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Gresham, OR 97080

March 10, 2013

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

I oppose HB2199.

This bill covers ORS 254.483 has been brought before this committee many times before. I believe 5 times before in recent years. ORS 254.483 was the subject of a lawsuit brought against the Election officials for lack of fulfilling their duties to abide by this law. While citizens are not so confused by it. It does need to be clear enough that all people will have no doubt about its requirements. This is the perfect opportunity to have this happen.

I support James Buchal's memo enclosed in my packet. If you decide to go forward with the bill in its current state, please consider referring it to the people along with another version such as Mr. Buchal suggested? Let the people decide.

This bill calls for accounting of various ballots, but I would offer a suggestion that an alternative would be to discontinue the enhancement of the ballots altogether. This would provide quicker counting process, save money in labor, printing. Let ballots be counted or rejected as some states do, just as they are when they come. Just open, unfold and count. It is true that citizens may make an error on their ballot, but it is also true that many of us are concerned that election boards may interpret our ballots incorrectly. There is a risk factor either way. Let the people decide.

There is no testing provisions for electronic security anywhere in the law for the machines sensitivity for signature verification or to errors or safeguards to the tally machines. These programming processes are all part of a secret security plan. The people have no meaningful oversight of the security of the system. If we are going to have HB 2739 go forward with an automated signature verification process that would add to the problem. I would suggest a real observable process be written into the law. One that would allow all parties to observe electronic programming of all election processes. Please provide an amendment that includes check sums of these processes be open to monitoring at anytime.

The time line for providing some accounting for the ballots is appreciated. I support the suggestions made by James Buchal on the reporting.

Question on page 3, lines 33-35. Is it the intention of this committee that these ballots shall be turned in by 8 PM on election night?

Citizens are engaged on election issues. The fact that this bill has the emergency clause on it, is most troubling. With all the contention over ORS 254.483, it seems rather tyrannical to add the emergency clause. Please remove this clause.

In 2008 when I first started observing elections, I expected everything to be in order. The more I investigated, the more I found problems. This last year 3 other citizens and myself brought lawsuit

against election officials for not following this law. It is enclosed in my packet. This was the first lawsuit I have ever brought against anyone. I did not want to do it, but felt there was no choice to remedy the situation. We only want to do our due diligence as responsible citizens. This has taken us more time, money and energy than I ever cared to ever invest in it. I am of humble means and this has caused me considerable. We have organized hundreds of volunteers to observe elections.

Please reject this bill and send it to the people along with one similar to the memo by James Buchal and let the people decide. Possibly another measure for the enhancement issue and we could have a real answer to this problem.

Thank you for consideration of my comments.

Respectfully,  
Janice Dysinger  
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