

Senate Redistricting January 24, 1991 Page 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.

SENATE COMMITTEE ON REDISTRICTING

January 24, 1991Hearing Room "B" 3:00 p.m. Tapes 3 - 4

MEMBERS PRESENT:Sen. Glenn Otto, Chair Sen. Dick Springer, Vice-Chair Sen. John Breneman Sen. Jim Bunn Sen. Mae Yih

MEMBERS EXCUSED:Sen. Bill Bradbury Sen. John Kitzhaber

STAFF PRESENT: Gail Ryder, Senior Committee Administrator John Houser, Committee Administrator Jayne Hamilton, Committee Assistant

MEASURES CONSIDERED: SB # 276, Revises Election Laws. SB # 278, Allows elector to become permanent absentee voter. SB # 282, Changes procedure for challenges to person's right to vote. SB # 285, Modifies procedures for formation of district.

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 3, SIDE A

005 Chair Otto: Calls the meeting to order at 3:13.

018 MOTION: SEN. SPRINGER MOVED TO INTRODUCE LC 2597, EXHIBIT A, AS A COMMITTEE BILL. HEARING NO OBJECTION, SO ORDERED.

(TAPE 3, SIDE A)

PUBLIC HEARING

SB 276 RELATING TO ELECTIONS

Witnesses:Vicki Ervin, Director of Elections, Multnomah County Jack Graham, Director of Elections, Division of the office of the Secretary of State.

023 VICKI ERVIN, DIRECTOR OF ELECTIONS IN MULTNOMAH COUNTY AND CHAIR OF LEGISLATIVE COMMITTEE FOR THE OREGON ASSOCIATION OF COUNTY CLERKS: Reads written testimony, Exhibit C, in reference to the hand-engrossed version of SB 276, Exhibit B.

200 ERVIN: Continues explanation of amendments on SB 276.

274 JACK GRAHAM, DIRECTOR OF THE ELECTIONS DIVISION OF THE OFFICE OF SECRETARY OF STATE: We support all of the recommendations regarding SB 276 , except number 17, dealing with the distribution of voter registration cards. The purpose of having that amendment last session was to control the cost of printing a huge number of voter registration cards which may of been duplicated in their distribution.

343 BUNN: Would it solve the problem to change the statute, so that it makes it an opinion of the Secretary of State to print over 5,000 voter registration cards?

346 GRAHAM: That may offer a possible solution and I'd like the Clerks comment.

348 ERVIN: I have no problem with that.

357 BUNN: The idea is of changing the terminology so that you may not receive more than 5,000 registration cards without the approval of the Secretary of State.

364 OTTO: Is that satisfactory?

365 GRAHAM: Yes.

367 YIH: Does the post office need to publish the voters pamphlet, do they have to make copies available, and do they need to post them?

396 ERVIN: The post only delivers the voters pamphlet, that are printed by the County Clerk.

430 BUNN: Is the language on page one of the bill dealing with the challenge procedures, based upon the anticipation that SB 282 will pass?

435 ERVIN: No it's not. These are separate things. An individual who wants to challenge a voter, still fills out the same form.

444 BUNN: Under this, as it's amended, if I'm a poll watcher and I say that a person has moved, what record is kept of that challenge?

451 ERVIN: It depends on whether you're just giving that information to the Election Board to make that notation, or whether that voter is there and you want to truly challenge their ballot. If you're challenging that voter than it's the same process as it was in the past.

WORK SESSION

TAPE 4, SIDE A

024 MOTION: SEN BUNN MOVED TO CONCEPTUALLY AMEND SB 276, DEALING WITH SECTION 17, TO CLARIFY THAT THE SECRETARY OF STATE HAS THE DISCRETION OF PROVIDING OVER 5,000 VOTERS REGISTRATION CARDS WITHOUT CHARGE, AND THAT THE REPEAL IN THAT WOULD BE DELETED FROM THE AMENDMENT. HEARING NO OBJECTION, SO ORDERED.

036 MOTION: SEN BUNN MOVED TO ADOPT THE -1 AMENDMENTS TO SB 276. HEARING NO OBJECTIONS, SO ORDERED.

041 MOTION: SEN BUNN MOVED TO SEND SB 276 AS AMENDED TO THE FLOOR WITH A DO PASS RECOMMENDATION.

043 VOTE: MOTION CARRIED, 5-0. (EXCUSED, SEN BRADBURY, AND SEN KITZHABER.)

(TAPE 4, SIDE A)

PUBLIC HEARING

SB 278, RELATING TO ELECTIONS

Witnesses: Vicki Ervin, Director of Elections, Multnomah County Jack Graham, Director of Elections, Division of the office of the Secretary of State. Bob Goldstein, Citizen

053 VICKI ERVIN, DIRECTOR OF ELECTIONS IN MULTNOMAH COUNTY AND CHAIR OF LEGISLATIVE COMMITTEE FOR THE OREGON ASSOCIATION OF COUNTY CLERKS: Reads written testimony, Exhibit D.

070 SPRINGER: Was there any thought given to the idea that if for some reason a person didn't vote a couple times they would be sent a notice of being purged?

073 ERVIN: No, there's no consideration that we would develop a purge for non voting. Whenever a pamphlet would come back because a person had moved, they would then go into the purged process.

081 SPRINGER: It's been suggested that this is taking baby steps to a full scale vote by mail.

096 JACK GRAHAM, DIRECTOR OF THE ELECTIONS DIVISION OF THE OFFICE OF

SECRETARY OF STATE: The two positions that Secretary Keisling is concerned about are: 1. This does move us in the direction of vote by mail. 2. The voters pamphlet is not distributed until after most of the absentee ballots have been mailed in, and as a result they don't have an opportunity to use the voters pamphlet prior to casting their ballots.

136 BOB GOLDSTEIN, CITIZEN: Urges the committee to not delay action on the bill.

166 OTTO: Held the bill over for one week for a work session.

169 SPRINGER: Request copy of veto message that the Governor issued last session. (TAPE 4, SIDE A)

PUBLIC HEARING

SB 282, RELATING TO ELECTIONS

Witnesses: Vicki Ervin, Director of Elections, Multnomah County Jack Graham, Director of Elections, Division of the office of the Secretary of State.

174 VICKI ERVIN, DIRECTOR OF ELECTIONS IN MULTNOMAH COUNTY AND CHAIR OF LEGISLATIVE COMMITTEE FOR THE OREGON ASSOCIATION OF COUNTY CLERKS: Reads written testimony, Exhibit G. Refers to Exhibit E. Refers to Exhibit F, as being used in lieu of Exhibit E, when the challenge is because the voter is not in the poll book. The ballot is identified with a unique number, only it is sealed within the envelope, and returned to us after the election, still in the envelope.

214 BUNN: Do we have any kind of statutory penalty for anyone who would break the confidentiality of the ballot?

219 ERVIN: I don't know whether there is a penalty, but there is another envelope that I didn't bring to you that is a secrecy envelope. The ballot is sealed in a generic non identified envelope before it is sealed in this.

229 SPRINGER: If a person wanted to get access to that, would they have to break a seal on another envelope to do so?

230 ERVIN? Yes.

231 SPRINGER: And that's a violation of the law, isn't it?

232 ERVIN: It may very well be.

243 JACK GRAHAM, DIRECTOR OF THE ELECTIONS DIVISION OF THE OFFICE OF SECRETARY OF STATE: The Secretary of State is in total support of this concept.

246 YIH: What happens if the voter is found to be ineligible to vote after the election? How would you challenge the vote?

248 ERVIN: The process is that these envelopes with the ballots come back to us with the ballot still inside, and then we have a period of time to do that research. We have a period of time from between 10 to 20 days after the election, to be sure that these are valid before they're counted.

262 YIH: If a vote is considered to be valid, and you counted them and then found out it wasn't valid, can you still challenge it?

264 ERVIN: By the time we add these in we are so close to abstracting the official results, that we would not have any way to know between then and certifying the official results, that we might of made a mistake. There is always still, an opportunity to challenge the results of the election based on invalid ballots being included in the count.

WORK SESSION

280 MOTION: SEN BUNN MOVED SB 282 WITH A DO PASS RECOMMENDATION TO THE FLOOR.

284 VOTE: MOTION CARRIED 5-1. (EXCUSED SEN BRADBURY, AND SEN KITZHABER.)

(TAPE 4, SIDE A)

PUBLIC HEARING

SB 285 REFERRING TO ELECTIONS

Witnesses: Vicki Ervin, Director of Elections, Multnomah County Jack Graham, Director of Elections, Division of the office of the Secretary of State.

300 VICKI ERVIN, DIRECTOR OF ELECTIONS IN MULTNOMAH COUNTY AND CHAIR OF LEGISLATIVE COMMITTEE FOR THE OREGON ASSOCIATION OF COUNTY CLERKS: Reads written testimony, Exhibit H.

331 JACK GRAHAM, DIRECTOR OF THE ELECTIONS DIVISION OF THE OFFICE OF SECRETARY OF STATE: The Secretary of State is supportive of this.

WORK SESSION

338 MOTION: SEN BUNN MOVED SB 285 TO THE FLOOR WITH A DO PASS RECOMMENDATION.

341 VOTE: MOTION CARRIED, 4-1. (EXCUSED: SEN BRADBURY, SEN KITZHABER, AND SEN YIH.)

Meeting adjourned at 4:10 p.m.

Submitted By:

Reviewed By:

Jayne Hamilton  
Assistant

Joan Green  
Assistant

EXHIBIT LOG

A - LC Draft 2597, Staff, 3 pages B - Hand engrossed version of SB 276, Staff, 10 pages C - Written testimony on SB 276, Vicki Ervin, 2 pages D - Written testimony on SB 278, Vicki Ervin, 1 page E - Statement of Challenge, Vicki Ervin, 1 page F - Challenge Envelope, Vicki Ervin, 1 page G - Written testimony on SB 282, Vicki Ervin, 1 page H - Written testimony on SB 285, Vicki Ervin, 1 page