

House Bill 3182

Sponsored by Representative HUFFMAN

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**.

Expands functions and authority of intergovernmental entities created to operate, maintain, repair and modernize transportation facilities to include management of ongoing transit operations and acquisition, operation, maintenance, repair and modernization of capital property used in transit operations. Authorizes county to amend articles of agreement of existing intergovernmental entity to grant it these functions and authority.

Takes effect on 91st day following adjournment sine die.

A BILL FOR AN ACT

1
2 Relating to intergovernmental entities created to perform transportation-related functions; amending
3 ORS 190.083; and prescribing an effective date.

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

5 **SECTION 1.** ORS 190.083 is amended to read:

6 190.083. **(1)(a) A unit of local government may enter into an intergovernmental agreement**
7 **to create an intergovernmental entity to:**

8 **(A) Operate, maintain, repair and modernize transportation facilities within the entity;**

9 **(B) Manage ongoing transit operations within the entity; and**

10 **(C) Acquire, operate, maintain, repair and modernize capital property used in transit**
11 **operations within the entity.**

12 **(b) The functions and authority of an intergovernmental entity created under this sub-**
13 **section may be exercised within any portion of the territory of the entity or within the entire**
14 **territory.**

15 **(2) Local governments may amend the articles of agreement of an existing intergovern-**
16 **mental entity organized under this chapter so that the entity performs the functions, and**
17 **has the authority, of an entity created under subsection (1) of this section.**

18 *[(1)]* **(3)** Before a county enters into an intergovernmental agreement creating an intergovern-
19 mental entity *[to operate, maintain, repair and modernize transportation facilities]* **under subsection**
20 **(1) of this section**, the county shall obtain approval of the terms and conditions of the agreement
21 from the governing bodies of a majority of the cities within the county.

22 *[(2)]* **(4)** Subject to the provisions of this section, an intergovernmental entity created *[to operate,*
23 *maintain, repair and modernize transportation facilities]* **under subsection (1) of this section** may
24 issue general obligation bonds and assess, levy and collect taxes in support of the purposes of the
25 entity.

26 *[(3)(a)]* **(5)(a)** To carry out the purposes of an intergovernmental agreement under this section,
27 and when authorized at an election described in paragraph (b) of this subsection, an intergovern-
28 mental entity created *[to operate, maintain, repair and modernize transportation facilities]* **under**
29 **subsection (1) of this section** may borrow moneys and sell and dispose of general obligation bonds.

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 Approval requires an affirmative vote of a majority of the electors within the *[intergovernmental]*
 2 **affected territory of the** entity voting in the election.

3 (b) If the bonds are not subject to the limitations under section 11 or 11b, Article XI of the
 4 Oregon Constitution:

5 (A) The proposition submitted to the electors shall provide that the intergovernmental entity
 6 shall assess, levy and collect taxes each year on the assessed value of all taxable property within
 7 the *[intergovernmental]* **affected territory of the** entity for the purposes of paying the principal and
 8 interest on the general obligation bonds;

9 (B) The election must comply with the voter participation requirements of section 11 (8), Article
 10 XI of the Oregon Constitution; and

11 (C) Outstanding bonds may never exceed in the aggregate two percent of the real market value
 12 of all taxable property within the **affected territory of the** entity.

13 *[(4)]* **(6)** The governing body of an intergovernmental entity created *[to operate, maintain, repair*
 14 *and modernize transportation facilities]* **under subsection (1) of this section** shall issue the bonds
 15 from time to time as authorized by the electors *[of the]* **within the affected territory of the** entity.
 16 The governing body shall issue the bonds according to the applicable provisions of ORS chapter
 17 287A.

18 *[(5)]* **(7)** The electors of an intergovernmental entity created *[to operate, maintain, repair and*
 19 *modernize transportation facilities]* **under subsection (1) of this section or of territory within the**
 20 **entity** may establish a permanent rate limit for ad valorem property taxes *[for the entity]* pursuant
 21 to section 11 (3)(c), Article XI of the Oregon Constitution.

22 *[(6)]* **(8)** An intergovernmental entity created *[to operate, maintain, repair and modernize trans-*
 23 *portation facilities]* **under subsection (1) of this section** may exercise the powers necessary to
 24 carry out the purposes of the intergovernmental agreement, including but not limited to the au-
 25 thority to enter into agreements and to expend tax proceeds and other revenues the entity receives.

26 *[(7)]* **(9)** An intergovernmental entity created *[to operate, maintain, repair and modernize trans-*
 27 *portation facilities]* **under subsection (1) of this section** is not a district as defined in ORS 198.010
 28 and is not subject to the provisions of ORS chapter 451.

29 *[(8)]* **(10)** An intergovernmental entity *[described in]* **created under subsection (1) of this sec-**
 30 **tion** is subject to ORS 294.305 to 294.565 for each fiscal year or budget period in which the **inter-**
 31 **governmental** entity proposes to impose, or imposes, ad valorem property taxes.

32 **SECTION 2. This 2015 Act takes effect on the 91st day after the date on which the 2015**
 33 **regular session of the Seventy-eighth Legislative Assembly adjourns sine die.**

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