

Measure No. 1 STATE OF OREGON

SENATE JOINT RESOLUTION 2—Referred to the Electorate of Oregon by the 1989 Legislature, to be voted on at the General Election, November 6, 1990.

BALLOT TITLE

1 GRANTS METROPOLITAN SERVICE DISTRICT ELECTORS RIGHT TO SELF-GOVERNANCE

QUESTION—Shall state constitution give metropolitan service district voters the right of self-governance, over metropolitan matters, through district charter?

SUMMARY—Adds provision to Oregon Constitution. Requires legislature to pass laws giving metropolitan service district electors power to adopt, amend, revise, repeal district charter by majority vote. Requires district charter to prescribe government organization and provide for number, election or appointment, qualifications, tenure, compensation, powers and duties of officers. Provides for exercise of powers by ordinance. Gives district jurisdiction over metropolitan matters as defined by charter. Gives district electors initiative and referendum powers regarding district charter and legislation, to be exercised as county powers are exercised.

ESTIMATE OF FINANCIAL EFFECT—Zero.

YES

NO

AN ACT

Be It Resolved by the Legislative Assembly of the State of Oregon:

PARAGRAPH 1. The Oregon Constitution is amended by creating a new section 14 to be added to and made a part of Article XI, and to read:

SECTION 14. (1) The Legislative Assembly shall provide by law a method whereby the legal electors of any metropolitan service district organized under the laws of this state, by majority vote of such electors voting thereon at any legally called election, may adopt, amend, revise, or repeal a district charter.

(2) A district charter shall prescribe the organization of the district government and shall provide directly, or by its authority, for the number, election or appointment, qualifications, tenure, compensation, powers and duties of such officers as the district considers necessary. Such officers shall among them exercise all the power and perform all the duties, as granted to, imposed upon or distributed among district officers by the Constitution or laws of this state, by the district charter or by its authority.

(3) A district charter may provide for the exercise by ordinance of powers granted to the district by the Constitution or laws of this state.

(4) A metropolitan service district shall have jurisdiction over matters of metropolitan concern as set forth in the charter of the district.

(5) The initiative and referendum powers reserved to the people by this Constitution hereby are further reserved to the legal electors of a metropolitan service district relative to the adoption, amendment, revision or repeal of a district charter and district legislation enacted thereunder. Such powers shall be exercised in the manner provided for county measures under section 10, Article VI of this Constitution.

PARAGRAPH 2. The amendment proposed by this resolution shall be submitted to the people for their approval or rejection at the next regular general election held throughout this state.

EXPLANATION

Ballot Measure No. 1 amends the Oregon Constitution to require the Legislative Assembly to pass a law enabling the electors of a metropolitan service district to adopt a charter. The law also shall provide a method for amending, revising or repealing the charter, if a charter is adopted. The law will apply to metropolitan service districts only. Currently, METRO, in the Portland metropolitan area, is the only metropolitan service district in Oregon.

Ballot Measure No. 1 does not change the powers or functions nor require the adoption of a charter for a metropolitan service district. It authorizes the electors of a metropolitan service district, by majority vote at an election, to determine for themselves whether or not to adopt, amend or repeal a charter.

If a district charter is adopted, Ballot Measure No. 1 sets forth some requirements for the charter.

A metropolitan service district charter must establish the structure and organization of the government of the district, including the number of district officers. The charter must also provide for the qualifications, manner of selection, salary, powers and duties of the district officers. These matters are now controlled by state law. The adoption of a district charter will give district electors control over the structure and organization of the government of a metropolitan service district.

Ballot Measure No. 1 requires the district officers elected or appointed under a charter to exercise all the powers and perform all the duties granted to or imposed on the district officers by the Oregon Constitution or state laws, by the district charter or by its authority. The governing body or the electors of a metropolitan service district will determine which district officers perform the required duties.

A district charter may provide for the exercise by ordinance of powers granted to the district by the Constitution or laws of this state. A metropolitan service district shall have jurisdiction over matters of metropolitan concern as set forth in the charter of the district.

Ballot Measure No. 1 allows the electors of a metropolitan service district to use the initiative and referendum powers to adopt, amend or repeal the district's charter or ordinances. The initiative and referendum powers will be exercised by district electors in the same way that county electors in "home-rule charter" counties now initiate or refer county ordinances.

Committee Members:
 Senator Bill Kennemer
 Representative Larry Sowa
 Senator Glen Otto
 Representative Ron Cease
 B. J. Smith

Appointed by:
 Secretary of State
 Secretary of State
 President of the Senate
 Speaker of the House
 Members of the Committee

(This Committee was appointed to provide an impartial explanation of the ballot measure pursuant to ORS 251.215.)

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