



COUNTY LEGAL

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Staff Report

TO: Board of Commissioners
FROM: Dave Doyle
DATE: September 7, 2023
RE: Increasing the Number of Commissioner Positions

Previously Commissioner Chang noted interest in exploring Home Rule. County Legal provided an overview of the Home Rule process as required by ORS 203.710 - 810.

More recently Commissioner Chang inquired whether other processes exist for increasing the number of Commissioner positions. That answer is "yes." See ORS 203.035.

In 2007 Clackamas County referred a measure to the voters to increase the number of Commissioner positions from 3 to 5. The measure also provided that the five commissioner positions, all elected on a county-wide basis, would be designated by number, and that Position 1 would serve as the Chair.

Deschutes County currently has three Commissioner positions. Position 1 is held by Commissioner DeBone. Position 2 is held by Commissioner Chang. Position 3 is held by Commissioner Adair.

If at least two Commissioners are inclined, the BOCC could refer a measure, to increase the Commission from 3 to 5 positions, to the May 2024 primary election. If the Commissioners are not inclined to make that referral, the electors could utilize the initiative petition process (i.e. non-partisan measure) to place a measure before the electors at a future election.

Consistent with input from the County Clerk, County Legal identifies two paths forward:

- (1) If the matter was to be placed on the May 2024 primary election, and if approved, the two new positions would appear on the May 2026 primary election, to begin terms of office in January 2027. One position would be a 4-year term, the other would initially be a 2-year term (necessary in order to avoid having 4 positions up for election at the same time).

- (2) If the matter is placed on the May 2024 primary election, **and** if the two new positions are also on the May 2024 primary election, the terms of office would begin in January 2025. Both positions would be 4-year terms.