

Requested by Representative MCKEOWN

**PROPOSED AMENDMENTS TO
HOUSE BILL 2696**

1 On page 1 of the printed bill, line 2, delete “251.065,” and delete
2 “251.165.”

3 Delete lines 4 through 31 and delete pages 2 through 5 and insert:

4 **“SECTION 1.** ORS 251.067 is amended to read:

5 “251.067. (1) A candidate or agent on behalf of the candidate for nomi-
6 nation or election to any county or city office, or to an elected office of a
7 metropolitan service district organized under ORS chapter 268, may file a
8 portrait or statement for inclusion in the state voters’ pamphlet under ORS
9 251.065 if a county voters’ pamphlet described in ORS 251.305 to 251.435 is
10 not prepared for the election in each county in which the electoral district
11 of the candidate is located.

12 **“(2) A community college district measure relating to bonding,** a
13 county measure or a measure of a metropolitan service district organized
14 under ORS chapter 268, and the ballot title, explanatory statement and ar-
15 guments relating to the measure, shall be included in the state voters’ pam-
16 phlet as provided in ORS 251.285, if a county voters’ pamphlet described in
17 ORS 251.305 to 251.435 is not prepared:

18 **“(a)** For the election on the county measure; or

19 **“(b)** In each county in which the **community college district or** metro-
20 politan service district is located, for the election on the **community col-**
21 **lege district measure relating to bonding or** metropolitan service district

1 measure.

2 “(3) If a county voters’ pamphlet described in ORS 251.305 to 251.435 is
3 prepared for an election at which a candidate for nomination or election to
4 any county or city office, or to an elected office of a metropolitan service
5 district organized under ORS chapter 268, is listed on the ballot, or at which
6 **a community college district measure relating to bonding**, a county
7 measure or a measure of a metropolitan service district organized under ORS
8 chapter 268 is listed on the ballot, the county voters’ pamphlet shall include
9 the county or city office, the office of the metropolitan service district or the
10 **community college district measure relating to bonding**, county meas-
11 ure or measure of the metropolitan service district. Such offices and meas-
12 ures shall not be included in any state voters’ pamphlet prepared for the
13 election and distributed in the county for which the county voters’ pamphlet
14 is prepared.

15 “(4) If a city, [*or*] metropolitan service district organized under ORS
16 chapter 268 **or community college district** is located in more than one
17 county, and a county in which the city, [*or*] metropolitan service district **or**
18 **community college district** is located does not prepare a county voters’
19 pamphlet described in ORS 251.305 to 251.435 for the election, candidates for
20 nomination or election to any city office or an elected office of the metro-
21 politan service district, and any **community college district measure re-**
22 **lating to bonding or** measure of the metropolitan service district, shall be
23 included in the state voters’ pamphlet to be distributed to the county that
24 does not prepare a county voters’ pamphlet. The Secretary of State shall
25 designate the candidates and measures that may be included in the state
26 voters’ pamphlet under this subsection.

27 “(5) **As used in this section, ‘community college district’ has the**
28 **meaning given that term in ORS 341.005.**

29 “**SECTION 2.** ORS 251.285 is amended to read:

30 “251.285. (1) If [*any*] **a community college district measure relating**

1 **to bonding, a** county measure or *[any]* **a** measure of a metropolitan service
2 district organized under ORS chapter 268, and the ballot title, explanatory
3 statement and arguments relating to the measure, are to be included by the
4 Secretary of State in the state voters' pamphlet as provided in ORS 251.067,
5 the requirements of this section shall be satisfied.

6 “(2) *[The county or district measure,]* **A community college district**
7 **measure relating to bonding, a county measure or a metropolitan**
8 **service district measure, and the** ballot title, explanatory statement and
9 arguments **relating to the measure,** shall not be printed in the voters'
10 pamphlet unless:

11 “(a) The ballot title is a concise and impartial statement of the purpose
12 of the measure;

13 “(b) The explanatory statement is an impartial, simple and understandable
14 statement explaining the measure and its effect;

15 “(c) The county, *[or]* metropolitan service district **or community college**
16 **district** adopts and complies with an ordinance that provides a review pro-
17 cedure for a ballot title or explanatory statement *[which]* **that** is contested
18 because it does not comply with the requirements of paragraph (a) or (b) of
19 this subsection;

20 “(d) The county, *[or]* metropolitan service district **or community college**
21 **district** adopts and complies with an ordinance that provides for acceptance
22 of typewritten arguments relating to the measure not to exceed 325 words
23 to be printed in the voters' pamphlet; and

24 “(e) The county, *[or]* metropolitan service district **or community college**
25 **district** does not require of a person filing an argument a payment of more
26 than \$300, or a petition containing more than a number of signatures equal
27 to 1,000 electors eligible to vote on the measure or 10 percent of the total
28 of such electors, whichever is less.

29 “(3) Any judicial review of a determination made under the review pro-
30 cedures adopted under subsection (2)(c) of this section shall be first and

1 finally:

2 “(a) For a county measure, in the circuit court of the judicial district
3 in which the county is located; or[,]

4 “(b) For a community college district measure relating to bonding
5 or a metropolitan service district measure, in the circuit court of the ju-
6 dicial district in which the administrative office of the metropolitan service
7 district or community college district is located.

8 “(4) If the county, [or] metropolitan service district or community col-
9 lege district has adopted and complied with ordinances prescribed in sub-
10 section (2) of this section, the decision to include the [county or district]
11 measure, ballot title, explanatory statement and arguments in the voters’
12 pamphlet shall be made by:

13 “(a) The county governing body with regard to [any] a county measure,
14 [or] the council of the metropolitan service district with regard to [any] a
15 metropolitan service district measure or the district elections authority
16 with regard to a community college district measure relating to
17 bonding.[:]

18 “(b) The chief petitioners of the initiative or referendum with regard to
19 a [county or district] measure initiated or referred by the people. The chief
20 petitioners shall indicate their decision in a statement signed by all of the
21 chief petitioners and [filed with the county clerk or,] file the signed state-
22 ment:

23 “(A) For a county measure, with the county clerk;

24 “(B) For a metropolitan service district measure, with the executive
25 officer of the metropolitan service district; or

26 “(C) For a community college district measure relating to bonding,
27 with the district elections authority.

28 “(c) A political committee, as defined in ORS 260.005, that opposes the
29 [county or district] measure. The committee shall indicate its decision in a
30 statement signed by every committee director, as defined in ORS 260.005, and

1 [filed with the county clerk or,] **file the signed statement:**

2 **“(A) For a county measure, with the county clerk;**

3 **“(B) For a metropolitan service district measure, with the executive**
4 **officer of the metropolitan service district; or**

5 **“(C) For a community college district measure relating to bonding,**
6 **with the district elections authority.**

7 **“(5) The county, [or] metropolitan service district or community college**
8 **district shall file the measure, ballot title, explanatory statement and argu-**
9 **ments with the Secretary of State not later than the 70th day before the**
10 **general election or the 68th day before a special election held on the date**
11 **of any primary election. The county, [or] metropolitan service district or**
12 **community college district shall pay to the Secretary of State the cost of**
13 **including the [county or district] material described in this subsection in**
14 **the pamphlet as determined by the secretary. The Secretary of State shall**
15 **not [have this material printed] print the material in the pamphlet unless:**

16 **“(a) The time for filing a petition for judicial review of a determination**
17 **made under subsection (2)(c) of this section has passed; and**

18 **“(b) The measure, title, statement and arguments properly filed with the**
19 **county, [or] metropolitan service district or community college district,**
20 **are delivered to the secretary.**

21 **“(6) As used in this section, ‘community college district’ has the**
22 **meaning given that term in ORS 341.005.**

23 **“SECTION 3. ORS 251.185 is amended to read:**

24 **“251.185. (1) The Secretary of State shall have printed in the voters’**
25 **pamphlet for a general election or any special election a copy of the title**
26 **and text of each state measure to be submitted to the people at the election**
27 **for which the pamphlet was prepared. The pamphlet must include the proce-**
28 **dures for filing a complaint under ORS 260.345. Each measure shall be**
29 **printed in the pamphlet with:**

30 **“(a) The number and ballot title of the measure;**

1 “(b) The financial estimates and any statement prepared for the measure
2 under ORS 250.125;

3 “(c) The explanatory statement prepared for the measure;

4 “(d) Arguments relating to the measure and filed with the Secretary of
5 State;

6 “(e) Any racial and ethnic impact statement prepared for the measure
7 under section 3, chapter 600, Oregon Laws 2013; and

8 “(f) Any statement submitted for the measure by a citizen panel under
9 ORS 250.141.

10 “(2) **A community college district measure relating to bonding**, a
11 county measure or **a** measure of a metropolitan service district organized
12 under ORS chapter 268, and **the** ballot title, explanatory statement and ar-
13 guments relating to the measure, filed by the county, [*or*] metropolitan ser-
14 vice district **or community college district** under ORS 251.285 shall be
15 included in the voters’ pamphlet described in subsection (1) of this section
16 if required under ORS 251.067.

17 “(3) **As used in this section, ‘community college district’ has the**
18 **meaning given that term in ORS 341.005.**

19 “**SECTION 4.** ORS 251.185, as amended by section 8, chapter 600, Oregon
20 Laws 2013, and section 5, chapter 72, Oregon Laws 2014, is amended to read:

21 “251.185. (1) The Secretary of State shall have printed in the voters’
22 pamphlet for a general election or any special election a copy of the title
23 and text of each state measure to be submitted to the people at the election
24 for which the pamphlet was prepared. The pamphlet must include the proce-
25 dures for filing a complaint under ORS 260.345. Each measure shall be
26 printed in the pamphlet with:

27 “(a) The number and ballot title of the measure;

28 “(b) The financial estimates and any statement prepared for the measure
29 under ORS 250.125;

30 “(c) The explanatory statement prepared for the measure;

1 “(d) Arguments relating to the measure and filed with the Secretary of
2 State; and

3 “(e) Any statement submitted for the measure by a citizen panel under
4 ORS 250.141.

5 “(2) **A community college district measure relating to bonding**, a
6 county measure or **a** measure of a metropolitan service district organized
7 under ORS chapter 268, and **the** ballot title, explanatory statement and ar-
8 guments relating to the measure, filed by the county, [*or*] metropolitan ser-
9 vice district **or community college district** under ORS 251.285 shall be
10 included in the voters’ pamphlet described in subsection (1) of this section
11 if required under ORS 251.067.

12 “(3) **As used in this section, ‘community college district’ has the**
13 **meaning given that term in ORS 341.005.”.**

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