

# House Bill 2974

Sponsored by Representative EVANS

## 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**.

Authorizes formation of bridge district in capital city region, consisting of Linn, Marion, Polk and Yamhill Counties. Authorizes bridge district to levy property taxes for purpose of planning, financing, constructing, operating and maintaining bridges over Willamette River in capital city region. Provides for organization of district board consisting of four members, one elected from each of four counties in capital city region, and one member representing Department of Transportation appointed by Governor.

Takes effect on 91st day following adjournment sine die.

## A BILL FOR AN ACT

1  
2 Relating to a special bridge district; creating new provisions; amending ORS 198.010, 198.115,  
3 198.180, 198.210, 198.310, 198.335 and 198.510; and prescribing an effective date.

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

5 **SECTION 1.** ORS 198.010 is amended to read:

6 198.010. As used in this chapter, except as otherwise specifically provided, "district" means any  
7 one of the following:

8 (1) A people's utility district organized under ORS chapter 261.

9 (2) A domestic water supply district organized under ORS chapter 264.

10 (3) A cemetery maintenance district organized under ORS chapter 265.

11 (4) A park and recreation district organized under ORS chapter 266.

12 (5) A mass transit district organized under ORS 267.010 to 267.390.

13 (6) A metropolitan service district organized under ORS chapter 268.

14 (7) A special road district organized under ORS 371.305 to 371.360.

15 (8) A road assessment district organized under ORS 371.405 to 371.535.

16 (9) A highway lighting district organized under ORS chapter 372.

17 (10) A health district organized under ORS 440.305 to 440.410.

18 (11) A sanitary district organized under ORS 450.005 to 450.245.

19 (12) A sanitary authority, water authority or joint water and sanitary authority organized under  
20 ORS 450.600 to 450.989.

21 (13) A vector control district organized under ORS 452.020 to 452.170.

22 (14) A rural fire protection district organized under ORS chapter 478.

23 (15) An irrigation district organized under ORS chapter 545.

24 (16) A drainage district organized under ORS chapter 547.

25 (17) A water improvement district organized under ORS chapter 552.

26 (18) A water control district organized under ORS chapter 553.

27 (19) A weather modification district organized under ORS 558.200 to 558.440.

28 (20) A port organized under ORS 777.005 to 777.725 and 777.915 to 777.953.

**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 (21) A geothermal heating district organized under ORS chapter 523.

2 (22) A transportation district organized under ORS 267.510 to 267.650.

3 (23) A library district organized under ORS 357.216 to 357.286.

4 (24) A 9-1-1 communications district organized under ORS 403.300 to 403.380.

5 (25) A heritage district organized under ORS 358.442 to 358.474.

6 (26) A radio and data district organized under ORS 403.500 to 403.542.

7 (27) A sand control district organized under ORS 555.500 to 555.535.

8 **(28) A bridge district organized under sections 2 to 5 of this 2019 Act.**

9 **SECTION 2. (1) As used in sections 2 to 5 of this 2019 Act:**

10 (a) **“Bridge district” or “district” means a bridge district established pursuant to this**  
11 **section.**

12 (b) **“Capital city region” means the area lying within the boundaries of Linn, Marion, Polk**  
13 **and Yamhill Counties.**

14 (2) **A bridge district may be formed within the boundaries of the capital city region for**  
15 **the purpose of planning, financing, constructing, operating and maintaining bridges over the**  
16 **Willamette River in the capital city region.**

17 (3) **A petition for formation of a bridge district must include a permanent rate limit for**  
18 **operating taxes for the proposed district. A bridge district is a municipal corporation for**  
19 **purposes of ORS 294.305 to 294.565.**

20 (4) **Except as otherwise expressly provided under sections 2 to 5 of this 2019 Act, ORS**  
21 **198.705 to 198.955 apply to bridge districts.**

22 **SECTION 3. (1) The governing body of a bridge district shall be a board organized in ac-**  
23 **cordance with this section and shall exercise all powers of the district.**

24 (2)(a) **The board shall consist of five members serving four-year terms.**

25 (b) **The four elective members must be electors residing within the bridge district. One**  
26 **member shall be elected from each of the four counties in the capital city region in which**  
27 **the respective member resides.**

28 (c) **The four elective district board members shall be elected as provided in this section**  
29 **and ORS 198.815.**

30 (3)(a) **Each of the initial four elective district board members shall be elected at the**  
31 **election for district formation by voters in the county in which the member resides and shall**  
32 **serve for the following terms:**

33 (A) **If the effective date of the formation of the district occurs in an odd-numbered year,**  
34 **two district board members shall be elected for four-year terms and the other two district**  
35 **board members shall be elected for two-year terms.**

36 (B) **If the effective date of the formation of the district occurs in an even-numbered year,**  
37 **two district board members shall be elected for three-year terms and the other two district**  
38 **board members shall be elected for one-year terms.**

39 (b) **The Governor shall appoint one district board member representing the Department**  
40 **of Transportation from among individuals recommended by the Director of Transportation.**

41 (4) **At the first meeting of the district board, or as soon as practicable, the board shall**  
42 **choose one of the members of the board as president.**

43 (5) **Each district board member shall hold office until election and qualification, or ap-**  
44 **pointment, of a successor, as applicable.**

45 **SECTION 4. A bridge district has the power:**

1 (1) To have and use a common seal.

2 (2) To sue and be sued in the name of the district.

3 (3) To make and accept any and all contracts, deeds, leases, releases and documents of  
4 any kind that, in the judgment of the district board, are necessary and proper to the exercise  
5 of any power of the district, and to direct the payment of all lawful claims or demands.

6 (4) To assess, levy and collect taxes on all taxable property within the boundaries of the  
7 district in order to pay:

8 (a) The costs of planning, financing, constructing, operating and maintaining bridges over  
9 the Willamette River in the capital city region; and

10 (b) The administrative costs of the district and the district board.

11 (5) To employ all necessary agents and assistants.

12 (6) To plan, finance, construct, operate and maintain bridges over the Willamette River  
13 in the capital city region.

14 (7) To call elections for the district after the formation of the district.

15 (8) Generally to do and perform any and all acts necessary and proper to the complete  
16 exercise and effect of any of the powers of the district or the purposes for which the district  
17 was formed.

18 **SECTION 5.** (1) Each year, the district board of a bridge district shall certify, as pre-  
19 scribed under ORS 294.456, the amount or rate of ad valorem property taxes to be assessed,  
20 levied and collected by the district for the next property tax year.

21 (2) Ad valorem property taxes collected pursuant to this section shall be deposited or  
22 transferred for deposit in the general fund of one of the four counties in the capital city re-  
23 gion. Upon organization of the board, the members shall select the county in whose general  
24 fund the revenues of the district shall be deposited. The selection may not be changed more  
25 often than once in five years.

26 (3) The district board may enter into an intergovernmental agreement under ORS chap-  
27 ter 190 with any county or city pursuant to which the road funds of the county or city may  
28 be deposited in the account of the bridge district for the purpose of contributing to the costs  
29 of any purpose for which the district was formed that is a use of revenue consistent with the  
30 requirements of Article IX, section 3a, of the Oregon Constitution.

31 (4) The district board may accept appropriations, grants, gifts, bequests or any other  
32 funds from any public or private source for deposit in the district fund. Such funds may be  
33 used only for the payment of costs described in section 4 (4) of this 2019 Act.

34 (5) For any property tax year in which all bridge projects of the district are open for  
35 public use, the district board may not certify a rate of ad valorem property taxes that is  
36 reasonably estimated to exceed the amount of revenue necessary to pay the administrative  
37 costs of the district and the district board.

38 **SECTION 6.** ORS 198.115 is amended to read:

39 198.115. (1) As used in this section, "district" has the meaning given that term in ORS 198.010  
40 (1) to (5), (7) to (24), [and] (27) and (28).

41 (2) A district, by an ordinance or resolution that takes effect at least one year prior to the date  
42 of the regular district election, may provide that any individual who is an employee of the district  
43 is not eligible to serve as a member of the governing board of the district by which the individual  
44 is employed.

45 **SECTION 7.** ORS 198.180 is amended to read:

1 198.180. As used in ORS 198.190, unless the context requires otherwise, “district” has the  
 2 meaning given that term by ORS 198.010 (2) to (5), (7) to (23), [and] (25) **and (28)**. In addition, “dis-  
 3 trict” means any one of the following:

4 (1) A county service district organized under ORS chapter 451.

5 (2) A diking district organized under ORS chapter 551.

6 (3) A corporation for irrigation, drainage, water supply or flood control organized under ORS  
 7 chapter 554.

8 (4) A soil and water conservation district organized under ORS 568.210 to 568.808 and 568.900  
 9 to 568.933.

10 (5) The Port of Portland created by ORS 778.010.

11 **SECTION 8.** ORS 198.210 is amended to read:

12 198.210. As used in ORS 198.220, in addition to the meaning given the term by ORS 198.010 (1)  
 13 to (5), (7) to (24), [and] (27) **and (28)**, “district” means any one of the following:

14 (1) A corporation for irrigation, drainage, water supply or flood control organized under ORS  
 15 chapter 554.

16 (2) A soil and water conservation district organized under ORS 568.210 to 568.808 and 568.900  
 17 to 568.933.

18 (3) A weed control district organized under ORS 569.350 to 569.445.

19 (4) A port district organized under ORS chapter 778.

20 **SECTION 9.** ORS 198.310 is amended to read:

21 198.310. As used in ORS 198.320, in addition to the meaning given the term by ORS 198.010 (1)  
 22 to (5), (7) to (24)[ (26) and (27)] **and (26) to (28)**, “district” means a soil and water conservation  
 23 district organized under ORS 568.210 to 568.808 and 568.900 to 568.933.

24 **SECTION 10.** ORS 198.335 is amended to read:

25 198.335. As used in ORS 198.335 to 198.365, unless the context requires otherwise:

26 (1) “County board” means the board of county commissioners or the county court.

27 (2) “Special district”:

28 (a) Has the meaning given the term “district” in ORS 198.010 (1) to (5), (7) to (24), [and] (27)  
 29 **and (28)**; and

30 (b) Also means:

31 (A) A diking district organized under ORS chapter 551.

32 (B) A corporation for irrigation, drainage, water supply or flood control organized under ORS  
 33 chapter 554.

34 (C) A soil and water conservation district organized under ORS 568.210 to 568.808 and 568.900  
 35 to 568.933.

36 (D) A weed control district organized under ORS 569.350 to 569.445.

37 (E) A port district organized under ORS chapter 778.

38 **SECTION 11.** ORS 198.510 is amended to read:

39 198.510. As used in ORS 198.510 to 198.600, unless the context requires otherwise:

40 (1) “County” means the county in which the district, or the greater portion of the assessed value  
 41 of the district, is located.

42 (2) “County board” means the board of county commissioners or the county court of the county.

43 (3) “County clerk” means the county clerk of the county.

44 (4) “District” has the meaning given that term in ORS 198.010 (2), (4), (5), (11), (12), (14), (16),  
 45 (17), (19), (20) to (23)[ (25), (26) and (27)] **and (25) to (28)**. In addition, “district” means any one of

1 the following:

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

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

4 (5) "District board" means the governing body of a district and the term includes a county board  
5 that is in the governing body of a district.

6 (6) "Presiding officer" means the chairperson, president or other person performing the office  
7 of presiding officer of the district board.

8 (7) "Principal Act" means the law, other than ORS 198.510 to 198.600, applicable to a district.

9 **SECTION 12. This 2019 Act takes effect on the 91st day after the date on which the 2019**  
10 **regular session of the Eightieth Legislative Assembly adjourns sine die.**

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