

SB 543-10  
(LC 966)  
5/10/19 (ASD/ps)

Requested by Representative SMITH WARNER

**PROPOSED AMENDMENTS TO  
SENATE BILL 543**

1 On page 1 of the printed bill, line 2, before the period insert “and  
2 198.705”.

3 On page 2, delete lines 21 and 22 and insert:

4 “(3) Notwithstanding ORS 198.705 to 198.955, the petition for formation  
5 of a”.

6 On page 3, after line 18, insert:

7 **“SECTION 6.** ORS 198.705 is amended to read:

8 “198.705. As used in ORS 198.705 to 198.955, unless the context requires  
9 otherwise:

10 “(1) ‘Affected county’ means each county which contains or would contain  
11 any territory for which a formation or a change of organization is proposed  
12 or ordered or which contains all or any part of a district for which a change  
13 of organization is proposed or ordered.

14 “(2) ‘Affected district’ means each district which contains or would con-  
15 tain territory for which a formation or a change of organization is proposed  
16 or ordered.

17 “(3) ‘Annexation’ includes the attachment or addition of territory to, or  
18 inclusion of territory in, an existing district.

19 “(4) ‘Change of organization’ means the annexation or withdrawal of ter-  
20 ritory to or from a district, the merger or consolidation of districts or the  
21 dissolution of a district.

1 “(5) ‘Consolidation’ means the uniting or joining of two or more districts  
2 into a single new successor district.

3 “(6) ‘County board’ means the county court or board of county commis-  
4 sioners of the principal county.

5 “(7) ‘Dissolution’ includes disincorporation, extinguishment or termi-  
6 nation of the existence of a district and the cessation of all its corporate  
7 powers, except for the purpose of winding up the affairs of the district.

8 “(8) ‘District’ has the meaning given that term in ORS 198.010 (2) to (4),  
9 (6) to (14), (17) to (23), [*and*] (25) **and** (28). In addition, ‘district’ means any  
10 one of the following:

11 “(a) A county road district organized under ORS 371.055 to 371.110.

12 “(b) A county service district organized under ORS chapter 451.

13 “(c) The Port of Portland created by ORS 778.010.

14 “(d) A translator district organized under ORS 354.605 to 354.715.

15 “(9) ‘District board’ means the governing board of a district.

16 “(10) ‘Formation’ includes incorporation, organization or creation of a  
17 district.

18 “(11) ‘Inhabited territory’ means territory within which there reside 12  
19 or more persons who have been registered to vote within the territory for  
20 at least 30 days prior to the date a proceeding is commenced under ORS  
21 198.705 to 198.955.

22 “(12) ‘Landowner’ or ‘owner of land’ means any person shown as the  
23 owner of land on the last assessment roll. However, if the person no longer  
24 holds the title to the property, then the terms mean any person entitled to  
25 be shown as owner of land on the next assessment roll, or, when land is  
26 subject to a written agreement of sale, the terms mean any person shown in  
27 the agreement as purchaser to the exclusion of the seller. ‘Landowner’ or  
28 ‘owner of land’ includes any public agency owning land.

29 “(13) ‘Legal representative’ means:

30 “(a) An officer of a corporation duly authorized, by the bylaws or a re-

1 solution of the board of directors of the corporation, to sign for and on be-  
2 half of the corporation; and

3 “(b) A guardian, executor, administrator or other person holding property  
4 in a trust capacity under appointment of court, when authorized by an order  
5 of court, which order may be made without notice.

6 “(14) ‘Merger’ means the extinguishment, termination and cessation of the  
7 existence of one or more districts by uniting with and being absorbed into  
8 another district.

9 “(15) ‘Notice’ includes an ordinance, resolution, order or other similar  
10 matter providing notice which ORS 198.705 to 198.955 authorize or require  
11 to be published, posted or mailed.

12 “(16) ‘Principal Act’ means the statutes which describe the powers of a  
13 district, including the statutes under which a district is proposed or is op-  
14 erating.

15 “(17) ‘Principal county’ or ‘county’ means the county in which the dis-  
16 trict, or the greater portion of the assessed value of all taxable property in  
17 the district, as shown by the most recent assessment roll of the counties, is  
18 located at the time proceedings are initiated to form a district, but for any  
19 district formed prior to and existing on September 9, 1971, ‘principal  
20 county’ or ‘county’ means the county in which the district, or the greater  
21 portion of the value of all taxable property in the district, as shown by the  
22 most recent assessment roll of the counties, was located on September 9,  
23 1971.

24 “(18) ‘Proceeding’ means a proceeding for formation or for change of or-  
25 ganization conducted pursuant to ORS 198.705 to 198.955.

26 “(19) ‘Uninhabited territory’ means territory within which there reside  
27 less than 12 electors who were residents within the territory 30 days prior  
28 to the date a proceeding is commenced under ORS 198.705 to 198.955.

29 “(20) ‘Withdrawal’ includes the detachment, disconnection or exclusion  
30 of territory from an existing district.”.

