

**REVENUE: No revenue impact**

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

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<b>Action:</b>	Do Pass as Amended and Be Printed Engrossed
<b>Vote:</b>	10 - 0 - 0
<b>Yeas:</b>	Berger, Edwards, Garrard, Garrett, Gelsner, Hanna, Jenson, Nolan, Read, Roblan
<b>Nays:</b>	0
<b>Exc.:</b>	0
<b>Prepared By:</b>	Cheyenne Ross, Administrator
<b>Meeting Dates:</b>	2/19, 2/22

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**WHAT THE MEASURE DOES:** Modifies the date that Secretary of State is to submit report to the Legislative Assembly regarding the cross-nomination system for candidates for public office. Requires online voter registration card to be submitted by 11:59 p.m. on the 21<sup>st</sup> day before election. Allows county clerks the discretion to determine if an address update is required when clerks receive notification from the National Change of Address (NCOA) system that voter's address does not match the address in centralized registration system. Specifies that state initiative petition circulators registration is valid until four months before general election and the registration of circulator for referendum or recall petition is valid until the date the petition is filed for signature verification. Expands the ability to vote by facsimile machine to all long-term absent electors. Increases the financial threshold for the requirement to file a candidate committee to \$750. Deletes requirement that candidate, political, or petition committee file notice to discontinue before final campaign transaction. Conforms language regarding candidate committees in ORS 260.407 by deleting "campaign" in ORS 260.407(1)(a) and ORS 260.407(1)(D)(b). Prohibits candidate or principal campaign committee of a candidate; the treasurer of a political committee; and the treasurer of a petition committee from paying civil penalty from campaign contributions. Prevents the disclosure of name, address, occupation, and other information for individuals who donate to the Oregon Political Party Fund. Establishes requirement for Secretary of State to distribute directives to county clerks, local governments or special governments for fixing electoral district boundaries after redistricting is complete. Deletes ORS 246.410 (1) for creating, combining or dividing voter precincts. Allows legislative staff to explain member's vote on a measure referred to voters. Provides ballot language corresponding to HJR 13 (2009), HJR 101 (2010), SJR 48 (2010), and SJR 41 (2010). Declares emergency; effective on passage.

**ISSUES DISCUSSED:**

- Clean-up of elections laws
- Provisions of amendment

**EFFECT OF COMMITTEE AMENDMENT:** Allows legislative staff to explain member's vote on a measure referred to voters. Provides ballot language corresponding to HJR 13 (2009), HJR 101 (2010), SJR 48 (2010), and SJR 41 (2010). Declares emergency, effective on passage.

**BACKGROUND:** Senate Bill 326 (2009) directed the Secretary of State to conduct a general review of the cross-nomination system for candidates for public office in Oregon and report conclusions of the review and possible legislation not later than October 1, 2010. Senate Bill 998B amends the date that the Secretary of State is required to report on the cross-nominating process from not later than October 1, 2010 to March 31, 2011. House Bill 2386 (2009) directed the Secretary of State to adopt and implement an online voter registration system. Current statute requires individuals to submit their voter registration to the Secretary of State's office or their county clerk's office by the 21<sup>st</sup> day immediately preceding an election. Senate Bill 998 B would require individuals to submit their online voter registration by 11:59 pm on the 21<sup>st</sup> day before election.

2/22/2010 6:19:00 PM

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

ORS 247.295 requires county clerks to update the registration of a voter when they receive a National Change of Address (NCOA) card, even when they know the information is inaccurate. Senate Bill 998B gives county clerks the discretion to not automatically change voter registration based on receiving NCOA cards because clerks often receive address updates several months after a more recently dated registration card. Currently, the registration for an individual circulating initiative petitions is valid until four months before the date of the next general election. This cut-off date reflects the timeline for circulating petitions for state initiatives and does not take into account recall or referendum petition timeframes, and could result in an individual having to reregister as a petition circulator or face having signatures be invalidated. Senate Bill 998B amends ORS 250.048 (3)(c), specifying that an initiative petition circulators registration is valid until four months before a general election, and the registration of circulator for referendum or recall petition is valid until the date the petition is filed for signature verification.

House Bill 2511 (2009) allows the following to cast a ballot with a county clerk using a facsimile machine: deployed military personnel serving in the Armed Forces of the United States, those who has been discharged from the Armed Forces of the United States for not more than 30 days or those serving in the Merchant Marine of the United States or who have been discharged from the Merchant Marine of the United States for not more than 30 days. Senate Bill 998B extends the ability to vote by facsimile machine to all long-term absent electors including spouses and dependents of members of the Armed Forces.

Senate Bill 776 (2009) increased the fee for candidate statements in the voter's pamphlet. In order to prevent low profile campaigns from having to file a statement of organization as a committee in the OREstar system, Senate Bill 998B increases the threshold to file a statement of organization for a candidate committee from \$300 to \$750 to allow a candidate to pay filing fee, voter pamphlet fee and fee for a picture without having to form a committee. Also, to prevent a candidate committee from violating election law and accruing penalties if they file another transaction after serving notice of intent to discontinue a candidate committee, Senate Bill 998B allows the Secretary of State, upon receipt of the notice, to examine each statement filed by the candidate or committee and to determine whether the statement is sufficient. Senate Bill 783 (2009) amended ORS 260.995 (9) (c) to prohibit candidate committees from paying civil penalties with campaign funds. Senate Bill 998B extends the prohibition to political committees and petition committees.

House Bill 2004 (2009) created the income tax return check-off program to allow a full-year individual income taxpayer to make a contribution to major or minor political party. However, since a political party is prohibited from accepting anonymous campaign contributions, and each \$3 check-off would have to meet individual campaign finance reporting requirements, Senate Bill 998B exempts the \$3 contribution from individual campaign finance reporting requirements that would require the disclosure of name, address, occupation, and other information for each person. Finally, Senate Bill 998B repeals the changes as to how county clerks create, combine or divide voter precincts that were implemented in House Bill 3237 (2009).