

House Bill 3124

Sponsored by COMMITTEE ON LAND USE

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**.

Requires local governments, including special districts, to enter into urban service agreements not later than January 1, 2015.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to urban service agreements; amending ORS 195.020 and 195.085; and declaring an emer-
3 gency.

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

5 **SECTION 1.** ORS 195.085 is amended to read:

6 195.085. [(1) *No later than the first periodic review that begins after November 4, 1993,*] Local
7 governments [*and*], **including** special districts, shall demonstrate compliance with ORS [*195.020*
8 *and*] 195.065 **no later than January 1, 2015**.

9 [(2) *The Land Conservation and Development Commission may adjust the deadline for compliance*
10 *under this section when cities and counties that are parties to an agreement under ORS 195.020 and*
11 *195.065 are scheduled for periodic review at different times.*]

12 [(3) *Local governments and special districts that are parties to an agreement in effect on November*
13 *4, 1993, which provides for the future provision of an urban service shall demonstrate compliance with*
14 *ORS 195.065 no later than the date such agreement expires or the second periodic review that begins*
15 *after November 4, 1993, whichever comes first.*]

16 **SECTION 2.** ORS 195.020 is amended to read:

17 195.020. (1) Special districts shall exercise their planning duties, powers and responsibilities and
18 take actions that are authorized by law with respect to programs affecting land use, including a city
19 or special district boundary change as defined in ORS 197.175 (1), in accordance with goals approved
20 pursuant to ORS chapters 195, 196 and 197.

21 (2) A county assigned coordinative functions under ORS 195.025 (1), or [*the Metropolitan Service*
22 *District*] **Metro**, which is assigned coordinative functions for Multnomah, Washington and
23 Clackamas counties by ORS 195.025 (1), shall enter into a cooperative agreement with each special
24 district that provides an urban service within the boundaries of the county or the metropolitan
25 **service** district. A county or [*the Metropolitan Service District*] **Metro** may enter into a cooperative
26 agreement with any other special district operating within the boundaries of the county or the
27 metropolitan **service** district.

28 (3) The appropriate city and county and, if within the boundaries of [*the Metropolitan Service*
29 *District, the Metropolitan Service District,*] **Metro, Metro** shall enter into a cooperative agreement
30 with each special district that provides an urban service within an urban growth boundary. The
31 appropriate city and county, and [*the Metropolitan Service District*] **Metro**, may enter into a coop-

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 erative agreement with any other special district operating within an urban growth boundary.

2 (4) The agreements described in subsection (2) of this section shall conform to the requirements
 3 of paragraphs (a) to (d), (f) and (g) of this subsection. The agreements described in subsection (3) of
 4 this section shall:

5 (a) Describe how the city, [or] county **or Metro** will involve the special district in comprehen-
 6 sive planning, including plan amendments, periodic review and amendments to land use regulations;

7 (b) Describe the responsibilities of the special district in comprehensive planning, including plan
 8 amendments, periodic review and amendments to land use regulations regarding provision of urban
 9 services;

10 (c) Establish the role and responsibilities of each party to the agreement with respect to city,
 11 [or] county **or Metro** approval of new development;

12 (d) Establish the role and responsibilities of the city, [or] county **or Metro** with respect to
 13 **metropolitan service** district interests including, where applicable, water sources, capital facilities
 14 and real property, including rights of way and easements;

15 (e) Specify the units of local government [*which shall*] **that must** be parties to an urban service
 16 agreement under ORS 195.065;

17 (f) If [*a Metropolitan Service District*] **Metro** is a party to the agreement, describe how [*the*
 18 *Metropolitan Service District*] **Metro** will involve the special district in the exercise of [*the Metro-*
 19 *politan Service District's*] **Metro's** regional planning responsibilities; and

20 (g) Contain [*such*] other provisions [*as*] the Land Conservation and Development Commission
 21 may require by rule.

22 (5) Agreements required under subsections (2) and (3) of this section are subject to review by
 23 the commission. The commission may provide by rule for periodic submission and review of cooper-
 24 ative agreements to [*insure*] **ensure** that [*they*] **the cooperative agreements** are consistent with
 25 acknowledged comprehensive plans.

26 **(6) Cities, counties and Metro shall demonstrate compliance with subsections (2) and (3)**
 27 **of this section no later than the first periodic review that begins after November 4, 1993. The**
 28 **commission may adjust the deadline for compliance under this subsection when parties to**
 29 **an agreement under subsection (2) or (3) of this section are scheduled for periodic review at**
 30 **different times.**

31 **SECTION 3. This 2013 Act being necessary for the immediate preservation of the public**
 32 **peace, health and safety, an emergency is declared to exist, and this 2013 Act takes effect**
 33 **on its passage.**

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