

BEFORE THE BOARD OF COUNTY COMMISSIONERS

FOR MULTNOMAH COUNTY, OREGON

ORDINANCE NO. 213

An ordinance relating to Voters' Pamphlets; amending MCC 4.10.500, 4.10.510, 4.10.520, 4.10.530, 4.10.550, and 4.10.560 relating to inclusion of county measures in the state Voters' Pamphlet.

Multnomah County ordains:

Section 1. MCC 4.10.500 is amended to read:

4.10.500 State voters' pamphlet. The Board of County Commissioners considers it to be in the interest of the people of Multnomah County for county measures, ballot titles and explanatory statements therefor and arguments relating thereto to be included in the state voters' pamphlet, in accordance with [ORS 255.455] ORS 251.285 and the provisions of MCC 4.10.500 to 4.10.570.

Section 2. MCC 4.10.510 is amended to read:

4.10.510 Definitions. For the purpose of MCC 4.10.500 to 4.10.570, unless the context requires otherwise, "director" means the director of the Multnomah County Division of [Records and] Elections, or the director's designee.

Section 3. MCC 4.10.520 is amended to read:

4.10.520 County measures included in pamphlet. A county measure shall qualify for and be subject to the provisions of MCC 4.10.500 to 4.10.570 and [ORS 255.455] ORS 251.285 only if:

(A) The measure is submitted to the electors at an election for which a state voters' pamphlet [referred to in ORS 255.410] is printed.

(B) All procedures set forth in MCC 4.10.500 to 4.10.570 relating to the preparation of the ballot title and of the explanatory statement for the measure, including final adjudication in any judicial review thereof, have been completed on or before the [80]75th day before the election at which the measure is to be submitted to the electors.

(C) In the case of a measure proposed by initiative or referendum petition:

(1) All chief petitioners indicate their decision to include the measure, its ballot title, explanatory statement and arguments in the state voters' pamphlet, by filing with the

director of the Division of [Records and] Elections a statement of that decision, in such form as the director shall prescribe, at the time the [preliminary] prospective petition for the measure is filed with the director; and

(2) A petition containing sufficient qualified signatures to require submission of the measure to the electors is filed with the director on or before the 90th day preceding the election at which the measure is to be submitted to the electors.

(D) In the case of a measure referred to the electors by the Board of County Commisisoners, the board indicates its decision to include the measure, its ballot title, explanatory statement and arguments in the state voters' pamphlet, by filing with the director its order reflecting that decision on or before the [80] 85th day preceding the election at which the measure is to be submitted to the electors.

(E) In the case of any county measure opposed by a political committee, as defined in ORS Chapter 260, such committee indicates its decision in a statement signed by every committee director, as defined in ORS Chapter 260, and files such statement with the director on or before the 80th day preceding the election at which the measure is to be submitted to the electors.

Section 4. MCC 4.10.530 is amended to read:

4.10.530 Preparation of ballot titles and explanatory statements.

(A) In the case of a measure proposed by initiative or referendum petition, [which satisfies the applicable requirements of MCC 4.10.520] upon the filing of its [preliminary] prospective petition, the director shall convey two copies of the petition to the District Attorney of Multnomah County, who shall, within five days after receiving it, prepare a ballot title and explanatory statement for the measure and return a copy of the [preliminary] prospective petition, together with the ballot title and explanatory statement, to the director and to one of the chief petitioners.

(B) In the case of a measure referred to the electors by the Board of County Commissioners [which satisfies the applicable requirements of MCC 4.10.520] which will be voted upon at an election for which there is a state voters' pamphlet the Board shall file with the director a ballot title and explanatory statement for the measure at the time it files the order described in subsection (D) of MCC 4.10.520.

(C) Ballot titles shall consist of: [a caption, not to exceed six words, by which the measure may be commonly referred to or spoken of, followed by a statement of the chief purpose of the measure, not to exceed 75 words. The caption and statement shall be impartial and not an argument for or against the measure.]

(1) A caption of not more than 10 words by which the measure is commonly referred to;

(2) A question of not more than 20 words which plainly states the purpose of the measure, and is phrased so that an affirmative response to the question corresponds to an affirmative vote on the measure; and

(3) A concise and impartial statement of not more than 75 words of the chief purpose of the measure.

(D) Explanatory statements shall be impartial, simple and understandable, explaining the measure and its effect and shall not exceed 500 words.

Section 5. MCC 4.10.550 is amended to read:

4.10.550 Arguments favoring or opposing measures.

(A) Arguments favoring or opposing a measure which qualifies for and is subject to MCC 4.10.500 to 4.10.570 may be filed with the director on or before the 75th day preceding the election at which the measure is to be submitted to the electors by:

(1) Any elector eligible to vote on the measure, or any organization eligible to file arguments under the laws of Oregon, upon payment to the director of a fee of \$300 and the filing of a statement, in such form as the director shall prescribe, which identifies the name of the person or persons who submitted the argument, the name of the organization the person or persons represent, if any, and whether the argument supports or opposes the measure; or

(2) One thousand or more electors eligible to vote on the measure whose representative files with their argument a petition for its inclusion in the state voters' pamphlet, in such form as the director shall prescribe or provide, which contains the qualified signatures of at least 1,000 such electors.

(B) Prior to the circulation of a petition under paragraph (2) of subsection (A) of this section, a [preliminary] prospective petition shall be filed with the director, in such form as the director shall prescribe or provide, which sets forth the text of the proposed argument and which identifies the name of the person or persons who submitted the argument, the name of the organization the person or persons represent, if any, and whether the argument supports or opposes the measure. A copy of the contents of the [preliminary] prospective petition shall be attached to each signature sheet of the petition circulated among the electors. The procedures for circulation of the petition shall be the same as the applicable procedures for circulation of initiative or referendum petitions, and the director shall verify the signatures on the petition in the same manner signatures are verified on referendum or

initiative petitions. Arguments shall be typewritten, shall be prepared for printing on not more than 29.8 square inches of the voters' pamphlet and shall comply with all applicable laws and rules pertaining to arguments in voters' pamphlets.

Section 6. MCC 4.10.560 is amended to read:

4.10.560 Filing of material with Secretary of State. On or before the 70th day preceding the election at which any measure which qualifies for and is subject to MCC 4.10.500 to 4.10.570 is to be submitted to the electors, the director shall file with the Secretary of State the measure, ballot title, explanatory statement and any arguments which have been filed and completed in accordance with the requirements of MCC 4.10.500 to 4.10.570 and of other applicable law. [A copy of any preliminary petitions for arguments and statements filed with those arguments, under MCC 4.10.500, shall also be transmitted by the director to the Secretary of State.] The county shall pay the Secretary of State the cost of including the material in the voters' pamphlet.

ADOPTED this 29th day of November, 1979, being the date of its second reading before the Board of County Commissioners of Multnomah County, Oregon.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

By Carl Blumenauer
Presiding Officer

Authenticated by the County Executive on the 30th day of November, 1979.

Donna S. Clark
County Executive for
Multnomah County, Oregon

APPROVED AS TO FORM:

John B. Leahy
John B. Leahy, County Counsel
for Multnomah County, Oregon