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## **Oregon Progressive Party Position on Bill at 2017 Session of Oregon Legislature:**

### **HB 2945: Support**

Dear Committee:

The Oregon Progressive Party supports this bill, which requires incumbent holder of state office, who seeks to be elected to same office, to file nominating petition or declaration of candidacy not later than 77 days before date of primary election. This would preclude the type of undemocratic office-bequeathing undertaken by Doug Whitsett (R) and Gail Whitsett (R) in 2016 and by Frank Shields (D) in 2006.

Senator Frank Shields withdrew his candidacy 2 days after the filing deadline in March 2006, leaving as the only candidates on the Democratic primary ballot for Senate District 24 his friend and housemate, Rod Monroe, and former Secretary of State employee Jesse Cornett, who was watching the filing process and thought it strange that Rod Monroe would file for his friend's office in the late afternoon of the filing deadline day.

Senator Doug Whitsett withdrew his candidacy 1 day after the filing deadline in March 2016, leaving last-minute filer Dennis Linthicum as the only candidate on the Republican primary ballot for Senate District 28. Republican Leader Mike McLane was quoted as saying that Doug Whitsett "effectively deprived his own constituents of having a choice in the next election."

Representative Gail Whitsett withdrew her candidacy on the same day, leaving last-minute filer Eric Reschke as the only candidate on the Republican primary ballot for House District 56.

HB 2945 would stop this undemocratic (and unrepugnant) bequeathing of elected offices to whomever the incumbents decide to notify about their plans to withdraw their candidacies.

But the bill needs the proposed -1 amendment in order to be practically effective. That would allow others to file their candidacies within 14 days of the incumbent's withdrawal. That is more fair, and would promote more competition, than the 3-day period allowed in HB 2945.

The proposed -2 amendment would not be as effective. It would merely allow others to file their candidacies up to the 63rd day before the primary election. Since existing law allows the any candidate in the primary election to withdraw up to and including the 67th day before the primary election, the -2 amendment would effectively add only one day to the 3-day period in HB 2945.

One other matter that should be adjusted is the deadline for filing a Voters' Pamphlet candidate statement. Under HB 2945, that deadline is extended to the 63rd day before the primary election, if the incumbent withdraws. It should be extended at least to the same day that the

candidacies must be filed, which (under the -1 amendment) would be 14 days after the incumbent withdraws (which equals the 53rd day before the primary election). If that does not allow sufficient time for assembly and printing of the Voters' Pamphlet, then the deadline for an incumbent to withdraw his or her candidacy should be moved forward to the 77th day before the primary election.

### **Oregon Progressive Party**

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