

DRAFT BALLOT TITLES &
STATEMENTS

1/043

MULTNOMAH COUNTY CHARTER REVIEW COMMITTEE

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MEASURE 1

BALLOT TITLE

(as revised by Board of County Commissioners 8/10/78)

REORGANIZATION OF COUNTY COMMISSION

Five Commissioners will be elected from districts rather than county-wide. Adds position of County Executive who directs administrative departments and is not on Board of Commissioners. Cost of Commissioners and Executive in 1979-80 is limited to amount appropriated for Commissioners and Chairman in 1978-79. Separates executive and legislative functions. County Executive may veto Board legislation; four of five Commissioners may over-ride veto. Persons appointed to fill Commission vacancies may not succeed themselves.

MEMORANDUM

FROM: Terry G. Hannon

RE: Ballot Titles & Ballot Descriptions
re: Charter Amendments

TO: Jack Faust
Dick Roberts
Julie Gottlieb

DATE: July 27, 1978

Enclosed are my proposed ballot titles which are an attempt to fit within the six word limitation together with the ballot description for each of those measures which is an attempt to describe within 75 words what the ballot measure is all about.

In the case of Ballot Measure No. 1, I have also drafted out a 400+ word impartial description of Measure No. 1 which is designed to be placed in the voters pamphlet. I think in the case of Measures 2 through 5, the 75 word ballot description is also adequate for that purpose.

I have taken the liberty to prepare the ballot title and ballot description for a proposed Measure No. 5 which would be the nonpartisan amendment, so that it will be available if the Committee does, in fact, change their vote and move to propose that amendment.

I would appreciate your consideration of one item which I included in Measure No. 3, specifically the reference to the fact that the Chairman could veto the ordinance which authorizes the issuance and sale of the revenue bonds. I am assuming first of all that that type of an ordinance would be a legislative ordinance which could be vetoed, and the obvious reason I put it in the description was to let the people know that there is some kind of check and balance over and above their own referendum powers. My question is, first of all, should we even put this in the ballot description, since it is not specifically set forth in the amendment itself, and second, is my assumption correct that the adoption would be a legislative ordinance.

AMENDMENT NO. I

TITLE
(6 Words)

REORGANIZATION OF COUNTY GOVERNMENT

BALLOT TITLE (75 Words)

Changes the title of Chairman to Executive and removes all of the Executives Legislative authority. The Commissioners are elected from districts rather than at large and one new Commissioner is added. The cost of the five Commissioners and Executive in Fiscal Year 1979-80 will be limited to the same amount appropriated for the four Commissioners and Chairman in Fiscal Year 1978-79. Commissioners appointed to a district position may not succeed themselves.

(73 Words)

EXPLANATION OF REORGANIZATION OF COUNTY GOVERNMENT

(500 Words)

At the present time the County Commission is composed of four Commissioners and one Chairman who exercise all of the legislative authority of the County. In addition, the Chairman exercises all of the Administrative and Executive authority of the County. The Chairman, under the present Charter, has a say in both the Legislative and Executive function and this amendment, aside from changing the County Commission Chairman's title to County Executive, separates the legislative power of the Commissioners from the executive powers of the Executive. The Executive will no longer have a say in the legislative functions, Except that the Executive may veto legislative ordinances that are adopted by the Commission. The Commission, composed of five Commissioners will elect their own Presiding Officer and may over-ride the Executive veto by a vote of four of the Commissioners.

At the present time the Commissioners are elected at large, as is the Chairman and the Auditor. The amendment establishes five districts of approx-

imately 115,000 people each and the Commissioners are elected for four year terms from the districts. In order to file for election to a district position the candidate must have lived in the district for a period of 18 months prior to the date the candidate assumes office. The same 18 month residency requirement applies to Commissioners appointed to fill a vacancy. A Commissioner appointed to a district position may not run for that same position at the next election. A Commissioner does not have to continue to reside in the district to which elected or appointed. The Commissioner does, however, have to continue to reside in Multnomah County and in order to file for election to any district must have been a resident of that district for the 18 month period before he assumes office.

The transition provisions of this amendment provide that a special election will be held prior to June 28, 1979 to elect the Commissioner from the East District, and that this amendment is effective July 1, 1979. The amendment also establishes a limit on the amount of money that can be spent to pay for the operation of the Commissioners, the Executive and their staff and operating requirements. Even though there will be six elected officials and supporting staff in fiscal year 1979-80, the Commissioners and Executive will have to live within the same budget appropriations that the five of them had in fiscal year 1978-79, and "annual increases thereafter shall be only such as are necessary and consistent with economical management".

(418 Words)

AMENDMENT NO. 2

Title PROHIBITS DISCRIMINATION AND RECOGNIZES WOMEN

Description:

The present Charter prohibits discrimination in employment based on race, religion, color or national origin. The amendment expands those to any kind of discrimination prohibited by State Law such as age and sex. The present Charter uses terms such as "he" , "his" and "Chairman". The amendment changes all such words to mean male or female, or appropriate noun where necessary and authorizes the Board to make such changes in the next printing of the Charter .

(75 Words)

AMENDMENT NO. 3

Title

AUTHORIZES BOARD TO ISSUE REVENUE BONDS

Description:

The Commissioners may issue revenue bonds provided they are not paid in any manner from taxes. Such bonds shall be secured solely from the revenues produced by the facility constructed or purchased from the bond sale proceeds. The ordinance authorizing such issuance and sale can be vetoed by the County Executive and is subject to referendum by the voters.

(59 Words)

AMENDMENT NO. 4

Title PROVIDES FOR CHARTER REVIEW IN 1984

Ballot Description:

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Voters Pamphlet

A Charter Review Committee will be appointed in 1983 for purposes of recommending amendments to this Charter to be voted upon at the 1984 General Election. The Committee members will be appointed by the State Senator and State Representatives for each Senatorial District which has a majority of voters who reside within Multnomah County. The Committee is specifically to study the Auditors office.

(63 Words)

AMENDMENT NO. 5

Title

PROVIDES FOR NONPARTISAN COUNTY OFFICES

Ballot Description:

This amendment provides that all County offices shall be nonpartisan and that State Law governs the nominating and election except as changed by this Charter. This amendment provides that the two top candidates in the primary election shall appear on the General Election ballot, irrespective of whether one of those candidates may have received more than 50% of the vote in the primary election.

(65 Words)

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AMENDMENT NO. I

TITLE REORGANIZATION OF COUNTY GOVERNMENT
(6 Words)

BALLOT TITLE (75 Words)

Changes the title of Chairman to Executive and separates the Executive from the Board. Commissioners are elected from districts rather than at large and one new Commissioner replaces the Chairman (Executive) on the Board. The cost of the Commissioners and Executive in Fiscal Year 1979-80 will be limited to the same amount appropriated for the Commissioners and Chairman in Fiscal Year 1978-79. Commissioners appointed to a district position may not succeed themselves.

EXPLANATION OF REORGANIZATION OF COUNTY GOVERNMENT

At the present time the County Commission is composed of four Commissioners and a Chairman who exercise all of the legislative authority of the County. In addition, the Chairman exercises all of the Administrative and Executive authority of the County. The Chairman, under the present Charter, has a say in both the Legislative and Executive function. This amendment changes the County Commission Chairman's title to County Executive and separates the legislative power of the Commissioners from the executive

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powers of the Executive. The Executive will no longer have a say in the legislative functions, except the that the Executive may veto legislative ordinances that are adopted by the Commission. The Commission, composed of five Commissioners, will elect their own Presiding Officer and may over-ride the Executive veto by a vote of four of the Commissioners.

At the present time the Commissioners are elected at large, as is the Chairman and the Auditor. The Amendment establishes five districts of approximately 115,000 people each and the Commissioners are elected for four year terms from the districts. In order to file for election to a district position the candidate must have lived in the district for a period of 18 months prior to the date the candidate assumes office. The same 18 month residency requirement applies to Commissioners appointed to fill a vacancy. A Commissioner appointed to a district position may not run for that same position at the next election. A Commissioner does not have to continue to reside in the district to which elected or appointed. The Commissioner does, however, have to continue to reside in Multnomah County and in order to file for election to any district must have been a resident of that district for the 18 month period before he assumes office.

The transition provisions of this amendment provide

that a special election will be held prior to June 28, 1979 to elect the Commissioner from the East District, and that this amendment is effective July 1, 1979. The amendment also established a limit on the amount of money that can be spent to pay for the operation of the Commissioners, the Executive, their staff and operating requirements. In Fiscal year 1979-80, the Commissioners and Executive will have to live within the same budget appropriations that the Commissioners and Chairman had in fiscal year 1978-79, and "annual increases thereafter shall be only such as are necessary and consistent with economical management."

Argument in Favor:

A government that listens, that operates efficiently and economically. That is what the people want. The Multnomah County Charter Review Committee was a bi-partisan volunteer group of citizens from all sections of the County, appointed by State legislators to study the County Charter.

After seven months of work sessions and public hearings, the Committee decided that Measure No. 1 is the best way to give the people what they want. The County Chairman should not be both the chief executive officer and the chairman of the board that approves the budget. There should be a separate county executive and an independent board of commissioners, each balancing the other.

Commissioners should be elected from districts, so that they are more responsive to the concerns of neighborhood groups and individual citizens.

When vacancies occur on the board, the commissioner appointed by the board should not be permitted to run for that office. To prevent the board from ~~both~~ "inbreeding" itself by giving selected persons the advantage of incumbency.

The proposed amendment includes these important reforms. It also insures taxpayers that reform will not increase costs. The measure provides that the total administrative costs of the County Executive and the Board of Commissioners for the first year of operation must not exceed the costs in the year before the amendment takes effect. It also provides that future increases must be only

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those that are necessary and consistent with economical
management. For the first time, economy is written into the
Charter.

Your Committee owed ^{urged.} Burgess a "Yes" vote for
better government.

AMENDMENT NO. 2

Title:

PROHIBITS DISCRIMINATION AND CHARTER GENDER REFERENCES

Description:

The present Charter prohibits discrimination in employment based on race, religion, color or national origin. The amendment expands this to prohibit any discrimination prohibited by State Law, such as age and sex. The present Charter uses terms such as "he", "his" and "Chairman" in describing County officers. The amendment requires use of terms which are neither male nor female, and authorizes the Board to make such changes in the Charter.

Explanation:

This relates to employment of persons by the Multnomah County government. It does not apply to employment by private employers or other governments. The present Charter does not prohibit discrimination in employment because of age, sex or physical handicap. Although State law would control over the Charter in this instance, the Charter would appear to imply that the County may discriminate in employment by reason of age, sex or physical handicap. The amendment is intended to clarify that such discrimination is prohibited.

The Charter uses masculine terms ("he," "his") to refer to all county officers. The amendment would delete such references and substitute either neutral language or nouns which could be either masculine or feminine.

Argument in Favor:

The Multnomah County Charter appears to allow the County government to discriminate in hiring and firing by reason of age, sex and physical handicap. Even though State law controls here, the County Charter should be amended so that employees or applicants for employment do not receive the impression that they may be discriminated against because of age, sex or physical handicap. 3094

A similar discrimination exists in the language of the Charter relating to county officers. The language dealing with those officers uses terms such as "he" and "his," thus suggesting an intent of the people that only men can hold these offices. Capable women who have held office or who may be candidates for office are ~~understandably~~ *slighted* *by* ~~concerned about~~ this implicit discrimination. The Charter can be easily changed to use terms which recognize that women may serve in these offices.

AMENDMENT No. 3

Title:

AUTHORIZES BOARD TO ISSUE REVENUE BONDS

Description:

The Commissioners may issue revenue bonds provided they are not paid in any manner from taxes. Such bonds shall be repaid solely from the revenues produced by the facility constructed or purchased from the bond sale proceeds, and similar facilities.

AMENDMENT NO. 3

Title AUTHORIZES BOARD TO ISSUE REVENUE BONDS

Explanation:

Revenue Bonds as defined in this amendment are bonds which are issued to build or ~~build~~^{buy} a public-purpose facility and which may be repaid only from the revenues of the facility or similar facilities. The amendment provides that these bonds may not be repaid in any manner from tax revenues.

The present charter provides that the Board of Commissioners may issue and sell revenue bonds only for purposes and in amounts authorized by the voters of the County. The amendment would permit the board to issue revenue bonds, as described above, without the necessity of submitting a measure to an election.

Argument in Favor:

Revenue bonds as described in this amendment may not be repaid in any way from tax funds. They are sold in the open market to private investors, and repayment comes solely from the public-purpose facility which is built or bought by the money generated by the bonds. For example, the County may issue bonds to build a down-town parking lot. The bonds would be repayable only from revenues generated by the lot. If revenues were insufficient, the loss would

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fall on the bondholders. Under the express provisions of this amendment, tax money could not be used to repay the bondholders.

These bonds are entirely different from general obligation bonds, which may be repaid from property tax or income tax revenues. The risk of non-payment is imposed solely on the bondholder, not the taxpayers. Nevertheless, there is a market for these bonds, and they can be a valuable tool for raising money for valuable public purposes. Since these bonds are not repayable from tax revenues, there is no great need to require an election before they may be issued. To the contrary, the delay of the election may make the contemplated public purpose either impossible or more expensive to achieve. Also, voters may confuse these bonds with general obligation bonds.

This measure will give the Board of Commissioners more flexibility to manage the County's financial affairs more efficiently and economically.

AMENDMENT NO. 4

Title:

PROVIDES FOR CHARTER REVIEW IN 1984

Ballot Description:

A Charter Review Committee will be appointed in 1983 to consider possible amendments to the County Charter to be voted upon at the 1984 General Election. The Committee members will be appointed by the State Senator and State Representatives for each Senatorial District which has a majority of voters residing within Multnomah County. The Committee's study will specifically include study of the Auditors office.

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AMENDMENT NO. 4

Title PROVIDES FOR CHARTER REVIEW IN 1984

Explanation:

 The 1977 Amendments to the Multnomah County Charter provided for a Charter Review Committee, consisting of unpaid members appointed by State Legislators from various districts of the County. This Committee studied the Charter and has made proposed amendments for the 1978 General Election ballot. This amendment would provide for appointment of a similar committee in 1983, with authority to study the Charter and propose amendments to go on the 1984 ballot. The Committee would be empowered to study any aspect of the Charter but would be specifically directed to study the Auditor's Office.

Argument in Favor:

 The Multnomah County Home Rule Charter was first enacted in 1966. It should be a growing, living document. Periodic review by an impartial, unpaid citizen's group is a good way to insure that the Charter keep up with changing times and changing needs.