

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.

CONFERENCE COMMITTEE #2 ON SB 187

June 26, 1991Hearing Room B 3:00 p.m.Tape 1

SENATE MEMBERS PRESENT: Sen. Dick Springer, Chair Sen. Jim Bunn

HOUSE MEMBERS PRESENT: Rep. Mary Alice Ford Rep. Tom Novick Rep. Carolyn Oakley

STAFF PRESENT: Gail Ryder, Committee Administrator Julie Muñiz, Committee Assistant

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TAPE 1, SIDE A (TAPE INAUDIBLE)

003 CHAIR SPRINGER: Called the meeting to order at 1:35 p.m.

Witnesses:Sue Proffitt, Elections Division Ted Reutlinger, Legislative Counsel

010 SUE PROFFITT, ELECTIONS DIVISION: We tried to revert back to some of the original language of the bill with the -17 amendments (Exhibit A). Reviews -17 amendments.

020 SPRINGER: Where in ORS is that?

021 PROFFITT: In Chapter 261.

028 FORD: If this was a typo, why wasn't it corrected earlier?

031 TED REUTLINGER, LEGISLATIVE COUNSEL: If you look at the last B-engrossed version of the bill, the language that would have been deleted contained a typographical error. There was the possibility that someone could have voted for this bill without understanding that.

044 NOVICK: Could you explain why we're going back to 20 versus 30?

047 PROFFITT: The House passed the bill, the Senate did not. We (unintelligible).

052 NOVICK: Did it die in Ways and Means? I thought we sent it to Ways

and Means.

053 PROFFITT: They kicked it out.

052 FORD: Do you remember the number of the bill?

052 PROFFITT: HB 2525.

054 FORD: The printer currently used is Bladine's, in McMinnville, correct?

056 PROFFITT: There are only two vendors who bid.

058 FORD: Did both of those bidders say they could not do it in 30 days?

058 PROFFITT: Yes, both.

060 BUNN: Back to the black ink question: does a photocopy qualify as type or hand-written in black ink?

064 PROFFITT: To the best of my knowledge, yes.

067 SPRINGER: Sen. Bunn, you had a question of whether it would apply to initiative signatures. My recollection was that it didn't invalidate a signature.

070 PROFFITT: That's correct. It's for filing documents only.

072 BUNN: I'm not sure why a signature filed with the Secretary of State is not. But as long as we've established that we're not requiring black ink on signatures, I think we're ok.

075 SPRINGER: If someone were to file in the voters' pamphlet page and it was signed in blue ink at the bottom, will that not be accepted?

077 BUNN: I don't like the black ink. I'd hate to see a document invalidated because of a technical error.

083 FORD: We have documents in this building that we're not allowed to sign in black ink because it looks like it may have been copied.

088 PROFFITT: The intent was to work towards the automation so we could start speeding up the process.

095 BUNN: Could we add language after "or printed using black ink" saying "or otherwise reproducible..." I'd rather adopt that provision.

102 FORD: It's my understanding that all that was in the -16 amendments we had passed.

105 BUNN: If I'm the only Senate member who objects, I won't continue to object.

106 SPRINGER: I don't want to drag this out. As long as it's clear on the record that a document won't be invalidated because a signature isn't in black ink.

114 BUNN: What would you do if a candidate signed in blue ink and the opposing campaign claims it's invalid?

121 REUTLINGER: I think that it could be used as an opportunity for someone who wants to abuse the process. I think if (unintelligible).

128 BUNN: It doesn't have to be the opposing candidate? It can be the party who are the "bad guys"?

131 PROFFITT: We need the bill. I suggest after "black ink" putting "or other reproducible ink" or deleting that section entirely.

135 NOVICK: The problem is that red ink isn't reproducible.

138 BUNN: When we look at the harm without that section, I think we face a greater harm by invalidating something than we do by having the Secretary of State encourage the use of black ink, but not really enforce it.

142 SPRINGER: How about "failure to use the ink shall not invalidate a document"?

145 BUNN: You've got a civil penalty against you, but you can't lose your rights by not filing it.

148 SPRINGER: Would that be acceptable?

149 OAKLEY: We might we "encourage" the use of black ink.

155 PROFFITT: I recommend on lines 4 & 5 deleting sub (5).

158 SPRINGER: So moved. Any objection?

159 REUTLINGER: Maybe to say "printed or written"?

161 BUNN: Why don't we acknowledge for the record that's the intent.

163 FORD: What's legible for some isn't for another.

165 BUNN: I think you can argue it's legible and we're going to survive. But if it says black and it's blue...

172 PROFFITT: Repeats recommendation.

174 OAKLEY: If we used the word "written" then it would give the option between writing in cursive or printing.

176 BUNN: If no one disagrees with accepting "written," we can add it. They're going to enforce it the way...

180 PROFFITT: Gives options.

188 SPRINGER: Line 4 would read "legibly printed or written"?

189 PROFFITT: Yes.

191 BUNN: Some people's signatures are not legible. Is that a problem?

194 PROFFITT: The main problem I see (unintelligible).

199 BUNN: I don't think I can read Mark Hatfield's signature. There are many people who's signatures are not legible. If we require them to be legible, I don't know what we're doing.

202 PROFFITT: When we're checking signatures, it is to see if they match.

205 BUNN: Earlier, you told us that this didn't apply to signature sheets.

208 PROFFITT: I stand corrected.

210 BUNN: I'd rather drop this out and deal with it in two years if there's a problem with it.

214 MOTION: SEN. SPRINGER MOVED TO DELETE §4 AND §5 FROM SB 187. HEARING NO OBJECTIONS, SO ORDERED.

215 MOTION: SEN. SPRINGER MOVED TO SUBSTITUTE 20TH WITH 30TH. HEARING NO OBJECTION, SO ORDERED.

221 MOTION: SEN. SPRINGER MOVED THE -17 AMENDMENTS, EXHIBIT A, BE AMENDED AND REPASSED.

227 VOTE: MOTION CARRIED, 5-0. REP. FORD AND SEN. BUNN WILL LEAD THE FLOOR DISCUSSIONS.

Meeting adjourned at 2:55 p.m.

Submitted by,

Reviewed by,

Julie Muñiz  
Assistant

Joan Green Committee  
Committee Assistant

EXHIBIT LOG

A - SB 187-B17 proposed amendments, staff, 5 pages B - Hand-engrossed amendments, staff, 3 pages