

Citizens’ Initiative Review of Ballot Measure 90

The opinions expressed in this statement are those of the members of a citizen panel and were developed through the Citizens’ Initiative Review process as adopted by the Oregon State Legislature. They are NOT official opinions or positions endorsed by the State of Oregon or any government agency. A citizen panel is not a judge of the constitutionality or legality of any ballot measure, and any statements about such matters are not binding on a court of law.

Description of Citizens’ Initiative Review

This statement was developed by an independent panel of 19* Oregon voters, chosen at random from the voting population of Oregon, and balanced to fairly reflect the state’s voting population. The panel has issued this statement after three and a half days of hearings and deliberation. This statement has not been edited nor has the content been altered.

Key Findings

- Under M90, no political party could restrict non-members from voting for its candidates during the primary.
- Most elections are currently decided in low turnout primaries. Candidates have won races with as little as 7% of total voters in a district. M90 increases competition among primary candidates allowing the primary voters to vote at their discretion, regardless of party registration.
- Currently, every party has the right to have a candidate on General Election Ballot. M90 changes that and allows only the top two primary vote receiving candidates to advance to general election
- Proponents do not predict that M90 would increase voter participation. They are encouraged that M90 would give all registered voters the opportunity to vote for any candidate in primary races.
- M90 gives a real choice to more Oregonians – those Democrats and Republicans who live in districts dominated by the other party. Their party’s candidates for key offices have no real chance in the General election.
- M90 could allow 499,335 Oregonians who have not registered as a Democrat or Republican to fully participate in May Primary Elections. These Oregonians represent a large and growing share of the electorate.
- M90 decreases choice in General Election for all voters.
- The Top Two system is the only election method in use throughout the country that allows only two candidates in the General Election.

These findings have been agreed to by a supermajority of the panel.

Citizen Statement in Support of the Measure

We, 5 members of the Oregon Citizens’ Initiative Review, support Measure 90 for the following reasons:

- M90 treats all voters equally in every election. Regardless of how Oregonians’ political views may differ every voter should have equal rights in every election. How or if they align with political parties shouldn’t affect their rights as citizens.
- While all Oregon taxpayers fund the May primary election, voters who don’t register as a Democrat or Republican are currently not allowed to participate in primaries of the major parties. M90 would allow any registered voters to vote for primary candidates of the major parties.
- Under M90 all registered voters would have the unrestricted right to vote for any primary candidate.
- Most elections are currently decided in low turnout primaries. Candidates have won races with as little as 7% of total voters in a district. M90 increases competition among primary candidates allowing the primary voters to vote at their discretion, regardless of party registration.
- M90 differs from the Top Two systems of California and Washington, because it allows voters to see candidates’ personal party registration and all party endorsements that s/he accepts. This information helps voters understand candidates’ views and allies.

A minority of panelists favored this position.

Citizen Statement in Opposition to the Measure

We, 14 members of the Oregon Citizens’ Initiative Review, oppose Measure 90 for the following reasons:

- A broad coalition opposes M90, including at least two election reform groups, as well as major and minor political parties.
- M90 limits the voice of minority voters, minor parties, and grassroots campaigns. A diverse electorate needs choice & diversity in the General Election.
- M90 has several drafting errors. The most significant appears to eliminate minor parties. Because M90 bars parties from nominating candidates, their legal status is in jeopardy. Another error could allow candidates with more than 50% of the primary vote to automatically win their election without a November run-off.
- Home Rule counties have their own election systems independent of the statewide system. M90 could result in a confusing patchwork of contradictory election rules – candidates could have different rules in different areas of their district.
- Turnout in Primary Elections is much lower than General Elections. M90 decreases choice in the General Election for all voters. Nationwide, Primary turnout has fallen to less than 15%, including Top Two states.

A majority of panelists favored this position.

*Note: One member of the 20-citizen panel had to resign for medical reasons.