

A-Engrossed
Senate Bill 306

Ordered by the Senate February 21
Including Senate Amendments dated February 21

Printed pursuant to Senate Interim Rule 213.28 by order of the President of the Senate in conformance with pre-session filing rules, indicating neither advocacy nor opposition on the part of the President (at the request of Senate Interim Committee on Finance and Revenue)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

[Allows metropolitan service district to establish service district with taxing powers to provide local services.] **Modifies requirements by which county may elect to form district. Applies to elections held after January 1, 2011.**

A BILL FOR AN ACT

Relating to service districts; creating new provisions; and amending ORS 198.815.

Be It Enacted by the People of the State of Oregon:

SECTION 1. ORS 198.815, as amended by section 11, chapter 29, Oregon Laws 2010, is amended to read:

198.815. (1) If the required number of written requests for an election are filed with the county board on or before the date of the final hearing or if the petition for formation includes a permanent rate limit for operating taxes for the proposed district, the board shall provide by order for the holding of an election to submit to the electors the question of forming the district. The board shall cause notice of the election to be published by two insertions. If requests for an election are filed by less than the required number of persons and no permanent rate limit for operating taxes is included in the petition, the county board shall dismiss the requests and enter an order creating the district.

(2) The order calling an election shall fix the date of the election on the next available election date in ORS 255.345 for which the filing deadline can be met. However, when the proposal for formation includes a permanent rate limit for operating taxes for the proposed district, the election shall be held on the date of the next *[primary election or general]* **May or November** election for which the filing deadline can be met. **If the election is held in another month, at least 50 percent of the registered electors eligible to vote in the election must cast a ballot.** The order shall also state that at such election members of the district board will be voted for. Candidates to be voted for as members of the first board of a district shall be nominated as provided by ORS chapter 255 and the principal Act of a district.

(3) The order calling the election shall require the county official in charge of elections to include with the ballot for the election a map or other description of the boundaries of the proposed district using streets and other generally recognized features and a statement of the permanent rate, if any, proposed for the district in the petition for formation under ORS 198.750 (1)(g). Such state-

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 ment shall comply with the requirements of ORS 250.035. The map or other description and state-
2 ment required by this subsection shall be supplied by the county board.

3 (4)(a) When the proposal for formation includes a permanent rate limit for operating taxes for
4 the proposed district, the ballot title shall clearly indicate that a single question is being proposed
5 which is:

6 (A) Whether the proposed district shall be formed; and

7 (B) Whether the permanent rate limit specified in the ballot title shall be adopted as the maxi-
8 mum rate of operating taxes for that district.

9 (b) The ballot title for the election shall be in compliance with ORS 250.036.

10 (5) When the proposal for formation includes a permanent rate limit for the proposed district,
11 the district shall be authorized to impose operating taxes not in excess of the permanent rate limit
12 if the proposal is approved by a majority of the votes cast and:

13 (a) At least 50 percent of registered electors eligible to vote in the election cast a ballot; or

14 (b) The election is held in May or November of any year.

15 (6) If a proposed county service district is subject to dissolution unless a determination of public
16 need for continued existence is made, the ballot title shall include the fiscal year in which dissol-
17 ution will occur and statement that the district will dissolve unless the board of directors deter-
18 mines that there is a public need for continued existence.

19 **SECTION 2. The amendments to ORS 198.815 by section 1 of this 2011 Act apply to an**
20 **election held after January 1, 2011.**

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