

SENATE AMENDMENTS TO A-ENGROSSED HOUSE BILL 3415

By COMMITTEE ON BUSINESS AND TRANSPORTATION

May 31

1 Delete lines 4 through 17 of the printed A-engrossed bill and insert:

2 **“SECTION 1. (1) As used in this section:**

3 **“(a) ‘Market rate’ means a price, lease rate or other form of compensation for goods or**
4 **services provided by a public body, when participating in a proprietary transaction, that is**
5 **comparable to the average price, lease rate or other form of compensation in the same**
6 **market for the same goods or services provided by a private-sector provider.**

7 **“(b) ‘Private business’ does not include a nonprofit emergency services organization.**

8 **“(c) ‘Public body’ has the meaning given that term in ORS 174.109.**

9 **“(d) ‘Radio tower’ means a lattice tower that is generally 60 to 200 feet tall with three**
10 **or four steel support legs, or a monopole that is generally 25 to 125 feet tall, to which mul-**
11 **tiiple antennae may be attached to accommodate a variety of communication services, in-**
12 **cluding radio communications service, radio paging and cellular communications service.**

13 **“(2) A public body shall charge a private business a market rate for access to a radio**
14 **tower if the private business uses the radio tower to deliver any of the following communi-**
15 **cation services for hire:**

16 **“(a) Radio communications service;**

17 **“(b) Radio paging; or**

18 **“(c) Cellular communications service.**

19 **“(3) Subsection (2) of this section does not prohibit a public body, when participating in**
20 **a proprietary transaction, from charging or receiving compensation in the form of an ex-**
21 **change of goods or services or in any other nonmonetary form.”.**

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