

HOUSE COMMITTEE ON GENERAL GOVERNMENT

June 28, 1993      Hearing Room 357 9:00 a.m.      Tapes 71 - 74

MEMBERS PRESENT:    Rep. Cedric Hayden, Chair Rep. Jim Edmunson,  
Vice-Chair Rep. Ken Baker Rep. Carl Hosticka Rep. Patti Milne Rep. Chuck  
Norris Rep. Del Parks Rep. Lonnie Roberts Rep. Sharon Wylie

STAFF PRESENT:            Janet Adkins, Committee Administrator Julie Dow,  
Committee Researcher Rick Gaupo, Committee Clerk

MEASURES CONSIDERED:            SB 95 SB 1072 SJR4 SB 1070 SB 173 SB  
893

WITNESSES:                    Phil Keisling, Secretary of State Colleen  
Sealock, Elections Division Tami Dettwyler, Elections Division Kappy  
Eaton, League of Women Voters David Fidanque, AFL-CIO Nina Johnson,  
Secretary of State's Office Lynn Rosik, Attorney General's Office Paul  
Romain, Oregon Beer & Wine Distributors

Association Stephen Kafoury, PIA Merchandising Sydney Abrams, Wine  
Institute Bridgette Flanigan, Public Affairs Manager, Safeway Kay Joran  
Keith Burns, Valley Wine Sanda Bishop, Wine Institute Bill Cross,  
Willamette Valley Vineyards

[--- Unable To Translate Graphic ---]

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. [--- Unable To Translate  
Graphic ---]

TAPE 71, SIDE A

007 Chair Hayden calls the hearing to order at 10:05 a.m.

WORK SESSION ON SB 95

Julie Dow explains the intent of the bill to the full committee

024 Discussion on the fine imposed > Rep. Milne states that the  
\$5,000 fee is quite costly. Existing language (section 9) allows a  
penalty of \$5,000 on the individuals > Julie Dow explains that the full  
fine has never been imposed

PUBLIC HEARING ON SB 1072

80 Administrator Adkins submits the staff measure summary, impact  
statements and amendments - (Exhibit A)

20 Phil Keisling, Secretary of State, and Colleen Sealock and Tami  
Dettwyler of the Elections Division testify before the committee  
and submit prepared testimony - (Exhibit B) > Phil Keisling explains  
the intent of the bill 181 > Rep. Roberts asks how only one opinion  
would be selected. Partly through a lottery process > Voter pamphlets  
would be trimmed down > All candidates would be described in the voters

pamphlet 375 > Reps. Roberts and Baker ask about supplying information about a candidate who provides no information > Voter pamphlet would ask three questions of the candidates > Rep. Norris asks whether candidates would be obliged to respond. It would be their choice

TAPE 72, SIDE A

030 > Rep. Baker asks how this bill would be affected if there were more than two parties running 060 > Phil Keisling summarizes his arguments

080 > Colleen Sealock states that she and Tami Dettwyler have prepared a section-by-section review of the bill > Phil Keisling answers members' questions > Rep. Norris ask about the number of words the candidate are limited to > Chair Hayden asks about the average number of statements submitted. 219 in the last general election, and the numbers are

rising 169 > Chair Hayden asks about the Secretary of State's ability to censure voter pamphlet statements > Chair Hayden asks whether there is a way that would allow numerous statements through another means 237 > Rep. Roberts asks whether these questions would matter if the fee charged were equal to the amount of the cost of producing the

voter pamphlet

291 Kappy Eaton, League of Women Voters, submits and summarizes prepared testimony - (Exhibit C) > Responds to changes in section 5 > Rep. Roberts expresses his disagreement with the answering of questions in the voter pamphlet > Rep. Hosticka asks whether there could be a compromise of allowing words not used for questions

TAPE 71, SIDE A

020 David Fidanque, AFL-CIO, testifying before the committee, says that the lottery (Section 21, subsection 2b) be abandoned and substituted with a system under which the secretary of state would select two committees to decide for and against arguments 086 > Rep. Hosticka states that organizations submit more than one argument > Fidanque states that an alternative would be to increase the fees

PUBLIC HEARING ON SJR4

140 Administrator Adkins submits the staff measure summary and impact statement - (Exhibit D)

147 Nina Johnson, Secretary of State's Office, testifies in support of the bill

155 Al Davidson, County Clerk, testifies in support of the bill > There are more options now and clerks need more than 20 days to publish a ballot

PUBLIC HEARING ON SB 1070

245 Administrator Adkins submits the staff measure summary and summary from the Office of the Legislative Counsel - (Exhibit E)

260 Nina Johnson, Secretary of State's Office, testifies in support of the bill > With the re-districting of the state, legal questions were raised concerning the use of the words "reelect" and "incumbent"

308 Lynn Rosik, Attorney General's Office, testifies in support of the bill > This bill removes statutes that were previously ignored, and also removes confusion > Rep. Norris asks what restrictions would be used on "reelect." The Secretary of State would not step in on this issue > Rep. Milne says this would be confusing to the public. Private right of action is still a tool to control erroneous arguments 065 > Attorney fees are recoverable under the private right of action

TAPE 72, SIDE B

WORK SESSION ON SB 1070

023 MOTION: Rep. Edmunson moves SB 1070 to the floor with a DO PASS recommendation

VOTE: In a roll call vote all members present vote AYE and the motion CARRIES. Reps. Parks and Roberts are excused

Rep. Edmunson will carry the bill to the floor PUBLIC HEARING ON SB 173

054 Julie Dow submits and summarizes the staff measure summary - (Exhibit F)

Nina Johnson and Colleen Sealock of the Secretary of State's Office and Lynn Rosik of the Attorney General's Office testify before the committee > Explain the words that would be deleted by this bill > Answers members' questions 108 > Rep. Edmunson asks about the use of the word "hatred" > Rep. Milne states that she thinks "hatred" is an expression of opinion > Chair Hayden asks how a "group" is defined. A body of people 240 > Chair Hayden asks about hatred of a group of people > Rep. Milne asks why not keep the original language. The original language is very difficult to impose

309 > Rep. Hosticka asks about the history of the amended language. The language was devised to protect all groups

WORK SESSION ON SB 173

MOTION: Rep. Edmunson moves SB 173-A to the floor with a DO PASS recommendation

VOTE: In a roll call vote all members present vote AYE and the motion CARRIES. Rep. Parks is excused

Rep. Hosticka will carry the bill to the floor

WORK SESSION ON SB 95

394 MOTION: Rep. Edmunson moves SB 95 to the floor with a DO PASS recommendation

VOTE: In a roll call vote Reps. Baker, Edmunson, Hosticka, Milne, Norris, Parks, Wylie and Chair Hayden vote AYE, Rep. Roberts votes NO and the motion CARRIES

TAPE 73, SIDE A

PUBLIC HEARING ON SB 893

Administrator Adkins submits the staff measure summary and proposed amendments - (Exhibit G)

010 Paul Romain, Oregon Beer & Wine Distributors Association, testifies in support of the bill > Cites history of the industry and it's relationship to the retailer > Cites history of case with PIA that this bill would affect 120 > Explains the new language of the bill (still in counsel)

148 (Chair Hayden opens the subcommittee at 12:20 p.m.) > Rep. Baker ask why not control potato chips and other products like beer and wine  
187 Stephen Kafoury, PIA Merchandising, testifies in opposition to the bill > PIA provides service for other products and has recently moved into the beer and wine sector > Explains the service that PIA offers > OLCC has the authority to regulate the actions of PIA

301 Sydney Abrams, Wine Institute, testifies in support of the bill > Believes that this bill would maintain a level playing field for small wine producers

063 Bridgette Flanigan, Public Affairs Manager, Safeway, testifies in opposition to the bill and submits and summarizes prepared testimony - (Exhibit H)

TAPE 74, SIDE A

Bridgette Flanigan continues her testimony

070 Kay Joran testifies in opposition to the bill > This bill is restricting industry and the decision should rest with the OLCC

110 Keith Burns, Valley Wine, testifies in support of the bill and submits and summarizes prepared testimony - (Exhibit I)

184 Sandra Bishop, Wine Institute, testifies in support of the bill > This original law was to protect the small Oregon winegrowers

220 Bill Cross, Willamette Valley Vineyards, testifies in opposition to the bill and submits and summarizes prepared statement - (Exhibit J)

Chair Hayden adjourns the meeting

Submitted by

Reviewed by

Rick Gaupo  
Committee Administrator

Janet Adkins Committee Clerk

EXHIBIT LOG:

A - SB 1072-A, Staff, 9 pages B - SB 1072-A, Phil Keisling, 8 pages C -

SB 1072-A, Kappy Eaton, 1 page D - SJR4-A, Staff, 2 pages E - SB 1070,  
Staff, 5 pages F - SB 173-A, Staff, 1 page G - SB 893-A, Staff, 2 pages  
H - SB 893-A, Bridgette Flanigan, 7 pages I - SB 893-A, Keith Burns, 3  
pages J - SB 893-A, Bill Cross, 1 page