

State Capitol to start bag searches, use of metal detectors

It's the first time such stringent security measures have been used

By **PETER WONG**
Oregon Capital Bureau

SALEM — Oregon will join 33 other states in requiring visitors, elected officials and staff to pass through metal detectors and submit to bag checks when they enter the Capitol.

The enhanced security in Salem will start Thursday, Jan. 27. Senate President Peter Courtney and House Speaker Tina Kotek, the Legislature's presiding officers, said in a statement that it will be similar to the procedure for entry into court buildings. State employees staff trial courts, but Oregon's 36 counties provide the courtrooms and maintain security.

The Legislature is responsible for management



Kristyna Wentz-Graff/Oregon Public Broadcasting

In order to gain access to Oregon's Capitol, visitors and staff will soon have to pass through new security checkpoints.

of the Capitol under a 1969 law. The secretary of state was the previous legal custodian of the Capitol and its grounds.

The enhanced security will apply at the two public entrances currently open and two other entrances for employees and others with special identification cards. The State Street entry, facing Willamette University to the south, and the main entry with its iconic

revolving doors are closed because of construction.

The Capitol, the third in Oregon history, opened in October 1938.

The Capitol's office wings, opened in 1977 and renovated in 2008, are undergoing seismic reinforcement as part of a larger building improvement project. The wings house offices for individual legislators.

The Capitol was



Courtney

Kotek

reopened to the public on July 12, 2021, after the close of the regular session. It had been closed for 16 months after the onset of the coronavirus pandemic.

Firearms ban

The added security follows a recent law (Senate Bill 554) barring firearms, even those carried by people with concealed-handgun licenses, from the Capitol.

During the 2021 session, lawmakers barred firearms from the Capitol and the passenger terminal at Portland International Airport as part of broader legislation to require safe storage of firearms by their owners. Schools, community colleges and universities have the option to do so by action

of their governing boards. Opponents failed to submit signatures for an attempt to refer the legislation to a statewide election, so the new law took effect Sept. 25. Signs are posted at the public entrances.

Lawmakers acted after anti-lockdown demonstrators, some of them armed, attempted to force their way into the Capitol during a special session on Dec. 21, 2020, when the Capitol was still closed to the public. Some of them got into a vestibule before police ejected them; police blocked their second attempt at a different entry later in the day.

Anti-lockdown, pro-Donald Trump demonstrators also appeared at the Capitol on Jan. 6, 2021 — the same day as the insurrection at the U.S. Capitol in Washington — but were confined to the Capitol Mall across from the Capitol. The Oregon Capitol was closed to all employees, and ground-level windows in

the office wings and main building were covered with plywood. The boards were removed a couple of months later.

On June 10, 2021, the House expelled Rep. Mike Nearman, a four-term Republican from Polk County, after Capitol surveillance video showed that he opened the vestibule door and allowed demonstrators to enter the building. He re-entered through another door on the other side. A cellphone video surfaced later during which Nearman told a pre-session audience that if he received a text message, they might gain access to the Capitol. Once that video was disclosed, the 22 other Republicans joined all 37 Democrats in the 59-1 expulsion vote.

Nearman pleaded guilty July 27 to one count of first-degree official misconduct, but expressed no regret for his action during his appearance in Marion County Circuit Court.

Oregon House Democrats nominate Corvallis lawyer to be speaker

By **HILLARY BORRUD**
The Oregonian

SALEM — Oregon House Democrats nominated Rep. Dan Rayfield, of Corvallis, to be the next speaker of the House in a private vote Sunday, Jan. 16.

Rep. Janelle Bynum, of Happy Valley, also vied for the top leadership position in the preliminary vote, but a majority of the 34 Democrats who participated in the meeting backed Rayfield, who is co-chair of the powerful Ways and Means Committee and known as a skilled fundraiser.

All 60 members of the House, including 23 Republicans, will participate in a floor vote to select the next speaker when they meet at the Capitol in



The Oregonian, File

Rep. Dan Rayfield, D-Corvallis, shown during a swearing-in ceremony in January 2021, was nominated by the House Democratic caucus on Sunday, Jan. 16, 2022, to serve as Oregon's next speaker of the House.

February.

It's unclear how many Democrats supported Bynum and Rayfield because the tally and caucus members' indi-

vidual votes were kept secret, two Democrats told The Oregonian. Lawmakers requested anonymity to describe caucus developments before they

were publicly announced.

Democratic and Republican leaders generally expect their caucuses to coalesce behind the speaker candidates that each caucus selected privately, but that result is not assured.

Oregon Democrats' leadership is all from the party's strongholds in the Willamette Valley — Portland, Salem, Corvallis and Eugene.

Republicans have chosen leaders from east of the Cascades in Senate Minority Leader Tim Knopp, R-Bend, and House Minority Leader Vikki Breese Iverson, R-Prineville.

Current Speaker Tina Kotek, of Portland, is stepping down Jan. 21 to focus on running for governor in

the May Democratic primary. Speaker Pro Tem Paul Holvey, D-Eugene, will temporarily become speaker until the House meets again at the Capitol.

House Democrats also voted to select Rep. Julie Fahey, D-Eugene, as their majority leader. The previous majority leader, Barbara Smith Warner, of Portland, announced to fellow Democrats earlier this month that she was stepping down, in yet another example of broad turnover

in legislative leaders and rank-and-file members.

Rayfield, who is a lawyer, said in a statement that he is running to be speaker "to help guide the House as we collectively work to build a recovery that reaches all Oregonians. Our economy has picked up steam in recent months and I have tremendous optimism about our state's future. But after years of living in a global pandemic, I know many are still hurting."

Kristof lawyers argue denying his candidacy could set precedent of limiting Oregon voter choice

By **LAUREN DAKE**
Oregon Public Broadcasting

SALEM — Lawyers representing former New York Times columnist Nick Kristof plan to argue that not only does Kristof meet the state's residency requirements to run for Oregon governor, but denying him the chance to run could lead to voter suppression in future Oregon elections.

Secretary of State Shemia Fagan recently rejected Kristof's gubernatorial bid, arguing he does not meet the constitutional requirement that the governor must be a resident of Oregon for three years preceding the election. Fagan based that decision on Kristof's history of owning property in New York and voting in that state as recently as 2020.

Kristof is hoping the Oregon Supreme Court will overturn Fagan's ruling well before the March 17 deadline for candidates to qualify for the May primary ballot.

Kristof's lawyers filed their first brief Friday, Jan. 14, to the court revealing their legal arguments.



Kristof

In the brief, Kristof's lawyers note an Oregon court has never addressed what it means to be a resident of the state.

Kristof's lawyers argue that he was raised in Yamhill and has maintained a home in Yamhill for his entire life, and that Kristof has described Oregon as his home for decades in both his professional writing and in his personal life. They add that the historical point of having a residency requirement in the Oregon constitution was to exclude those who were unfamiliar with the state, and that Fagan gave "no weight to forty years of published writings in which Kristof" claimed Yamhill was his home.

The brief says this decision violates the constitution because it is overly broad and does not serve to advance the state's interest in "limiting public office to those who are familiar with the state." This interpretation by the state's election office could prove

to deprive voters of their choice of candidate now and in future elections, they argue.

"There are many peripatetic Oregonians who, for various reasons, live in more than one place and may prefer candidates who understand the experience of living in multiple places or changing residences often," the legal document states. "Such Oregonians come from all walks of life: houseless and housing-insecure persons; university students; seasonal migrant workers; service-members; snowbirds; the list goes on. These groups are disserved by the Secretary's interpretation, contravening the spirit of free and equal elections."

The court will not hear oral arguments. Documents from both the secretary of state's office and Kristof are due to the court by Jan. 26.

Oregon election officials have stated that to meet the three-year residency requirement for this year's gubernatorial race, a person must be a resident in Oregon for the entire three-year period starting in November 2019.

"But the objective facts, including your decision to vote in New York, convincingly suggest that you resided in New York at least from November 2019 to December 2020," Oregon elections director Deborah Scroggin wrote in a letter to Kristof.

Kristof suggested Fagan based her decision on "politics, not precedent," and that Fagan has long ties to the state's Democratic establishment.

Kristof has reported raising far more campaign funds than his highest profile Democratic rivals, House Speaker Tina Kotek and state Treasurer Tobias Read.

While he's able to continue fundraising as he mounts a challenge, Kristof argues in the legal filings that he was a front-runner in the race prior to Fagan's decision, but that the secretary "may have predetermined the outcome of the primary election — or at least put a thumb firmly on the scale — even if this Court reverses her decision."

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