

SENATE COMMITTEE ON
RULES AND ELECTIONS

May 10, 1995 Hearing Room C
9:00 A.M. Tapes 69 - 70

MEMBERS PRESENT:

Sen. Randy Miller, Chair
Sen. Paul Phillips, Vice-Chair
Sen. Brady Adams
Sen. Dick Springer

EXCUSED:

Sen. Shirley Gold

STAFF PRESENT:

Kristina McNitt, Committee Administrator
Gretchen Haber, Committee Assistant

MEASURES HEARD:

HB 2552: Public Hearing and Work Session
HB 2551: Public Hearing and Work Session
SB 691: Public Hearing and Work Session
SB 1141: Public Hearing and Work Session
SB 926: Work Session
SB 319: Public Hearing and Work Session
SJR37: Work Session
SB 399: Work Session
SJR11: Work Session
SB 567: Work Session

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TAPE 69. A

003 CHAIR MILLER: Calls the meeting to order at 9: 17 a.m Reviews agenda.

Opens PUBLIC HEARING on HB 2552.

Witnesses: Representative Carolyn Oakley
018 REPRESENTATIVE CAROLYN OAKLEY, District 26: Test)files in favor of HB 2552

- Current procedure confuses electorate
- Citizens need only apply for absentee process once

Closes PUBLIC HEARING on HB 2552. ODens PUBLIC HEARING on HB 2551.

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Witnesses: Representative Carolyn Oakley
Vicki Irvin

030 REPRESENTATIVE CAROLYN OAKLEY, District 26:
-Need to change party affiliation closer to election dates.
-- County Clerk's Association is in support.

040 SEN. SPRINGER: Asks if a person could change party affiliation between a
presidential
primary

election and the subsequent general election.

045 REP. OAKLEY: Answers that she would prefer to have the County Clerk's
office to answer his
question.

052 VICKI IRVIN, Multnomah County Director of Elections: Test)files in favor
of HB 2551.

- Indicates that the County Clerk's office supports the measure.

065 SEN. SPRINGER: Asks how the proposal would work along with vote-by-mail
elections.

072 IRVIN: Answers that time frames exist which would allow the County
Clerk's office to watch for.

081 SEN. SPRINGER: Asks why the County Clerk's office is in support of the
measure.

082 IRVIN: Answers that there are many angry voters who wish to change
parties close to the election who the clerk's offices work with.

094 SEN. SPRINGER: Refers to a case in Connecticut regarding open primaries.
-Supreme Court has determined that the party should determine cut-off
dates, rather than
the

state.
105 IRVIN: Answers that, as a layperson, the state could set out regulations
for the primary
process.

The party would then have the option to participate in that process, or to
conduct their own
primary election.

Closes PUBLIC HEARING on HB 2551. ODens WORK SESSION on HB 2551.
MOTION: CHAIR MILLER: Moves HB 2551 to the floor with a DO PASS
recommendation.

123 SEN. SPRINGER: Asks if Sen. Gold wishes to be called to vote.

Temporarily recessed WORK SESSION on HB 2551.

ODens PUBLIC HEARING on HB 2552.

Witnesses: Colleen Sealock Vicki Irvin

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130 COLLEEN SEALOCK, Director, Secretary of State Elections Division:

Testifies on HB
2551.

-Notes support for the allowance of permanent absentee voter status for
citizens.

140 VICKI IRVIN, Director of Elections, Multnomah County: Testifies in favor
of HB 2551.

-States that many citizens have unpredictable schedules.
-Says permanent absentee status would assist these voters.

149 SEALOCK: Sees a number of unusual requests for absentee ballots,
signifying to her a need for
permanent absentee voter status for some citizens.

Closes PUBLIC HEARING on HB 2552. ODens PUBLIC HEARING on SB 691.

Witnesses: Audrey Glenn
Marge Beckeridge

169 AUDREY GLENN, Committee Precinct Person, Republican Party, Multnomah
County:

Testifies against SB 691.
-Concerned that more precinct person would be elected.

- Should be a freedom of the parties to decide elections.

190 MARGE BECKERIDGE, Precinct Committee Person, Clackamas County:

Testifies in

opposition to SB 691.

Closes PUBLIC HEARING on SB 691. Opens PUBLIC HEARING on SB 1141.

Witnesses: Marge Beckeridge
Scott Burgin
Colleen Sealock

216 MARGE BECKERIDGE, Executive Director, Oregon Republican Party:

Testifies on SB
1141.

-College Republican organizations are now required to file contribution and
expenditure reports.

- Student organizations receive limited "dues" as well as campus fees.

-Funds given from student fees stay in campus accounts.

-Student organizations exist for educational purposes only.

249 SCOTT BURGIN, State Chairman, Oregon College Republicans: Testifies in
favor of SB

1141.

-Money is spent to build the organization, rather than for political

activity.

- Was required to fill out contribution and expenditures during college finals week.

267 KRISTINA McNITT, Committee Administrator: States a club would have to be affiliated with

an educational institution.

276 SEN. PHILLIPS: Asks about radical organizations attempting to file as a "club."

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282 COLLEEN SEALOCK, Director of Elections, Secretary of State's Office: Suggests they

consider line 5 of the bill, discussing club organization. Line 7, referring to "affiliate."

305 CHAIR MILLER: Assuming Measure 9 stands after constitutional review, asks if this bill sets up

the ability for citizens to shield political contributions by donating money to college clubs.

310 SEALOCK: Answers that it would be difficult to determine at the present time. Elaborates.

Indicates that the Secretary of State's office is neutral on the measure today. She is cautious

about the possibilities suggested by Chair Miller.

350 CHAIR: Asks if there should be any amendments to the measure.

352 MARGE: Answers, "No."

Closes PUBLIC HEARING on SB 1141. Opens WORK SESSION on HB 2551.

MOTION: CHAIR MILLER: Moves the committee send HB 2551 to the floor with a DO PASS recommendation. -Requests roll call vote:

ROLL CALL VOTE: GRETCHEN HABER, Committee Assistant: SENATORS: ADAMS aye PHILLIPS aye SPRINGER no MR. CHAIR aye EXCUSED: SENATOR GOLD CHAIR MILLER: Motion carries.

Closes WORK SESSION on HB 2551. Opens PUBLIC HEARING on SB 319.

TAPE 70-A

Witnesses: Phil Keisling

Kathy Beckett

Georgette Brown

Neale Hyatt

Jim Seaberry

Steve Lanning

Al Davidson

001 PHIL KEISLING, Secretary of State: Testifies in favor of SB 319.

-Indicates strong support.

- Vote-by-mail would save significant taxpayer dollars.

-- Notes high interest in permanent absentee voter status, which is more expensive to coordinate

than vote-by-mail elections would be.

025 -- States fail to reimburse counties for elections, and prohibit counties from running

elections in

the most cost-effective way. SB 319 would change this situation.

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036 KATHY BECKETT, Jackson County Clerk: Testifies in favor of SB 319. -At the local level: 21% of voters in Jackson County requested absentee ballots. Absentee ballots increase the cost of the election. -Absentee ballots are difficult to administer along with polling place elections.

062 GEORGETTE BROWN, Josephine County Clerk: Testifies in favor of SB 319.

-Reiterates support at the local level.
-29%ofvoters.
-It costs \$.52 to mail an absentee ballot, in comparison to \$.07 to mail ballots in bulk.
- Absentee ballots are handled approximately five times, by staff - making the process labor intensive.

098 CHAIR MILLER: Asks if citizens who used to be opposed to vote-by-mail are beginning to change their minds.

100 BROWN: Notes support by some conservative voters. She sees that citizens have come to recognize the ease of vote-by-mail.

115 BECKETT: Reiterates support for vote-by-mail in Jackson County. Feels the security system is strongly in place.

124 KEISLING: States that Becket and Brown and others have worked hard to make vote-by-mail a

success in Oregon.

133 JIM SEABERRY, Eugene, Oregon: Test)ifies against SB 319. Presents written testimony.

(EXHIBIT A)

-Has lifelong background in data processing.

-Polling precinct locations provide accountability.

-Vote-by-mail systems do not allow voters to prove that they have voted.

176 -Feels the postal service will be able to determine the political party affiliation of citizens.

Discusses potential theft of ballots by postal carriers.

211 -Discusses potential for technological developments to allow for voting by phone.

230 NEALE HYATT, Eugene, Oregon: Test)ifies against SB 319. -Finds vote-by-mail violates the democratic process. Potential for tampering would be high.

260 -States that most citizens prefer to vote at polling places. Notes possibility that citizens would attempt to cheat by mailing multiple ballots from a variety of precincts.

309 -Discusses potential for fraud by using multiple post office box numbers under one name.

330 -Questions security for ballot storage, once they are mailed.

348 CHAIR MILLER: Asks if he is also concerned with the absentee ballots sent in today.

349 HYATT: Answers yes.

- Asks if citizens would be guaranteed to receive their ballots.

- Asks if ballots would be guaranteed to be received by the election's office.

TAPE 69-B

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001 HYATT: Continues testimony.

020 CHAIR MILLER: Supports the option for citizens to vote at the election's office, which provides

drop-off locations. even higher security than polling places. Indicates support for ballot

035 HYATT: Answers that the potential for fraud will still exist.

044 SEABERRY: Notes Chair Miller's proposed options for individuals to personally deliver ballots.

Does not see these notions as acceptable options, because they do not account for the majority of

citizens.

is not new to the favor of SB 319. Test)files in (EXHIBIT C). not used currently due to Exhibit B. vote-by-mail in the vote-by-mail in the primary distinguish between the aspects of a polling without human accountability to the voters. Closes PUBLIC HEARING on SB 319.

070 CHAIR MILLER: States understanding with concerns about fraud. The issue legislature.
100 STEVE LANNING, Political Education Coordinator, AFL-CIO: Test)files in Presents written testimony (EXHIBIT B).
120 AL DAVIDSON, Marion County Clerk, Oreyon Association of County Clerks: favor of SB 319. Presents written testimony and public opinion poll results
- Security is high for vote-by-mail elections.
- Additional technological options for elections are being developed, but security concerns.
- 80% of elections in the state are currently conducted by mail.
165 - Summarizes public opinion poll on vote-by-mail elections, provided in
204 ~ Notes amendments to limit the measure to primary elections only.
210 CHAIR MILLER: Notes support in the House of Representative for presidential primary election. Asks if there is more comfort with election, than in the general election?
225 DAVIDSON: Answers that there are about 19% of the public who would primary and the general election.
230 CHAIR MILLER: Asks for the reasons behind the distinction.
235 DAVIDSON: Answers that many citizens prefer to hold to the traditional location. Feels we may be voting electronically in as little as ten years.
255 CHAIR MILLER: Asks if Mr. Davidson could imagine an election conducted beings.
270 DAVIDSON: Indicates support for clerk oversight with clerk

Committee recessed awaiting quorum. Committee reconvened. Opens WORK SESSION on SB 926.

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308 CHAIR MILLER: Refers to SB 9264 ame~ dments.
310 KRISTINA MCNITT: The measure has gone through a number of revisions, and SB 926 1 are the amendments to be discussed today.
320 BILL SIZEMORE, Oregon Taxpayers United: Supports the -4 amendments. Requests additional direction for the Attorney General's office.
Rosik, Assistant -Refers to conceptual example of a yes/no statement, prepared by Lynn Attorney General
366 CHAIR MILLER: Notes that the bill has originated in the Senate, and so it would be expedient to agree on amendments.
370 LYNN ROSIK, Assistant Attorney General: Explains example ballot (EXHIBIT D).
- Says measure used in example is a typical one.
- Says a range of things could be said in the yes/no question.

TAPE 70-B

001 ROSIK: The change to 25 word questions will likely compel the Attorney General's office to provide more information to the voter, which may make the question more difficult to understand.
015 CHAIR MILLER: Clarifies that the Attorney General's office is not

required to use all 25
words.

020 ROSIK: Responds that the tendency will be to add more information when writing ballot questions for complex initiatives.

051 CHAIR MILLER: Refers to -4 amendments. Refers to page 21, Section 20 in conjunction with Section 21: has an emergency clause so that 'ballot titles prepared by the Assembly and filed by the Secretary of State on or after the effective date of this act...' etc.

MOTION: CHAIR MILLER: Moves the adoption of the -4 amendments to SB 926.
VOTE: CHAIR MILLER: Hearing no objection, motion carries.

MOTION: CHAIR MILLER: Moves the committee send SB 926 as amended to the floor with a DO PASS recommendation. VOTE: CHAIR MILLER: Hearing no objection, motion carries. EXCUSED: SENATOR GOLD

Closes WORK SESSION on SB 926. Opens WORK SESSION on SB 319.

075 CHAIR MILLER: Refers to-lamendrnts

MOTION: CHAIR MILLER: Moves adoption of the -1 amendments to SB 319. 080 SEN. SPRINGER: Asks if the Chair would entertain a sunset clause in about 4 years time, so that the issue could be revisited.

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085 CHAIR MILLER: Says he feels that the issue could be revisited at each legislative session.

VOTE: CHAIR MILLER: Hearing no objection, motion carries.

MOTION: CHAIR MILLER: Moves the committee send SB 319 as amended to the floor with a DO PASS recommendation. VOTE: CHAIR MILLER: Requests roll call vote.

ROLL CALL VOTE: GRETCHEN HABER:

SENATORS:	ADAMS	aye
	PHILLIPS	aye
	SPRINGER	no

MR. CHAIR aye
EXCUSED: SENATOR GOLD
Motion carries.

Closes WORK SESSION on SB 319. Opens WORK SESSION on SJR37.

100 CHAIR MILLER: After indication that the committee does not yet have the prepared amendments, asks the committee to entertain a "conceptual" amendment. He explains the issue and says that there is a House Bill in process at present that deals with this, however, stipulates a 30-day time period. His conceptual amendment would extend the term to 90 days before tennrunation.

112 MOTION: CHAIR MILLER: Moves adoption of the conceptual amendment as stated. VOTE: CHAIR MILLER: Hearing no a ~jection, motion carries.

MOTION: CHAIR MILLER: Moves the committee send SJR37 as conceptually amended to the floor with a DO PASS recommendation. VOTE: CHAIR MILLER: Requests roll call vote. ROLL CALL VOTE: GRETCHEN HA] ,ER:

SENATORS:	ADAMS	aye
	PHILLIPS	aye
	SPRINGER	no
	MR. CHAIR	aye

EXCUSED: SENATOR GOLD
MOTION CARRIES.

Closes WORK SESSION on SJR37. Opens WORK SESSION on SJR11.

129 McNITI: Refers to -2 amendments. SJR11 is a companion measure to SB 399.

140 SEN. SPRINGER: Asks about timing of this.

Closes WORK SESSION on SJR11. Opens WORK SESSION on SB 399.

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Witnesses: Colleen Sealock

159 SEALOCK: Notes that the measure did not originate from the Secretary of State's office.
Offers

technical advice.
-Discusses timelines for contribution and expenditure reporting.
~ Explains development of the amendments.

200 SEALOCK: Discusses nonpartisan races.

209 SEN. SPRINGER: Asks how funding limits would be addressed, should Measure Nine (1994

Oregon general election) be altered during the legislative session.

215 CHAIR MILLER: Answers that Measure Nine would address funding limits.

230 SEALOCK: Interprets Measure Nine to apply to run-off elections.

260 SEN. SPRINGER: Indicates that there may be conflicts with other measures, with regards to similar portions of campaign finance law.

290 SEN. PHILLIPS: Assuming Measure Nine holds, asks about potential inequity in run-off

elections.

MOTION: CHAIR MILLER: Moves the adoption of the -5 amendments to SB 399.

VOTE: CHAIR MILLER: Hearing no objection, the motion carries.

MOTION: CHAIR MILLER: Moves the committee send SB 399 as amended to the

Jloor

with a DO PASS recommendation.

VOTE: CHAIR MILLER: Requests roll call vote.

ROLL CALL VOTE: GRETCHEN HA] IER:

SENATORS: ADAMS aye

PHILLIPS aye

SPRINGER no

MR. CHAIR aye

EXCUSED: SENATOR GOLD

MOTION CARRIES.

Closes WORK SESSION on SB 399. Opens WORK SESSION on SJR11.

345 CHAIR MILLER: Discusses the -2 amendments.

MOTION: CHAIR MILLER: Moves the adoption of the -2 amendments to SJR11.

VOTE: CHAIR MILLER: Hearing no objection, motion carries.

MOTION: CHAIR MILLER: Moves the committee send SJR11 as unended to the floor with a DO PASS recommendation. VOTE: CHAIR MILLER: Requests rollcallvote. ROLL CALL VOTE: GRETCHEN HA ~ER:

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SENATORS: ADAMS aye

PHILLIPS aye

SPRINGER no

MR. CHAIR aye

EXCUSED: SENATOR GOLD

MOTION CARRIES.

Closes WORK SESSION on SJR11. ODens WORK SESSION on SB 567.

370 CHAIR MILLER: Discusses -1 amendments to SB 567.

MOTION: CHAIR MILLER Moves adoption of the -1 amendments to SB 567. VOTE:
CHAIR MILLER: Hearing no objection, motion carries.

MOTION: CHAIR MILLER: Moves the committee send SB 567 as amended, to the
floor with a DO PASS recommendation

VOTE: CHAIR MILLER: Requests roll call vote. ROLL CALL VOTE: GRETCHEN HA]
,ER:
SENATORS: ADAMS aye PHILLIPS aye SPRINGER no MR. CHAIR aye EXCUSED: SENATOR
GOLD MOTION CARRIES.

390 CHAIR MILLER: Adjourns the meeting at 11:40
a.m

Submitted by:	Reviewed by:
Gretchen Haber,	Kristina McNitt,
Committee Assistant	Committee Administrator
Assisted by: A	
Dar' Woodrum	
Committee Assistant	
EXHIBIT LOG:	

A- Testimony on SB 319 -- Jerry Seaberry -- 1 page
B -- Testimony on-SB 319-Steve Lanning --1 page
C- Oregon Association of County Clerks-Al Davidson -- 18 pages 5Y~ N! ~\
D- Testimony on SB 926 ~ Lynn Rosik-- 8 pages
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