

HOUSE COMMITTEE ON  
LEGISLATIVE RULES

May 23, 1995 Hearing Room D  
7:30 a.m. Tapes 79 -80

MEMBERS PRESENT:

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

STAFF PRESENT:

Aaron Felton, Committee Administrator  
Cynthia Charrey, Committee Assistant

MEASURES HEARD:

SB 949 Work Session  
SB 276 Public Hearing and Work Session

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 79, Side A

003 CHAIR BAUM: Calls meeting to order at 7:42 a.m.

OPENS WORK SESSION ON SB 949

Witnesses: Paul Cosgrove, Procter and Gamble  
Bob Danko, Department of Environmental Quality

011 PAUL COSGROVE, PROCTER AND GAMBLE: Testifies in support of the -8  
amendments. The -8 were requested by the Governor's office.

018 MOTION: CHAIR BAUM: Moves that the vote by which SB 949 passed, BE  
RECONSIDERED.

VOTE: CHAIR BAUM: Hearing no objection, the motion PASSES. REPS.  
COURTNEY, MILNE, ROBERTS, and BEYER are EXCUSED.

036 BOB DANKO, DEQ: Testifies in support of the -8 amendments. The chances  
of getting the Governor's signature is better with these -8 amendments than  
without.

048 motion: REP. WATT: Moves to ADOPT lines 5-15 of the SB 949-8  
amendments.

VOTE: CHAIR BAUM: Hearing no objection, the amendments are ADOPTED. REPS.

COURTNEY, MILNE, ROBERTS, and BEYER are EXCUSED.

MOTION: REP. WATT: Moves that SB 949, AS AMENDED, be sent to the Floor  
with a DO PASS recommendation.

VOTE: In a roll call vote, all members present vote AYE. REPS.  
MILNE, ROBERTS, and BEYER are EXCUSED.

COURTNEY,

REP. BAUM will lead the floor discussion

OPEN PUBLIC HEARING ON SB 276

Witnesses: Fred VanNatta, Multnomah County Medical Society  
Robert C. Shoemaker, Multnomah County Medical Society  
Robert Castagna, Oregon Catholic Conference  
Brad Davis, Multnomah County Medical Society

075 FRED VANNATTA, MULTNOMAH COUNTY MEDICAL SOCIETY: Testifies in support of  
SB 276. Establishes standard of privacy for samples and test results.

100 ROBERT C. SHOEMAKER, MULTNOMAH COUNTY MEDICAL SOCIETY: Testifies in  
support of SB 276 (EXHIBIT A).

132 REP. CORCORAN: Is not clear on the relationship between employment and  
DNA testing.

140 SHOEMAKER: The testing only applies for bonafide occupational qualification, and once the information has been gained, the samples need to be destroyed.

150 REP. CORCORAN: Is concerned about using the information for discriminatory purposes. Expresses a concern for the lack of concrete knowledge in genetics.

153 SHOEMAKER: This bill tries to find a balance between employer's legitimate right to know, and the person's right to privacy.

190 REP. WATT: What kind of safeguards are built in to ensure the samples are destroyed?

202 SHOEMAKER: We will leave that to the legal process.

208 REP. WATT: What's the life span of a DNA sample?

219 SHOEMAKER: A sample could be "literally filed away."

231 LUNDQUIST: Would like to see the bill drafted to protect privacy to the ultimate, and if we err, let's err on the side of being too private. Not comfortable with going back and fixing it from the other side of the question.

250 SHOEMAKER: Explains the pertinent points of the bill. The purpose of the bill is to define the rights of individuals whose genetic information is or may be collected, retained or disclosed, to define when a person may be subjected to genetic testing, and to protect against discrimination by insurance of employers.

265 REP. WATT: How are samples usually collected?

267 SHOEMAKER: Blood is the usual manner.

269 REP. WATT: Is there a protection so that people know when they are being tested?

271 SHOEMAKER: Yes, when you obtain that information, you are supposed to inform the person.

273 VANNATTA: In section 3 it states that no person may obtain without informed consent with a few exceptions.

310 SHOEMAKER: Testimony continues in support of SB 276. Discussing the various exceptions to informed consent. In health insurance, you can not use genetic information to underwrite individuals in any way.

370 REP. BEYER: Why do we want to allow insurance companies to have this information?

379 SHOEMAKER: A life insurance policy is a kind of investment. They need to know what the genetic problems are, so that they know whether or not they will insure an individual and how much to charge.

Tape 80, Side A

003 BEYER: Insurance companies have been underwriting for decades without genetic testing.

007 VANNATTA: Both parties should have access to the same information.

018 BEYER: Where specifically are pre-existing conditions covered?

021 SHOEMAKER: In health insurance it can not be used. In section 8, sub-section 3, it discusses this in greater detail.

032 ROBERTS: What can you do if you think they are using genetic information?

035 SHOEMAKER: There is no safeguard, but with this bill you could legally go after them. Without it there is nothing that can be done.

037 MARKHAM: When I go for a physical, can I get DNA testing at the same time I have a blood test? May the doctor do so without my knowledge.

40 SHOEMAKER: You could ask the doctor to perform the test, but he may not do so without your consent and knowledge.

058 ROBERTS: If you find out you have a problem through DNA testing, do you have the right to keep it to yourself?

060 SHOEMAKER: Yes. Continues to explain specific points of the bill.

076 BOB CASTAGNA, OREGON CATHOLIC CONFERENCE: Testifies in support of SB 276, submitting the -5 amendments, which narrows language of the bill. This serves to allow doctors to employ genetic testing to detect treatable disorders at birth (Exhibit B).

140 CASTAGNA: Testimony continues in support of the -5 amendment.

141 VANNATTA: I cannot say the medical society consents to this.  
Personally I think this is consistent with the intent of the bill.

160 WATT: If one is to believe that overpopulation is part of the problem  
in the world, and the abortion issue, what we would be doing is an  
exception "We are willing to take an adoptive child, but only if it's a  
good one." Why should they have the exception to look at the DNA sample?

200 SHOEMAKER: We think this might encourage more adoptions than less.

208 REP. WATT: Requests to see the language on adoptive parent issue.

219 SHOEMAKER: From Page 4, line 6, reads exact language for Rep. Watt.

232 BRAD DAVIS, MULTNOMAH COUNTY MEDICAL SOCIETY: Speaks to the committee  
on the implications of making genetic information to prospective parents.  
It provides the parents to check into the information, if they so choose.

245 REP. MILNE: What additional information does DNA make available which  
would not be available by other testing methods?

261 VANNATTA: Lists conditions not revealed by normal blood testing; such  
as Marfan's Syndrome, Muscular Dystrophy, and new ones every day.

278 REP. LUNDQUIST: More information could increase chances of adoption.

CLOSES PUBLIC HEARING ON SB 276

OPENS WORK SESSION ON SB 276

MOTION: ROBERTS: Moves to ADOPT the SB 276 -5 amendments to SB 276.

REP.

CORCORAN OBJECTS. The amendment is ADOPTED.

311 REP. ROBERTS: Are we talking about throwing people away?

323 VANNATTA: The present adoptive parents have access to that information.

We believe that this provides no change. If it isn't broken, we shouldn't  
try and fix it.

motion: REP. roberts move the SB 276, AS AMENDED to the floor with a do  
pass recommendation.

349 REP. ROBERTS WITHDRAWS his motion.

350 REP. MILNE: We would be inviting everyone to look, by the passage of  
this bill.

360 CHAIR BAUM: We are into an unregulated playing field, without any laws,  
people can do whatever they want. We need to move something that regulates  
the field.

Tape 79, Side B

003 Committee discussion of SB 276 continues.

005 REP. MARKHAM: Did the Senate tighten or loosen the bill?

020 SHOEMAKER: The Senate tightened up the language of the bill.

026 CHAIR BAUM: The Senate decided to allow the use of DNA for long term  
insurance.

028 REP. CORCORAN: I object to it for that long term health insurance  
reason, and I have one other objection. Does this prohibit health division  
from adopting rules to do genetic screening of newborns? The disclosure for  
adoptive parents is a moot point, it's a seller's market.

048 CASTAGNA: Prohibits health dept. from passing rules to prevent them  
from screening all newborns and then to retain all those records.

060 REP. CORCORAN: I think there should be screening of all newborns at  
birth.

064 CASTAGNA: The objection would be that this is mandatory screening of  
all newborns without parental consent and the retention of those records  
for an undetermined amount of time. Dangerous public policy to look down  
the road 50, 60, 70 years down the road of a person's life.

068 REP. CORCORAN: That just makes my point, you need that kind of advance  
warning to do effective studying.

073 CHAIR BAUM: There is the ability for those who want to know this  
information to ask for a genetic test. It doesn't stop it with consent, it  
only stops it without.

080 REP. ROBERTS: DNA is a person's secrets. To do so would make the process more important than the individuals right to privacy.

094 REP. WATT: Questions again Page 4, Lines 6-7, the language for adoptive parents.

102 DAVIS: This is a discretionary allowance. It doesn't mandate the information, it only allows for it if requested.

117 REP. WATT: Is it a matter of course that this information is available?

119 VANNATTA: No, it is not.

127 REP. WATT: Requests lines 6 & 7 on page 4, be deleted from the bill.

140 MOTION: REP. WATT: Moves to AMEND SB 276 to delete lines 6 & 7 on page 4.

150 REP. CORCORAN: I support leaving it in. Not allowing it may have a depressing action on the process as the parents may be taking a chance.

160 REP. COURTNEY: A set of parents had an adopted child, who suffered a rare blood disease and they had to go to US District Court to get the adopted records opened while the child lay dying in a hospital. Where does this fit into the genetic testing argument?

190 REP. WATT: If there is open disclosure, you have option of getting that from the record easily.

200 REP. BEYER: I would rather err on the side of being too conservative.

218 VOTE: In a roll call vote, REPS. COURTNEY, LUNDQUIST, MILNE, WATT, BEYER and BAUM vote AYE. REPS. CORCORAN, MARKHAM, and ROBERTS vote NAY. All members are present. The amendments are ADOPTED.

223 REP. BEYER: Expresses concerns of implications to health insurance. Insurance is a gamble, and I would prefer that we keep insurance companies from using it.

225 REP. ROBERTS: I am in agreement with Rep. Beyer.

230 VANNATTA: With some assurance, if Rep. Beyer's concepts are included, this legislation will find an early death.

242 REP. BEYER: I believe that insurance companies may be moving towards this screening.

249 REP. COURTNEY: It has to go back to the Senate, let's take it to the conference committee and hammer these issues out.

260 REP. MILNE: I am not comfortable moving this bill.

300 CHAIR BAUM: Bill is carried over until 7:30 a.m.

CHAIR BAUM: Adjourns at 8:56 a.m.

#### EXHIBIT SUMMARY:

A- Testimony on SB 276- Robert Shoemaker- 1 page

B- Testimony on SB 276- Bob Castagna- 1 page

HOUSE COMMITTEE ON  
LEGISLATIVE RULES

Hearing Room  
Tapes - 83

MEMBERS PRESENT:

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

STAFF PRESENT:

Aaron Felton, Committee Counsel  
Sarah Watson, Committee Assistant

MEASURES HEARD:

SB 178 - Work Session  
SB 467 - Work Session

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 , SIDE A

003 CHAIR BAUM: Calls the meeting to order at 5:08 pm.

WORK SESSION ON SB 467

008 DAVID BESSAN, BUTTE CREEK SCHOOL DISTRICT: Testifies and submits proposed amendments to SB 467. (EXHIBIT A)

063 REP. ROBERTS: Is there specific language that you don't like, or is it the whole bill?

065 BESSAN: I don't have a problem with the bill itself, explains. Cites specific language that he is in opposition of.

098 REP. MILNE: I would like you to look at the -30, -16, -28 amendments and see what you think.

112 REP. WATT: Who submitted all of these amendments?

113 CHAIR BAUM: The -30 amendments were submitted by the governors office, Rep. Oakley, Rep. Milne and Rep. VanLeeuwen. The -16 amendments were submitted by Rep. Sowa. The -28 amendments were submitted by the Butte Creek administration.

148 REP. CAROLYN OAKLEY, DISTRICT 36: Testifies in support of the -30 amendments. (EXHIBIT B)

163 ROGER BASSET, EDUCATION POLICY ADVISOR FOR THE GOVERNOR: Testifies on behalf of the governor in support of SB 467 with the -30 amendments.

178 REP. LIZ VANLEEUWEN, DISTRICT 37: Testifies in support of the -30 amendments and SB 467.

192 REP. ROBERTS: Asks about the mileage in the bill.

197 REP. VANLEEUWEN: This is an additional amendment.

199 REP. OAKLEY: There is an error in the -30 amendments, cites.

205 REP. WATT: Asks what the definition of "quality of education" is.

208 REP. LIZ VANLEEUWEN: It would be defined as to how well they do on their test scores.

214 REP. LARRY SOWA, DISTRICT 26: Testifies and submits proposed -16 & -29 amendments in support of SB 467. (EXHIBITS C, D)

248 CHAIR BAUM: Do the -16 amendments that are in the original bill conflict with the -30 amendments?

250 REP. SOWA: I don't know. It may take legislative counsel to figure out the language. I think the -29 amendments combine the -16 & -30 amendments.

268 REP. ROBERTS: I want to be fair, but I am confused at all of the amendments. The -29 amendments will combine the -16 & -30 amendments?

275 REP. OAKLEY: Yes, with a slight modification. Discusses the -29 amendments.

285 CHAIR BAUM: What line of the -29 amendments are you discussing?

287 REP. OAKLEY: The beginning. Discusses what would need to happen to make sure the amendments don't conflict.

315 CINDY HUNT, LEGISLATIVE COUNSEL: Discusses amendments and what needs to happen to combine the -29 & -30 amendments correctly.

330 REP. ROBERTS: Who would this election include in the merging?

334 HUNT: Discusses circumstances that would allow an election.

342 REP. ROBERTS: Who votes?

344 HUNT: The electors within the component of the split district.

346 REP. ROBERTS: So the other district has no voice, it is just those who want to make the choice to merge?

350 REP. SOWA: They would vote if they wanted to go along with the proposed merger, explains.

361 REP. ROBERTS: What is a split district in this bill?

366 BASSET: I do not know. The purpose of this amendment isn't to provide an exception to the requirement to unify, but to provide a way to unify or merge.

379 REP. LUNDQUIST: Gives example as to how the amendments would be applied.

384 REP. SOWA: Yes, they would have to file a remonstrance and then vote.

385 REP. LUNDQUIST: The district they go into doesn't have a vote?

387 REP. SOWA: They wouldn't automatically go there, they would have to vote.

389 REP. LUNDQUIST: Each half of the district votes?

390 HUNT: Yes, if they disagree with the district boundary boards order on how they will merge.

398 CHAIR BAUM: Discusses reconstruction amendments.

404 HUNT: It would be adding the amendments as additional sections.

406 CHAIR BAUM: Asks about finding a way to combine the amendments in order to get them into a draft form that can be voted upon.

412 MOTION: REP. CORCORAN : Moves to AMEND SB 467 by inserting "sections 4 & 5 of the -29 amendments into the -30 amendments".

VOTE: Hearing no objection the motion CARRIES.

424 MOTION: REP. CORCORAN: Moves to ADOPT SB 467-30 amendments AS AMENDED dated 05/23/95.

VOTE: Hearing no objection the motion CARRIES.

426 REP. ROBERTS: I don't agree with how this process is proceeding.

437 CHAIR BAUM: We always have the right to pull a bill back into the committee and re-work it.

TAPE 82, SIDE A

018 REP. ROBERTS: We will vote on the bill as amended when we hear it again.

021 HUNT: It hasn't been engrossed yet.

028 REP. COURTNEY: Does this take care of the Butte Creek situation?

030 REP. CORCORAN: This works in contrary to their situation.

033 REP. BEYER: Discusses that the superintendent of Lake County testified

that the mileage might logically be changed to 12 miles instead of 15.

041 REP. ROBERTS: I would suggest that we substitute the to 12 miles for the 15 miles.

041 MOTION: REP. ROBERTS: Moves to AMEND SB 467 by inserting "12 miles" anywhere that "15 miles" is printed.

046 REP. CORCORAN: That would seem to be problematic, explains.

055 REP. LUNDQUIST: Does the governors office agree with these amendments?

058 CHAIR BAUM: We will adopt these amendments and then bring the bill back tomorrow.

060 VOTE: Hearing no objection the motion CARRIES.

063 REP. MILNE: Can the Butte Creek people comment on this?

066 REP. CORCORAN: If you adopt one amendment, then you are negating the other.

071 HUNT: Discusses what the -28 amendments do to the original bill. That is also incorporated into the 30 amendments. Explains.

075 CHAIR BAUM: What do the -28 do to the -30 amendments?

076 HUNT: The -28 amendments don't do anything to the -30 amendments, explains. The -28 amendments don't go as far as the -30 amendments.

084 CHAIR BAUM: Are the -28 amendments necessary?

085 HUNT: Not necessarily, because they are incorporated into the -30 amendments.

WORK SESSION ON SB 178

(SB 178 requires political committees to designate committee director to perform duties of committee treasurer if necessary)

134 CHAIR BAUM: Are there any specific instances of corruption that you are after with ballot measure 9?

142 TIM RAPHAEL, OSPIRG: Discusses SB 178 and proposed -4 amendments.

149 CHAIR BAUM: Do you have instances of corruption that you are trying to control in order to justify the restrain on free speech?

158 RAPHAEL: The target of Measure 9 was getting big money out of politics, explains.

165 REP. WATT: Can you define what you mean by "big money"?

167 RAPHAEL: Explains that Oregon was only one of seven states that has no contribution limits for campaigns.

177 REP. WATT: "Big money" are PAC's?



178       RAPHAEL: "Big money" is defined as unlimited contributions to political campaigns in Oregon.

179       CHAIR BAUM: Are there any specific instances that you are aware of that you wanted to address that aren't in SB 178 or measure 9?

184       DAVE BUCHANAN, OREGON COMMON CAUSE: Discusses examples of political corruption.

192       CHAIR BAUM: There was a sting operation in Arizona.

193       BUCHANAN: There was a similar operation in South Carolina.

194       CHAIR BAUM: Asks and discusses the cost of mailers. There is a \$45,000 voluntary limit on measure 9.

199       BUCHANAN: That is based on the average spending cycle in Oregon. What we are proposing is not to restrict the average spending campaigns, just the exceptionally heavy spending campaigns.

208       CHAIR BAUM: How did you get the \$100 figure?

211       RAPHAEL: Explains how the \$100 limit to the campaign contributions was decided upon.

216       BUCHANAN: Discusses that examples in other states helped decide and set the president for money limits.

228       CHAIR BAUM: Do you want to reach the local people in the legislative process as well?

229       BUCHANAN: We wanted to leave it fairly simple for the voters to understand, explains.

244       CHAIR BAUM: What was the case that held the \$100 limit?

247       RAPHAEL: Discusses cases concerning the limit of contributions to campaigns.

253       CHAIR BAUM: The cases both held the \$100 limit?

257       RAPHAEL: Discusses Missouri case on dollar limits.

259       CHAIR BAUM: What was the compelling interest?

260       RAPHAEL: Limiting the actuality of corruption.

262       BUCHANAN: Discusses Missouri initiative that was passed based on population.

272       CHAIR BAUM: Is there a Minnesota case out there that held differently on the \$100 limit?

274       BUCHANAN: Explains that the Minnesota case held differently than the Minnesota case and that it is cited in testimony.

284       REP. WATT: Have your questions been answered?

289 CHAIR BAUM: We discussed the middle class issue, explains.

295 REP. WATT: It isn't my intention to be argumentative, there are some questions that I would be interested in knowing based on the perception of how the bill was written. Last session, we did make some substantial changes to the election laws, discusses.

309 BUCHANAN: Ted Reutlinger might be the person to ask your questions to because he was the drafter of measure 9.

313 REP. WATT: Can a corporation communicate with it's employees regarding a candidate? Cites sections.

322 RAPHAEL: It is my understanding that the Secretary of State's office has submitted a set of technical amendments to address those changes in the bill and they are not as of yet included in SB 178.

327 REP. WATT: Asks questions regarding language in the bill.

332 PHIL KEISLING, SECRETARY OF STATE: Testifies in support of SB 178. We have heard non of the proponents. I am happy to be here and discuss the bill.

362 REP. WATT: Unless I understand the issues as to what the ballot measure does, then I can't make a decision as to questions that I still have.

377 KEISLING: I am more than willing to stay and answer questions about the working's of measure 9. A number of people who signed up to testify on the bill have not been able to speak yet.

388 CHAIR BAUM: Part of this is due process for the opponents, explains. Discusses measure 9.

408 KEISLING: Over a month ago we offered amendments to another bill, that did outline a series of technical changes, that would effect this bill. The committee declined to put that amendment in this bill.

426 CHAIR BAUM: Will you change the name of the amendments to the 178 amendments?

428 KEISLING: That is fine.

432 CHAIR BAUM: I am trying to get an understanding of not only what is wrong with SB 178, but possibly measure 9 as well.

438 KEISLING: I personally feel that I can be of more use to the committee by dealing with questions about measure 9 following the proponents of SB 178-4 amendments.

TAPE 81, SIDE B

016 REP. WATT: Did the Secretary of State's office write, support, and market measure 9?

021 KEISLING: No we did not. Discusses that they drafted some amendments that may help with some technical problems in measure 9. The process now, about revising measure 9 is too late. We will do everything we can to

make the most accurate and precise bill to change measure 9 in whatever way the committee wants to do it.

044 REP. WATT: I was addressing the questions to those people who I thought authored the bill. What we have is an issue of the legislature with the Secretary of State, that the people who wrote the bill don't even understand it. Discusses that the measure 9 issue is a confusing one.

066 REP. LUNDQUIST: You made a point that because no action was taken two years ago, no action should be taken now. That philosophy is hard for me to accept, discusses and explains.

078 KEISLING: I don't think we disagree. My office wouldn't have proposed amendments if I didn't feel like there were some things that could be done that were appropriate. There is a fundamental distinction when it comes to what and how something is being proposed.

103 CHAIR BAUM: I just want to make sure that the committee knows what measure 9 does before we change it.

132 JOHN DILORENZO, THE CENTER TO PROTECT FREE SPEECH, INC.: Testifies and submits written testimony in support of SB 178. (EXHIBIT E)

286 REP. LUNDQUIST: If a rancher from Baker City spends five days in the capital in a quarter, they then would be included in this?

291 DILORENZO: If a person who registers as a lobbyist, then attempts to serve on a campaign finance committee to the extent that they arrange contributions, then those contributions are deemed to have originated from them. Continues with testimony.

367 REP. CORCORAN: Can you give me an example of a group that would fall out of that corporate description?

373 DILORENZO: Explains that limited liability companies are not interdicted under section 16, but you can not use a limited liability company as a front to make a contribution to a candidate. Discusses how this example would work under measure 9.

402 REP. CORCORAN: Under your business example, could you change the status of the business to get around the interdiction that measure 9 proposes?

406 DILORENZO: It would be difficult to change my organization, explains. Discusses proposed -4 amendments. Discusses the non-profit organizations under measure 9.

TAPE 82, SIDE B

028 REP. WATT: What is measure 19?

030 DILORENZO: Explains that measure 19 is the obscenity campaign.

035 REP. WATT: What was the outcome of that decision.

035 DILORENZO: It was defeated. It is my view that the voters are sending mixed signals, they want true campaign finance reform but do not want something that will chill the right to free speech. Continues with testimony.

045 REP. CORCORAN: In your opinion, what is the time table for the court challenge to these measures?

050 DILORENZO: The measure 6 and 9 cases are together in federal court. Discusses cross motions for summary judgment file. My best response is that the court will act, but it could take a long time.

059 REP. CORCORAN: So the projection of measures 6 & 9 being in place, unless something is done, are fairly accurate for 1996?

061 DILORENZO: If you want predictability, it is upon the legislature to assure that.

069 JOHN DANIELSON, OREGON EDUCATION ASSOCIATION: Testifies in support of the -4 amendments to Measure 9.

257 DAVE MOSS, ASSOCIATED OREGON INDUSTRIES: Testifies and submits written testimony in support of -4 amendments to SB 178. (EXHIBIT E)

TAPE 83, SIDE A

030 REP. LUNDQUIST: Discusses his district and the effect SB 178 would have on him.

036 MOSS: Gives an example of how it was when he ran in a campaign. I don't think your situation is that unusual, explains.

043 MARYANN GEST , OREGON PUBLIC EMPLOYEES UNION: Testifies in support of -4 amendments to SB 178.

075 RICH PEPPERS, OREGON PUBLIC EMPLOYEES UNION: Testifies in support of -4 amendments to SB 178.

129 REP. LUNDQUIST: Discusses the possible downside of trying to level the playing field.

137 PEPPERS: That just emphasizes all the more that to get to the level playing field, we need to have more of an explanation of the issue.

164 DAVID FIDANQUE, ACLU: Testifies in opposition to SB 178 and measure 9.

383 REP. LUNDQUIST: Because there is no compromise, we should just let the courts take care of it?

391 FIDANQUE: We are not in a position to be able to compromise, explains.

Any limitations on contributions, are unconstitutional restrictions on freedom of speech.

398 REP. LUNDQUIST: You are assessing everyone else's position as well.

400 FIDANQUE: If the courts will do what I think, and toss out the provisions of measure 9, then the proponents of measure 9 might be interested in coming to a compromise. At this point, it is clear to me that they are not interested in that.

411 REP. BEYER: Have you looked at the issue of bundling, and if so, what

is your perspective on the constitutional limitations on that?

415 FIDANQUE: That is a tricky area to regulate. Explains that the federal campaign laws do contain restrictions on bundling. The provision in measure 9 are over broad and do impinge on the right of free speech.

449 CHAIR BAUM: Adjourns the hearing at 7:25 pm.

Submitted by, Reviewed by,

Sarah Watson Debra Johnson  
Committee Assistant Committee Coordinator

EXHIBIT SUMMARY:

- A. Proposed Amendments to SB 467 - David Bessan - 1 page
- B. Proposed Amendments to SB 467 - Rep. Carolyn Oakley - 3 pages
- C. Proposed Amendments to SB 467 - Rep. Larry Sowa - 4 pages
- D. Proposed Amendments to SB 467 - Rep. Larry Sowa - 5 pages
- E. Testimony on SB 178 - John Dilorenzo - 9 pages
- F. Testimony on SB 178 - Dave Moss - 4 pages
- G. Testimony on SB 178 - Robert Cantine - 1 page
- H. Testimony on SB 178 - Sarah Hackett - 1 page