

Testimony of Dan Meek on HB 3287:

permits major political parties to establish membership duration requirements for primary candidates

before the House Committee on Rules
April 15, 2015



The Independent Party of Oregon (IPO) supports HB 3287 and would support it more with a technical amendment.

IPO is Oregon's third major party, its membership having exceeded the threshold for major party status (5% of the total of all Oregon registered voters at the time of the November 2014 general election). IPO currently has 109,378 registered members. The threshold for 2016 major party status is 108,739 members. The final determination on major party status is to be made by the Secretary of State by August 16, 2015.

HB 3287 would enable the IPO 2016 primary election to offer a larger number of candidates to voters. Last week the IPO adopted a rule allowing all NAVs to vote in its 2016 primary election. But IPO members and NAVs may see a limited number of candidates on that IPO ballot, without adoption of HB 3287.

Current statutes impose requirements on major party primaries that will impede IPO in its formative years as a major party. HB 3287 would reduce or remove those requirements.

1. Current statutes restrict candidates in major party primary to persons who have been members of the party for 180 days prior to the filing deadline (effectively 250 days before the primary election) (ORS 249.046).

Under existing law, no one can run as a candidate in any major party primary who has not, at that time, been a member of that major party for all of the previous 250 days (180 days before the candidate filing last date). Thus, the deadline for a potential candidate to become an IPO member is September 10, 2015--which may be a mere 25 days after IPO is finally determined by the Secretary of State to be a major party for the 2016 elections.

While an 8-month pre-primary party membership duration requirement is no problem for long-established major parties, which have stables of potential candidates, it will be a large barrier to participation by political novices or others interested in earning the nomination of a new major party. Many of them will not be planning to run for office more than 8

months in advance of the primary election. And others will be unaware of the 250-day party membership requirement in existing law.

HB 3287 solves this problem by allowing each major party to adopt a rule establishing the pre-primary party membership duration requirement. The Democratic and Republican parties may wish to keep the current 250-day requirement. But IPO would significantly reduce that requirement, so that it precludes fewer potential candidates from running in IPO primary elections.

2. Current statutes allow anyone, including non-members, to win a major party primary by write-in of only a few votes.

Due in part to the above restriction, many partisan offices on the IPO 2016 primary ballot will likely offer no filed candidates. The ballot will show those contests but offer only the opportunity for write-in votes.

The law requiring party membership for a candidate does not apply to write-in candidates. Thus, most of the IPO nominations for the 2016 election cycle may well be won by write-in candidates, most of whom could have no connection with IPO, and each receiving a small handful of votes.

HB 3287 solves this problem by restricting write-in winners to those who:

- (1) are eligible to receive the nomination of the major party under its party membership duration rule; and
- (2) earn a party-specified portion of votes sufficient to indicate a meaningful level of support from those voting in the party primary.

Legislative Counsel has drafted a technical amendment that would allow the major party to require a write-in winner to have received votes at least equal to a specified minimum percentage of the total number of electors eligible to vote in that contest (rather than a "minimum percentage of the total votes cast," which is ambiguous).

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