

Testimony in opposition to HB 2198

House Committee on Rules

March 20, 2013

3:00 P.M.

HR 50

Members:

Rep. Chris Garrett, Chair
Rep. Wally Hicks, Vice-Chair
Rep. Val Hoyle, Vice-Chair
Rep. Phil Barnhart
Rep. Vicki Berger
Rep. Michael Dembrow
Rep. Paul Holvey
Rep. Bob Jenson
Rep. Bill Kennemer

HB 2198

I urge a NO vote on this bill as amended. The reasons are as follows:

Voting is the most sacred right and privilege we have as Americans, and Oregonians. Voter registration should be the responsibility of the citizen, NOT the responsibility of state agencies. I have no issue with voter registration cards handed out at the Department of Motor Vehicles upon proof of Oregon Residency deemed sufficient to obtain a drivers license or ID card. This puts the actual responsibility of registration on the prospective voter, and keeps the burden off the state and the taxpayer. Vote by mail as currently enacted does preserve the freedom of choice and personal responsibility of Oregonians.

This amendment requires the Secretary of State to register each qualified person who is not already registered to vote. Some people do not wish to be registered, and this should ALWAYS be a choice left up to each prospective voter. Some individuals wish to NOT vote due to religious reasons. Why is the Secretary of State attempting to take away this choice from the individual? This right to vote is NOT a requirement of citizenship or residency, and is one more attempt to take away our responsibilities as citizens, and erode our freedom.

I understand that the goal of the Secretary of State is to be able to collect information from numerous state agencies. The law now provides for the Department of Motor Vehicles to provide voter registration updates to the Secretary of State's office. No other agency should be permitted to do so, especially with an OPT OUT feature. I would offer the opinion to the committee that several of the named agencies, such as DHS, and OHA, may violate HIPPA laws in providing this information to other agencies.

ORS 803.200 and ORS 807.062 define residency requirements for a drivers license. ORS 807.062 (4) allows drivers to obtain an Oregon drivers license as follows:

(4) For purposes of this section, a person is a resident of this state if the person engages in any gainful employment in this state or takes any action to indicate the acquiring of residence in this state. Action to acquire residence includes, but is not limited to, doing any of the following:

(a) Remaining in this state for a consecutive period of six months or more regardless of the domicile of the person.

(b) Placing children in a public school without payment of nonresident tuition fees.

(c) Making a declaration to be a resident of this state for the purpose of obtaining, at resident rates, a state license or tuition fees at an educational institution maintained by public funds.

I know of one individual who, during the moving process, had not yet gotten all the paperwork in place to prove residency and/or citizenship. This person made 3 trips to the DMV. Each time they were offered a voter registration form, although denied a drivers license. Would this person be “auto-registered”?

Oregon statute also allows a person to use a package label from a “verifiable” business with first and last name and address shown as proof of Oregon residency. Should this information be enough to auto-register a voter?

Although these requirements have been deemed sufficient by lawmakers to obtain a drivers license, I maintain that these standards are too general to meet requirements for voter registration.

Verbal change of address information should not be part of this bill. If the voter is responsible enough to cast a vote in our elections, they should be able to update address information either electronically or in writing.

There is NO emergency clause necessary in this bill as stated in the -1 amendment.

This bill, as amended, does not state what happens

- if an inactive voter is re-registered\
- if an ineligible voter is registered.
- if a voter is not eligible, but registered by the auto-opt-in method, are they automatically guilty of registration fraud?
- if a person is registered more than once (for example, with a last name of Smith, or Johnson)

Email Spam laws require an opt-in or a double opt-in for inclusion on an email mailing list. Don't our privileges as voters deserve at least this much respect and attention?

Respectfully submitted,

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