

SB 306-A4  
(LC 2055)  
2/28/11 (GHH/ps)

**PROPOSED AMENDMENTS TO  
A-ENGROSSED SENATE BILL 306**

1 On page 1 of the printed A-engrossed bill, line 2, after “ORS” insert  
2 “198.765 and”.

3 In lines 18 and 19, delete the boldfaced material.

4 On page 2, line 12, delete the colon and delete line 13.

5 In line 14, delete “(b)”.

6 Delete lines 19 and 20 and insert:

7 **“SECTION 2.** ORS 198.765 is amended to read:

8 “198.765. (1) A petition shall not be accepted for filing unless the signa-  
9 tures thereon have been secured within six months of the date on which the  
10 first signature on the petition was affixed. A petition for formation of a  
11 district shall not be accepted for filing if it is not accompanied by the eco-  
12 nomic feasibility statement required under ORS 198.749. When a petition for  
13 formation of a district includes a proposed permanent rate limit for operating  
14 taxes, the petition shall be filed not later than 180 days before the date of  
15 the next [*primary election or general*] **May or November** election at which  
16 the petition for formation will be voted upon. Petitions required to be filed  
17 with the county board shall be filed with the county clerk of the principal  
18 county. Petitions required to be filed with the district board shall be filed  
19 with the secretary of the district board. It is not necessary to offer all  
20 counterparts of a petition for filing at the same time, but all counterparts  
21 when certified as provided by subsection (3) of this section shall be filed at  
22 the same time.

1       “(2) Within 10 days after the date a petition is offered for filing, the  
2 county clerk or district secretary, as the case may be, shall examine the pe-  
3 tition and determine whether it is signed by the requisite number of qualified  
4 signers. In the case of a petition required or permitted to be signed by  
5 landowners, within 10 days after the date a petition is offered for filing, the  
6 county assessor shall examine the petition and determine whether it is  
7 signed by the requisite number of qualified landowners. If the requisite  
8 number of qualified signers have signed the petition, the county clerk or  
9 district secretary shall file the petition. If the requisite number have not  
10 signed, the county clerk or district secretary shall so notify the chief  
11 petitioners and may return the petition to the petitioners.

12       “(3) A petition shall not be filed unless the certificate of the county clerk  
13 or the district secretary is attached thereto certifying that the county clerk  
14 or district secretary has compared the signatures of the signers with the  
15 appropriate records, that the county clerk or district secretary has ascer-  
16 tained therefrom the number of qualified signers appearing on the petition,  
17 and that the petition is signed by the requisite number of qualified signers.  
18 In the case of a petition required or permitted to be signed by landowners,  
19 a petition shall not be filed unless the certificate of the county assessor is  
20 attached thereto certifying that the county assessor has compared the sig-  
21 natures of the signers with the appropriate records and that the petition is  
22 signed by the requisite number of qualified landowners.

23       “(4) No petition for dissolution shall be accepted for filing within one  
24 year after an election held on the question of dissolution of a district.

25       **“SECTION 3. The amendments to ORS 198.765 and 198.815 by**  
26 **sections 1 and 2 of this 2011 Act apply to an election held after January**  
27 **1, 2011.”.**

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