

IN THE SUPREME COURT OF THE STATE OF OREGON

MICHELE M. FLETCHALL, CHARLES
E. LEE, KEVIN L. MANNIX, BECCA
UHERBELAU, DAVID ROGERS, and
REYNA LOPEZ,

Petitioners,

v.

ELLEN F. ROSENBLUM, Attorney
General, State of Oregon,

Respondent.

Supreme Court No. S066460 (Control)
S066463, S066465

RESPONDENT'S FILING OF SECOND
MODIFIED BALLOT TITLE RE:
INITIATIVE PETITION NO. 5

On August 15, 2019, the Oregon Supreme Court issued its order holding that the Attorney General's modified ballot title in this case does not substantially comply with ORS 250.035. Pursuant to ORS 250.085(8), the court referred the ballot title to the Attorney General for a second modification. The Attorney General hereby files the attached Second Modified Ballot Title with the court.

Respectfully submitted,

ELLEN F. ROSENBLUM #753239
Attorney General
BENJAMIN GUTMAN #160599
Solicitor General

/s/ Jona J. Maukonen

JONA J. MAUKONEN #043540
Assistant Attorney-in-Charge
jona.j.maukonen@doj.state.or.us

Attorneys for Respondent
Ellen F. Rosenblum, Attorney General,
State of Oregon

Certified by Attorney General on August 26, 2019.

/s/ Jona J. Maukonen
Assistant Attorney-in-Charge

REVISED BALLOT TITLE

Amends Constitution: Repeals redistricting process performed by legislature; creates new redistricting commission; membership weighted toward rural areas

Result of “Yes” Vote: “Yes” vote repeals constitutional provision requiring redistricting by legislature; creates new commission to perform redistricting, with membership weighted toward rural areas; changes redistricting requirements.

Result of “No” Vote: “No” vote retains redistricting by legislature, a body whose members are strictly apportioned in accordance with population; retains current constitutional and statutory redistricting requirements.

Summary: Amends Constitution. Currently, Oregon Constitution requires legislature, which is strictly apportioned by population, to reapportion legislative districts. Statutes and Constitution set redistricting criteria. Requires 10 public hearings. Any elector may petition Oregon Supreme Court to review compliance with the law. Measure repeals current process and creates new 11-member commission to redistrict, with limits on who can serve. Rural areas with fewer residents have more representatives (thus more influence) on commission than urban areas. Measure changes constitutional, statutory redistricting requirements; eliminates requirement that legislative districts “not divide communities of common interest” and mandates district boundaries have shortest possible “aggregate linear distance.” Measure requires 5 public hearings. Need 15 electors to petition Oregon Supreme Court to review plan with review limited to constitutional defects. Other provisions.

NOTICE OF FILING AND PROOF OF SERVICE

I certify that on August 26, 2019, I directed the original Respondent's Filing of Second Modified Ballot Title Re: Initiative Petition No. 5 to be electronically filed with the Appellate Court Administrator, Appellate Records Section, and electronically served upon Kevin L. Mannix, attorney for petitioners Michele Fletchall and Charles E. Lee; upon Steven C. Berman, attorney for petitioner Becca Uherbelau; upon Evan Christopher, attorney for petitioners Reyna Lopez and David Rogers; and upon Aruna Masih, attorney for amicus curiae Joseph Baessler, using the court's electronic filing system.

/s/ Jona J. Maukonen

JONA J. MAUKONEN #043540
Assistant Attorney-in-Charge
jona.j.maukonen@doj.state.or.us

Attorney for Respondent
Ellen F. Rosenblum, Attorney General,
State of Oregon