

IN THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY, OREGON

ORDINANCE NO. 9-92

**FILED**

JUL 30 1992

COUNTY CLERK

BY *Sandra Dubois*

) IN THE MATTER OF AMENDING CHAPTER 2 OF  
 ) LANE CODE TO REVISE PROVISIONS WITH  
 ) REGARD TO INITIATIVE AND REFERENDUM  
 ) PERTAINING TO INCORPORATION OF STATE  
 ) LAW TO PROVIDE THAT COUNTY COUNSEL  
 ) SHALL PERFORM LEGISLATIVE COUNSEL COM-  
 ) MITTEE'S DUTIES, SPECIFIED IN ORS  
 ) 251.225 (LC 2.625) AND DECLARING AN  
 ) EMERGENCY

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

Chapter 2 of Lane Code is hereby amended by removing and substituting the following pages:

REMOVE THIS PAGE

INSERT THESE PAGES

2.620 - - 2.630,  
i.e. 2-11  
(a total of one page)

2.620 - 2.625 to  
2.625 - 6.630,  
i.e. 2-11 to 2.11a  
(a total of two pages)

Said pages are attached hereto and incorporated herein by reference. The purpose of these substitutions is to revise provisions with regard to initiative and referendum pertaining to incorporation of state law to provide that County Counsel shall perform Legislative Counsel Committee's duties, specified in ORS 251.225 (LC 2.625).

An emergency is hereby declared to exist and this Ordinance, being enacted by the Board in the exercise of its police power for the purpose of meeting such emergency and for the immediate preservation of the public peace, health and safety, shall take effect immediately upon adoption.

Enacted this 27th day of July, 1992.

*Ullie Janski*  
\_\_\_\_\_  
Chair, Lane County Board of Commissioners

APPROVED AS TO FORM  
Date 7/28/92 of county  
*W.H. McAllister*  
\_\_\_\_\_  
COUNTY CLERK

*W.H. McAllister*  
\_\_\_\_\_  
Recording Secretary for this Meeting of the Board

1 - IN THE MATTER OF AMENDING CHAPTER 2 OF LANE CODE TO REVISE PROVISIONS WITH REGARD TO INITIATIVE AND REFERENDUM PERTAINING TO INCORPORATION OF STATE LAW TO PROVIDE THAT COUNTY COUNSEL SHALL PERFORM LEGISLATIVE COUNSEL COMMITTEE'S DUTIES, SPECIFIED IN ORS 251.225 (LC 2.625) AND DECLARING AN EMERGENCY

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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.

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 October 1, 1992.

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, 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, 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 the exception that the appointment of a committee to draft the explanatory statement shall occur 120 days prior to the primary or general election and that the committee shall file its statement within 10 days of appointment, the procedure for explanatory statements for County legislation shall be as provided with respect to State legislation under ORS 251.205 to 251.235 except that duties with respect to State regulations required of the Secretary of State, Attorney General, and Oregon Supreme Court shall be performed for County legislation by the County Clerk responsible for election matters, the County Counsel and the Circuit Court of the County, respectively. County Counsel shall also perform the Legislative Counsel Committee's duties, specified in ORS 251.225.

(3) With respect to any 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.

18-77; 11.23.77

2-11

WP 1/co/00008/C

19-81; 1.8.82

REV: 1/cr/00166/C

3-88; 5.13.88

18-92; 1.10.92

2.630 Voters' Pamphlet. Arguments supporting or opposing County legislation proposed by an initiative or referendum petition may be filed with the County Clerk responsible for election matters for inclusion in the voters' pamphlet prepared by the Secretary of State.

18-77; 11.23.77  
19-81; 1.8.82  
3-88; 5.13.88  
18-92; 1.10.92

2-11a

WP 1/co/00008/C  
REV: 1/cr/00166/C