

Memo to the Multnomah, and Washington County Democrats
The appointment process for filling the vacancy in House District 33
May 16th, 2020

This memo serves as the rule for the election.

The precinct committee persons representing the precincts in House District 33 will conduct an election and nominate three, four, or five candidates. At least three nominees must fit the legal requirements for serving as a State Representative and be willing to hold the office. This must be done by the 20th day following the effective date of the vacancy.

County commissioners representing the counties within the House District must meet and select one of the nominees by the 30th day following the resignation.

Per our voter file records, The number of Democrats in the House District, as of 5/16/2020, is 22,793. Multnomah County's share of the House District is 9,861 and Washington County's share is 12,932. We will receive a final update on registered voters from the County Elections Offices on the date ballots are mailed to the Voters.

Candidates who would like to be considered for this appointment **must file the SEL 145 form with the Democratic Party of Oregon (DPO) by Friday, May 22nd, at 5:00 p.m. These forms can be found online at the Oregon Secretary of State's Website (sos.gov) and submitted by fax (503-224-5335), or by email to operations@dpo.org.**

Candidates wishing to file should be aware that the Democratic Party of Oregon Office is closed due to COVID-19, and staff will only be checking the fax machine on the date of May 22nd, so submitting via email is preferred.

Candidates can request lists of PCPs who are eligible to vote in this election by contacting the county elections office in each county, or by contacting the corresponding County Democratic Committee. The Democratic Party of Oregon does not distribute PCP lists.

This memo will be sent digitally to all PCPs who are eligible to vote in this election as of the date of this letter. This serves as official notice of this election.

If you require an accommodation [accessibility or otherwise] please contact our Operations Director, Candy Emmons by email at candy@dpo.org as soon as possible.

Step by Step

May 20th, 2020-PCP Meeting

- Precinct Committee Persons in HD 33 (who were elected or appointed between May 2018 and the date of this letter) will meet via phone using a credentialed call-in system.
- This meeting will be chaired by KC Hanson, Chair of the Democratic Party of Oregon.
- This meeting will be conducted using the DPO's Special Rule of Order for Electronic Meetings:
 1. Members will be credentialed by verification of identity after calling in. Verification may be done visually or aurally by a Credentials Committee member (if assigned by the DPO bylaws) or another designated person, including but not limited to DPO staff.
 2. The list of credentialed members will be made available to all members as the first order of business of the meeting, and will be included in the minutes of the meeting.
 3. The electronic meeting will allow for bi-directional aural communication, whenever possible, while the meeting is in session.
 4. Members will self-mute, except when speaking or making a motion which is in order when another has the floor. The Chair may temporarily mute any and all members, and must announce the mute when it is enacted. The Chair must also announce when they remove the mute.
 5. Other than motions referenced in #4, the Chair will recognize members by electronic "raised hands" or other appropriate method in the order raised, to the best of the Chair's ability.
 6. Unless an alternate solution is approved by that committee for documenting votes cast by delegates, voting conducted during electronic meetings will be roll call votes, unless the vote is by unanimous consent.
 7. The language of all motions will be displayed whenever possible, so members and alternates in the meeting can view the words.
 8. At the beginning of each meeting the Chair will instruct members and alternates present at the meeting on methods of raising hands, casting votes, and keeping themselves self-muted as a courtesy
- Precinct Committee Members will be asked to substitute the rules in the below document in lieu of DPO Standing Rule 2 for the appointment process.
- If the substitution passes, PCPs will then vote on how many nominations to send forward to the County Commission (3, 4, or 5), and whether to rank these nominees.
- **The agenda for the meeting will be as follows:**

1. Call To Order
2. Roll Call of PCPs/Credentials Report
3. Motion to substitute rules for filling the nomination.
4. Motion to select 3,4,or 5 nominees to send forward to the County Commissioners and whether to rank these nominees.
5. Adjournment

Proposed Rules for Filling Legislative Vacancies in HD 33 During the COVID-19 Pandemic

Filing, Timeline, and Eligibility

1. People who wish to be considered for State Representative must file form **SEL 145** (available online at the Secretary of State's Website) with the Democratic Party of Oregon. The deadline to file as a candidate is 5pm on Friday, May 22nd, 2020. Forms may be sent by mail (232 NE 9th, Portland 97232), by email (operations@dpo.org), or by fax (503 224-5335). If the form does not reach the DPO office in time, that person's candidacy cannot be considered. The DPO will then forward the list of eligible candidates to the Multnomah, and Washington County Democrats.
 - a. Prospective candidates must meet the minimum requirements to hold the office. Those include being a registered Democrat for at least 180 days before the effective date of the resignation, living in the House District for at least one year, and not being under the control of the Oregon Department of Corrections.
 - b. Each candidate will be able to submit a voters pamphlet statement, as well as a link to a website or candidate speech which will be shared virtually with PCPs.
 - c. Each candidate will also be asked to submit a statement in writing that they are willing to serve as a State Representative to fill this legislative position should they be selected.
2. Precinct committee persons representing the precincts within House District 33 are entitled to vote. The law and party rules do not make a distinction between elected and appointed precinct committee persons, nor do they make a distinction between precinct committee persons who live in their own precinct or who represent an adjoining precinct. For the purposes of this election, the PCPS eligible to participate were those elected or appointed between May 2018 and the date of this letter.
3. The election must be held, and its work completed, by 20 days after the vacancy occurred.

The Election

1. On May 23rd, the Democratic Party of Oregon will mail a ballot and stamped return envelope to each Precinct Committee Person who is able to vote in this election.
 - a. In a multi-county legislative House District, precinct committee persons in each county will cast votes equaling the total number of Democrats in their county. For example, if there are 10,000 registered Democrats in a county, and 20 precinct committee persons, each PCP will cast 500 votes. If that formula results in a fraction (i.e., 10,100 Democrats divided by 19 precinct committee persons, which comes to 531.58) that fraction will be disregarded, and each PCP will cast 531 votes.
 - b. Each ballot will list the numbers of registered Democrats in each county's portion of the House District, and how many votes each Precinct Committee person May cast.
2. **Voting procedures**
 - a. Precinct committee persons may cast all their votes for one candidate, or spread them out among several.
 - i. If a PCP casts more votes than entitled, that ballot will be thrown out.
 - b. PCPs will be required to sign their ballot return envelope.
 - c. Ballots must be received at the Democratic Party of Oregon office by no later than June 3rd, 2020 at 8pm. Ballots can be submitted by mail or can be dropped off at the Democratic Party of Oregon Office on the day of June 3rd only, between 9am and 8pm. DPO Staff are working remotely during the pandemic, but will be available on June 3rd for ballot receipt from a safe social distance. Postmarks will not be honored.
3. **Ballot Tabulation**
 - a. Ballot tabulation will begin on June 4th at 10am.
 - b. Each candidate will be permitted to have one observer present. Observers will be required to maintain a safe social distance from DPO staff, and should plan to be available for several hours as there will be minimal staff present to count ballots.
 - c. At the beginning of ballot tabulation, ballots will be separated from the return envelopes to maintain ballot secrecy.
 - d. The winners of the election will be the first 3, 4, or 5 people who are elected, pending the May 20th vote of the PCPs.
 - e. In the instance of a tie for the final seat, we will perform a coin toss.

After the Election

1. The DPO will send the SEL145 forms of the nominees to the Secretary of State's office. Those forms must arrive at the Sec. of State's office by the 20th day after the vacancy. The Sec. of State will then set a date for a meeting of the county commissioners of Washington and Multnomah counties.
2. There must be at least three nominees who are able and willing to serve. If there are fewer than three, the county commissioners may pick someone who has not been nominated.
3. Commissioners will have a weighted vote, depending on the numbers of registered voters in their county's portion of the House District. The minimum vote each commissioner will have is one.
4. Commissioners must select a State Representative by the 30th day of the effective date of the vacancy. If they miss the deadline, the Governor will choose the State Representatives.

Materials

- ORS 171.051 and 171.060
- DPO Bylaws, Article 11
- DPO Standing Rule, No. 2