

**REPORT OF THE
MULTNOMAH COUNTY
CHARTER REVIEW
COMMITTEE**

JUNE 8, 2004



CHARTER REVIEW COMMITTEE

MULTNOMAH COUNTY, OREGON

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June 8, 2004

Board of Commissioners
Multnomah County
501 SE Hawthorne Blvd., Suite 600
Portland, Oregon 97214

Dear Commissioners:

Attached is the report to the people and to the Board of County Commissioners required by Multnomah County Home Rule Charter section 12.60. The report contains the Committee's findings, conclusions and recommendations including proposed amendments to the Charter.

The Committee began its work in October 2003 and held 15 public meetings. It made a comprehensive study of the charter. It held public hearings in each commission district. Its record includes detailed minutes and other materials that have been filed with the Clerk of the Board. The Committee recommends seven ballot measures proposing Charter amendments.

The Committee thoroughly reviewed the current structure and future needs of the County. It offers this report to further the best interests of the people and government of Multnomah County.

Respectfully submitted,

CHARTER REVIEW COMMITTEE

Lynn Partin, Chair

Enclosure (1)

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PART I

FINDINGS, CONCLUSIONS

AND

RECOMMENDATIONS

MARRIAGE LICENSES

Committee Findings:

- a. The Multnomah County Home Rule Charter Chapter VI, Administration, provides for the authority and duties of the Chair and for the establishment of administrative departments of the County, among other administrative issues. It does not address marriage licenses.
- b. Commissioner Lonnie Roberts proposed a Charter amendment to Chapter VI which would prohibit any Multnomah County official from issuing marriage licenses to couples of the same gender.
- c. On the request of then Chair of the Committee, Lloyd Culbertson, County Attorney prepared and presented a proposal which restated Article I Section 8 of the Oregon Constitution.
- d. Issuance of marriage licenses is primarily a state-wide concern addressed in state statutes. The County Charter confers powers to the county on matters of county concern subject to the restrictions imposed on it by the Constitution and laws of the State.
- e. Multnomah County is a party to several lawsuits in which the constitutionality of prohibiting same gender marriages is an issue. The rulings from those lawsuits may make any measure or Charter amendment passed by the voters moot or unconstitutional.
- f. The Committee considered the two proposals, the information gathered by committee members and the written report of the sub-committee, and heard and read public testimony.

Committee Conclusions:

It is not in the best interests of the County to place a measure on the ballot that would amend the Charter to prohibit same gender marriages at this time.

Committee Recommendations:

Propose no Charter amendment relating to same gender marriages.

CITIZEN INVOLVEMENT

Committee Findings:

The Multnomah County Home Rule Charter contains section 3.75 that creates an office of citizen involvement.

The 1998 Charter Review Committee undertook a comprehensive examination of section 3.75. After considering the Charter section, the citizen involvement ordinance, and the testimony of members and staff of the Citizen Involvement Committee, it proposed no Charter amendment relating to section 3.75. It recommended reexamination by the next Charter Review Committee.

The Committee considered the section and took testimony from the Chair of the Citizen Involvement Committee.

Committee Conclusions:

Citizen involvement is an important part of county government structure and operations. It is required and encouraged by county ordinance.

Section 3.75 allows the Citizen Involvement Committee to operate with substantial leeway. Any changes to the structure of CIC would be better incorporated into ordinance.

Committee Recommendations:

Propose no Charter amendment relating to section 3.75 at the 2004 general election.

CHAIR AUTHORITY

Committee Findings:

The Multnomah County Home Rule Charter contains section 6.10(3) that provides the chair of the board of commissioners has sole authority to appoint administrative officers and employees of the county, except for the personal staff or employees of elective county offices, and appointment of department heads is subject to consent of a majority of the Board.

In 1984, Multnomah County voters approved a measure eliminating the position of county executive and making the board chair, elected at large, the chief executive officer and personnel officer of the county, performing all functions previously assigned to the county executive.

The Committee considered and studied each word of section 6.10(3). The Committee heard testimony from two County Commissioners and a County human resources manager.

The Committee considered and weighed the advantages and disadvantages of proposing additional language to 6.10(3) specifying that:

- the Board must also approve the compensation package of a proposed department head;
- the Board must approve the appointment of a department head before any offer is made to the department head; and
- any offer made to a proposed department head specifically is made contingent upon Board approval.

Committee Conclusions:

The current language of 6.10(3) requires that any offer made to a proposed department head is contingent upon getting Board approval prior to the offer.

Additional language would not increase the Board's authority to approve department heads or their compensation.

Section 6.10(3) should not be amended at this time.

Committee Recommendations:

Propose no Charter amendment relating to section 6.10(3) at the 2004 general election.

MERGER OF ADULT COMMUNITY JUSTICE WITH SHERIFF'S OFFICE

Committee Findings:

The Multnomah County Home Rule Charter contains section 6.50(1) that provides for an elected sheriff for the function prescribed by state law and sole administration of all county jails and correctional institutions.

Multnomah County voters adopted section 6.50(1) in 1982.

The Board established the current Department of Community Justice and prescribed its functions as specified by Charter section 6.20, adopted with the original charter in 1966.

Commissioner Lonnie Roberts proposed a Charter amendment to merge the Adult Services Division of the Department of Community Justice with the Sheriff's Office and to shift the responsibility for Adult Services from the Board to the Sheriff.

Merger of adult and juvenile divisions of the Community Justice Department in 1998, enabled consolidation and coordination of these services to families in which juveniles and their parents both receive services. Severing the adult and juvenile services would not be beneficial to these families or cost effective.

The Committee considered the section and information gathered by committee members and heard and read extensive testimony.

Committee Conclusions:

It is not in the best interests of the County to merge the Adult Services Division of the Department of Community Justice with the Sheriff's Office and to shift the responsibility for Adult Services from the Board to the Sheriff at this time.

Section 6.50(1) should not be amended at this time.

Committee Recommendations:

Propose no Charter amendment relating to section 6.50(1) at the 2004 general election.

HOUSEKEEPING

Committee Findings:

The Multnomah County Home Rule Charter section 6.50 was enacted by initiative petition and adopted by vote in 1982. It combined several unrelated provisions, all under one section: the Sheriff, lobbyist, term limits and running for office midterm.

The provisions in section 6.50 do not logically fit in one section together.

The Charter provisions should be organized and numbered logically.

Several of the provisions in section 6.50 are being referred to voters by the Charter Review Committee for amendment or repeal. The passage of several of the provisions could make the need for a housekeeping ballot title unnecessary.

It would be difficult and confusing to place a measure on the ballot to accomplish these housekeeping changes prior to receiving the results of the election. Reorganization should be done after the election, if needed.

Committee Conclusions:

It is not in the best interests of the County to place a measure on the ballot that would reorganize or renumber Charter provisions at this time.

Committee Recommendations:

Propose no Charter amendment relating to organization. The Committee recommends that the Board of Commissioners place a housekeeping measure on the ballot at the next convenient election date following the general election in November to accomplish organization if more than one provision remains.

INSTANT RUNOFF AUTHORITY

Committee Findings:

Charter sections 4.50 and 11.15 now provide that if no candidate receives a majority of the votes cast in a primary election, then the two candidates receiving the most votes have a run-off election.

The Committee considered the section and information gathered by committee members.

Multnomah County's current vote tally equipment does not support instant runoff elections, and instant runoff elections would result in added expense and confusion for the voters.

Committee Conclusions:

It is not in the best interests of the County for voters to change the process of election to allow instant runoff elections.

Sections 4.50 and 11.15 should not be amended to allow instant runoff elections at this time.

Committee Recommendations:

Propose no Charter amendment to allow instant runoff elections at the 2004 general election.

PARTISAN ELECTIONS

Committee Findings:

The Multnomah County Home Rule Charter contains section 11.15(1) that provides all elective county offices shall be nonpartisan.

Multnomah County voters adopted section 11.15 in 1978.

The Committee considered the section and information gathered by committee members.

The Committee found that in Oregon counties, county officials are elected in partisan elections in 29 counties and in non-partisan elections in 8 counties.

Committee Conclusions:

There is little interest in making the elections of County officials partisan.

Section 11.15 should not be amended at this time.

Committee Recommendations:

Propose no Charter amendment relating to section 11.15 at the 2004 general election.

MEASURE A

MAJORITY VOTE REQUIRED

Committee Findings:

At the November 7, 1978, election, the voters adopted Charter section 3.20(3) that provides at each election for positions on the board, the candidate who receives the highest number of votes cast shall be elected or nominated to it.

At the November 6, 1984, election, the voters adopted Charter section 11.15(4) that provides a majority vote is required to be elected to all county offices. This provision is in conflict with Charter section 3.20(3) that only requires the highest number of votes for election to board positions.

At the March 28, 1989, election, the voters adopted Charter section 4.50 that provides the method for filling vacancies in elective offices of the County. It requires that in an election to fill vacancies, a majority of votes cast at the election is required to be elected to county office. The result of this provision is to require a higher number of votes to be elected to a partial term to fill a vacancy on the board, than is required to fill a full term on the board.

These current provisions should be made consistent.

Committee Conclusions:

Nothing justifies requiring fewer votes to be elected to a full term board position than to either a full term to any other elected position or to a partial term board position.

It is in the best interests of the voters to require a majority vote to be elected to all elected offices for both full and part term elections.

Charter section 3.20(3) should be repealed so that in all elections for county officers, a majority of the votes cast is required for election.

Committee Recommendations:

Submit to the people of Multnomah County at the November 2, 2004, general election a measure repealing section 3.20(3), Ballot Measure A, Majority Vote Required.

MEASURE B SALARY COMMISSION

Committee Findings:

The Multnomah County Home Rule Charter contains section 4.30 that relates to the compensation of the Chair and County Commissioners, and creates a salary commission.

Section 4.30 was adopted by Multnomah County voters in 1982, and amended by the voters in 1984, 1986, 1989 and 1990.

The Salary Commission proposed a Charter amendment to make its salary recommendations to the Board of Commissioners mandatory. This is the same proposal made by the Salary Commission to the 1998 Charter Review Committee. The Committee heard testimony from Salary Commission members and the Auditor.

There is no uniformity in the way other counties set commissioner salaries.

The Committee studied the Salary Commission recommendation and considered various options.

Committee Conclusions:

The Salary Commission serves an important and difficult function in county government: helping to determine salaries for elected officials.

It is not appropriate for commissioners to set their own salaries. The Salary Commission section of the Charter should be amended at this time.

Committee Recommendations:

Submit to the people of Multnomah County at the November 2, 2004, general election a measure amending section 4.30, Ballot Measure B, Salary Commission.

MEASURE C LOBBYIST

Committee Findings:

At the May 18, 1982, election the voters adopted Charter section 6.50(2) that prohibits the county from employing or hiring a paid lobbyist.

This bars the county from having a full-time advocate to promote the county's interests at the state legislature in Salem and in Washington, D.C.

For many purposes the county is an agent of the state. State and federal law governs many county services. A big portion of the county budget is controlled by the state and federal legislatures and governments.

The State of Oregon consists of 36 counties. Multnomah County is the only county in Oregon prohibited from employing a lobbyist to advocate their interests in Salem and Washington, D.C. In addition, no other government or private enterprise is under such a restriction.

The current rule is unfair to county citizens because their interests cannot be represented at the legislatures as well as the interests of citizens of other counties and cities.

In the 22 years since the lobbyist prohibition was added to the Charter, county services and funding have become more closely tied to state law and federal funding.

The current rule deprives the legislature of necessary and important information and expertise about county services and programs.

Lobbying activities can produce beneficial results for the County. For example, Multnomah County was able to obtain \$2.6 million of federal funds due in large part to the lobbying efforts of a County Commissioner.

Under the current rule, only county volunteers and elected officials are allowed to advocate for the county at the state legislature and in Washington, D.C.

County volunteers and elected officials, and state legislators from the county do not have the time, resources or working knowledge to act as county lobbyists on a regular basis.

Committee Conclusions:

The Charter provision prohibiting employment of a paid lobbyist should be repealed.

Committee Recommendations:

Submit to the people of Multnomah County at the November 2, 2004, general election a measure repealing section 6.50(2), Ballot Measure C, Lobbyist.

MEASURE D TERM LIMITS

Committee Findings:

At the May 18, 1982, election the voters adopted Charter section 6.50(3) which restricts service to two full consecutive four-year terms in any one county elective office in any 12-year period.

The two-term limit prohibits voters from deciding whether or not to retain a county elected official by preventing incumbents from being eligible for further service.

Very few other county or city governments have adopted term limits.

The current limitation deprives the public of desirable experience and expertise in county government by forcing elected officials from office without a vote.

Committee Conclusions:

The Charter provision restricting elected officials to two terms should be repealed.

Committee Recommendations:

Submit to the people of Multnomah County at the November 2, 2004, general election a measure repealing section 6.50(3), Ballot Measure D, Term Limits.

MEASURE E MIDTERM RESIGNATION

Committee Findings:

At the May 18, 1982, election the voters adopted Charter section 6.50(4) which prohibits a county elected official from running for another elective office in midterm.

If a county official files for another office, the Charter declares it the same as a resignation. Only in the last year of a term may an official file for another office without it being treated as a resignation.

No other Oregon county or city government treats filing for another office as a resignation.

The current rule is unfair because officials of some county elected offices are affected more than other county officials depending on the years of their terms. Because Commissioners have staggered terms, some can run for Chair without resigning and some cannot.

The current rule deprives the public of desirable experience and expertise in county government by forcing elected officials from office before the end of their terms.

In March 1998, the County was left with only the Chair and one other commissioner to conduct county business due to hospitalization of one commissioner and the two other commissioners having to resign in order to run for other offices. The 1998 Charter Review Commission proposed and voters adopted Measure 26-80 that allows an interim to fill a vacancy in the office of commissioner. An interim only serves until someone is elected or appointed to fill the office.

The current rule creates vacancies in elected offices and results in more elections to fill offices.

Committee Conclusions:

The Charter provision requiring elected officials to resign if they file for another office should be repealed.

Committee Recommendations:

Submit to the people of Multnomah County at the November 2, 2004, general election a measure repealing section 6.50(4), Ballot Measure E, Midterm Resignation.

MEASURE F CIVIL SERVICE COMMISSION TERMS

Committee Findings:

The Multnomah County Home Rule Charter contains section 7.20 that provides for a civil service commission consisting of three members appointed by the Board for terms of six years, with the term of one member of the commission expiring every two years.

Multnomah County voters adopted section 7.20 in 1980.

The County's civil service commission is the Merit Council.

Terms of six years are too long to ask volunteers to serve as Merit Council members.

The current members of the Merit Council agreed unanimously that a reduction of the term to three years would better serve the County and the Merit Council.

Committee Conclusions:

Charter Section 7.20 relating to the terms of civil service commission members should be amended to reduce the terms of members from six years to three years.

Committee Recommendations:

Submit to the people of Multnomah County at the November 2, 2004, general election a measure amending Charter section 7.20, Ballot Measure F, Civil Service Commission Term. County citizens will be better served if the Charter is amended to reduce the terms of Merit Council members from six years to three years with one member's term expiring each year.

MEASURE G NOMINATION OF REPLACEMENT CANDIDATES

Committee Findings:

At the November 7, 1978, election, the voters adopted Charter section 11.15(5) that provides that if a candidate dies, withdraws, or becomes otherwise ineligible on or after the primary election date, candidates for the office shall be nominated by petition or assembly in the manner provided by state law for the nomination of independent candidates.

State law no longer provides a manner for nominating independent candidates.

Section 11.15(5) is outdated and no longer of any meaning.

If section 11.15(5) is repealed, the manner of selecting a candidate in this circumstance will be according to current state law.

Committee Conclusions:

Charter section 11.15(5) should be repealed so that the County will follow current state law for replacement of candidates after primary.

Committee Recommendations:

Submit to the people of Multnomah County at the November 2, 2004, general election a measure repealing section 11.15(5), Ballot Measure G, Nomination of Replacement Candidate.

PART II

RESOLUTION, PROPOSED BALLOT TITLES, EXPLANATORY STATEMENTS AND CHARTER TEXT

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. _____

SUBMIT TO THE VOTERS CHARTER AMENDMENTS PROPOSED BY THE COUNTY
CHARTER REVIEW COMMITTEE

The Multnomah County Board of Commissioners Finds:

- a. The Multnomah County Home Rule Charter (Charter) creates a Charter Review Committee (Committee) and directs it to review the Charter and any issues relating thereto.
- b. The Charter requires the Committee to report to the people and the Board its findings, conclusions, and recommendations including any amendments proposed to the county charter.
- c. The Committee has concluded its review and submitted its report to the Board. The Committee recommends seven separate measures amending the Charter for submission to the people of Multnomah County at the 2004 general election.
- d. The Charter requires all amendments proposed by the Committee to be submitted to the people of Multnomah County at the primary or general election.
- e. Under MCC 5.107(B), measures referred by the Board will be designated on the ballot as referred to the people by the Board.
- f. The Board wants to clearly inform voters that the Committee recommended these seven measures.

The Multnomah County Board of Commissioners Resolves:

1. The seven measures proposing amendments to the Charter recommended by the Committee shall be submitted to the people of Multnomah County at the November 2, 2004, general election.
2. The ballot titles, explanatory statements and changes to the language of the Charter for the seven measures are attached as Exhibits A, B, C, D, E, F and G.
3. The words "as recommended by the Multnomah County Charter Review Committee" shall be added to the ballot designations required by MCC 5.107(B). The designation for each measure shall read as follows:

"Referred to the People by the Board of County Commissioners as recommended by the Multnomah County Charter Review Committee."

4. The seven measures, designations, ballot titles, explanatory statements and Charter text are certified to the Director of the Multnomah County Division of Elections (Director).
5. The Director shall publish these designations and include them in the county voters' pamphlet.
6. All measures approved by a majority of voters at the November 2, 2004, election shall take effect November 3, 2004.

ADOPTED this 22nd day of July, 2004

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Diane M. Linn, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By _____
Agnes Sowle, County Attorney

BALLOT MEASURE A

CAPTION: Majority Vote Required To Elect Multnomah County Officers

QUESTION: Shall all County elected officials be required to receive a majority of the votes cast?

STATEMENT: The measure amends the Charter. It resolves an inconsistency in the current Charter which requires fewer votes to be elected to a full term board position than the majority vote required for other officers, or for board members for a partial term. The measure repeals the inconsistent provision. The result is that in all elections for County officers, a majority of the votes cast are required for election. The measure takes effect on November 3, 2004.

EXPLANATORY STATEMENT

The county Charter has inconsistent provisions for election to board positions. One provision requires that for election to a board position, the candidate with the highest number of votes is elected. Another provision requires that for election to all county offices, the candidate with a majority of votes cast at the election is elected. Another provision requires that in an election to fill a county officer vacancy, a majority vote is required.

The measure amends the Charter. It repeals the provision allowing election to a board position to require only the highest number of votes. With this repeal, the remaining provisions require that all elections to county offices, both those on the board and others, require a majority vote. If a candidate does not receive a majority of the votes cast at the primary election, the two candidates receiving the highest number of votes shall run against each other at the general election.

The Charter Review Committee recommends this measure.

The measure will take effect November 3, 2004.

Text of Charter Amendments for Ballot Measure A - Majority Vote Required

(~~Crossed out~~ language is deleted; double-underlined language is new)

3.20. Election.

Except as this charter provides to the contrary,

(1) Each member of the board shall be nominated and elected from a district, by position; and

(2) Commissioner terms shall be four years, ~~;~~ and

~~(3) At each election, of the candidates for position on the board, the one who receives the highest number of votes cast for any candidate for that position shall be the one elected or nominated to it.~~

BALLOT MEASURE B

CAPTION: Salary Commission

QUESTION: Should the Salary Commission set County Chair and Commissioner salaries?

STATEMENT: The Charter permits the county board to set chair and commissioner salaries not exceeding the salaries recommended by the salary commission. The auditor appoints the five-member salary commission. The measure amends Charter Section 4.30 to require the salary commission to set the county chair and commissioner salaries. It takes effect on November 3, 2004.

EXPLANATORY STATEMENT

This measure amends the Charter. The Charter currently allows the county board to set its own salaries as long as the salary commission's recommendations are not exceeded. A five-member salary commission is appointed by the auditor by January 1 of each even year.

The Charter Review Committee does not believe it is appropriate for elected officials to set their own salaries.

The Charter Review Committee recommends this measure. It will require the salary commission to set county chair and commissioner salaries.

The measure will take effect November 3, 2004.

Text of Charter Amendments for Ballot Measure B - Salary Commission

(~~Crossed out~~ language is deleted; double-underlined language is new)

4.30. Compensation Of The Chair And Commissioners.

The auditor shall appoint a five-member salary commission, composed of qualified ~~people~~ human resource professionals with ~~personnel~~ compensation experience, by January 1 of each even year. The salary ~~commission's salary adjustment recommendations, if any, shall set the salaries~~ for the chair of the board of county commissioners and the county ~~commissioners, documenting the basis of its decisions shall be submitted to the board. The board shall establish salaries for the chair and the commissioners, and such salaries shall not exceed the salaries recommended by the salary commission.~~ All elected or appointed Multnomah County officials and employees are prohibited from serving on the salary commission.

BALLOT MEASURE C

CAPTION: Multnomah County Lobbyist

QUESTION: Should County Charter be amended to repeal bar on county paid lobbyist?

STATEMENT: This amends county Charter. The Charter Review Committee favors passage. The measure allows the county to employ a lobbyist. The Charter now bars a paid county lobbyist. This applies to the state and federal legislatures. County services and programs depend on many decisions made in Salem as well as federal funding. The county cannot proactively represent its interests. All other counties and cities may have paid lobbyists. The measure repeals Charter Section 6.50(2). It takes effect on November 3, 2004.

EXPLANATORY STATEMENT

The Charter Review Committee recommends this measure. It repeals the bar on a county lobbyist. It allows the county to have an advocate to represent the county and its citizens at the state legislature in Salem and to promote its interests in Washington, D.C. for federal funds for projects like the Sauvie Island Bridge.

Although testimony may be given when requested by legislators, currently county employees cannot urge support or opposition on a bill. Only elected officials of the county may recommend that legislators vote in favor or against bills. A lobbyist provides information and advocates for the passage or defeat of bills. While the County is a member of organizations that employ lobbyists, the position taken by an organization cannot always represent the specific interests of the County.

Multnomah County is the only county in Oregon prohibited from employing a lobbyist to advocate their interests in Salem and Washington, D.C. In addition, no other government or private enterprise is under such a restriction. County services and programs depend on many decisions made in Salem as well as federal funding. The taxes paid by county citizens are also affected by state decisions.

The Charter Review Committee concluded that county elected officials do not have adequate time to fulfill their official duties while at the same time acting as lobbyists for the County's interests on a regular basis.

The measure will take effect November 3, 2004.

Text of Charter Amendments for Ballot Measure C - Lobbyist

(~~Crossed out~~ language is deleted; double-underlined language is new)

6.50. Sheriff; ~~Paid Lobbyist~~; Successive Terms, Running For Office In Midterm.

~~(2) Multnomah County shall not employ or hire a paid lobbyist.~~

BALLOT MEASURE D

CAPTION: County Term Limits

QUESTION: Shall County Charter's limit on voters ability to elect a person to more than two four-year terms be repealed?

STATEMENT: The Charter limits public service in county elective offices. No person can serve more than two four-year terms. Voters cannot decide to keep a person in office. The measure repeals Charter Section 6.50(3). It takes effect on November 3, 2004.

EXPLANATORY STATEMENT

This measure amends the Charter. It now limits a person to two full four-year terms in an elective office in any 12-year period. Voters cannot decide to keep a county elected official in office. A person is no longer eligible for county elected office.

The Charter Review Committee thinks term limits cost the public experienced elected officials. Most other counties and cities do not have term limits.

The Charter Review Committee recommends this measure. It will repeal the county term limits.

The measure will take effect November 3, 2004.

Text of Charter Amendments for Ballot Measure D - Repealing Term Limits

(~~Crossed out~~ language is deleted; double-underlined language is new)

6.50. Sheriff; Paid Lobbyist; ~~Successive Terms~~, Running For Office In Midterm.

~~(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 12-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 12-year period.~~

BALLOT MEASURE E

- CAPTION:** Multnomah County Official Running For Office Midterm
- QUESTION:** Shall County elected officials be allowed to run for another elective office in midterm?
- STATEMENT:** The measure amends the Charter. It allows county elected officials to file for another office without ending their current term of office. The Charter now treats filing as a resignation resulting in ending county elected terms, creating office vacancies and causing more elections to fill offices. The measure takes effect on November 3, 2004.

EXPLANATORY STATEMENT

The county Charter does not allow running for another elective office in midterm. If a county official files for another office, it is the same as a resignation. Only in the last year of the term may the official file for another office. This limits public service in county elected offices, creates office vacancies and results in more elections to fill offices.

The measure amends the Charter. This measure repeals the midterm ban and allows elected officials to file for another office without ending their current term. This measure will reduce the number of elections to fill offices.

The Charter Review Committee recommends this measure.

The measure will take effect November 3, 2004.

Text of Charter Amendments for Ballot Measure E - Midterm Resignation

(~~Crossed out~~ language is deleted; double-underlined language is new)

6.50. Sheriff; Paid Lobbyist; Successive Terms, ~~Running For Office In Midterm.~~

~~———— (4) ——— No elected official of Multnomah County may run for another office in midterm. Filing for another office in midterm 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.~~

BALLOT MEASURE F

- CAPTION:** Civil Service Commission Terms
- QUESTION:** Shall County Charter be amended reducing term of Civil Service Commission members?
- STATEMENT:** The Charter now provides that the term of office of each member of Multnomah County's Civil Service Commission be six years, with the term of one member of the commission expiring every two years. This measure amends the Charter to reduce the term of office from six years to three years, with one member's term expiring each year.

EXPLANATORY STATEMENT

This measure amends the Civil Service Commission section of the county Charter. It now requires that the term of office of each member of the commission be six years, with the term of one member of the commission expiring every two years.

This measure will reduce the term of office of Civil Service Commission members from six years to three years, with one member's term expiring each year.

The measure will take effect November 3, 2004.

Text of Charter Amendments for Ballot Measure F - Civil Service Commission Terms

(~~Crossed out~~ language is deleted; double-underlined language is new)

7.20. Civil Service Commission.

(1) There shall be a civil service commission consisting of three members appointed by a board of county commissioners.

(2) The term of office of each member of the commission shall be ~~six~~three years. Every ~~two~~two-years the term of one member of the commission shall expire.

BALLOT MEASURE G

- CAPTION:** Nomination of Replacement Candidates After Primary
- QUESTION:** Shall the County select replacement candidates after primary in accordance with current state law?
- STATEMENT:** The measure amends the Charter. It is a housekeeping measure. Currently the Charter provides that if a candidate dies, withdraws, or becomes otherwise ineligible on or after the primary election date, candidates for the office shall be nominated by petition or assembly in the manner provided by state law for the nomination of independent candidates. State law does not provide a manner for selection of independent candidates. The measure takes effect on November 3, 2004.

EXPLANATORY STATEMENT

This is a housekeeping measure. The county Charter provides that if a candidate dies, withdraws, or becomes otherwise ineligible on or after the primary election date, candidates for the office shall be nominated by petition or assembly in the manner provided by state law for the nomination of independent candidates. State law does not provide a manner for selection of independent candidates. However, state law no longer contains any provision for the selection of independent candidates, making the Charter provision outdated and with no meaning.

The measure amends the Charter. It repeals the outdated provision. With this repeal, the County would follow current state law for the nomination of replacement candidates after the primary election.

The Charter Review Committee recommends this measure.

The measure will take effect November 3, 2004.

Text of Charter Amendments for Ballot Measure G - Nomination of Replacement Candidates

(~~Crossed out~~ language is deleted; double-underlined language is new)

11.15. Election of officers.

(4) The names of all candidates shall appear on the primary election ballot. If a candidate receives a majority of the votes cast for a position at the primary election; the candidate shall be elected to the position. If no candidate for a position at a primary election receives a majority of the votes cast for the position, the two candidates receiving the highest number of votes shall be declared nominees and their names shall appear on the general election ballot.

~~(5) If a candidate dies, withdraws, or becomes otherwise ineligible on or after the primary election date, candidates for the office shall be nominated by petition or assembly in the manner provided by state law for the nomination of independent candidates.~~

