



Multnomah County Oregon

Board of Commissioners & Agenda

connecting citizens with information and services

BOARD OF COMMISSIONERS

Diane Linn, Chair

501 SE Hawthorne Boulevard, Suite 600
Portland, Or 97214

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Email: mult.chair@co.multnomah.or.us

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Email: serena@co.multnomah.or.us

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Lonnie Roberts, Commission Dist. 4

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Email: lonnie.j.roberts@co.multnomah.or.us

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JANUARY 26 & 27, 2005 BOARD MEETINGS

REVISED FASTLOOK AGENDA ITEMS OF INTEREST

Pg 2	2:00 p.m. Wednesday Joint Board Meeting
Pg 3	9:00 a.m. Thursday Federal Legislative Work Plan
Pg 3	9:15 a.m. Thursday Sheriff's Office Capacity Management Plan
Pg 3	9:30 a.m. Thursday Opportunity for Public Comment on Non-Agenda Matters
Pg 3	9:30 a.m. Thursday Budget Modification Replacing One IT Management Position with Two Line Positions
Pg 3	9:35 a.m. Thursday Approval of ONA Labor Agreement
Pg 3	9:40 a.m. Thursday Briefing in Response to Resolution 04-186 Reaffirming Multnomah County's Anti-Discrimination and Harassment-Free Workplace Policies

Thursday meetings of the Multnomah County Board of Commissioners are cable-cast live and taped and may be seen by Cable subscribers in Multnomah County at the following times:

Thursday, 9:00 AM, (LIVE) Channel 30

Friday, 11:00 PM, Channel 30

Saturday, 10:00 AM, Channel 30

Sunday, 11:00 AM, Channel 30

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or: <http://www.mctv.org>

Wednesday, January 26, 2005 - 2:00 PM
Columbia County Courthouse, Room 331
230 Strand Street, St. Helens

JOINT MEETING

JM-1 The Multnomah County Board of Commissioners will meet jointly with the Clatsop and Columbia County Boards of Commissioners for the purpose of a public process and Board appointment to fill a vacancy in the Legislative Assembly, Oregon State Representative District 31 from Democratic Precinct Committee approved candidates. The Multnomah County Board of Commissioners will participate in this meeting via speakerphone from the Multnomah Building, Sixth Floor Commissioners Conference Room 635, 501 SE Hawthorne, Portland. This is a public meeting. The action of the Multnomah County Board will be ratified at its Regular Board meeting on January 27, 2005.

Thursday, January 27, 2005 - 9:00 AM
Multnomah Building, First Floor Commissioners Boardroom 100
501 SE Hawthorne Boulevard, Portland

REGULAR MEETING

CONSENT CALENDAR - 9:00 AM **SHERIFF'S OFFICE**

C-1 Government Non-Expenditure Contract (190 Agreement) 0405119 with the City of Gresham to Continue the Combined Special Emergency Response Team (SERT)

NON-DEPARTMENTAL

C-2 RESOLUTION Filling a Vacancy in the Legislative Assembly, Oregon State Representative District 31 [Ratification of Board Action Following January 26, 2005 Joint Meeting]

REGULAR AGENDA - 9:00 AM **NON-DEPARTMENTAL - 9:00 AM**

R-1 Approval of Federal Legislative Work Plan. Presented by Gina Mattioda and Representative from Conklin, Fiskum and McCormick. 15 MINUTES REQUESTED.

SHERIFF'S OFFICE – 9:15 AM

R-2 **9:15 AM TIME CERTAIN:** RESOLUTION Establishing the Population Capacity at Multnomah County Detention Center, Adopting a Revised Capacity Management Action Plan and Repealing Resolutions 97-159, 98-1, and 04-135. Presented by Sheriff Bernie Giusto, Chief Deputy Tim Moore and Chief of Staff Christine Kirk. 15 MINUTES REQUESTED.

PUBLIC COMMENT - 9:30 AM

Opportunity for Public Comment on non-agenda matters. Testimony is limited to three minutes per person. Fill out a speaker form available in the Boardroom and turn it into the Board Clerk.

DEPARTMENT OF BUSINESS AND COMMUNITY SERVICES - 9:30 AM

R-3 Budget Modification BCS-09 Replacing One IT Management Position with Two Line Positions to Meet the Service Needs of the Health Department

R-4 RESOLUTION Approving the 2004-2007 Labor Agreement Between Multnomah County and the Oregon Nurses Association

NON-DEPARTMENTAL - 9:40 AM

R-5 **9:40 AM TIME CERTAIN:** Board Briefing in Response to Resolution 04-186 Reaffirming Multnomah County's Anti-Discrimination and Harassment-Free Workplace Policies, Addressing Improvement of the Workplace Environment and Providing an Update on the Chair's Diversity Initiative. Presented by Iris Bell and Invited Speakers. 2.5 HOURS REQUESTED.



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JANUARY 27, 2005

BOARD MEETING

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Pg 2	9:30 a.m. Opportunity for Public Comment on Non-Agenda Matters
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Multnomah Building, First Floor Commissioners Boardroom 100
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REGULAR AGENDA - 9:00 AM

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MULTNOMAH COUNTY AGENDA PLACEMENT REQUEST

Board Clerk Use Only

Meeting Date:	<u>01/26/05</u>
Agenda Item #:	<u>JM-1 Revised</u>
Est. Start Time:	<u>2:00 PM</u>
Date Submitted:	<u>01/20/05</u>

BUDGET MODIFICATION:

Agenda Title: The Multnomah County Board of Commissioners will meet jointly with the Clatsop and Columbia County Boards of Commissioners for the purpose of a public process and Board appointment to fill a vacancy in the Legislative Assembly, Oregon State Representative District 31, from Democratic Precinct Committee approved candidates. The Multnomah County Board of Commissioners will participate in this meeting via speakerphone from the Multnomah Building, Sixth Floor Commissioners Conference Room 635, 501 SE Hawthorne, Portland. This is a public meeting.

Note: If Ordinance, Resolution, Order or Proclamation, provide exact title. For all other submissions, provide a clearly written title.

Date Requested:	<u>01/26/05</u>	Time Requested:	<u>15-30 mins</u>
Department:	<u>Non-Departmental</u>	Division:	<u>County Attorney</u>
Contact(s):	<u>Agnes Sowle</u>		
Phone:	<u>503 988-3138</u>	Ext.:	<u>83138</u>
I/O Address:	<u>503/500</u>		
Presenter(s):	<u>Columbia County Commissioners Hosting Joint Meeting</u>		

General Information

1. What action are you requesting from the Board?

At the conclusion of the public process, exercise of Multnomah County's vote appointing a successor to fill a vacancy in the Oregon State Representative District 31 due to the January 20, 2004 resignation of Betsy Johnson following her nomination to the Senate on January 19, 2005.

2. Please provide sufficient background information for the Board and the public to understand this issue.

The Multnomah County Board of Commissioners will meet jointly with the Clatsop, and Columbia County Boards of Commissioners for the purpose of a public process and Board

appointment to fill a vacancy in the Legislative Assembly, Oregon State Representative District 31, from Democratic Precinct Committee approved candidates.

3. Explain the fiscal impact (current year and ongoing).

N/A

4. Explain any legal and/or policy issues involved.

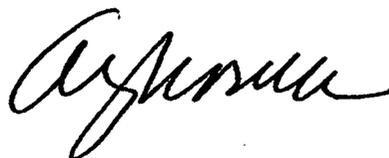
In compliance with ORS 171.060(3), a copy of the adopted Board Resolution shall promptly be forwarded to the Secretary of State.

5. Explain any citizen and/or other government participation that has or will take place.

The Democratic Party Precinct Committeepersons for State Representative District 31 will hold a public meeting on Sunday, January 23, 2005. The nominees chosen were Bradley Witt; Margaret C. Magruder; and Earl Fisher. The Clatsop, Columbia and Multnomah County Boards of Commissioner will hold a joint public meeting, with opportunity for public testimony at 2:00 p.m. on Wednesday, January 26, 2005. Per Multnomah County Charter and Board Rules, a Resolution ratifying the Multnomah County Board action will be considered at the Board's regular scheduled meeting at 9:30 a.m., Thursday, January 27, 2005.

Required Signatures

**Department/
Agency Director:**



Date: 01/20/05

Budget Analyst:

Date:

Department HR:

Date:

Countywide HR:

Date:



MULTNOMAH COUNTY AGENDA PLACEMENT REQUEST

Board Clerk Use Only

Meeting Date: 01/26/05
Agenda Item #: JM-1
Est. Start Time: 2:00 PM
Date Submitted: 01/20/05

BUDGET MODIFICATION: -

**Agenda
Title:**

The Multnomah County Board of Commissioners will meet jointly with the Clatsop and Columbia County Boards of Commissioners for the purpose of a public process and Board appointment to fill a vacancy in the Legislative Assembly, Oregon State Representative District 31, from Democratic Precinct Committee approved candidates. The Multnomah County Board of Commissioners will participate in this meeting via speakerphone from the Multnomah Building, Sixth Floor Commissioners Conference Room 635, 501 SE Hawthorne, Portland. This is a public meeting.

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Date Requested:	<u>01/26/05</u>	Time Requested:	<u>15-30 mins</u>
Department:	<u>Non-Departmental</u>	Division:	<u>County Attorney</u>
Contact(s):	<u>Agnes Sowle</u>		
Phone:	<u>503 988-3138</u>	Ext.:	<u>83138</u>
		I/O Address:	<u>503/500</u>
Presenter(s):	<u>Columbia County Commissioners Hosting Joint Meeting</u>		

General Information

1. What action are you requesting from the Board?

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2. Please provide sufficient background information for the Board and the public to understand this issue.

The Multnomah County Board of Commissioners will meet jointly with the Clatsop, and Columbia County Boards of Commissioners for the purpose of a public process and Board

appointment to fill a vacancy in the Legislative Assembly, Oregon State Representative District 31, from Democratic Precinct Committee approved candidates.

3. Explain the fiscal impact (current year and ongoing).

N/A

4. Explain any legal and/or policy issues involved.

In compliance with ORS 171.060(3), a copy of the adopted Board Resolution shall promptly be forwarded to the Secretary of State.

5. Explain any citizen and/or other government participation that has or will take place.

The Democratic Party Precinct Committeepersons for State Representative District 31 will hold a public meeting on Sunday, January 23, 2005. The nominees chosen will be _____ . The Clatsop, Columbia and Multnomah County Boards of Commissioner will hold a joint public meeting, with opportunity for public testimony at 2:00 p.m. on Wednesday, January 26, 2005. Per Multnomah County Charter and Board Rules, a Resolution ratifying the Multnomah County Board action will be considered at the Board's regular scheduled meeting at 9:30 a.m., Thursday, January 27, 2005.

Required Signatures

**Department/
Agency Director:**



Date: 01/20/05

Budget Analyst:

Date:

Department HR:

Date:

Countywide HR:

Date:

BOGSTAD Deborah L

From: BOGSTAD Deborah L
Sent: Thursday, January 20, 2005 3:45 PM
To: #ALL CHAIR'S OFFICE; #ALL DISTRICT 1; #ALL DISTRICT 2; #ALL DISTRICT 3; #ALL DISTRICT 4; #ALL PAO STAFF; KAUFFMAN John; SOWLE Agnes
Subject: Joint Board Meeting for vote to fill vacancy in House District 31 - Wednesday, January 26, 2005, 2:00 p.m.
Importance: High

This morning Betsy Johnson turned in her resignation from the House, was sworn in to the Senate and has been busy working on the Senate floor ever since. The Democratic Party Precinct Committeepersons for House District 31 will meet on Sunday, January 23 to choose nominees to fill her vacancy. The Columbia County Board of Commissioners has scheduled a joint three County meeting on Wednesday, January 26th at 2:00 pm in Room 308 to vote on the replacement for House District 31. The number for your Commissioners to call in for a conference call is #1-866-248-0560 then enter *3975010*. We need at least a quorum of our Board to participate. The Commissioners will meet in the sixth floor Board Conference Room 635. This meeting is open to the public. As soon as I receive the official documentation from the Secretary of State's Office Monday morning, I will advise you of the nominees forwarded by the Committeepersons.

Deb Bogstad, Board Clerk
Multnomah County Commissioners
501 SE Hawthorne Boulevard, Suite 600
Portland, Oregon 97214-3587
(503) 988-3277 phone
(503) 988-3013 fax
deborah.l.bogstad@co.multnomah.or.us
<http://www.co.multnomah.or.us/cc/index.shtml>

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. _____

Filling a Vacancy in the Legislative Assembly, Oregon State Representative District 31

The Multnomah County Board of Commissioners Finds:

- a. Effective January 20, 2005, there is a vacancy in Oregon State Representative District 31, due to the resignation of State Representative Elizabeth (Betsy) Johnson.
- b. Pursuant to state law, on January 23, 2005, the Democratic Party Precinct Committeepersons of Oregon State Representative District 31 met to choose nominees to fill the vacancy.
- c. The nominees chosen were: _____.
- d. In accordance with procedures established by the Secretary of State, the Clatsop, Columbia and Multnomah County Boards of Commissioners considered the nominations at a joint public meeting at 2:00 p.m. on Wednesday, January 26, 2005.
- e. In accordance with ORS 171.062 each County is entitled to one vote for each 1,000 registered electors or major fraction of 1,000 (more than 500 registered electors, but less than 1,000) Oregon State Representative District 31; and each County Commissioner is allotted the following number of votes:

Clatsop County: ___ or ___ votes divided by 5 = ___ votes per
Commissioner
Columbia County: ___ or ___ votes divided by 3 = ___ votes per
Commissioner
Multnomah County: ___ or ___ vote divided by 5 = ___ vote per Commissioner
- f. At the conclusion of the public meeting the Commissioners voted to appoint _____
_____ to fill the vacancy, said nominee having received the highest number of votes as indicated on the vote tabulation attached as **Exhibit A**.

The Multnomah County Board of Commissioners Resolves:

1. _____ is selected as the appointee to fill the vacancy in the Legislative Assembly, Oregon State Representative District 31.
2. This Resolution shall promptly be forwarded to the Secretary of State as required by ORS 171.060(3).

ADOPTED/RATIFIED this 27th day of January, 2005.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Diane M. Linn, Chair

Exhibit A

VOTE TABULATION

In the matter of filling the vacancy in the Legislative Assembly Oregon State Representative District 31, the following votes were cast at the Clatsop, Columbia and Multnomah County Boards of Commissioners joint public meeting on Wednesday, January 26, 2005:

BOARD OF COUNTY COMMISSIONERS FOR CLATSOP COUNTY, OREGON

NOMINEE

Lylla Gaebel
Commissioner District 1

Patricia Roberts
Vice-Chair, Commissioner District 2

Richard Lee
Chair, Commissioner District 3

Samuel E. Patrick
Commissioner District 4

Helen Westbrook
Commissioner District 5

BOARD OF COUNTY COMMISSIONERS FOR COLUMBIA COUNTY, OREGON

NOMINEE

Tony Hyde
Chair

Rita Bernhard
Commissioner

Joe Corsiglia
Vice-Chair

BOARD OF COUNTY COMMISSIONERS FOR MULTNOMAH COUNTY, OREGON

NOMINEE

Diane M. Linn
Chair

Maria Rojo de Steffey
Commissioner District 1

Serena Cruz
Commissioner District 2

Lisa Naito
Vice-Chair, Commissioner District 3

Lonnie Roberts
Commissioner District 4

3 of 3 - Appointment to Fill Legislative Vacancy

BOGSTAD Deborah L

From: BOGSTAD Deborah L**Sent:** Monday, January 24, 2005 12:15 PM**To:** #ALL PAO STAFF; SOWLE Agnes; Diane Linn; Lisa Naito; Lonnie Roberts; Maria ROJO DE STEFFEY; Serena Cruz; Andy Smith; Carol WESSINGER; Chuck Martin; Darcy Miles; Delma FARRELL; Gary Walker; Iris BELL; John Ball; Joseph BAESSLER; Judith Shiprack; Kathryn GORDON; Kristen WEST; Laura BAUM; Lisa Goldberg; Mary Carroll; Matthew LASHUA; Rob FUSSELL; Robert Gravely; Robert Walker; Shelli Romero; Tara BOWEN-BIGGS; Terri Naito**Subject:** This week's Special Joint meeting

See below regarding the nominees for Wednesday's special joint meeting:

- a. Effective January 20, 2005, there is a vacancy in Oregon State Representative District 31, due to the resignation of State Representative Elizabeth (Betsy) Johnson.
- b. Pursuant to state law, on January 23, 2005, the Democratic Party Precinct Committeepersons of Oregon State Representative District 31 met to choose nominees to fill the vacancy.
- c. The nominees chosen were: Bradley Witt; Margaret C. Magruder; and Earl Fisher.
- d. In accordance with procedures established by the Secretary of State, the Clatsop, Columbia and Multnomah County Boards of Commissioners considered the nominations at a joint public meeting at 2:00 p.m. on Wednesday, January 26, 2005.
- e. In accordance with ORS 171.062 each County is entitled to one vote for each 1,000 registered electors or major fraction of 1,000 (more than 500 registered electors, but less than 1,000) Oregon State Representative District 31; and each County Commissioner is allotted the following number of votes:

Clatsop County:	8,081 or 8 votes divided by 5 =	1-3/5 votes per Commissioner
Columbia County:	27,284 or 27 votes divided by 3 =	9 votes per Commissioner
Multnomah County:	690 or 1 vote divided by 5 =	1/5 vote per Commissioner

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<http://www.co.multnomah.or.us/cc/index.shtml>

1/24/2005

OFFICE OF THE SECRETARY OF STATE

BILL BRADBURY
SECRETARY OF STATE



ELECTIONS DIVISION

JOHN LINDBACK
DIRECTOR

141 STATE CAPITOL
SALEM, OREGON 97310-0722

FAX: 503-373-7414

ELECTIONS - (503) 986-1518

FAX TRANSMITTAL

DATE: 1-24-05

TO: Deb

FROM: Margie

COMMENTS:

Document contains 8 pages
(including Transmittal Form)

OFFICE OF THE SECRETARY OF STATE

BILL BRADBURY
SECRETARY OF STATE

January 24, 2005



ELECTIONS DIVISION

JOHN LINDBACK
DIRECTOR141 STATE CAPITOL
SALEM, OREGON 97310-0722

ELECTIONS -- (503) 986-1518

The Honorable Helen Westbrook, Chairperson
Clatsop County Commissioners
PO Box 179
Astoria OR 97103

The Honorable Tony Hyde, Chairperson
Columbia County Commissioners
County Courthouse Rm 308
St Helens OR 97051-2089

The Honorable Diane Linn, Chairperson
Multnomah County Commissioners
501 SE Hawthorne Blvd Ste 600
Portland OR 97214

Re: Vacancy in Representative District 31

Dear Chair Westbrook, Chair Hyde, Chair Linn and County Commissioners:

Effective January 20, 2005, there is a vacancy in Representative District 31 due to the resignation of State Representative Elizabeth (Betsy) Johnson.

Pursuant to ORS 171.060(1) and OAR 165-010-0060, you are hereby notified of the vacancy. The Democratic Party precinct committeepersons of Representative District 31 met on January 23, 2005, to choose nominees to fill the vacancy. The nominees chosen are:

1. Bradley Witt
2. Margaret C. Magruder
3. Earl Fisher

The total number of registered electors in Representative District 31 as of 5:00 p.m. on January 20, 2005, is 8,081 in Clatsop County, 27,284 in Columbia County and 690 in Multnomah County. In accordance with ORS 171.062 each county is entitled to one vote for each 1,000 registered electors or major fraction of 1,000 (more than 500 registered electors, but less than 1,000) and each county commissioner is allotted the following number of votes:

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Multnomah County:	690 or 1 votes divided by 5 = 1/5 vote per commissioner

These votes are apportioned to each county commissioner. If for any reason a county commissioner is unable to attend the meeting on Wednesday, that county commissioner's vote would not be cast. The votes are not reapportioned for the remaining county commissioners to cast.

The Honorable Tony Hyde has been asked to chair the joint meeting of the three boards of commissioners because Columbia County has the highest number of registered electors in Representative District 31.

County Commissioners
January 24, 2005
Page 2

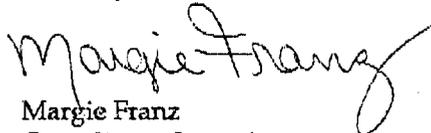
The Clatsop, Columbia and Multnomah County Boards of Commissioners are hereby directed to meet to appoint one person from the list. The time and location of the meeting are as follows:

Time: 2:00 p.m.
Date: Wednesday, January 26, 2005
Place: Columbia County Courthouse Rm 308
230 Strand St
St Helens, Oregon 97051-2089

Enclosed is a copy of the Administrative Rule outlining the procedures to conduct a meeting to fill a vacancy in the Legislative Assembly. Also enclosed is a Statement for use in notifying the Secretary of State of the appointment including a signature sheet and a vote tabulation sheet. You may produce and use your own version of these documents if you wish. Please complete and return the Statement, signature sheet and tabulation sheet immediately after the meeting.

Please contact me at (503) 986-1518 if you have any questions about this process.

Sincerely,


Margie Franz
Compliance Specialist

Enclosures

c: County Clerks

BEFORE THE BOARDS OF COUNTY COMMISSIONERS
FOR CLATSOP, COLUMBIA AND MULTNOMAH COUNTIES

In the matter of
Filling the Vacancy in the Legislative Assembly,
State Representative, District 31

WHEREAS, pursuant to state law, the Democratic Party Precinct
Committeepersons in Representative District 31 made nominations to fill the
vacancy; and

WHEREAS, in accordance with procedures established by the Secretary of
State, the Board of County Commissioners of Clatsop, Columbia and Multnomah
considered the nominations at a public meeting on January 26, 2005; and

WHEREAS, at the conclusion of the public meeting the Commissioners
voted to appoint (nominee) _____ to fill the vacancy, said
nominee having received the highest number of votes as indicated on the vote
tabulation attached as Exhibit A,

NOW, THEREFORE, _____ is selected as the appointee to fill the
vacancy in the Legislative Assembly, State Representative District 31;

This Statement shall promptly be forwarded to the Secretary of State as
required by ORS 171.060(3).

ADOPTED this 26th day of January, 2005.

By:

Helen Westbrook, Chair
Clatsop County

Lylla Gaebel, Commissioner
Clatsop County

Richard Lee, Commissioner
Clatsop County

Patricia Roberts, Commissioner
Clatsop County

Samuel E. Patrick, Commissioner
Clatsop County

Tony Hyde, Chair
Columbia County

Rita Bernhard, Commissioner
Columbia County

Joe Corsiglia, Commissioner
Columbia County

Diane Linn, Chair
Multnomah County

Serena Cruz, Commissioner
Multnomah County

Maria Rojo de Steffey, Commissioner
Multnomah County

Lisa Naito, Commissioner
Multnomah County

Lonnie Roberts, Commissioner
Multnomah County

EXHIBIT A

VOTE TABULATION

In the matter of filling the vacancy in the Legislative Assembly, State Representative District 31, the following votes were cast at the public meeting held on January 26, 2005:

	<u>Nominee</u>	<u>No. of Votes</u>
Chair Helen Westbrook Clatsop County	_____	1.3/5
Commissioner Lylla Gaebel Clatsop County	_____	1.3/5
Commissioner Richard Lee Clatsop County	_____	1.3/5
Commissioner Patricia Roberts Clatsop County	_____	1.3/5
Commissioner Samuel E. Patrick Clatsop County	_____	1.3/5
Chair Tony Hyde Columbia County	_____	9
Commissioner Rita Bernhard Columbia County	_____	9
Commissioner Joe Corsiglia Columbia County	_____	9
Chair Diane Linn Multnomah County	_____	1/5
Commissioner Serena Cruz Multnomah County	_____	1/5
Commissioner Maria Rojo de Steffey Multnomah County	_____	1/5
Commissioner Lisa Naito Multnomah County	_____	1/5
Commissioner Lonnie Roberts Multnomah County	_____	1/5

Secretary of State
Certificate and Order for Filing
PERMANENT ADMINISTRATIVE RULES

I certify that the attached copies* are true, full and correct copies of the PERMANENT Rule adopted on December 5, 2003 by the

Secretary of State, Elections Division
Agency and Division

Chapter 165
Administrative Rules Chapter Number

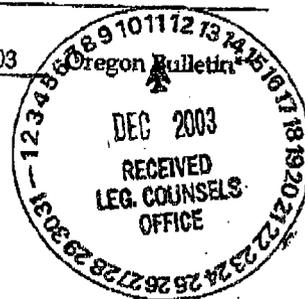
Brenda Bayes
Rules Coordinator

(503)986-1518
Telephone

141 State Capitol, Salem, OR 97310-0722
Address

to become effective Upon filing Rulemaking Notice was published in the November 1, 2003

RULEMAKING ACTION
List each rule number separately, 000-000-0000



ADOPT:

Secure approval of rule numbers with the Administrative Rules Unit prior to filing.

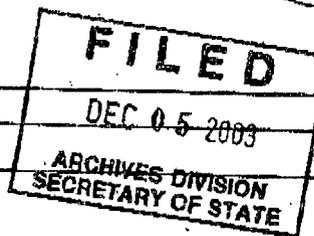
AMEND: 165-010-0005, 165-010-0060, 165-010-0080, 165-010-0090

REPEAL:

Stat. Auth.: ORS 246.150, 249.009, 249.190, 249.200, 249.205, 254.548, 260.156

Other Authority

Stats. Implemented: ORS 171.081, 171.060, 249.009, 249.190, 249.200, 249.205, 245.155, 254.548, 260.156



RULE SUMMARY

165-010-0005 - This rule adopts the 2004 *State Candidate's Manual: Major Political Party*; 2004 *State Candidate's Manual: Nonpartisan*; 2004 *State Candidate's Manual: Minor Political Party*; 2004 *State Candidate's Manual: Assembly of Electors*; 2004 *State Candidate's Manual: Individual Electors*; and the 2004 *County Candidate's Manual* and associated forms as the procedures and forms to be used by candidates filing and running for elected office. In addition this rule designates the 2004 *State Candidate's Manual: Minor Political Party* to be used for the formation of a Minor Party. Each manual has been updated from the 2002 version.
165-010-0060 - This rule amendment clarifies the procedure for filling a legislative vacancy.
165-010-0080 - This rule updates form SEL 141, the Write-In Candidate Acceptance Form.
165-010-0090 - This amendment deletes the portion of the rule that repeats statutory requirements.

Brenda Bayes
Authorized Signer

December 5, 2003
Date

Brenda Bayes

Printed Name

*Copies include a photocopy of this certificate with paper and electronic copies of each rule listed in the Rulemaking Action.
**The Oregon Bulletin is published on the 1st of each month and updates the rule text found in the Oregon Administrative Rules Compilation. Notice forms must be submitted to the Administrative Rules Unit, Oregon State Archives, 800 Summer Street NE, Salem, Oregon 97310 by 5:00 pm on the 15th day of the preceding month unless this deadline falls on a Saturday, Sunday or legal holiday when Notice forms are accepted until 5:00 pm on the preceding workday.

165-010-0060

Procedure for Conduct of Meeting to Fill Vacancy in Legislative Assembly

The following procedures govern the conduct of a meeting of a county court or board of commissioners (hereafter, county governing body(ies)) to fill a vacancy in the Legislative Assembly. These meeting procedures apply to appointments made under either ORS 171.060(1) (vacancy to be filled by nominee affiliated with a major political party) or ORS 171.060(2) (vacancy need not be filled by member of a particular major political party).

(1) A meeting of the members of the county governing body(ies) shall convene at the time designated by the Secretary of State. If the legislative district includes more than one county, the Secretary of State shall also name the temporary chairperson for the meeting and designate its location, which shall be within the legislative district. The Secretary of State shall also notify the county governing body(ies) of the nominees and of the number of votes apportioned to each member of the county governing body(ies) under ORS 171.062 and 171.064.

(2) The chairperson conducting the meeting shall open the meeting at the time designated by the Secretary of State. The chairperson shall announce that the purpose of the meeting is to appoint a person to fill the vacancy in the Legislative Assembly. If applicable, the appointment will be made from the list of nominees from the major political party as furnished by the Secretary of State.

(3) Members of the county governing body eligible to vote on the selection are those physically or electronically present at the meeting, who are currently holding office by election or appointment.

(4) The county governing body(ies), in making its determination, may allot time for interviewing nominees or applicants and for other pertinent deliberations prior to voting.

(5) The vote shall be taken in a manner specified by a majority of those present and eligible to vote on the selection. The person receiving the highest number of votes shall be the appointee. However, in any case, the vote of each member of the governing body(ies) shall be recorded and included in the written statement required by ORS 171.060(3).

(6) The Secretary of State hereby adopts forms SEL 145a, Statement of Democratic Nominee's Willingness to Serve, and SEL 145b, Statement of Republican Nominee's Willingness to Serve, as the forms to be used to accept a nomination to fill a legislative vacancy.

Stat. Auth.: ORS 171.051, ORS 171.060 & ORS 249.200

Stats. Implemented: ORS 171.060(1)

Hist.: ELECT 7-1993, f. & cert. ef. 2-16-93; ELECT 10-1999, f. & cert. ef. 10-18-99

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. _____

Filling a Vacancy in the Legislative Assembly, Oregon State Representative District 31

The Multnomah County Board of Commissioners Finds:

- a. Effective January 20, 2005, there is a vacancy in Oregon State Representative District 31, due to the resignation of State Representative Elizabeth (Betsy) Johnson.
- b. Pursuant to state law, on January 23, 2005, the Democratic Party Precinct Committeepersons of Oregon State Representative District 31 met to choose nominees to fill the vacancy.
- c. The nominees chosen were: Bradley Witt; Margaret C. Magruder; and Earl Fisher.
- d. In accordance with procedures established by the Secretary of State, the Clatsop, Columbia and Multnomah County Boards of Commissioners considered the nominations at a joint public meeting at 2:00 p.m. on Wednesday, January 26, 2005.
- e. In accordance with ORS 171.062 each County is entitled to one vote for each 1,000 registered electors or major fraction of 1,000 (more than 500 registered electors, but less than 1,000) Oregon State Representative District 31; and each County Commissioner is allotted the following number of votes:

Clatsop County: 8,081 or 8 votes divided by 5 = 1-3/5 votes per Commissioner
Columbia County: 27,284 or 27 votes divided by 3 = 9 votes per Commissioner
Multnomah County: 690 or 1 vote divided by 5 = 1/5 vote per Commissioner
- f. At the conclusion of the public meeting the Commissioners voted to appoint _____
_____ to fill the vacancy, said nominee having received the highest number of votes as indicated on the vote tabulation attached as **Exhibit A.**

The Multnomah County Board of Commissioners Resolves:

1. _____ is selected as the appointee to fill the vacancy in the Legislative Assembly, Oregon State Representative District 31.
2. This Resolution shall promptly be forwarded to the Secretary of State as required by ORS 171.060(3).

ADOPTED/RATIFIED this 27th day of January, 2005.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Diane M. Linn, Chair

Maria Rojo de Steffey, Commissioner District 1

Serena Cruz, Commissioner District 2

Lisa Naito, Commissioner District 3

Lonnie Roberts, Commissioner District 4

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By _____
Agnes Sowle, County Attorney

Exhibit A

VOTE TABULATION

In the matter of filling the vacancy in the Legislative Assembly Oregon State Representative District 31, the following votes were cast at the Clatsop, Columbia and Multnomah County Boards of Commissioners joint public meeting on Wednesday, January 26, 2005:

**BOARD OF COUNTY COMMISSIONERS
FOR CLATSOP COUNTY, OREGON**

NOMINEE

Lylla Gaebel
Commissioner District 1

Patricia Roberts
Vice-Chair, Commissioner District 2

Richard Lee
Chair, Commissioner District 3

Samuel E. Patrick
Commissioner District 4

Helen Westbrook
Commissioner District 5

**BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON**

NOMINEE

Tony Hyde
Chair

Rita Bernhard
Commissioner

Joe Corsiglia
Vice-Chair

**BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON**

NOMINEE

Diane M. Linn
Chair

Maria Rojo de Steffey
Commissioner District 1

Serena Cruz
Commissioner District 2

Lisa Naito
Vice-Chair, Commissioner District 3

Lonnie Roberts
Commissioner District 4

**LETTER OF INTRODUCTION
FROM
BRAD WITT**



My name is Brad Witt and I want to serve as your next State Representative from House District 31. It is my goal to continue the superb representation that the residents of our district have come to expect and enjoy under the leadership of Betsy Johnson, who will likely represent us in the State Senate. If appointed, I will continue to work closely with Betsy and our district's constituents, as well as our community, county, state and federal leadership to provide a powerful and effective voice in our state legislature for HD 31.

I have been active politically and legislatively, have a commitment to public service and an extensive background at the Legislature, as well as service on numerous state boards. I have the knowledge and experience that is necessary to "hit the ground running" as your representative to the Oregon State Legislature, which is critical given that the Legislature will already be in session by the time your next HD 31 State Representative is appointed.

I believe I can make a difference in Salem to ensure that our state's urban majority does not dwarf the issues that concern us as a rural/suburban district - to help maintain and enhance sustainable development, profitable businesses, family wage jobs and economic opportunity in our communities. I want to make sure that our district's economic foundation - its abundance of natural resources - will continue to serve our district's social, environmental and economic needs for generations to come.

Here are some highlights of my background:

- Appointed by the Governor as a two-term member to the State Board of Forestry
- Chair of the bi-state Lower Columbia River Estuary Partnership and a senior board member of the Oregon Forest Resources Institute
- Appointed by the Governor to the Oregon Workforce Investment Board, the Oregon Watershed Enhancement Board and the Management/Labor Advisory Committee on Worker's Compensation
- 24 years as a lobbyist on such key issues as economic and workforce development, natural resources, employment and public safety
- 13 years as Secretary-Treasurer of the Oregon AFL-CIO, an elected position with financial and budget responsibilities including oversight of budgets totaling \$1.1 million
- 15-year resident of Clatskanie
- Married for 21 years to Donna, a small businesswoman who also manages our family farm. I am also the father of two marvelous teenagers who are products of Clatskanie's public schools
- Former sawmill worker and union representative for the seafood and grocery industries from Scappoose to Astoria

I am asking for your support in my bid to ensure continued strong, vocal representation for you and our neighbors at the Capitol in Salem. For more information about my campaign or to become a campaign volunteer, please call 503-910-3415 or email me at clatskanie@hotmail.com

Thank you!

Columbia County Farm Bureau

Bernie Reinbold, President
503-728-2492

78733 Quincy Mayger Road
Clatskanie, OR 97016

December 21, 2004

Commissioner Lonnie Roberts
Multnomah County
501 SE Hawthorne Blvd., Suite 600
Portland, OR 97214

Re: Appointment to Oregon House District 31

Dear Commissioner Roberts,

The Columbia County Farm Bureau Executive Board voted, at their December 20, 2004 meeting, to recommend the appointment of Margaret Magruder to the potential upcoming vacancy in the House District 31 seat currently held by Representative Betsy Johnson.

Margaret has a history of active participation in the community on both the local and county level. She is familiar with the issues that face Lower Columbia residents and has had experience at the legislative level as a citizen lobbyist. As a lifelong farm operator she has proven herself as business manager. As Coordinator of the Lower Columbia River Watershed Council, she has proven her ability to work with a variety of landowners and agency representatives to effectively implement watershed restoration projects.

Margaret is well acquainted with the needs of the District and its citizens. Margaret would be an effective voice for District 31.

Sincerely,



Bernie Reinbold
Columbia County Farm Bureau
President

Margaret Magruder

12589 Hwy. 30
Clatskanie, OR 97016

503-728-2945 phone
503-728-9015 fax
magruder@clatskanie.com

December 29, 2004

Commissioner Lonnie Roberts
Multnomah County
501 SE Hawthorne Blvd., Suite 600
Portland, OR 97214

Re: House District 31 Appointment

Dear Commissioner Roberts,

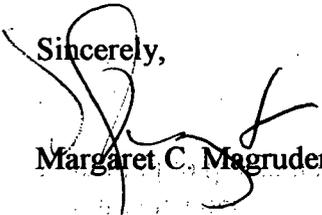
Our paths crossed many years ago when my mother, Caroline Magruder, served as State Representative from then District 1. I have remained on the farm in Clatskanie, raised my family and been involved in a variety of civic activities.

In January, the Oregon House District 31 legislative seat may become vacant. In the event this occurs, I am seeking the appointment to the position. I have attached my biographical information which I have sent to the Columbia, Clatsop and Multnomah County Democratic Central Committee members who will be selecting the names to be submitted to the county commissioners of the affected counties.

I feel that I am not only qualified for this position, but that I understand and am most able to represent the broad range of views held by the citizens of the Lower Columbia region. I have experience working in the legislative process and have an established network of contacts across the state of Oregon. I also have a broad base of citizen support in all three of the affected counties.

I would appreciate your support in my efforts to provide balanced and effective representation for House District 31. I look forward to renewing our acquaintance and speaking with you about the issues that you feel are important to the District and to answer any questions that you might have regarding my qualifications for this appointment.

Sincerely,


Margaret C. Magruder

Oregon House District 31 Appointment

Margaret Magruder

As a 3rd generation Oregonian and Columbia County resident, the interests of Oregon and the Lower Columbia Region have always been a priority in my life. Community service is a family tradition. My grandmother served in the Oregon legislature in the 1930's, my brother in the 1970's and my mother in the 1980's. Having assisted my brother and mother with their campaigns and with local issues during their service in the legislature, it was a natural reaction for me to seek the appointment to the District 31 seat, when this opportunity arose.

I have been involved in my family's agricultural operations virtually all my life and I am currently a partner with my son in the Magruder Farms livestock operation. For the past seven years, I have served as coordinator of the Lower Columbia River Watershed Council.

I graduated from Clatskanie High School in 1966, earned a Bachelor of Arts degree in political science and Russian from Willamette University in 1970, and a Master of Arts degree in Slavic languages and literature from Syracuse University in 1972.

My life has been invested in supporting the issues that are important to the citizens of the Lower Columbia Region and to all Oregonians. Because of my diverse experience and wide exposure locally, statewide, and even nationally, I am the best candidate for this appointment. My goal is what we all strive for—an economically successful and environmentally healthy Oregon—a prosperous and healthy lifestyle in which all Oregonians may share.

As you consider my qualifications I am sure you will agree that I am the most qualified candidate to fill the upcoming vacancy in House District 31. Please give me a call if you have any questions. 503 728-2945. magruder@clatskanie.com

My community and governmental service includes:

- Columbia 5J School Board Director; 4 yrs.
- Clatskanie-Quincy Citizen's Planning Advisory Committee, Secretary; 12 yrs.
- Marshland Drainage Improvement Company, Secretary-Treasurer; 26 yrs
- PEO, International Women's Educational Organization; actively involved 30 yrs.
- Columbia County Budget Committee; 8 yrs.
- Columbia County Extension Budget Committee; 10 yrs.
- Lower Columbia River Estuary Partnership; 6 yrs.
- Oregon Board of Agriculture, past Chair, appointed by Governor Barbara Roberts; 8 yrs
- Oregon Agri-Business Council; 6 yrs.
- Oregon Sheep Growers Association, past President; 20 yrs.
- Oregon Wildlife Damage Council; 6 yrs.
- Oregon Farm Bureau member; 24 yrs.
- American Lamb Board, Secretary, appointed by U.S. Secretary of Agriculture Ann Veneman; currently serving 2nd term
- American Sheep Industry Association, past Director; 20 yrs.
- USDA Ag-Link Program Representative to Chita, Russia; Visited Russia twice, also hosted Russian visitors to the U.S.

BOGSTAD Deborah L

From: Margie A FRANZ [Margie.A.Franz@state.or.us]
Sent: Wednesday, January 26, 2005 3:16 PM
To: BOGSTAD Deborah L
Subject: Re: Representative District 31

Thank you Deb, I appreciate your information.

Margie Franz
 Compliance Specialist
 Oregon State Elections Division
 141 State Capitol Building
 Salem OR 97310-0722
 phone 503-986-1518
 fax 503-373-7414

>>> "BOGSTAD Deborah L" <deborah.l.bogstad@co.multnomah.or.us> 1/26/2005 3:09:54 PM >>>
 8 to 5 in favor of Bradley Witt. Margaret Magruder garnered 5 votes, Earl Fisher none. All I
 can say is that was the strangest meeting ever! I'll fax over our ratified resolution tomorrow
 after our regular Board meeting.

VOTE TABULATION

In the matter of filling the vacancy in the Legislative Assembly Oregon State Representative District 31, the following votes were cast at the Clatsop, Columbia and Multnomah County Boards of Commissioners joint public meeting on Wednesday, January 26, 2005:

**BOARD OF COUNTY COMMISSIONERS
FOR CLATSOP COUNTY, OREGON****NOMINEE**

Lylla Gaebel
 Commissioner District 1

Bradley Witt

Patricia Roberts
 Vice-Chair, Commissioner District 2

Margaret C. Magruder

Richard Lee
 Chair, Commissioner District 3

Margaret C. Magruder

Samuel E. Patrick
 Commissioner District 4

Margaret C. Magruder

Helen Westbrook
 Commissioner District 5

Margaret C. Magruder

**BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON****NOMINEE**

1/26/2005

Tony Hyde
Chair

Bradley Witt

Rita Bernhard
Commissioner

Bradley Witt

Joe Corsiglia
Vice-Chair

Margaret C. Magruder

**BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON**

NOMINEE

Diane M. Linn
Chair

Bradley Witt

Maria Rojo de Steffey
Commissioner District 1

Bradley Witt

Serena Cruz
Commissioner District 2

Bradley Witt

Lisa Naito
Vice-Chair, Commissioner District 3

Bradley Witt

Lonnie Roberts
Commissioner District 4

Bradley Witt

**Deb Bogstad, Board Clerk
Multnomah County Commissioners
501 SE Hawthorne Boulevard, Suite 600
Portland, Oregon 97214-3587
(503) 988-3277 phone
(503) 988-3013 fax
deborah.l.bogstad@co.multnomah.or.us
<http://www.co.multnomah.or.us/cc/index.shtml>**