

Oregon House OKs election-day postmark for ballots

By Peter Wong
Oregon Capital Bureau

Oregon, the first state to conduct all elections by mail, would join the ranks of states accepting ballots postmarked by Election Day under a bill that has cleared the Oregon House.

House Bill 3291 was approved on a 39-21 vote Monday, May 24, and goes to the Senate.

The bill would align Oregon with 17 states — including Washington, California and Nevada — that allow ballots to count if they are postmarked by Election Day. Four other states count ballots if they are postmarked the day before the election. Oregon is among the states that have required ballots to be in the hands of county elections offices by the close of Election Day.

Under the bill, ballots



PMG file photo

Oregon ballots would be accepted if postmarked by Election Day in a bill passed by the House.

would have to arrive in county elections offices no later than seven days after the election if they are to count. States that allow Election Day postmarks range widely from three to 20 days.

Rep. Dan Rayfield, a Democrat from Corvallis and the bill's floor manager, said about

150 voters in Marion County cast ballots in last year's general election, but they did not count because they were received after Election Day.

He said the concept of Election Day postmarks has been on the table for two decades, going back to when Republicans were the major-

ity party in the House.

Rep. Greg Smith, a Republican from Heppner who then was in his first term, voted for it in 2001 and now. The only other Republican who voted for it Monday was Rep. Ron Noble of McMinnville. The other 21 Republicans voted against it.

The vote in the House Rules Committee was along party lines.

"It creates another level of complexity in a system that is problematic," House Republican Leader Christine Drazan of Canby said. "A deadline is a deadline is a deadline."

Drazan also said the U.S. Postal Service has shifted most of its mail processing to Portland in the two decades since the 2001 vote.

She also questioned a provision that allows a ballot to be counted even if the postmark is unclear.

Rayfield said that when a

voter signs the return envelope containing a ballot — a signature is required for elections officials to match it with a signature on file — it will include a statement that the ballot was mailed on or before election day. If a voter does otherwise, it is considered perjury, a Class C felony punishable by a maximum fine of \$125,000 and five years in prison.

Secretary of State Shemia Fagan, the state's chief elections officer, endorsed an Election Day deadline in testimony to the House Rules Committee on Feb. 11. She said it was time to end public confusion about when ballots should be mailed in time for county elections officials to receive them.

The bill also would change an optional election date from the third Tuesday in September to the fourth Tuesday in August.

Sondland sues to recover legal fees

Oregon Capital Bureau

Portland hotelier Gordon Sondland, an ambassador who provided key and colorful testimony in President Trump's first impeachment hearings, is suing former U.S. Secretary of State Mike Pompeo to recover legal fees.

The Washington Post reported Monday that Sondland filed a \$1.8 million federal lawsuit in U.S. District Court for the District of Columbia. Sondland's attorneys say the Trump administration paid only a small part of the hotel owner's legal bills related to the impeachment inquiry.

Sondland is founder and chairman of the Provenance hotel group, which operates 13 hotels across the country, including Portland's Heathman, Hotel Delux, the Sentinel, Hotel Lucia and the Woodlark. He was a major contributor to President Donald Trump's inauguration fund, and was named ambassador to the European Union.

Sondland's November 2019 testimony to the House Intelligence Impeachment Inquiry outlined a link between presidential attorney Rudy Giuliani in Ukraine and the White House in an attempt to get information on Hunter Biden's activities as a member of the Burisma energy company board.

"I know that members of this committee frequently frame these complicated issues in the form of a simple question: Was there a quid pro quo?" Sondland told the committee in his Nov. 20 testimony. "As I testified previously, with regard to the requested White House call and the White House meeting, the answer is yes. Mr. Giuliani conveyed to Secretary (Rick) Perry, Ambassador (Kurt) Volker and others that President Trump wanted a public statement from President Zelensky committing to investigations of Burisma and the 2016 election."

Sondland was dismissed as ambassador after President Trump was acquitted in the U.S. Senate.

Oregon revenue forecast: State coffers and 'kicker' surge

\$1 billion more than projected just three months ago

By Peter Wong
Oregon Capital Bureau

For Oregon's state budget, and for Oregon taxpayers, it appears everything's coming up roses these days.

An economic surge as the coronavirus pandemic wanes will produce \$1 billion more for state coffers than state economists projected just three months ago. That will be enough to boost state spending, without cuts, as lawmakers finish work on the state budget for the next two years.

Meanwhile, that surge will result in an estimated \$1.4 billion — more than twice the amount projected back on Feb. 24 — going back to taxpayers next year in the form of "kicker" credits against their 2021 tax bills. The final figure will be determined in the September economic and revenue forecast, but the share of tax liability is projected at 13.6%.

For the average taxpayer with a household income of

\$67,400, the credit will be \$636. For the median with household income between \$35,000 and \$40,000 — half are above and half below that range — the credit will be \$312.

"I have never seen such a strong outlook," State Economist Mark McMullen told members of the House and Senate revenue committees during his quarterly forecast on Wednesday.

"There are a whole lot more resources available than when we last reported in March, and even more than we reported at the beginning of the session, when the budget was drafted. It's quite a remarkable turnaround from a few months ago."

"When the pandemic hit, we saw these massive job losses that blew a \$2 billion hole in the budget. That hole was filled by the March forecast (on Feb. 24), and now we are past where we thought we would be even pre-pandemic."

Gov. Kate Brown proposed \$25.6 billion in spending from the tax-supported general fund and lottery proceeds, the state's two most flexible sources, back on Dec.

1. Legislative budget writers, bolstered by \$2.6 billion in federal aid from President Joe Biden's pandemic recovery plan, unveiled a framework for almost \$28 billion in spending on March 24.

Brown said in a statement that the latest forecast, coupled with projections for the following two budget cycles, sets the stage for a better Oregon:

"Our anticipated state revenues will allow us to fully fund our state agency base budgets, make investments prioritized by the Racial Justice Council, move forward with a \$9.3 billion school budget, fully fund the Student Success Act, and ensure no one is kicked off the Oregon Health Plan, among other things."

"These investments will help Oregonians recover from the COVID-19 pandemic and move Oregon toward a future where equity is realized and all are equal."

Some Democrats want to spend more; Republicans say spending should focus on one-time purposes. Budget writers have already proposed to save some of the federal aid for the 2023-25 budget period.

Senior economist Josh Lehner said what has helped prop up the economy in Oregon and other states is the massive federal spending during the pandemic, including payments to individuals and businesses. Biden's plan gave \$1,400 payments to an estimated 95% of Oregonians.

"It has been unprecedented outside of wartime," Lehner said. "It has allowed households and firms to keep their heads above water. It does not mean that some people haven't fallen through the cracks — they have — and some businesses have closed."

McMullen said economists have not seen the steep downturn triggered by the onset of the pandemic — Oregon's unemployment rate went from a modern-low 3.5% in March 2020 to a modern-high 13.2% the following month — and the equally speedy recovery. The April 2021 rate was 6%; it has hovered around that mark for a few months.

McMullen said he still projects it will be the fourth quarter of 2022 before Oregon returns to its pre-pandemic employment levels, still shorter than

the seven years following downturns in 1980 and 2007.

"Obviously, a lot of things can happen in two years," he said. "But right now we are on a pretty strong footing. The consensus (of economists) ranges from good to great."

McMullen said the amount of the projected kicker could change, given that Oregon tax filings just closed on Monday, May 17, a month later than usual because of the pandemic. It would not be the largest since the kicker was created in 1979 and put into the Oregon Constitution in 2000; \$1.1 billion was rebated in 2007 and \$1.7 billion in 2019, both just before Oregon's economy took sharp nosedives.

Unlike the Great Recession between 2007 and 2010, Oregon had built up general and education budget reserves, plus a big ending balance, that cushioned the latest downturn. They will be at \$4.2 billion at the close of the current budget period June 30, but drop to \$2.2 billion — slightly under 10% — in 2021-23.

"I would implore that savings going forward is a must," McMullen said.

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