

**REVENUE: No revenue impact**

**FISCAL: Minimal fiscal impact, no statement issued**

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**Action:** Do Pass as Amended and Be Printed Engrossed

**Vote:** 5 - 3 - 0

**Yeas:** Berger, Garrard, Nolan, Read, Roblan

**Nays:** Edwards C., Gelser, Jenson

**Exc.:** 0

**Prepared By:** Jerry Watson, Administrator

**Meeting Dates:** 2/23, 3/4, 3/16

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**WHAT THE MEASURE DOES:** Adds provisions to ORS 254.135 allowing ballots to list names of not more than three political parties that have nominated a candidate for election. Specifies that when candidate is nominated by the party to which candidate belongs and one or more other parties, the name of candidate's party and up to two other parties selected by candidate shall be listed. Requires Secretary of State to conduct a general review of the adoption of a cross-nomination system for candidates for public office in Oregon and to report to the Legislative Assembly not later than October 1, 2010.

**ISSUES DISCUSSED:**

- Amendment to increase number of allowed party designations from a total of two to a total of three
- Differences from other legislative proposal, House Bill 2580
- Prior history of multiple party ballot designations in Oregon
- Potential implementation problems and cost impact on four counties

**EFFECT OF COMMITTEE AMENDMENT:** Allows the names of a total of up to three political parties to appear opposite name of the candidate. Requires Secretary of state to conduct a general review of the adoption of a cross-nomination system for candidates for public office in Oregon and report to the Legislative Assembly not later than October 1, 2010.

**BACKGROUND:** State law currently allows the name of only one party to appear opposite the name of a candidate for public office. House Bill 2414-A allows the name of up to two additional parties to appear opposite the candidate's name.

Nomination by multiple parties was previously allowed in Oregon. In *Timmons v. Twin Cities Area New Party (1997)*, the U.S. Supreme Court upheld a Minnesota law prohibiting nominations by more than one party against a constitutional challenge based on the rights of association under the 1<sup>st</sup> and 14<sup>th</sup> Amendments. *Timmons* did not prohibit multiple party nominations, which are currently used in a number of states. Litigation concerning Oregon's existing prohibition on multiple party designations on ballots is presently before the Oregon Court of Appeals. The County Clerks' Association has indicated that having more than two parties listed on the ballot beside any candidates name could have a cost impact on four counties.