

# Senate Bill 349

Sponsored by Senator FREDERICK (Pre-session filed.)

## 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 **as introduced**.

Provides that directors of certain mass transit districts are elected instead of appointed by Governor.

Provides that current directors shall continue to serve until expiration of their terms.

## A BILL FOR AN ACT

1  
2 Relating to the election of directors of mass transit districts; creating new provisions; amending ORS  
3 267.085, 267.109 and 267.112; and repealing ORS 267.090, 267.095 and 267.097.

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

5 **SECTION 1.** ORS 267.085 is amended to read:

6 267.085. (1) In addition to and not in lieu of other actions authorized for the initiation of pro-  
7 ceedings to form a mass transit district, the governing body of the most populous city in a metro-  
8 politan statistical area may by resolution propose formation of a mass transit district, if that city  
9 has a local transit system and if the governing body finds that area-wide mass transit needs cannot  
10 be met by local transit operation. The resolution of the governing body shall be addressed to and  
11 filed with the county board of the principal county and proceedings conducted as provided by ORS  
12 198.705 to 198.955.

13 **(2) A resolution proposing a mass transit district must propose, and an order forming a**  
14 **mass transit district must include, a description of the boundaries of seven subdistricts. The**  
15 **subdistricts must be:**

16 **(a) As nearly equal in population as possible based on the latest federal decennial census;**  
17 **and**

18 **(b) Designed to ensure representation of the most populous city, other cities and**  
19 **unincorporated territory in the proposed district proportionate to their respective popu-**  
20 **lations, except that if less than the entire district is taxed by the district, the subdistricts**  
21 **must be wholly within the taxed area.**

22 *[(2) A certified copy of the order forming a mass transit district shall be filed with the Governor.]*

23 **SECTION 2.** ORS 267.090, 267.095 and 267.097 are repealed.

24 **SECTION 3.** ORS 267.109 is amended to read:

25 267.109. The expenses incurred for the election held under ORS 267.080, 267.107, 267.112 and this  
26 section shall be paid by:

27 (1) The district, if *[the resolution is approved by the people]* **duly formed under ORS 267.085**  
28 **or 267.107.**

29 (2) Each county participating in the election in the proportion of the number of precincts in the  
30 county voting on the *[resolution]* **question** to the total number of precincts voting on the *[resolution,*  
31 *if the resolution]* **question, if a proposal to form a mass transit district** is rejected by the people.

**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        **SECTION 4.** ORS 267.112 is amended to read:

2        267.112. (1)(a) If formation of a **mass transit** district is initiated by resolution adopted and filed  
3 in accordance with ORS 267.107, upon the submitting of a formation order by the county governing  
4 body to the proposed district electors, one district director shall be elected from each of the seven  
5 subdistricts described in the order calling an election for district creation. [*A director shall reside*  
6 *in the subdistrict from which the director is nominated and elected.*]

7        **(b) If a mass transit district is formed under ORS 267.085, one district director shall be**  
8 **elected from each of the seven subdistricts described in the order forming the district.**

9        (2) The board of directors of [*the*] a **mass transit** district [*shall consist*] **consists** of the seven  
10 directors elected from subdistricts under subsection (1) of this section. **A director must reside in**  
11 **the district from which the director is nominated and elected.**

12        (3) After the initial formation of a district, the Secretary of State, after each decennial federal  
13 census, shall modify the boundaries of the subdistricts so that the subdistricts remain as nearly  
14 equal in population as possible based on the latest federal census.

15        (4) The term of office of a director [*shall be*] **is** four years, **except as provided in subsection**  
16 **(5) of this section.** [*provided, however, that three of the first elected directors shall initially have a*  
17 *term of office expiring June 30 of the next odd-numbered year following district formation and four of*  
18 *the first elected directors shall initially have a term of office expiring June 30 of the next odd-numbered*  
19 *year not less than two years following district formation. The first elected directors of the district, upon*  
20 *taking office, shall by lot, supervised by the board, determine which three directors shall have the*  
21 *shorter initial terms and which four shall have the longer initial terms.*] When a vacancy occurs in  
22 the office of a director, the remaining members of the board shall appoint a resident of the affected  
23 subdistrict to serve until June 30 of the next odd-numbered year, in which year a director shall be  
24 elected to serve the remainder of the unexpired term. A director whose term has expired shall  
25 continue to serve until the election of a successor.

26        **(5) Three of the directors first elected after district formation have a term of office ex-**  
27 **piring June 30 of the next odd-numbered year following district formation. Four of the di-**  
28 **rectors first elected after district formation have a term of office expiring June 30 of the**  
29 **next odd-numbered year not less than two years following district formation. The first**  
30 **elected directors of the district, upon taking office, shall by lot, supervised by the board,**  
31 **determine which three directors shall have the shorter initial terms and which four shall**  
32 **have the longer initial terms.**

33        [(5)] **(6) Directors** [*shall not be*] **are not** entitled to compensation for their services but [*shall*  
34 *be*] **are** entitled to reimbursement for actual and necessary expenses incurred or paid in the per-  
35 formance of their duties as members of the board.

36        **SECTION 5. Directors of mass transit districts formed under ORS 267.085 who were ap-**  
37 **pointed by the Governor and who are serving on the effective date of this 2017 Act shall**  
38 **continue to serve until the expiration of their term of office.**

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