

# Request for Ballot Title Preparation or Publication of Notice

SEL 805

rev 08/21  
OAR 165-014-0005

No later than the 81<sup>st</sup> day before an election, a governing body that has referred a measure must prepare and file with the local elections official the text of the referral for ballot title preparation or the ballot title for publication of notice of receipt of ballot title. This form may be used to file the text of the referral and request the elections official begin the ballot title drafting process or file a ballot title and request the elections official publish notice of receipt of ballot title.

## Filing Information

Election Date

November 8, 2022

Authorized Official

Jenny Madkour

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## Referral Information

Title, Number or other Identifier

Amends charter: replaces gender binary pronouns with gender neutral terms

This Filing is For

Drafting of Ballot Title Attach referral text.

Publication of Notice Ballot title below.

## Ballot Title Additional requirements may apply

**Caption** 10 words which reasonably identifies the subject of the measure.

See attached.

**Question** 20 words which plainly phrases the chief purpose of the measure.

See attached.

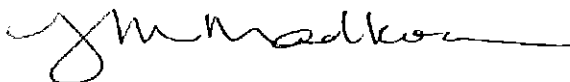
**Summary** 175 words which concisely and impartially summarizes the measure and its major effect.

See attached.

RECEIVED  
2022 AUG 11 AM 10:47  
MULTNOMAH COUNTY  
DIRECTOR OF ELECTIONS

By signing this document:

→ I hereby state that I am authorized by the county or city governing body, or district elections authority to submit this Request for Ballot Title – Preparation or Publication of Notice.



August 11, 2022

Signature

Date Signed

## Gender Neutral Charter Amendment Ballot Title & Explanatory Statement

**Caption (10/10):** Amends charter: replaces gender binary pronouns with gender neutral terms

**Question (20/20):** Should county charter be amended to replace gender binary pronouns (including he, she, his, and her) with gender neutral terms?

**Summary (143/175):** The existing county charter uses gender binary pronouns including he, she, his, and her, throughout the document in sections 4.10 (Qualifications), 4.20 (Terms Of Office; Successive Terms; Running For Office In Midterm), 4.40 (Vacancies – Causes), 6.10 (Chair Of The Board), 6.50 (Sheriff), and 7.20 (Civil Service Commission). In addition, existing charter section 7.40(4) provides that references to the masculine gender in that chapter of the charter refer to the masculine, feminine, neuter, or applicable noun.

This charter amendment would replace gender binary pronouns throughout the charter with gender neutral terms appropriate to the context. For example, use of the pronouns "he or she" in section 6.50 to refer to the sheriff would be replaced with the term "the sheriff."

This amendment also would remove existing charter section 7.40(4) because that section would no longer be necessary after removal of all references to gender.

**Explanatory Statement (358/500):** Existing county charter uses gender binary pronouns in charter sections 4.10 (Qualifications), 4.20 (Terms Of Office; Successive Terms; Running For Office In Midterm), 4.40 (Vacancies – Causes), 6.10 (Chair Of The Board), 6.50 (Sheriff), and 7.20 (Civil Service Commission). In addition, existing charter section 7.40(4) provides that references to the masculine gender in that chapter of the charter refer to the masculine, feminine, neuter, or applicable noun.

In 2019, Multnomah County updated its County Code to include a statement that the Code is gender inclusive and to replace gender binary pronouns with gender neutral pronouns. Similar changes have not yet been made to the charter.

This charter amendment recommended by the Charter Review Committee would replace gender binary pronouns in the charter, including he, she, his, and her, with gender neutral terms. The amendment would replace gender binary pronouns throughout the charter (in sections 4.10, 4.20, 4.40, 6.10, 6.50, and 7.20) with gender neutral terms appropriate to the context.

For example, use of the pronouns "he or she" in section 6.50 to refer to the sheriff would be replaced with the term "the sheriff." Existing charter section 6.50 provides, "The people of Multnomah County shall elect a county sheriff for the function of said office as prescribed by state law and he or she shall have sole administration of all county jails and correctional institutions located in Multnomah County." As amended, charter section 6.50 would provide, "The people of Multnomah County shall elect a county

sheriff for the function of said office as prescribed by state law and the sheriff shall have sole administration of all county jails and correctional institutions located in Multnomah County."

As another example, existing charter section 4.10(2) provides, in part, "Before the electee or appointee to an elective office takes the office he or she shall be eligible to be bonded." As amended, charter section 4.10(2) would provide, "Before the electee or appointee to an elective office takes the office the electee or appointee shall be eligible to be bonded."

This amendment also would remove existing charter section 7.40(4) because that section would no longer be necessary after removal of all references to gender.

## **EXHIBIT A**

### **Gender Neutral Charter Amendment Text**

(Language stricken is deleted; underlined language is new.)

#### **4.10. Qualifications.**

(1) An elective officer of the county shall have been a qualified elector of the county for a year and a half immediately before becoming such an officer and, if a candidate for, or appointee to, a county commissioner position, then a resident of the district for a year and a half immediately before becoming such a commissioner.

(2) Before the electee or appointee to an elective office takes the office ~~he or she~~ the electee or appointee shall be eligible to be bonded. The county shall maintain a corporate surety bond for the faithful performance of its employees and holders of elective office.

#### **4.20. Terms Of Office; Successive Terms; Running For Office In Midterm.**

(1) Except as this charter provides to the contrary, the term of office of a person elected to an elective county office:

(a) Shall begin the first of the year immediately following ~~his or her~~ that person's election to the office and

(b) Shall continue four years.

(2) Effective January 1, 1985, no incumbent or future elected officer of the county shall be eligible to serve more than two full consecutive four-year terms in any one elective county office within any 12-year period. If an officer of the county is elected or appointed to an elective county office for a term of less than four years, the time so served shall not be counted against the limitation on terms within any 12-year period.

(3) Effective January 1, 2017, Commissioners of Multnomah County may run for the Office of Chair of Multnomah County mid-term without resigning their current elected office. No elected official of Multnomah County may run for another elective office in midterm without resigning first. Filing for another office in midterm shall be the same as a resignation, effective as of date of filing. "Midterm" does not include the final year of an elected official's term. Filing for another office in the last year of an elective term shall not constitute a resignation.

\* \* \*

#### **4.40. Vacancies -- Causes.**

An elective office of the county shall become vacant:

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- (1) Upon the incumbent's
  - (a) Death,
  - (b) Adjudicated incompetence,
  - (c) Conviction of a felony, other offense pertinent to ~~his or her~~ the incumbent's office, or unlawful destruction of public records,
  - (d) Resignation from the office,
  - (e) Recall from the office,
  - (f) Ceasing to reside within Multnomah County or, if a commissioner, within the commissioner district, or
  - (g) Inability to obtain a corporate surety bond as required by section 4.10(2).

(2) Upon the failure of the person elected or appointed to the office to qualify for it within ten days after the time for ~~his or her~~ the term of office to commence; or

(3) In the case of a member of the board of county commissioners, upon ~~his or her~~ the board member's absence

(a) From the county for 30 consecutive days without the consent of the board or

(b) From board meetings for 60 consecutive days without like consent.

(4) In the case of the chair of the board of commissioners, upon ~~his or her~~ the chair's absence from the county for 30 consecutive days without the consent of the board.

\* \* \*

#### **6.10. Chair Of The Board.**

The chair of the board of county commissioners:

- (1) Shall be the chief executive officer and personnel officer of the county;
- (2) Shall preside over meetings of the board and have a vote on each matter before the board;

(3) Shall have sole authority to appoint, order, direct and discharge administrative officers and employees of the county, except for the personal staff, employees or agents of elective county offices. Appointment of department heads shall be subject to consent of a majority of the board of commissioners;

(4) Shall execute the policies of the board and the ordinances of the county;

(5) Shall sign all contracts, bonds and other instruments requiring county consent;

(6) Shall prepare the county budget for submission to the board; and

(7) May delegate ~~his or her~~ the chair's administrative powers but shall retain full responsibility for the acts of ~~his or her~~ the chair's subordinates.

\* \* \*

#### **6.50. Sheriff.**

The people of Multnomah County shall elect a county sheriff for the function of said office as prescribed by state law and ~~he or she~~ the sheriff shall have sole administration of all county jails and correctional institutions located in Multnomah County.

\* \* \*

#### **7.20. Civil Service Commission.**

(1) There shall be a civil service commission consisting of three members appointed by a board of county commissioners.

(2) The term of office of each member of the commission shall be three years. Every year the term of one member of the commission shall expire.

(3) Each member of the commission shall be

(a) A citizen of the United States and

(b) A qualified elector of the county.

(4) No member of the commission shall receive compensation for ~~his or her~~ the commission member's services as such.

(5) The commission shall:

(a) Make recommendations to the board regarding the personnel policy of the county and

(b) Hear appeals from such persons in the classified service in such cases as the board shall by ordinance determine.

(6) An appellate decision by the commission may not be appealed further if unanimous. If not unanimous, it may be further appealed to the board of county commissioners and the courts.

\* \* \*

#### **7.40. Rights And Duties Of Personnel.**

(1) The status of persons in the classified service shall, within the limitations of this charter,

(a) Be based on merit and fitness; and

(b) Be governed by the civil service ordinance and rules promulgated thereunder.

(2) No employee shall be refused employment or be discriminated against in any manner contrary to state law.

(3) Persons in the classified service shall be subject to the restrictions in the laws of the state concerning political activities of persons in county civil service.

~~(4) References to the masculine gender in this chapter shall refer to the masculine, feminine, neuter, or applicable noun, or appropriate combination thereof, where appropriate.~~