

June 19, 2019



Oregon Progressive Party Position on Bill at 2019 Session of Oregon Legislature:

SB 761A: Oppose

Dear Committee:

The Oregon Progressive Party opposes this bill, which will make it more difficult for citizens to qualify measures for the ballot, at all levels of government by effectively destroying the use of the "single signature sheet," which has been in use since 2008.

The Oregonian has dubbed SB 761 the "Voter Suppression" Bill (editorial of June 16, below). **It is opposed by the League of Women Voters of Oregon, the Independent Party of Oregon, the Oregon Progressive Party, the Pacific Green Party, the Secretary of State, and others.** The Senate hearing room was packed with opponents, and 180 people filed written testimony in opposition (compared with one person in favor that we could find).

Before 2008, an individual voter wishing to sign a petition, but not approached by a circulator, had to obtain a signature sheet and sign it twice, along with printing her address, city, state, zip, and date, all in 2 different places on the form. The result was many errors that disqualified the voter's signature. The "single signature sheet," also known as the "esheet," is a 1-page document that includes **the full ballot title of the proposed measure or referendum** (prepared by the Attorney General and, if challenged, approved by the Oregon Supreme Court) and a place for the voter to place her signature, date signed, printed name, and address. [Here is an example.](#) The voter fills it out and typically mails it back to the chief petitioners for the measure. Various groups have distributed esheets in their newsletters, including the Oregon Education Association.

The Secretary of State samples and verifies signatures on esheets in the same way as on other signature sheets. She reports that the validity rate of signatures on esheets in the 2016 cycle was 94%, while the validity on signature sheets carried by circulators was 73%, taking into account the full sheets that were disqualified due to circulator errors. That means only 6% of esheet signatures are invalid in some way, compared

with 27% of signatures on regular sheets that are not counted as valid. Using esheets is a way to obtain high quality signatures.

SB 761 would destroy the use of esheets in 3 ways. First, it requires that the full text of the measure be included on the esheet. Many measures are several or even dozens of pages long, particularly referenda--because the "measure" is the bill by the Legislature that is the subject of the referendum. Observers expect a referendum effort against HB 3427 (2019), which is 40 pages long. Requiring the esheet to be 41 pages long means that virtually no one is going to print it out, sign it and put it into a large envelope with \$2.05 postage to get it to the chief petitioners.

The second way SB 761 destroys the esheets is that it prohibits any voter from obtaining an esheet except by (1) personally downloading it and personally printing it out or (2) personally requesting another person to print it out specifically for the voter so requesting. SB 761 prohibits distributing esheets by mail, by inserting in newsletters, or by handing out at events. The fine for giving someone a previously printed esheet would be \$1,000.

The third way is that SB 761 requires the voter to sign the sheet twice, both for the measure and again to certify that she did not obtain the sheet in an illegal manner. This will cause confusion and will cause many sheets to be done incorrectly, rendering them invalid.

The Oregonian editorial points out that SB 761 is not a response to any actual problem. It is simply a way to make it more difficult to obtain valid signatures from Oregon voters who wish to put measures on the ballot.

We urge you to review this testimony and vote NO on SB 761.

Title	Submitter	Meeting
Bev Clarno (testimony)	Bev Clarno, Secretary of State	5/20/2019
Norman Turrill and Rebecca Gladstone (testimony)	N. Turrill, President and R. Gladstone, Governance Coordinator, League of Women Voters of Oregon	5/20/2019
Sal Peralta (testimony)	Sal Peralta, Independent Party of Oregon	5/20/2019
Sal Peralta (testimony)	Sal Peralta, Secretary, Independent Party of Oregon	3/13/2019
Steve Elzinga (testimony)	Steve Elzinga, Governmental and Legal Affairs Director, Office of the Secretary of State	3/13/2019
Steve Elzinga (handout)	Steve Elzinga, Governmental and Legal Affairs Director, Office of the Secretary of State	3/13/2019

Title	Submitter	Meeting
SB 761 (witness registration)	staff	3/13/2019
Dan Meek (testimony)	Dan Meek, Oregon Progressive Party	3/13/2019

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Initiative Bill Smacks of Voter Suppression

Editorial **THE OREGONIAN** June 16, 2019

Politics is rarely pure and simple. Senate Bill 761, however, is an exception. It is purely and simply an attempt to hobble Oregon's vaunted initiative process.

The bill- which has no legislator listed as its chief sponsor- would restrict a common method through which Oregonians collect the minimum number of voter signatures to support putting an initiative or referendum on the ballot. Under the bill, initiative supporters could no longer hand out copies of electronic signature sheets to Oregonians to sign and submit. Instead, voters would have to print their own forms or personally ask someone to print one for them. And each signature sheet must include the complete text of the proposed measure - a requirement that could add dozens of printed pages and related costs to a simple signature submission.

The end result? By discouraging voters from participating, it will become harder for Oregonians to enact their own legislation or overturn bills passed by elected officials. Legislators would keep tight control over what becomes law - and what remains law. And the bill would deeply undercut Oregon's cherished reputation for encouraging direct democracy. That's not how supporters describe it, of course. Senate Majority Leader Ginny Burdick, D-Portland, told The Oregonian/ OregonLive Editorial Board that the bill is about "quality control." E-sheets were originally meant to let people in rural areas submit signatures in support of qualifying an initiative for the ballot, since they would be less likely to encounter a signature gatherer in person.

But advocates may be distributing the sheets without making a copy of the actual measure available, she said, leading to people submitting signature sheets without knowing what the proposed initiative is about. Requiring voters to personally download and print a signature sheet with the full measure will ensure they know what they are doing, she contends.

Although the bill has received near unanimous opposition from the public, the Senate Rules Committee, which Burdick chairs, passed the bill on a 3-2 party line vote. The words "quality control," particularly in the context of new requirements for voter participation, should immediately raise concerns. While communities fare better when people are engaged and well-informed, legislators must have a clear, compelling reason before setting up any kind of obstacle for people to engage in basic acts of democracy. This, however, isn't the case and instead smacks of the same voter suppression tactics that Republican legislators in other states have pursued.

There's no actual, documented problem. In recent reviews, the validity rate of signatures submitted one-sheets is higher than the rate of those collected by signature gatherers in person, according to the Oregon Secretary of State's office. And Burdick and the caucus administrator collectively cited two anecdotal examples in which someone may have been distributing e-sheets without providing a copy of the measure. Neither has resulted in a formal complaint.

This "theoretical fraud concern," as the League of Women Voters of Oregon put it, is no reason to impose a .new requirement that is "reminiscent of poll taxes." Some Oregonians don't have easy access to printing a signature sheet and it's not without costs, the organization's president, Norman Turrill noted in a May letter to legislators. Especially considering that some measures can be many pages long, campaign finance reform and Measure 47 architect Dan Meek pointed out. Measure 47, which not only qualified for the ballot but passed in 2007, spans 19 pages. How many Oregonians would have willingly printed out and sent a 19-page measure plus signature page? The urgency for this initiative suppressant may well be a local business group's ongoing efforts to refer the newly passed corporate taxes in the Student Success Act to voters .. While legislators are understandably protective of the law, which finally delivers a stable funding source to Oregon's struggling K-12 schools, this isn't the way to do it.

Rather than rig the system, legislators and leaders can - and must - make the case to voters that this tax is fair, necessary and justified. They can show how this money is vital for providing the educational investments and mental health supports for students that Oregonians across the state have called for. And they can explain that failing to take this step will only translate into a grimmer future for all.

But if legislators instead abuse their power to manipulate the system and cut out voters, it will only increase people's mistrust of the political establishment. Senate Democrats, don't mistake your supermajority for a coronation. Join Republicans in voting this down and show your faith in the people who put you there.

- The Oregonian/OregonLive Editorial Board