April 3, 1991 Hearing Room E 8:30 a.m. Tapes 87 - 88
MEMBERS PRESENT:Rep. Bill Markham, Chair Rep. Larry Sowa, Vice-Chair
Rep. Marie Bell Rep. Mary Alice Ford Rep. Tom Novick Rep. Carolyn Oakley
Rep. Lonnie Roberts MEMBER EXCUSED: None VISITING MEMBER: Rep.
Fred Parkinson, District 28 STAFF PRESENT: Randall Jones, Committee
Administrator Carolyn Cobb, Committee Assistant MEASURES
CONSIDERED: HB 2927 - Prohibits City or County From Enacting or
Enforcing Ordinance or Resolution That Restricts Political Signs, PH, HB
3019 - Allows Vote by Mail at Primary and General Elections, PH, HB 3126
- Requires That Vacancy in Office of Senator or Representative Be filled
at Special Election, PH,

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 87, SIDE A

003 CHAIR MARKHAM: Calls the meeting to order at 8:36 a.m.

HB 3126 - REQUIRES THAT VACANCY IN OFFICE OF SENATOR OR REPRESENTATIVE BE FILLED AT SPECIAL ELECTION - PUBLIC HEARING Witnesses: Lonnie Roberts, State Representative, District 21 Al Davidson, Oregon Association of County Clerks Ray Phelps, Director of Operations, Office of the Speaker of the House House Committee on State and Federal Affairs April 3, 1991 - Page 2

006 LONNIE ROBERTS, STATE REPRESENTATIVE, DISTRICT 21: Today vacated legislative positions are filled by appointments by the county commissions. They should be elected by the people. This bill allows a special election to be called to fill a vacant legislative seat.

RAY PHELPS, DIRECTOR OF OPERATIONS, OFFICE OF SPEAKER OF THE HOUSE: Basically the bill provides for the election rather than the appointment of a person to fill a vacant legislative seat. The objective is to try to accomplish that process in approximately the same amount of time that it now takes to fill the vacancy. In Section 2, page 2, the nomination procedure is spelled out. 050CHAIR MARKHAM: Precinct people from the major political parties each select one candidate? PHELPS: Other parties are not precluded from naming candidates, I do not know the time frame would work. We are trying the minimize the length of time the seat is vacant. The procedure for placing names on the ballot is in Section 2, and in Section 1 we specify the procedure to have a special election. Some of these time lines might be a little difficult to achieve in other than a vote-by-mail election. I am suggesting this is an opportunity to test that process. I believe that you can demonstrate partly that there is an opportunity for the people to speak through an election process, rather than an appointment. Often times appointment circumstances do not occur because of death or election to a higher office, but it is an opportunity for the incumbent to resign and appoint his own replacement. I am not convinced of what the cost would be because of a lot of variables. I do not think there have been two dozen people appointed to this assembly since 1977. Most frequently the appointment process occurs after the session when several members of the assembly will resign. 099CHAIR MARKHAM: If it is a

senator that decides to go somewhere else, this process would be used to fill the seat until the next general election? 103 PHELPS: I did not look at the bill with that in mind, so maybe it should be looked at. REP. FORD: The bill provides a senator elected by this process would serve until the next general election. 111PHELPS: That could be changed and you could make the election for the balance of the unexpired term. 118 REP. ROBERTS: One issue we did not come up with is what happens when the vacancy occurs while the assembly is in REP. FORD: On page 2, line 10, it says a major political session. 128 party "shall" nominate. What if precinct people do not like any of the candidates and refuse to nominate. 137 PHELPS: You would have then the same set of circumstances you have now when you have the crossover opportunity and the dominate candidate will get token opposition. He will then seek the nomination of the other party also. 144 REP. FORD: My concern is a political party structure, which may not reflect the general views - The" minutes contain materials which paraphra~e and/or sumnarize statements nude during this session Ody text enclosed in quotation marks report a speaker's exact worde Por complete contents of the proceedinge, please refer to the tapes House Committee on State and Federal Affairs April 3, 1991- Page 3

of the voters registered in that party, could fix it so that party does not have a candidate. 149 PHELPS: We are building on an existing process, but we are opening up more alternatives. Under the present circumstances, that party structure you cite is in place and can nominate at least three persons, all of whom in your scenario may be unacceptable. Under Rep. Robert's program you have two opportunities. The alternate major political party has an opportunity to compete for the office, there is write-in potential, both of which are now precluded. 165 REP. ROBERTS: I would like to see the bill amended to say that the election would take place by vote-by-mail. 170 CHAIR MARKHAM: What happens to the minor political party or independent voter in this issue? 173 PHELPS: The individual electors would have a very difficult time. You can prescribe a procedure that must be achieved within that period of time. This is a replacement process when time is paramount. With regard to the minor political parties and an assembly of electors, that is their problem. If they form themselves correctly, they can step up to this, the same as the major parties. 204 REP. NOVICK: I like the idea that the replacement must be of the same party as the person vacating the seat. If you do a short period election, there is a built-in advantage to the person who had run against the incumbent in the last election. 224 REP. ROBERTS: It is not always the party they are voting for, they may be voting for the individual. Even though it is a short election span, it is longer than the process used by the county commissions, and it gives the individual citizen the opportunity to vote rather than watch four or five individuals make that determination for them. There is no perfect solution to this. I have always just felt that once an individual is appointed, they have an advantage when they run for election on their own. 244 REP. NOVICK: One other concern is the time line even though this rarely happens during the session. 252 REP. ROBERTS: There is still a void. If you get into the districts that cover multiple counties, then it will take the full thirty days. PHELPS: I think it would be sign) ficant to the committee to look at several other states. The public is not happy with present process. There may be people who are more deserving, but do not know the political ropes. 300 REP. BELL: How does page 2, section 2 of the bill differ from section 1? 307 PHELPS: Section 2 is the initiation of the procedure which is typical of what occurs now. 311 The minor parties have no notification in this section. Based on the fact they may be less organized and have to convene a larger gathering,

they should be not)fied. It should include notifying any registered minor party.

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. House Committee on State and Federal Affairs April 3, 1991- Page 4

- 320 PHELPS: Who designates the person? It is very hard over a period of two years to be able to find the person that party has designated. As long as they have designated the person, I have no problem with that.
- 341 REP. BELL: I do not worry about any party in particular, I just want our statutes to be completely open, and then put the weight on their shoulders to respond to the not) fication.
- 347 PHELPS: I believe in the last few sessions you have made some statutory changes that allow the formation of minor parties a little easier.
- 356 REP. OAKLEY: If something like this happened while we were in session and there was a thirtyone, twenty nine majority, it could possibly change control of the House. My concern is folks would be so eager to win that seat, they would lose track of what is going on in the session.
- 371 PHELPS: All of those elements are there at present. Are you going to have people in this assembly as the result of an election or an appointment?
- 382 REP. OAKLEY: Would it be constitutional to just have a Democrat on the ballot if the incumbent had been a Democrat?
- 387 PHELPS: I would have a difficult time personally doing that because all of a sudden you are subsidizing a private election with public money.
- 392 REP. ROBERTS: One of the better parts of this bill is that it does not close the process out and signify one individual. If the voters want to replace a Democrat with a Republican or a Republican with a Democrat, that is their choice.
- 399 REP. OAKLEY: What kind of turnout would there be at an election if it is just a one race ballot?
- 402 REP. ROBERTS: We want to do a vote-by-mail which would result in a thirty percent turnout I would imagine. That is better than five people making the decision.
- 412 REP. FORD: If the vacancy occurred during a legislative session, could we not continue with the current process for the duration of that session? Then as soon as the session adjourned, this new law would take effect.

TAPE 88, SIDE A

006 PHELPS: What would you do with the incumbent? Once that incumbent is sworn in, he has all the rights and privileges for the duration of that office. You cannot fire the incumbent.

- 013 REP. NOVICK: In a primary where there are only Republicans running, would that be the public subsidizing a private election?
- 017 PHELPS: No, because the potential is for both to run.
- 028 CHAIR MARKHAM: On page 3, Section 3 would you explain the blank?

These minutes contain materials which paraphrase and/or summarize statemcats made during this session. Only text enclosed in quotation marke report a speaker's exact words. For complete contents of the proceedings, please refer to the tapes. House Comm; - e on Steste and Federal Affairs April 3, 1991- Page S

- 031 PHELPS: That is the blank you need to fill in with regard to "not later than so many days before the general election". There will be a specified number of days before the general election when you would not have a special election.
- 039 REP. ROBERTS: Sixty days is fine. If the incumbent is the candidate and something happens I am sure that if it is after the primary, we would go through the same process we do now.
- 053 REP. BELL: Is there not already a statute that describes how a party can replace a candidate if they lose a candidate during the election process? At what point does that law end?
- 061 PHELPS: They run concurrently and that is the blank on page 3, Section 3.
- 073 REP. BELL: As far as the time line in real life is concerned, in how many days is it important to have that position filled? Is there a real need to have the position filled in sixty or ninety days, how much business is there that needs attention?
- 077 REP. ROBERTS: That blank can be filled any way you wish. A legislators duties continue on after the end of the session. If a Senate seat is vacant, there are still two House members to call. If the house seat is vacant, the Senator is still available. So the district would not be unrepresented during that time period. The only critical period is during the session.
- 093 REP. FORD: You never know when a special session may be held and we have had them in the fall. However, I cannot recall a governor ever calling one during that critical time in an election year. There are interim committees that meet in that fall time period, but generally that is in September not in October.
- PHELPS: You may want to look at the 1981/83 time period when there were three special sessions. 103 REP. ROBERTS: If it did not happen in 1981/82, it will not happen. 111 CHAIR MARKHAM: Have you got a list of the amendments that must be done to get this bill out?

  REP. ROBERTS: I would ask we take the proposed amendments to Legislative Counsel and then look at the bill another time when we have the LC amendments. 121 CHAIR MARKHAM: If we were going to replace a member of the House from an average district, and 15,000 ballots were going to be sent out, what would it cost? 124 AL DAVIDSON, OREGON ASSOCIATION OF COUNTY CLERKS: After discussing this with my colleagues, we estimate if the election was conducted by mail, the cost would be \$3,000 to \$5,000. If the same election was done at the polls the cost

would be \$6,000 to \$10,000. No where in the bill does it say who pays the election cost. We are assuming it would fall under the provisions of a state special election and the state would pay the cost. We would ask the committee to address that question in it's amendments to the bill.

REP. FORD: The Secretary of State office must already be assuming that, because the Fiscal . . . These minutes contain materials which pataphrasc and/or summarize statements made during this session. Only text enclosed in quotation marlcs tepon a speaker's exact words. For cotuplete contenta of the proceedinge, please refer to the tapes. House Committee on State and Federal Affairs April 3,1991- Page 6

Impact Statement shows an indeterminate general fund cost.

- 213 CHAIR MARKHAM: Recesses meeting at 9:20 a.m.
- -Resumes meeting at 9:35 a.m.
- HB 2927 PROHIBITS CITY OR COUNTY FROM ENACTING OR ENFORCING ORDINANCE OR RESOLUTION THAT RESTRICTS POLITICAL SIGNS PUBLIC HEARING Witnesses: Fred Parkinson, State Representative, District 28 Sandra Arp, League of Oregon Cities
- 217 FRED PARKINSON, STATE REPRESENTATIVE, DISTRICT 28: This is a populist bill and an anti-incumbent bill. Political signs are the cheapest form of name recognition you can buy. As I campaign I run into a lot of situations where local governments are very unfair about signs. Woodburn Senior Estates prohibits political signs but allows other temporary signs. Some cities will say you cannot put up a political sign more than six weeks before an election. All this bill says is we will treat political signs the same as any other sign. -Submits and summarizes documentation (EXHIBIT A).
- 282 REP. FORD: Does this have anything to do with local community home-owners' organizations?
- 289 REP. PARKINSON: Senior Estates in Woodburn does not allow any political signs, and yet if a resident has a house for sale they will have a temporary sign out on the lawn. What I am saying it is not fair to the election process because it penalizes new candidates. It does not hurt incumbents because they already have the name recognition.
- 303 REP. FORD: This does not have anything to do with rules by Homeowners Associations.
- 310 REP. PARKINSON: Look at Section 3, which addresses that issue.
- 314 REP. FORD: When we are talking about the time, would your intent be that you would want to allow political signs in yards for a year before the election?
- 319 REP. PARKINSON: Only if they allow other temporary signs to be up a year before an election. Political signs are pretty much self-policing.
- 329 REP. FORD: Would this affect the permit and fee requirements of a county?
- 332 REP. PARKINSON: If they do this for all other temporary signs, then they can do it for political signs. Every city in my district has a special regulation for political signs that vary.

- 363 REP. BELL: My problem has been in the bias in enforcement of these city ordinances. They have been very selective about to whom they send letters about a sign in a parking strip. I do not think they do that to people who put up "For Sale" signs. They also do not do any enforcement of signs on utility easements and they will allow it to stay for the whole election even though it is an illegal sign.
- . . These minutes contain mater) Is which paraphrase and/or aummarize statements made during this session Only text enclosed in quotation marlcs repon a ape kertr exact words For complete contents of the proceedings, please refer to the tapes House Commhtee on State and Federal Affairs April 3, 1991 Page 7
- 381 REP. PARKINSON: This bill does not address that at all. 386 REP. BELL: Even when it was brought to city's attention they did not take any action. 402 CHAIR MARKHAM: The worst thing we do about political signs is to not force the losers to take their signs down when the election is over. 410 REP. BELL: Does not election law cover when signs must be removed? 417 REP. PARKINSON: It is the Attorney General's opinion you cannot enforce the time limit. TAPE 87, SIDE B 025 SANDRA ARP, LEAGUE OF OREGON CITIES: We are opposing this bill on the grounds that we believe this is already the law in the State of Oregon. In 198 5 there was a Court of Appeals case that said you cannot treat signs differently on the basis of their content. Therefore, all temporary signs must be treated the same. You can regulate according what zone they are in, what their size and structure must be, and how long they are permitted to stay up. If you are going to do that, you must treat all real estate, political, and other signs in the same fashion. If some of our cities have not gotten that message, we would be more than glad to send it out again, maybe a little more forcefully. The case was Ackerly Communications, Inc. vs Multnomah County, 72 Oregon Appeals 617,1985. We have advised cities that they can regulate according to structure and to placement, but not content. 039 CHAIR MARKHAM: What does placement mean? 041 ARP: Normally you can place a sign anywhere you have permission of the property owner. Placement would be the number of feet back from the right-of-way, limits on over-hanging signs and things of that nature. 046 CHAIR MARKHAM: Does the city have the authority to tell a private landowner how far back that sign has to be? 048 ARP: Yes, particularly if it would be a hazard to have it closer. Generally placement has to do with the placement of signs on buildings. 065 CHAIR MARKHAM: Have you made efforts to get the cities to change their ordinances to fit the state law? 066 ARP: When the case originally came down, we did advertise that and describe what the case was saying. We have had sessions on that at our annual conference and other meetings. The Supreme Court declined to review the case in 1987. Once that decision was made, a number of cities that I am aware of did indeed change their sign codes. It is probably time for us to mention this again. 075 CHAIR MARKHAM: Do you get into the size and time limit issues in your advice to the cities? - The# minutea contain matetials which pataphta# and/of summatize statements mate during this #ulon. Only text enclosed in quotation marks report a speaker's exact words. For complete contents of the ptoceedings, please refer to the tapes. . . . Home Co ~ittee on State end Federal Affairs April 3, 1991Page 8
- 078 ARP: No, I do not. We just basically tell them they cannot discriminate on the basis of content. 079 CHAIR MARKHAM: Why do you oppose the bill? 080 ARP: Because we believe there is a problem with the definition of political sign. It leaves out the types of signs that merely make political statements rather than promoting a specific

candidate or ballot measure. 087 CHAIR MARKHAM: How do we amend the bill so it reads correctly from your prospective? 089 ARP: I am not sure how you define political statement. 101 REP. FORD: You have no control over reminding King City there is a prohibition as determined by the Court of Appeals against the restriction of political signs? 105 ARP: Itis my understanding that quite a bit of the so called public property in King City belongs to the homeowners association and is not controlled or regulated by the city itself. 109 REP. FORD: Maybe that is why we need this bill, because Section 3 deals with homeowners' ARP: I have no feeling one way or the other on associations. 111 Section 3. 112 REP. FORD: King City has also been requiring any canvasser going door to door, to go daily to receive a permit good for only one day. 118 ARP: The City of King City is quite different than most other cities. The homeowners association retains a great deal of authority, including the use of the streets. It is my understanding that the streets belong to the homeowners' association and not to the city. 143 CHAIR MARKHAM: If we get line 5 straightened out, then will your organization support the bill? 146 ARP: My objection is that this is already the law in the State of Oregon. 153 REP. ROBERTS: We have had some problems with unequal enforcement of the sign ordinances. I cannot understand why you would not support the bill. 167 ARP: My objection would be to the defining of political signs at all. I think it would be better if the bill said "no city or county shall enact or enforce any law that treats a temporary sign differently than any other temporary sign". 174 CHAIR MARKHAM: Would you oppose having that in statutory language? 176 ARP: No, I would not. 178 VICE CHAIR SOWA: What are the regulations on other temporary signs? Are there ordinances now that limit real estate and other signs as to size?

There minutes contain rnateriala which paraphrase and/or summarize rtaterr~er" made during this reulon. Only text enclosed in quotation nurh report · speaker's exact words. For complete contents of the proceedings, please refer to the tapes. House Commitbe on SB te sad Federal Affairs April 3,1991- Page 9

- 195 ARP: What we have test) fied to is that there is a Court of Appeals case which says you cannot treat signs differently on the basis of their content. If you single out temporary signs for special treatment, you have to treat all temporary signs the same within a zone.
- 203 REP. NOVICK: As far as I know in Portland political signs are limited to size, but other groups are putting up larger temporary signs. Are they just skirting the law?
- 213 ARP: It may be they are not seen and therefore not enforced, or they may be in a different zone where a different sign is permitted.
- 229 REP. ROBERTS: I have no objection to a change in the language as she has suggested.
- 236 ARP: We will do our best to see that everyone gets the word this time.
- 240 RAMDALL JONES, COMMITTEE ADMINISTRATOR: A suggestion is to delete lines 5 and 6. By doing that, additional language may be needed on line 10 which may say "imposes restrictions on specific temporary signs".
- 257 REP. ROBERTS: I have no problem with the committee administrator taking this to Legislative Counsel and having them write proposed amendments. We can take another look at it when they get through.

- HB 3019 ALLOWS VOTE BY MAIL AT PRIMARY AND GENERAL ELECTIONS PUBLIC HEARING Witnesses: David Buchanan, Common Cause Vicki Ervin, Oregon Association of County Clerks Annette Pomeroy, Chief Deputy County Clerk, Lane County
- 280 VICKI ERVIN, OREGON ASSOCIATION OF COUNTY CLERKS: Submits and summarizes written testimony (EXHIBIT B) in support of the measure.
- 368 CHAIR MARKHAM: Do you know why the repealer is in there?
- 370 ERVIN: I suspect it is in recognition that this is a pilot program, and whenever you embark upon something that is this different there is sort of a tradition that you do it as a pilot so there is a chance for legislative review after it has been put into place.
- 376 CHAIR MARKHAM: But you have the authority every other election, except primary and general, to vote by mail?
- 378 ERVIN: Yes.
- 380 NOVICK: I am still one of those people who is concerned about the sanctity of the voting booth. Is that a legitimate concern?
- 386 ERVIN: Yes, that is a legitimate concern, but what we have now is some history that shows we have not had any evidence of that being a problem in Oregon. Cites study conducted at the

These minutes contain materials which paraphrase and/or summarize rtatements made during this session. Only text enclosed in quotation marks report a speaker's exact words. For complete content. of the proceedings, please refer to the tapes. House Committee on State and Federal Affairs April 3, 1991 - Page 10

request of the Secretary of State which found no problem at all. Expresses opinion that if a family member intimidates another into voting a certain way, it does not make a difference if it is vote-by-mail or at a polling place. TAPE 88, SIDE B 016 REP. NOVICK: It does not surprise me that the study did not turn up problems, I do not think many people would say I was forced or influenced to vote a certain way. 024 ERVIN: I do recall the testimony that was brought to this body by a group that dealt with battered women, who indicated that women in that kind of situation for the most part were not registered and did not vote. 030 REP. ROBERTS: Why do we need polling places as specified in the bill, if it is vote-bymail? 035 ERVIN: I do not know why that is in the bill except this is not terribly contrary to what we do now. Generally speaking, the one polling place that is designated is the office of the county clerk. A voter can come there if they are truly uncomfortable with the thought of dropping their ballot in the mail, trusting it to the post off~ce or whatever. 043 REP. ROBERTS: The fiscal impact statement says we are going to save \$1.66 million statewide. Would you agree with that? 045 ERVIN: I think that fiscal impact was based on what information we could gather when the bill was up last session. In making a very conservative estimate for Multnomah County, we felt we could save at least \$150,000 each primary and each general election. 051 REP. ROBERTS: Lane County indicates they would save more money in the general election than in the primary. Why would that be? 056 ERVIN: I do not know. There are differences in those elections that deal with turnout, the length of the election and so forth. Most automated counties in Oregon use the punch card. When there

is a larger turnout it costs more for the cards. There are some variables like that may make one of those elections more expensive than the other without considering your ballot printing costs. 068 ROBERTS: The only reason I opposed the bill in the last session was that there was no sunset clause. 069 JONES: This will include the presidential election? 074 ERVIN: This is scheduled to go into effect in 1992, which is a presidential election year. There was a GAO report that recommended that elections for federal offices be conducted by REP. ROBERTS: This still leaves it open to the individual counties whether to conduct vote-by mail elections? 085 ERVIN: Yes, this removes the prohibition against doing vote-by-mail. . These minutca contain rnatcriale which paraphrase and/or summarize 8tE ements nude during this session. Only text enclosed in quotation mE~rks rcport a speaker's exact words. For complete contents of the proceedings, please refer to the tape.. House Committee on State and Federal Affairs April 3,1991- Page 11

- 089 REP. ROBERTS: This program would tend to limit the last minute negative campaign pieces.
- 093 ERVIN: Yes, I would agree with that because just as the positive campaigning is focused on one day, the same could be said for negative ads
- 097 REP. ROBERTS: When mail ballots go out, 50% of those people vote within the first two or three days.
- 099 ERVIN: Our experience has shown that 50% of the people who are going to vote, usually do so within the first two or three days after receiving the ballot. A primary or general election may be a little different. People can generally make a quick decision about a measure, but when you are making those same decisions about people you need more information than what is written on the ballot, so it takes people a little longer to do the studying.
- 109 CHAIR MARKHAM: Are all counties ready to do vote-by-mail?
- 110 ERVIN: Yes, all thirty six counties do elections by mail.
- 113 VICE CHAIR SOWA: In your statement you say at 9:00 p.m. on election night, you will know who won, no waiting for absentee ballots. Don't absentee ballots only have to be postmarked by that date?
- 121 ERVIN: No, they must be received by 8:00 p.m. on election day.
- 123 VICE CHAIR SOWA: How is that different from absentee ballots?
- 124 ERVIN: It is exactly the same.
- 128 VICE CHAIR SOWA: Cites instance of campaign accusations concerning a mailed ballot. -This will just give another avenue for negative campaigning.
- 151 ERVIN: I am aware of the circumstances in that county. Part of the process is the verification of every signature on the ballots to the voter registration cards. A part of what we must do as election offficials is to investigate anytime there seems to be a discrepancy in the signature. -Cites example of ballot coming in with supposed forged signature.

- 191 VICE CHAIR SOWA: That is my problem, it gives the people in the county clerks offfice supreme control over who is elected. If they do not like a particular candidate, all they have to do is question the signatures.
- 199 ERVIN: I think the assumption that the outcome of an election can be determined by challenging signatures, first of all assumes that we know how every individual voted. It is a secret ballot, and at that point the ballot is totally sealed. We have no way of knowing how the ballot inside the envelope is cast.
- 207 VICE CHAIR SOWA: I think people should vote the way they have always done it, and that is to go to the polling booths and register their votes.

These minutes contain materials which paraphrase and/or summarize statements made during this aeuion. Only text enclosed in quotation marks report a speaker's exact words. For complete contents of the proceedinga, please refer to the tapes. House Committee on SB te and Federal Affairs April 3, 1991 - P - e 12

- 218 REP. NOVICK: Does this mean the county clerks will be supporting the bill that takes the voter registration cutoff to five days instead of twenty days? 224 ERVIN: I think you will find the Association's position was established based on a specific piece of legislation for twenty days, and our particular policy is to look each piece of legislation on its own merits.
- 233 ANNETTE POMEROY, CHIEF DEPUTY COUNTY CLERK, LANE COUNTY: Submits and summarizes written testimony (EXHIBIT C) in support of the measure.
- 260 REP. FORD: You do not mention anything in here about the primary. What have the percentages been for the last two primaries. Are the percentages going up or going down?
- 266 POMEROY: They vary depending on what is on the ballot. There is more participation in a presidential election year. There was about 50% participation in the last primary election within Lane County. It was much higher than that during the general election.
- 275 REP. FORD: You do not know how that compares with four years ago in the primary.
- 279 POMEROY: I do not have those statistics with me. The difference in cost between the primary and the general elections is because the participation is higher in a general election and we use more ballots. The difference in cost between vote-by-mail and polling place voting is in the number of workers we require. -Because of the increased participation in vote-by-mail, people now like to vote by absentee ballot. This has resulted in a great increase in requests for absentee ballots.
- 318 DAVE BUCHANAN, COMMON CAUSE: Opposes vote-by-mail because it takes away the choice of the voter himself. They now have the choice to request an absentee ballot or go to the polling place. During the time ballots are floating around there are potential problems. If voteby-mail were an option only, that would solve the problem. The county clerks do not want to do that because they would lose their cost savings. We think the first emphasis has to be on the voters and what would best serve their interests. We think the voters are the best ones to determine if

they want to vote-by-mail or if they want to vote in a polling place.

- 349 CHAIR MARKHAM: If you have vote-by-mail, how many polling places do you maintain?
- 353 ERVIN: In Multnomah County we maintain only one polling place.
- 370 VICE CHAIR SOWA: In order to give people the option of voting at a polling place, I think you would have to have just as many as you do now.
- 382 REP. OAKLEY: I agree with what Dave Buchanan said. I oppose vote-by-mail for the same reasons he stated.

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 proceedinge, please refer to the tapes. House Committee on State and Federal Affairs April 3, 1991- Page 13

Submitted by: Reviewed by: Carolyn Cobb Randall Jones
Assistant Administrator

EXHIBIT LOG: A - Testimony on HB 2927 - Rep. Fred Parkinson - 15 pages B - Testimony on HB 3019 - Vicki Ervin - 2 pages C - Testimony on HB 3019 - Annette Pomeroy - 2 pages

•

 ${\tt r}$  '. These minute. contain materials which paraphrase and/or summarize statemenb 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.