

April 7, 2021



## Oregon Progressive Party Independent Party of Oregon

### Position on Bills at 2021 Session of Oregon Legislature:

Dear Committee: **SB 785: Oppose**

The Independent Party of Oregon and Oregon Progressive Party oppose this bill, which would move Oregon's primary election--for all offices--to the first Tuesday in May in every Presidential election year.

We would support moving only the Presidential primary to the first Tuesday in March.

Moving the primary for all offices from the third Tuesday in May to the first Tuesday in March (but only in every other 2-year election cycle) would cause confusion for potential candidates and make the primary election for Oregon offices occur far too early--10 or 11 weeks earlier than now. Oregon's primary election date is already too early, which requires candidates to campaign during the spring for the primary and then in the summer and fall for the general election. The excessive time between the primary and general elections raises the cost of campaigns.

The primary election in Washington is the first Tuesday in August, so candidates have a 3-month shorter campaigning period than Oregon candidates. Under SB 785, Washington candidates would have a 5-month shorter campaigning period than Oregon candidates.

If the primary election date for Oregon offices is to be moved, we recommend that it be moved later, not earlier. The following states have state office primaries later than Oregon's (after the third Tuesday in May):

Later May:	Idaho, Alabama, Georgia
June:	California, Iowa, Mississippi, Montana, New Jersey, New Mexico, South Dakota, Maine, Nevada, North Dakota, Virginia, Arkansas, Colorado, Maryland, New York, Oklahoma, Utah
August:	Arizona, Kansas, Michigan, Missouri, Washington, Tennessee, Connecticut, Minnesota, Vermont, Wisconsin, Hawaii, Alaska, Wyoming, Florida
September:	Delaware, New Hampshire, Rhode Island, Massachusetts.

The only states with state office primaries earlier than Oregon are Texas, North Carolina, Illinois, Indiana, Ohio, Nebraska, and West Virginia.

Also, we oppose having the primary election date change (by 10-11 weeks, either earlier or later), back and forth, every 2 years. While political professionals and incumbents will be familiar with the change, those not entirely familiar with election law may well become confused and miss the primary filing deadline in the Presidential election years.

SB 785 then has this provision:

SECTION 10. ORS 171.010 is amended to read:

171.010. The regular sessions of the Legislative Assembly shall be held at the capital of the state and shall commence:

(1) In the case of an odd-numbered year regular session, on the Tuesday after the holiday for Martin Luther King, Jr.'s Birthday.

(2)(a) Except as provided in paragraph (b) of this subsection, in the case of an even-numbered year regular session, on the first day of February, except that if the first day of February is a Thursday, Friday, Saturday or Sunday, the regular session shall commence on the following Monday.

(b) In the case of an even-numbered year regular session held in a year in which a President and Vice President of the United States are to be nominated and elected, on the first day of May, except that if the first day of May is a Thursday, Friday, Saturday or Sunday, the regular session shall commence on the following Monday.

Why should the dates of the regular short sessions of the Oregon Legislature be changed in every Presidential election year? Why should it start on May 1 instead of February 1? Apparently so incumbent legislators can spend time in February campaigning in the moved-up March primary. But changing the starting date of the short session to May 1 (so that it occurs after the primary election) would have at least two bad consequences.

- 1. It would impair the opportunity for useful measures to be placed on the statewide ballot.** Currently, potential sponsors of ballot measures know by first week of March what the short session of the Legislature has done and can proceed accordingly to gather signatures until the first week of July. Under SB 785, they will not know what the short session has done until the first week of June, when it will obviously be too late to adjust their plans for obtaining ballot access for their measures.
- 2. It would reduce the accountability of legislators to the voters.** The current order of short session first (February), then the primary (May), allows voters to hold legislators accountable for their actions during the short session. Reversing that order eliminates the opportunity for accountability. The post-primary May short session would be a lame duck session, with any number of legislators already having announced retirement or having been defeated in the March primary. Those legislators would not face voter scrutiny of their actions in the short May session.

We recommend moving the Presidential primary to the first Tuesday in March and deleting the rest of the SB 785.

### **Oregon Progressive Party**

**Daniel Meek**

authorized legal representative

[dan@meek.net](mailto:dan@meek.net)

503-293-9021

