

Legislature faces 46-day race to finish redistricting

96 political districts need ironed out

By Gary A. Warner
Oregon Capital Bureau

Eleven state lawmakers on Thursday will begin a politically Herculean task with historically small odds of success: Draw 96 new political districts in 46 days that will be used beginning with the 2022 election.

The six Democrats and five Republicans on the House and Senate redistricting committees are set to receive block-by-block U.S. Census data chock full of population and demographic changes since the last map-making 10 years ago.

The COVID-19 pandemic caused a six-month delay in the delivery of the geographically microscopic analysis. It's a key to ensuring district designs don't violate the 1965 U.S. Voter Rights Act or state rules to link "communities of interest" together when possible.

Top court is redistricting traffic cop

The delay caused the state to blow by several deadlines for redistricting. State leaders were unsure of who had the

responsibility — and political opportunity — to control the process.

It took an Oregon Supreme Court ruling in April to untangle the mess. The justices ruled the legislature would get the first shot. But it attached a crushing deadline.

The redistricting plan had to be created, debated, approved by the House and Senate, confirmed by Gov. Kate Brown and arrive back at the court no later than Sept. 27.

Since the legislature adjourned for the year at the end of June, lawmakers will be called back for a special session on Sept. 20.

What comes out of this high-speed scramble of the current political topography is anybody's guess.

"Nobody knows what their district's going to look like right now," Senate President Peter Courtney said last week. "Some are going to be dramatically changed, and some aren't."

The arrival of the data this week will allow the committees to start on a long to-do list:

Draw 60 House districts, each with about 70,621 residents.

Draw 30 Senate districts, each with about 141,242 residents.

Draw six congressional districts — one more than now exists — each with about 706,209 residents.

History shows getting any legislative plan implemented is a longshot.

Only once in 110 years has the legislature come up with new district maps that were approved by the governor and faced no court challenges. It was in 2011, when a rare 30-30 split of House seats between Republicans and Democrats required unavoidable compromises.

All the other times, either the legislature couldn't agree on a plan, it was vetoed by the governor, ended up in the lap of the secretary of state or attracted a dog pile of court challenges.

Bend and Portland bulges preface big changes

The final 2022 district maps likely won't be seen until well into autumn. But the initial release of state, county and city totals show undeniable patterns of where districts are likely to stretch or shrink.

Oregon received a new congressional seat by outpacing the nation in adding more people. The 2020 population is officially 4,237,256. Oregon grew by 10.7% since 2010, above the

7.4% national average.

But the growth has not been evenly spread across the state. Traditional Republican strongholds in eastern and southwestern Oregon have seen tepid population growth.

The biggest political bounce could be in the Bend area. The 2010 census put the city's population at just over 76,700. The 2020 census reported the city was home to 106,023 people, a 38% increase.

The growth has come with political change attached. Democrats flipped the House seat representing most of the city in 2020. Deschutes County gave a majority of its presidential vote to Democrat Joe Biden over then-President Donald Trump.

Early census data shows the other big growth area over the past decade in Oregon was a suburban arc around Portland. It stretches from Wilsonville to Hillsboro, curves through and around northern Portland then drops southeast into Clackamas County. All the current representatives in those areas are Democrats.

Reveille for GOP

House Minority Leader Christine Drazan, R-Canby, recently fired a verbal flare to get Republicans' attention

focused on the new maps that will be used until the 2032 election.

Drazan noted Democrats' dominance of all the key roles in redistricting from supermajorities in the Legislature to a sweep of state executive offices.

Though officially nonpartisan, all seven justices on the Oregon Supreme Court were elevated by Democrats (there hasn't been a Republican governor since Vic Atiyeh left office in 1987).

Drazan said partisanship could play as big a role as population shifts unless Democrats have someone looking over their shoulders.

"We are at high risk of gerrymandering," Drazan said. "They have the power, but we'll be able to question how it is done."

Drazan will have outsized sway over redistricting due to a deal she struck during the 2021 session with House Speaker Tina Kotek, D-Portland.

Drazan agreed to stop using parliamentary moves to slow the Democrats' agenda.

Kotek in exchange appointed Drazan to the House Redistricting Committee. The move means the committee has political parity, with three Democrats and three Republicans.

No similar plan was worked out with the Senate. Its redistricting committee has three Democrats and two Republicans.

How the two politically asymmetrical panels will be integrated when it comes time to debate and vote on new district maps is a process still being hammered out.

If the House and Senate can't come up with a plan, or Brown vetoes their proposal, there is a backup plan.

Secretary of State Shemia Fagan would draw legislative districts, while congressional maps would be the task of a five-judge panel created by the Oregon Supreme Court. They would have to submit their work to the court by Oct. 18.

If the maps drawn by Fagan or the judges' panel are found wanting under legal review, the Supreme Court justices would draw the lines themselves.

The court has set Feb. 7, 2022, as the latest date for maps to be finalized, including any legal challenges.

With redistricting settled, potential major party candidates would have one month until the March 8 deadline to file for the May 17 primary election.

Dick Hughes of Oregon Capital Insider contributed to this story.

U.S. Ag Secretary Vilsack: Nation, Oregon facing 'larger challenges'

By Peter Wong
Oregon Capital Bureau

Agriculture Secretary Tom Vilsack says Congress needs to do for the national forests what the Oregon Legislature and Gov. Kate Brown have just done to boost firefighting efforts and reduce the threat of wildfires, more of them likely to occur with a warming climate.

Vilsack spoke with reporters Tuesday after he and Brown toured a farm near Salem and were briefed by officials about the status of wildfires, particularly the Bootleg Fire that has consumed more than 400,000 acres northeast of Klamath Falls. Much of that acreage is within the Fremont-Winema National Forest.

Brown has signed state legislation (Senate Bill 762) that stems from recommendations of her Council on Wildfire Response back in 2019. Attached to it is \$220 million in state funds to increase the number of firefighters on the ground and modernize planes in the air, install automatic smoke detection cameras, map high-risk wildfire zones and define defensible space around homes, carry out projects such as forest thinning and prescribed burning, and provide clean-air shelters.

"It is a positive and proactive step," Vilsack told reporters at the state's Emergency Operations Center. "It shifts the responsibility to the federal government to do likewise, which is why that is being debated in the Senate right now is incredibly important. It recognizes that, when you talk about infrastructure, it's not just roads and bridges, as important as those



Contributed photo/Governor's office

Willamette Valley farmers showed U.S. Agriculture Secretary Tom Vilsack and Gov. Kate Brown plants damaged by excessive heat. Vilsack said the federal government would have to step up to help states overcome agriculture challenges.

are, plus ports and waterways. It's also about the green infrastructure."

Vilsack leads the U.S. Department of Agriculture, the parent agency of the Forest Service, which oversees 10 national forests in the state and a total of 16 million acres, about 25% of Oregon.

"We heard from the briefing today that close coordination has been one of the keys" to a successful state-federal relationship, Vilsack said.

"But that takes you only so far. That is why it is necessary for Oregon to do what it has done with its new legislation, and for us to do what we need to do ... to have the resources to step up our game in terms of personnel and step up in terms of forest restoration, better management and more resources for suppression."

Federal plans

Bipartisan legislation for public works was whittled down in the Senate from President Joe Biden's original \$2.6 trillion to \$550 billion. But it left \$50 billion intact to help Western water storage and

other projects better withstand the effects of climate change, such as wildfires.

Biden has created but not funded a Civilian Climate Corps, a new version of the New Deal-era Civilian Conservation Corps, which between 1933 and 1942 put thousands of primarily young men to work in the forests — including what is now Silver Falls State Park east of Salem. That corps and other money for climate-change work is likely to await a separate \$3.5 trillion budget package yet to be shaped in the Senate.

"By creating the corps and encouraging young people to participate in those activities, we will help create that next generation of firefighters and folks willing to work for the state and federal governments in forest management," Vilsack said. "Not only do we want these forests to be healthy, we want them to be great places to recreate."

Vilsack and Brown agreed on a need for more federal-state projects such as the Good Neighbor Authority to reduce wildfire threats.

COVID-19 spike would have put most of Oregon under former 'extreme risk' rating

By Gary A. Warner and Bryce Dole
Oregon Capital Bureau

The faster, stronger delta variant of the coronavirus is causing soaring numbers of COVID-19 infections and sickness across Oregon, state statistics revealed Tuesday.

Multnomah County, which includes Portland, reported 1,013 new cases for a two-week period for the first time since the end of April.

Umatilla County had 915 cases per 100,000 people during the same time, by far the most in the state.

Wallowa County reported one out of four COVID-19 tests came back positive.

Lake County was the only one of Oregon's 36 counties to record a drop in reported cases.

An Oregon Health Authority weekly report using a formula to set risk levels for each county is still published every week.

Under rules in place for much of the past year, this week's numbers would push 22 counties — likely more — into the classification of being at "extreme risk" of spreading the COVID-19 virus.

But the once automatic restrictions on business and civic life that were imposed based on various thresholds were scaled back in recent months and abandoned altogether as of June 30.

The statistics come out each Monday in the County COVID-19 Community Spread Report.

Total positive cases over the previous two weeks, positive cases per 100,000 population and the percentage of COVID-19 tests reported positive are listed, along with the previous

two periods for comparison. In combinations based on the size, counties were assigned to one of four risk levels.

For months from last fall through early summer, the report's arrival was followed by an announcement from Gov. Kate Brown with newly revised risk levels. Counties could go up, down or stay the same.

Where a county fell on the four-tiered chart determined what businesses could open, how many customers could shop in a store, the time of last call at bars and whether a diner could sit down for their meal inside a restaurant, outside — or had to buy takeout.

Infection rates dived after April as a majority of Oregonians started getting vaccinated. With nearly 70% of eligible adults having received at least one shot, Brown on June 30 unshackled the fate of local lives and economies from the impact of the reports.

As Oregon entered July, decisions on public health and any restrictions required to fight COVID-19 were decided by commissioners in each of the 36 counties.

The weekly reports continued to come out, but fell off the public radar since their numbers no longer had any immediate impact.

In early July, Oregon showed a seven-day average of 110 new cases in the whole state — the lowest in over a year.

Vaccines that arrived since December had not been as widely embraced in Oregon as Brown hoped, with daily first doses falling from a high of over 50,000 on a few days in April to an average of just over 5,000 per day in mid-July.

But the Oregon Health Authority, backed by advice from the Centers for Disease Control and Prevention, were confident of no return to the dark days of winter, when average daily cases topped out at 1,515.

The report released Tuesday based on the old risk level formula shows Oregon is back to wintery numbers of infections, with hospitals again stretched to their limits.

Just as the state opened up, the delta variant arrived in force. In areas of the state with large numbers of unvaccinated people, it wreaked immediate havoc.

A saving grace is any rise in deaths is forecast to be shorter and shallower than previous waves because of the high vaccination level of the elderly and those with medical conditions.

But the delta variant has produced a staggeringly steep rise in cases, particularly in parts of Eastern and Southwestern Oregon where vaccination rates have been low.

OHA is investigating the role of the Pendleton Whisky Fest country music concert last month that drew 12,000 and has led to reports of dozens of positive COVID-19 cases, primarily in Umatilla County.

The specter of a super spreader event now shadows plans for the Umatilla County Fair, which is scheduled for Aug. 11-14. Dwarfing all other events is the Pendleton Round-Up, beginning Sept. 11, which has drawn up to 50,000 people from across the United States.

The OHA investigation into the Whisky Fest has brought tensions between state and local officials to the surface.

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