



# METRO

2000 S.W. First Avenue  
Portland, OR 97201-5398  
503/221-1646

# Memorandum

NED - you asked about why METRO would be moving up their voting date on the proposed consolidation measure

COPY

Date: July 16, 1992

To: Don Carlson, Council Administrator

From: Daniel B. Cooper, General Counsel /s/

Regarding: DEADLINES FOR BALLOT MEASURES  
Our file: 2.G

You have inquired of this Office what is the last possible time the Metro Council may act prior to the November 3, 1992, election to refer a measure to the voters.

ORS 255.085 requires that any district measure to be referred to the voters must be filed with the district's election officer (the Multnomah County Elections Officer) on or before the 61st day before a district election. Thus, the absolute last day a measure can be filed for referral to the voters would be September 3, 1992. However, different deadlines apply for the inclusion of matters in the state Voters' Pamphlet.

ORS 251.285, and Metro Code Chapter 2.10, govern the inclusion of ballot titles, explanatory statement, and arguments in favor of and in opposition to Metro ballot measures in the state Voters' Pamphlet. The provisions of State law and the necessary implementing Metro ordinances require that the filing of explanatory statements, completion of judiciary review thereof, and the filing of arguments for and against a measure must occur on or before the 75th day before the election. This date is August 20. A time period of 7 business days is allowed for filing petitions to challenge an explanatory statement for a district measure. In order to meet these deadlines, action by the Council, assuming that the Council acts at a regularly scheduled meeting, must occur by the July 23, 1992, Council meeting.

ORS 255.265 separately authorizes the printing of ballot titles for district measures in the state Voters' Pamphlet (but not an explanatory statement or arguments for or against). The deadline for this statute is that the information must be filed by the 70th day before the election, and the deadline for challenging the ballot title must also have passed. The August 13, 1992, Council meeting would meet this requirement since the 70th day before the election is August 25, 1992.

In summary, in order for Council action on referring a District measure to the voters to be eligible for inclusion in the Voters' Pamphlet, complete with an explanatory statement and arguments for and against, the Council must act on July 23, 1992. If the Council takes

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action at its August 13, 1992, meeting the ballot title alone may be published in the Voters' Pamphlet. If the Council acts at the August 27 meeting, then the measure may be referred to the voters but not be included in the Voters' Pamphlet.

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