

HOUSE COMMITTEE ON GENERAL GOVERNMENT Subcommittee on Government

February 2, 1993 Hearing Room 357 8:45 a.m. Tapes 6 - 7

MEMBERS PRESENT: Rep. Del Parks, Chair Rep. Jim Edmunson Rep. Patti Milne Rep. Sharon Wylie Rep. Cedric Hayden, ex-officio

VISITING MEMBER: Rep. Ken Baker

STAFF PRESENT: Janet Adkins, Committee Administrator Kimberly Burt, Committee Assistant

MEASURES CONSIDERED: HB 2278 HB 2272 HB 2271 HB 2273

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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 6, SIDE A

CHAIR PARKS: Calls meeting to order. (8:50 a.m.)

PUBLIC HEARING ON HB 2271, 2272, 2273, 2278 Witnesses: Phil Keisling, Secretary of State

004 PHIL KEISLING, SECRETARY OF STATE: Thank you for the chance to be here today to talk about some of the major bills in a package that have been filed jointly by the Secretary of State and the Oregon Association of

County Clerks.

_ The package encompasses a variety of election law reforms which we believe are very sound and that promise savings to counties and other local taxing districts of nearly \$4 million per biennium.

_ There are two bills outside of this package that you have before you today; HB 2271 requires county reimbursement for state office recall or special election for US Senators or congress people.

024 KEISLING: HB 2273 is a bill that requires a certificate of election to actually take office; this fills in an identified problem in election

law as to what a certificate actually means.

_ HB 2274; all local government entities direct their electors on an every other year basis with a number of school districts in Oregon which have elections every year; to put school boards on the same footing,

having elections every other year would save substantial amounts of money.

_ Testifies in support of HB 2272 and HB 2278, summarizing written testimony, (EXHIBIT A) and (EXHIBIT B).

140 KEISLING: HB 2278 will increase voter turn out; continues summarizing written testimony, see Exhibit B.

_ The advantages of vote by mail outweigh our qualms.

194 REP. EDMUNSON: On HB 2278, why the primary election, why not the general election?

KEISLING: Given the considerable change that this would make we should do a state wide vote by mail and see how it works; often primary races do elect officers; it is an argument that has been around for a long time.

263 REP. EDMUNSON: We have greatly expanded the use of absentee ballots, which are vote by mail; what has been our success with absentee ballots been?

KEISLING: That would be a good question to direct to the county clerks; in the 1992 general election a record number of people voted by absentee ballot and we had the highest general election turn out in this state since 1968.

REP. EDMUNSON: Currently parties may ask people to be poll watchers; is there a similar provision with vote by mail to determine voter turn out?

KEISLING: That is a question I've put to the county clerks, but currently it is public record; we literally verify all signatures.

328 REP. EDMUNSON: In the political party nominating process, would your position on this bill change if one of the major political parties

preferred a live ballot and didn't prefer to nominate by mail?

KEISLING: There are three now major parties; that would have to be worked out ahead of time, asking people ahead of time.

_ I don't think my position would change as we are paying for this election; if they were willing to pay the difference in cost perhaps, but we have a situation now where we are holding and paying for these primaries in a way that is inefficient.

386 REP. HAYDEN: When we vote the names of the voters are public, why

do we identify who has voted?

KEISLING: Issues of public records are a balancing act between the public doing it's business and the private lives of individuals.

_ One reason is how do you ensure the proper conduct of elections, ie., that people only vote once, that they are who they are; it is a way to ensure that we don't have abuse in the electoral process, it allows the public to police the process.

REP. HAYDEN: HB 2272; in the absence of financial considerations, what would be the most fair to the public and the candidate?

KEISLING: I would then go to consistency, making a decision of how to print the names and then apply uniformity across elections; I would argue that the random selection would be the way to do it.

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038 REP. HAYDEN: It seems to me that the rotation system is the fairest.

_ On HB 2278; what do you do about the truths that arise at the last moment; do you advance that information ten days out?

KEISLING: It puts uncertainty in the system that would give pause to those candidates that would try to succeed with what was an unfair characterization; it would tend to advance it; it would have to be done sooner, giving the aggrieved party more time to respond.

_ You would have people voting early and some will have voted before the information came out, but my guess is that while people would get the ballot early, they would have the option of holding off before casting their ballot.

080 REP. MILNE: On HB 2278, it appears you are relating the voter turn out to where people are voting; what do you base that on?

KEISLING: Experience and the dramatic difference in elections when vote by mail was used.

_ More accurately would be to look at the school board elections; some are hotter races, but if you look at the pattern, the experience strongly suggests to me that by making it more convenient I believe that you'd have a substantial improvement on the forty nine percent figure you had in the last primary.

REP. MILNE: I'm suggesting that the issues have more emphasis than how voting is done.

145 CHAIR PARKS: On Thursday we will be considering school board election bills; this is quite an initiative for the Secretary of State's Office, this, we thought to be the most controversial.

196 KEISLING: I do feel that it is more prudent to go with the primary election first; we need to make sure that this works and the primary

would be the place to start.

PUBLIC HEARING ON HB 2278 Witnesses: Vicki Ervin, Member, Governor's Task Force Subcommittee on Elections & Director of Elections, Multnomah County Al Davidson, Marion County Clerk, Oregon Association of County

Clerks Kappy Eaton, League of Women Voters

224 VICKI ERVIN, MEMBER, GOVERNOR'S TASK FORCE SUBCOMMITTEE ON ELECTIONS & DIRECTOR OF ELECTIONS, MULTNOMAH COUNTY: Testifies in support of HB

2278.

260 REP. EDMUNSON: How much is spent by counties on primary elections totally?

ERVIN: I don't have a total for the state; for Multnomah County in the 1992 primary election we spent close to \$900,000; if we did it by mail we estimated we would have saved \$92,000.

CHAIR PARKS: Was there an effort to have vote by mail?

ERVIN: Yes, we had some 36,000 vote by mail last election; more and more people are asking to vote by absentee ballot.

305 REP. HAYDEN: When did we start working with vote by mail?

ERVIN: In Oregon it started in 1981; over a series of sessions we have changed and improved the process and it is now available for any election other than the primary or general election.

337 AL DAVIDSON, MARION COUNTY CLERK, OREGON ASSOCIATION OF COUNTY CLERKS: Testifies in support to HB 2278, summarizes written testimony, (EXHIBIT C).

CHAIR PARKS: What kind of problems are there with guaranteeing access to disabled persons?

DAVIDSON: It has been a difficult thing; recently we've used schools,

but with them so overcrowded it is difficult and some still don't meet the ADA requirements.

400 CHAIR PARKS: How far do your voters have to drive?

DAVIDSON: A couple of miles when they used to go a couple of blocks.

REP. HAYDEN: Are we taking away some "americana", some kind of social event?

DAVIDSON: That is a concern more for the general election than the primary election.

477 REP. EDMUNSON: All the reasons you've given us for the primary go for the general also; why take half a step if we could save money and

increase turn out?

TAPE 6, SIDE B

DAVIDSON: Originally we didn't have a problem with voter turn out, we didn't need to increase participation; we now have a problem with turn out, with the highest voter registration we've ever had in this state.

REP. EDMUNSON: You have no basis to assume that that will be the case in the next election.

052 REP. EDMUNSON: Refers to Exhibit D, submitted by the Elections Division; what would we expect to save of a total election cost of \$2.8 million?

ERVIN: We have 36 different counties with different scenarios, different requirements and situations, so savings will vary from county to county; if you look at this cost, it is total, which includes ballot printing costs.

090 REP. EDMUNSON: Is this cost roughly the same for the general election?

ERVIN: Less, the primary election is the most expensive, but not because of the nature of the conduct, because of the ballot printing.

CHAIR PARKS: We will recess for seven minutes. (9:50 a.m.)

_ Calls the hearing back to order. (10:00 a.m.) Members present, Edmunson, Milne, Hayden, Wylie and Parks.

PUBLIC HEARING ON HB 2278 Witnesses: Kappy Eaton, President, League of Women Voters of Oregon

113 JANET ADKINS, COMMITTEE ADMINISTRATOR: Submits fiscal impact statement, (EXHIBIT E).

140 KAPPY EATON, PRESIDENT, LEAGUE OF WOMEN VOTERS OF OREGON: Testifies in support of HB 2278, summarizes written testimony, (EXHIBIT F).

202 CHAIR PARKS: Have you gotten figures or results of "campaign watch"?

EATON: Somewhere in the vicinity of 450 people called the hot line to complain; we didn't investigate complaints, but received them; we also held community forums and there was a lot of interest from candidates and citizens.

240 REP. EDMUNSON: On campaigning, that is more of a problem in the primary than the general election; what is your reaction to going with the

general as well as the primary election?

EATON: I'm more on the conservative side; I think we really do need to do a pilot project to see what the problems are.

PUBLIC HEARING ON HB 2272 Witnesses: David Buchcanon, Executive Director, Oregon Common Cause Vicki Ervin, Member, Governor's Task Force on Elections, Director of Elections, Multnomah County Al Davidson, Marion County Clerk, Association of County Clerks Nina Johnson, Executive Assistant, Secretary of State's Office Annette Newingham, Lane County

270 DAVID BUCHCANON, EXECUTIVE DIRECTOR, OREGON COMMON CAUSE: Testifies in opposition to HB 2272, summarizes written testimony, (EXHIBIT G).

_ Fire alarm - five minute recess.

340 CHAIR PARKS: How did you pick these races; referring to Exhibit G?

BUCHCANON: Generally it was a close race with multiple candidates.

CHAIR PARKS: Are we guarding against the results in 50% or 2% of the races?

BUCHCANON: If you look at the sixty races for the house, one or two would fall within 2%.

_ Continues with testimony.

425 BUCHCANON: Look at the information, weigh the costs and make your decision; it is a matter of your judgement of how far you are willing to go to save costs.

470 VICKI ERVIN, MEMBER, GOVERNOR'S TASK FORCE SUBCOMMITTEE ON ELECTIONS, DIRECTOR OF ELECTIONS, MULTNOMAH COUNTY: Submits written testimony in

support of HB 2272, (EXHIBIT H).

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030 ERVIN: Continues summarizing written testimony, see Exhibit H.

095 REP. MILNE: If the names are going to be drawn by random, how is that done?

ERVIN: The bill is constructed so that the Secretary of State would do a random drawing of the alphabet and that is the order.

117 AL DAVIDSON, MARION COUNTY CLERK, ASSOCIATION OF COUNTY CLERKS: Testifies in support of HB 2272, submits written testimony, (EXHIBIT I).

163 CHAIR PARKS: How do you verify signatures?

ERVIN: Yes, for every vote by mail there is a physical check of the signatures; it doesn't cost as much in dollars to verify signatures as it does to staff polling places.

CHAIR PARKS: Is there technology to electronically verify signatures?

ERVIN: That is in reach, we are working on that.

198 DAVIDSON: In marion county we have a computer that digitizes signatures that we can look at on a screen and we can do them in a rapid fashion.

222 NINA JOHNSON, EXECUTIVE ASSISTANT, SECRETARY OF STATE: Clarifies random ordering of names; we would random order every letter.

238 ANNETTE NEWINGHAM, LANE COUNTY: Testifies in support of the random drawing.

Submitted by, Reviewed by,

Kimberly Burt Janet Adkins Committee Assistant Committee Administrator

EXHIBIT SUMMARY:

A - HB 2272: Written testimony in support submitted by Keisling, pp 2 B
- HB 2278: Written testimony in support submitted by Keisling, pp 2 C -
HB 2278: Written testimony in support submitted by Davidson, pp 3 D -
HB 2278: Informative material submitted by the Elections Division, pp 1
E - HB 2278: Fiscal impact statement submitted by staff, pp 1 F - HB
2278: Written testimony in support submitted by Eaton, pp 1 G - HB

2272: Written testimony in opposition submitted by Buchanon, pp 9 H -
HB 2272: Written testimony in support submitted by Ervin, pp 3 I - HB
2272: Written testimony in support submitted by Davidson, pp 2 J - HB
2272: Fiscal impact statement submitted by staff, pp 1 K - HB 2271:
Fiscal impact statement submitted by staff, pp 1 L - HB 2274:
Informative material submitted by Johnson, pp 2