

HOUSE COMMITTEE ON  
LEGISLATIVE RULES

February 23, 1995                      Hearing Room 50  
4:00 p.m.                      Tapes 14 - 15

MEMBERS PRESENT:

Rep. Ray Baum, Chair  
Rep. Lee Beyer, Vice-Chair  
Rep. Tony Corcoran  
Rep. Peter Courtney  
Rep. Lynn Lundquist  
Rep. Bill Markham  
Rep. Patti Milne  
Rep. Lonnie Roberts  
Rep. John Watt

MEMBER EXCUSED:

STAFF PRESENT:

Cathryn Epley, Committee Administrator  
Adrienne Sexton, Committee Assistant

MEASURES HEARD:

HB 2458  
HB 2540  
HJR 9  
HJR 19  
SCR 3

These minutes contain materials which paraphrase and/or summarize statements made during this session. Only text enclosed in quotation marks report a speaker's exact words. For complete contents of the proceedings, please refer to the tapes.

TAPE 14, A

003            CHAIR BAUM called the meeting to order at 4:02 p.m.

Opens public hearing on HJR 19

003            REP. LIZ VAN LEEUWEN speaks in support of the measure, and its companion measure HB 2458.

028            REP. COURTNEY: Is this to eliminate third parties?

033 REP. VAN LEEUWEN responds.

035 REP. BEYER: Any estimate of cost?

051 CHAIR BAUM refers to the fiscal impact statement.

058 REP. ROBERTS: What is the timeline between the first and second election?

REP. VAN LEEUWEN indicates that is covered in the enabling measure, HB 2458.

070 REP. COURTNEY:

091 REP. ROBERTS: Is this applicable to elections to Congress?

101 REP. BEYER: Asks for clarification of fiscal statement.

119 COLLEEN SEALOCK, DIRECTOR, ELECTIONS DIVISION, SECRETARY OF STATE : There are two fiscal impacts; one in the HJR , and one for the implementing measure. HB 2458 impact is the cost of holding the runoff election which would affect the state general fund.

140 SEALOCK: Under HB 2458 the voters' pamphlet would be prohibited. HB 2458 deals with all the timelines.

157 REP. ROBERTS:

SEALOCK: The measure ... especially if the runoff requires a recount, then more time is added at the end.

Opens public hearing on HB 2540

185 REP. PETER COURTNEY: Presents testimony in support of measure (EXHIBIT A).

REP. ROBERTS: Doesn't think legislative staff members should be included in the prohibition.

275 GRATTAN KERANS, lobbyist for the State System of Higher Education: Cites instances of public officials moving between positions in public sector to lobbying positions.

- current legislature can make changes if they wish

351 GARY WILHELMS, lobbyist, U. S. West: Cites his person history of employment, then member of the legislature, and move back to his employer as a lobbyist.

TAPE 15, SIDE A

014 BOB SHIPRACK, Oregon State Building and Construction Trades Council: Need to separate circumstances and issues; has been employee of the council

since 1986. He simply continued with his employer after leaving legislature, as the council's lobbyist.

- he files under current law

- follows issues of interest

058 REP. WATT: What is a need for this legislation, by instance?

REP. COURTNEY responds; believes it is a matter of distrust.

134 REP. WATT: The measure says "lobbyist"; is it intended to mean paid lobbyist.

REP. COURTNEY: Yes.

142 REP. CORCORAN: Comments on introduction of legislation by a former member who now lobbies for the organization the measures benefit.

REP. WATT: Responds on the perception, and that former member has asked that no action be taken on those measures.

191 DAVID BUCHANAN, OREGON COMMON CAUSE, presents testimony in support of the measure (EXHIBIT B).

- suggests the measure also specify that the one-year period begin with the end of the term to which the official has been elected

258 REP. ROBERTS: How many times has a legislator resigned to become a lobbyist?

BUCHANAN: Not many. Responds to CHAIR BAUM that the measure defines lobbyist narrowly, relating it to those who must register with the Government Standards and Practices Commission.

Closes public hearing on HB 2540

Opens public hearing on SCR 3

302 SENATOR ROD JOHNSON: Speaks to measure, which is a model under consideration by numerous other states; it has been passed in several.

350 SEN. JOHNSON: refers to case. Feels the bill claims states rights under the Tenth Amendment.

371 JOHNSON: explains that if enough states pass the bill, it will raise awareness for these issues.

383 REP. ROBERTS: refers to costs, deregulation of transportation issues. Asks about the rights of states to claim such powers.

405 SEN. JOHNSON: notes that just about any activity has an impact on interstate commerce. Suggests that has been interpreted

Tape 14 Side B

003 REP. BEYER:

005 SEN. JOHNSON: argues that federal government needs to see high popularity for the idea.

020 REP. COURTNEY: asks for clarification about state's rights language.

023 SEN. JOHNSON: clarifies that the conference is a states rights issue.

038 LIZ FRANKEL, Oregon Chapter, Sierra Club, testifies against SCR 3. Is disturbed with the assumptions about intent she sees in the session. Reads the relating to clause of the bill.

051 FRANKEL: argues that the text claims state sovereignty over the U.S. Constitution. Suggests that there is a lack of clarity in the language as to the bill's intent.

062 FRANKEL: the Sierra Club is troubled deeply by the language. The Sierra Club believes in the U.S. Constitution and the rights to participate. Is filed as a 501.C4 corporation and is a lobbying organization, and takes the legislative process seriously.

080 Opens work session on SCR 3.

082 CHAIR: the only lawsuit he is aware of is with Governor Wilson of California. Notes

096 REP. watt moves SCR 3 to the floor with a DO PASS recommendation.

099 CHAIR: refers to water regulation. Can

100 COURTNEY: can you make the same statement with regard to the Clean Air act?

105 COURTNEY: given the situation of air quality in L.A., I passes see roll call sheet

Opens public hearing on HJR 9

178 REP. MANNIX comments that 2458 would work well with either HJR 9 or 19.

189 CHAIR: asks what to do in the example of Al Mobley.

190 REP. MANNIX: incumbent would remain in office until a run-off election occurred.

217 REP. LUNDQUIST: what is the cost of a run-off election?

229 REP. CORCORAN: "if it ain't broke, don't fix it" asks for Rep. Mannix' perspective.

250 REP. MANNIX: feels system is breaking down. Sees notable third parties.

276 COLLEEN SEALOCK, Office of the Secretary of State, Elections Division. Presents written testimony (EXHIBIT

300 SEALOCK: refers to costs involved with vote by mail elections.

335 SEALOCK: recommends amendments to sections four and five.

351 SEALOCK: 2458 addresses clearly that candidates cannot demand a recount in a run-off election. suggests a change to a seven day timeline, in section five.

368 SEALOCK: refers to written testimony, page three as historical context.

385 SEALOCK:

Tape 15, Side B

008 REP. COURTNEY: SSERVES NOTICE OF A MINORITY REPORT. CORCORAN JOINS.

028 Close public hearing on SCR 3.

038 VICE CHAIR BEYER ajourns the meeting at 5:30 p.m.