Rike	Restates McMurdo worked with the issue.
217	Rep. Markham	Comments on excess taxes.
226	Chair Miller	Closes public hearing on HB 2443 and opens work session on HB 2443.
<b><u>HB 2443 WORK SESSION</u></b>		
229	Sen. Trow	<b>MOTION: Moves HB 2443 to the floor with a DO PASS recommendation.</b>
	Chair Miller	<b>Hearing no objection, declares the motion CARRIED. SEN. TROW will lead discussion on the floor.</b>
238	Chair Miller	Closes work session on HB 2443 and opens public hearing on HB 3725.
<b><u>HB 3725 PUBLIC HEARING</u></b>		
239	Rep. Steve Harper	District 53. Supports and explains HB 3725.
253	Sen. Bryant	Asks for clarification of terminology.

264	Kristina McNitt	Farm Bureau Federation. Presents written testimony in support of HB 3725 ( <b>EXHIBIT C</b> ). States the Klamath Basin Chippers Association and the Klamath Growers Association support HB 3725.
285	Sen. Trow	Asks if there is a problem with the current language.
294	Will Wise	Explains the duties of the Federal Marketers Association.
301	Chair Miller	Closes public hearing on HB 3725 and opens work session on HB 3725.
<b><u>HB 3725 WORK SESSION</u></b>		
303	Sen. Derfler	<b>MOTION: Moves HB 3725 to the floor with a DO PASS recommendation.</b>
	Chair Miller	<b>Hearing no objection, declares the motion CARRIED. SEN. LEONARD will lead discussion on the floor.</b>
317	Chair Miller	Closes work session on HB 3725 and opens public hearing on SB 540.
<b><u>SB 540 PUBLIC HEARING</u></b>		
320	Chair Miller	Explains the effects of SB 540.
345	Sen. Bryant	Asks if the "public education" wording in SB 540 includes colleges.
350	Chair Miller	States it does.
355	Sen. Leonard	Comments on taxes.
363	Chair Miller	Comments that the drafted bill does not provide for the higher education credit. Comments on programs which are set up in schools.
406	Sen. Trow	Comments on funding education by paying taxes. Comments on the \$7 million impact on the General Fund.
432	Chair Miller	Comments on supplementing current funding.
450	Sen. Bryant	Asks about the distinction between private and public schools.
<b><u>TAPE 77, B</u></b>		
001	Chair Miller	Explains he would not have a problem if SB 540 were extended to include private schools.
009	Sen. Derfler	Comments on private schools.
018	Jan Nordlund	Committee Administrator. Explains the charitable state donations.
033	Sen. Derfler	Asks if the money donated could be dedicated to specific purposes.

037		Discussion of donations to education.
053	Sen. Leonard	Asks about opposition to expanding SB 540 to include universities.
058	Sen. Trow	Comments that it may have a large impact on universities.
060	Sen. Leonard	States Oregon may be forced to spend more on education and pull money from other programs.
072	Sen. Trow	States the General Fund is being cut.
075	Chair Miller	States most Oregonians may prefer a tax credit for education rather than for political candidates.
091	Sen. Derfler	Comments on funding education.
101	Chair Miller	Suggests the committee bring SB 540 back for a future vote.
113	Chair Miller	Closes public hearing on SB 540 and adjourns meeting at 9:45 a.m.

Submitted By, Reviewed By,

Jennifer Peck, Jan Nordlund,

Administrative Support Administrator

**EXHIBIT SUMMARY**

**A - HB 2201, written summary, Colleen Sealock, 5 pp**

**B - HB 2202, written summary, Colleen Sealock, 10 pp**

**C - HB 3725, written testimony, Kristina McNitt, 1 p**

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