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THE MADRAS BILL

FOR FAIR COUNTY DIVISIONS

Subject Matter of Initiative Petition to Leave County Divisions to Impartial Board and Vote of Those Affected.

Below is given the text of the initiative petition launched by the Madras Commercial Club. While there is some abbreviation towards the last, the vital points all are included:

We, the undersigned citizens and legal voters of the State of Oregon, respectfully demand that the following proposed law shall be submitted to the legal voters of the State of Oregon for their approval or rejection at the regular general election:

I have personally signed this petition; I am a legal voter of the State of Oregon; my residence and postoffice are correctly written after my name.

A BILL

For an act to provide methods for the creation and organization of new towns, counties and municipal districts (excepting drainage and irrigation districts of less than one county), for changing the boundaries of existing counties, and to repeal Sections 2687, 2688 and 2689 of Bellinger and Cotton's Annotated Codes and Statutes of Oregon, and to repeal all acts and parts of acts relating to the organization of municipal corporations in so far as they conflict with this act.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OREGON:

Section 1. New towns, counties and municipal districts may be created, and the boundaries of existing counties changed, by proceedings in substantial compliance with the provisions of this act. Not less than 30 per cent of the whole number of legal voters registered and residing within its proposed territory shall file with the Secretary of State their petition for the creation of such municipal corporation, and shall deposit with the Secretary of State such sum of lawful money as the Governor shall estimate to be necessary to pay the expenses of the proceedings. The total vote cast within said territory for Representative in Congress at the last preceding general election shall be the basis on which the number of petitioners necessary shall be computed. Said petition shall conform in its verification and general features as nearly as may be to the laws governing initiative petitions, and shall contain the following information, where applicable:

1. The name and location of the temporary county seat, town, or temporary principal office of said municipal district.

2. The titles of the municipal officers desired.

3. Approximately the number of legal voters, the number of children of school age, and the population resident in the desired territory.

4. Approximately the number of votes cast therein for Representative in Congress at the last preceding general election.

5. Approximately the area and assessed valuation thereof.

6. The present rate of taxation and the rate which will be necessary in said territory after its incorporation.

7. The whole amount of taxes now paid in said territory (exclusive of special district levies for schools or roads), and the estimated amount that will be necessary after its incorporation.

The proposed boundaries of said new town, county or municipal district.

The petition for a new town, or for a municipal district, shall also contain a copy of the charter proposed for said town, the powers proposed for said municipal district, and the rules for guidance of its officers. Said charter, powers or rules must not be amended or changed by the Commissioners herein provided for, but may be amended or changed by the people of said town or district after its incorporation, as provided by law. For six weeks immediately before filing such petition the petitioners or a committee of their number, shall give printed notice, by advertisement in two newspapers of general circulation within the territory affected, of their intention to file said petition, and of the proposed boundaries of said corporation; and they shall file with their said petition proof of such publication, as in the case of service of summons by publication.

Section 2. The Secretary of State shall notify the Governor when the petitioners have complied with this act, and within thirty days thereafter the Governor shall appoint three disinterested Commissioners, who shall not be residents, property owners nor taxpayers within the territory of the proposed new town, county or municipal district, and one of whom shall be a practicing surveyor and civil engineer. Said Commissioners shall subscribe and file with the Secretary of State an oath of office, declaring that they will faithfully and impartially perform their duties to the best of their ability. It shall be the duty of said Commissioners to examine all the facts bearing on the need for such new corporation, with reference to the general welfare of the State at large, as well as of the people locally interested. Within ninety days after their appointment they shall report to the Governor, in writing, their findings of fact, conclusions and recommendations for or against the creation of said new municipal corporation, which report shall be filed in the office of the Secretary of State. If the report shall be against the creation of such corporation no further proceedings shall be taken, except that a copy of said report shall be printed by the State Printer, and mailed by the Secretary of State to every registered voter residing within the territory described in the petition for such new corporation.

Section 3. If said report shall be favorable to the creation of said new corporation, the Commissioners shall define therein the boundaries which they recommend, which may be different from those in the petition. Within thirty days after receiving such favorable report, the Governor shall issue his writ ordering the election within the limits described in the Commissioner's

report, to the end that the legal voters therein may decide for or against such corporation.

Section 4. The election to decide for or against the creation and organization of such new town, county or municipal district shall be ordered, notice thereof given, and in all things conducted, as nearly as may be, in accordance with the general election laws of Oregon.

Section 5. If the majority of votes cast on said question shall be favorable the corporation shall be thereby created, and the Governor shall, within thirty days, appoint persons to fill the local offices named in said petition.

Section 6. In case of a new county all matters relating to value and division of county property, county funds, taxes, debts, assets and liabilities, and all pecuniary matters of difference between the new county and the county or counties from which such new county is created, shall be stated and settled by a board of arbitration, composed as follows:

The County Court of such new county shall, at its first meeting, appoint one person as an arbitrator, and the County Court of the county from which territory is taken for the new county, shall, at its first meeting after creation of such new county, appoint one person to act as arbitrator, and the Governor shall designate a Circuit Judge of a district not embracing any county from which territory is taken for the new county, to act with the arbitrators representing the counties.

In the case of a new county, the local and special laws affecting the county from which the greater part of the territory comprising the new county was taken shall be operative in the new county.

Section 8. Until the next succeeding session of the Legislature after incorporation, said new county shall be attached, for legislative and judicial purposes, to the district in which is situated the county from which the largest portion of its territory was taken.

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