

SENATE COMMITTEE ON  
RULES AND ELECTIONS

February 23, 1995                   Hearing Room  
3:30 p.m.                   Tapes 12-13

MEMBERS PRESENT:

Sen. Randy Miller, Chair  
Sen. Brady Adams  
Sen. Shirley Gold  
Sen. Paul Phillips  
Sen. Dick Springer

STAFF PRESENT:

Kristina McNitt, Committee Administrator  
Gretchen Haber, Committee Assistant

MEASURES HEARD:                   SB 174: 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 12-A

003       VICE CHAIR PHILLIPS called the meeting to order at 4:35 p.m.

007       Opens public hearing on SB 174.

Witnesses: Confederation of School Administrators: Ozzie Rose, testifies against.

County Clerk's Association: Al Davidson, testifies in favor.

John Kaufman, testifies in favor.

Oregon Community Colleges Association: Alan Contreras, testifies against.

Oregon Education Association: John Danielson, testifies against.

Oregon School Boards Association: John Marshall, testifies against.

Secretary of State Phil Keisling, testifies in favor.

Superintendent of Public Instruction Norma Paulus, testifies in favor.

010       SECRETARY OF STATE PHIL KEISLING testifies in favor of SB 174. Refers to written testimony (EXHIBIT C).

040       KEISLING: notes substantial cost savings.

049       KEISLING: notes fears could be applied to all elected bodies; city councils and other bodies would face the same challenges. Notes particular attention paid to school races by communities.

060       KEISLING: notes lack of contest in races. States that in the last election, close to two-thirds of current school races were either uncontested or had no filers. 90% of the 215 races for local school committees went uncontested.

070       KEISLING: calls for consistency wherein all similar races could turn over with equal terms. Explains that if annual elections are needed, then they would be needed in all situations. Notes cost savings as well as an opportunity to make the elections process simpler.

085       SEN. PHILLIPS: asks if Mr. Keisling's assumption is that the opposition

to SB 174 is based on the fear of takeovers, or concerns about fragmentation?

090 KEISLING: answers yes to both propositions. Notes that in the past, the local communities have paid for the elections and so have demanded the right to run the election annually.

102 SEN. PHILLIPS: notes desire to allow local areas to elect the popular candidate. Asks for clarification on the lack of contest in school district races cited.

105 KEISLING: answers that 29 races had no filings; 321 races were uncontested, and only 199 contested races in the last election of school board elections.

116 SEN. PHILLIPS: notes a lack of interest in this position.

120 KEISLING: responds that the position is one of the more thankless positions in government. Applauds citizens who take the time to serve on school boards.

135 KEISLING: feels that he can do more to introduce opportunities to citizens. Doesn't feel that annual elections are a good use of resources.

Discusses consistency of elections for various positions.

138 NORMA PAULUS, Superintendent of Public Instruction, testifies in support of SB 174. Notes past support of SB 174 in her former position as Secretary of State. Supports Keisling's position on the bill. Notes significant cost savings.

147 PAULUS: notes past experience: service on Elections Committee, which focused on the proliferation of elections across the state. As Secretary of State, she worked to lower the number of days possible to hold an election.

160 PAULUS: notes importance of consolidations of elections. Notes fragility and expense of elections. Indicated support for "vote by mail" proposals. Discusses citizen mistrust of the elections system. Notes need to have open elections procedures with high public participation.

174 CHAIR: notes unique combination of Paulus' background and familiarity both with education and elections. Asks for her opinion on alternative uses for the potential dollar savings.

182 PAULUS: responds that there are other potential uses for funds, including new technology and classroom support staff.

184 CHAIR: asks for a response to anticipated comments from the opposition.

195 PAULUS: notes complex nature of the budgets and elections process. Feels same arguments could be made in regard to the Legislature and other bodies.

203 SEN. PHILLIPS: distinguishes between school board members, county commissioners, and other positions and discusses why they cannot all be treated the same. Wonders about historical context; finds the bill to propose something too obvious.

216 PAULUS: notes her work to change the system to have the party structure elected as it is. Feels it is not proper to develop an elections process based on a fear that a particular political philosophy would prevail, or somehow benefit from certain processes.

222 SEN. PHILLIPS: refers question to Secretary of State Keisling. Asks what the down side is to allowing the voters the ability to decide who represents them.

253 KEISLING: notes use of recall in current elections.

262 SEN. PHILLIPS: asks if other districts do follow the format proposed by the Secretary of State's office.

269 KEISLING: answers yes, in Multnomah County, Portland Community College and other areas -- five districts in all follow that system.

270 SEN. PHILLIPS: asks if Secretary Keisling or Superintendent Paulus has noticed any differences with those districts.

289 PAULUS: answers no.

308 JOHN DANIELSON, Oregon Education Association, testifies against SB 174. Has been involved in the issue for a number of years. Feels that Oregon lacks a basis for study on potential cost savings.

324 DANIELSON: feels school districts are set apart by the types of decisions made. Notes types of decisions facing school boards. Refers to significance of school activities in small communities.

350 DANIELSON: discusses school closure. Notes local sentiment towards ownership of schools.

370 DANIELSON: cites use of deceptive statistics. Feels that where there are problems, there are a variety of options. Notes his background in city governments.

394 DANIELSON: testifies that schools are different from every other municipal corporation. Feels that because schools deal with children, the continuity is especially important.

Tape 13-A

003 OZZIE ROSE, Confederation of Oregon School Administrators, testifies against SB 174. Notes difference between Multnomah County and smaller counties.

018 ROSE: does not want to lose local school districts any sooner than necessary. Argues one issue can change the direction of a body as it can in a small community.

029 ROSE: notes emotional nature of school issues. Refers to lack of candidates and claims this doesn't indicate a lack of interest.

040 ROSE: argues against a state school elections system with authority coming from state government.

045 JOHN MARSHALL, Oregon School Boards Association, testifies against SB 174.

052 MARSHALL: argues that it is necessary to have annual debate on school district issues. Testifies that 47 school districts have been eliminated since 1991; he feels this is not a comfortable situation. Discusses operating procedure as a new board. Notes group of appointed officials and the urgency in electing those officials annually.

072 MARSHALL: refers to SB 174, Page five, lines 34-37 "any member..." Discusses the ending of an officials' term.

087 MARSHALL: with regards to cost: testifies that not all cities pay for costs of their elections. Explains that for consistency's sake, cities would be pleased to have city elections be a part of county budgets.

098 ALAN CONTRERAS, testifies against SB 174. Refers to written testimony (EXHIBIT A).

107 AL DAVIDSON, Marion County Clerk, testifies in favor of SB 174. Refers to written testimony (EXHIBIT B).

121 DAVIDSON: is asked often why ballots are sent for uncontested races. Is told by citizens that annual races are unnecessary.

129 SEN. PHILLIPS: asks if the write in opportunity isn't the reason why ballots are sent out for uncontested races.

132 DAVIDSON: responds that that may be true, but it is rare to see write in candidates. Notes the unpopularity with uncontested race ballot. Feels the money could be better spent elsewhere in the school system. Feels this is a chance to save money without impacting children or losing staff.

158 DAVIDSON: feels that high rate of incumbency in school board races provides stability for the school districts.

165 CHAIR: asked Mr. Davidson to review section ten of the bill, and to discuss the section after Mr. Kaufman's testimony.

167 JOHN KAUFMAN, Clackamas County Clerk, testifies in favor of SB 174. Notes all school districts used to be on annual elections. Refers to Section ten of SB 174.

213 DAVIDSON: responds to Sen. Miller's request by pointing out that the process outlined in section ten is used now in larger sized areas. Notes that Chemeketa Community College has just transferred away from annual elections, and there were no complaints from Chemeketa administration regarding the change.

240 Closes public hearing on SB 174.

245 Opens work session on SB 174.

230 CHAIR: would like to provide Sen. Springer with the opportunity to vote. Notes a conflicting committee assignment with the Judiciary Committee.

231 CHAIR: recesses committee.

268 CHAIR: reconvenes committee.

270 MOTION: SEN. PHILLIPS: Moves SB 174 be sent to the Floor with a DO PASS recommendation.

280 VOTE: In a roll call vote, SENS ADAMS, PHILLIPS, and MILLER vote AYE. SENS. GOLD and SPRINGER vote NO.

CHAIR MILLER will lead discussion on the Floor.

293 CHAIR: adjourns meeting at 4:30 p.m.

Submitted by, Reviewed by,

Gretchen Haber Kristina McNitt  
Committee Assistant Committee Administrator

EXHIBIT SUMMARY:

- A - Testimony on SB 174 - A. Contreras - 1 page
- B - Testimony on SB 174 - A. Davidson - 4 pages
- C - Testimony on SB 174 - P. Keisling - 2 pages