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Rejected signatures may impact ballot

A coalition says petitions were excluded because of minor inconsistencies

WILLIAM MCCALL
 ASSOCIATED PRESS WRITER

PORTLAND — A coalition of chief petitioners who have proposed several statewide ballot measures told a federal judge Wednesday that Secretary of State Bill Bradbury rejected valid signatures that could have made a difference in whether the measures made the ballot.

But the state elections chief, John Lindback, dismissed the allegations as "ridiculous" following testimony in a lawsuit challenging state policy on judging the validity of signatures by petition circulators.

The issue is whether the circulators properly signed the petitions after they gathered voter signatures — a judgment call by Bradbury and elections officials authorized to make that decision, state attorneys argue.

"We did what we thought was reasonable," Lindback said.

Paul Farago, chief petitioner for a measure to restore legislative term limits, claimed that Lindback overstepped his authority and excluded entire petitions because of minor differences in the signatures of petition circulators.

When Lindback attempted to explain to reporters why some of the petitions were rejected, Farago darted between reporters and said "Liar!"

Lindback responded that only 5,649 of nearly 118,000 signatures

were initially rejected on Farago's petition, but that small group had "serious problems" or other flaws that clearly violated state policy.

During the hearing, Dan Meek, an attorney representing the coalition, argued the state should have included those 5,649 signatures when it conducted a routine statistical sampling to determine how many of the total 118,000 signatures were valid.

The state Elections Division cannot check every petition signature submitted for a ballot measure, so it relies on sampling to determine the percentage of valid signatures after an initial sorting that rejects petitions with obvious flaws.

The petition submitted by Farago failed to qualify for the ballot because the sampling determined only about 82 percent of the signatures were valid, leaving the petition 8,640 signatures short.

Meek argued that including the disputed 5,649 signatures in the statistical sample could change the percentage of total estimated valid signatures.

Bradford Crain, a Portland State University professor of statistics, testified for the coalition that the percentage depended on a count of the total number of signatures.

But David Leith, an assistant state attorney general, told U.S. District Judge Owen Panner that even if all 5,649 disputed signatures were considered valid, the petition would still fail to qualify so any challenge is "fruitless."

William McCall is a writer for the Associated Press.

NEWS BRIEF

EMU to offer DVD rental machine

The campus' first DVD rental machine has been installed on the ground floor of the EMU.

The EMU board approved a one-year contract for the 600-title machine in spring 2004, EMU Director Dusty Miller said. The machine is the only DVD rental option available on campus, except for a DVD borrowing service University Housing offers to those in the residence halls, he said.

"They do have a supply of DVDs that they give to residents free of charge," Miller said. "Apparently it's not as extensive or possibly as updated as we believe this machine will be."

Miller said the board approved the machine as more of a service to students and less of a money maker, although the EMU will receive proceeds from rentals.

The machine rents DVDs for three days for three dollars. It currently accepts only credit cards, but may accept debit cards in the future, Miller said.

— Jared Paben

CLARIFICATION

The Emerald reported in the story "Higher Ed board proposes 2005-07 budget" (July 20) that the Oregon State Board of Higher Education proposed a tuition increase of 3.6 percent for the biennium. The Board actually recommended in its "Essential Budget Level" proposal a 5 percent tuition increase in each year of the upcoming biennium. The Board also requested a policy package of \$20 million, to reduce the tuition increase to the 3.6 percent originally reported.

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