



CAPITOL INSIDER

OSB Public Affairs Newsletter for Bar Leaders

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Women's History Month

Nan Wood Honeyman (1881-1970) was the first Oregon woman elected to the U.S. Congress. Honeyman, a Democrat, served as a congresswoman from 1937-39.

Honeyman was a member of the Oregon House of Representatives from 1935-37, served as a delegate to the Democratic national convention in 1936 and 1940, and was appointed to the Oregon Senate in 1941 and served until she resigned from office in 1942.

Primary Filing Deadline

March 9th was the filing deadline for candidates wishing to run in Oregon's primary election on May 18th. Now that the deadline has passed, it's become clearer which will be the key races in 2004 and the likely make-up of the 2005 Oregon Legislature.

There will be a few prominent and Oregon judicial elections in 2004. Justice William Riggs drew a last minute challenger for his seat on the Oregon Supreme Court from Umatilla County Circuit Judge Rudy Murgo. Additionally, Justice Rives Kistler is being challenged by Lake Oswego attorney James Leuenberger. Justice Michael Gillette, who is also up for re-election in 2004, is running unopposed.

Only one Oregon Court of Appeals race is contested. Judge Robert Wollheim drew a challenge from Bend attorney Phil Brockett.

Democratic Attorney General Hardy Myers also drew two last minute Republican opponents, who will square off in the May primary election, with the winner moving on to face the AG in November. The newly declared opponents, neither of whom has previously sought elected office, are Reed College student Alia Breitwieser and Salem attorney Paul Connolly.

Oregon Legislature

The Oregon Legislature promises to have a different look in 2005, since a number of incumbents have either already resigned or have decided not to run for re-election.

17 of the 30 seats in the Oregon Senate are up for election in 2004. Of the 13 seats at mid-term, 9 are held by Democrats and 4 by Republicans. Senate Seats are held for four years terms, and normally 15 are up for election every two years. This year, two extra seats are open – Districts 3 and 4 – due to the resignations of Senators Lenn Hannon (R-Ashland) and Tony Corcoran (D-Cottage Grove) both of which left the Senate to accept state jobs.

Democratic Senators Brown, Carter and Gordly, (all from Portland) are running unopposed in their bids for re-election, as are Republican Senators Atkinson (Jacksonville), Beyer (Molalla), Westlund (Bend), Nelson (Pendleton) and Ferrioli (John Day)

Key swing races in the Oregon Sen-

ate will include the race for District 25, which includes Gresham, Troutdale, Fairview and Wood Village. This Seat is currently held by Republican Senator John Lim, who was appointed by the Multnomah County Commission to fill out the term of former Senator John Minnis, who recently retired from the Senate to head the Department of Public Safety Standards and Training. Senator Lim is not running for the seat he now holds, instead he is running for the House. Prominent candidates for this office are State Representative Laurie Monnes-Andreson (D), Metro Councilman Rod Park (D) and former State Representative Ron Sunseri (R).

Another key race in 2004 will be for Senate District 3, which southern Jackson County, including Ashland and Medford. This southern Oregon district was represented for 29 years by Lenn Hannon, who recently retired to take a position on the State Parole Board. The seat is being sought by Ashland Representative Alan Bates (D) and by Medford Businessman Jim Wright (R). District 3 is a competitive district for both parties, in a part of the state that is traditionally fairly conservative.

Oregon House

With terms of only two years, all 60 Oregon House of Representative seats are up for grabs every other year. Several prominent and experienced Republican legally trained legislators will not be returning to Salem in 2005, including Max Williams (R-Tigard), Lane Shetterly (R-Dallas), Rob Patridge (R-Medford) and Randy Miller (R-West Linn).

Representative Williams served three terms in the House and resigned December 31st to become the director of the Department of Corrections. Representative Shetterly resigned his house seat on February 23rd after four terms to head the Department of Land Conversation and Development. Representative Patridge is leaving the House after serving three terms and Representative Miller has decided not to run again after 20 years in the legislature. However, at least 3 Oregon lawyers are challenging for new seats in the Oregon House this year.

Attorney and former State Representative, Judy Uherbelau (D) is seeking election to the open seat in Ashland. She faces two relative political newcomers, Joanna Lofaso (R) and Peter Buckley (D).

Former Republican State Representative and House Judiciary Chair attorney Del Parks, is challenging Representative Bill Garrard in the Republican primary in Klamath Falls this May. This will be an interesting race, given the relative rarity of serious primary challenges to incumbent legislators in

Oregon. Furthermore District 56, which is the southern half of Klamath County, is a traditional Republican stronghold, meaning that the May primary may be a more serious campaign than the November general election.

Also, Bend attorney Judy Stiegler (D), is running for the House in District 54. This district is essentially the city of Bend, and is currently held by the former House Majority Leader Tim Knopp, who is not running for re-election. For more elections information you may visit: www.sos.state.or.us/elections/other.info/can.htm.

Snap shot of State Races

Statewide

Attorney General

Hardy Meyers D (I)
Paul Connolly R
Alia Breitwieser R

Secretary of State

Bill Bradbury D (I)
Betsy Close R
Paul Damien Wells D
Fred Granum R

Appellate

Supreme Court, Position 4

Rives Kistler (I)
James Leuenberger

Supreme Court, Position 7

William Riggs (I)
Rudy Murgo

Oregon Court of Appeals

Robert Wollheim (I)
Phil Brockett

Legislative: Races to Watch

State Senate, Seat 3 (Jackson County)

Alan Bates D (House I)
Jim Wright R

State Senate, Seat 4 (Lane & Douglas Ctys)

Floyd Prozanski D (I)
Norm Thomas R

State Senate, Seat 5 (Coos Bay)

Joanne Verger D
Al Pearn R

State Senate, Seat 25 (Multnomah County)

Laurie Monnes-Anderson D (House I)
Rod Park D
Ron Sunseri R

Vern Cook D

State House, Seat 5 (Jackson County)

Judy Uherbelau D

Peter Buckley D

Joanna Lofaso R

State House, Seat 10 (Newport)

Alan Brown R (I)

Jean Cowan D

State House, Seat 32 (Tillamook)

Adam Schwend R

Deborah Boone D

Rosemary Baker-Monaghan D

Douglas Olson R

State House, Seat 35 (Washington County)

Philip Yount R (I)

Brad Fudge R

Suzanne Gallagher R

Larry Galizio D

State House, 50 (Multnomah County)

John Lim R (Senate D) Vicki Olson R

Leslie Garth-Clark D

James Buck D

State House, Seat 51 (Clackamas & Multnomah County)

Linda Flores R (I)

Roger Obrist D

Kathryn Firestone D

Dale Chambers D

State House, Seat 52 (Corbett)

Patti Smith R (I)

Wayne Kuechler D

(I) Incumbent

Election System Updates

The Secretary of State Elections Division has recently made large strides toward embracing the computer age. Candidates running in the May primary election were able to file electronically for the first time. Secretary of State, Bill Bradbury is also looking at expanding online services to include the filing of campaign contributions, expense reports and improving the public access to such records.

Also in the works is a centralized electronic voter registration system which consolidates Oregon's 36 county voter lists. The creation of a centralized registration database is mandated by the 2002 Help America Vote Act which was passed by Congress in response to the infamous Florida Presidential recount.

Lewis and Clark Expedition Honored

As part of the 200 year commemoration of the Lewis and Clark expedition the Oregon Historical Society presents, *Picturing the Corps of Discovery* now on display at the Oregon State Capital through December 2004. The exhibit introduces viewers to works of art depicting the expedition of Lewis and Clark. This is the first in a series of exhibits commemorating the Lewis and Clark Bicentennial. The collection of works represents over 400 national and 75 Oregon works of art inspired by the Lewis and Clark Expedition.

Uniform Trust Code

Among the many uniform state law proposals produced by the National Conference of Commissioners of Uniform State Laws is the Uniform Trust Code. The UTC has been adopted in five states so far, and is under consideration in a number of others.

Including Oregon. A work group composed of law professors, bankers, probate judges, and members of the Taxation, Estate Planning and Elder Law Sections has been meeting since the Fall of 2002 to adapt the UTC for Oregon, and is planning to introduce the bill in the 2005 legislature.

The UTC draws from the common law, including the Restatements, as well as from existing statutes. The objectives are to codify existing law and to tune trust law to modern needs. The desired result is a set of basic rules that provides a fair, consistent and clear framework that will govern voluntary trusts.

The UTC for the most part is a default statute; generally the terms of the trust instrument will govern if inconsistent with the statute.

The text of the UTC is available at www.nccusl.org. Questions about the work group's process or about the UTC itself may be directed to either of the co-chairs:

Professor Valerie Vollmar at 503.370.6079 or vvollmar@willamette.edu or Professor Susan Gary at 541.346.3856 or sgary@law.uoregon.edu.