

W. S. B.

IN THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY, OREGON

RESOLUTION

)LANE COUNTY BOARD OF COMMISSIONERS RESOLUTION IN
)SUPPORT OF OREGON BALLOT MEASURE 56 AND
)OPPOSITION TO OREGON BALLOT MEASURES 58, 59, 60, 61
)AND 63.

WHEREAS, the Oregon Constitution is a U.S. state constitution, which is the governing document of the U.S. State of Oregon. It was ratified following the Oregon Constitutional Convention on November 9, 1857, and took effect when Oregon achieved statehood on February 14, 1859; and

WHEREAS, under the Oregon Constitution, Article XVII, amendments and revisions, any amendment (or amendments), or revision to this Constitution may be proposed in either branch of the legislative assembly, and if the same shall be agreed to by a majority, or by at least two-thirds, respectively, of all the members of each house elected to each of the two houses, such proposed amendment or amendments shall, with the yeas and nays thereon, be entered in their journals and referred by the secretary of state to the people for their approval or rejection, at the next regular general election, except when the legislative assembly shall order a special election for that purpose; and,

WHEREAS, in 1902, Oregon was the first state in the nation to adopt an initiative process (Oregon Constitution, Article IV, Section 1. Legislative power; initiative and referendum). The goal was to give residents and grass roots organizations an opportunity to detour past the Legislature. Since then, voters passed 115 of the 330 initiative measures. To place an initiative on the ballot, supporters must obtain a specified number of signatures from registered voters; and

WHEREAS, a county in Oregon is defined as a corporate or quasi-corporate body established for the purpose of local self-government; an agent of the state; and a territorial and political division of the state. A county exercises powers granted and defined by the Oregon Constitution, the Oregon Legislative Assembly, referendum, and the Oregon Supreme Court; and

WHEREAS, Lane County is a county in the State of Oregon, and in 1962 enacted a Home Rule Charter and 9 subsequent Amendments, four of which (1 through 4; 1972, 1976, 1976, and 1982) established a 5-member, non-partisan Board of County Commissioners with each commissioner elected by District and serving a 4 year term; and

WHEREAS, on November 4th, 2008, the citizens of the State of Oregon have an opportunity to vote on four Ballot Measures referred by the State Legislature and eight referred by the initiative process; and

WHEREAS, under the powers granted by both the Oregon State Constitution and Lane County's Home Rule Charter, the Board of County Commissioners are the local governing body, and as such, are responsible for complying with and enforcing all laws, statutes, regulations, rules, policies and procedures as established by the Federal Government, State of Oregon and Lane County's Home Rule Charter; and

WHEREAS, the Board of County Commissioners, in their collective effort to perform the duties of their offices, must from time-to-time, make recommendations to their citizens regarding various purposed Ballot Measures that may have either beneficial or deleterious impacts upon their ability to successfully perform their fiduciary responsibilities; and

NOW, THEREFORE IT IS HEREBY RESOLVED, the Lane County Board of Commissioners, acting in their official capacity and for the benefit of the citizens of Lane County, do hereby unanimously take the following position on the below listed Ballot Measures:

In Support:

Ballot Measure 56 (Referred by Legislature) - Provides that May and November property tax elections are decided by majority of voters voting.

In Opposition:

Ballot Measure 58 (Referred by Initiative) - Prohibits teaching public school student in language other than English for more than two years; and

- Ballot Measure 59 (Referred by Initiative) - Creates an unlimited deduction for Federal income taxes on individual taxpayers' Oregon income tax returns; and
- Ballot Measure 60 (Referred by Initiative) - Teacher "classroom performance," not seniority, determines pay raises; "most qualified" teachers retained, regardless of seniority; and
- Ballot Measure 61 (Referred by Initiative) - Creates mandatory minimum prison sentences for certain theft, identity theft, forgery, drug, and burglary crimes; and
- Ballot Measure 63 (Referred by Initiative) - Exempts specified property owners from building permit requirements for improvements valued at/under 35,000 dollars.

Dated this 1st day of October, 2008

Chair, Lane County Board of Commissioners

APPROVED AS TO FORM
Date: 9/30/08
21
OFFICE OF LEGAL COUNSEL