I strongly oppose SB166.

1. Section 1 of this bill is unnecessary. The claim that the right to vote is "not codified" is a bald-faced lie; the right to vote is written into the Oregon Constitution, Article II, Sections 1 and 2. NO OTHER AUTHORITY IS NECESSARY; nor is any other "authority" prudent. Rather, the Legislature, by attempting to "clarify" the language of the Constitution, would be intruding upon the sacred space of the Constitution; presuming itself to be superior to the constitution; and eroding the power and authority of the Constitution. The sacred language and nature of the Oregon Constitution is specifically designed and written to stand the test of time, the transient nature of culture and opinion, and the tempermental nature of the perception of human beings. The Legislature would be wise to reject this aspect of SB166, so as to not be perceived to overstep the limits of its authority.

2. Section 3 of this bill codifies an improper shroud of secrecy surrounding "elections" and "ballots". It purports to safeguard the secrecy of the vote, but will have exactly the opposite effect that the former Secretary of State claims: it will prevent transparency and accountability in Oregon's elections. By declaring the ballots and their contents are subject to "confidentiality laws", this bill will put these public records out of the reach of the public they serve, as the costs to redact ballots before providing them pursuant to public records requests will be prohibitive. Because of this, and the added shroud of secrecy it will create, this bill will further erode the public trust in elections and election processes.

The ballot is, and has always been, fully and completely part of the public record; this includes any and all content and markings, intentional an unintentional. That is ballots are, by definition, public record. There can be no abrigement of their classification. The former Secretary of State (who, may I remind you, has recently resigned in disgrace due to her inability to properly identify an obvious conflict of interest) is attempting, in and by this bill, to further some kind of political agenda by "legally" redefining the ballot to no longer be public record. The former Secretary's ability to properly identify conflicts may not be limited to her own employment! The former Secretary of State is self-conflicted in this misguided attempt to guarantee the secrecy of the ballot, as it will have the exact opposite effect, of preventing accountability, transparency, and, by that, the trust of the people.

Security by obscurity is not security at all. Quite the opposite, obscurity in the public arena invites collusion, and the ensuing absolute power seduces to the point of corruption. To state that all security plans, and all communications merely related to said security plans, are confidential and must not be subject to public records laws, is to further shroud a public process with inappropriate secrecy and therefore erode the public trust (again, the exact opposite of the stated intent). Computer security professionals recognize and acknowledge that "security by obscurity" (which is plainly written into the language of this bill) is not security at all; it is a false hope. Rather, something is secure when you can tell the attacker exactly how the security is implemented, and the thing remains unbreakable, unhackable, impenetrable by an adversary. THIS should be the guiding principle of elections security. Finally, any obscurity of public processes, especially that "codified in law", arouses the suspicion of The People. The Legislature would be well advised to seek the higher moral ground regarding elections and their security; reject this bill, and draft another in its place which actually can achieve the intent.

3. Sections 4 and 5 are unnecessary, and even inappropriate. I fully support the idea that elections workers should be free from harassment and attack. The simple fact is, ALL people are protected, by law, from harassment and attack. Elections workers are no different! The fact that they are experiencing increased attacks is neither cause nor motivation for more laws against already illegal acts; existing law is sufficient! Instead, these acts reflect the frustration of the people at the process or outcome of elections. The people are expressing their dissatisfaction at the overly secret elections processes, and

the former Secretary of State now proposes to further remove them from scrutiny, transparency, and accountability to The People. Such things ought not be! The language added to this bill toward "ensuring" such safety is wholly unnecessary; the acts referenced in Section 5 of this bill are already codified by law as illegal. NO public sector workers should be subjected to the offenses listed in SB166. If this facet of SB166 is to be enacted, it should therefore mention, specifically, ALL categories and classifications of public sector workers. It should also mention private sector workers, as they are not less-than nor more-than worthy of the protections of the law. When all workers are then listed as protected, then it is clear that there is NO need for Section 5; either all are protected or none are. Under the current law, ALL are protected. Therefore this section is wholly unnecessary. Even further, the language of section 5 is inappropriate, as it violates the equal protection clause of the 14th Amendment to the US Constitution (election workers are no more or less special, and have no unique characteristics, roles, or responsibilities that would warrant their classification as a group needing special protections. Finally, the definitions of ORS chapter 160 for aggravated harassment are written in the context of public safety officers. To group the risks to elections workers in the same category as public safety officers is very surprising, to say the least; it is also marginalizing the risks that our public safety officers accept each and every day they show up to work. Elections workers' jobs, roles, and responsibilties, are entirely different from those of public safety officers. The legislative assembly is inviting the questioning of their judgment if they enact this bill into law, and would therefore be well-advised to carefully reconsider the effective classification of elections workers with public safety officers!

Section 8 of the -1 amendment is like most of the main bill: it clearly seeks to further shroud in secrecy what is, and always has been, part of the public record: all things that comprise legislation and elections. This is inappropriate of the legislative body to consider concealing something that must remain open in order to be honest and transparent.

Section 9 is simply wholly unnecessary. Everything it describes as unlawful is already unlawful. This section is a waste of paper, effort, and time. Stop wasting time on busy work! Leave the laws as they are, and spend your time & attention on more important matters! As a voter, I find it suspicious when lawmakers propose to merely change the wording of the law. There is always something more nefarious lurking in the shadows.

Section 12 is pure garbage. The Secretary of State can change the wording, so long as it doesn't change the meaning? NO. The Secretary of State can leave well enough alone, and the legislative body should do the same.

Section 16 is clearly a quid-pro-quo favor, from the author of the amendment to the (now former) Secretary of State, so that the Secretary does not need to investigate complaints of violation of election law; rather, they can now be deferred indefinitely, until the Secretary of State decides to make some kind of decision about an "investigation". The current law is proper: the Secretary of State is required to investigate and report on complaints of election law violations within three days.. This amendment is inappropriate and unethical, and is likely unconstitutional, and should be immediately stricken from the amendment.

Section 23 is simply unnecessary, and places undue burdens upon county and local governments to accelerate timelines for accomplishing routine tasks. I can only imagine the motivation of the amendment's author is to unashamedly and unabashedly accelerate the collection of new taxes, to which the author is clearly addicted.

Section 26 violates the NVRA of 1993, which requires accurate voter rolls. The maintenance of voter records rests with the county clerks, and onlyi the county clerks. Removal of the provision to cancel a voter's registration based on evidence that the voter does not meet the residency requirements of the county is illegal, improper, and unethical.

Finally, THERE IS NO EMERGENCY! The legislature is, and has been for years, abusing the declaration of emergency. EVERYTHING is an emergency! You'd think the entire State was in perpetual chaos! Fortunately for the populace, this is nowhere near true. The legislature, however, seems to fail to grasp the concept and meaning of "emergency". Fortunately, it is easy to correct: emergencies are when life and limb are in peril. Any other is, by definition, NOT an emergency. The capricious claim of "emergency" in this amendment clearly only serves to prevent The People from overturning this legislation in the near future, should they find the legislation to be inappropriate, undesirable, or unfit for the service of the people. The -1 amendment is flagrantly violating all reasonable usage of the term "emergency", which can reasonably be dubbed an abuse of power and unethical, and should be stricken from the amendment, if for no other purpose than to preseve what litte plausibility the legislative body may have left.

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