

BILL BRADBURY  
SECRETARY OF STATE

October 31, 2007



JOHN LINDBACK  
DIRECTOR

141 STATE CAPITOL  
SALEM, OREGON 97310-0722

ELECTIONS — (503) 986-1518

The Honorable Tom Brian, Chairman  
Washington County Commissioners  
155 N First Ave Rm 300  
Hillsboro, OR 97124

The Honorable Ted Wheeler, Chair  
Multnomah County Commissioners  
501 SE Hawthorne Blvd Ste 600  
Portland OR 97214-3587



Re: Vacancy in State Senate District 14

Dear Chair Wheeler and Chairman Brian:

Effective October 28, 2007, there is a vacancy in Senate District 14 due to the resignation of State Senator Ryan Deckert.

Pursuant to ORS 171.060(1) and OAR 165-010-0060, you are hereby notified of the vacancy. The Democratic Party precinct committeepersons of Senate District 14 met on **October 29, 2007**, to choose nominees to fill the vacancy. The nominees chosen are:

1. Elizabeth Ann Bode
2. Mike Bohan
3. Mark Hass
4. Shantu Shah

The total number of registered electors in Senate District 14 as of 5:00 p.m. on October 28, 2007, is 60,685 in Washington County and 2,855 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:

Washington County:	60,685 or 61 votes divided by 5 = 12 1/5 votes per commissioner
Multnomah County:	2,855 or 3 votes divided by 5 = 3/5 vote per commissioner

The Washington 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:** 1:00 p.m.  
**Date:** November 20, 2007  
**Place:** Beaverton City Hall  
 Council Chambers  
 4755 SW Griffith Dr  
 Beaverton OR 97076  
 Phone 503-526-2222

Senate District 14 Vacancy  
October 31, 2007  
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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 the vote tabulation sheets. 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,

A handwritten signature in cursive script that reads "Margie Franz". The signature is written in black ink and is positioned to the left of the typed name.

Margie Franz  
Compliance Specialist

Enclosures

BEFORE THE BOARDS OF COUNTY COMMISSIONERS  
FOR WASHINGTON AND MULTNOMAH COUNTIES

In the matter of  
Filling the Vacancy in the Legislative Assembly,  
State Senate, District 14

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WHEREAS, pursuant to state law, the Democratic Party Precinct  
Committeepersons in Senate District 14 made nominations to fill the vacancy;  
and

WHEREAS, in accordance with procedures established by the Secretary of  
State, the Board of County Commissioners of Washington and Multnomah  
considered the nominations at a public meeting on November 20, 2007; 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 Senate District 14;

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

ADOPTED this 20<sup>th</sup> day of November, 2007.

By:

\_\_\_\_\_  
Tom Brian, Chair  
Washington County

\_\_\_\_\_  
Dick Schouten, Commissioner  
Washington County

\_\_\_\_\_  
Desari Strader, Commissioner  
Washington County

\_\_\_\_\_  
Roy R Rogers, Commissioner  
Washington County

\_\_\_\_\_  
Andy Duyck, Commissioner  
Washington County

\_\_\_\_\_  
Ted Wheeler, Chair  
Multnomah County

\_\_\_\_\_  
Maria Rojo de Steffey, Commissioner  
Multnomah County

\_\_\_\_\_  
Jeff Cogan, 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 Senate District 14, the following votes were cast at the public meeting held on November 20, 2007:

	<u>Nominee</u>	<u>No. of Votes</u>
Chair Tom Brian Washington County	_____	12-1/5
Commissioner Dick Schouten Washington County	_____	12-1/5
Commissioner Desari Strader Washington County	_____	12-1/5
Commissioner Roy R Rogers Washington County	_____	12-1/5
Commissioner Andy Duyck Washington County	_____	12-1/5
Chair Ted Wheeler Multnomah County	_____	3/5
Commissioner Maria Rojo de Steffey Multnomah County	_____	3/5
Commissioner Jeff Cogan Multnomah County	_____	3/5
Commissioner Lisa Naito Multnomah County	_____	3/5
Commissioner Lonnie Roberts Multnomah County	_____	3/5

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.

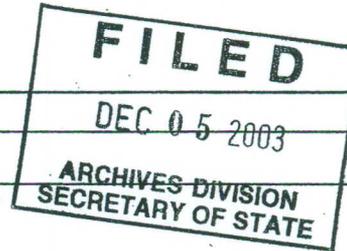
**AMEND:** 165-010-0005, 165-010-0060, 165-010-0080, 165-010-0090

**REPEAL:**

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

Other Authority

Stats. Implemented: ORS 171.051, 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.

  
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 1<sup>st</sup> 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 15<sup>th</sup> 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