

IN THE BOARD OF COMMISSIONERS OF THE STATE OF OREGON

FOR THE COUNTY OF YAMHILL

SITTING FOR THE TRANSACTION OF COUNTY BUSINESS

In the Matter of the Adoption of an Ordinance)
 Referring to the Voters the Question of Whether)
 the Offices of Yamhill County Commissioner) ORDINANCE No. 689
 should become Nonpartisan beginning with the)
 Primary Election of May, 2004; Referred for the)
 November, 2002 General Election.)

THE BOARD OF COMMISSIONERS OF YAMHILL COUNTY, OREGON ("the Board") sat for the transaction of county business in formal session on December 14, 2000, commissioners Ted Lopuszynski, Thomas E.E. Bunn and Robert Johnstone being present.

THE BOARD MAKES THE FOLLOWING FINDINGS:

A. Oregon Revised Statutes Chapter 249 establishes rules for election to public office within the state. ORS 249.002(7) defines a nonpartisan office:

"(7) 'Nonpartisan office' means the office of judge, Superintendent of Public Instruction, Commissioner of the Bureau of Labor and Industries, any elected office of a metropolitan service district under ORS chapter 268, justice of the peace, **county clerk, county assessor, county surveyor, county treasurer, sheriff**, district attorney or any office designated nonpartisan by a home rule charter." [Emphasis supplied.]

B. The Board believes that the offices of Yamhill County Commissioner should be nonpartisan as are the offices clerk, assessor, surveyor, treasurer and sheriff.

C. Oregon Revised Statutes 203.035 grants broad authority to counties to enact ordinances to "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 this state". (ORS 203.035(1).

D. ORS 203.035 provides that county voters must approve any ordinance which changes the mode of selection of elective county officers:

"(3) An ordinance adopted by a county governing body that changes the number or mode of selection of elective county officers shall not take effect unless the ordinance is submitted to and approved by the electors of the county at a biennial primary election or general election. . . ."

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E. The Board believes it reasonable and appropriate to ask the voters whether the offices of Yamhill County Commissioners should be nonpartisan. Thus, this ordinance is referred to the voters for the general election of November, 2002. If approved, it will establish that the offices of Yamhill County Commissioners will be nonpartisan beginning in the 2004 election year. NOW, THEREFORE,

THE PEOPLE OF YAMHILL COUNTY ORDAIN AS FOLLOWS:

Section 1. **NONPARTISAN NATURE OF OFFICE OF COMMISSIONER.** Beginning with filings for election to the office of Yamhill County Commissioner for the primary election of 2004, all offices of Yamhill County Commissioner shall thereafter be "nonpartisan" within the meaning of ORS Chapter 249 and other state elections laws.

Section 2. **REFERRAL TO VOTERS IN NOVEMBER, 2002 GENERAL ELECTION; EFFECTIVE DATE.** This ordinance shall be referred to the voters as a county measure in the general election of November, 2002. This ordinance shall become effective only if approved by a majority of the voters at the general election of November, 2002. If approved by the voters, this ordinance shall become effective upon the first date allowed by the Oregon Constitution.

APPROVED by the Yamhill County Board of Commissioners for referral to the voters following the first reading of this Ordinance on December 14, 2000 with Commissioners Lopuszynski, Bunn and Johnstone all voting aye.

DONE at McMinnville, Oregon on December 14, 2000.

ATTEST

YAMHILL COUNTY BOARD OF COMMISSIONERS

CHARLES STEPHEN
County Clerk

By: Kellye Fetters
Deputy KELLYE FETTERS

Ted Lopuszynski
Chairman TED LOPUSZYNSKI

Not available for signature
Commissioner THOMAS E. E. BUNN

FORM APPROVED BY:

John M. Gray, Jr.
JOHN M. GRAY, JR.
for Yamhill County Counsel

Robert Johnstone
Commissioner ROBERT JOHNSTONE