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Attorney for Plaintiffs:
PEOPLE NOT POLITICIANS OREGON, COMMON CAUSE, LEAGUE OF WOMEN VOTERS OF OREGON, NAACP OF EUGENE/ SPRINGFIELD, INDEPENDENT PARTY OF OREGON, and C. NORMAN TURRILL

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

PEOPLE NOT POLITICIANS OREGON, COMMON CAUSE, LEAGUE OF WOMEN VOTERS OF OREGON, NAACP OF EUGENE/SPRINGFIELD, INDEPENDENT PARTY OF OREGON, and C. NORMAN TURRILL, Plaintiffs, v. BEVERLY CLARNO, OREGON SECRETARY OF STATE, Defendant.	Case No. 6:20-cv-01053-MC **SECOND DECLARATION OF DANIEL W. MEEK**

I, Daniel W. Meek, declare as follows:

1. I am an attorney licensed to practice in the State of Oregon and one of Plaintiffs' counsel. I have personal knowledge of the facts stated in this

declaration.

2. On April 19, a representative of People Not Politicians filed an Oregon statewide initiative petition for the November 2022 ballot, Initiative Petition 16 (IP 2022-16). A true and correct copy of IP 2022-16 is attached as Exhibit A to this declaration. It is also available on the Secretary of State's website at https://bit.ly/or_redist. The measure proposed by IP 2022-16 is largely the same as IP 57 (2020) addressed in this case but with different timelines for redistricting tasks to be performed. Oregon law provides that the period for collecting signatures on this proposed measure ends July 8, 2022.

3. Attached as Exhibits B and C are true and correct copies of graphs prepared by THE OREGONIAN, based on data from the Oregon Health Authority and published on April 26, 2021, at https://projects.oregonlive.com/coronavirus.

   A. The first graph shows that the number of known COVID-19 cases in Oregon over the past year. It is current through April 25, 2021. It shows that the number of known cases has been rising rapidly over the past six weeks. The number of known cases per day has climbed to 1,000, with the 7-day average now at 770 cases per day. These numbers are far higher than at any time when signatures were being

gathered on IP 57 during the 2020 election cycle (March - August 2020). Both the daily number and the 7-day average are more than twice as high as during any part of that signature gathering period.

B. The second graph shows that current hospitalizations in Oregon for COVID-19 have also rapidly increased over the past 4 weeks. These numbers are also far higher than at any time when signatures were being gathered on IP 57 during the 2020 election cycle (March - August 2020).

4. Attached as Exhibit D is a true and correct copy of a press conference remarks issued by Governor Kate Brown on April 23, 2021 (https://drive.google.com/file/d/13w7UX9PsIuo9ho6eIlaTIGFsFIq--rlP/view). Governor Brown stated:

> A few weeks ago, I came before you to say that we were concerned we would have a fourth surge of COVID-19 in Oregon. Today, that surge is here.
>
> Right now in the race between vaccines and variants, the variants are gaining ground and have the upper hand.
>
> Today's cases topped 1,000, with Oregon now ranking 2nd in the nation for having the most rapid growth of infection spread.
>
> Our doctors and nurses are once again overwhelmed. Our hospitals are about to surpass 300 patients who are positive for COVID-19, crossing the threshold to place several of our counties into Extreme Risk. Unfortunately, that means at least 12 counties are on the verge of having to reinstate restrictions on businesses like restaurants, bars and gyms, and to limit social gatherings to

> very small groups again.
>
> We will analyze the data again early next week to see which counties may need to roll back into Extreme Risk. If the data indicates it is necessary, in light of this crisis I am cancelling the warning week and those counties will move into Extreme Risk starting next Friday, April 30.

Exhibit B shows that the current number of hospitalized patients is 319, which exceeds the level threshold of 300 announced by Governor Brown that would trigger the imposition of new restrictions in "at least 12 counties" that would be placed in the "Extreme Risk" category.

5. Attached as Exhibit E is a true and correct copy of an article published on April 23, 2021, on the website of Oregon Public Broadcasting (OPB) entitled *Oregon has the fastest increase in COVID-19 cases in the country* (https://www.opb.org/article/2021/04/23/covid-19-oregon-high-risk-variants-kate-brown). It states:

> Oregon's seen the biggest percentage increase in COVID-19 cases of any state in the country over the past two weeks. Cases have jumped 58% in that time period . . . .
>
> "A few weeks ago, I came before you to say that we were concerned we would have a fourth surge of COVID-19 in Oregon," Gov. Kate Brown said at a Friday press conference. "Unfortunately, today, that surge is here."
>
> Not enough people have been vaccinated and adherence to public health guidelines has fallen off a cliff, giving rise to virus transmission rates rivaling the worst days of the pandemic this winter, according to state health officials.

> . . .
>
> Spread is so bad in some counties that they qualify for Oregon's "extreme risk" category, in which indoor dining is banned and indoor capacity at gyms, retail stores and other businesses is extremely limited. State health officials said Friday they're even considering a pause on elective surgeries similar to the pandemic's early days.
>
> Oregon had stopped using the "extreme risk" category because hospital capacity was at a place where state officials felt they didn't need it. Now that hospitals are filling up, Oregon's reinstating the "extreme risk" label and the restrictions that come with it.

6. Attached as Exhibit F is a true and correct copy of an article published on April 23, 2021, on the website of KOIN TV entitled *Hospitalizations rise as Oregon faces 4th COVID wave* (koin.com (https://www.koin.com/news/health/coronavirus/oregon-oha-covid-coronavirus-new-wave/). It states:

> Oregon Gov. Kate Brown warned the state may have to shut down businesses again during a press conference Friday.
>
> More than half of Oregon's counties are labeled as high risk. Brown indicated she may move more counties into the extreme risk, leading to more business shutdowns.
>
> Health leaders warn hospitals are filling up fast with COVID-10 patients.

7. Attached as Exhibit G is a true and correct copy of the State of Oregon's Sector Guidance--Retail Stores, current to April 23, 2021 (https://sharedsystems.dhsoha.state.or.us/DHSForms/Served/le2342A.pdf).

It shows that retail stores in Oregon, including outdoor markets and libraries, remain required to implement the statewide mask-wearing mandate and to limit store capacity based on designated risk levels. The Guidance also states:

> "Prohibit interactive exhibits and activities."
>
> "Use signs to encourage physical distancing."
>
> "Use signs and tape on the floor to maintain physical distancing while waiting for cashiers."

In addition, indoor and outdoor markets are required to:

> "Ensure customers, staff and vendors maintain physical distance of at least six (6) feet per person, except that members of the same party can stand together without staying six (6) feet apart. A distance of at least six (6) feet must be maintained between parties."
>
> "Remove or restrict standing areas to facilitate the requirement of at least six (6) feet of physical distance between parties."

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on April 27, 2021, at Portland, Oregon.

Dated: April 27, 2021

/s/ *Daniel W. Meek*

Daniel W. Meek

CERTIFICATE OF SERVICE

I hereby certify that on April 27, 2021, I electronically filed the foregoing **SECOND DECLARATION OF DANIEL W. MEEK** with the Clerk of the Court for the U.S. District Court of Oregon by using the CM-ECF system.

I certify that all participants in the case are registered CM-ECF users and that services will be accomplished by the CM-ECF system.

Dated: April 27, 2021

/s/ *Daniel Meek*

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RECEIVED
APR 19, 2021 10:56am
Elections Division

OREGON REDISTRICTING BALLOT MEASURE
LEGISLATIVE AND CONGRESSIONAL FINDINGS

Whereas Election Day is when Oregonians exercise their right to vote and make their voice heard, and the people of Oregon need an independent commission to draw fair and impartial districts so that every vote matters; and

Whereas under current law, Oregon politicians draw the boundaries for their own state and congressional districts, a serious conflict of interest that harms voters; and

Whereas state and national level districting and redistricting rules should be determined by a politically neutral entity; and

Whereas Oregon state legislators draw district boundary maps every 10 years based on national census data; and

Whereas in general elections going back twenty years, 97.4% of incumbent politicians of the Oregon Legislative Assembly seeking re-election were re-elected in the districts that they had drawn for themselves; and

Whereas current law allows politicians to draw districts to serve their interests, not those of our communities, dividing places like Clackamas, Salem and Eugene into multiple oddly shaped districts to protect incumbent legislators; and

Whereas, in past redistrictings where incumbents have been protected, many Oregonians have no political voice because communities have been packed into one district or split into many districts with no input from the public; and

Whereas the people of Oregon believe in fairness, accountability and transparency in political processes; and

Whereas fully one in three Oregonians are not registered as either Democrats or Republicans and have virtually no representation in the Oregon Legislative Assembly or United States Congress; and

Whereas Oregon legislative and congressional districts should be drawn to represent all residents, regardless of all party affiliations, income levels, backgrounds, identities, or locations; and

Whereas voters across the country – from Arizona to California to Colorado to Michigan – have been moving to reject partisan gerrymandering and adopting reforms to make the redistricting process open and impartial so it is controlled by people, not partisan politicians; and

Whereas an independent Oregon Citizens Redistricting Commission provides a greater opportunity for under-represented communities like low-income Oregonians, persons of color, rural Oregonians and seniors to have a voice in their representation; and

Whereas the people of Oregon, find it necessary to create an independent Citizens Redistricting Commission to draw the state legislative and congressional districts in an impartial and fully transparent manner that will promote inclusion and representation of all Oregonians; and

Whereas the people of Oregon, find it necessary to give persons who are not Democrats or Republicans —whose voices are under-represented in the Oregon Legislative Assembly and the United States Congress—an equal voice and vote on the commission alongside Democrats or Republicans; and

Whereas the people of Oregon, find it necessary to require the independent Citizens Redistricting Commission to draw state legislative and congressional districts based on strict, nonpartisan rules designed to ensure fair representation and to propose reform that will take redistricting out of the partisan battles of the Oregon Legislative Assembly and guarantee redistricting will be carried out by a group of impartial Oregonians, in open public meetings, without favor to incumbents or parties, and for every aspect of this process to be open to scrutiny by the public and the press; and

Whereas the people of Oregon, find it necessary to create an independent Citizens Redistricting Commission because we believe Oregon voters should choose their representatives—representatives should not choose their voters; and now, therefore,

POLICY AND PURPOSES

PARAGRAPH 1. The Constitution of the State of Oregon is amended by repealing sections 6 and 7, Article IV, and by adopting the following new sections 6 and 7 in lieu thereof, such sections to read:

Sec. 6. (1) The Citizens Redistricting Commission is established. The commission shall consist of twelve commissioners and be created no later than March 15, 2023, and thereafter no later than December 31 in each year ending in the number zero.

(2) The Secretary of State shall adopt rules the secretary considers necessary to facilitate and assist in achieving and maintaining a maximum degree of correctness, impartiality and efficiency in administration of subsections (3) and (5) of this section by the Office of the Secretary of State. If decennial federal Census Bureau block data based on the Census taken in the previous year is not available by April 1 in each year ending in the number one, then all dates in this section and the next section will be delayed one day for each day that the data is not available after April 1.

QUALIFICATIONS, DISQUALIFICATIONS

(3)(a) By December 8, 2022, and thereafter August 15 in each year ending in the number nine, the secretary shall initiate a process for individuals to apply for membership on the commission. The process must promote a diverse and qualified applicant pool.

Qualifications

(b) An individual may serve on the commission if the individual:

(A) Is registered to vote in this state;

(B) For the three years preceding the initiation of the application process has been registered in Oregon with the same political party or unaffiliated with a political party; and

(C) Voted in at least two of the three most recent general elections or has been a resident of Oregon for at least the previous three years.

Disqualifications

(c) Notwithstanding paragraph (b) of this subsection, an individual may not serve on the commission if the individual is or, within three years of the initiation of the application process, was:

(A) A holder of or candidate for federal, state, county or other elective office for which the holder receives compensation other than for expenses;

(B) An officer, employee or paid consultant of a political party;

(C)(i) An officer, director or employee of a campaign committee of a candidate for or holder of a federal or state office; or

(ii) A paid contractor or member of the staff of a paid contractor of a campaign committee of a candidate for or holder of a federal or state office.

(D) A member of a political party central committee;

(E) A registered federal, state or local lobbyist;

(F) A paid congressional or legislative employee;

(G) A member of the staff of a holder of a federal or state office;

(H) A legislative or campaign contractor, or staff of the contractor, to a holder of a federal or state office;

(I) An individual who has contributed more in a calendar year to any single candidate for federal or state office than the amount allowed per election by federal law for contributions to federal candidates; or

(J) A spouse, parent, child, sibling, in-law or cohabitating member of a household of an individual described in subparagraphs (A) to (I) of this paragraph;

(d) For purposes of this subsection, "state office" means the office of Governor, Secretary of State, State Treasurer, Attorney General, Commissioner of the Bureau of Labor and Industries, state Senator, state Representative, judge or district attorney or any later-created elected office of state-level government.

REVIEW PANEL

(4)(a) No later than December 8, 2022, and thereafter January 5 of the year ending in zero, the Chief Administrative Law Judge of the Office of Administrative Hearings or its successor agency, shall designate a Review Panel composed of three administrative law judges to review the applications identified in subsection (5)(a) of this section. Notwithstanding any state law, the chief administrative law judge shall appoint individuals who are reflective of the diversity of this state, including but not limited to racial, ethnic, geographic, and gender diversity, and who possess the most relevant qualifications, including, but not limited to, relevant legal knowledge and decision-making experience, an appreciation for the diversity of the state, and an ability to be impartial and promote consensus on the review panel.

(b) The review panel shall include only administrative law judges who have been registered to vote in Oregon and continuously employed by the Office of Administrative Hearings for at least the two years prior to their appointment, who shall be appointed as follows:

(A) One administrative law judge must have been registered for at least the previous two years with the political party with the largest registration in this state;

(B) One administrative law judge must have been registered for at least the previous two years with the political party with the second largest registration in this state;

(C) One administrative law judge must not have been registered for at least the previous two years with either of the two largest political parties in this state.

(c) An administrative law judge may not serve on the review panel, if the administrative law judge is an individual described in subsection (2)(c) of this section.

APPLICANT POOL

(5)(a) No later than January 1, 2023, and thereafter March 15 in each year ending with the number zero, after removing applicants with conflicts of interest from the applicant pool as described in subsection 2(c) of this section, the secretary shall publicize the names of the individuals in the applicant pool in a manner that ensures widespread public access and provide the applications to the review panel.

(b) If the pool of qualified applicants is greater than or equal to 900, the review panel shall randomly select by lot from all of the eligible applicants the names of 300 applicants affiliated with the largest party, 300 applicants affiliated with the second largest party and 300 applicants affiliated with neither of the two largest parties. If any individual sub-pool of eligible applicants contains fewer than 300 applicants, no random selection shall occur for that sub-pool.

(c) No later than February 8, 2023, and thereafter May 15 in each year ending in the number zero, the review panel shall present to the secretary the names of 150 individuals from the applicant pool who possess the most relevant analytical skills, have the ability to be impartial and promote consensus on the commission and demonstrate an appreciation for and are reasonably reflective of the diversity of this state, including but not limited to racial, ethnic, geographic and gender diversity.

(d) The review panel shall choose the individuals for the applicant pool by unanimous vote, with three sub-pools of applicants chosen as follows:

(A) Fifty individuals must be registered with the largest political party in this state;

(B) Fifty individuals must be registered with the second largest political party in this state; and

(C) Fifty individuals must be registered with neither of the two largest political parties in this state.

(e) If fewer than fifty qualified individuals within each sub-pool have applied, the Review Panel shall choose all of the qualified individuals within such sub-pool.

(f) The members of the review panel may not communicate with a member of the Legislative Assembly or the United States Congress, or their agents, about any matter related to the selection of commissioners prior to the presentation of the 150-member applicant pool to the secretary.

RANDOMLY-SELECTED COMMISSIONERS

(6) No later than February 15, 2023, and thereafter July 5 in each year ending in the number zero, at a time and place accessible to members of the public, the secretary shall randomly select by lot six individuals to serve on the commission from the individuals presented under subsections (5)(b) to (d) of this section as follows:

(a) Two individuals must be from the sub-pool of individuals registered with the largest political party in this state;

(b) Two individuals must be from the sub-pool of individuals registered with the second largest political party in this state; and

(c) Two individuals must be from the sub-pool of individuals who are registered with neither of the two largest political parties in this state.

COMMISSIONER-SELECTED COMMISSIONERS

(7)(a) No later than March 15, 2023, and thereafter August 15 in each year ending in the number zero, the six commissioners under subsection (5) of this section shall review the remaining names in the sub-pools and select six additional commissioners. The commissioners shall, without the use of specific ratios or formulas, select additional commissioners who possess the most relevant analytical skills, have the ability to be impartial and promote consensus on the commission and demonstrate an appreciation for and are reasonably reflective of the diversity of this state, including but not limited to racial, ethnic, geographic and gender diversity. When selecting the six additional commissioners, the commissioners may take into account the additional commissioners' experience in organizing, representing, advocating for, adjudicating the interest of or actively participating in groups, organizations or associations in Oregon. The selection shall occur as follows:

(A) Two individuals must be from the sub-pool of individuals registered with the largest political party in this state;

(B) Two individuals must be from the sub-pool of individuals registered with the second largest political party in this state; and

(C) Two individuals must be from the sub-pool of individuals who are registered with neither of the two largest political parties in this state.

(b) Approval of the six additional commissioners requires four affirmative votes of the six initial commissioners, including at least one vote cast by a commission member registered with the largest political party in this state, one vote cast by a commission member registered with the second largest political party in this state and one vote cast by a commission member who is registered with neither of the two largest political parties in this state.

REMOVAL

(8) The Governor may remove a member of the commission in the event of a substantial neglect of duty or gross misconduct in office, or if a commission member is unable to discharge the duties of the office.

(a) To remove a member, the Governor must:

(A) Serve the member with written notice;

(B) Provide the member with an opportunity to respond; and

(C) Obtain concurring votes from two-thirds of the members of the Senate, which shall convene in special session if necessary.

(b) The member may contest the removal by means of an evidentiary hearing in circuit court in an action in the manner of an action for a declaratory judgment. The circuit court's determination shall take precedence over other matters before the circuit court. Any party may appeal the decision of the circuit court directly to the Supreme Court, which shall accord the highest priority to the matter.

(c) The removal, if contested by the member, shall not be effective until judicial review is concluded.

VACANCY

(8)(a) If a position among the first six randomly selected commissioners on the commission becomes vacant, the commission shall fill the vacancy within 30 days by randomly selecting an appointee from the same sub-pool from which the vacating member was selected. If a position among the final six appointed commissioners becomes vacant, the commission shall fill the vacancy within 30 days by a vote of a simple majority of the remaining commissioners, with at least one commissioner affiliated with each of the two largest political parties in this state and one cast by a commissioner who is registered with neither of the two largest political parties in this state.

(b) If no individual in the applicable sub-pool is available to serve, the review panel shall establish a new sub-pool as provided in subsection (4)(c) of this section, and the commission shall fill the vacancy from the new sub-pool.

HIRING; COMPENSATION; REIMBURSEMENT

(9)(a) The commission shall make all purchasing and hiring decisions and shall hire commission staff, legal counsel and consultants as needed. The commission shall establish clear criteria for the hiring and removal of individuals, conflicts of interest, communication protocols and a code of conduct. A member of the staff or a contractor of the commission or the secretary may not serve the commission or the review panel designated under subsection (3) of this section if the staff member or contractor is an individual described in subsection (2)(c) of this section other than by virtue of the individual being an employee or contractor of the secretary.

(b) The secretary shall provide staff and office support to the commission and the commission staff as needed.

(c)(A) For each day a member is engaged in the business of the commission, the member shall be compensated at a rate equivalent to the amount fixed for per diem allowance that is authorized by the United States Internal Revenue Service to be excluded from gross income without itemization.

(B) For each day a member of the review panel or a member of the commission is engaged in the business of the commission, the member shall receive mileage and reimbursement for other reasonable travel expenses.

(d)(A) An employer may not discharge, threaten to discharge, intimidate, coerce or retaliate against any employee by reason of the employee's service as a commissioner or staff of commission.

(B) If the employment of a member of the commission is interrupted because of the performance of official duties as a member of the commission, the member's employer shall restore the member to the employment status the member would have enjoyed if the member had continued in employment during the performance of the official duties.

(C) Subparagraph (B) of this paragraph does not apply if the employer is a small business. As used in this subparagraph, "small business" means an independent business with fewer than 20 employees and with average annual gross receipts over the last three years not exceeding $1 million for construction firms and $300,000 for nonconstruction firms. "Small business" does not include a subsidiary or parent company belonging to a group of firms that are owned and controlled by the same individuals and that have average aggregate annual gross receipts in excess of $1 million for construction firms or $300,000 for nonconstruction firms over the last three years.

(D) Prior to the initiation of the process for individuals to apply for membership on the commission in each year ending with the number nine, the dollar amounts specified in subparagraph (C) of this paragraph shall be increased or decreased by the secretary based upon any increase or decrease in the Consumer Price Index for All Urban Consumers, West Region (All Items), as published by the Bureau of Labor Statistics of the United States Department of Labor or its successor during the preceding 10-year period. The amount determined under this subparagraph shall be rounded to the nearest $1,000.

TERM OF SERVICE

(10)(a) Commissioners shall serve a term of office that expires upon the appointment of the first member of the succeeding commission. Other than activities expressly authorized by this section and section 7 of this Article, the commission shall only expend funds if there is active litigation or other ongoing commission business.

(b) During the term of office of the commissioners or for a period of three years after resignation or removal, a member of the commission may not:

(A) Hold, or be a candidate for, federal, state, county or other elective office for which the holder receives compensation other than expenses;

(B) Serve in an office for which the holder is appointed or selected by the Legislative Assembly or Congress or a member, committee or house of the Legislative Assembly or Congress;

(C) Receive compensation for serving as a consultant or advisor to a candidate for the Legislative Assembly or Congress or to a member, or committee or house of the Legislative Assembly or Congress; or

(D) Receive compensation for lobbying the Legislative Assembly or Congress.

BUDGET; DATABASE

(11) The Legislative Assembly shall:

(a) Appropriate the funds necessary to permit the commission to fulfill the commission's obligations. For the first year of the redistricting process, the Legislative Assembly shall dedicate funds

for the commission from general tax revenues otherwise available for the operation of the Legislative Assembly. For the first year of the redistricting process, the Legislative Assembly shall appropriate or allocate funds to the commission in an amount not less than the Legislative Assembly appropriates or allocates to the legislative branch for redistricting in the 2021-23 biennium. In all future redistricting cycles, the appropriation may not be less than the amount appropriated in the previous redistricting cycle. If new expenditures are required, the dedicated funding source for the commission shall be the income tax. If, after the conclusion of any litigation involving the redistricting, the appropriations to the commission exceed the expenses of the commission, the commission shall return the excess to the General Fund.

(b) Make available a complete and accurate computerized database and precinct shapefiles, for redistricting to the commission.

(12) Except for an Act appropriating monies in a manner described in subsection (11) of this section, the Legislative Assembly may enact an Act that directly impacts the functioning of the commission only when:

(a) The commission recommends by a vote meeting the requirements set forth in paragraph (c) of subsection (2) of section 7 of this Article that the Legislative Assembly enact an Act in order to enhance the ability of the commission to carry out the purposes of the commission;

(b) The commission provides language for the Act to the Legislative Assembly; and

(c) The Legislative Assembly enacts the exact language provided under paragraph (b) of this subsection.

Sec. 7. (1) The Citizens Redistricting Commission shall:

(a) Conduct an open and transparent process enabling full public participation, including public consideration of and comment on the drawing of state legislative and congressional district lines.

(b) Draw district lines according to the redistricting criteria specified in this section.

(c) Conduct all business of the commission with integrity, impartiality and fairness in a manner that reinforces public confidence in the integrity of the redistricting process, including adopting rules that further these purposes.

QUORUM; CHAIR; VOTING

(2)(a) Seven commissioners constitute a quorum for the conduct of business.

(b) The commission shall select, by a majority vote, one member to serve as chair and one member to serve as vice chair. The chair and vice chair may not be of the same political affiliation.

(c) Official action by the commission requires an affirmative vote by seven or more commissioners.

(d) Approval of the final redistricting maps described in subsection (6) of this section requires seven or more affirmative votes, including at least one vote cast by a commission member registered with

the largest political party in this state, one vote cast by a commission member registered with the second largest political party in this state and one cast by a member who is registered with neither of the two largest political parties in this state.

(e) No more than three commissioners may discuss the business of the commission other than in a public meeting.

TRANSPARENCY; PUBLIC INPUT

(3)(a) The commission shall provide at least 14 days' public notice for each meeting or hearing, except that meetings held within 15 days of August 15, 2023, or thereafter in the year ending in the number one may be held with three days' notice. In the event that the commission must re-convene following a court order according to subsection (7)(c) of this section, meetings and hearings may be held with three days' notice.

(b)(A) The records of the commission pertaining to redistricting and all data considered by the commission in redistricting are public records.

(B) The commission must post records and data in a manner that ensures immediate and widespread public access.

(c) A member of the commission or commission staff or commission consultant may not communicate with an individual who is not a member of the commission or commission staff or commission consultant about redistricting other than in a public hearing. Any written communications regarding redistricting received by a member of the commission or commission staff or a commission consultant shall be considered a public record and shall be made available in a manner that ensures widespread public access.

MAPPING CRITERIA

(4)(a) The commission shall use a mapping process to establish districts for the state Senate and House of Representatives and congressional districts, using the following criteria, to:

(A) Comply with provisions of the United States Constitution and the federal Voting Rights Act (42 U.S.C. 1971 et seq.) or its successor law.

(B) Achieve population equality as nearly as practicable using the total population of Oregon as determined by the decennial census preceding the redistricting process.

(C) Be geographically contiguous.

(D) To the extent practicable, and if possible without conflicting with the criteria set forth in subparagraphs (A), (B) and (C) of this paragraph, respect the geographic integrity and minimize the division of a city, county, local neighborhood, government jurisdiction or community of interest or other contiguous population that shares common social and economic interests and is cohesive for purposes of its effective and fair representation.

(E) To the extent practicable, and if possible without conflicting with the criteria set forth in subparagraphs (A), (B) and (C) of this paragraph, achieve competitiveness.

(b) The commission shall determine and adopt a measure or measures of competitiveness, as defined in paragraph (d) of this subsection, prior to any vote or discussion regarding any legislative or congressional district plans or proposals. The commission shall then apply such measure or measures when adopting legislative or congressional district plans or proposals.

(c) When establishing districts under this subsection, the commission may not:

(A) Consider the place of residence of a holder of or candidate for public office;

(B) Favor or discriminate against a holder of or candidate for public office or a political party; or

(C) Create a district for the purpose of or with the effect of diluting the voting strength of any language or ethnic identity group.

(d) As used in this subsection:

(A) Common social and economic interests are those common to an urban area, a rural area, an industrial area or an agricultural area and those common to areas in which individuals share similar living standards, use the same transportation facilities, reside in the same watershed, have similar work opportunities or have access to the same media of communication relevant to the election process. Common social and economic interests do not include relationships with political parties, incumbents or political candidates.

(B) Competitiveness means that voting blocs, including partisan and non-affiliated voters, must be substantially and similarly able to translate their popular support into representation in an elected body and that such representation is substantially and similarly reflective of shifts in the electorate's preferences.

HEARINGS

(5)(a) The commission shall hold at least 10 public hearings at locations throughout the state prior to proposing a redistricting plan.

(b) In addition to the hearings required under paragraph (a) of this subsection, the commission shall:

(A) Hold at least five public hearings after a redistricting plan is proposed, but before the plan is adopted; and

(B) Conduct the hearings required under this subsection in each congressional district of this state, specifically at least one hearing in each of Oregon's regions, including coastal, Portland, Willamette Valley, southern, central, and east of the Cascades.

(c) The adoption of a redistricting plan may not be delayed by the impracticability of holding one or more of the hearings required under this subsection.

(d) In holding the hearings required under paragraphs (a) and (b) of this subsection, the commission must:

(A) Provide appropriate public notice of the time and location of each hearing in a manner that ensures widespread public access;

(B) Hold at least one hearing required under paragraph (a) of this subsection and one hearing required under paragraph (b) of this subsection in areas that have experienced the largest shifts in population since the previous redistricting and prioritize holding additional public hearings in these areas; and

(C) Permit and make provision for individuals at remote sites throughout the state to provide public testimony at the hearings through the use of video technology.

ADOPTION OF FINAL MAPS – TIMING, REPORT

(6)(a) No later than August 15, 2023, and thereafter in each year ending in the number one, the commission shall approve final maps that separately set forth the district boundary lines for congressional districts and district boundary lines for the Senate and the House of Representatives.

(b) The commission shall issue, with the final maps, a report that includes an explanation of the basis on which the commission established the districts, responded to public input, and achieved compliance with the criteria listed in subsection (4) of this section and definitions of the terms and standards used in drawing each final map.

(c) If the commission does not approve a final map under subsection (2) of this section, any group of four or more commissioners including at least one commissioner from each sub-pool may submit a map to the Supreme Court by August 29.

COURT REVIEW

(7)(a) The Supreme Court shall adopt rules of procedure for review of redistricting maps. The Supreme Court's review shall take precedence over other matters before the Supreme Court.

(b) Any voter registered in this state may file with the Supreme Court a petition for review of final maps approved by the commission. The petition must be filed on or before September 1.

(c) If the Supreme Court determines that a map approved by the commission under subsection (6)(a) of this section substantially complies with the criteria set forth in subsection (4) of this section, the Supreme Court shall approve the map, which shall go into effect.

(d) If the Supreme Court determines a map approved by the commission under subsection (6)(a) of this section does not substantially comply with the criteria set forth in subsection (4) of this section, the Supreme Court shall remand the map to the commission for correction. The commission shall submit a corrected map within 14 days of the issuance of the remand. If the Supreme Court approves the corrected map, the corrected map shall go into effect. If the Supreme Court does not approve the corrected map, the Supreme Court shall remand the map to the commission for correction. The process of correction and approval or remand shall repeat until the Supreme Court approves a corrected map.

(e) To assist the Supreme Court in reviewing maps, the Supreme Court may appoint a special master and vest the special master with the powers needed to assist the Supreme Court. The powers of the special master shall not include the development of alternative maps.

(f) If one or more maps are submitted under subsection (6)(c) of this section, the Supreme Court shall:

(A) Establish a process for interested persons to become parties;

(B) Review all submitted maps for compliance with the criteria set forth in subsection (4) of this section; and

(C) Select the submitted map that best complies with the criteria set forth in subsection (4) of this section.

(g) The map selected by the Supreme Court shall go into effect without any further action by the commission.

(h) The Supreme Court must complete review or selection of redistricting maps by December 31 of the year in which the maps are due to be certified by the commission under subsection (6) of this section.

(i) Notwithstanding any other law, the Supreme Court has original and exclusive jurisdiction in all proceedings in which a certified final map is challenged.

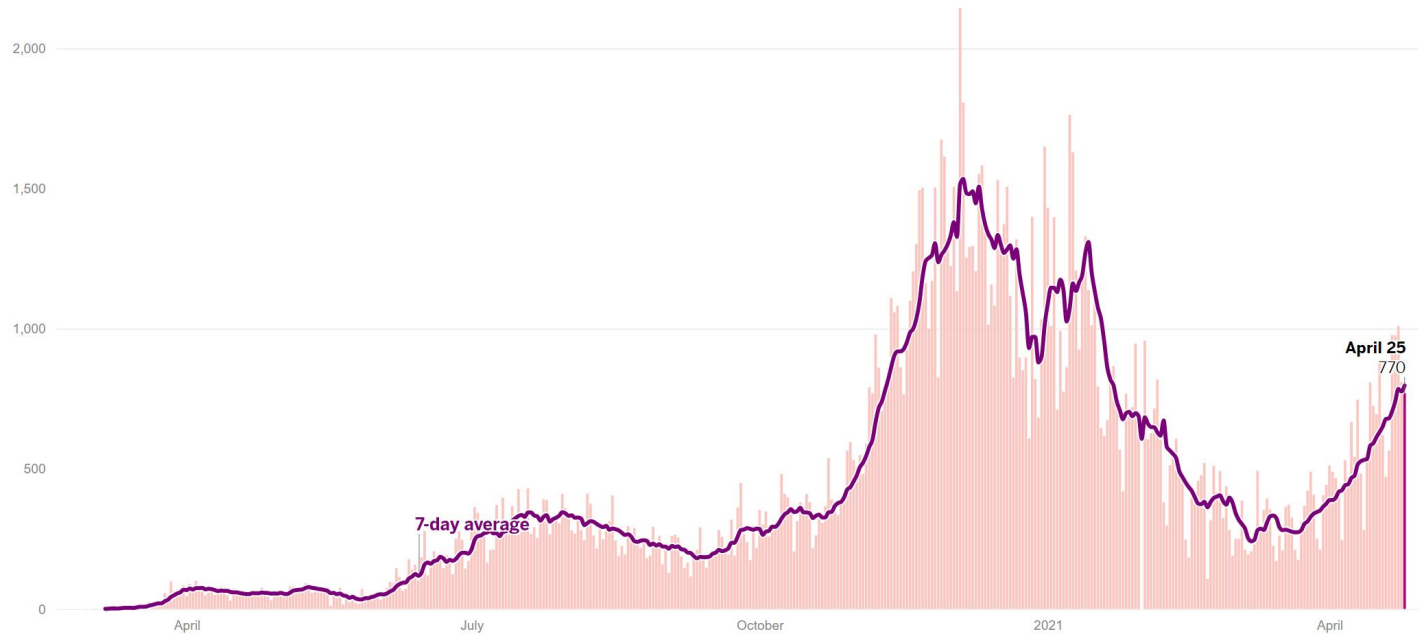
SUPERSEDENCE, SEVERABILITY

(8) The provisions of this amendment supersede any section of this Constitution with which the provision may conflict. If any provision of this amendment is held to be invalid, the court shall sever the provision and the remaining provisions shall remain in full force and effect.

vote! RECEIVED
APR 19, 2021 10:56am
Elections Division

Daily new cases

Daily confirmed and presumptive coronavirus cases reported in Oregon and the 7-day rolling average.



Daily hospitalization status

Number of confirmed coronavirus patients in Oregon who are **hospitalized,** in the **ICU** or on a **ventilator**

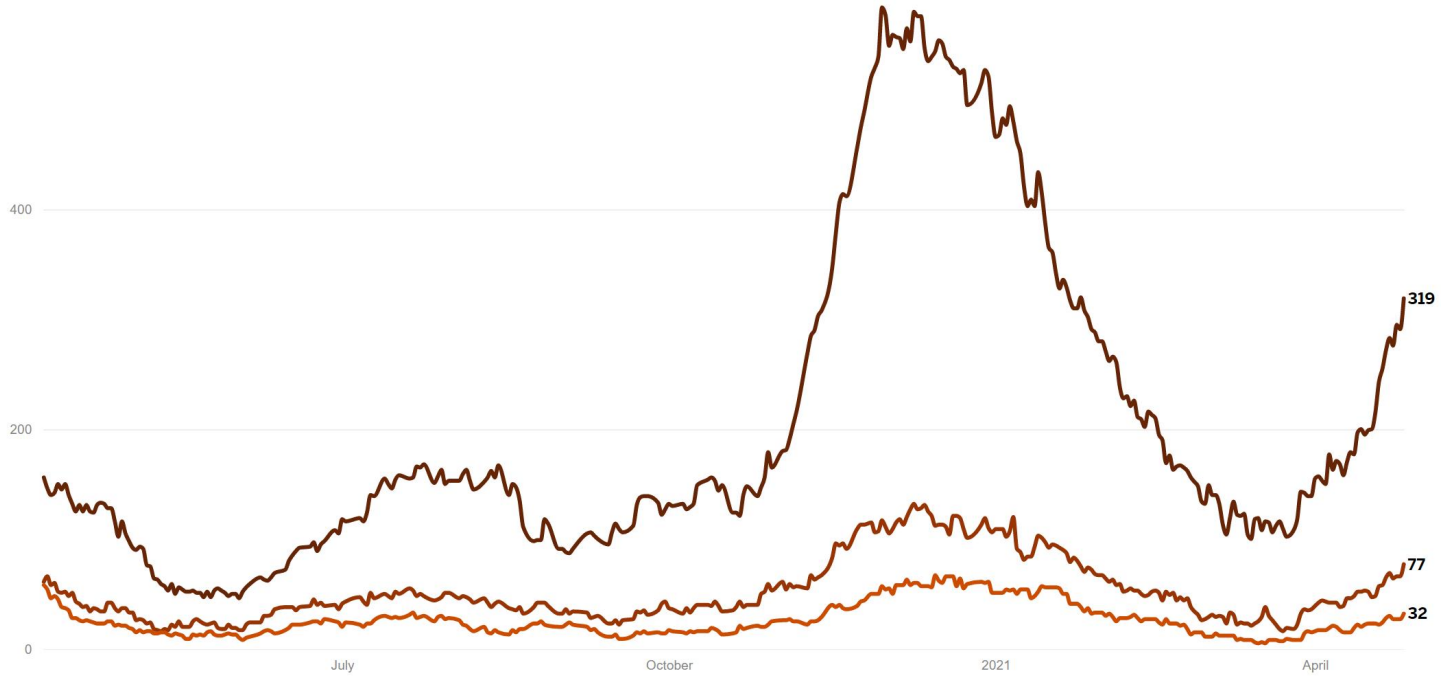


Exhibit C, p. 1 of 1
Second Decl. Daniel Meek

Governor Kate Brown
Press Conference Remarks
April 23, 2021

Good Morning. We're here to give an update on COVID-19 in Oregon. I'm joined by:

- **Dr. Renee Edwards, Chief Medical Officer at OHSU;**
- **Olivia Quiroz, Executive Director of the Oregon Latino Health Coalition;**
- **Patrick Allen, Director of the Oregon Health Authority; and**
- **Dr. Dean Sidelinger, our state epidemiologist.**

Before we begin our COVID-19 update today, I want to take a moment to recognize the significance of the guilty verdict rendered earlier this week in the trial of Derek Chauvin, the former Minnesota police officer who murdered George Floyd.

Let me be perfectly clear: this was not justice for George Floyd. Justice would be if he was alive and with us today. But it is a step toward police accountability. The fact that we ever doubted the outcome of this trial is a sign of how much work we have left to do. We will only build a more just and equitable country by dismantling the racism ingrained in every level of our society. Tuesday was a step in the right direction.

A few weeks ago, I came before you to say that we were concerned we would have a fourth surge of COVID-19 in Oregon. Today, that surge is here.

Right now in the race between vaccines and variants, the variants are gaining ground and have the upper hand.

Today's cases topped 1,000, with Oregon now ranking 2nd in the nation for having the most rapid growth of infection spread.

Our doctors and nurses are once again overwhelmed. Our hospitals are about to surpass 300 patients who are positive for COVID-19, crossing the threshold to place several of our counties into Extreme Risk. Unfortunately, that means at least 12 counties are on the verge of having to reinstate restrictions on businesses like restaurants, bars and gyms, and to limit social gatherings to very small groups again.

We will analyze the data again early next week to see which counties may need to roll back into Extreme Risk. If the data indicates it is necessary, in light of this crisis I am cancelling the warning week and those counties will move into Extreme Risk starting next Friday, April 30. This is not a step I take lightly. However, this could be the last time we need to impose this level of restrictions given our vaccination trends and the virus's behavior.

At this moment, we are moving backwards.

Oregon needs to be moving forward.

That's why I released my 10-point plan for economic recovery, and it's why I'm working with business and worker advocates to pass important relief during this legislative session:

- **Relief for the hardest hit businesses from unemployment insurance rate increases;**
- **Investments in our manufacturers and modernization of apprenticeships and workforce training programs;**

- **New relief for businesses that have never qualified for previous aid; and**
- **An expansion of the rent relief package we passed in December to include businesses who own part or all of their storefronts.**

My goal is to get the state back on track to lift the restrictions this pandemic has forced upon us, so we can all return to seeing the people we love and doing the things we miss.

I think we can get there by the start of summer. But in order to reach that goal, we will all need to work together to win this race.

Here's what must happen before we are able to fully reopen our economy:

- **Oregonians need to get vaccinated. We need to reach a significant majority of Oregonians with a vaccine;**
- **We need to close the equity gap in our vaccine efforts; and**
- **Vaccine supplies need to be readily available for all eligible Oregonians who want to be protected.**

Most importantly and of grave concern right now, we need adequate hospital staffing and capacity for our families and friends in need of this care.

Vaccines are the absolutely key to moving Oregon forward. The overwhelming majority of our new COVID-19 cases and hospitalizations are people who have not yet been vaccinated. We are seeing younger Oregonians in the

hospital now, as well as people who had no underlying health conditions.

I do think, with all of us working together, that we can get to a place where we lift most restrictions and fully reopen our economy no later than the end of June. Common sense safety measures like mask wearing and maintaining six feet of distance will need to stay in place. We all need to make smart choices over the next several weeks so we can move forward and into post-pandemic life.

That's the hill on the horizon. We can climb it together.

How quickly we get there is up to each and every one of us.

Every Oregonian age 16 and older can now sign up to get your vaccine. If you haven't already had a chance to get vaccinated, make a plan to do so now. Once you get your shot, help your family, friends, and neighbors sign up for theirs. And spread the word. Join the #MyVaccineReason campaign and post your vaccine reason to social media.

So let this be your takeaway: vaccines are your best protection against the variants. They are the best way to keep you out of the hospital. And they are the quickest way for us all to get back to the people and things we miss the most.

Oregon, it's up to all of us to get there.

Let's move forward together.

With that, I'd like to turn it over to Dr. Edwards.

Oregon has the fastest increase in COVID-19 cases in the country

opb.org (https://www.opb.org/article/2021/04/23/covid-19-oregon-high-risk-variants-kate-brown/)

Annalisa Birt of Portland, left, prepares for her vaccination from Marlene Ikeda at a drive-thru mass COVID-19 vaccination clinic at Portland International Airport, April 9, 2021.
Kristyna Wentz-Graff/ OPB

Oregon's seen the biggest percentage increase in COVID-19 cases of any state in the country over the past two weeks. Cases have jumped 58% in that time period (https://www.nytimes.com/interactive/2021/us/covid-cases.html), putting Oregon just ahead of Kansas and behind territories Guam and Puerto Rico.

"A few weeks ago, I came before you to say that we were concerned we would have a fourth surge of COVID-19 in Oregon," Gov. Kate Brown said at a Friday press conference. "Unfortunately, today, that surge is here."

Not enough people have been vaccinated and adherence to public health guidelines has fallen off a cliff, giving rise to virus transmission rates rivaling the worst days of the pandemic this winter, according to state health officials.

The Oregon Health Authority reported 1,020 confirmed and presumptive coronavirus cases Thursday, the first time the state has cracked a thousand daily cases since mid-January. The state has reported close to 800 cases a day over the past week.

Oregon state epidemiologist Dr. Dean Sidelinger called it the "most pessimistic scenario." COVID-19, once again, threatens to overrun hospitals throughout the state.

"Our newest modeling indicates that the rate of transmission surpassed the most pessimistic scenario of three weeks ago," Sidelinger said. "And if that spread continues unabated, our hospitals risk being swamped by virus-stricken patients."

More than half the state's counties are now considered "high risk" (https://www.opb.org/article/2021/04/20/more-than-half-of-oregon-counties-at-high-risk-for-covid-19-transmission/) for COVID-19 transmission. Hotspots range from metro counties like Washington and Multnomah to more sparsely populated ones like Grant (https://www.opb.org/article/2021/04/17/rural-oregon-covid-19-cases-surge-vaccine-availability/) and Klamath.

Spread is so bad in some counties that they qualify for Oregon's "extreme risk" category, in which indoor dining is banned and indoor capacity at gyms, retail stores and other businesses is extremely limited. State health officials said Friday they're even considering a pause on elective surgeries similar to the pandemic's early days.

Oregon had stopped using the "extreme risk" category because hospital capacity was at a place where state officials felt they didn't need it. Now that hospitals are filling up, Oregon's reinstating the "extreme risk" label and the restrictions that come with it (https://sharedsystems.dhsoha.state.or.us/DHSForms/Served/le3461.pdf).

The state's most recent risk assessment (https://drive.google.com/file/d/13Gusi1Lh5jUj00qRue3MZ2TadkCdpuXM/view), issued Tuesday, showed 11 counties — Baker, Clackamas, Columbia, Crook,

Deschutes, Jackson, Josephine, Klamath, Linn, Marion and Polk — qualified as "extreme risk." Oregon isn't set to update risk levels until May 4, but Brown said Friday she could put several counties in that category as soon as next week.

"This is essentially your warning," Brown said. "Should cases continue to rise, should we reach capacity in our hospital systems, there will be several counties moving into 'extreme risk.'"

The governor set the threshold for reopening the extreme risk category at 300 people hospitalized with COVID-19; the state had 283 COVID-19 patients in hospitals as of Friday.

One contributing factor to the current spike in infections in Oregon is actually the state's early success in keeping cases low (https://www.opb.org/article/2021/03/17/oregon-covid-19-year-2-data-science/). States that had rampant spread earlier in the pandemic were already working toward herd immunity by having a lot of people get sick and recover — but they also saw far more virus-related deaths as a result.

"There's a high price to pay for natural immunity," Sidelinger said. "What we have now is a tool that can provide that same level of protection to individuals — vaccination — without the risk of being hospitalized, without the risk of serious complications that follow COVID-19."

The difference between a COVID-19 wave a year or even three months ago and a COVID-19 wave now is that many of Oregon's most-vulnerable residents are protected from the worst of the disease.

Inoculation for COVID-19 has hummed along in Oregon. Half of the state's adult population has received at least one dose, and more than 1 million Oregonians are fully vaccinated. The state also says 75% of seniors are fully vaccinated.

That's despite a temporary nationwide pause on administration of the Johnson & Johnson vaccine due to at least six cases of extremely rare blood clots in women who received the shot.

The Centers for Disease Control and Prevention has launched an investigation into the case of an Oregon woman who died two weeks after receiving the Johnson & Johnson vaccine (https://www.opb.org/article/2021/04/22/cdc-review-oregon-death-johnson-johnson-vaccination/). The Oregon Health Authority does not know if there is a causal connection between the vaccine and the woman's death.

The CDC and the Food and Drug Administration on Friday lifted the pause (https://www.washingtonpost.com/health/2021/04/23/johnson-and-johnson-vaccine-blood-clots/) at the recommendation of a federal vaccine panel. The vaccine will carry a warning on the label about the exceedingly rare instances of blood clots.

Vaccines from Pfizer-BioNTech and Moderna have remained available throughout the pause and thousands of Oregonians are getting vaccinated each day.

Oregon Health Authority director Patrick Allen said that, at the state's current daily inoculation rate, 80% of Oregon adults could receive a first dose of vaccine by July 4.

"Sustaining that pace depends on Oregonians continuing to choose to get vaccinated," Allen said.

Oregon has reported more than 178,000 coronavirus cases since the pandemic began and 2,484 related deaths.

opb.org (https://www.opb.org/article/2021/04/23/covid-19-oregon-high-risk-variants-kate-brown/)

Hospitalizations rise as Oregon faces 4th COVID wave

koin.com (https://www.koin.com/news/health/coronavirus/oregon-oha-covid-coronavirus-new-wave/) • by Lisa Balick • April 23, 2021

PORTLAND, Ore. (KOIN) — It's finally here. A fourth wave of COVID-19 infections has hit Oregon.

The Oregon Health authority reported 1,020 new COVID-19 cases Friday and nine new deaths. The state's total case count is now at 179,120. The death toll is now at 2,476. With this new wave of infections these last two weeks, Oregon now leads the nation as having the biggest jump in cases, according to state health officials.

This is the first time Oregon has been over the 1,000 COVID-19 case count since mid-January.

On Friday, OHA released its latest COVID-19 forecast, which showed significantly higher transmission of the virus through early April. The model also projects cases and hospitalizations to continue to rise.

The virus' current reproductive level is estimated to be at 1.24, which means that daily cases would rise to 960, with 38 new daily hospitalizations between April 28 and May 11. If transmission increases by 20%, new daily cases would rise to 1,610, with 66 additional hospitalizations per day.

Oregon Gov. Kate Brown warned the state may have to shut down businesses again during a press conference Friday.

More than half of Oregon's counties are labeled as high risk. Brown indicated she may move more counties into the extreme risk, leading to more business shutdowns.

Health leaders warn hospitals are filling up fast with COVID-10 patients.

"Over the past few weeks, we are caring for more patients with COVID in our ICUs that are sicker younger and without underlying medical conditions," said OHSU Chief Medical Officer Dr. Renee Edwards.

Hospital officials told KOIN 6 News that they may pause elective surgeries. The tipping point will be when 300 ICU beds across the state are filled with COVID-19 patients. Right now, there are 283 COVID patients occupying those beds.

The good news: half the state's adult population has received at least one does of the vaccine. But supply of doses are still not meeting demand, especially in the Portland metro area.

While thousands of Oregonians are getting vaccinated daily, it will still be months beofre everyone who wants a shot will get one, health officials said.

koin.com (https://www.koin.com/news/health/coronavirus/oregon-oha-covid-coronavirus-new-wave/) • by Lisa Balick • April 23, 2021

OFFICE OF THE DIRECTOR
Kate Brown, Governor

Oregon Health Authority

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Effective Date: April 23, 2021

Sector Guidance – Retail Stores

Authority: Executive Order No. 20-66, ORS 433.441, ORS 433.443, ORS 431A.010

Applicability: This guidance applies statewide to retail stores, including but not limited to, grocery stores, convenience stores, trade shows, RV/car shows, farmer's markets, indoor and outdoor markets, u-cut farms, winery retail sales, libraries and pharmacies.

Enforcement: To the extent this guidance requires compliance with certain provisions, it is enforceable as specified in Executive Order No. 20-66, paragraph 10.

Definitions:

- "Alcohol Tasting" means no more than a 1/2 ounce of distilled spirits, 1 ½ ounces of wine/cider, or 3 ounces of malt beverage.
- "Clean" or "Cleaning" means the use of soap or detergents and water on surfaces to reduce or remove germs from surfaces.
- **"**Disinfect" or "Disinfecting" means the use of disinfectants following cleaning, to kill germs that may remain on surfaces after cleaning.
- "Farmers market" means a public and recurring group of farmers or their representatives whose primary purpose is selling the food or other agricultural products that they grow or harvest directly to consumers, including but not limited to produce, baked goods, meat, eggs, flowers, honey and dairy products.
- "Indoor and outdoor markets" means indoor or outdoor public spaces where the primary purpose is for vendors to sell agriculture products, food, merchandise, and services, generally from booths or tables, and vendors may pay a fee to participate. Indoor and outdoor markets may include but are not limited to farmers markets, flea markets, craft fairs, roadside stands and other markets that do not include interactive rides or exhibits. Indoor and outdoor markets do not include shopping centers or malls.
- "On-site consumption" means providing food or beverage for consumption within retail stores, which include but are not limited to, grocery stores, convenience stores, trade shows, RV/car shows, farmer's markets, indoor and outdoor markets, u-cut farms, winery retail sales, libraries and pharmacies.
- "Operator" means a person responsible for the management and operation of an indoor or outdoor market space.
- "Sample" means a three-ounce or less portion of a food or non-alcoholic beverage.

- "Vendor" means a business that sells food, beverages (including alcoholic beverages), merchandise or services at an indoor market or outdoor market and may or may not pay a fee to participate.

Retail stores are required to:

- Review and implement Statewide Mask, Face Covering, Face Shield Guidance.
- Ensure all individuals comply with the Statewide Mask, Face Covering, Face Shield Guidance.
- Review and implement General Guidance for Employers and Organizations.
- Limit maximum capacity based on the designated level of risk for the county in which the retail store is located.
- Comply with the Self-Service Operations Guidance, if applicable.
- Comply with the Eating and Drinking Establishments Guidance for the designated risk level of the county in which the retail store is located, if applicable.
    - In extreme risk counties close on-site indoor food and beverage consumption areas, including but not limited to food courts and seating areas.
- For live performances, ensure the performer is at least six (6) feet away from the customers at all times.
    - Live performers are included in the maximum capacity limits for the retail stores based on the designated risk level for the county where the retail store is located.
        - If retail stores set up seating outside of designated areas for eating and drinking, then store operators must comply with the requirements for Indoor or Outdoor Entertainment Establishments, including the maximum capacity limits.
- Prohibit interactive exhibits and activities.
- Encourage alternative order ahead and pick up options, such as curbside pickup.
- Post clear signs (available at healthoregon.org/coronavirus) listing COVID-19 symptoms, asking employees and customers with symptoms to stay home, and listing who to contact if they need assistance.
- Use signs to encourage physical distancing.
- Regularly clean work areas, high-traffic areas, and commonly touched surfaces in both customer/public and employee areas of store.
- Ensure that ventilation systems operate properly. Increase air circulation and ventilation as much as possible by opening windows and doors. In indoor spaces, fans should only be used when windows or doors are open to the outdoors in order to circulate indoor and outdoor air. Do not open windows and doors if doing so poses a safety risk to employees or customers.

To the extent possible, retail stores should, but are not required to:

- Consider placing clear plastic or glass barriers in front of cashiers or customer service counters, or in other places where maintaining six (6) feet of physical distance between employees and customers is more difficult.
- Implement one-way flow with marked entrances and exits, but do not block egress for fire exits. Use signs to direct one-way flow of traffic.
- Use signs and tape on the floor to maintain physical distancing while waiting for cashiers.
- Prohibit customers from trying on items that are worn on the face (cloth masks, scarves, headbands, eyewear).
- If opening fitting rooms, encourage customers to wash hands or use hand sanitizer before and after trying on clothes. Retailers should provide hand sanitizer or hand washing stations near fitting rooms.
- Use touchless or cashless payment options, that do not require contact with customers.
- Provide hand sanitizer (60-95% alcohol content) at entrances.

Additional guidance for indoor and outdoor markets

Operators of indoor and outdoor markets are required to:

- For on-site food and drink consumption, designate and delineate an area of the market only for this purpose and limit the maximum capacity of the designated area to comply with the Eating and Drinking Establishments Guidance for the designated risk level of the county.
    - *Additional requirement for extreme risk counties:* close on-site indoor food and beverage consumption areas, including but not limited to food courts and seating areas.
    - OHA strongly recommends that areas are roped off or marked in such a way to create a single entry and exit areas.
    - Vendors offering on-site consumption of alcohol or alcohol tastings at markets must obtain a special event license from the OLCC and must ensure that open containers of alcohol (including alcohol tastes, drinks, etc.) do not leave the boundaries of the licensed area.
- Ensure customers, staff and vendors maintain physical distance of at least six (6) feet per person, except that members of the same party can stand together without staying six (6) feet apart. A distance of at least six (6) feet must be maintained between parties.
- Post signs to require physical distancing throughout market, including but not limited to posting signs near restrooms.
- Use signs, tape, or other physical indicators, to maintain physical distancing while waiting for cashiers.

- Assign one (1) physical distancing monitor on premises per 50 people to ensure physical distancing requirements and gathering capacity limits are maintained at all times for both indoor and outdoor spaces, including at entrances, exits, restrooms and any other area where people may gather.
- Remove or restrict standing areas to facilitate the requirement of at least six (6) feet of physical distance between parties.
- Provide separate facilities, including restrooms, if there is more than one indoor or outdoor market operating at the same time at the same location.
    - Customers, vendors and market staff must use only the facilities for their designated market.
- Regularly clean high-touch surfaces like payment machines.
- Ensure adequate sanitary supplies (e.g., soap, toilet paper, 60-95% alcohol content hand sanitizer) during all events.

To the extent possible, operators of indoor/outdoor markets should, but are not required to:

- Strongly encourage vendors/attendees/participants to wash hands with soap and water for at least 20 seconds or to use hand sanitizer (60-95% alcohol content) regularly.
- Provide separate entrances/exits for employees and/or vendors.

Additional requirements for vendors of indoor and outdoor markets:

- If providing personal services, review and implement the Personal Services Guidance.

Guidance for local governments

Local governments must comply with this guidance if they are hosting or sponsoring an indoor or outdoor market in a government building or on governmental owned or leased properties, such as but not limited to county or city fairgrounds. Local governments must comply with this guidance when renting or allowing use of government buildings or governmental owned or leased properties for non-governmental activities.

Additional resources:

- Signs you can post
- Statewide Mask, Face Covering, Face Shield Guidance
- OHA General Guidance for Employers and Organizations
- CDC Guidance: Cleaning and Disinfecting Your Facility

Document accessibility: For individuals with disabilities or individuals who speak a language other than English, OHA can provide information in alternate formats such as translations, large print, or braille. Contact the Health Information Center at 1-971-673-2411, 711 TTY or COVID19.LanguageAccess@dhsoha.state.or.us.