

## SENATE AMENDMENTS TO SENATE BILL 807

By COMMITTEE ON FINANCE AND REVENUE

June 8

1 On page 1 of the printed bill, line 2, after “airports” insert “; creating new provisions; and  
2 amending ORS 836.640”.

3 Delete lines 4 through 13 and insert:

4 **“SECTION 1. (1) Sections 2 to 6 of this 2007 Act are added to and made a part of ORS  
5 chapter 836.**

6 **“(2) ORS 836.640 and 836.642 are added to and made a part of sections 2 to 6 of this 2007  
7 Act.”.**

8 On page 2, line 3, delete the second “of” and insert “all”.

9 In line 5, delete the first “a” and insert “an airport”.

10 In line 7, delete the first “a” and insert “an airport” and delete “\_\_\_\_\_mile” and insert  
11 “10-mile”.

12 In line 8, after “the” insert “center of the”.

13 After line 11, insert:

14 **“(7) An airport sponsor for a rural airport that creates an airport tax increment financing dis-  
15 trict must keep the airport available for public use for a minimum period of 20 years, consistent with  
16 procedures adopted by the Federal Aviation Administration (14 C.F.R. 151.25).”.**

17 In line 18, after “services” insert “described in a tax increment financing plan prepared by the  
18 airport sponsor”.

19 Delete lines 21 through 45.

20 On page 3, delete lines 1 through 14 and insert:

21 **“SECTION 4. (1) The Economic and Community Development Department, with the ap-  
22 proval of the Oregon Economic and Community Development Commission, shall set stan-  
23 dards by which an airport sponsor may qualify to receive a partial rebate of new property  
24 tax revenues generated within an airport tax increment financing district, subject to the  
25 following:**

26 **“(a) After the department verifies the new property tax revenues upon which the partial  
27 rebate is based, the cities, counties and other local property taxing jurisdictions with taxable  
28 property within the airport tax increment financing district shall pay a partial rebate based  
29 on projects that are:**

30 **“(A) Within the airport tax increment financing district; or**

31 **“(B) In a road or a utility easement that serves land within the airport tax increment  
32 financing district.**

33 **“(b) An airport sponsor may use partial rebates only to pay for:**

34 **“(A) Airport-related infrastructure projects and services on public use airport property,  
35 within public rights of way or within public easements for roads, taxiways, stormwater,**

1 sewer, water, power, communications or other utilities that directly serve the lands within  
2 an airport tax increment financing district and that are:

3 “(i) Described in the tax increment financing plan; or

4 “(ii) Included in the approved airport layout plan.

5 “(B) Airport management projects, including maintenance, planning, design, noise  
6 abatement, land use planning and other essential airport operations efforts.

7 “(c) The airport sponsor shall pay:

8 “(A) 2.5 percent of all partial rebates to the Oregon Department of Aviation to support  
9 rural aviation planning that serves rural airports throughout Oregon.

10 “(B) 2.5 percent of all partial rebates to the Economic and Community Development De-  
11 partment to support economic development aviation cluster planning that serves rural air-  
12 ports throughout Oregon.

13 “(2) The airport sponsor of each airport within an airport tax increment financing dis-  
14 trict shall establish an airport public-private partnership committee to review proposed uses  
15 of moneys received as a partial rebate. The committee must consist of four individuals or a  
16 multiple of four individuals appointed by the airport sponsor to serve four-year terms as  
17 follows:

18 “(a) One-fourth of the members must own an aircraft in the airport tax increment fi-  
19 nancing district.

20 “(b) One-fourth of the members must own a business in the airport tax increment fi-  
21 nancing district.

22 “(c) One-fourth of the members must represent the airport management agency that  
23 operates the airport.

24 “(d) One-fourth of the members must represent cities or counties with taxable property  
25 within the airport tax increment financing district.

26 “(3) The airport public-private partnership committee shall make a recommendation to  
27 the airport sponsor relating to the expenditure of moneys received by the airport sponsor  
28 as a partial rebate for qualifying airport-related infrastructure projects or services described  
29 in subsection (1)(b) of this section. The recommendation:

30 “(a) Must be unanimous, for the expenditure of moneys for qualifying airport-related  
31 infrastructure projects or services outside the airport boundary.

32 “(b) Is advisory only, for airport-related infrastructure projects or services within the  
33 airport boundary.”.

34 In line 20, delete “1” and insert “2”.

35 In line 42, delete “1” and insert “2”.

36 In line 43, delete “1” and insert “2”.

37 In line 45, delete “1” and insert “2”.

38 After line 45, insert:

39 “**SECTION 7.** ORS 836.640 is amended to read:

40 “836.640. As used in [*this section and ORS 836.642*] **sections 2 to 6 of this 2007 Act:**

41 “(1) ‘Airpark’ means a residential development that allows aircraft to taxi directly from  
42 the property to an airport runway.

43 “(2) ‘Airport sponsor’ means the city, county, port, state agency or private entity that  
44 is qualified to receive funds from the Federal Aviation Administration or the Oregon De-  
45 partment of Aviation for use by the airport.

1 “[(1)] (3) ‘Customary and usual aviation-related activity’ includes activities described in ORS  
2 836.616 (2) and includes activities that a local government may authorize pursuant to ORS 836.616  
3 (3).

4 “(4) ‘New property tax revenues’ means:

5 “(a) With respect to property outside the airport boundary, incremental new property tax  
6 revenues that are generated as a result of commercial and industrial development or ex-  
7 pansion in an airport tax increment financing district.

8 “(b) With respect to property inside the airport boundary, property taxes collected based  
9 on the increase in value of commercial, industrial and residential airport property on and  
10 after the date the airport tax increment financing district is established.

11 “(5) ‘Partial rebates’ means the portion of the new property tax revenues paid to the  
12 airport sponsor for an airport within an airport tax increment financing district.

13 “[(2)] (6) ‘Pilot site’ means a rural airport identified to participate in the pilot program pursuant  
14 to ORS 836.642.

15 “[(3)] (7) ‘Rural airport’ means an airport described in ORS 836.610 (1) that [*principally serves*  
16 *a city or standard metropolitan statistical area*] **is not located in a city** with a population, **as of**  
17 **January 1, 2005, of more than 75,000** [*or fewer*].

18 “[(4)] (8) ‘Through the fence operation’ means a customary and usual aviation-related activity  
19 that:

20 “(a) Is conducted by a commercial or industrial user of property within an airport boundary; and

21 “(b) Relies, for business purposes, on the ability to taxi aircraft directly from the property em-  
22 ployed for the commercial or industrial use to an airport runway.

23 “**SECTION 8.** ORS 836.640, as amended by section 7 of this 2007 Act, is amended to read:

24 “836.640. As used in sections 2 to 6 of this 2007 Act:

25 “[(1) ‘Airpark’ means a residential development that allows aircraft to taxi directly from the prop-  
26 erty to an airport runway.]

27 “[(2)] (1) ‘Airport sponsor’ means the city, county, port, state agency or private entity that is  
28 qualified to receive funds from the Federal Aviation Administration or the Oregon Department of  
29 Aviation for use by the airport.

30 “[(3)] (2) ‘Customary and usual aviation-related activity’ includes activities described in ORS  
31 836.616 (2) and includes activities that a local government may authorize pursuant to ORS 836.616  
32 (3).

33 “[(4) ‘New property tax revenues’ means:]

34 “[(a) With respect to property outside the airport boundary, incremental new property tax revenues  
35 that are generated as a result of commercial and industrial development or expansion in an airport tax  
36 increment financing district.]

37 “[(b) With respect to property inside the airport boundary, property taxes collected based on the  
38 increase in value of commercial, industrial and residential airport property on and after the date the  
39 airport tax increment financing district is established.]

40 “[(5) ‘Partial rebates’ means the portion of the new property tax revenues paid to the airport  
41 sponsor for an airport within an airport tax increment financing district.]

42 “[(6)] (3) ‘Pilot site’ means a rural airport identified to participate in the pilot program pursuant  
43 to ORS 836.642.

44 “[(7)] (4) ‘Rural airport’ means an airport described in ORS 836.610 (1) that is not located in a  
45 city with a population, as of January 1, 2005, of more than 75,000.

1       “[(8)] (5) ‘Through the fence operation’ means a customary and usual aviation-related activity  
2 that:

3       “(a) Is conducted by a commercial or industrial user of property within an airport boundary; and

4       “(b) Relies, for business purposes, on the ability to taxi aircraft directly from the property em-  
5 ployed for the commercial or industrial use to an airport runway.”.

6       On page 4, line 1, delete “7” and insert “9”.

7       In line 6, delete “1” and insert “2”.

8       In line 9, delete “1” and insert “2”.

9       After line 9, insert:

10       “**SECTION 10.** The amendments to ORS 836.640 by section 8 of this 2007 Act become op-  
11 erative January 2, 2018.

12       “**SECTION 11.** (1) Sections 2 to 5 of this 2007 Act are repealed January 2, 2018.

13       “(2) Section 6 of this 2007 Act is repealed January 2, 2033.”.

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