

REVENUE: No revenue impact
FISCAL: Fiscal statement issued

Action:	Do Pass the A-Engrossed Measure
Vote:	3 - 1 - 1
Yeas:	Burdick, Starr, Rosenbaum
Nays:	Ferrioli
Exc.:	Beyer
Prepared By:	Lori Brocker, Administrator
Meeting Dates:	6/19

WHAT THE MEASURE DOES: Prescribes process for adjudicating reapportionment of congressional districts. Forms panel of judges to decide reapportionment in event that Legislative Assembly fails to enact reapportionment or upon petition challenging reapportionment enacted by Legislative Assembly.

ISSUES DISCUSSED:

- Selection of judicial panel
- Geographic distribution of panel
- Certainty in process for congressional redistricting
- Redistricting process in 2011
- Previous challenges to redistricting plans
- Scope of judicial review

EFFECT OF COMMITTEE AMENDMENT: No amendment.

BACKGROUND: Section 6, Article IV of the Oregon Constitution and ORS 188.010 contain the criteria, timeline, and authority for conducting and completing legislative redistricting. If the legislature fails to enact a legislative redistricting plan by July 1, the Governor vetoes the plan, or if a court successfully challenges its plan or a portion of it, the responsibility for drawing legislative districts lines, or for correcting a specific problem, falls to the Secretary of State. There is no corresponding timeline for congressional redistricting because there are no statutory or constitutional deadlines for the legislature to complete the congressional redistricting plan.

Currently, the Oregon Constitution and the U.S. Constitution do not provide a redistricting mechanism if the Legislative Assembly fails to complete a congressional plan. The only available mechanism for redress is for an affected individual or group of individuals to petition the courts to address the inequality in district populations based on the new census data.

House Bill 2887A would establish the process for adjudicating a congressional redistricting plan if the legislative Assembly is unable to complete a plan before July 1, a congressional plan is vetoed by the Governor, or if an elector challenges the congressional redistricting enacted by the Legislative Assembly.