

SENATE ETHICS, ELECTIONS, AND CAMPAIGN FINANCE COMMITTEE

April 29, 1993                      Hearing Room B 3:00 p.m.                      Tapes 54 and 55  
MEMBERS PRESENT: Senator Grattan Kerans, Chair Senator Neil Bryant  
Senator Joan Dukes Senator Rod Johnson Senator Dick Springer STAFF  
PRESENT: Annette Talbott, Committee Counsel Tamara Brickman,  
Committee Assistant MEASURES CONSIDERED: Public Hearing SB 1072 SB  
752 SB 1071 . . . . . 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 54, SIDE A 005 CHAIR KERANS: Calls meeting to order at 3:20 p.m.

PUBLIC HEARING ON SB 1072 WITNESSES: PHIL KEISLING, Secretary of State  
DENISE McPHAIL, Portland General Electric 008 PHIL KEISLING,  
Secretary of State: Testifies in support of SB 1072. (EXHIBITS C,D)  
119 SEN. DUKES: Discusses Mr. Keisling's testimony and suggests a  
solution of just raising fees. 127 KEISLING: Comments that fees go  
directly to the general fund and would make no difference to the  
Secretary of State's budget. Remarks that the majority of fees comes  
from the measures. 163 SEN. DUKES: Asks if he "regularly" gets  
petitions from people to get in the voters' pamphlet.  
165 KEISLING: Responds to Sen. Dukes and explains that occurrence  
is rare. 177 CHAIR KERANS: Discusses the issue of petition  
signature gathering. 185 SEN. JOHNSON: Discusses the issue of  
measure argument availability in the voters' pamphlet, suggests  
--~ raising the amount of arguments. 213 KEISLING: Discusses Sen.  
Johnson suggestion. Senate Ethics, Elections, and Campaign Finance  
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261 CHAIR KERANS: Discusses the issue regarding a new process for  
placing ballot measure arguments in the voters' pamphlet.  
308 KEISLING: Discusses Chair Kerans' comments, in regards to a  
"bingo" process for submitting arguments. 323 CHAIR KERANS: Continues  
the discussion on ballot measure arguments. "We've got to find a way  
that's fair, that cannot be subverted, and that allows for a  
representative sample to be printed.."

351 SEN. JOHNSON: Continues to discuss the issue of selecting ballot  
measure arguments for the voters' pamphlet. 371 CHAIR KERANS:  
Comments on Sen. Johnson's statements, suggests the use of a committee  
to review the arguments. 379 KEISLING: Comments they already have  
experience bringing people together to place an argument in the  
pamphlet. 389 SEN. SPRINGER: Discusses his views regarding the  
subject. 408 CHAIR KERANS: Discusses the need for the Secretary of  
State to cut his budget. Asks a question regarding the change of  
dimensions. 437 KEISLING: Discusses the amendments, with regard to  
the issue of dimensions. (EXHIBIT B) 460 CHAIR KERANS: Continues the  
discussion on the dimensions of the voters' pamphlet.

TAPE 55, SIDE A

034 KEISLING: Indicates to the committee that he and his staff would be  
happy to work with the committee on establishing dimensions for the  
voters' pamphlet.

038 CHAIR KERANS: Asks if this takes the job away from the state  
printer.

039 KEISLING: Comments that the state printer does not print it now.

044 CHAIR KERANS: "What would the cost be for a statewide candidate?"

046 KEISLING: Explains that the cost would go from \$300 to \$200 and that the amount of space would go from two columns to one. 049 CHAIR KERANS: Comments on cutting back on the amount of space.

058 KEISLING: Comments his office would be glad to work with the committee on the fee structure. Legislature. 064 CHAIR KERANS: Discusses the issue of Voter Education Committees (VECs). Comments on Rep. Bev Stein's bills HB 3305 and HB 3306 as possible amendments to SB 1072. i :. ,

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078 KEISLING: Comments that he likes the idea of questions. Discusses whether or not there should be a cost if a candidate is required to pay for the space to answer these questions. 100 CHAIR KERANS: Asks how much is allowed for free information in the Secretary's proposal.

103 KEISLING: "Free, up to 75 words." 104 CHAIR KERANS: Discusses the amount of words and "transporting" words into other areas.

112 KEISLING: Discusses Chair Kerans' question.

118 SEN. BRYANT: Comments that he supports the idea of candidates answering questions.

120 CHAIR KERANS: Discusses HB 3306 and the issue of Voter Education Committees.

126 KEISLING: Discusses Voter Education Committees (VECs). Discusses the issue of arguments on ballot measurers. Remarks on what some other states do in regards to ballot measure arguments.

154 SEN. SPRINGER: Discusses the issue of county elections and voter pamphlets produced in counties. 169 KEISLING: Comments that the Secretary of State's office does not mandate the format of pamphlets in special elections. Discusses the goals with the primary and general elections for cooperation with the counties. Discusses the issue of county pamphlets with Sen. Springer and Chair Kerans. 249 DENISE McPHAIL, Portland General Electric: Testifies in regards to section 16 of SB 1072. (EXHIBIT E)

279 CHAIR KERANS: Recesses the committee while waiting for Sen. Cease to arrive for SB 752.

PUBLIC HEARING ON SB 752 WITNESSES: SENATOR RON CEASE, Senate District 10 KEN TOLLENAAR 296 KEN TOLLENAAR: Testifies in support of SB 752. (EXHIBIT H)

468 SEN. RON CEASE, District 10: Discusses SB 752 and Mr. Tollenaar's involvement with SB 752.

490 TOLLENAAR: Continues testimony. (EXHIBIT H) TAPE 54, SIDE B 034 TOLLENAAR: Continues on with testimony. (EXHIBITS H,L) 041 CHAIR KERANS: Comments on Mr. Tollenaar's testimony.

055 TOLLENAAR: Discusses Chair Kerans' remarks. Discusses the issue of transferring the duties of titling initiative measures to Legislative Counsel. (EXHIBITS H,L)

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130 CHAIR KERANS: Discusses Mr. Tollenaar's testimony. "At what point do (we) stop being a service agency -- and become involved in the measure itself?" 151 TOLLENAAR: Responds to Chair Kerans. "The other thing that you're getting into and identifying as a problem is where do you draw the line between substance and style? That is possibly a difficult one, but again I would have to say that it would be better to face up to that problem and do the review, then to not do the review because that might be a problem."

164 CHAIR KERANS: Comments on Mr. Tollenaar's remarks. Discusses the issue regarding a hearing.

187 TOLLENAAR: Discusses how the process might be perceived as an obstacle to the initiative process. "I have less fear about it being perceived as a ben fit to the petitioners than as a detriment." Comments that he believes this bill to be a "very wise investment."

212 CHAIR KERANS: Thanks Mr. Tollenaar.

227 LYNN ROSIK, Assistant Attorney General: Testifies in support of SB 752 for the Department of Justice. Discusses issues involved with drafting ballot measurers.

323 CHAIR KERANS: Asks how many attorneys the Department of Justice employs, not including the attorneys that work for SAIF.

331 ROSIK: "It's roughly, it's over a hundred. "

335 CHAIR KERANS: Asks Mr. Clifford how many there are in Legislative Counsel.

CLIFFORD: "Eleven. "

338 TOM CLIFFORD, Legislative Counsel: Testifies in opposition to SB 752. Testifies that this would disrupt the process of legislative measure drafting. Discusses the initiative process. (EXHIBIT I)

PUBLIC HEARING ON SB 1071

WITNESSES: NINA JOHNSON, Executive Assistant, Secretary of State LYNN ROSIK, Assistant Attorney General, Department of Justice

472 Nina Johnson, Executive Assistant, Secretary of State: Testifies in support of SB 1071 and explains why the Secretary of State's office proposed the measure. Discusses Subsection 1

TAPE 55, SIDE B

034 JOHNSON: Continues testimony in support of SB 1071. Refers to HB

3151, which also deals with disclaimers. 090 SEN. JOHNSON: Discusses the issue of disclaimers. Suggests simplifying the process. Discusses his dislike of having to put a disclaimer on "everything." 122 CHAIR KERANS: "You wouldn't get any relief under the way this bill is written." - 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. . Senate Ethics, Elections, and Campaign Finance Committee April 29, 1993 - Page 5

125 JOHNSON: "The relief that would happen of this bill is we would be able to say to people you have to put a disclaimer on everything...Our position is that the public likes to know whose authorizing the publication of campaign related information." Discusses issues involved with disclaimer law.

142 SEN. JOHNSON: "I agree if you're submitting information to the public information ought to be able to look down at the bottom and find out where the heck it came from. If all you are saying is the candidate's name and what he or she is running for that is not information. It's not argument, it's not advocacy. It's nothing. "

151 JOHNSON: Comments there might be candidates who might want to know who is using their name. Discusses this as a measure to protect candidates. 162 SEN. JOHNSON: Comments on Ms. Johnson's remarks. "I strongly support amending this bill to get rid of this disclaimer on everything idea." 171 ROSIK: Discusses issues regarding narrowing the bill. Comments that the bill is very broad. 193 CHAIR KERANS: Adjourns the meeting at 5:02 p.m.

Submitted by:

Reviewed by:

Tarnara Brickman  
Counsel

Annette Talbott Assistant

#### EXHIBIT LOG

A - Preliminary Staff Measure Summary on SB 1072 - Committee Staff - 2 pages  
B - SB 1072-2 Amendments dated 4/28/93 - Committee Staff- 16 pages  
C - Testimony on SB 1072 - Secretary of State Phil Keisling - 3 pages  
D - Proposed Cost Reductions in State Voters' Pamphlet - Secretary of State Phil Keisling - 6 pages  
E - Testimony on SB 1072-2 - Denise McPhail - 3 pages  
F - Preliminary Staff Measure Summary on SB 752 - Committee Staff - 1 page  
G - Fiscal Analysis of SB 752 - Committee Staff- 1 page  
H - Testimony on SB 752 - Ken Tollenaar - 8 pages  
I - Ballot Title General Information - Tom Clifford - 1 page  
J - Preliminary Staff Measure Summary on SB 1071 - Committee Staff - 1 page

K - Administrative Rule Review Pursuant to ORS 183.720 - Committee Staff - 11 pages  
L - The Initiative Process in Oregon - Ken Tollenaar - 44 pages  
M - Letter regarding SB 1072 - Linda Rigutto - 1 page

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