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Oregon News

[Oregon Democrats Redrew One of Their Own Out of His District—When He Couldn't Defend Himself](#)

Willamette Week

When Oregon lawmakers met to redraw the state's legislative districts last month, many incumbents got to keep their seats.

One didn't fare so well: a Democrat who had questioned the integrity of the redistricting process central to the leadership of House Speaker Tina Kotek (D-Portland).

Fellow Democrats who controlled the process redrew Rep. Marty Wilde (D-Eugene), one of their own, out of a Democratic majority district representing Eugene and into one where he'll likely lose if he runs again. In his new district, Republicans outnumber Democrats by 5 percentage points.

Wilde couldn't attend the special session where he was voted out of a Democratic district and into a Republican one. He had been called up for National Guard duty to support Oregon's hospitals as the surge of COVID-19 cases continued to overwhelm some parts of the state.

"It was intentional, and it raises questions," says Rep. Brad Witt (D-Columbia County) of how Wilde and he were treated. Witt is the other Democratic lawmaker redistricted into a Republican majority district last month.

Wilde is in just his second term as a legislator.

According to multiple sources familiar with Wilde's plight, Wilde had violated the protocols of Kotek's chamber by attempting and failing at an aggressive maneuver to bring a bill he sponsored to the floor on the final day of the legislative session. (It would have banned boats over a certain size from pulling anyone riding waves behind them.) He had also openly challenged Kotek's handling of the redistricting process, saying his fellow Democrats had twisted the boundaries of his district to achieve electoral success.

A spokesman for Kotek says it wasn't personal, just business. "The committee's work to develop new district boundaries was not personal in any way, and to suggest otherwise is just completely false," says spokesman Danny Moran.

House Majority Leader Barbara Smith Warner (D-Portland) disputed the critiques.

"It's ironic that legislative Democrats have been accused of being too partisan, and now apparently not partisan enough," she says. "This is a good indication that the maps were drawn appropriately and legally. Redistricting shouldn't be about making politicians or pundits happy; it's about serving the needs of the people of Oregon, and that's how the committees operated. The maps reflect the voices and needs of communities across Oregon, even if it makes a few politicians unhappy."

"Two major considerations that we are not allowed to consider in drawing maps are partisanship and where incumbents live," says Rep. Andrea Salinas (D-Lake Oswego), who led the redistricting effort. "That means that inevitably—if this process is undertaken appropriately and legally—there will be sitting legislators who end up in the same district with each other, and some legislators who don't like the composition of their new districts. Legislative seats don't belong to legislators but to their constituents."

Some advocates say Kotek found a clever incentive to offer Republicans in exchange for sticking around: Most maps preserve incumbents' seats and, in some cases, make previously competitive districts less so.

"An incumbent protection gerrymander" is what Sal Peralta of the Independent Party of Oregon calls it.

That may be a clue to one of the mysteries of the redistricting session:

House Republicans did not walk out over their objections to the maps. They didn't get maps they considered fair, but they preserved their chances for reelection.

That so few Republicans were harmed in the making of the maps makes Wilde's fate all the more notable. That's especially true because he challenged the integrity of the process before being called up by the Guard.

Wilde's Aug. 16 newsletter warned of problems with the existing map for his district. The University of Oregon, among other institutions, was split into different districts, what's called "cracking" in the informal terminology of gerrymandering—splitting Democratic voters among districts.

Wilde succeeded. The university won't be split.

But one precinct in Eugene got singled out for inclusion with the rest of Lane County: Wilde's.

"It defies logic," says Shaun Jillions, a corporate lobbyist with the advocacy group Fair Maps Oregon, which opposes gerrymandering. "Look at the map."

Wilde hasn't said what he'll do next. After all, he can't discuss politics until next month.

"He's such a good guy," says the Independent Party's Peralta. "He's been so fair minded. He was acting like a brake and conscience on some of what the Democrats were doing."

[Oregon Republicans sue over new congressional districts](#)

Oregon Capital Chronicle

Four former Republican officials in Oregon sued over newly drawn congressional boundaries, alleging that legislative Democrats created a "clear, egregious partisan gerrymander."

The suit, filed in Marion County Circuit Court late Monday, claims that Democrats ignored required criteria for redistricting to ensure Democratic dominance in congressional elections as Oregon gets a sixth seat in the U.S. House. They said legislators didn't maintain existing political or geographic boundaries by keeping cities, counties and census blocks as whole as possible.

Under maps approved last month by the Legislature and Gov. Kate Brown, Democrats would hold a significant advantage in four of the six congressional districts. Republicans would have one safe district in eastern Oregon, and the 5th Congressional District, which includes a small portion of Portland and stretches across the Cascades to Bend, could be considered a tossup.

The Republican plaintiffs, led by former Secretary of State Bev Clarno, contend that a potential 5-1 Congressional split doesn't reflect the state, where Republican candidates for governor or president typically receive at least 40% of the vote.

"Oregon's political landscape could not possibly justify such a stark difference in Democrat and Republican congressional outcome," the complaint said.

This year's redistricting work began with hope that legislators would replicate the bipartisan spirit of 2011. This time, House Speaker Tina Kotek agreed to give Republicans an equal number of seats on the House's redistricting committee in exchange for a promise that they wouldn't disrupt the legislative session by denying quorums as they have several times in the past few years.

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Democrats reacted negatively. U.S. Rep. Kurt Schrader told Politico it was “like shooting yourself in the head” and Rep. Peter DeFazio called it “an abysmally stupid move.”

As the deadline approached for the Legislature to draw new districts, Kotek dissolved her redistricting committee and created a new three-member congressional redistricting committee with two Democrats and one Republican.

Oregon House GOP leader Christine Drazan welcomed the lawsuit.

“Gerrymandering is cheating,” she said in a statement. “Oregon Democrats want a map that protects incumbents and silences the voices of Oregonians. This challenge is an opportunity for the courts to fix the political gerrymandering and create maps that truly represent Oregon.”

[‘Gerrymandering is Cheating’: GOP Sues to Block Dems’ Redistricting Plan](#)

Canby First

The four Republican former elected officials, including former Secretary of State Bev Clarno, an appointee who was the last Republican to hold statewide office, filed suit in Marion County Monday to toss out what they described as an “obvious, extreme, partisan gerrymander” of Oregon’s congressional district map.

Two weeks ago, Democrats approved on strict party lines a map creating Oregon’s new sixth congressional district and reshaping the other five in a way that even nonpartisan analysts said would strongly favor liberal votes over conservative ones.

The proposal is expected to give Dems five of the state’s six seats in Congress for the next decade — 83%, even though Democrats have never come close to capturing that percentage of Oregon’s electorate in a statewide, contested election.

For example, even in a presidential race where Oregon was never remotely considered to be in play, Joe Biden took home only 56.5% of the state’s vote last November (Donald Trump was the choice of just over 40% of the Beaver State).

House Speaker Tina Kotek further soured Republicans on the process after renegeing on a power-sharing deal she’d struck with GOP leaders during the previous legislative session — replacing the bipartisan commission with a Democrat-led committee that was free to put forward maps to their liking.

“Gerrymandering is cheating,” House Minority Leader Christine Drazan, R-Canby, said in a statement Monday. “Oregon Democrats want a map that protects incumbents and silences the voices of Oregonians. This challenge is an opportunity for the courts to fix the political gerrymandering and create maps that truly represent Oregon.”

In addition to what critics say is the highly partisan and biased nature of the districts, opponents point to other flaws in the map, such as the way it breaks up counties, census tracts and other geographical areas far more than the last time the maps were redrawn a decade ago.

Of particular issue has been Oregon’s 5th District, which contains Canby and has been held by Democratic Rep. Kurt Schrader since 2009. As redrawn by Democrats, the 5th will extend from a small swath of southeast Portland all the way to Bend.

In all, four of the five majority-Democrat districts in the new map would include some portion of Oregon’s largest and most left-leaning city.

Drazan and other Republicans have advocated for taking the responsibility for redistricting out of the hands of lawmakers and leaving it instead to an independent commission. A possible ballot measure that would put that proposal before voters could come as soon as next year.

[Democrats Hunt for Redistricting Wins Despite GOP Tilt](#)

The Wall Street Journal (September 24)

DEMOCRATS CLAW FOR SEATS as they face an uphill battle in redistricting. Republicans hold the pen in 20 of the 35 states where legislatures control redistricting and the state has more than one congressional seat, compared with Democratic control of 11 such states, so Democrats are using legal, legislative and political maneuvers to try to improve their position as maps start to take shape.

In Oregon, the Democratic House Speaker withdrew from a deal with Republicans to have a bipartisan commission draw congressional districts, saying Republicans didn't engage constructively. The House will instead move to adopt a map as the state gains a new seat that will likely result in a 5-1 congressional advantage for Democrats, who currently have a 4-1 edge. Republicans are calling the moves shameful, but have little recourse to block the plan, though they will attempt to at least delay it.

"The silence from national liberals on the shameful efforts by Oregon Democrats to gerrymander themselves into power for the next decade further underscores how their push to get politics out of the redistricting process is one big lie," said Andrew Romeo, a spokesman for the Republican State Leadership Committee.

[Oregon tenants at risk in expiration of eviction safe harbor](#)

Oregon Capital Chronicle

Three months ago, most legislators agreed to let the state's eviction moratorium expire but provide a 60-day grace period as landlords and tenants waited on bureaucrats to process rental assistance claims.

There were hundreds of millions of dollars in federal rent assistance available, Covid cases were decreasing and more than 2 million Oregonians had already been fully vaccinated. On June 25, the day the safe harbor law took effect, Gov. Kate Brown announced that she would end statewide mask mandates, capacity limits and physical distancing requirements. Oregonians were finally free to mingle barefaced in crowds, and the pandemic seemed like it was almost over.

Instead, the Delta variant hit, and hit hard. By the end of August, masks were again required indoors and out. Visions of a quick economic recovery in Oregon faded as case numbers grew, and requests for rental assistance poured in faster than state or local agencies could process them.

"Obviously in June we did not anticipate what would happen with the Delta variant and what the impact of that would be on the trajectory of the pandemic and economic recovery, but also the need for rental assistance and how quickly our social safety net system would be overwhelmed with applications, particularly in the metro area," said state Rep. Julie Fahey, a Eugene Democrat who chairs her chamber's housing committee.

As of Oct. 7, more than \$80 million in emergency rental assistance has been paid out statewide. Another \$53 million is set aside pending payment to tenants or landlords.

Those funds, plus about \$20 million spent on administrative fees, add up to about 75% of the \$204 million Oregon received from the U.S. Treasury Department in its first round of aid to states. Another \$156 million is available, but the Oregon Housing and Community Services Department expects to run through that remaining sum within the next six weeks.

Since the program launched in May, nearly 38,000 Oregon households have requested more than \$266 million in aid. More than 13,000 additional applications remain incomplete. About 14,500 applications have been approved, while more than 24,000 are still being processed or need additional information from landlords or tenants

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Margaret Salazar, Oregon Housing and Community Services executive director, recently wrote to the Treasury Department that she will request more federal assistance as soon as applications are available in mid-October.

“Oregonians desperately need additional assistance now more than ever during a global health pandemic,” she wrote.

In the meantime, legislators and community activists are looking for ways to halt evictions.

“We have to be able to hold two ideas in our head at the same time,” Fahey said. “Oregon is doing better than most other states at distributing this funding, and also that doesn’t help the people who are still waiting, who applied months ago for their assistance and are at risk of eviction. We’re both doing a good job relative to other states and it’s not enough to protect people from eviction.”

Sybil Hebb, director of legislative advocacy at the Oregon Law Center, told a legislative panel last week that state and county agencies and community organizations that help tenants are working around the clock – but it’s not enough to stave off evictions.

“Thousands of tenants remain unprotected from the risk of eviction despite having applied for the new rent assistance benefits in a timely manner,” Hebb said.

In other cases, renters and landlords who could have received help were unable to complete applications or didn’t know the aid was available. Fahey said she expects updates this week from Oregon Housing and Community Services about changes to the application system to make it more accessible to people who don’t have computers or have trouble responding to complex requests on the state form.

Fahey and state Sen. Kayse Jama, the Portland Democrat who chairs the Senate’s housing committee, also wrote to Brown last week to request that she use an executive order to extend the 60-day grace period to 120 days. After Brown replied that she didn’t have the constitutional authority to do so, they began discussing with House and Senate leaders the possibility of returning in a special session.

The Legislature can call itself into a special session if at least one representative and one senator request it and the majority of both chambers agree. Alternatively, Brown can call lawmakers into special session “on extraordinary occasions.” Most recently, she did this for a September session on redistricting and a December session on Covid relief.

Brown spokesman Charles Boyle said the governor’s office is still discussing housing solutions with legislative leaders. The law passed in the spring set a specific time period of 60 days and didn’t grant Brown the authority to extend it, unlike a separate law that allowed her to extend a moratorium on foreclosures.

Tenant activists for several weeks have been calling on legislators and Brown to hold a special session on eviction protection. Kim McCarty, executive director of the Community Alliance of Tenants, said tenants and nonprofit agencies that provide aid to unhoused people need a straightforward eviction moratorium.

“Our social service agencies are not equipped to be able to help anyone if they’re displaced from their home at this magnitude,” she said. “So, from our perspective, the only solution is to seek a solution that keeps people in their current housing, and we think that that can happen in the most expedited way with an eviction moratorium.”

Landlords are already evicting Oregon tenants for not paying rent, and many of the tenants McCarty’s group works with aren’t prevailing in court despite the safe harbor. Some had their 60 days expire before state help arrived, some never knew they were eligible and some tenants were in despair and didn’t show up to court, resulting in automatic defaults, she said.

“These are all completely preventable evictions, if those resources from the federal government

would just get into the hands of tenants and landlords for back rent," she said.

[Oregon is changing its substitute teacher license rules to combat an 'extraordinary shortage'](#)

CNN

Hoping to help curb what officials are calling an "extraordinary shortage" of substitute teachers across the state, the Oregon Teacher Standards and Practices Commission announced a new rule temporarily dropping the bachelor's degree requirement to become licensed in some cases.

The temporary rule, which is set to expire March 31, allows substitute teacher applicants without a bachelor's degree to be sponsored by a school district, which would also provide them with enhanced support and administrative supervision, according to a joint statement from Dr. Anthony Rosilez, the commission's executive director, and Erika Bare, the commission chair.

The license would only allow individuals to work for the district that sponsored them and would only be valid for the remainder of the school year, or six months, whichever is later. "This rule maintains the responsibility of districts to ensure that the adults caring for the students in the classroom have the skills and dispositions necessary to be a temporary substitute teacher who can keep students safe and learning," Rosilez and Bare said in their statement.

The state has seen a massive decline in substitute teachers in less than two years: In December 2019, there were 8,290 licensed substitute teachers across Oregon. By September 18, 2021, the number was nearly slashed in half, down to 4,738 licensed substitutes. Without more teachers, classes will be "combined to unacceptable levels or not offered at all, inflicting irreparable harm on schoolchildren," the temporary administrative order says.

"While the data we have at this point is primarily anecdotal, the COVID pandemic has been a primary factor in the reduced supply," Rosilez and Bare said.

[Majority of state workers won't have to be fully vaccinated until end of November in shifting deadline](#)

The Oregonian

The looming Oct. 18 vaccination deadline set by Gov. Kate Brown will apply to less than a fifth of the state's 42,270 executive branch workers - and could apply to even fewer depending on the outcome of ongoing collective bargaining agreements.

That's because unions representing almost 28,000 state employees have negotiated deals to delay the deadline to be fully vaccinated to Nov. 30. The state also independently extended the deadline to Nov. 30 for another 7,156 unrepresented workers and employees in management and executive services.

Those roughly 35,000 workers will have to prove they've received at least one dose of a COVID-19 vaccine by Oct. 18 but won't have to be fully vaccinated until the end of November, six weeks beyond Brown's original deadline.

That appears to leave only about 7,000 state workers who will have to prove they are fully vaccinated by Oct. 18 to avoid potentially losing their jobs.

[Oregon State Hospital in contempt of court for failing to admit patients](#)

OPB

The Oregon State Hospital has been in contempt of a court order for more than a month as it has failed to admit people with significant mental illnesses who need long-term

treatment.

Statewide, 18 people who have been found guilty except for insanity are awaiting admission into the state's psychiatric hospital for treatment and to serve their sentences, court records show. At least some of those people have been waiting in local jails for months.

"Since the beginning of 2021, there have been no transports to (the Oregon State Hospital) from any jurisdiction in Oregon for defendants found (guilty except for insanity) and committed to the hospital," Multnomah County Circuit Court Judge Nan Waller wrote in her contempt order signed Sept. 22.

The order came as pressure has built on the state hospital to increase capacity and admit people going through the criminal justice system while often experiencing a crisis. At the same time, the Oregon Health Authority, which runs the state hospital, has reported that increasing its health care staff is extremely challenging amid the pandemic due to staffing shortages and worker exhaustion. Twice during the pandemic, members of the Oregon National Guard have deployed to assist with staffing shortages at the hospital.

"The state hospital can't maintain its current staffing, much less expand its capacity to admit the people that are languishing in jail for their services," Disability Rights Oregon legal director Emily Cooper told OPB's Think Out Loud on Tuesday. "We still do not have a clear answer of why the staffing crisis is as bad as it is and the state's plan to fix it."

Waller's contempt ruling on the guilty except for insanity patients addresses people who effectively have been sentenced. In the ruling, she found the state hospital willfully decided to not admit two people in Multnomah County. One person had been waiting in jail since March and the other since May, court records show. Waller has sanctioned the state \$100 per day, per person, as long as they wait for admission in jail.

Waller stated it was choices made by leaders at the state hospital and health authority that confined the two people "to jail for an indefinite period of time during which they are neither getting treatment" nor a hearing that would release them to a community-based treatment center. The effects of the "indefinite confinement," Waller noted in her order, were clear when one of the men "appeared in court in a suicide smock."

A spokeswoman for the Oregon State Hospital did not return the request for comment.

[Oregon health officials report 82 COVID deaths, the highest reported in a single day](#)

KGW

The Oregon Health Authority (OHA) reported 82 COVID-19 related deaths on Tuesday. It's the highest number of deaths reported in a single day in Oregon. However, the OHA said that number is partially due to a lag in reporting as epidemiologists review death certificates.

The OHA also reported 1,413 new COVID-19 cases on Oct. 12.

There are currently 585 people with coronavirus in hospitals across the state, which is 59 fewer than Monday. There are 149 people with coronavirus in intensive care unit (ICU) beds, which is 21 fewer than yesterday.

Out of 682 total adult ICU beds, 56 are available (8% availability) and 298 out of 4,117 adult non-ICU beds are available (7% availability).

The OHA asks that you do not visit an emergency department for COVID-19 testing unless your symptoms require emergency care.

[You can now calculate your share of Oregon's \\$1.9 billion 'kicker' tax credit, coming next year](#)

KTVZ

The Oregon Office of Economic Analysis confirmed this month a nearly \$1.9 billion tax surplus, triggering a tax surplus credit, or "kicker," for the 2021 tax year, the Oregon Department of Revenue said Tuesday.

Instead of kicker checks, the surplus will be returned to taxpayers through a credit on their 2021 state personal income tax returns filed in 2022.

['WHAT'S MY KICKER?' OREGON RELEASES PLAN FOR TAX SURPLUS MONEY](#)

KEZI

Oregonians won't be waiting around for a kicker check this year, as the state has a different plan for distributing the \$1.9 billion tax surplus.

The Oregon Department of Revenue said taxpayers will be able to claim their share of the surplus through a credit on their 2021 state personal income tax returns, which will be filed in 2022.

Do you want to find out how much you can expect to get back? State officials say all you need to do is put some information into the What's My Kicker? calculator to find out.

Oregonians are eligible for the kicker if they filed a 2020 tax return and had tax due before credits. Even if you don't need to file taxes in 2021, you still need to file a return for the year to claim the credit, state officials said.

Free tax preparation services are available to low to moderate-income taxpayers through AARP and CASH Oregon. United Way also offers free tax assistance through the MyFreeTaxes program.

[Oregon Kicker: State sets tax surplus credit at 17 percent of 2020 tax bill](#)

KPTV

A \$1.9 billion tax surplus in Oregon has triggered the state's "kicker," meaning Oregonians who are eligible will get 17.34 percent of their 2020 state income taxes back.

According to the Oregon Department of Revenue, instead of kicker checks, the surplus will be returned to taxpayers through a credit on their 2021 state personal income tax returns filed in 2022.

To calculate your credit, multiply your 2020 tax liability before any credits—line 22 on the 2020 Form OR-40—by 17.341 percent.

You're eligible to claim the kicker if you filed a 2020 tax return and had tax due before credits. Even if you don't have a filing obligation for 2021, you still must file a 2021 tax return to claim your credit. There will be detailed information on how to claim your credit in the 2021 Oregon personal income tax return instructions.

Under state law, the kicker tax sends money back to taxpayers whenever personal income tax revenues come in at least 2% above initial projections during a 2-year budget cycle. The kicker has been an element of Oregon state taxes for decades. It's the only state in the union with such a law.

The state may use all or part of your kicker amount to pay state debts, like back taxes, court fines or child support.

[Oregon taxpayers will receive \\$1.9 billion kicker](#)

KOIN

Oregonians can expect a tax credit on their 2021 state income tax returns from a \$1.9 billion tax surplus, or “kicker,” the Oregon Office of Economic Analysis announced Tuesday. Oregon tax law provides refunds to taxpayers if personal income tax revenues are at least 2% above initial projections during a two-year budget cycle.

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