

Note: This Ordinance was declared unconstitutional by Circuit Court Judge Robert E. Jones - 9/27/82 (Exhibit B)

BEFORE THE BOARD OF COMMISSIONERS

MULTNOMAH COUNTY, OREGON

Ordinance No. 342

An Ordinance fixing the salaries of elected officials of Multnomah County and referring the matter to the November 2, 1982, general election.

Multnomah County ordains as follows:

Section 1. The compensation for the following elected officials of Multnomah County is fixed in the amount currently budgeted for persons holding those positions. That compensation is:

|                     |  |
|---------------------|--|
| County Commissioner | \$35,096   |
| County Executive    | \$45,446   |
| County Auditor      | \$35,096   |
| District Attorney   | \$11,032 (County paid supplement to State paid salary of \$42,348) |

Section 2. The compensation for newly established, elected positions is set in the amount currently authorized by ordinance and paid to persons performing similar functions. That compensation is:

|                      |          |
|----------------------|----------|
| County Sheriff       | \$46,000 |
| County Assessor      | \$41,676 |
| District Court Clerk | \$30,130 |
| County Clerk         | \$36,999 |

Section 3. Effective July 1, 1983 those salaries may be increased, not to exceed 4.5% based on 90% of the Consumer Price Index (the Portland Urban Wage Earners and Clerical Workers Index, March 1982 to March 1983.)


Section 4. This ordinance is referred to the electors of Multnomah County to be voted upon at the November 2, 1982, general election. Attached Exhibit A is the ballot title to be used at that election.

Section 5. If approved by the electors of Multnomah County, this ordinance will take effect January 1, 1983.

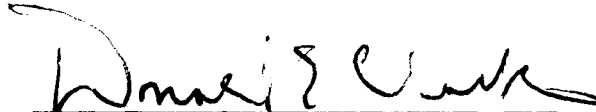
ADOPTED this 23rd day of September, 1982.

BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

(SEAL)

  
Caroline Miller, Presiding Officer

AUTHENTICATED this 23rd day of September, 1982.

  
Donald E. Clark, County Executive

APPROVED AS TO FORM:

  
JOHN B. LEAHY, COUNTY COUNSEL  
FOR MULTNOMAH COUNTY, OREGON

## EXHIBIT A

**Caption:** Fixes Compensation for Multnomah County Elected Officials

**Question:** Shall compensation of elected officials be fixed at present rate with increase July 1, 1983, of not more than 4.5%?

**Explanation:** This measure would set salaries of elected officials as follows:

|                      |          |   |
|----------------------|----------|---|
| County Commissioner  | \$35,096 |   |
| County Executive     | \$45,446 |   |
| County Auditor       | \$35,096 |   |
| District Attorney    | \$11,032 | (County paid supplement to State paid salary of \$42,348) |
| County Sheriff       | \$46,000 |   |
| County Assessor      | \$41,676 |   |
| District Court Clerk | \$30,130 |   |
| County Clerk         | \$36,999 |   |

Effective July 1, 1983, those salaries may be increased, not to exceed 4.5% based on 90% of the Consumer Price Index (the Portland Urban Wage Earners and Clerical Workers Index, March 1982 to March 1983).

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IN THE CIRCUIT COURT OF THE STATE OF OREGON

FOR MULTNOMAH COUNTY

MICHAEL D. SCHRUNK, District  
Attorney of the State of Oregon  
for Multnomah County,

Plaintiff,

v.

Multnomah County, a political  
Subdivision of the State of  
Oregon; Donald E. Clark,  
Multnomah County Executive, and  
William J. Radakovich, County  
Clerk,

Defendants.)

NO. A8209-05845

JUDGMENT

This matter came on for hearing before this Court at 2:30 p.m. on September 27, 1982. The Plaintiff was represented by John Bradley, Deputy District Attorney. The Defendants were represented by John B. Leahy, County Counsel for Multnomah County. It is the Court's judgment after hearing the arguments of respective counsel, and being fully advised in the premises, that Multnomah County Ordinance No. 342 is unconstitutional in its present form in that the District Attorney of Multnomah County is not a Multnomah County elected official. Pursuant to Oregon Law the District Attorney of Multnomah County is a state elected official.

It is ordered this matter is referred back to the Board of County Commissioners of Multnomah County. The Board shall either delete all reference to the District Attorney and his salary or

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1 in the alternative refer all matters relating to the District  
2 Attorney and his salary in a separate ordinance.

3 Dated this 27 day of Sept, 1982.

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5   
6 Robert E. Jones, Circuit Court Judge  
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12  
13  
14

15 STATE OF OREGON } ss.  
16 County of Multnomah  
17 The foregoing copy has been compared and  
18 is certified by me as a full, true and correct  
19 copy of the original on file in my office and in  
20 my custody.  
21 In Testimony Whereof, I have hereunto set  
22 my hand and affixed the seal of the

23 Court on:  
24 CIRCUIT COURT  
25 Administrator

26 By Claudia Dalton  
Deputy

