

**SENATE AMENDMENTS TO  
HOUSE BILL 3538  
(INCLUDING AMENDMENTS TO RESOLVE CONFLICTS)**

By COMMITTEE ON EDUCATION AND GENERAL GOVERNMENT

May 29

1 On page 1 of the printed bill, line 3, before “198.520” insert “198.510,” and after the first comma  
2 insert “198.705,”.

3 On page 4, line 45, delete “The balances to the credit of”.

4 On page 5, delete lines 1 and 2 and insert “None of the moneys in”.

5 On page 7, after line 31, insert:

6 **“SECTION 22a. If Senate Bill 773 becomes law, sections 21 and 22 of this 2007 Act**  
7 **(amending ORS 198.520 and 198.710) are repealed.**

8 **“SECTION 22b.** If Senate Bill 773 becomes law, ORS 198.510, as amended by section 5, chapter  
9 \_\_\_, Oregon Laws 2007 (Enrolled Senate Bill 773), is amended to read:

10 “198.510. As used in ORS 198.510 to 198.600, unless the context requires otherwise:

11 “(1) ‘County’ means the county in which the district, or the greater portion of the assessed value  
12 of the district, is located.

13 “(2) ‘County board’ means the board of county commissioners or the county court of the county.

14 “(3) ‘County clerk’ means the county clerk of the county.

15 “(4) ‘District’ has the meaning given that term in ORS 198.010 (2), (4), (5), (11), (12), (14), (17),  
16 (19), [and] (20) to (23) **and (25)**. In addition, ‘district’ means any one of the following:

17 “(a) A county service district organized under ORS chapter 451.

18 “(b) The Port of Portland established by ORS 778.010.

19 “(5) ‘District board’ means the governing body of a district and the term includes a county board  
20 that is in the governing body of a district.

21 “(6) ‘Presiding officer’ means the chairperson, president or other person performing the office  
22 of presiding officer of the district board.

23 “(7) ‘Principal Act’ means the law, other than ORS 198.510 to 198.600, applicable to a district.

24 **“SECTION 22c.** If Senate Bill 773 becomes law, ORS 198.705, as amended by section 6, chapter  
25 \_\_\_, Oregon Laws 2007 (Enrolled Senate Bill 773), is amended to read:

26 “198.705. As used in ORS 198.705 to 198.955, unless the context requires otherwise:

27 “(1) ‘Affected county’ means each county which contains or would contain any territory for  
28 which a formation or a change of organization is proposed or ordered or which contains all or any  
29 part of a district for which a change of organization is proposed or ordered.

30 “(2) ‘Affected district’ means each district which contains or would contain territory for which  
31 a formation or a change of organization is proposed or ordered.

32 “(3) ‘Annexation’ includes the attachment or addition of territory to, or inclusion of territory in,  
33 an existing district.

34 “(4) ‘Change of organization’ means the annexation or withdrawal of territory to or from a dis-

1 trict, the merger or consolidation of districts or the dissolution of a district.

2 “(5) ‘Consolidation’ means the uniting or joining of two or more districts into a single new suc-  
3 cessor district.

4 “(6) ‘County board’ means the county court or board of county commissioners of the principal  
5 county.

6 “(7) ‘Dissolution’ includes disincorporation, extinguishment or termination of the existence of a  
7 district and the cessation of all its corporate powers, except for the purpose of winding up the af-  
8 fairs of the district.

9 “(8) ‘District’ has the meaning given that term in ORS 198.010 (2) to (4), (6) to (14), [and] (17)  
10 to (23) **and (25)**. In addition, ‘district’ means any one of the following:

11 “(a) A county road district organized under ORS 371.055 to 371.110.

12 “(b) A county service district organized under ORS chapter 451.

13 “(c) The Port of Portland created by ORS 778.010.

14 “(d) A translator district organized under ORS 354.605 to 354.715.

15 “(9) ‘District board’ means the governing board of a district.

16 “(10) ‘Formation’ includes incorporation, organization or creation of a district.

17 “(11) ‘Inhabited territory’ means territory within which there reside 12 or more persons who  
18 have been registered to vote within the territory for at least 30 days prior to the date a proceeding  
19 is commenced under ORS 198.705 to 198.955.

20 “(12) ‘Landowner’ or ‘owner of land’ means any person shown as the owner of land on the last  
21 assessment roll. However, if the person no longer holds the title to the property, then the terms  
22 mean any person entitled to be shown as owner of land on the next assessment roll, or, when land  
23 is subject to a written agreement of sale, the terms mean any person shown in the agreement as  
24 purchaser to the exclusion of the seller. ‘Landowner’ or ‘owner of land’ includes any public agency  
25 owning land.

26 “(13) ‘Legal representative’ means:

27 “(a) An officer of a corporation duly authorized, by the bylaws or a resolution of the board of  
28 directors of the corporation, to sign for and on behalf of the corporation; and

29 “(b) A guardian, executor, administrator or other person holding property in a trust capacity  
30 under appointment of court, when authorized by an order of court, which order may be made without  
31 notice.

32 “(14) ‘Merger’ means the extinguishment, termination and cessation of the existence of one or  
33 more districts by uniting with and being absorbed into another district.

34 “(15) ‘Notice’ includes an ordinance, resolution, order or other similar matter providing notice  
35 which ORS 198.705 to 198.955 authorize or require to be published, posted or mailed.

36 “(16) ‘Principal Act’ means the statutes which describe the powers of a district, including the  
37 statutes under which a district is proposed or is operating.

38 “(17) ‘Principal county’ or ‘county’ means the county in which the district, or the greater portion  
39 of the assessed value of all taxable property in the district, as shown by the most recent assessment  
40 roll of the counties, is located at the time proceedings are initiated to form a district, but for any  
41 district formed prior to and existing on September 9, 1971, ‘principal county’ or ‘county’ means the  
42 county in which the district, or the greater portion of the value of all taxable property in the dis-  
43 trict, as shown by the most recent assessment roll of the counties, was located on September 9, 1971.

44 “(18) ‘Proceeding’ means a proceeding for formation or for change of organization conducted  
45 pursuant to ORS 198.705 to 198.955.

1           “(19) ‘Uninhabited territory’ means territory within which there reside less than 12 electors who  
2 were residents within the territory 30 days prior to the date a proceeding is commenced under ORS  
3 198.705 to 198.955.

4           “(20) ‘Withdrawal’ includes the detachment, disconnection or exclusion of territory from an ex-  
5 isting district.”.

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