

KATE BROWN  
SECRETARY OF STATE



GINA ZEJDLIK  
INTERIM DIRECTOR  
255 CAPITOL STREET NE, SUITE 501  
SALEM, OREGON 97310-0722  
(503) 986-1518

November 12, 2013

Marissa Madrigal  
501 SE Hawthorne Blvd Ste 600  
Portland OR 97214-3587

Re: Vacancy in Senate District 23

Dear Chairperson Madrigal:

Effective November 3, 2013, there is a vacancy in Senate District 23 due to the resignation of Senator Dingfelder. Pursuant to ORS 171.060(1) and OAR 165-010-0060, you are hereby notified of the vacancy. The Democratic precinct committeepersons of Senate District 23 met and chose nominees to fill the vacancy. The nominees chosen are:

1. Enrique M. Arias
2. CM Hall
3. Michael Dembrow

The Democratic Party of Oregon must meet to appoint one person from the list of nominees. The vacancy must be filled **no later than November 25, 2013**, 30 days after the vacancy occurred. The time and location of the meeting are as follows:

**Date: November 18, 2013**  
**Time: 9:30 AM**  
**Location: 501 SE Hawthorne Blvd Ste 600/Boardroom**

Enclosed is a copy of OAR 165-010-0060 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 signature and vote tabulation sheets. You may produce and use your own version of these documents if you wish. Please complete and return the Statement, signature and tabulation sheet immediately after the meeting. You can email it to [elections.sos@state.or.us](mailto:elections.sos@state.or.us).

Please contact me at (503) 986-1518 if you have any questions about this process.

Sincerely,

Candy Broucek  
Compliance Specialist

Attachments

c: Multnomah County Elections

**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 form SEL 145, Statement of Nominee's Willingness to Serve, as the form to be used to accept a nomination to fill a legislative vacancy. The form shall contain:

- (a) Nominee's name;
- (b) Office and district number, if any, for which candidate would accept appointment;
- (c) Candidate's residence address;
- (d) Candidate's home and work telephone numbers;
- (e) Mailing address where all correspondence will be sent;
- (f) Statement that candidate will accept appointment; and
- (g) Candidate's signature and date signed.

Stat. Auth.: ORS 171.051, 171.060 & 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; ELECT 18-2003, f. & cert. ef. 12-5-03; ELECT 4-2012, f. & cert. ef. 1-3-12

BEFORE THE MULTNOMAH COUNTY COMMISSIONERS

In the matter of  
Filling the Vacancy in the Legislative Assembly,  
Senate District 23

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WHEREAS, pursuant to state law, the Democratic Party Precinct Committeepersons in Senate District 23 made nominations to fill the vacancy; and

WHEREAS, in accord with procedures established by the Secretary of State, the Multnomah County Board of Commissioners considered the nominations at a public meeting on November 18, 2013; 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, Senate District 23;

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

ADOPTED this 18th day of November 2013.

By:

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Marissa Madrigal, County Chair  
Multnomah County Commissioners

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Liesl Wendt, District 1  
Multnomah County Commissioner

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Loretta Smith, District 2  
Multnomah County Commissioner

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Judy Shiprack, District 3  
Multnomah County Commissioner

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Diane McKeel, District 4  
Multnomah County Commissioner

EXHIBIT A

VOTE TABULATION

In the matter of filling the vacancy in the Legislative Assembly, Senate District 23, the following votes were cast at the public meeting held on November 18, 2013:

**Nominee**

Marissa Madrigal, County Chair  
Multnomah County Commissioners

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Liesl Wendt, District 1  
Multnomah County Commissioner

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Loretta Smith, District 2  
Multnomah County Commissioner

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Judy Shiprack, District 3  
Multnomah County Commissioner

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Diane McKeel, District 4  
Multnomah County Commissioner

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