

HOUSE COMMITTEE ON
LEGISLATIVE RULES

Hearing Room
Tapes

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

STAFF PRESENT:
Aaron Felton, Committee Counsel
Janet Ellingsworth, Committee Assistant

MEASURES HEARD: Public hearing and work session on SB 1153
 Public hearing and work session on SB 183

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 , A

004 CHAIR BAUM: Convenes meeting at 8:40 A.M.

OPENS the PUBLIC HEARING on SB 1153

006 MOTION: REP. COURTNEY: Moves to adjourn committee.

008 VOTE: In a roll call vote REPS. CORCORAN, COURTNEY and BEYER
vote AYE. REPS. LUNDQUIST, MARKHAM, MILNE and BAUM vote
NAY. REPS. ROBERTS and WATT are EXCUSED.

010 CHAIR BAUM: The motion FAILS.

018 PHILL KEISLING, SECRETARY OF STATE: Testimony on SB 1153.

030 REP. BEYER: What is the administrative authority of the director to
make policy outside of the Board?

034 KEISLING: There are approximately 50 to 55 staff members. The
director does not have independent authority to make policy ultimately. It

is supervised by the Land Board, which is made up of three elected
officials who are the Treasurer, Secretary of State and the Governor.

038 REP. BEYER: Rule making is done by the Board?

039 KEISLING: The Board, at times has delegated some authority for some
decisions to the director.

044 JOHN LILLY, DIRECTOR for the DIVISION: Testimony on SB 1153.

047 REP. BEYER: To what extent have the practices been, are most of the
rule making through the Board itself?

050 LILLY: That is correct.

054 KEISLING: The legislature has imposed through statute, some duties on

the Division of State Lands that are not part of the constitutional Land Board authority.

060 REP. BEYER: The director is accountable to the full Board or to the Governor?

063 KEISLING: To the full Board.

064 REP. BEYER: So any administrative rule that the director proposed, if the Board chose to disagree with it, the Board can stop it or change it?

066 KEISLING: Correct.

068 REP. MARKHAM: Do the three of you appoint the director?

070 KEISLING: Yes, the three Land Board members make the appointment.

072 REP. MARKHAM: Who do you succeed?

074 KEISLING: Gus Gustofson was director until May 31 and John Lilly is acting director now. The Board is doing a process for a more permanent replacement.

076 REP. MARKHAM: Discusses "wetlands".

082 KEISLING: Of course wetlands regulations are functions to of what the state does.

088 REP. LUNDQUIST: Your saying that because you have three elected officials involved, that it should not have Senate conformation.

094 KEISLING: It is my understanding that most state agency heads, even those appointed only by the Governor, are not subject to separate Senate conformation.

110 REP. LUNDQUIST: Is it not true that in one way, either by the Commission or by the director themselves, that the legislature has a role in it?

114 KEISLING: In the case of the Department of Agriculture, the members of that Board are appointed by an elected official. In this case, and it is unusual, the Board is appointed directly by Oregonians.

126 REP. BEYER: This is the only Board that is staffed by the only three constitutional officer's of the State.

130 REP. WATT: All the more reason because of the huge responsibilities that we put on them that they should have Senate conformation.

140 KEISLING: I guess what struck me is if it's going to be done for agency heads, we should do it for everyone.

149 LILLY: It is my understanding that in the Natural Resources Agency that there are only a few directors that are appointed.

158 REP. BEYER: It might be that the legislature has chosen to appoint the policy makers and most of the Commissions and Boards are confirmed by the Senate now.

162 CHAIR BAUM: I am not overly excited about this bill.

CLOSES the PUBLIC HEARING on SB 1153
OPENS the PUBLIC HEARING on SB 183

184 COLLEEN SEALOCK, DIRECTOR of ELECTION'S DIVISION: Testimony in support of SB 183.

216 REP. BEYER: Can they nominate a person who is not a member of their party?

218 SEALOCK: Yes. They both can nominate but the person must accept that nomination.

220 REP. BEYER: Does acceptance of a nomination change the registration?

221 SEALOCK: No, it does not. It does clarify what party name goes on the

ballot when a minor party does choose a candidate that is not a member of their party.

CLOSES the PUBLIC HEARING on SB 183
OPENS the WORK SESSION on SB 183

226 MOTION: REP. WATT: Moves SB 183 to the Floor with a do pass
recommendation.

228 VOTE: In a roll call vote all members present vote AYE.

230 CHAIR BAUM: The motion CARRIES.

232 REP. BEYER will lead discussion on the Floor.

234 CHAIR BAUM: With nothing further the meeting is adjourned.

Submitted by, Reviewed by,

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| Janet Ellingsworth | Debra Johnson |
| Committee Assistant | Committee Coordinator |

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Rep. Tony Cocoran
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Rep. Bill Markham
Rep. Patti Milne
Rep. John Watt

MEMBER EXCUSED:

Rep. Lonnie Roberts

STAFF PRESENT:

Aaron Felton, Committee Counsel
Sarah Watson, Committee Assistant

MEASURES HEARD:

SB 183 - Work Session
SB 184 - Work Session
SJM6 - Public Hearing and Work Session
SB 1153 - Public Hearing and Work Session

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TAPE , SIDE A

002 CHAIR BAUM: Calls the meeting to order at 5:20 PM

WORK SESSION SJM6

(SJM6 in memoriam: former state Representative and outstanding
contemporary state leader, Stafford Hansell)

008 MOTION: REP. WATT: Moves SJM6 be sent to the floor with a BE ADOPTED
recommendation.

VOTE: 6-0

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| AYE: | 6 - Courtney, Lundquist, Milne, Watt, Beyer, Baum |
| EXCUSED: | 3 - Corcoran, Markham, Roberts |

CHAIR: The motion CARRIES.

013 Rep. Norris will lead discussion on the floor.

WORK SESSION ON SB 183

(SB 183 prohibits election officials from enforcing political party rules.
[EXHIBIT A])

016 MOTION: REP. BEYER: Moves to RECONSIDER the vote by which "SB 183 was passed from the committee".

VOTE: Hearing no objection the motion CARRIES.

017 MOTION: REP. BEYER: Moves to ADOPT SB 183-3 amendments dated 06/07/95.

VOTE: Hearing no objection the motion CARRIES.

019 MOTION: REP. BEYER: Moves SB 183 be sent to the floor with a DO PASS AS AMENDED recommendation.

VOTE: 6-0

AYE: 6 - Courtney, Lundquist, Milne, Watt, Beyer, Baum
EXCUSED: 3 - Corcoran, Markham, Roberts

CHAIR: The motion CARRIES.

023 Rep. Beyer will lead discussion on the floor.

WORK SESSION ON SB 184

(SB 184 revises election laws [EXHIBIT B])

024 MOTION: REP. BEYER: Moves to RECONSIDER the vote by which "SB 184 failed to pass the committee".

VOTE: Hearing no objection the motion CARRIES.

025 MOTION: REP. WATT: Moves to ADOPT SB 184-6 amendments dated 06/07/95.

VOTE: Hearing no objection the motion CARRIES.

034 MOTION: REP. BEYER: Moves SB 184 be sent to the floor with a DO PASS AS AMENDED recommendation.

VOTE: 7-0

AYE: 7 - Corcoran, Courtney, Lundquist, Milne, Watt, Beyer, Baum
EXCUSED: 2 - Markham, Roberts

CHAIR: The motion CARRIES.

042 Rep. Baum will lead discussion on the floor.

PUBLIC HEARING ON SB 1153

(SB 1153 requires State Land Board to appoint Director of Division of State Lands subject to Senate approval.)

Witnesses: Sen. Paul Phillips, District 4
Janie Tracey, Tracey Ranch
Bill Perry, Oregon Farm Bureau

067 SEN. PAUL PHILLIPS, DISTRICT 4: Testifies in support of SB 1153.

087 JANIE TRACEY, TRACEY RANCH: Testifies in support of SB 1153.

095 BILL PERRY, OREGON FARM BUREAU: Testifies in support of SB 1153.

WORK SESSION ON SB 1153

101 MOTION: REP. WATT: Moves SB 1153 be sent to the floor with a DO PASS recommendation.

VOTE: 5-0

AYE: 5 - Lundquist, Markham, Milne, Watt, Baum
EXCUSED: 4 - Corcoran, Courtney, Roberts, Beyer

CHAIR: The motion CARRIES.

110 Rep. Denny Jones will lead discussion on the floor.

111 CHAIR BAUM: Adjourns the hearing at 5:28 pm.

Submitted by, Reviewed by,

Sarah Watson Debra Johnson
Committee Assistant Committee Coordinator

EXHIBIT SUMMARY:

- A. Proposed Amendments to SB 183 - Staff - 2 pages
- B. Proposed Amendments to SB 184 - Staff - 5 pages