

The Quorum Quagmire

March 21, 2021

A wave of fury came to my legislative inbox this week, hundreds of emails in two days.

“I am disappointed that you have now chosen to undermine the Oregon Constitutional aspect of "Quorum" for Republicans...Where is your moral character? Or, are you just another political hypocrite?”

“When is the power you already have NOT enough for you? Do you feel you have to put a boot on everyone's neck who doesn't agree with you?”

“Is it true that you want to silence my voice? You took an oath to honor the Oregon Constitution. Do you represent all of your district or only those in your party?”

These messages and others less printable make it hard to believe that the call to action—before an email spike like this, there’s always an organized call to action—gave the straight facts. I’ll try to do that now, with no spin...at least for a couple of paragraphs.

The Republican walkouts that flattened the last two sessions (and reappeared one day this session) does indeed have us considering ways to end them. One would be to ask voters to amend the Oregon Constitution—as Oregon voters alone have the power to do--to change the quorum needed to do legislative business from 2/3 to a simple 50%-plus-one majority, in line with 45 other states.

Another would be a change in Senate rules, which we could pass with a simple majority of sixteen Senators. Last week Democratic leaders proposed one that probably inspired the email tsunami: any Senator would not receive the daily expense per diem for any day that he or she walked out. I happen to think—moving now to the opinion section—that losing your professional per diem for a day that you refuse to do the required work falls short of putting the boot on anyone’s neck or betraying our oath of office.

The walkouts themselves, not the penalties they may trigger, come close to breaking our oath to support and defend the constitution. Here’s why. Our constitution mandates a republic, a system where citizens elect their legislative representatives to pass laws by majority decision. Voters choose us based on what we tell them we plan to do. The walkouts we’ve experienced essentially say that the representatives of a minority of Oregonians have the absolute right to stop the work of representatives of the majority—pretty much the exact opposite of a republic. I say “absolute” because the minority reserves to itself absolute power to decide which majority proposals do and don’t justify a walkout.

If you’re angry or despairing about who holds power in Salem, and what you think we might do with it, the preceding paragraph probably doesn’t matter to you. I hope you’re willing to flip things around for a minute. Imagine that your favorite candidates won the last election, formed a majority in the legislature, and set out to pass bills that you want to see become law. You know the rest: the other party starts walking out whenever it chooses. All those policy proposals that got you excited and won your vote? Down the drain.

The truth, of course, is that few of us are good at trying on the other guy's shoes; how we feel about politicians' behavior depends more than it should on which politician, which party, we're talking about. That's one thing that probably has to change for us to repair what we all agree is a broken system.

One piece of this puzzle came clear to me just today. It's been ever more annoying to hear Republicans say they walk out because the Democratic majority won't accept or even consider what they have to say. The scores of bills I've seen revised to address Republican concerns make that hard to take seriously; it seems more like a bullying tactic than reality, and I feel myself losing interest in compromise.

Then just this afternoon, three hours ago as I write this, two Republicans came to my office and described particular brushes with Democrats—legislators who hold more power than they do—that left them feeling deeply disrespected and small. I think I would have felt the same way. It reminded me that this is about something more human and less logical than a scorecard of how many times we in the majority accept minority suggestions.

I firmly believe it's the Republicans' responsibility to stay in the Capitol so that we can meet our legislative duties; they should also continue making their case to Oregon voters to see if they can become the majority. But it's the responsibility of every one of us to keep striving to listen better, no matter how frustrated and sure of our rightness we become. It's hard to see another way out of this mess.

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