

ATTENTION: House Rules Committee Chair & Legislative Members
FROM: Ruth Bendl
RE: HB 2199

3.11.13

I strongly oppose the provisions of the above referred bill for the following reasons:

1. Since I first started observing ballot counting procedures, a golden rule was instilled into me, namely that there shouldn't be ANY unused ballots in any election office, once the ballot count has begun.
2. The vast number of ballots that are returned to election offices, as undeliverable, since Vote By Mail was adopted, can put the outcome of each and every issue/candidate in jeopardy
3. What is more, with ballots being opened by temporary hires, including "vote enhancements" along with days early start of the ballot count, it is inevitable that voting trends are far from secret.
4. It should also be realized that not all election offices have a separate room where unused ballots can be stored, monitored and kept inaccessible.

Which is undoubtedly why ORS 254.483 mandates that ALL unused ballots SHALL be destroyed IMMEDIATELY after 8.00 p.m. on election day evening.

What is more the 2004 Election Law book, also provides the means for having ALL the unused ballots ready for destruction after 8.00 p.m. on election day. The law stipulated that the election board members (temporary hires) would be the people to prepare the unused ballots for destruction. It also stipulates that this relates to ALL ballots relating to that election, namely including the ballots returned as undeliverable. A policy which makes the best use of these workers, rather than have them sit around, sometimes for hours, because there are no more ballots to process, or because some machine failure interrupts the process.

Since these people are available days before the election, they certainly have time to tabulate both the ballots returned as undeliverable, as well the spare ballots provided by the mailing house, by relevant district.

Also, while tabulating the unused ballots as required, the election board members could be instructed to stamp a specific percentage of each district's unused ballots, as DUPLICATE, so that they can be used to replace problem ballots, or the extra large ballots issued and then received from disabled voters. So I urge Committee members to heed and insist upon the implementation of the instructions that were formerly provided in ORS 254.483. and can be found in the 2004 election law book.

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