

W. T. A.

Memorandum Date: November 21, 2007

Agenda Date: December 5, 2007

TO: Board of County Commissioners

DEPARTMENT: Management Services

PRESENTED BY: Annette Newingham, Chief Deputy County Clerk

AGENDA ITEM

TITLE: ORDER/IN THE MATTER OF AMENDING CHAPTER 60 OF THE
LANE MANUAL TO UPDATE THE FEES RELATING TO A
MARRIAGE LICENSE OR REGISTERING A DECLARATION OF
DOMESTIC PARTNERSHIP (LM 60.812)

I. MOTION

Move approval of the Order.

II. AGENDA ITEM SUMMARY

This agenda addresses three issues:

1. \$25.00 is currently collected for solemnizing a marriage during working hours pursuant to ORS 106.120. The amendment to Lane Manual 60.812 (2) corrects the language to refer to state law for the \$25.00 fee collected.
2. Amends Lane Manual 60.812 (3) pursuant to ORS 107.615 to reflect the current \$10.00 conciliation and mediation services fee collected for marriage licenses issued, which is currently missing from Lane Manual.
3. Amends Lane Manual 60.812 (3) pursuant to ORS 107.615 to reflect collection of a \$10.00 conciliation and mediation services fee for registering a Domestic Partnership effective January 1, 2008.

III. BACKGROUND/IMPLICATIONS OF ACTION

A. Board Action and Other History

This agenda packet is scheduled before the Finance and Audit Committee December 3, 2007. The discussion from that meeting will be shared with the Board on December 5th.

B. Policy Issues

The governing body of any county may impose a fee up to \$10 above that prescribed in ORS 205.320 (5).

C. Financial and/or Resource Consideration

Any fees collected under ORS 107.615 are deposited by the County Clerk in a fund for the purposes of providing conciliation and mediation services by the Lane County Department of Health and Human Services, Family Mediation.

- The projected revenues for FY 2007/2008 related to the issuance of marriage licenses is \$24,800.
- It is unclear how many domestic partnerships will be registered from January 1, 2008 through the end of the fiscal year as this process is new.

D. Alternatives/Options

Option 1 is to approve Order

Option 2 is to amend Order

Option 3 is to not approve Order

V. TIMING/IMPLEMENTATION

Registration of Domestic Partnerships is effective January 1, 2008.

VI. RECOMMENDATION

Staff recommends Option 1

VI. FOLLOW-UP

Coordinate with Lane County Finance for a specific conciliation and mediation accounting code to track revenue as the revenue relates to registering Domestic Partnerships.

VII. ATTACHMENTS

Order

Lane Manual 60.820 Legislative Format

Lane Manual 60.820 with amendments

V. TIMING/IMPLEMENTATION

Effective January 1, 2008.

IN THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY, OREGON

ORDER NO.

IN THE MATTER OF AMENDING CHAPTER 60 OF
THE LANE MANUAL TO UPDATE THE FEES RE-
LATING TO A MARRIAGE LICENSE OR REGISTER-
ING A DECLARATION OF DOMESTIC PARTNER-
SHIP (LM 60.812)

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

Lane Manual Chapter 60 is hereby amended by removing, substituting, and adding the following section:

REMOVE THIS SECTION

60.812
as located on page 60-8
(a total of 1 page)

INSERT THIS SECTION

60.812
as located on pages 60-8
(a total of 1 page)

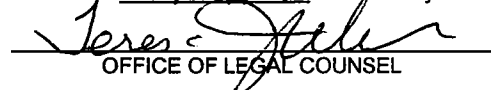
Said section is attached hereto and incorporated herein by reference. The purpose of this substitution and addition is to update the fees relating to a marriage license or registering a declaration of domestic partnership (LM 60.812).

Adopted this _____ day of _____ 2007.

Chair, Lane County Board of Commissioners

APPROVED AS TO FORM

Date 11/14/07 Lane County


OFFICE OF LEGAL COUNSEL

(c) The application will not be scheduled for Board consideration until after land use findings are complete. The applicant is advised to apply through Lane County at least 45 days prior to the State EDC consideration date.

(3) Notification of Approval. The Office of County Administration will directly notify the Economic Development Commission of the Board's action and provide all necessary documentation. *(Revised by Order No. 94-6-15-4, Effective 6.15.94)*

FEES

60.812 Fees to be Charged by the County Clerk.

(1) For the preparation of and processing of a marriage license waiting period waiver request, the fee is \$4.

(2) For solemnizing a marriage after normal working hours or on weekends or legal holidays, the fee is \$80. The fee for solemnizing a marriage during working hours is as authorized by state law.

(3) For the expenses of conciliation/mediation services, the fee is \$10, to be charged for issuing a marriage license or registering a declaration of domestic partnership, and to be used as described in ORS 107.615. *(Revised by Order No. 92-8-12-25, Effective 8.12.92)*

60.814 Property Instrument Fee.

To insure at least partial recovery of associated administrative costs, a \$50 minimum per transaction property instrument fee is hereby established for all real property instruments executed by Lane County at the request of a private person. The fee hereby established is waived for instruments executed in connection with the administration of County planning controls. *(Revised by Order No. 98-4-1-11, Effective 4.1.98)*

60.815 Park Fees.

(See LM 18.110) *(Revised by Order No. 98-4-1-11, Effective 4.1.98)*

60.817 Pollution Control and Other Revenue Bonds.

To insure at least partial recovery of the administrative and legal costs associated with issuing Pollution Control bonds pursuant to ORS 468.263-468.272 or any other type of revenue bond issued at the request of a private person or entity other than Lane County, Lane County shall receive the following minimum fee.

<u>Dollar Value of Bonds</u>	<u>Fee</u>
\$0-\$2.5 million	\$2,500
\$2.5 million-\$10 million...	1% of face value
Over \$10 million.....	\$10,000

(Revised by Order No. 98-4-1-11, Effective 4.1.98)

60.820 Returned Check Fee.

The Department of Management Services shall collect a fee of \$15 from the maker of any check to Lane County which is returned for non-sufficient funds in the maker's checking account. *(Revised by Order No. 98-4-1-11, Effective 4.1.98)*

60.822 Child Support Garnishment Fee.

The Department of Management Services shall collect a fee of \$5.00 per month for withholding garnishment of child support from garnished employees. *(Revised by Order No. 98-4-1-11, Effective 4.1.98)*

At right margin indicates changes
Bold indicates material being added
~~Strikethrough~~ indicates material being deleted

**LEGISLATIVE
FORMAT**

60.812

Lane Manual

60.820

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(3) **For the expenses of conciliation/mediation services, the fee is \$10, to be charged for issuing a marriage license or registering a declaration of domestic partnership, and to be used as described in ORS 107.615.** *-(Revised by Order No. 92-8-12-25, Effective 8.12.92)*

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