

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
FOR COLUMBIA COUNTY, OREGON

In the Matter of Designating the Office of	)	
Columbia County Commissioner as	)	AMENDED
Nonpartisan; Referred for the November	)	ORDINANCE NO. 2010-1
2010 General Election	)	
_____	)	

The People of Columbia County, Oregon, ordain as follows:

SECTION 1. TITLE.

This ordinance shall be known as Amended Ordinance No. 2010-1.

SECTION 2. AUTHORITY.

This Ordinance is adopted pursuant to ORS 203.035.

SECTION 3. PURPOSE.

The purpose of this Ordinance is to designate the office of Columbia County Commissioner as nonpartisan within the meaning of ORS Chapter 249 and other Oregon election laws.

SECTION 4. FINDINGS.

- A. This matter came before the Board of County Commissioners for Columbia County on February 24, 2010, March 31, 2010, and April 14, 2010, concerning referring to the electors of Columbia County the question of designating the Office of Columbia County Commissioner as nonpartisan.
- B. The Board finds that pursuant to ORS 249.002(7) "nonpartisan office" is defined to include the office of County Clerk, County Assessor, County Treasurer, County Sheriff, and County District Attorney, but excludes the office of County Commissioner.
- C. The Board finds that the electors of Columbia County should have the opportunity to decide whether the office of Columbia County Commissioner should be nonpartisan.
- D. The Board finds that ORS 203.035(1) grants broad authority to counties to enact ordinances that exercise authority within the county over matters of county concern, to the fullest extent allowed by Constitutions and laws of the United States and of the State of Oregon.
- E. The Board finds that it is reasonable and appropriate to ask the voters whether the office of Columbia County Commissioner should be nonpartisan.
- F. The Board finds that Ordinance No. 2010-1 incorporated a Notice of

Measure Election which referred to the Measure's applicability beginning in 2011 rather than 2012.

- G. The Board finds that it is necessary to adopted Amended Ordinance No. 2010-1 to correct the Notice of Measure election to refer to the correct year of applicability, 2012.

SECTION 4. SEVERABILITY.

If for any reason any court of competent jurisdiction holds any portion of this ordinance invalid such portion shall be deemed a separate, distinct and independent portion, and any such holdings shall not affect the validity of the remaining portions thereof.

SECTION 5. ADOPTION/REFERRAL CLAUSE.

- A. The office of Columbia County Commissioner is hereby designated to be nonpartisan subject to the approval of and ratification by the electors voting at the general election to be held on November 2, 2010. Pursuant to ORS 203.035(3), this Ordinance shall be referred to the electors as a County Measure in the general election on November 2, 2010. This Ordinance shall become effective only upon approval of a majority of those electors voting on the proposed Ordinance. If approved, the Ordinance shall take effect on the 90<sup>th</sup> day after the date of the election and shall first apply to filings for election to the office of Columbia County Commissioner for the primary election of 2012.
- B. The ballot title attached hereto, labeled Exhibit "A", and incorporated herein by this reference, is hereby approved.

SECTION 6. REPEALER; SAVINGS CLAUSE.

Ordinance No. 2010-1 is repealed.

If the electors voting at the general election to be held on November 2, 2010, do not approve and ratify this Amended Ordinance 2010-1, Amended Ordinance 2010-1 shall be repealed automatically upon certification of the election results by the Columbia County Clerk.

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SECTION 7. EMERGENCY; EFFECTIVE DATE.

This Ordinance being immediately necessary to maintain the public health, safety and welfare, an emergency is declared to exist and this Ordinance shall take effect upon its adoption for purposes of referral to the electors. However, if approved by the voters, the Ordinance will take effect on the 90<sup>th</sup> day after the date of the election.

DATED this 14<sup>th</sup> day of April, 2010.

Approved as to form by

BOARD OF COUNTY COMMISSIONERS  
FOR COLUMBIA COUNTY, OREGON

By: [Signature]  
Office of County Counsel

By: [Signature]  
Anthony Hyde, Chair

Attest:

By: [Signature]  
Earl Fisher, Commissioner

By: [Signature]  
Recording Secretary

By: [Signature]  
Rita Bernhard, Commissioner

First Reading: 4-14-10  
Second Reading: 4-14-10  
Effective Date: 4-14-10

EXHIBIT "A"

SEL 801 REV 8/00	<b>NOTICE OF COUNTY MEASURE ELECTION</b>	ORS 250.035 ORS 250.041 ORS 250.175 ORS 254.103 ORS 254.465
<b>COLUMBIA COUNTY</b>  (Name of County)		

Notice is hereby given that on Tuesday, November 2, 2010  
(Date of Election)

A measure election will be held in Columbia  
County, Oregon.  
(Name of County)

The following shall be the ballot title of the measure to be submitted to the county's voters on this date:

**CAPTION (10 Words)      *MAKES COUNTY COMMISSIONER POSITIONS NONPARTISAN BEGINNING IN 2012***

**QUESTION (20 Words)      *SHALL ELECTIONS FOR THE THREE COUNTY COMMISSIONER POSITIONS BE NONPARTISAN?***

**SUMMARY (175 Words)**      This Measure would designate the offices of Columbia County Commissioner as nonpartisan. Currently in Columbia County, all elected county officials are nonpartisan except for the County Commissioners. Candidates for County Commissioner are currently nominated from political parties in the state primary. State law allows the voters of a county to change the mode of selection of an elected county official. The measure asks the voters to decide whether County Commissioner positions should be elected as nonpartisan positions beginning with the primary election in 2012.

The following authorized county official hereby certifies the above ballot title is true and complete.

Signature of authorized county official (not required to be notarized)	Date signed
Printed name of authorized county official	Title