

BILL BRADBURY  
SECRETARY OF STATE



ELECTIONS DIVISION

JOHN LINDBACK  
DIRECTOR

141 STATE CAPITOL  
SALEM, OREGON 97310-0722

ELECTIONS — (503) 986-1518

March 16, 2004

Diane Linn, Chair  
Multnomah County Commissioners  
501 SE Hawthorne Boulevard, Suite 600  
Portland, OR 97214-3587

Re: Vacancy in Representative District 43

Dear Ms. Linn:

Effective March 2, 2004, there is a vacancy in Representative District 43 due to the resignation of State Representative Deborah Kafoury.

Pursuant to ORS 171.060(1) and OAR 165-010-0060, you are hereby notified of the vacancy. The Democratic Party precinct committee persons of Representative District 43 met on **March 13, 2004**, to choose nominees to fill the vacancy. The nominees chosen are:

1. R.P. Joe Smith
2. Jo Ann A. Bowman
3. Tom Markgraf

The Multnomah County Board 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:** 9:30 a.m.  
**Date:** March 25, 2004  
**Place:** Board Room  
501 SE Hawthorne Boulevard  
Portland, OR 97214-3587

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 form and a vote tabulation form. 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,

Carla Corbin  
Compliance Specialist

Enclosures

**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, 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