



Testimony in Support of HB 3593

Before the Oregon House of Representatives Rules Committee

April 6, 2023

Chair Fahey and members of the Committee,

The Independent Party of Oregon (IPO), which represents 141,448 members statewide, including more than 80 people elected to non-partisan public office, supports HB 3593, which would expand fusion voting rights in Oregon.

IPO played a pivotal role in developing Oregon's current cross-nomination law. In 2008, the party nominated Joel Haugen for US Congress. Haugen, who had won a contested Republican primary election with nearly 70 percent of the vote, was then banned from participating in Republican events because of his views on the need to address climate change.¹

Our party attempted to cross-nominate Haugen for the Congressional race and to cross-nominate US Senator Jeff Merkley in his re-election campaign. In both cases, IPO wished to cross-nominate as a way to inform IPO voters that these candidates, although members of different parties, held policy positions that IPO members had identified as very important.

Each candidate thought it important to show to voters that they embraced the support of voters outside their own parties. But Oregon's ballot design law at the time prevented IPO and the cross-nominated candidates from informing voters about these additional nominations. Each candidate had to choose a single party label to appear on the printed general election ballot, regardless of the number of party cross-nominations received.

IPO, joined by the Working Families Party, sued to allow Haugen's IPO nomination to be printed on the ballot as a cross-nomination but could not pursue the case to finality in the short time remaining before the November election. In 2009, the Working Families Party and IPO both lobbied the Oregon Legislature and settled for the current ballot design law—which

¹ https://www.oregonlive.com/breakingnews/2008/07/congressional_candidate_will_s.html

now allows each candidate to show up to three cross-nominations on the ballot. In effect, this system in effect “fuses” the several nominations a candidate receives into a single candidate line on the ballot.

Today, we testify in support of full electoral fusion. This builds upon the information supplied to voters by the current cross-nomination ballot design. Currently, official election results provided by the state cannot disaggregate the total votes cast for a candidate to show how many votes are attributable to each cross-nominating party in the final tally. This obscures the impact of the cross-nominations by diverse political parties. It creates the misleading impression that a candidate’s success was the result of affiliation with, and support from, only one political party.

Under electoral fusion, voters will signify not only the candidate of their choice (as they do now) but also express reasons for that choice by indicating which party’s nomination was most meaningful. A full fusion ballot will continue to clearly identify which party or parties nominated a candidate, and the ballot will also allow voters to express approval of party’s policy positions, as it allows the tallying of a candidate’s total votes but also each party’s contribution to that total vote.

Results under fusion voting will better inform nominees about which voters chose them and why. With that information from voters, elected officials can better understand the interests of their voters and constituents, how to better serve them, and where to expand outreach efforts.

Failing to allow a fuller exchange of electoral information on the ballot by separately tallying party support abridges the political rights of minor parties and their members. Declining to officially show the contribution of each party’s nomination to a candidate’s success diminishes the role third parties actually play in engaging and informing voters. Under fusion, a minor party need not be cast in the position of an election “spoiler,” but can be a cross-nominating partner adding votes and supporters.

Historically, most fusion voting systems were dismantled by the entrenched power structures in the rural South and machine politics in Northern cities. Even today, Oregon’s elections laws burden minor party innovation unnecessarily, for example:

- Election laws related to major political parties are written with only the two currently major political parties in mind and make it nearly impossible for a new major party to form through affiliation of groups or minor parties.
- Political parties cannot rename themselves without losing their entire membership—thus inhibiting cooperation and coalition building. This restriction would have prevented the

formation of the Republican party in the 19th century; that party was formed by the fusion of multiple political parties, including the Conscience Whigs, Working Men Party, Free Soil Democrats, and anti-slavery No Nothings.

These laws were not passed in a vacuum in Oregon. They were part of national efforts over the last 120 years that, along with anti-fusion laws, helped create and entrench the two-party system we have today. Restoring fusion in Oregon would bring more people into electoral politics by allowing minor parties to create a dialog with voters and the candidates of other parties.

The Independent Party of Oregon supports laws that expand the voting rights and associational rights of individuals to engage with the political process, both individually and collectively. We see this change as a modest step and encourage the Committee to pass it within this legislative cycle.

Sincerely,

Linda Williams

Linda Williams
Independent Party of Oregon Co-chair
Supplemental testimony on behalf of the IPO State Council