

W.G.A.

AGENDA COVER MEMORANDUM

Agenda Date: June 7 and June 21, 2006

TO: Board of Commissioners

DEPARTMENT: Department of Management Services

PRESENTED BY: Annette K. Newingham, Chief Deputy County Clerk
Department of Management Services

SUBJECT: ORDINANCE 5-06/IN THE MATTER OF AMENDING CHAPTER
2 OF LANE CODE REGARDING ELECTIONS AND VOTERS'
PAMPHLET (LC 2.625, 2.630, 2.655)

MOTION: First Reading (6/7): I MOVE TO SET THE SECOND READING
AND PUBLIC HEARING ON ORDINANCE NO. 5-06
AMENDING LANE CODE CHAPTER 2 ON ELECTIONS AND
VOTERS' PAMPHLET DEADLINES FOR JUNE 21ST AT 1:30
P.M.

Second Reading/Public Hearing (6/21): I MOVE TO ADOPT
ORDINANCE NO. 5-06 ON ELECTIONS AND VOTERS'
PAMPHLET DEADLINES

I. ISSUE/PROBLEM:

Lane Code Chapter 2 regarding elections, specifically on initiatives, referenda and voters' pamphlets, incorporates the laws, rules and regulations in effect on May 1, 2000. These need to be updated through the last legislative session. In addition, the deadline for filing voter pamphlet material with the County is the same as with the State, which, in the situation where the voters' pamphlet is produced by the State, risks County Elections being unable to deliver it to the Secretary of State timely.

III. DISCUSSION:

Background:

Generally, Lane Code Chapter 2 details how county initiatives, referenda and charter amendments are to be handled, and how any material relating to these are addressed for the voters' pamphlets (either County or State). Unless specified, Lane Code Chapter 2 applies the State laws and regulations in effect as of May, 2000.

With respect to the voters' pamphlet, the Code specifies the filing deadline for materials as the same, regardless whether the pamphlet is produced by the State (which occurs only at the primary and general election in even years) or by the County.

Analysis:

This Lane Code change addresses two issues: 1) updating the applicable laws that are incorporated and 2) clarifying when voters' pamphlet materials should be submitted to County elections.

On the first issue, updating the applicable State laws and regulations that are applied to county measures to the most current legislation will reduce potential conflicts and make it easier to citizens to figure out what to use. It also reduces the risk of error by staff. It is recommended that the laws and regulations in effect as of May 1, 2006 be used. (See LC 2.620)

On the second issue, the deadline for filing voter pamphlet material with the County is presently the same as filing it with the State. Whenever the voters' pamphlet is produced by the State, County Elections must take whatever materials they receive, and submit them to the State by 5 p.m. on the relevant filing date. If material comes in to County elections near 5 p.m., this risks their being unable to deliver it to the Secretary of State timely. For that reason, it is recommended the Code be changed to require the material be delivered to the County by noon on the date of the deadline.

Other minor changes are proposed to provide additional clarity in cross-references.

Alternatives/Options:

1. Maintain Lane Code as is.
2. Adopt the changes as recommended.

Recommendation: Adopt the changes as recommended to ensure that any required filings to the county elections official provide sufficient time to meet the state filing deadline of 5 pm that same day for inclusion of county measure filings in the state voters' pamphlet, and to apply current state law.

II. IMPLEMENTATION/FOLLOW-UP:

The changes become effective 30 days after enactment.

III. ATTACHMENT:

- Ordinance No. 5-06 with attached Lane Code pages and legislative format

IN THE BOARD OF COUNTY COMMISSIONERS, LANE COUNTY, OREGON

ORDINANCE NO. 05-06

IN THE MATTER OF AMENDING CHAPTER 2 OF
LANE CODE REGARDING ELECTIONS AND
VOTERS' PAMPHLET (LC 2.625, 2.630, 2.655)

The Board of County Commissioners of Lane County ordains as follows:

Chapter 2 of Lane Code is hereby amended by deleting, substituting, and adding new sections as follows:

DELETE THESE SECTION(S)

2.625 through 2.630
as located on page 2-11 through 2-12
(a total of two pages)

2.655
as located on page 2-13
(a total of one page)

INSERT THESE SECTION(S)

2.625 through 2.630
as located on page 2-11 through 2-12
(a total of two pages)

2.655
as located on page 2-13
(a total of one page)

Said sections are attached hereto and incorporated herein by reference. The purpose of this substitution and addition is to clarify which state laws apply to the exercise of the county initiative and referendum powers, and to modify the deadlines for filing of the explanatory statement and arguments contained in the voters' pamphlet.

ENACTED this _____ day of _____ 2006.

Chair, Lane County Board of Commissioners

Recording Secretary for this Meeting of the Board

APPROVED AS TO FORM

Date 5/24/06 Lane County


OFFICE OF LEGAL COUNSEL

(b) Lane County Peace Officers' Association. Upon retirement, all employees hired on or before July 1, 1987, and who worked ten (10) full, continuous years of service prior to age seventy (70) would be eligible for County-paid retiree medical insurance. Upon retirement, all employees hired after July 1, 1987, and before July 1, 1993, and who worked twenty (20) full, continuous years of service prior to age seventy (70) would be eligible for County-paid retiree medical insurance.

(3) These agreements or promises should be consulted to determine qualifications for retirement.

(4) The retiree medical benefit is a benefit that is limited in scope in that there are no new employees who will become eligible to receive it. As such, it is also a defined and limited liability for Lane County.

(5) The Board of County Commissioners has determined it is in the best interests of Lane County to provide a separate and dedicated trust fund for the purpose of paying for this defined liability. By virtue of the Ordinance creating this Lane Code provision, the Board hereby creates a Retiree Medical Trust Fund and dedicates all monies deposited in the Retiree Medical Trust Fund, now or hereafter, for the purposes enumerated below:

(a) To make payments in fulfillment of the promises of the County-paid retiree medical insurance as described in LC 2.500(1) and (2).

(b) To pay necessary and reasonable administrative and actuarial expenses, including but not limited to routine County indirect expenses, to manage and maintain the fund in a prudent manner in accordance with the normal fiduciary responsibilities associated with a trust fund.

(c) All earnings from investments of monies in the Retiree Medical Trust Fund shall accrue to the Trust Fund and are dedicated for the same purposes as the other Trust Fund monies.

(6) As part of the annual budget process, the Lane County Commissioners shall consider appropriations from the various funds of the County to transfer into the Retiree Medical Trust Fund to be used to prudently fund the outstanding liability for the retiree medical insurance benefit. Once transferred into the Retiree Medical Trust Fund, such monies are thereafter dedicated to the purposes described in LC 2.500(5) and shall be used for no other so long as there is an outstanding un-funded liability.

(7) Amounts shall not be transferred from the Retiree Medical Trust Fund unless and until it is determined by a qualified independent actuary based upon the standard for reserving for such outstanding liability that the Fund is fully funded. At that point, monies residing in the Trust Fund can be transferred to another County fund used for the purpose of providing employee benefits, but only to the extent that the transferred Trust Fund monies are equal to or less than the amount determined excess by the independent actuarial report. *(Revised by Ordinance No.4-03, Effective 6.20.03)*

ELECTIONS/INITIATIVE AND REFERENDUM

2.620 Definitions.

For the purposes of LC 2.625 to 2.657 below, the following words and phrases shall have the meaning ascribed to them by this section:

County Legislation. Those matters covered in LC 2.625 to 2.657 below and includes any measure proposing the adoption, repeal or amendment of any ordinance of the County or the repeal, revision or amendment of the Charter.

County Measure. Any other measure placed on the ballot by the County.

Final Petition. Refers to the petition signed by the number of qualified voters required by LC 2.625 below.

Prospective Petition. The prospective petition is subject to approval under ORS 250.165 and relates only to those matters covered in LC 2.625 and 2.657 below.

State Law and Regulations. Any reference to State law or administrative rule or regulation in LC 2.620 through 2.657 below, whether generally or by specific citation, shall be to those laws, rules and regulations in effect on May 1, 2006. *(Revised by Ordinance No. 18-77, Effective 11.23.77; 19-81, 1.8.82; 18-91, 1.10.92; 9-92, 7.27.92; 1-98, 2.25.98; 8-01, 1.4.02)*

2.625 Incorporation of State Law.

(1) With respect to County legislation submitted to the voters through the exercise of the initiative and referendum powers, unless modified by LC 2.620 through 2.659, the procedure for filing prospective petitions, the form of petitions, the verification of signatures, the determination of ballot titles and statements and their judicial review, the manner, schedule and procedures for voters' pamphlet (both state and county), and the manner of conducting elections shall be as provided with respect to County measures for non-Home Rule counties under State law and regulations, except that the duties required of the District Attorney shall be performed by the County Counsel, and the petitions shall be signed only by electors residing in the County.

(2) With respect to any County measure other than County legislation where State law regarding elections requires certain duties of the District Attorney, including, but not limited to, the preparation of ballot titles, those duties shall be performed by County Counsel. This section shall not apply to the criminal prosecution of any persons for election law crimes, which duty shall be performed by the District Attorney. This section shall also not apply to where a special district is the election authority, in those cases, the District Attorney is charged with responsibility to prepare ballot titles. *(Revised by Ordinance No. 18-77, Effective 11.23.77; 19-81, 1.8.82; 3-88, 5.13.88; 18-91, 1.10.92; 9-92, 7.27.92; 1-98, 2.25.98; 8-01, 1.4.02)*

2.630 Voters' Pamphlet.

The Board may, by order, direct that measures with respect to County legislation or County measures, be included in the voters' pamphlet, prepared either by the Secretary of State or by the County Clerk. If so, the measure, ballot title, explanatory statement and arguments, if any, shall be printed, if they conform to the requirements of state law and administrative rule and the following:

(1) **Explanatory Statement.** The Board shall appoint a committee of not less than three nor more than five persons to write an explanatory statement that is an impartial, simple and understandable statement explaining the measure and its effect. To the extent possible, the committee shall include a balance of persons supporting and opposing the measure and one who is neutral. The statement shall not exceed 500 words. The committee shall file the statement by noon on the deadline as specified by state law or administrative rule for the state or county voters' pamphlet, as appropriate and applicable.

(a) Any person dissatisfied with the explanatory statement may petition the circuit court seeking a different statement and stating the reasons the statement filed is insufficient or unclear. If the petition is filed not less than the fifth day after the deadline for filing the explanatory statement, the court shall review the matter in the same manner and time frame as the Supreme Court in ORS 251.235, and shall certify an explanatory statement to the County Clerk.

(2) **Arguments.** Arguments must be filed with the County Clerk by noon on the deadline as specified by state law or administrative law, pursuant to the applicable schedule for a state or county voters' pamphlet. Typewritten arguments supporting or opposing the measure shall be printed on 29.8 square inches of the voters' pamphlet if the

argument is accompanied by either a payment of \$300 or a petition in a form prescribed by the Secretary of State containing the signatures of 1,000 electors eligible to vote on the measure or either 10 percent of the total such electors, if the matter is for the state voters' pamphlet or 4 percent if for a County voters' pamphlet, whichever is less.

(3) Candidate Statements. Candidate statements shall conform to the applicable requirements of state law for the state or County voters' pamphlet, as appropriate.

(4) The form of voters' pamphlet, the determination of statements and arguments entitled to be included in the pamphlet and the space to be allotted to them, the filing deadlines, filing fees and the payment of costs of printing and distributing the pamphlets shall be as provided by ORS 251.285 or 251.305-251.435 and administrative rule, except as modified by LC 2.630(1)-(2). *(Revised by Ordinance No. 18-77, Effective 11.23.77; 19-81, 1.8.82; 18-91, 1.10.92; 9-92, 7.27.92; 1-98, 2.25.98; 8-01, 1.4.02)*

2.635 Initiative.

On the filing with the County Clerk responsible for election matters of an initiative petition which proposes in a proper manner a measure of County legislation and which is signed by a number of qualified voters equal to six percent of the total number of votes cast in the County for Governor at the election at which a Governor was elected for a term of four years next preceding the filing of the petition, the measure shall be submitted at the next regular primary or general election following the filing of the final petition provided that, if the final petition is filed within four months prior to such election, it shall be submitted at the next succeeding primary or general election. *(Revised by Ordinance No. 18-77, Effective 11.23.77; 19-81, 1.8.82)*

2.640 Referendum.

Except for any ordinance containing an emergency clause, a referendum on any ordinance enacted by the Board shall be held following the filing with the County Clerk responsible for election matters according to the proper form and procedure of a referendum petition signed by a number of qualified voters equal to four percent of the total number of votes cast in the County for all candidates for Governor at the election at which a Governor was elected for a term of four years next preceding the filing of the petition. The final petition shall be filed with the County Clerk responsible for election matters within 90 days of the passage of the ordinance by vote of the Board. With the filing of the final petition, the effect of the ordinance shall be suspended until the date of the proclamation of the results of the referendum on the ordinance. The referendum shall be held at the next regular primary or general election following the filing of the final petition or at such earlier date as the Board may order, provided that, if the final petition is filed within four months prior to such primary or general election, it shall be held at the next succeeding primary or general election or at such earlier date as the Board may order. *(Revised by Ordinance No. 18-77, Effective 11.23.77; 19-81, 1.8.82)*

2.645 Revision of Charter.

Any measure relating to the amendment, revision or repeal of the Charter may be initiated by proper petition according to the procedure of LC 2.620 to 2.655 herein, except such measures shall be voted on only at the next succeeding primary or general election. The petition must be signed by a number of qualified voters equal to eight percent of the total number of votes cast in the County for all candidates for Governor at the election at which a Governor was elected for a term of four years next preceding the filing of the petition. *(Revised by Ordinance No. 18-77, Effective 11.23.77; 18-91, 1.10.92)*

2.650 Board Referral of Charter Revision.

(1) The Board may order not less than 120 days prior to any regular primary or general election or not less than the latest date provided by state law for filing measures referred by a county governing body for the next available election date specified in ORS 203.085, that any measure relating to the amendment, revision or repeal of the Charter be referred to the electorate of the County at such election. The order shall set forth the changes in the language of the Charter which are proposed by the measure. If a majority of votes cast in such election favor the measure, the Charter shall be amended, revised or repealed as set forth in the order. The amendment, revision or repeal shall be effective on the date provided in the order, or if no date is provided, on the date of the formal certification of the results of the election by the County Clerk responsible for election matters.

(2) The County Counsel shall prepare a ballot title for a measure and shall file the title with the County Clerk responsible for election matters within five days after the date that the measure is referred to the electorate by order of the Board. The ballot title shall consist of a caption not exceeding 10 words in length by which the measure is concisely identified, 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, and an abbreviated statement summarizing the measure not exceeding 175 words in length. Any person dissatisfied with a ballot title as filed with the County Clerk may petition the Circuit Court of Lane County in accordance with the provisions of ORS 250.195. *(Revised by Ordinance No. 18-77, Effective 11.23.77; 19-81, 1.8.82; 3-88, 5.13.88; 1-98, 2.25.98; 2-99, 5.21.99)*

2.655 Inclusion in the Voters' Pamphlet.

(1) The Board may at its option order that a description and discussion of the measure, ordered pursuant to LC 2.650 above, be included in the voters' pamphlet prepared by the Secretary of State or the County Clerk which shall contain, in addition to a copy of the ballot title of the measure, a statement explaining the measure and arguments for and against the measure.

(2) The statement and the argument, if included in the voters' pamphlet, shall conform to the requirements of state law as modified by LC 2.630. If the measure is to be included in a voters' pamphlet prepared by the County Clerk for an election other than the regular primary or general election, the explanatory statement and arguments shall be filed with the County Clerk by the deadlines specified by state law or administrative rule, as modified by LC 2.630.

(3) The Board may appoint a committee of three to five persons to prepare the arguments in support of the referred Charter amendment. *(Revised by Ordinance No. 18-77, Effective 11.23.77; 19-81, 1.8.82; 18-91, 1.10.92; 1-98, 2.25.98; 2-99, 5.21.99; 8-01, 1.4.02)*

2.657 Board Referral of a Measure.

The Board may place on the ballot any County measure or refer a measure of County legislation to be voted on according to the procedures and deadlines specified by state law. The matter may be included in the voters' pamphlet, by order of the Board, in accordance with LC 2.630 above. If the measure is to be included in a County voters' pamphlet at an election other than the regular primary or general election, the deadlines for the explanatory statement and arguments shall be as set forth in LC 2.655(2) above. *(Revised by Ordinance No. 18-77, Effective 11.23.77; 9-86, 8.6.86; 18-91, 1.10.92; 3-94, 2.9.94; 1-98, 2.25.98; 2-99, 5.21.99)*

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2.620

Lane Code

**LEGISLATIVE
FORMAT**

2.620

(b) Lane County Peace Officers' Association. Upon retirement, all employees hired on or before July 1, 1987, and who worked ten (10) full, continuous years of service prior to age seventy (70) would be eligible for County-paid retiree medical insurance. Upon retirement, all employees hired after July 1, 1987, and before July 1, 1993, and who worked twenty (20) full, continuous years of service prior to age seventy (70) would be eligible for County-paid retiree medical insurance.

(3) These agreements or promises should be consulted to determine qualifications for retirement.

(4) The retiree medical benefit is a benefit that is limited in scope in that there are no new employees who will become eligible to receive it. As such, it is also a defined and limited liability for Lane County.

(5) The Board of County Commissioners has determined it is in the best interests of Lane County to provide a separate and dedicated trust fund for the purpose of paying for this defined liability. By virtue of the Ordinance creating this Lane Code provision, the Board hereby creates a Retiree Medical Trust Fund and dedicates all monies deposited in the Retiree Medical Trust Fund, now or hereafter, for the purposes enumerated below:

(a) To make payments in fulfillment of the promises of the County-paid retiree medical insurance as described in LC 2.500(1) and (2).

(b) To pay necessary and reasonable administrative and actuarial expenses, including but not limited to routine County indirect expenses, to manage and maintain the fund in a prudent manner in accordance with the normal fiduciary responsibilities associated with a trust fund.

(c) All earnings from investments of monies in the Retiree Medical Trust Fund shall accrue to the Trust Fund and are dedicated for the same purposes as the other Trust Fund monies.

(6) As part of the annual budget process, the Lane County Commissioners shall consider appropriations from the various funds of the County to transfer into the Retiree Medical Trust Fund to be used to prudently fund the outstanding liability for the retiree medical insurance benefit. Once transferred into the Retiree Medical Trust Fund, such monies are thereafter dedicated to the purposes described in LC 2.500(5) and shall be used for no other so long as there is an outstanding un-funded liability.

(7) Amounts shall not be transferred from the Retiree Medical Trust Fund unless and until it is determined by a qualified independent actuary based upon the standard for reserving for such outstanding liability that the Fund is fully funded. At that point, monies residing in the Trust Fund can be transferred to another County fund used for the purpose of providing employee benefits, but only to the extent that the transferred Trust Fund monies are equal to or less than the amount determined excess by the independent actuarial report. *(Revised by Ordinance No.4-03, Effective 6.20.03)*

ELECTIONS/INITIATIVE AND REFERENDUM

2.620 Definitions.

For the purposes of LC 2.625 to 2.657 below, the following words and phrases shall have the meaning ascribed to them by this section:

County Legislation. Those matters covered in LC 2.625 to 2.657 below and includes any measure proposing the adoption, repeal or amendment of any ordinance of the County or the repeal, revision or amendment of the Charter.

County Measure. Any other measure placed on the ballot by the County.

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2.625

Lane Code

**LEGISLATIVE
FORMAT**

2.630

Final Petition. Refers to the petition signed by the number of qualified voters required by LC 2.625 below.

Prospective Petition. The prospective petition is subject to approval under ORS 250.165 and relates only to those matters covered in LC 2.625 and 2.657 below.

State Law and Regulations. Any reference to State law or administrative rule or regulation in LC 2.620 through 2.657 below, whether generally or by specific citation, shall be to those laws, rules and regulations in effect on May 1, 20006. *(Revised by Ordinance No. 18-77, Effective 11.23.77; 19-81, 1.8.82; 18-91, 1.10.92; 9-92, 7.27.92; 1-98, 2.25.98; 8-01, 1.4.02)*

2.625 Incorporation of State Law.

(1) With respect to County legislation submitted to the voters through the exercise of the initiative and referendum powers, **unless modified by LC 2.620 through 2.659**, the procedure for filing prospective petitions, the form of petitions, the verification of signatures, the determination of ballot titles and statements and their judicial review, the manner, schedule and procedures for voters' pamphlet (both state and county), and the manner of conducting elections shall be as provided with respect to County measures for non-Home Rule counties under State law and regulations, except that the duties required of the District Attorney shall be performed by the County Counsel, and the petitions shall be signed only by electors residing in the County.

(2) With respect to any County measure other than County legislation where State law regarding elections requires certain duties of the District Attorney, including, but not limited to, the preparation of ballot titles, those duties shall be performed by County Counsel. This section shall not apply to the criminal prosecution of any persons for election law crimes, which duty shall be performed by the District Attorney. This section shall also not apply to where a special district is the election authority, in those cases, the District Attorney is charged with responsibility to prepare ballot titles. *(Revised by Ordinance No. 18-77, Effective 11.23.77; 19-81, 1.8.82; 3-88, 5.13.88; 18-91, 1.10.92; 9-92, 7.27.92; 1-98, 2.25.98; 8-01, 1.4.02)*

2.630 Voters' Pamphlet.

The Board may, by order, direct that measures with respect to County legislation or County measures, be included in the voters' pamphlet, prepared either by the Secretary of State or by the County Clerk. If so, the measure, ballot title, explanatory statement and arguments, if any, shall be printed, if they conform to the requirements of state law and administrative rule and the following:

(1) Explanatory Statement. The Board shall appoint a committee of not less than three nor more than five persons to write an explanatory statement that is an impartial, simple and understandable statement explaining the measure and its effect. To the extent possible, the committee shall include a balance of persons supporting and opposing the measure and one who is neutral. The statement shall not exceed 500 words. The committee shall file the statement by **noon** on the deadline as specified by state law or administrative rule for the state or county voters' pamphlet, as appropriate and applicable.

(a) Any person dissatisfied with the explanatory statement may petition the circuit court seeking a different statement and stating the reasons the statement filed is insufficient or unclear. If the petition is filed not less than the fifth day after the deadline for filing the explanatory statement, the court shall review the matter in the same manner and time frame as the Supreme Court in ORS 251.235, and shall certify an explanatory statement to the County Clerk.

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**LEGISLATIVE
FORMAT**

2.635

Lane Code

2.645

(2) Arguments. Arguments must be filed with the County Clerk by noon on the deadline as specified by state law or administrative law, pursuant to the applicable schedule for a state or county voters' pamphlet. Typewritten arguments supporting or opposing the measure shall be printed on 29.8 square inches of the voters' pamphlet if the argument is accompanied by either a payment of \$300 or a petition in a form prescribed by the Secretary of State containing the signatures of 1,000 electors eligible to vote on the measure or either 10 percent of the total such electors, if the matter is for the state voters' pamphlet or 4 percent if for a County voters' pamphlet, whichever is less.

(3) Candidate Statements. Candidate statements shall conform to the applicable requirements of state law for the state or County voters' pamphlet, as appropriate.

(4) The form of voters' pamphlet, the determination of statements and arguments entitled to be included in the pamphlet and the space to be allotted to them, the filing deadlines, filing fees and the payment of costs of printing and distributing the pamphlets shall be as provided by ORS 251.285 or 251.305-251.435 and administrative rule, **except as modified by LC 2.630(1)-(2)**. *(Revised by Ordinance No. 18-77, Effective 11.23.77; 19-81, 1.8.82; 18-91, 1.10.92; 9-92, 7.27.92; 1-98, 2.25.98; 8-01, 1.4.02)*

2.635 Initiative.

On the filing with the County Clerk responsible for election matters of an initiative petition which proposes in a proper manner a measure of County legislation and which is signed by a number of qualified voters equal to six percent of the total number of votes cast in the County for Governor at the election at which a Governor was elected for a term of four years next preceding the filing of the petition, the measure shall be submitted at the next regular primary or general election following the filing of the final petition provided that, if the final petition is filed within four months prior to such election, it shall be submitted at the next succeeding primary or general election. *(Revised by Ordinance No. 18-77, Effective 11.23.77; 19-81, 1.8.82)*

2.640 Referendum.

Except for any ordinance containing an emergency clause, a referendum on any ordinance enacted by the Board shall be held following the filing with the County Clerk responsible for election matters according to the proper form and procedure of a referendum petition signed by a number of qualified voters equal to four percent of the total number of votes cast in the County for all candidates for Governor at the election at which a Governor was elected for a term of four years next preceding the filing of the petition. The final petition shall be filed with the County Clerk responsible for election matters within 90 days of the passage of the ordinance by vote of the Board. With the filing of the final petition, the effect of the ordinance shall be suspended until the date of the proclamation of the results of the referendum on the ordinance. The referendum shall be held at the next regular primary or general election following the filing of the final petition or at such earlier date as the Board may order, provided that, if the final petition is filed within four months prior to such primary or general election, it shall be held at the next succeeding primary or general election or at such earlier date as the Board may order. *(Revised by Ordinance No. 18-77, Effective 11.23.77; 19-81, 1.8.82)*

2.645 Revision of Charter.

Any measure relating to the amendment, revision or repeal of the Charter may be initiated by proper petition according to the procedure of LC 2.620 to 2.655 herein, except such measures shall be voted on only at the next succeeding primary or general election.

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**LEGISLATIVE
FORMAT**

2.650 Lane Code 2.657
The petition must be signed by a number of qualified voters equal to eight percent of the total number of votes cast in the County for all candidates for Governor at the election at which a Governor was elected for a term of four years next preceding the filing of the petition. *(Revised by Ordinance No. 18-77, Effective 11.23.77; 18-91, 1.10.92)*

2.650 Board Referral of Charter Revision.

(1) The Board may order not less than 120 days prior to any regular primary or general election or not less than the latest date provided by state law for filing measures referred by a county governing body for the next available election date specified in ORS 203.085, that any measure relating to the amendment, revision or repeal of the Charter be referred to the electorate of the County at such election. The order shall set forth the changes in the language of the Charter which are proposed by the measure. If a majority of votes cast in such election favor the measure, the Charter shall be amended, revised or repealed as set forth in the order. The amendment, revision or repeal shall be effective on the date provided in the order, or if no date is provided, on the date of the formal certification of the results of the election by the County Clerk responsible for election matters.

(2) The County Counsel shall prepare a ballot title for a measure and shall file the title with the County Clerk responsible for election matters within five days after the date that the measure is referred to the electorate by order of the Board. The ballot title shall consist of a caption not exceeding 10 words in length by which the measure is concisely identified, 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, and an abbreviated statement summarizing the measure not exceeding 175 words in length. Any person dissatisfied with a ballot title as filed with the County Clerk may petition the Circuit Court of Lane County in accordance with the provisions of ORS 250.195. *(Revised by Ordinance No. 18-77, Effective 11.23.77; 19-81, 1.8.82; 3-88, 5.13.88; 1-98, 2.25.98; 2-99, 5.21.99)*

2.655 Inclusion in the Voters' Pamphlet.

(1) The Board may at its option order that a description and discussion of the measure, ordered pursuant to LC 2.650 above, be included in the voters' pamphlet prepared by the Secretary of State or the County Clerk which shall contain, in addition to a copy of the ballot title of the measure, a statement explaining the measure and arguments for and against the measure.

(2) The statement and the argument, if included in the voters' pamphlet, shall conform to the requirements of state law as modified by LC 2.630. If the measure is to be included in a voters' pamphlet prepared by the County Clerk for an election other than the regular primary or general election, the explanatory statement and arguments shall be filed with the County Clerk by the deadlines specified by state law or administrative rule, as modified by LC 2.630.

(3) The Board may appoint a committee of three to five persons to prepare the arguments in support of the referred Charter amendment. *(Revised by Ordinance No. 18-77, Effective 11.23.77; 19-81, 1.8.82; 18-91, 1.10.92; 1-98, 2.25.98; 2-99, 5.21.99; 8-01, 1.4.02)*

2.657 Board Referral of a Measure.

The Board may place on the ballot any County measure or refer a measure of County legislation to be voted on according to the procedures and deadlines specified by state law. The matter may be included in the voters' pamphlet, by order of the Board, in accordance with LC 2.630 above. If the measure is to be included in a County voters' pamphlet at an election other than the regular primary or general election, the deadlines

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FORMAT**

2.657 Lane Code 2.657
for the explanatory statement and arguments shall be as set forth in LC 2.655(2) above.
(Revised by Ordinance No. 18-77, Effective 11.23.77; 9-86, 8.6.86; 18-91, 1.10.92; 3-94, 2.9.94; 1-98,
2.25.98; 2-99, 5.21.99)