

5/16 Meeting



MULTNOMAH COUNTY OREGON

MULTNOMAH COUNTY CHARTER REVIEW COMMITTEE

1120 S.W. Fifth Avenue
Suite 1500
Portland, Oregon 97204
(503) 248-3525

MEMBERS

Ann Porter, *Chair*
Mark Johnson, *Vice-Chair*
Florence Bancroft
Lana Butterfield
David J. Chambers
Liberty Lane
Monica Little
Bruce McCain
Paul Norr
Marcia Pry
Casey Short
Nicholas Teeny
LaVelle VandenBerg

STAFF

William C. Rapp
Administrator
Shirley Winter
Secretary

PUBLIC MEETING NOTICE

Wednesday, May 16, 1990
7:00 p.m.

P.C.C./Southeast Campus
Auditorium (Room C-2)
2850 S.E. 82nd Avenue
Portland, Oregon

(Between Division Street and Powell Blvd)

AGENDA

PUBLIC HEARING AND WORK SESSION ON PROPOSED AMENDMENTS
REPEALING THE PROHIBITION OF A COUNTY LOBBYIST, REPEALING THE
TWO-TERM LIMIT AND MODIFYING THE PROHIBITION ON RUNNING FOR
OFFICE IN "MID-TERM."

I. PUBLIC HEARING

II. WORK SESSION

- A. Approval of minutes from May 2, 1990
- B. Work session on language repealing the prohibition of a county lobbyist.
- C. Work session on language repealing the two-term limit.
- D. Work session on language modifying the prohibition on running for office in "mid-term" so that a candidate may run for another office during the last 18 months of the term without resigning.

III. ADDITIONAL BUSINESS



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MINUTES MAY 16, 1990

Pursuant to notice by press release to newspapers of local circulation throughout Multnomah County and mailed to persons on the mailing list of the committee, a public meeting of the Multnomah County Charter Review Committee was held at P.C.C./Southeast Campus, Auditorium (Room C-2), 2850 S.E. 82nd Avenue, Portland, Oregon. The meeting convened at 7:25 p.m.

Members Present

Ann Porter, Chair
Florence Bancroft
David Chambers
Liberty Lane
Bruce McCain
Nicholas Teeny
La Velle Vanden Berg

Members Absent

Mark Johnson, Vice-Chair
Lana Butterfield
Monica Little
Paul Norr
Marcia Pry
Casey Short

Staff Present

Bill Rapp, Administrator
Ginger Hawkins, Secretary

PUBLIC TESTIMONY:

Eugene Collins

Eugene Collins stated that due to the failure of the five percent cost of living increase on the May 15, 1990 ballot, a specific salary should be set for the commissioners and the sheriff and they should be placed separately on the November ballot. Collins also believes that a cost of living increase should be included on the ballot in November.

COMMITTEE WORK SESSION:

Work Session on Language Repealing the Prohibition of a County Lobbyist.

Bill Rapp began the meeting by stating that he made revisions to Exhibit 1 prepared by legal counsel to change the emphasis from what is being repealed to the position being created.

McCain asked if the word "repeal" needed to be listed in the question and title in addition to being in the statement of purpose.

Rapp responded that in his proposed language repealing the prohibition of a county lobbyist, he followed the language on the 1983-84 ballot measure.

McCain stated that Mark Johnson, in past meetings had strongly stated a desire to use the term "advocate" rather than "inter-governmental coordinator." McCain expressed his desire to also use that word.

Harvey Rogers, committee legal counsel, stated that the term "inter-governmental coordinator" was used so as not to bias the committee. Rogers agreed that the committee had discussed several options to the term "lobbyist." Rogers went on to state that submitted changes by Rapp are excellent and should be considered. He also said that the measure can convey a message to the voters through the statement of purpose which can contain 85 words.

Liberty Lane stated that she supports the repeal of the prohibition of the county lobbyist and that the word "repeal" should be included in the question so that the voters do not feel that they are being misled on the ballot measure.

Florence Bancroft stated that she agrees with Lane and supports the version drafted by legal counsel. Bancroft went on to state that she feels the language should simply "repeal the prohibition of the county lobbyist."

Lane continued that the repeal should be included in the question although the question does not need to be limited to that; the intergovernmental coordinator position may also be in the title and the question.

La Velle Vanden Berg asked how many words can be included in the question on the ballot measure. Rogers answered that the question can consist of up to 20 words.

Porter stated that she feels comfortable reversing the wording in the question on legal counsel's Exhibit 1, to read "Shall the county charter be amended to allow employment of the inter-governmental coordinator and repeal the prohibition of the county lobbyist."

Vanden Berg agreed with Porter.

Porter asked McCain if he would consider using the word "advocate" as a verb in the statement of purpose to read "to advocate" rather than "represent."

McCain responded that he preferred the word "advocate" be used as a noun in place of the term "inter-governmental coordinator."

Rapp stated that the term "advocate" is used in fields other than government and "inter-governmental coordinator" better defines the position. Rapp went on to say that he would support a change in the third sentence in the statement of purpose to read "to advocate the county's interest" rather than "to represent the county's interests."

McCain asked if the word "a" counts as a word in the statement of purpose. Rogers answered that it does.

McCain then stated that he strongly supports using "advocate" in place of "inter-governmental coordinator" in the question.

Rogers stated that the revised question reads "Shall the charter be amended to allow employment of an inter-governmental coordinator and to repeal the prohibition against county lobbyist."

McCain submitted his revision to the question: "Shall the county employ an advocate to represent it's interests before other governmental bodies and repeal the prohibition of county lobbyist."

La Velle Vanden Berg stated that she agrees with McCain. Vanden Berg went on to say that the word "advocate" does not have less meaning than "inter-governmental coordinator."

Florence Bancroft stated that she would like to use the word "enable" instead of "authorize" in the statement of purpose.

Vanden Berg agreed with Bancroft, however she stated that the word "repeal" must also be used so that the voters understand what the ballot measure is doing.

Porter stated that she feels comfortable with McCain's proposed question for the ballot measure. Porter went on to say that she also supports using the words "enable" and "advocate."

McCain reiterated his support for the term "advocate."

Nicholas Teeny supported McCain.

David Chambers stated that he supports the first draft of the proposed question and he prefers using "lobbyist" rather than "inter-governmental coordinator."

Vanden Berg stated that the word "advocate" belongs in the statement of purpose.

Porter stated that because a decision cannot be reached on the language repealing the prohibition of a county lobbyist, the two options for questions in the ballot measure will be drafted and reviewed at a later meeting.

The two options are:

1. "Shall the county employ an advocate to represent county interests before other governmental bodies and repeal the prohibition against the lobbyist."
2. "Shall the charter be amended to allow employment of inter-governmental coordinator and to repeal the prohibition against the lobbyist."

Rogers stated that he would draft the appropriate language for the two options.

Rapp asked if a decision had been reached on the language in the statement of purpose, other than changing the word "authorize" to "enable."

Porter responded that language in the statement of purpose will follow that in the question chosen.

Work Session on Language Repealing the Two-Term Limit.

McCain asked if the language would repeal all of the conditions of the current charter 6.50(3). Rogers responded in the affirmative.

Bill Rapp stated that "Charter Review Commission" should read "Charter Review Committee" in all ballot measures.

The language repealing the two-term limit was approved.

Work Session on Language Modifying the Prohibition on Running for Office In Mid-Term.

David Chambers stated that the language does not explain what "mid-term" currently means. Chambers suggested that the language explain that the current charter reads that a candidate may run for another office during the last 12 months of the term without resigning from office and the modification is that a candidate may run for another office during the last 18 months.

Rapp stated that would be acceptable so long as it is restricted to 20 words.

Liberty Lane asked if the proposed title was appropriate.

Porter asked how many words may be in the title. Rogers responded that a maximum of 10 words may be in the title.

Porter asked if the title could read "Multnomah County Charter Review Committee's Recommendation about running for office mid-term."

McCain suggested the question read "Shall the county charter be amended to redefine "mid-term" as from the last year to the last 18 months in office."

Rapp stated that would not be correctly defining "mid-term."

Porter stated that redefining "mid-term" is not the ultimate goal of the amendment.

McCain suggested that the wording be "last year" rather than "12 months."

Rogers suggested "Shall county elected officials be allowed to file for another office during the last 18 months of that term."

Rogers proposed question was approved by the committee.

Rogers went on to suggest that the statement of purpose be split so that one sentence explains what the existing charter does.

Chambers asked if the language should be changed to "end of term" rather than "mid-term." Chambers explained that the voters may be confused with the word "mid-term."

Porter stated that the current charter refers to "mid-term" therefore the committee's recommendations should be consistent with that.

Rogers noted that the statement of purpose does not say why the committee is proposing a change in the current charter.

Porter asked if the statement of purpose can explain that 12 months is an insufficient amount of time to prepare for an election.

Chambers added that the statement of purpose should explain that 12 months is an insufficient amount of time to prepare for a primary election.

Rapp asked Rogers if the statement explaining why the proposed change to the current charter is being made should be included in the explanation rather than the statement of purpose on the ballot. Rogers responded that the explanation must be objective but can be included in the statement of purpose. Rogers went on to suggest a statement that would say a "... change would allow more time to prepare for a primary election." Rogers also said that while such a statement is not necessary, it would explain the technical aspect of the measure to the uneducated voter.

McCain asked if the question should read "elected official" rather than simply "official." Porter stated that all officials are elected.

Rogers suggested the title read "Multnomah County Charter Review Committee Recommendations: Running for Office Mid-Term."

Rogers stated that he would also conform the other titles on the ballot measures.

Approval of Minutes

Minutes of the May 2, 1990 meeting were approved as written.

ADDITIONAL BUSINESS

Porter asked Bill Rapp to prepare an amended calendar for future meetings. Porter reminded committee members that the next meeting is June 6, 1990.

Liberty Lane asked about the status of the appointed administrator ballot measure. Rapp responded that the ballot measure is currently being prepared and will be discussed on June 6.

Lane asked if the committee will be readdressing the issue of salaries of elected officials. Porter stated that the salary issue will next be discussed on June 13 and that the Regional Issues Subcommittee Report will be discussed at the same meeting.

The meeting was adjourned at 8:09 p.m.

EXHIBIT 1

BALLOT MEASURE

TITLE:

Multnomah County Charter Review Committee's Recommendation about County Intergovernmental Coordinator.

QUESTION:

Shall the county ~~be allowed to~~ ^{charter be added to allow employees of} employ an ~~intergovernmental~~ ^{on} coordinator to represent its interests before other governmental bodies? ~~← go to repeal prohibition of all co. lobbying against.~~ ^{advocate.}

STATEMENT OF PURPOSE:

If this measure is approved, the county charter will be amended to ~~authorize~~ ^{enable} the county to employ an intergovernmental coordinator to represent the county's interests before the state legislature and other governmental bodies and, to repeal the prohibition on employing or hiring a paid lobbyist.

1. Bruce's optio

2. D.L's reviewed.

enf by v. hire

PROPOSED CHARTER AMENDMENT—Referred to the Electorate of Multnomah County by the Board of County Commissioners to be voted on at the General Election, November 6, 1984.

BALLOT TITLE

19 MULTNOMAH COUNTY CHARTER REVIEW COMMITTEE'S RECOMMENDATIONS ABOUT INTERGOVERNMENTAL RELATIONS COORDINATOR	YES <input type="checkbox"/>
	NO <input type="checkbox"/>

QUESTION—Shall the county be permitted to employ a coordinator of intergovernmental relations to represent its interests before other governmental bodies?

PURPOSE—If this measure is approved the county charter will be amended: to repeal the prohibition on employing or hiring a paid lobbyist; and, to authorize the county to employ a coordinator of intergovernmental relations to represent the county's interests before other bodies of government.

Text of amendments for Ballot Measure No. 19, relating to:
INTERGOVERNMENTAL RELATIONS COORDINATOR

- 6.50 The people of Multnomah County shall elect:
- (1) A County Sheriff for the function of said office as prescribed by State Law and he shall have sole administration of all county jails and correctional institutions located in Multnomah County.
 - (2) A County Clerk, a District Court Clerk, and a County Assessor, as prescribed by State Law.
 - (3) *[Multnomah County shall not employ or hire a paid lobbyist.]* **The county may employ a coordinator of intergovernmental relations who shall represent the county's interests before other bodies of government.**
 - (4) That no elected official of Multnomah County may serve more than eight years. This amendment to be retroactive to 1976.
 - (5) No elected official of Multnomah County may run for another office in mid-term. Filing for another office shall be the same as a resignation, effective as of date of filing.

NOTE: **Boldface** type indicates new language; *[bracketed and italicized]* words are deletions or comments.

EXPLANATION

This measure amends the county charter provision concerning a lobbyist.

This measure repeals the prohibition on the county's employing or hiring a paid lobbyist. This measure also authorizes the county to employ a coordinator of intergovernmental relations who shall represent the county's interest before other bodies of government.

The Charter Review Committee found that the state and federal governments mandate services which the county must provide. The Committee also found that under present charter provisions, the county has not been able to adequately represent its interests before other government bodies making decisions impacting Multnomah County and its residents. The Committee further found that public sector lobbying is the conveying of information of a managerial or public policy nature.

The Committee concluded that since the state and federal governments mandate services which Multnomah County must provide, it is in the best interests of the citizens of Multnomah County for the county to be able to represent its interests before other bodies of government.

Submitted by: Rev. Frank Shields, Chair
 Ann Porter, Vice Chair
 Multnomah County Home Rule
 Charter Review Committee
 c/o Jane McGarvin, Clerk of the Board
 Multnomah County Courthouse
 1921 SW Fourth, Room 606
 Portland, OR 97204

(This explanatory space provided pursuant to ORS 251.285.)

**NO ARGUMENTS FAVORING OR OPPOSING THIS
 BALLOT MEASURE WERE FILED WITH THE
 COUNTY CLERK.**

EXHIBIT 1

BALLOT MEASURE

TITLE:

Multnomah County Charter Review Committee's Recommendation about County Intergovernmental Coordinator.

QUESTION:

Shall the county be allowed to employ an intergovernmental coordinator to represent its interests before other governmental bodies?

STATEMENT OF PURPOSE:

If this measure is approved, the county charter will be amended to authorize the county to employ an intergovernmental coordinator to represent the county's interests before the state legislature and other governmental bodies and, to repeal the prohibition on employing or hiring a paid lobbyist.

May 11, 1990

M E M O R A N D U M

TO: Multnomah County Charter Review Committee
FROM: Lindsay, Hart, Neil & Weigler
RE: Format for Charter Amendments and Ballot Measures

Attached as Exhibits A, B and C are our first drafts of charter amendments which incorporate the Committee's recommendations regarding a lobbyist, two-term limitations and running in midterm. New language is underlined. Deleted language appears in brackets. Words which are not underlined are currently in the charter.

Attached as Exhibits 1, 2 and 3 are our first drafts of the ballot measures which would be presented to the voters to authorize the charter amendments shown in Exhibits A, B and C. Oregon law requires that a ballot measure consist of:

- (1) a caption, of no more than 10 words;
- (2) a question, of no more than 20 words; and
- (3) a concise and impartial statement of purpose, of no more than 85 words.

We request that you review the attached exhibits and indicate the changes you would like. We will incorporate those changes into our next drafts.

EXHIBIT A

6.50 SHERIFF--[PAID LOBBYIST] INTERGOVERNMENTAL COORDINATOR.
The people of Multnomah County shall elect:

- (1) A County Sheriff for the function of said office as prescribed by State Law and he or she shall have sole administration of all county jails and correctional institutions located in Multnomah County.
- (2) [Multnomah County shall not employ or hire a paid lobbyist.]
- (3) The County may employ an intergovernmental coordinator who shall represent the County's interest before the state legislature and other governmental bodies.
- (4) Effective January 1, 1985, no incumbent or future elected officer of the County shall be eligible to serve more than two full consecutive four-year terms in any one elective county office within any twelve-year period. If an officer of the County is elected or appointed to an elective county office for a term of less than four years, the time so served shall not be counted against the limitation on terms within any twelve-year period.
- (5) No elected official of Multnomah County may run for another office in mid-term. Filing for another office in mid-term shall be the same as a resignation, effective as of date of filing. "Midterm" does not include the final year of an elected official's term. Filing for another office in the last year of an elective term shall not constitute a resignation.

EXHIBIT 1

BALLOT MEASURE

TITLE:

Multnomah County Charter Review Commission's
Recommendation about County Lobbyist.

QUESTION:

Shall the County Charter be amended to repeal the
prohibition against County Lobbyist and allow employment of an
intergovernmental coordinator?

STATEMENT OF PURPOSE:

If this measure is approved, the County Charter will be
amended to repeal the prohibition on employing or hiring a paid
lobbyist and, to authorize the County to employ an
intergovernmental coordinator to represent the County's interests
before the state legislature and other governmental bodies.

EXHIBIT B

6.50 SHERIFF--PAID LOBBYIST. The people of Multnomah County shall elect:

- (1) A County Sheriff for the function of said office as prescribed by State Law and he or she shall have sole administration of all county jails and correctional institutions located in Multnomah County.
- (2) Multnomah County shall not employ or hire a paid lobbyist.
- (3) [Effective January 1, 1985, no incumbent or future elected officer of the County shall be eligible to serve more than two full consecutive four-year terms in any one elective county office within any twelve-year period. If an officer of the County is elected or appointed to an elective county office for a term of less than four years, the time so served shall not be counted against the limitation on terms within any twelve-year period.]
- (4) No elected official of Multnomah County may run for another office in mid-term. Filing for another office in mid-term shall be the same as a resignation, effective as of date of filing. "Midterm" does not include the final year of an elected official's term. Filing for another office in the last year of an elective term shall not constitute a resignation.

EXHIBIT 2

BALLOT MEASURE

TITLE:

Multnomah County Charter Review Commission's
Recommendation about Limitations on Terms.

QUESTION:

Shall the County Charter limitation on serving two
consecutive four-year terms in any one elective County office be
repealed?

STATEMENT OF PURPOSE:

If this measure is approved, the County Charter will be
amended to repeal the existing prohibition of elected officers
from serving more than two consecutive four-year terms in any one
elective County office.

EXHIBIT C

6.50 SHERIFF--PAID LOBBYIST. The people of Multnomah County shall elect:

- (1) A County Sheriff for the function of said office as prescribed by State Law and he or she shall have sole administration of all county jails and correctional institutions located in Multnomah County.
- (2) Multnomah County shall not employ or hire a paid lobbyist.
- (3) Effective January 1, 1985, no incumbent or future elected officer of the County shall be eligible to serve more than two full consecutive four-year terms in any one elective county office within any twelve-year period. If an officer of the County is elected or appointed to an elective county office for a term of less than four years, the time so served shall not be counted against the limitation on terms within any twelve-year period.
- (4) No elected official of Multnomah County may run for another office in mid-term. Filing for another office in mid-term shall be the same as a resignation, effective as of date of filing. "Midterm" does not include the final [year] eighteen months of an elected official's term. Filing for another office in the last [year] eighteen months of an elective term shall not constitute a resignation.

EXHIBIT 3

BALLOT MEASURE

TITLE:

Multnomah County Charter Review Commission's
Recommendation about Resignation of Officials.

QUESTION:

Shall the County Charter be amended to redefine
"mid-term"?

STATEMENT OF PURPOSE:

If this measure is approved, the County Charter will be
amended to allow an elected official to file for another office
in the last 18 months of the current term without causing a
resignation of the current office.

5/16 - 6:30-9:30

PCC - Southeast Campus -

Auditorium (Room E-2)
2850 S.E. 82nd Ave
(between Driv + Powell)

Contact person -

Glenda - Assoc. Dir. of
D-8.

244-6111 x 6230