HOUSE COMMITTEE ON ELECTION AND RULES

March 08, 2005   Hearing Room E

1:00 PM Tapes 14 - 15

MEMBERS PRESENT: **Rep. Derrick Kitts, Chair**

Rep. Paul Holvey, Vice-Chair

Rep. Debi Farr

Rep. Mitch Greenlick

Rep. Steve March

MEMBER EXCUSED: **Rep. Kim Thatcher, Vice-Chair**

Rep. Billy Dalto

STAFF PRESENT: **Cletus Moore, Committee Administrator**

Annetta Mullins, Committee Assistant

MEASURES/ISSUES HEARD:

Demonstration of voter registration system software

HJR 1 – Public Hearing

HR 1 – Public Hearing and Work Session

TAPE/#	Speaker	Comments

TAPE 14, A

| 003 | Chair Kitts | Calls the meeting to order at 1:11 p.m. |
| 020 | Chair Kitts | Opens a public hearing on HJR 1. |

HJR 1 – PUBLIC HEARING

	Cletus Moore	Committee Administrator. Reads summary of HJR 1.
022	Kappy Eaton	League of Women Voters. Testifies in support of HJR 1 and suggests that the odd year sessions include both policy and fiscal decisions. **(EXHIBIT A).**
063	Chair Kitts	Asks if the League has taken a position on increasing the salaries of legislators.
	Eaton	Responds they have not but they believe there should be "adequate funding".
	Chair Kitts	Asks if the League is okay with the number of days of each session.
	Eaton	Responds they believe there would be enough time as the bill is written.
090	Chair Kitts	Closes the public hearing on HJR 1 and opens a public hearing on HR 1.

HR 1 – PUBLIC HEARING

| 091 | Cletus Moore | Committee Administrator. Reads summary of HR 1. |

	Rep. Farr	Asks if this is something that is done every session.
	Chair Kitts	Responds he does not recall it being done last session.
101	Rep. March	Comments he cannot recall it being done previously but it is nice to honor the folks who worked hard and served the legislature well. Suggests the committee might consider thanking the Senators who did not return as well.
126	Chair Kitts	Asks the committee to stand at ease pending the return of Rep. Greenlick.
126	Chair Kitts	Reconvenes the meeting and opens the work session on HR 1.

HR 1 – WORK SESSION

129	**Rep. March**	**MOTION: Moves HR 1 be sent to the floor with a BE ADOPTED recommendation.**
134		**VOTE: 5-0-2**
		AYE: **In a roll call vote, all members present vote Aye.**
		EXCUSED: 2 - Reps. Dalto, Thatcher
	Chair Kitts	**The motion CARRIES.**
		REP. JENSON will lead discussion on the floor.
145	Chair Kitts	Closes the work session on HR 1 and opens an informational meeting on the demonstration of the software for the Oregon central voter registration system.

DEMONSTRATION OF THE SOFTWARE FOR THE OREGON CENTRAL VOTER REGISTRATION SYSTEM (OCVR)

145	Julie Pearson	Project Executive for the Oregon Central Voter Registration Project, Secretary of State's office. Introduces Steve Toft, Saber Consulting, and John Lindback, Director of Elections, Secretary of State's office. Explains there are a lot of modules in the program and it was designed as a tool to help the county clerks manage elections. States the committee would be most interested in the voter registration piece, the

		duplicate check and how voters move from one county to the next. Offers to demonstrate other modules if the committee wishes after their planned presentation.
159	Steve Toft	Saber Consulting. Demonstrates how a new voter is added to the system, how the signature on the voter registration card is scanned in and stored with the record, how the system identifies duplicate registrations by a voter, and how to move a voter from one county to another.
	Toft	Explains that the data base includes registered voters in Oregon. Each person has a unique voter identification number that will follow him or her from county to county and the system will track their voting record.
187	Pearson	Comments that the demonstration data is only test data and these are not real people.
200	Toft	Demonstrates how a new registration is entered into the system and how the program shows the possibility of duplicate registrations in Oregon, and the ability of the system to search for correct addresses.
242	Chair Kitts	Asks if there is anywhere in the program that requires that the person prove they are a citizen.
	John Lindback	Director of Elections, Secretary of State's office. Responds that the system reflects only what is current state and federal law; proof of citizen is not included.
264	Toft	Enters data for an existing voter who has filled out a new registration card and points out how the system brings up previous signatures in the system.
305	Chair Kitts	Asks what the process is if the signatures do not match.
	Lindback	Responds that the county is required to send the person a notice. They would send it in the mail if there is sufficient time before an election; otherwise they attempt to phone the person to let them know there is a problem matching the signature. They would ask the person to come in and help figure out why the signatures do not match.
316	Rep. March	

		Asks if a person who moves out of state and the ballot is returned to the elections office would be purged from the system, and whether they would get the same identification number if they come back.
327	Pearson	Responds that once a voter is assigned a voter identification, the person retains it forever.
331	Toft	Demonstrates how the system reacts when a person registering has similar information to someone already in the system.
369	Chair Kitts	Asks if the system will show that someone new is registering at an address that another person had used when they registered to vote.
	Lindback	Responds that in the next election a ballot would be sent to the first person and since ballots cannot be forwarded, the post office would return it to the county clerk's office. The county clerk would then know that the person had moved. That would place the voter on the inactive list and they would not be mailed any more ballots until information comes back. If the voter registers in another state, it is possible that the county in the other state could notify the county that the voter has moved and registered there. That is enough information for the county to take him off the voter rolls. Or the voter could notify the county they had moved. The most common thing is the non-deliverable ballot.
400	Chair Kitts	Provides a scenario where an 18 year old registers to vote while in high school, moves out of state but votes in the November election because the ballot is sent to his parent's home. Asks what happens if he registers in another state.
	Lindback	Responds that the requirement that all state systems communicate with each other was removed from the final versions of the federal act because they decided it was impractical. States there is discussion among states about setting up regional compacts in which the voter lists could be compared to try to solve some of the problems. It is possible that a person could register in more than one state and vote in more than one state.
445	Toft	Demonstrates how the program provides a flag when a voter is moving from one county to another in Oregon.

TAPE 15, A

029	Rep. Holvey	Asks if he system would delete the registration in the county the voter was previously registered in.
	Pearson	Responds they can enter a voter in a county but they cannot push them out of the other county. The history of where the voter was registered previously will be in the system.
035	Lindback	Adds that if there is an attempt to transfer the record of the same voter, the record would be transferred from one county to another. If someone is trying to fraudulently trying to register to vote in more than one county, they do not want to delete either record because they want time to figure out what is going on and for the counties to confer with each other and to report to the Elections Division.
048	Rep. Farr	Asks if the Elections Division would prosecute someone who was voting fraudulently.
	Lindback	Responds that they do prosecute.
	Rep. Farr	Asks what the penalty would be.
	Lindback	Responds that he would like to look at some of the most recent prosecutions and report what they were. States they are felony convictions in most cases.
057	Vice Chair Holvey	Asks that members restrict their questions to the presentation on the software.
061	Rep. Greenlick	Asks what would indicate that a person might be registering fraudulently in a new county.
067	Lindback	Responds that the registration card asks for the person's old address and county.
	Toft	Shows configuration screen and explains variable matching criteria. The system can be configured in a combination so that the system will pop up the probability level of the verification.
081	Pearson	Suggest that they continue with the presentation showing the signature verification process.

	Toft	Explains the system used to process ballots. Each ballot has a unique identification that is associated with the election and the voter uniquely. A lot of counties add a bar code as the ballots come in. Once they have a batch of ballots that have been processed, they can go through and verify each signature. Displays signatures that have been scanned and are on file and states if the person verifying the signature has a question, they can put the ballot on hold and do further research to find out if the person is trying to vote more than one time or whether it is the person they think it is. States that the record would show all the ballots that were issued for the current election to any voter who has the same address; all family members would be listed.
181	Rep. March	Asks if most counties have the signatures scanned.
	Pearson	Responds they are working to get scanners out to all the counties.
197	Toft	Displays multiple signatures for a person and states that multiple ballots have been issued to that same person. That is possible because the original ballot may not have reached the voter or it was damaged and the voter requests a replacement ballot. Or, maybe the state discovered they left something off the ballot and had to send new ballots. The system knows which ballot is current and which should be processed when it comes back in.
211	Pearson	Notes the message on the screen that says the operator should reject the ballot.
214	Vice Chair Holvey	Asks if there has been discussion about identifying features other than signatures.
216	Lindback	States there has not been discussions about other identifying features.
223	Toft	Explains the elections management module, which allows a county to set up an election and follow it through step by step to completion. Shows election workers module, a petition module that allows the signatures to be verified. There are also modules for background, administration system configuration, user administration with various look-up values that make the system work property for each county and for the state. States there is also a module on reports and labels. In the voter registration model there is a query function.
	Rep. March	Asks if this system will also result in centralized reporting of the election results.

251	Lindback	Responds that the tally system is not connected in any way to the voter registration system. They would do not want that for security reasons, especially since the voter registration system is internet-based, they would not want to create a way into the tally system through the internet. States there is no technical connection between the two. Explains that in the last election they had an election reporting system and a state site where the results from the counties were compiled. They will continue to work on that system.
263	Rep. Farr	Comments that the registration system will probably eliminate students receiving a ballot at home and one at college. Asks if there is a way to check to see if someone votes twice.
297	Lindback	Responds that this tool will make it easier to track that person.
	Rep. Farr	Asks if the new system will show that someone already voted in another county.
317	Pearson	Responds that the person would not be allowed to vote twice; the system is proactive.
	Vice-Chair Holvey	Thanks the witnesses for their presentation.
330	Cletus Moore	Committee Administrator. Requests that the witness provide the committee with written materials on their presentation.
	Pearson	Agrees to provide information on the registration system.
	Pearson	Provides the OCVR Status Report for January 2005 and a copy of a PowerPoint presentation on the OCVR Project **(EXHIBIT B).**
309	Vice Chair Holvey	Adjourns the meeting at 2:05 p.m.

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EXHIBIT SUMMARY

A. **HJR 1, prepared statement, Kappy Eaton, 1 p**
B. **Central Voter Registration System, Oregon, status report and PowerPoint presentation of project, Julie Pearson, 21 pp**