

T. G. C.

MEMORANDUM

Date: January 11, 2007
To: Board of County Commissioners
From: Teresa Wilson, County Counsel
Subject: May 2007 Election Date Options/Implications

The dates below work backwards from the election date. As you will see, the options of enacting an ordinance, and then having a referendum petition result in a vote in May are impossible, as there is no longer adequate time for the 90 day period allowed for the referendum petition process. There are several other implications built into these dates:

1. The dates indicated generally reflect the last possible dates for actions to take place, taking into account (except for the "impossible" options) the weeks when the Board is not scheduled to have meetings.
2. They do not reflect the implications for any public information efforts or any political campaign.
3. Likewise, they assume the measure is based on an ordinance being adopted (as was done for the most recent measure).
4. They also assume that there are only 2 ordinance readings that are 14 days apart (one public hearing on the date of one reading), and adoption at the conclusion of the second reading.
5. In those situations where the Board intends to refer a measure to the ballot directly, it also assumes that ordinance enactment is conditional on the outcome of the election.
6. Finally, the options involving voters' pamphlets assume placement into a County voters' pamphlet. If there is one, then all District candidates and all County, City and District measures would go into the County voters' pamphlet. ORS 251.067. Lane County has never done a voters' pamphlet that included this breadth, and therefore has no budget, nor experience in compiling such a document. Whether the County elections staff could successfully manage this and their other election duties is a question to address to Annette Newingham, County Elections Manager.

MAY ELECTION – MAY 15, 2007

Option 1 – BCC places the measure (re: ordinance &/or Charter Amendment) on ballot; County voters' pamphlet

Filing deadline for arguments/candidate stmts (OAR 165-022-010(2)(b),(g))	March 19
Filing deadline for measure	March 15
Filing deadline for explanatory statement (OAR 165-022-010(2)(f))	March 15
Public hearing, BCC enacts ordinance, adopts ballot title, appoints explanatory statement committee (3 weeks to write statement)	February 21
First reading of ordinance (assumes only 2 readings)	February 7

Option 2 – BCC enacts ordinance, a referendum petition is filed; BCC places measure on ballot; County voters' pamphlet

This option is not feasible. If the Board were to enact an ordinance, a referendum petition be filed, the full constitutional 90 days pass for signature collection, and then the Board desired to place the referendum measure on the May ballot and have it placed in a County voters' pamphlet, the first reading of the Ordinance would have had to occur on:
Oct. 24, 2006

Option 3 – BCC places Charter Amendment only on ballot; County voters' pamphlet

Filing deadline for arguments/candidate stmts (OAR 165-022-010(2)(b),(g))	March 19
Filing deadline for measure	March 15
Filing deadline for explanatory statement (OAR 165-022-010(2)(f))	March 15
BCC appoints explanatory statement committee (allows 3 weeks to write statement)	February 21
Board places Charter Amendment on ballot	February 14

Option 4 – BCC places the measure (re: ordinance &/or Charter Amendment) on ballot; NO voters' pamphlet

Filing deadline for measure	March 15
Public hearing, BCC enacts ordinance, adopts ballot title	March 14
First reading of ordinance (assumes only 2 readings)	February 21

Option 5 – BCC enacts ordinance, a referendum petition is filed; BCC places measure on ballot; NO voters' pamphlet– NOT POSSIBLE

This option is not feasible. If the Board were to enact an ordinance, a referendum petition be filed, the full constitutional 90 days pass for signature collection, and then the Board desired to place the referendum measure on the May ballot, the first reading of the Ordinance would have had to occur on:
Nov. 8, 2006

Option 6 – BCC places Charter Amendment only on ballot; NO voters' pamphlet

Ballot title due	March 15
Board places Charter Amendment on ballot	March 14

*Note: if BCC does not act to place the referendum measure on a particular ballot, by operation of Lane Code 2.640 it would go on the next available primary or general election that is at least 4 months after the filing of the final petition (i.e., the petition with certified signatures)

** Ordinance adoption date permits full 90 days for referendum petition signature collection (Or Constitution, Article VI, Section 10), 15 days for signature verification & BCC referral to ballot

cc: Annette Newingham

2007 LOCAL ELECTIONS CALENDAR

DATE OF ELECTION	MARCH 13	MAY 15	SEPTEMBER 18	NOVEMBER 6
County Elections Filing Officers: * publish notice of district board election on or before (ORS 255.075)	December 2, 2006	February 3	June 9	July 28
District Candidates: ** file verified signatures or \$10 filing fee with county elections filing officer on or before (ORS 255.235)	January 11	March 15	July 19	September 6
Local Governing Bodies: *** file notice of measure with county elections filing officer on or before (ORS 254.095, 254.103, 255.085)	January 11	March 15	July 19	September 6****
Candidate Statements and Measure Arguments: file for inclusion in county voters' pamphlet (OAR 165-022-0010)	January 15	March 19	July 23	September 10
County Elections Filing Officers: for elections held at the polls, publish facsimile ballot between (ORS 254.205)	February 26 through March 9	April 30 through May 11	September 3 through September 14	October 22 through November 2
for special district elections held at the polls, publish facsimile ballot between (ORS 255.095)	February 26 through Election Day	April 30 through Election Day	September 3 through Election Day	October 22 through Election Day
* Regular district elections for the purpose of electing district board members (including Local School Committee members, School Board and ESD directors) are generally held at the May election in each odd-numbered year. Districts should contact the county elections filing officer of the county in which the district's administrative office is located for district board election information.				
** Candidates: contact your local elections filing officer regarding filing required campaign finance reports.				
*** County and City Elections Filing Officers: Publish notice of receipt of ballot title and notice of measure election, as required by charter, ordinance and/ or statute, in next available edition of newspaper in electoral district (ORS 250.175, 250.275, 255.085, 255.145)				
****For resubmitted measures the deadline is September 20; the measure argument filing deadline is September 24, if the county includes the resubmitted measure in the county voters' pamphlet.				