

House Bill 3316

Sponsored by Representative GORSEK

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**.

Transfers duties, functions and powers of board of directors of mass transit district known as Tri-County Metropolitan Transportation District of Oregon to governing body of metropolitan service district known as Metro.

Declares emergency, effective on passage.

A BILL FOR AN ACT

Relating to governance of Tri-Met; and declaring an emergency.

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

TRANSFER

SECTION 1. Metro, a metropolitan service district established for the Portland metropolitan area pursuant to Article XI, section 14, Oregon Constitution, and ORS chapter 268, shall:

(1) Take ownership and control of the Tri-County Metropolitan Transportation District of Oregon, a mass transit district organized pursuant to ORS 267.010 to 267.390; and

(2) Operate the transit system of the mass transit district.

SECTION 2. (1) On the operative date of section 1 of this 2013 Act:

(a) The tenure of office of the directors of the Tri-County Metropolitan Transportation District of Oregon ceases.

(b) All the duties, functions and powers of the board of directors are imposed upon, transferred to and vested in the governing body of Metro.

(2) On or before the operative date of section 1 of this 2013 Act, Metro and the Tri-County Metropolitan Transportation District of Oregon shall cooperate and work collaboratively to ensure that the transfer of responsibility for transit system operations is accomplished in an efficient and effective manner with as little disruption as possible for users of the mass transit system.

RECORDS, PROPERTY, EMPLOYEES

SECTION 3. (1) On or before the operative date of section 1 of this 2013 Act:

(a) The board of directors of the Tri-County Metropolitan Transportation District of Oregon, a mass transit district, shall:

(A) Deliver to the governing body of Metro, a metropolitan service district, all records and property within the jurisdiction of the directors that relate to the duties, functions and

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 powers transferred by section 2 of this 2013 Act; and

2 (B) Transfer to Metro the employees of the mass transit district involved in the exercise
3 of the duties, functions and powers transferred by section 2 of this 2013 Act.

4 (b) The governing body of Metro shall take possession of the records and property, and
5 shall take charge of the employees and employ them in the exercise of the duties, functions
6 and powers transferred by section 2 of this 2013 Act, without reduction of compensation but
7 subject to change or termination of employment or compensation as provided by law.

8 (2) The Governor shall resolve any dispute between the mass transit district and Metro
9 relating to transfers of records, property and employees under this section, and the
10 Governor's decision is final.

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12 **ACTION, PROCEEDING, PROSECUTION**

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14 **SECTION 4.** The transfer of duties, functions and powers to Metro by section 2 of this
15 2013 Act does not affect any action, proceeding or prosecution involving or with respect to
16 the duties, functions and powers begun before and pending at the time of the transfer, except
17 that Metro is substituted for the Tri-County Metropolitan Transportation District of Oregon
18 in the action, proceeding or prosecution.

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20 **LIABILITY, DUTY, OBLIGATION**

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22 **SECTION 5.** (1) Nothing in sections 1 to 9 of this 2013 Act relieves a person of a liability,
23 duty or obligation accruing under or with respect to the duties, functions and powers
24 transferred by section 2 of this 2013 Act. Metro may undertake the collection or enforcement
25 of any such liability, duty or obligation.

26 (2) The rights and obligations of the Tri-County Metropolitan Transportation District of
27 Oregon, a mass transit district, legally incurred under contracts, leases and business trans-
28 actions executed, entered into or begun before the operative date of section 1 of this 2013
29 Act are transferred to Metro. For the purpose of succession to these rights and obligations,
30 Metro is a continuation of the mass transit district and not a new authority.

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32 **RULES**

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34 **SECTION 6.** Notwithstanding the transfer of duties, functions and powers by section 2
35 of this 2013 Act, the rules of the Tri-County Metropolitan Transportation District of Oregon,
36 a mass transit district, in effect on the operative date of section 1 of this 2013 Act continue
37 in effect until superseded or repealed by rules of Metro. References in rules of the mass
38 transit district to the board of directors of the mass transit district are considered to be
39 references to the governing body of Metro.

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41 **UNIT CAPTIONS**

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43 **SECTION 7.** The unit captions used in this 2013 Act are provided only for the convenience
44 of the reader and do not become part of the statutory law of this state or express any leg-
45 islative intent in the enactment of this 2013 Act.

EMERGENCY CLAUSE AND OPERATIVE DATE

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SECTION 8. Section 1 of this 2013 Act becomes operative on January 1, 2014.

SECTION 9. This 2013 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2013 Act takes effect on its passage.
