

TESTIMONY OF SAL PERALTA
On behalf of the Independent Party of Oregon
SB 1501

Sal Peralta
925 SE Davis St.
McMinnville, OR 97128

2/4/2015

Chair Rosenbaum, Vice Chair Ferrioli and members of the committee,

My name is Sal Peralta. I am testifying on behalf of the Independent Party of Oregon.

Our basic position is that no minor party should lose ballot access as a result of the passage of the state's Motor Voter law.

Currently, minor parties can maintain ballot access in two ways:

- 1) By registering a total number of voters equal to $\frac{1}{2}$ of 1 percent of the total number of electors in the state; (ORS 248.008(4)(a)) **or**
- 2) By registering a total number of voters equal to $\frac{1}{10}$ th of 1 percent of the total number of **"the total votes cast in the state or electoral district for all candidates for Governor"** and receive 1 percent of the vote for statewide office. ORS 248.008(4)(b).

In 2015, the legislature intended to pass "safe harbor" legislation for 1 election cycle for the state's minor political parties that were organized under ORS 248.008(4)(b). However, the language used contained a drafting error:

For the purpose of maintaining status as a minor political party under ORS 248.008 (4)(b) for the general election to be held on November 8, 2016, **the total number of registered electors in this state is deemed to be the total number of registered electors identified in the elector registration records** of the Secretary of State on July 1, 2015.

Note that ORS 248.008(b) does not use any measure based on the "total number of registered electors", but instead uses **"the total votes cast in the state or electoral district for all candidates for Governor"**

We believe that the 2015 amendments were intended to provide protections to all minor parties, including those under 248.008(4)(b) (Pacific Green, Constitution, Progressive) and those under ORS 248.008(4)(a) (Working Families, Libertarians).

SB 1501 repeals "Safe Harbor" protections intended for parties under 248.008(4)(b) and extends those protections only to parties that maintain ballot access under ORS 248.008(4)(a) (Libertarians, Working Families).

If the legislative intent is to grant safe harbor for all minor parties for one election cycle, then we recommend amending SB 1501 to correct the language from 2015 that

relates to ORS 248.008(4)(b) and keep the new proposed protections to ORS 248.008(4)(a).

We are also disappointed that this bill also excludes the Independent Party from the effects of the Motor Voter legislation. Not only does the bill fail to address the challenges posed to IPO, it was drafted in such a way as to explicitly prevent the bill from being amended to preserve “Major Party” status. Its “relating clause” is limited to “calculation for maintaining status as a minor political party.”

The most significant difference between major and minor political parties is that the state of Oregon requires major political parties to participate in the state’s May Primary election, which is administered and funded by Oregon counties.

IPO has 110,000 members statewide, making it more than double the size of all of the state’s minor political parties combined.

We believe that there is a strong public interest served by allowing political parties that reach this size of the IPO to participate in the May Primary election. 110,000 members is roughly equivalent to the size of Oregon’s 4th largest city and those people, our members, should not be treated as second class citizens under Oregon law. Publicly funded primary elections were instituted as an anti-corruption measure and were not intended to be an exclusive club.

We note that several Oregon newspapers, including the Oregonian, Bend Bulletin, News-Register and others have rightly criticized the Oregon legislature for not taking the concerns of the IPO or the state’s minor political parties into account when it originally passed the state’s motor voter law.

We encourage the committee and the Oregon legislature to go all the way in doing the right thing, and also address the concerns of all of the state’s parties that are threatened by the passage of the Motor Voter Law.

Sincerely,

Sal Peralta
Secretary, Independent Party of Oregon