

REVIEW OF OREGON REQUIREMENTS FOR REAPPORTIONMENT

Interim Committees on
Redistricting
August 18, 2021





ORS 188.010 (1)



- **EACH DISTRICT, AS NEARLY AS PRACTICABLE, SHALL:**
 - Be contiguous
 - Be of equal population
 - Utilize existing geographic or political boundaries
 - Not divide communities of common interest
 - Be connected by transportation links



EQUAL POPULATION



➤ “OVERALL RANGE”

- Sum of deviations of least and most populous districts from ideal district

➤ CONGRESSIONAL

- “Representatives . . . shall be apportioned among the several States . . . according to their respective Numbers[.]” Art. I, section 2, U.S. Constitution
 - Art. I, section 2, U.S. Constitution also requires congressional apportionment to be based on an “actual Enumeration” of U.S. population
- Strict, mathematical equality – as close to equal as practicable

➤ STATE LEGISLATIVE

- “No State shall . . . deny to any person within its jurisdiction the equal protection of the laws.” Equal Protection Clause, 14th Amendment, United States Constitution
- Article IV, section 6 (1), Oregon Constitution requires state legislative apportionment to be “determined by dividing the total population of the state by the number of Senators and by the number of Representatives.”
- Overall range may be greater than for congressional districts
 - Presumptively valid if under 10%
- Oregon Constitution/ORS 188.010 (1)(b) could possibly require more precise population equality than Equal Protection Clause



ORS 188.010 (2) – (4)



- **A DISTRICT MAY NOT BE DRAWN FOR PURPOSE OF FAVORING ANY POLITICAL PARTY, INCUMBENT LEGISLATOR OR OTHER PERSON**
- **A DISTRICT MAY NOT BE DRAWN FOR PURPOSE OF DILUTING VOTING STRENGTH OF ANY LANGUAGE OR ETHNIC MINORITY GROUP**
- **TWO HOUSE DISTRICTS MUST BE WHOLLY NESTED IN EACH SENATE DISTRICT**



FINAL FORM OF REAPPORTIONMENT PLAN



76th OREGON LEGISLATIVE ASSEMBLY--2011 Regular Session

Enrolled Senate Bill 989

Sponsored by COMMITTEE ON RULES (at the request of Senate Committee on Redistricting)

CHAPTER

AN ACT

Relating to redistricting; creating new provisions; and repealing ORS 188.275 and 188.285.

Be It Enacted by the People of the State of Oregon:

SECTION 1. (1) First District: That portion of Coos County lying within blocks 3154, 3163, 3165, 3166, 3167, 3168 and 6069 of census tract 100; blocks 1000, 1050, 1051, 1052, 1055, 1056, 1057, 1058, 1060, 1070, 1071, 1072, 1073, 1074, 1075, 1076, 1077, 1078, 1079, 1080, 1081, 1085, 1086, 1095, 1096, 2050, 2051, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2099, 2100, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2220, 2221, 2222, 2223, 2224, 2225, 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2233, 2234, 2235, 2236, 2237, 2238, 2239, 2240, 2241, 2242, 2243, 2244, 2245, 2246, 2247, 2248, 2249, 2250, 2251, 2252, 2253, 2254, 2255, 2256, 2257, 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2268, 2269, 2270, 2271, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 2294, 2295, 2296, 2297, 2298, 2299, 2300, 2301, 2302, 2303, 2304, 2305, 2306, 2307, 2308, 2309, 2310, 2311, 2312, 2313, 2314, 2315, 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2323, 2324, 2325, 2326, 2327, 2328, 2329, 2330, 2331, 2332, 2333, 2334, 2335, 2336, 2337, 2338, 2339, 2340, 2341, 2342, 2343, 2344, 2345, 2346, 2347, 2348, 2349, 2350, 2351, 2352, 2353, 2354, 2355, 2356, 2357, 2358, 2359, 2360, 2361, 2362, 2363, 2364, 2365, 2366, 2367, 2368, 2369, 2370, 2371, 2372, 2373, 2374, 2375, 2376, 2377, 2378, 2379, 2380, 2381, 2382, 2383, 2384, 2385, 2386, 2387, 2388, 2389, 2390, 2391, 2392, 2393, 2394, 2395, 2396, 2397, 2398, 2399, 2400, 2401, 2402, 2403, 2404, 2405, 2406, 2407, 2408, 2409, 2410, 2411, 2412, 2413, 2414, 2415, 2416, 2417, 2418, 2419, 2420, 2421, 2422, 2423, 2424, 2425, 2426, 2427, 2428, 2429, 2430, 2431, 2432, 2433, 2434, 2435, 2436, 2437, 2438, 2439, 2440, 2441, 2442, 2443, 2444, 2445, 2446, 2447, 2448, 2449, 2450, 2451, 2452, 2453, 2454, 2455, 2456, 2457, 2458, 2459, 2460, 2461, 2462, 2463, 2464, 2465, 2466, 2467, 2468, 2469, 2470, 2471, 2472, 2473, 2474, 2475, 2476, 2477, 2478, 2479, 2480, 2481, 2482, 2483, 2484, 2485, 2486, 2487, 2488, 2489, 2490, 2491, 2492, 2493, 2494, 2495, 2496, 2497, 2498, 2499, 2500, 2501, 2502, 2503, 2504, 2505, 2506, 2507, 2508, 2509, 2510, 2511, 2512, 2513, 2514, 2515, 2516, 2517, 2518, 2519, 2520, 2521, 2522, 2523, 2524, 2525, 2526, 2527, 2528, 2529, 2530, 2531, 2532, 2533, 2534, 2535, 2536, 2537, 2538, 2539, 2540, 2541, 2542, 2543, 2544, 2545, 2546, 2547, 2548, 2549, 2550, 2551, 2552, 2553, 2554, 2555, 2556, 2557, 2558, 2559, 2560, 2561, 2562,

2951, 2952, 2953, 2954, 2955, 2956, 2957, 2958, 2959, 2960, 2961, 2962, 2963, 2964, 2965, 2966, 2967, 2968, 2969, 2970, 2971, 2972, 2973, 2982, 2983, 2984, 2986, 2989, 2990, 2991, 2992, 2993, 2994, 2996 and 2997 of census tract 960100; blocks 2000, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2017, 2018, 2020, 2033, 2034, 3000, 3001, 3002, 3003, 3004, 3018, 3019, 3020, 3021, 3022, 3023, 3024, 3028, 6000, 6001, 6002, 6003, 6004, 6005, 6006, 6007, 6008, 6009, 6010, 6011, 6012, 6013, 6014, 6015, 6017, 6019, 6021, 6022, 6024, 6026, 6027, 6028, 6029, 6030, 6031, 6032, 6033, 6034, 6035, 6036, 6037, 6038, 6039, 6040, 6041, 6042, 6043, 6044, 6045, 6046, 6047, 6048, 6049, 6050, 6051, 6052, 6053, 6054, 6055, 6056, 6057, 6058, 6059, 6060, 6061, 6062, 6063, 6064, 6065, 6066, 6067, 6068, 6069, 6071, 6074, 6076, 6157, 6158, 6159, 6160, 6161, 6162, 6163, 6164, 6165, 6166, 6167, 6168, 6169, 6174, 6175, 6176, 6177, 6178, 6179, 6181, 6182, 6183, 6184, 6185, 6186, 6187, 6188, 6189, 6190, 6191, 6192, 6193, 6194, 6196, 6197, 6198, 6199, 6200, 6201, 6202, 6203, 6204, 6205, 6206, 6208, 6209 and 6211 of census tract 960200; Malheur County.

SECTION 2. The 30 senatorial districts are as follows:

Senate District Number	House District Numbers
1	1 & 2
2	3 & 4
3	5 & 6
4	7 & 8
5	9 & 10
6	11 & 12
7	13 & 14
8	15 & 16
9	17 & 18
10	19 & 20
11	21 & 22
12	23 & 24
13	25 & 26
14	27 & 28
15	29 & 30
16	31 & 32
17	33 & 34
18	35 & 36
19	37 & 38
20	39 & 40
21	41 & 42
22	43 & 44
23	45 & 46
24	47 & 48
25	49 & 50
26	51 & 52
27	53 & 54
28	55 & 56
29	57 & 58
30	59 & 60

SECTION 3. In order to comply with section 6, Article IV of the Oregon Constitution, and to ensure that each state senatorial district has a member of the state Senate that is identified as a state Senator for the district, Senators whose terms continue through the



OPERATIVE DATE OF STATE LEGISLATIVE REAPPORTIONMENT PLAN (B.M. 55)



- **UNDER ART. IV, SECT. 6 (6), AS ESTABLISHED BY B.M. 55 (2008):**
 - General rule: State legislative reapportionment plan becomes operative on January 9, 2023
 - Exception: For purposes of 2022 election of state legislators, reapportionment becomes operative on January 1, 2022
 - For this year, Oregon Supreme Court has extended January 1, 2022 date in circumstances where state legislative reapportionment plan is challenged and Supreme Court requires corrections to plan.
 - Extended date is same as date candidates must be resident of district



RESIDENCY DEADLINE FOR STATE LEGISLATIVE CANDIDATES IN 2022 ELECTION



➤ **JANUARY 1, 2022 (ART. IV, SECT. 8 (1)(B))**

- If state legislative reapportionment plan is not challenged
- If Oregon Supreme Court determines that state legislative reapportionment plan enacted by Legislative Assembly or made by Secretary of State does not require corrections

➤ **FEBRUARY 1, 2022**

- If state legislative reapportionment plan enacted by Legislative Assembly is challenged and Oregon Supreme Court determines corrections are necessary

➤ **FEBRUARY 8, 2022**

- If state legislative reapportionment plan made by Secretary of State is challenged and Oregon Supreme Court determines corrections are necessary



REAPPORTIONMENT PLAN MUST ASSIGN SENATORS TO DISTRICTS



2013 regular session of the Legislative Assembly after the operative date of the reapportionment, and Senators whose terms do not continue through the 2013 regular session of the Legislative Assembly after the operative date of the reapportionment, are specifically assigned to senatorial districts as follows:

2011 District	Assigned District
1	1
2	2
3	3
4	4
5	5
6	6
7	7
8	8
9	9
10	10
11	11
12	12
13	13
14	14
15	15
16	16
17	17
18	18
19	19
20	20
21	21
22	22
23	23
24	24
25	25
26	26
27	27
28	28
29	29
30	30

SECTION 4. Sections 1 to 3 of this 2011 Act are added to and made a part of ORS 188.010 to 188.285.

SECTION 5. ORS 188.275 and 188.285 are repealed.