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TEMPORARY ADMINISTRATIVE ORDER
INCLUDING STATEMENT OF NEED & JUSTIFICATION

ELECT 8-2021
CHAPTER 165
SECRETARY OF STATE
ELECTIONS DIVISION

FILED
09/15/2021 10:16 AM
ARCHIVES DIVISION
SECRETARY OF STATE
& LEGISLATIVE COUNSEL

FILING CAPTION: Deadline to Recalculate Precinct Committeepersons

EFFECTIVE DATE: 09/15/2021 THROUGH 03/11/2022

AGENCY APPROVED DATE: 09/14/2021

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Filed By:
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NEED FOR THE RULE(S):

The process of redrawing district boundaries (redistricting) occurs following every US Census. The Oregon Legislature redraws legislative and congressional lines and county elections officials redraw precinct boundaries. ORS 248.015(1) provides that the number of precinct committeepersons elected per precinct is based on the number of voters in the precinct on the 251st day before the primary election. A delay in the 2020 US Census population data is preventing precinct boundaries from being finalized by the 251st day before the 2022 Primary Election. This temporary rule is necessary to provide a process for county elections officials to recalculate the number of precinct committeepersons per precinct once precinct boundaries have been finalized.

JUSTIFICATION OF TEMPORARY FILING:

The Secretary of State finds that the failure to act promptly will result in serious prejudice to the public interest. The circumstances surrounding the delay in U.S. Census redistricting data are unprecedented and unlikely to recur. The Secretary is temporarily adopting this rule to ensure the fair and orderly election of precinct committeepersons at the primary election held on May 17, 2022.

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE:

Oregon Laws Chapter 419 (2021), available online at www.oregonlegislature.gov or from the agency; Oregon Revised Statutes, available online at www.oregonlegislature.gov or from the agency; and Oregon Administrative Rules, available online at sos.oregon.gov/archives/Pages/oregon_administrative_rules.aspx or from the agency.

ADOPT: 165-010-2021

RULE TITLE: Recalculating the Number of Precinct Committeepersons per Precinct to be Elected at the May 17, 2022, Primary Election

RULE SUMMARY: The rule temporarily adopts a process for county elections officials to use, after they have redrawn precinct boundaries, to recalculate the number of precinct committeepersons to be elected per precinct at the May 17, 2022, Primary Election.

RULE TEXT:

(1) ORS 248.015(1) requires county elections officials to determine on September 8, 2021, the number of precinct committeepersons to be elected per precinct at the May 17, 2022, Primary Election. A delay in the 2020 US Census population data is preventing precinct boundaries from being finalized by September 8, 2021. After precinct boundaries are finalized, county elections officials shall recalculate the number of precinct committeepersons in accordance with this rule.

(2) The purpose of this rule is to ensure the fair and orderly election of precinct committeepersons at the primary election held on May 17, 2022.

(3) Notwithstanding the deadline established in ORS 248.015(1), county elections officials shall determine the number of precinct committeepersons to be elected per precinct as soon as possible after notifying the Secretary of State in writing that the county's precinct boundaries have been finalized, but no later than February 21, 2022.

(4) As soon as possible after the county elections official has determined in accordance with section (3) of this rule the number of precinct committeepersons to be elected per precinct, the county elections official shall:

- (a) Publish on the county's website the number of precinct committeepersons to be elected per precinct; and
- (b) Notify the Secretary of State by email.

STATUTORY/OTHER AUTHORITY: Oregon Laws Chapter 419 (2021), ORS 248.015, ORS 246.150

STATUTES/OTHER IMPLEMENTED: Oregon Laws Chapter 419 (2021), ORS 248.015