

KATE BROWN
SECRETARY OF STATE



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September 22, 2011

Jeff Cogen, County Chair
Multnomah County Commissioners
501 SE Hawthorne Blvd, Suite 600
Portland, OR 97214-3587

Re: Vacancy in House District 46 / Ben Cannon

Dear Chair Cogen and Commissioners:

Effective September 1, 2011, there is a vacancy in House District 46 due to the resignation of State Representative Ben Cannon.

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 House District 46 met and chose nominees to fill the vacancy. The nominees chosen are:

1. **Alissa Keny-Guyer**
2. **Rob Milesnick**
3. **Trisha Parks**

The Multnomah County Board of Commissioners is hereby directed to meet to appoint one person from the list of nominees. This vacancy must be filled by the County Commissioners not later than thirty days after the vacancy occurred (ORS 171.051 (2), **no later than October 3, 2011 by 5:00 p.m.**

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 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 sheet and tabulation sheet immediately after the meeting.

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

Sincerely,

Candy Broucek
Compliance Specialist
Attachments (4)

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.

BEFORE THE BOARD OF COUNTY
COMMISSIONERS FOR MULTNOMAH COUNTY

In the matter of
Filling the Vacancy in the Legislative Assembly,
State Representative, District 46

WHEREAS, pursuant to state law, the Democratic Party Precinct Committee persons in State Representative District 46 made nominations to fill the vacancy; and

WHEREAS, in accord with procedures established by the Secretary of State, the Board of County Commissioners of Multnomah County considered the nominations at a public meeting on September 27, 2011; 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 Representative, District 46;

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

ADOPTED this 27th day of September, 2011.

By: _____
Jeff Cogen, County Chair
Multnomah County

Deborah Kafoury, District 1
Multnomah County Commissioner

Loretta Smith, District 2
Multnomah County Commissioner

Judy Shiprack, District 3
Multnomah County Commissioner

Diane McKeel, District 4
Multnomah County Commissioner

EXHIBIT A

VOTE TABULATION

In the matter of filling the vacancy in the Legislative Assembly, State Representative, District 46, the following votes were cast at the public meeting held on September 27, 2011:

Nominee

Jeff Cogen, County Chair
Multnomah County

Deborah Kafoury, Dist 1
Multnomah County Commissioner

Loretta Smith, Dist 2
Multnomah County Commissioner

Judy Shiprack, Dist 3
Multnomah County Commissioner

Diane McKeel, Dist 4
Multnomah County Commissioner
