

# Senate Bill 854

Sponsored by Senator MONNES ANDERSON; Senator MORRISETTE

## 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**.

Authorizes election of first board of directors of mass transit district.

## A BILL FOR AN ACT

1  
2 Relating to election of directors of mass transit district; creating new provisions; and amending ORS  
3 267.090 and 267.095.

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

5 **SECTION 1.** ORS 267.090 is amended to read:

6 267.090. Except as provided in ORS 267.112:

7 *[(1) Board members of a mass transit district may not be elected at the time of formation, but if a*  
8 *district is formed, the Governor shall, within 60 days after receiving a certified copy of the formation*  
9 *order, appoint from subdistricts the members of the first board of directors of the district, designate one*  
10 *member as the temporary chairperson and fix the time and place of the organizational meeting.]*

11 *[(2)] (1)* The board of directors of a mass transit district shall consist of seven members. One  
12 director *[shall be appointed]* **must be elected** from each of seven subdistricts. *[The Governor shall*  
13 *appoint as one of the directors a person who regularly uses the services provided by a mass transit*  
14 *system.]* Directors shall reside in the subdistrict from which they are respectively *[appointed]*  
15 **elected**. The subdistricts *[shall]* **must** be as nearly equal in population as possible based on the  
16 latest federal census and *[shall]* **must** be designed to ensure representation of the most populous  
17 city, other cities and unincorporated territory in the proposed district proportionate to their re-  
18 spective populations provided that if less than the entire district is taxed by the district, the sub-  
19 districts *[shall]* **must** be wholly within the taxed area. The district or, if the taxed area is less than  
20 the entire district, the taxed area *[shall]* **must** be divided into subdistricts initially, and after each  
21 succeeding federal census, by the Secretary of State.

22 *[(3)] (2)* **Directors are elected as provided in ORS chapter 255.** The term of office of a di-  
23 rector is four years. *[, but each director shall serve at the pleasure of the Governor. Before the expi-*  
24 *ration of the term of a director, the director's successor shall be appointed. A director is eligible for*  
25 *reappointment. In case of a vacancy for any cause, the Governor shall appoint a person to serve for the*  
26 *unexpired term. A director whose term has expired shall continue to serve until the appointment of a*  
27 *successor unless discharged by the Governor.]*

28 **(3) If the members of the first board of directors of a mass transit district created under**  
29 **ORS 267.080 are not elected at the time of formation, the Governor shall, within 60 days after**  
30 **receiving a certified copy of the formation order, appoint from subdistricts the members of**  
31 **the first board of directors of the district, designate one member as the temporary chair-**  
32 **person and fix the time and place of the organizational meeting.**

**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 (4) *[All appointments]* **The appointment** of members of the board by the Governor *[are]* **under**  
2 **subsection (3) of this section is** subject to confirmation by the Senate pursuant to section 4, Ar-  
3 ticle III of the Oregon Constitution.

4 **SECTION 2.** ORS 267.095 is amended to read:

5 267.095. Except as provided in ORS 267.112:

6 (1) Notwithstanding **the term of office specified in** ORS 267.090, the terms of three of the di-  
7 rectors of the first board of a **mass transit** district expire on the first Tuesday in the second Jan-  
8 uary after the date of their **election or** appointment.

9 (2) The terms of four of the directors so **elected or** appointed expire on the first Tuesday in the  
10 fourth January after the date of their **election or** appointment.

11 (3) The respective terms of the directors of the first board shall be determined:

12 (a) **If elected, during the proceedings to create the district; or**

13 (b) **If appointed,** by the Governor.

14 **SECTION 3. The amendments to ORS 267.090 and 267.095 by sections 1 and 2 of this 2009**  
15 **Act apply to a mass transit district created under ORS 267.080 on or after the effective date**  
16 **of this 2009 Act.**

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