

OFFICE OF THE SECRETARY OF STATE

BILL BRADBURY
SECRETARY OF STATE



ELECTIONS DIVISION

JOHN LINDBACK
DIRECTOR

141 STATE CAPITOL
SALEM, OREGON 97310-0722

ELECTIONS — (503) 986-1518
FAX — (503) 373-7414

July 28, 2008

E. Andrew Jordan, Attorney
City of Lafayette
Jordan, Schrader, Ramis, PC
PO Box 230669
Portland, OR 97281

Dear Mr. Jordan:

On July 24, 2008, this office notified you we had received a written complaint alleging possible election law violations against you. The complainant, Darrell W. Flood, alleges you have failed to process his prospective initiative in compliance with ORS 250.270 and ORS 250.275.

ORS 240.270 requires a city elections official to determine whether an initiative petition meets the Oregon Constitutional requirement of one subject not later than five business days after receipt of the initiative. The city elections official must notify the chief petitioner of the determination no later than the sixth business day. Any elector dissatisfied with the determination may petition the court for review of the determination.

ORS 250.275 requires the city elections official, not later than the sixth business day after a prospective petition is filed, to send two copies of the prospective petition to the city attorney to prepare a ballot title. Not later than the fifth business day after receiving the copies of the prospective petition, the city attorney shall prepare a ballot title and return it to the city elections official.

For a determination to be made regarding the allegations, we are requesting you provide any information you consider relevant to this complaint and respond in writing to the following questions. You may also wish to forward a copy of this inquiry letter to any other appropriate person(s) for response.

Our inquiry into this matter does not mean we have determined any provisions of Oregon election law have been violated. A final determination letter will be sent to all involved parties as soon as possible once the responses and other submitted information has been reviewed. Our questions and requests for information are:

1. Please provide the date and time the City of Lafayette provided your office with the text of the prospective petition submitted to them by Darrell W. Flood.
2. Please provide the date and time you provided the City of Lafayette with a draft ballot title for Mr. Flood's prospective petition.

Please include any additional written comments you may have. Your response may be mailed or faxed to our fax number (503) 373-7414. **Please submit this information to us by August 11, 2008.** We will inform you of the outcome of our review and any other actions on this matter. Thank you for your cooperation and let us know if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads "Carla Corbin".

Carla Corbin
Compliance Specialist

c: Darrell W. Flood

BILL BRADBURY
SECRETARY OF STATE



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DIRECTOR

141 STATE CAPITOL
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July 28, 2008

Trena McManus, Elections Officer
City of Lafayette
PO Box 55
Lafayette, OR 97127-0055

Dear Ms. McManus:

On July 24, 2008, this office notified you we had received a written complaint alleging possible election law violations against you. The complainant, Darrell W. Flood, alleges you have failed to process his prospective initiative in compliance with ORS 250.270 and ORS 250.275.

ORS 240.270 requires a city elections official to determine whether an initiative petition meets the Oregon Constitutional requirement of one subject not later than five business days after receipt of the initiative. The city elections official must notify the chief petitioner of the determination no later than the sixth business day. Any elector dissatisfied with the determination may petition the court for review of the determination.

ORS 250.275 requires the city elections official, not later than the sixth business day after a prospective petition is filed, to send two copies of the prospective petition to the city attorney to prepare a ballot title. Not later than the fifth business day after receiving the copies of the prospective petition, the city attorney shall prepare a ballot title and return it to the city elections official.

For a determination to be made regarding the allegations, we are requesting you provide any information you consider relevant to this complaint and respond in writing to the following questions. You may also wish to forward a copy of this inquiry letter to any other appropriate person(s) for response.

Our inquiry into this matter does not mean we have determined any provisions of Oregon election law have been violated. A final determination letter will be sent to all involved parties as soon as possible once the responses and other submitted information has been reviewed. Our questions and requests for information are:

1. Please provide the date and time Darrell W. Flood submitted his prospective petition in the City of Lafayette office.
2. Please provide the date and time you notified Mr. Flood whether his prospective petition met the Constitutional one subject requirement. If you did not, why not?
3. Please provide the date and time you submitted the text of Mr. Flood's prospective petition to the Lafayette legal counsel to complete a draft ballot title? If you did not, why not?

4. Please provide the date and time you received a draft ballot title from the Lafayette legal counsel for Mr. Flood's prospective petition.
5. Please provide the date and time you supplied Mr. Flood with a copy of the draft ballot title. If you did not, why not?

Please include any additional written comments you may have. Your response may be mailed or faxed to our fax number (503) 373-7414. **Please submit this information to us by August 11, 2008.** We will inform you of the outcome of our review and any other actions on this matter. Thank you for your cooperation and let us know if you have any questions.

Sincerely,



Carla Corbin
Compliance Specialist

c: Darrell W. Flood

BILL BRADBURY
SECRETARY OF STATE



JOHN LINDBACK
DIRECTOR

141 STATE CAPITOL
SALEM, OREGON 97310-0722

ELECTIONS—(503) 986-1518
FAX—(503) 373-7414

July 28, 2008

Diane Rinks, Administrator
City of Lafayette
PO Box 55
Lafayette, OR 97127-0055

Dear Ms. Rinks:

On July 24, 2008, this office notified you we had received a written complaint alleging possible election law violations against you. The complainant, Darrell W. Flood, alleges you have failed to process his prospective initiative in compliance with ORS 250.270 and ORS 250.275.

ORS 240.270 requires a city elections official to determine whether an initiative petition meets the Oregon Constitutional requirement of one subject not later than five business days after receipt of the initiative. The city elections official must notify the chief petitioner of the determination no later than the sixth business day. Any elector dissatisfied with the determination may petition the court for review of the determination.

ORS 250.275 requires the city elections official, not later than the sixth business day after a prospective petition is filed, to send two copies of the prospective petition to the city attorney to prepare a ballot title. Not later than the fifth business day after receiving the copies of the prospective petition, the city attorney shall prepare a ballot title and return it to the city elections official.

For a determination to be made regarding the allegations, we are requesting you provide any information you consider relevant to this complaint and respond in writing to the following questions. You may also wish to forward a copy of this inquiry letter to any other appropriate person(s) for response.

Our inquiry into this matter does not mean we have determined any provisions of Oregon election law have been violated. A final determination letter will be sent to all involved parties as soon as possible once the responses and other submitted information has been reviewed. Our questions and requests for information are:

1. Please provide the date and time Darrell W. Flood submitted his prospective petition in the City of Lafayette office.
2. Please provide the date and time you notified Mr. Flood whether his prospective petition met the Constitutional one subject requirement. If you did not, why not?
3. Please provide the date and time you submitted the text of Mr. Flood's prospective petition to the Lafayette legal counsel to complete a draft ballot title? If you did not, why not?

4. Please provide the date and time you received a draft ballot title from the Lafayette legal counsel for Mr. Flood's prospective petition.
5. Please provide the date and time you supplied Mr. Flood with a copy of the draft ballot title. If you did not, why not?

Please include any additional written comments you may have. Your response may be mailed or faxed to our fax number (503) 373-7414. **Please submit this information to us by August 11, 2008.** We will inform you of the outcome of our review and any other actions on this matter. Thank you for your cooperation and let us know if you have any questions.

Sincerely,



Carla Corbin
Compliance Specialist

c: Darrell W. Flood