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April 1, 2019

House Rules Committee  
Oregon State Capitol  
900 Court Street NE  
Salem, OR 97301

RE: Opposition to HB 2974 - Additional Testimony

Dear Chair Holvey and Committee Members:

Friends of Marion County is an independent 501(c)(3) farmland protection organization founded in 1998. Our mission is to protect farm and forestland, parks, and open space.

There are a number of questions and concerns about the feasibility of the bill and reasons for the committee to vote "NO". They are:

1. Pg 2 In 10-16:

*(a) "Bridge district" or "district" means a bridge district established pursuant to this section.*

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

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

**Concern:** This section does not relate to the problem the supporters express because any current or future bridge(s) spanning the Willamette within the bridge district would fall under district jurisdiction. This means that the bridge district could allocate funds to any new bridge(s) to be built or that may need repair and which might not alleviate the problem for which the legislation is designed.

2. Pg 3 In 3-5

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

**Concern:** The powers of the board are not enumerated and seem to be open to the discretion of the board.

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3. Pg 3 In 15-17

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

**Concern:** This statement is similarly open to the discretion of the board.

4. Pg 3 In 18-20

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

**Concern:** This means that the district does fall under Oregon Measures 5/50 or if it does not the amounts to be raised may be insufficient to carry out its mandate relying instead on ODOT funds to fill in the shortfall. Since the Legislature decides the ODOT statewide budget, funds could be removed to replace the shortfall from other projects outside of the district.

5. Pg 3 In 26-30

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

**Concern:** Mid-Willamette Valley Area Commission on Transportation (MWACT) is an MPO whose members include only three counties; Marion, Polk, and Yamhill and the cities within them. Linn County is not a member of MWACT and therefore its cities also not members. The Confederated Tribes of the Grande Ronde represent some members who are not in the four county district region. MWACT coordinates spending of city, county and ODOT funding which means any participation of the three counties in MWACT could not tap into Linn County or its cities transportation spending. Because of the diversity of interests in MWACT it's quite possible internal disputes will result in zero contributions to the district. In any event, most of MWACT planning and funding require ODOT concurrence. **MWACT is already in place and has an established process for regional transportation planning; the region should use the existing processes.**

Thank you for listening.

Roger Kaye, President

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Attachments: 3 - Zena Road Area Maps

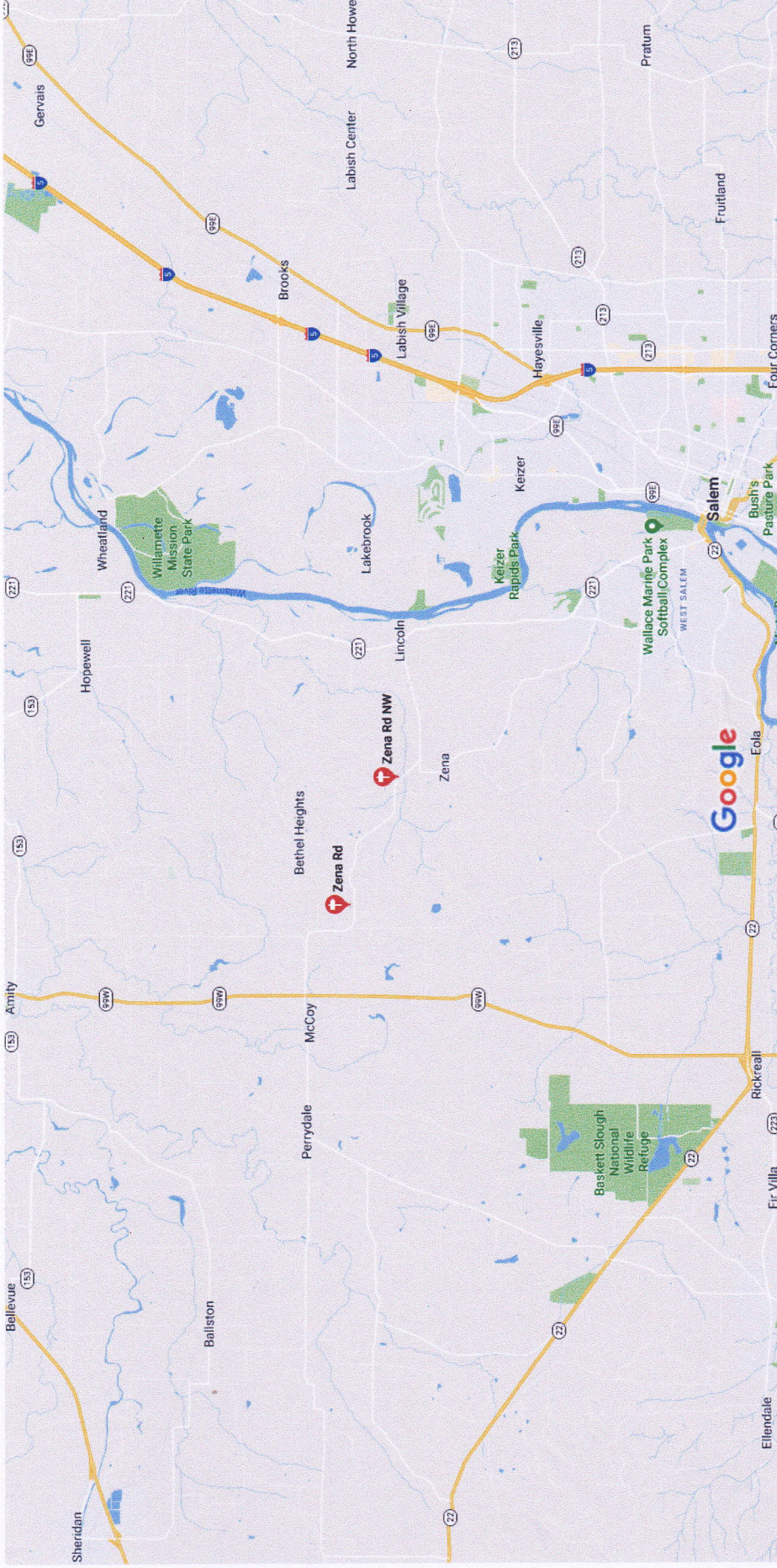
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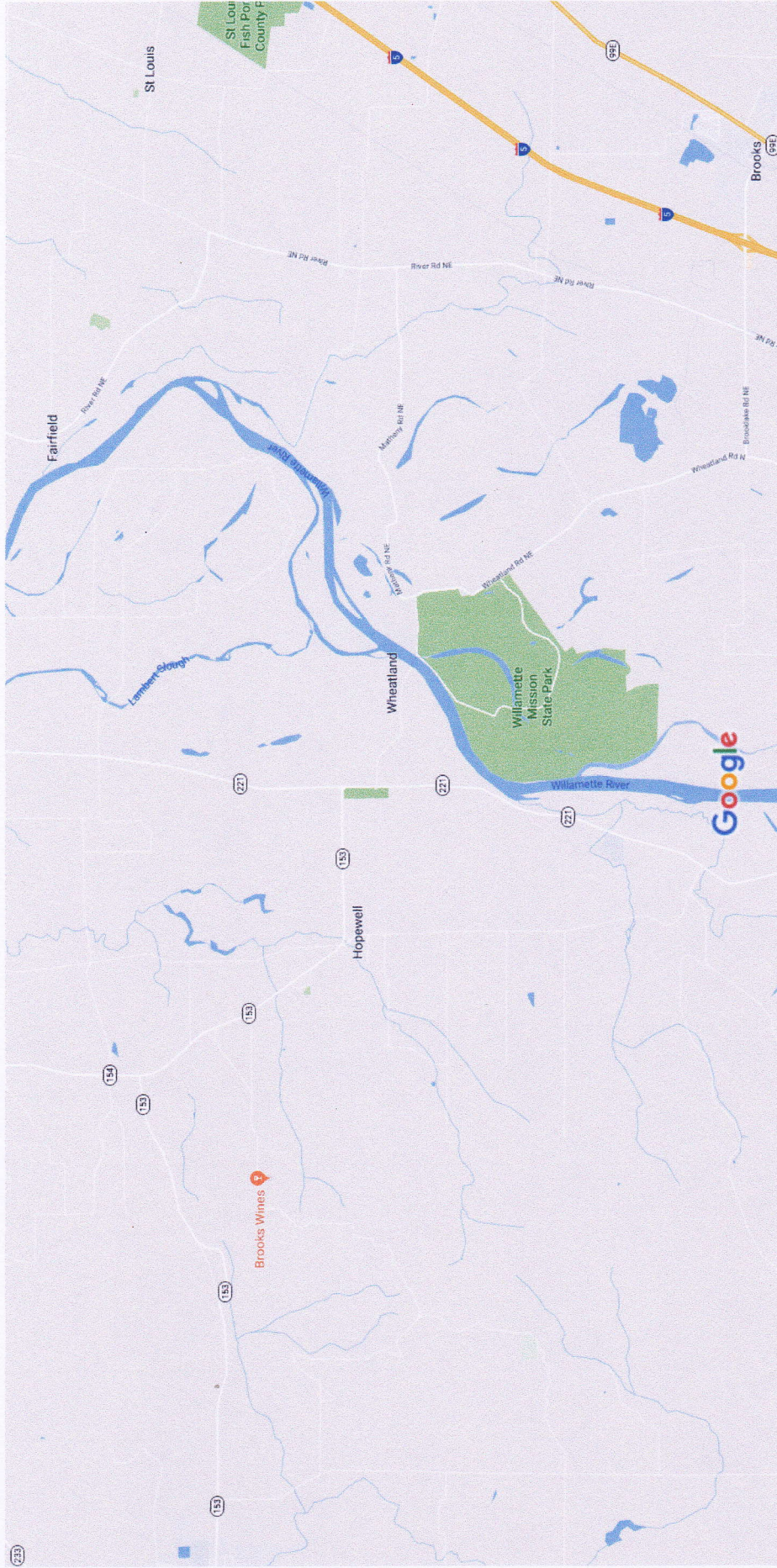
c: Jason Miner, Office of the Governor  
Senate President Peter Courtney  
House Speaker Tina Kotek  
Representative Brian Clem



Google Maps zena rd

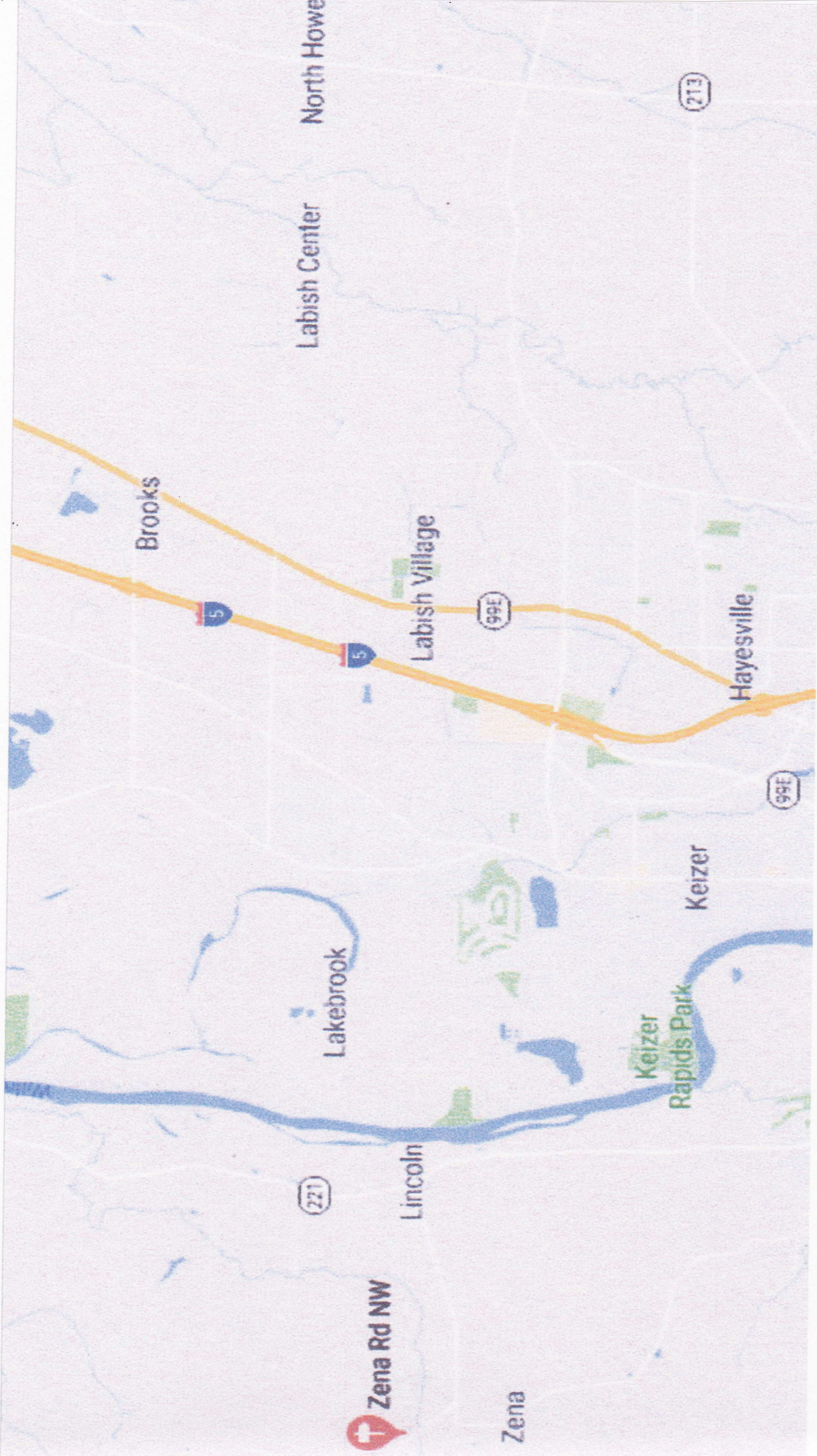







Map data ©2019 Google 1 km





 Zena Rd NW

(221)

Lincoln

Lakebrook

Brooks

(5)

(5)

Labish Village

(99E)

Labish Center

North Howe

(213)

Hayesville

(99E)

Keizer

Keizer Rapids Park

Zena