



## HOUSE OF REPRESENTATIVES

June 29, 2019

Dear Chief Clerk Sekerak,

I would like to file an explanation of my vote for SB 761A, relating to the collection of electronic signature sheets.

Before becoming a state legislator, I participated in an Indivisible group in my local community—and more specifically, a “sub-team” called “Vote the Future.” The purpose of this group was to increase the enfranchisement of all voters to participate in our democratic process. I helped spearhead an effort in Clatsop County to reinstate the printing of a voter pamphlet in odd-year elections, and voted as a legislator on SB 861 to have postage-paid envelopes for Oregon’s mail-in ballot system.

As SB 761A has been interpreted by some to be a form of voter suppression, this bill was initially very concerning to me. It goes without saying that I want to make it *easier* to participate in our process. Not harder. That said, after reviewing the bill and the arguments both for and against, I believe that the calls of voter suppression is a misinterpretation. To the contrary, I believe this bill will ultimately help to reduce *fraud* within our system and have no material impact one way or another on voter accessibility to participate in the process.

HB 2082 in 2007 strengthened the procedures to be followed when traditional, multiple-signature petition sheets are signed by voters to qualify measures for the ballot. Part of that strength came from requiring circulators of multiple-signature petition sheets to adhere to requirements like circulators registering with the state and receiving training if they are paid for efforts to collect signatures. Part of those requirements also required that circulators sign the bottom of each multiple-signature petition sheet before submitting—which essentially serves as verification that requirements were followed. Some of those rules include ensuring that the circulator made the text of the measure available to signers, and that they personally witnessed each signature.

HB 2082 also established the e-sheet process, which would allow supporters of an initiative petition to download a single-signer petition, sign it themselves, and submit. This 2007 change made participating in our initiative process much easier for voters—particularly for those who wouldn’t ordinarily be canvassed for a signature, such as those who are homebound or live in rural areas. The e-sheet process is *incredibly* important to increasing accessibility for these voters.

Unfortunately, HB 2082 also created an unintended loophole. Whereas there are incredibly high standards for petition circulation, there is reason to believe that the intention of this process has or could be circumvented to serve less-than-honorable aims that potentially compromise the integrity of our initiative process. The purpose of the e-sheet process is for single filers to be able to print an e-sheet, sign it, and submit it themselves. Due to the lack of oversight, however—including formal complaints regarding the circulation of petitions with a mention of e-sheets—there are multiple





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anecdotal instances of this process being abused. Instances I have heard myself include experiences where e-sheets are simply placed on the counters of farmers markets or small businesses, or distributed at events—effectively creating passive signature-gathering opportunities that go beyond what I believe the legislative intent of HB 2082 ever was. The text of the initiative often does not accompany e-sheets used in this fashion, and so those signing the e-sheets may not even know what they are signing beyond what someone tells them. In comparison to our petition process—which I broadly support—it appears our current e-sheet process does merit some legitimate need for reevaluation. Clearer rules are needed.

SB 761 does *not* eliminate the ability of voters to participate in the process. Single individuals can still print an e-sheet for themselves, sign it, and send it into the elections officer. It *retains* and changes nothing about our multiple-signature petition process. The conflation of these two separate processes has been at the root of the misunderstanding around this bill. The only thing SB 761 does is aligns, to the extent that it can be, standards for e-sheets to mirror the high standards that the multiple-signature petition process requires. Whereas a petition circulator must attach the text of an initiative to a petition, witness signatures, and attest to the validity of the signatures—the new e-sheet process under SB 761 simply adds a similar level of accountability to single voters by asking them to not only sign the e-sheet, but to also sign a document attesting that they have reviewed the text of the petition.

I want as many voters as possible to participate in our processes. I do *not* want those with potentially nefarious intentions to take advantage of Oregonians' willingness and eagerness to participate in the democratic process. There are already a number of potential ways to exploit a process that is essentially tied to an honor system—SB 761 merely tightens up requirements that keeps the process accessible, but at the same time, ensures more accountability and the integrity of our system.

Respectfully,

Representative Mitchell

