

**PROPOSED AMENDMENTS TO  
A-ENGROSSED HOUSE BILL 3415**

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 com-**  
4 **pen- sation for goods or services provided by a public body, when par-**  
5 **ticipating in a proprietary transaction, that is comparable to the**  
6 **average price, lease rate or other form of compensation in the same**  
7 **market for the same goods or services provided by a private-sector**  
8 **provider.**

9 **“(b) ‘Private business’ does not include a nonprofit emergency ser-**  
10 **vices organization.**

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

12 **“(d) ‘Radio tower’ means a lattice tower that is generally 60 to 200**  
13 **feet tall with three or four steel support legs, or a monopole that is**  
14 **generally 25 to 125 feet tall, to which multiple antennae may be at-**  
15 **tached to accommodate a variety of communication services, including**  
16 **radio communications service, radio paging and cellular communi-**  
17 **cations service.**

18 **“(2) A public body shall charge a private business a market rate for**  
19 **access to a radio tower if the private business uses the radio tower to**  
20 **deliver any of the following communication services for hire:**

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

22 **“(b) Radio paging; or**

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

2       **“(3) Subsection (2) of this section does not prohibit a public body,**  
3 **when participating in a proprietary transaction, from charging or re-**  
4 **ceiving compensation in the form of an exchange of goods or services**  
5 **or in any other nonmonetary form.”.**

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