



Oregon Secretary of State's Office Testimony Opposing SB 761

Oregon has a bipartisan tradition of expanding voting rights. Unfortunately, SB 761 moves our state in the wrong direction.

The Secretary of State's Office opposes SB 761 because it reduces initiative rights. The bill overrides the e-sheet rules of former Secretary of State (and now Democratic Party of Oregon Chair) Jeanne Atkins. Her rules were continued by Secretary of State Dennis Richardson because they are good public policy.

Secretary Atkins enacted rules that allow e-sheets to be distributed via newsletters, and these rules were used without incident in both the 2016 and 2018 election cycles. For example, the Oregon Education Association (OEA) included an e-sheet for Initiative Petition 28/Measure 97 in the Spring 2016 issue of their magazine Today's OEA (see attached). The Secretary of State's Office believes there was nothing inappropriate about OEA's activities in 2016 that necessitates banning similar future activities in SB 761.

The Senate Rules Committee rejected a proposal similar to SB 761 in the 2018 session and should do the same this session.

Further, the current language of SB 761 would create a situation where a single volunteer who mistakenly violated the e-sheet printing prohibition could disqualify many thousands of completely valid signatures on other e-sheets. This is highly disproportionate, unnecessarily punitive, and may violate Constitutional rights.

There are also significant enforceability challenges since the Elections Division has no way to know who printed an e-sheet by examining the sheet itself.

A better way to reduce any concerns about the initiative process is to expand and promote e-sheet use by volunteers and other organizations. E-sheets are less complicated and have higher validity rates than multi-line sheets.

The Secretary of State's Office encourages the committee to continue Oregon's bipartisan tradition of expanding voting rights instead of restricting them. Please reject SB 761.

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