

OREGON LEGISLATIVE ASSEMBLY
STAFF MEASURE SUMMARY
Senate Government Operations

MEASURE: SB 298

Working Title: Metro Home Rule Charter Process
Meeting Dates: 1-23
Action: Do Pass with amendments
Vote: 5-0
Yeas: Bunn, Cease, Grensky, Smith, Chair Otto
Nays: None
Exc.: Kitzhaber, Springer
Carrier: Otto
Prepared By: John Houser, Committee Administrator

WHAT THE BILL DOES: The bill would provide implementing procedures for the constitutional amendment permitting a metropolitan service district (eg. Metro) to have a home rule charter. The bill would require that a 16-member committee be established to draft and submit a proposed charter for Metro to the district's voters. The committee membership would be appointed as follows: 1) one member by each county board of commissioners, 2) one member by the governing bodies of all of the cities in each county that are within the district boundaries, 3) one by each of six pairs of Metro councilors designated in the bill, 4) two by the Metro Executive Officer, and 5) one legislator by the Speaker of the House and one by the President of the Senate. No local elected official; city, county, or special district employee or close relative could serve on the committee. The Metro committee would organize within 30 days of appointment.

The bill provides that any proposed charter establish a governing structure for Metro and outline the powers and duties of its officers. The bill requires Metro to provide at least \$100,000 in district funds to finance the work of the charter committee. The bill also contains an emergency clause.

ISSUES DISCUSSED: Committee discussion centered on the appointment authority of charter committee members including expanding the number of appointees by Metro councilors and the appointment of the committee chair by the Metro Executive Officer. The committee also discussed methods of financing the charter committee.

EFFECT OF COMMITTEE AMENDMENTS: The committee amendments expand the size of the charter committee from 11 to 16, including three additional appointees by the Metro councilors and the appointment of two legislators. The amendments also provide that Metro councilor appointees be made by pairs of Metro councilors, instead of by the councilors within each county. An additional amendment requires that the district shall provide at least \$100,000 to fund the charter committee.

BACKGROUND: ORS Chapter 268 provides for the creation of local metropolitan service districts. The only district presently operating is Metro, in the Portland area. Historically, Metro's governing structure, functions, and operating procedures have been established by the legislative assembly. In 1989, the assembly placed a constitutional amendment on the 1990 general election ballot to permit Metro to have its own home rule charter. Supporters contended that such a charter would increase local control over Metro's form and functions. The voters approved the amendment and the purpose of SB 298 is to provide an organizational framework and process for drafting and submitting a proposed charter to Metro voters.

This summary has not been adopted or officially endorsed by action of the committee.

Measure No. SD 298 A

Date 1/31/91

Carrier CEASE

	Aye	Nay	Abs.	Ex.	Leg. Bus.		Aye	Nay	Abs.	Ex.	Leg. Bus.
BRADBURY	/					KENNEMER	/				
BRENNEMAN	/					KERANS	/				
BROCKMAN	/					KINTIGH	/				
BUNN	/					McCOY	/				
CEASE	/					OTTO				/	
COHEN	/	/				PHILLIPS	/				
DUKES	/	/				ROBERTS	/				
FAWBUSH	/	/				SHOEMAKER	/				
GOLD	/	/				SMITH	/				
GRENSKY	/	/				SPRINGER	/				
HAMBY	/	/				THORNE	/				
HANNON	/	/		/		TIMMS	/				
HILL, J.	/	/				TROW	/				
HILL, L.	/	/				YIH	/				
JOLIN	/	/				PRESIDENT KITZHABER	/				
						TOTALS	24	4		2	

Nays _____

Absent _____

Excused _____

Attending Legislative Business _____

**OREGON LEGISLATIVE ASSEMBLY
STAFF MEASURE SUMMARY
House Committee on Intergovernmental Affairs**

MEASURE: SB 298-B

Working Title: Metro Home Rule Process
Meeting Dates: 2/14 hearing, 2/21 & 2/26 work sessions
Action: Do pass with amendments.
Vote: 7-0

Yeas: VanLeeuwen, Cease, Josi, Meek, Pickard, Shibley, Watt

Nays:

Exc.:

Carrier: Meek
Prepared By: Janet Whitfield, Committee Administrator

WHAT THE BILL DOES: SB 298-A provides a procedure for a metropolitan service district (Metro) to adopt a home rule charter. Under the bill, a 16-member committee will be established to draft a proposed Metro charter, which would then be approved by the district's voters. The district charter committee membership would be appointed as follows: (a) One member selected by each county board of commissioners--3 total; (b) One member, from each county, selected by the governing bodies of all the cities that are within Metro's boundaries--3 total; (c) One by each of 6 designated pairs of Metro councilors--6 total; (d) One legislator by the Speaker of the House and one legislator by the President of the Senate--2 total; and (e) Two selected by the Metro executive officer, one of which to serve as chairperson of the charter committee--2 total, adding up to 16 members. Other than the two legislators, no elected official may serve on the committee, nor can local employees be selected.

As required by the bill, Metro has budgeted \$100,000 in fiscal year 1992 to fund the committee. Once a charter is proposed, Metro has gone on to budget \$70,000 for election costs, to be prorated among the counties.

ISSUES DISCUSSED: There were perceived inequities in the proposed make-up of the district charter committee. The A-version of the bill guaranteed 5 committee members from Multnomah County, but only 3 each from Clackamas and Washington. While the Metro population of Multnomah County is about equal to Washington and Clackamas Metro populations together, there was discussion that the final committee make-up would have preference for downtown interests and overlook the needs of the outlying areas.

EFFECT OF COMMITTEE AMENDMENTS: (1) The committee selections made by the executive officer must balance out the make-up of the district charter committee so that each county of Metro has four members who reside there. (2) Charter committee members may have immediate relatives who are city, county or district employees. 298-A had prevented this. (3) Committee members must be residents of the counties and subdistricts from which they were chosen. (4) Members chosen from the Oregon State Legislature must be residents of Metro. (5) Public hearings for the proposed charter must be held at least once in each of the three counties of Metro. Notice of each hearing must appear in the general distribution newspapers. (5) If the proposed charter is rejected by the voters, a new committee may be appointed, in the same manner, by a resolution of the Metro council or be a citizens' petition. (6) The Metro executive officer will select the charter committee chair from from among the charter committee members.

BACKGROUND: ORS Chapter 268 provides for the creation of local metropolitan service districts. The only district presently operating is Metro, in the Portland area. Historically, Metro's governing structure, functions, and operating procedures have been established by the legislative assembly. In 1989, the assembly placed a constitutional amendment on the 1990 general election ballot to permit Metro to have its own home rule charter. The voters approved the amendment and the purpose of SB 298 is to provide an organizational framework and process for drafting a proposed Metro charter and submitting it to the voters.

This summary has not been adopted or officially endorsed by action of the committee.

OREGON HOUSE OF REPRESENTATIVES
1991-92 SESSION
ROLL CALL

SB 298 B CARRIED BY Meek

THURSDAY, MARCH 7, 1991

PASSAGE

YEAS - 45 NAYS - 14 ABSENT - 0 EXCUSED - 1 EXCUSED-HOUSE BUS - 0

Y	Barnes	Y	Hosticka	N	Parkinson
N	Baum	Y	Hugo	Y	Parks
Y	Bauman	Y	Johnson, E.	Y	Pickard
Y	Bell	N	Johnson, R.	Y	Repine
N	Brian	Y	Jones, D.	Y	Rijken
Y	Bunn	N	Jones, D.E.	N	Roberts
Y	Burton	Y	Josi	Y	Schoon
N	Calouri	Y	Katz	Y	Schroeder
Y	Carter	Y	Mannix	Y	Shibley
Y	Cease	N	Markham	Y	Shiprack
N	Clark	Y	Mason	N	Sowa
Y	Clarno	N	McTeague	Y	Stein
Y	Courtney	Y	Meek	Y	Sunseri
Y	Derfler	N	Miller	Y	Taylor
Y	Dominy	Y	Minnis	Y	Van Vliet
N	Dwyer	Y	Naito	Y	VanLeeuwen
Y	Edmunson	Y	Nelson	Y	Walden
Y	Ford	Y	Norris	Y	Watt
Y	Gilmour	E	Novick	Y	Whitty
N	Hayden	Y	Oakley	Y	Mr. Speaker

YEAS, 45, Barnes, Bauman, Bell, Bunn, Burton, Carter, Cease, Clarno, Courtney, Derfler, Dominy, Edmunson, Ford, Gilmour, Hosticka, Hugo, Johnson, E., Jones, D., Josi, Katz, Mannix, Mason, Meek, Minnis, Naito, Nelson, Norris, Oakley, Parks, Pickard, Repine, Rijken, Schoon, Schroeder, Shibley, Shiprack, Stein, Sunseri, Taylor, Van Vliet, VanLeeuwen, Walden, Watt, Whitty, Mr. Speaker.

NAYS, 14, Baum, Brian, Calouri, Clark, Dwyer, Hayden, Johnson, R., Jones, D.E., Markham, McTeague, Miller, Parkinson, Roberts, Sowa.

ABSENT, 0.

EXCUSED, 1, Novick.

EXCUSED FOR BUSINESS OF THE HOUSE, 0.

SEQUENCE #185

Oregon State Senate
1991 Regular Session

MEASURE NO: SB 298 B
CARRIER: Otto
ACTION: To concur in House amendments

DATE: 03-12-91
RCS# 194

	Aye	Nay	Abs	Exc	Bus		Aye	Nay	Abs	Exc	Bus
BRADBURY					X	JOLIN	X				
BRENNEMAN	X					KENNEMER.					X
BROCKMAN	X					KERANS					X
BUNN	X					KINTIGH	X				
CEASE	X					MCCOY	X				
COHEN		X				OTTO	X				
DUFF	X					PHILLIPS	X				
DUKES	X					ROBERTS	X				
FAWBUSH	X					SHOEMAKER	X				
GOLD	X					SMITH	X				
GRENSKY	X					SPRINGER	X				
HAMBY	X					TIMMS	X				
HANNON	X					TROW	X				
HILL, J.	X					YIH	X				
HILL, L.	X					KITZHABER (P)					X
						TOTALS =>	25	1	0	0	4

Nays: 1 COHEN

Absent: 0

Excused: 0

Leg. Bus: 4 BRADBURY; KENNEMER; KERANS; KITZHABER

**1991 Regular Legislative Session
FISCAL ANALYSIS OF PROPOSED LEGISLATION
Prepared by the Legislative Fiscal Office**

MEASURE NUMBER: SB 298

STATUS: B-Engrossed

SUBJECT: Requires METRO to create a district charter committee, which may propose a district charter to be voted on by METRO electors.

GOVERNMENT UNIT AFFECTED: METRO

PREPARED BY: Roz Shirack

REVIEWED BY: Mike Stinson

DATE: 2/28/91

1991-93

1993-95

EFFECT ON EXPENDITURES:

Metropolitan Service District
District Charter Committee
Election costs

\$100,000

\$0

0

70,000

Total

\$100,000

\$70,000

COMMENTS: METRO has budgeted \$100,000 in fiscal year 1992 to fund the committee, as required by the bill (Section 4). If a charter is proposed, METRO would incur additional election costs of about \$70,000 to submit it to voters. It is assumed the charter would be submitted to the 1994 biennial primary or regular general election. The election cost is the cost to put the charter in the voters' pamphlet in three counties (\$3,500), plus costs prorated and distributed to METRO by the counties (\$66,500).

SB 298, as amended, provides that if the proposed charter is rejected by electors, a second charter committee may be formed upon resolution by the METRO council or petition by METRO electors. No funding is provided in the bill. It is assumed a second charter committee, if formed, would be funded by METRO's budget in fiscal year 1995 or after.