

SENATE AMENDMENTS TO SENATE BILL 306

By COMMITTEE ON FINANCE AND REVENUE

February 21

1 On page 1 of the printed bill, line 2, after “ORS” delete the rest of the line and insert
2 “198.815.”.

3 Delete lines 3 through 10.

4 Delete lines 12 through 30 and delete pages 2 through 48 and insert:

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

7 “198.815. (1) If the required number of written requests for an election are filed with the county
8 board on or before the date of the final hearing or if the petition for formation includes a permanent
9 rate limit for operating taxes for the proposed district, the board shall provide by order for the
10 holding of an election to submit to the electors the question of forming the district. The board shall
11 cause notice of the election to be published by two insertions. If requests for an election are filed
12 by less than the required number of persons and no permanent rate limit for operating taxes is in-
13 cluded in the petition, the county board shall dismiss the requests and enter an order creating the
14 district.

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

24 “(3) The order calling the election shall require the county official in charge of elections to in-
25 clude with the ballot for the election a map or other description of the boundaries of the proposed
26 district using streets and other generally recognized features and a statement of the permanent rate,
27 if any, proposed for the district in the petition for formation under ORS 198.750 (1)(g). Such state-
28 ment shall comply with the requirements of ORS 250.035. The map or other description and state-
29 ment required by this subsection shall be supplied by the county board.

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

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

34 “(B) Whether the permanent rate limit specified in the ballot title shall be adopted as the max-
35 imum rate of operating taxes for that district.

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

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

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

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

7 “(6) If a proposed county service district is subject to dissolution unless a determination of
8 public need for continued existence is made, the ballot title shall include the fiscal year in which
9 dissolution will occur and statement that the district will dissolve unless the board of directors de-
10 termines that there is a public need for continued existence.

11 “**SECTION 2. The amendments to ORS 198.815 by section 1 of this 2011 Act apply to an**
12 **election held after January 1, 2011.**”

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