

COLUMBIA GORGE COMMUNITY COLLEGE, WASCO AND HOOD RIVER COUNTIES, OREGON, IN THE MATTER OF AN ORDINANCE TO PROVIDE A PROCEDURE FOR INCLUSION OF DISTRICT MEASURES RELATING TO BONDING IN THE STATE VOTERS' PAMPHLET

WHEREAS, on June 18, 2024, the Board of Directors of Columbia Gorge Community College, Wasco and Hood River Counties, Oregon, a community college district organized under ORS Chapter 341 (the "District"), adopted Resolution 06182024-3 calling an election for November 5, 2024, to submit to the voters a measure relating to bonding.

WHEREAS, ORS 251.285(2) states, in part, that: "A community college district measure relating to bonding, a county measure or a measure of a metropolitan service district organized under ORS chapter 268, and the ballot title, explanatory statement and arguments relating to the measure, shall not be printed in the voters' pamphlet unless: (a) The ballot title is a concise and impartial statement of the purpose of the measure; (b) The explanatory statement is an impartial, simple and understandable statement explaining the measure and its effect; (c) The county, metropolitan service district or community college district adopts and complies with an ordinance that provides a review procedure for a ballot title or explanatory statement that is contested because it does not comply with the requirements of paragraph (a) or (b) of this subsection; (d) The county, metropolitan service district or community college district adopts and complies with an ordinance that provides for acceptance of typewritten arguments relating to the measure not to exceed 325 words to be printed in the voters' pamphlet; and (e) The county, metropolitan service district or community college district does not require of a person filing an argument a payment of more than \$300, or a petition containing more than a number of signatures equal to 1,000 electors eligible to vote on the measure or 10 percent of the total of such electors, whichever is less."

WHEREAS, the District has conferred with Wasco and Hood River Counties and determines it is in the best interest of the District to enact this ordinance to provide a procedure for inclusion of certain District measures relating to bonding in the State Voters' Pamphlet.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF COLUMBIA GORGE COMMUNITY COLLEGE, WASCO AND HOOD RIVER COUNTIES, OREGON RESOLVES AND ORDAINS AS FOLLOWS:

SECTION 1: AUTHORIZED REPRESENTATIVE. The President, Chief Financial Officer, or Interim Chief Financial Officer, or any of their designee, acting alone (the "Authorized Representative"), has the authority to take any actions to implement this ordinance.

The Authorized Representative is authorized to file a request with Wasco County for inclusion of the measure relating to bonding, ballot title, and explanatory statement authorized by Resolution 06182024-3, in the State Voters' Pamphlet.

SECTION 2: DISTRICT MEASURES INCLUDED IN STATE VOTERS' PAMPHLET. A District measure relating to bond is subject to the provisions of this ordinance if:

1. The measure relating to bonding is eligible under state law to be included in the State Voters' Pamphlet.

2. All requirements of this ordinance have been completed on or before the last day for filing under state law for the election at which the measure relating to bonding is to be submitted to the voters.
3. For measures relating to bonding proposed by initiative or referendum petition:
 - a. All chief petitioners must file a statement with the Wasco County Clerk requesting inclusion of the measure, ballot title, and explanatory statement and arguments in the State Voters' Pamphlet at the time the prospective petition for the measure relating to bonding is filed with the Wasco County Clerk; and
 - b. A completed petition containing sufficient qualified signatures to require submission of the measure relating to bonding to the electors is filed with the Wasco County Clerk on or before the last day for filing under state law for the election at which the measure relating to bonding is to be submitted to the electors.
4. For measures relating to bonding referred to the electors by the District, the District must file a request with the Wasco County Clerk for inclusion of the measure, ballot title, explanatory statement, and arguments in the State Voters' Pamphlet on or before the last day for filing under state law for the election at which the measure is to be submitted to the electors.

SECTION 3. REVIEW PROCEDURES. The review procedures for a measure relating to bonding, ballot title, and explanatory statement that is contested because it does not comply with the requirements of paragraph (a) or (b) or ORS 251.285(2) shall be the same procedure for district ballot titles, published in the Secretary of States' County, City, and District Referral Manual. The current procedure is attached as Exhibit A hereto.

SECTION 4. ARGUMENTS FAVORING OR OPPOSING MEASURE RELATING TO BONDING. Typewritten arguments relating to the measure not to exceed 325 words favoring or opposing a measure relating to bonding that is subject to this ordinance to be printed in the voters' pamphlet may be filed with the Wasco County Clerk on or before the 74th day preceding the election at which the measure relating to bonding is to be submitted to the electors by:

1. Any elector eligible to vote on the measure relating to bonding (including in Wasco and Hood River Counties), or any organization eligible to file arguments under state law, upon payment to the Wasco County Clerk of a fee of \$300 and the filing of a statement that identifies the name of the person or persons who submitted the argument, the name of the organization the person or persons represent, if any, and whether the argument supports or opposes the measure relating to bonding; or
2. Any elector eligible to vote on the measure relating to bonding (including in Wasco or Hood River Counties), or any organization eligible to file arguments under state law, who files with their argument a petition for its inclusion in the State Voters' Pamphlet containing more than 1,000 signatures of qualified electors eligible to vote on the measure relating to bonding

(including in Wasco and Hood River Counties), or 10% of the total electors eligible to vote on the measure in Wasco and Hood River Counties, whichever is less. Prior to the circulation of such petition, a prospective petition must be filed with the Wasco County Clerk that sets forth the text of the proposed petition.

SECTION 4. EFFECTIVE DATE. This ordinance is necessary for the immediate preserve of the public peace, health, and safety. An emergency is declared to exist, and this ordinance takes effect on the day of enactment.

ENACTED AND ADOPTED by the Board of Directors of Columbia Gorge Community College, Wasco and Hood River Counties, Oregon, this 16th day of July 2024.

COLUMBIA GORGE COMMUNITY COLLEGE
WASCO AND HOOD RIVER COUNTIES, OREGON

DocuSigned by:
Kimberly Morgan
By: 46F0FBC810BD4CD...
Chair

ATTEST:

DocuSigned by:
[Signature]
By: AA692F4410D1427...
President


Exhibit A

[Appears on the following pages.]

County, City, and District Referral Manual

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Elections Division
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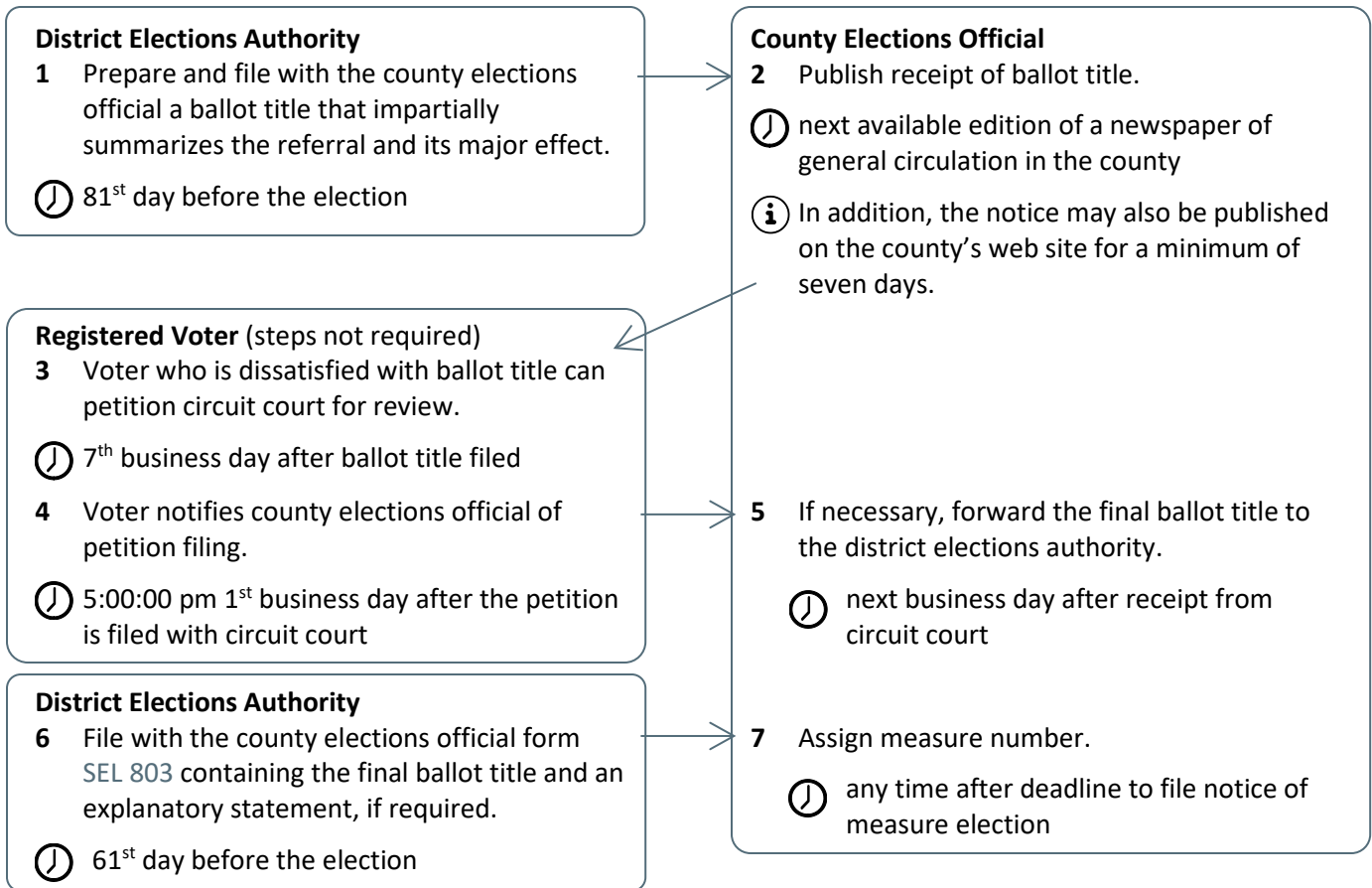
Oregon Administrative Rule No. 165-014-0005



Secretary of State

Elections Division Rev. 01/2024

District Referral Steps



District Referral Process

i Districts do not have authority to place advisory questions on the ballot, and a district’s legislative authority extends only as far as allowed by state statute. Districts should refer to their principal act or contact their legal counsel.

Once a district elections authority refers a measure for the voters to decide, a ballot title must be written. All ballot titles must comply with the requirements in [ORS 250.035](#).

Ballot Title

ORS 250.035, 255.085 and 255.145

A ballot title is a concise and impartial statement that will be printed on the ballot summarizing the measure and its major effect. Any voter may challenge the ballot title in circuit court, and the referral may only appear on the ballot once this process is complete.

1 Preparation

The ballot title is prepared by the district elections authority with the assistance of the District Attorney of the county where the administrative office of the district is located or an attorney employed by the district.

2 Format

Each ballot title must contain all of the following elements:

- a caption that does not exceed 10 words describing the subject of the referral;
- a question that does not exceed 20 words plainly phrasing the main purpose of the referral so that an affirmative response to the question corresponds to a yes vote on the referral; and
- a summary that does not exceed 175 words describing the major effect of the referral.



Additional ballot title requirements apply to referrals requesting a general obligation bond, a local option tax, or a permanent rate limit.



For further information you may contact the Elections Division, your bond counsel, or the Oregon Department of Revenue, Property Tax Division 800 356 4222.

3 Notice

The district elections authority must file the ballot title with the county elections official for publication of notice. It is advisable to also publish the notice on the district website for a minimum of seven days. The ballot title may be filed using:



Form SEL 805 Request for Ballot Title – Preparation or Publication of Notice

The county elections official publishes in the next available edition of a newspaper of general circulation or mails to each voter in the district a notice that a ballot title has been received. It is advisable to also publish the notice on the county website for a minimum of seven days. The notice must include all of the following:

- date of the election;
- a statement that a ballot title has been received and that any voter may file a petition for review of the ballot title;
- the deadline for filing a petition for review of the ballot title with the circuit court;
- the ballot title written or information on how to obtain a copy; and
- other information as applicable from the SEL 803 filed by the district elections authority.



Notice must be published prior to the deadline to file a petition to review the ballot title.

4 Ballot Title Appeal

Any registered voter who is dissatisfied with the ballot title may petition the circuit court to review the ballot title. If a registered voter files a petition to review a ballot title with the circuit court, the voter must:

- name the district elections authority as respondent;
- state the reasons why the ballot title is insufficient, not concise, or unfair; and
- notify the county elections official in writing that a petition has been filed.




If the notification of the county elections official is not timely filed, the petition to the circuit court may be dismissed.



5 Circuit Court Review

When a petition is filed, the circuit court conducts its review and renders its decision certifying a ballot title meeting the requirements of [ORS 250.035](#). The review of the ballot title by the circuit court shall be the first and final review.

-  If the Circuit Court certifies a different ballot title, the county elections official forwards the final ballot title to the district elections authority for preparation of form [SEL 803](#) and must publish an amended notice of election in the next available edition of a newspaper of general circulation in the district.

Explanatory Statement

ORS 251.067, 251.285, 251.345, and OAR 165-022-0040

An explanatory statement is an impartial, simple, and understandable statement explaining the measure. The district elections authority must prepare and file an explanatory statement of no more than 500 words for a referral **only if**:


→ the county is producing a voters' pamphlet


or

→ the referral is a metropolitan service district measure and will appear in the State Voters' Pamphlet.

or

→ the referral is a community service district measure relating to bonds and will appear in the State Voters' Pamphlet.


-  Districts are encouraged to adopt and comply with an ordinance that provides a judicial review procedure for an explanatory statement which is contested. If a district measure is to appear in the State Voters' Pamphlet, a judicial review procedure is required.

-  See the [State Voters' Pamphlet Manual](#) available at www.oregonvotes.gov for additional requirements for referrals appearing in the state voters' pamphlet.


Certification of Referral to Ballot


ORS 255.085

The district elections authority must certify that the challenge process is complete and file the final ballot title on:

-  Form [SEL 803 Notice of Measure Election – District](#).

After receiving a district referral, the county elections official assigns a measure number. Official then provides Notice of Measure Election to the Elections Division.

-  Ballot measure numbers will not be repeated. If the measure is later removed from the ballot, the measure number will not be re-used.

-  If the county is producing a voters' pamphlet, the county elections official will reject any [SEL 803](#) that is not accompanied by an explanatory statement.

Withdrawal of Referral

To withdraw a referral, the district elections authority must complete and file with the county elections official:



Form SEL 804 Withdrawal - Notice of Measure Election.



The SEL 804 must be submitted no later than the 61st day before the election.