

REVENUE: No revenue impact

FISCAL: Minimal fiscal impact, no statement issued

Action:	Do Pass as Amended and Be Printed Engrossed
Vote:	8 - 0 - 0
Yeas:	Berger, Edwards C., Garrard, Gelser, Jenson, Nolan, Read, Roblan
Nays:	0
Exc.:	0
Prepared By:	Jerry Watson, Administrator
Meeting Dates:	2/23, 3/4, 4/3

WHAT THE MEASURE DOES: Makes substantive and technical changes to statutes governing conduct of elections. Prohibits county clerk from registering person who alters information on registration card regarding citizenship or signature statement. Establishes process for notifying persons voting challenged ballot of nature of challenge and opportunity to verify registration. Clarifies procedures and time requirements for random hand-counts. Adds recall elections to state's contest-of-elections statutes. Establishes procedures for filling mid-term vacancies in certain state offices. Changes term of office for Commissioner of the Bureau of Labor and Industries elected in November 2012 from four years to two years. Declares emergency, effective on passage.

ISSUES DISCUSSED:

- Provisions of the measure
- Alteration of information on voter registration applications
- Clarification of hand count requirements
- Election cycle for statewide offices

EFFECT OF COMMITTEE AMENDMENT: Clarifies that random hand count required under ORS 254.529 is to be conducted by each county clerk for an office to be voted on in the state at large (rather than for "a state office"), extends to three business days the time within which the Secretary of State is to advise county clerks concerning hand count requirements, and requires hand counts to begin not later than the 21st day (rather than "20th" day) after an election. Changes the term of office for Commissioner of the Bureau of Labor and Industries elected in November 2012 only from four years to two years.

BACKGROUND: Proponents assert that existing statutory provisions dealing with conduct of elections need both technical and substantive amendments. Proponents assert that the most significant substantive changes proposed in House Bill 2095: (a) modify post-election hand-count provisions when there is a mandatory countywide recount; (b) clarify when mid-term vacancies in certain state-wide elected offices are filled by appointment or election; and (c) add recall elections to the state's contest-of-election statutes.

With regard to post-election hand-counts, current law requires Secretary of State to notify counties about the contests and precincts to be counted by hand within one day after the general election. The scope of the hand count depends on the margin of victory between the two candidates receiving the largest number of votes in the county. Proponents assert that counties may not yet know the election contest within their county that has received the largest number of votes the day after the election as ballots are still being processed in most counties. House Bill 2095-A would increase this time to three business days. Proponents of House Bill 2095-A assert that the current statutes are not clear in regards to the term of office for certain state-wide offices that may become vacant in mid-term. House Bill 2095-A adds a provision (Section 22) setting forth procedures for filling such vacancies generally and adds a provision (Section 22a) specifying that the term of office for the Commissioner of Labor and Industries elected at the General Election in November 2012 "shall be two years." Proponents assert that this latter provision will restore the historical alternating cycle of statewide offices up for election at each General Election.

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This summary has not been adopted or officially endorsed by action of the committee.