

House Bill 3050

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of Governor Tina Kotek for Oregon Business Development Department)

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**. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: The Act would have Business Oregon set up a loan and grant program for Oregon port projects. The program would be run by the infrastructure finance section of the department. (Flesch Readability Score: 61.8).

Directs the Oregon Business Development Department to develop, and the Oregon Infrastructure Finance Authority to administer, a program for financial assistance to eligible port projects.

A BILL FOR AN ACT

1
2 Relating to ports.

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

4 **SECTION 1. Definitions. As used in sections 1 to 5 of this 2025 Act:**

5 (1) **"Administrative costs" means the Oregon Infrastructure Finance Authority's direct**
6 **and indirect costs for:**

7 (a) **Investigating and processing applications for financial assistance submitted under**
8 **section 3 of this 2025 Act;**

9 (b) **Negotiating agreements with Oregon ports under section 4 of this 2025 Act;**

10 (c) **Providing financial and other assistance to Oregon ports;**

11 (d) **Monitoring the use of financial assistance by Oregon ports;**

12 (e) **Investigating and resolving discrepancies in the budgets of Oregon ports as they re-**
13 **late to the use of financial assistance; and**

14 (f) **Winding up eligible port projects.**

15 (2) **"Container service" means the handling of containerized cargo used to transport**
16 **goods.**

17 (3) **"Eligible port project" means an infrastructure, capital improvement or dredging**
18 **project for Oregon ports that have existing container service at the time the Oregon port**
19 **applies for financial assistance under sections 1 to 5 of this 2025 Act.**

20 (4) **"Financial assistance" means loans, including forgivable loans, and grants available**
21 **under the program developed under section 2 of this 2025 Act.**

22 (5) **"Oregon port" means an Oregon port district formed under ORS chapter 777 or 778.**

23 **SECTION 2. Program for financial assistance for Oregon port projects. (1)(a) The Oregon**
24 **Business Development Department shall develop a program to award financial assistance to**
25 **Oregon ports for eligible port projects.**

26 (b) **The department shall adopt rules for the administration of sections 1 to 5 of this 2025**
27 **Act.**

28 (2) **The Oregon Infrastructure Finance Authority established under ORS 285A.096 shall**

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 administer the program.

2 **SECTION 3. Applications for financial assistance.** (1) The Oregon Infrastructure Finance
3 Authority shall adopt an application process by which an Oregon port may apply for financial
4 assistance for eligible port projects under sections 1 to 5 of this 2025 Act.

5 (2) The application process must set forth at a minimum:

6 (a) Any information or documents that must be included with the application.

7 (b) A requirement that the applicant demonstrate to the satisfaction of the authority
8 that the eligible port project will support existing container service.

9 (c) A process for reviewing and approving or rejecting the applications.

10 (d) The amount of financial assistance that may be provided to Oregon ports.

11 **SECTION 4. Agreements with ports; required provisions; repayment.** (1) If the Oregon
12 Infrastructure Finance Authority approves an application for financial assistance submitted
13 under section 3 of this 2025 Act, the authority may pay the proceeds of the financial assist-
14 ance to the applicant only in accordance with the terms and conditions of an agreement en-
15 tered into by the authority and the applicant that governs the disbursement and use of the
16 financial assistance.

17 (2)(a) Notwithstanding any other provision of law, or any restriction on indebtedness
18 contained in a charter or other organizational document, an Oregon port awarded financial
19 assistance for an eligible port project under sections 1 to 5 of this 2025 Act may enter into
20 an agreement with the authority to borrow or otherwise receive moneys from the Port
21 Capital Improvement Fund established under section 5 of this 2025 Act.

22 (b) An agreement entered into under this subsection cannot become effective until it is
23 authorized by an ordinance, resolution or order adopted by the governing body of the Oregon
24 port.

25 (3) The agreement shall include, at a minimum, the following terms and conditions:

26 (a) The liability of the state under the agreement is contingent upon the availability of
27 moneys in the Port Capital Improvement Fund established under section 5 of this 2025 Act
28 for use in the eligible port project to which the agreement relates.

29 (b) If any portion of the financial assistance is in the form of a loan, the debtor shall
30 grant the authority a lien on, or security interest in, such collateral as the authority deter-
31 mines is necessary to secure repayment of the loan.

32 (c) The authority shall specify the facts and circumstances that constitute nonperform-
33 ance by the recipient, a means for curing nonperformance, penalties for nonperformance and
34 the means for recovering financial assistance amounts.

35 (d) Any other provisions the authority considers necessary or appropriate to the imple-
36 mentation of the financial assistance program.

37 (4) The Oregon port may repay the financial assistance from:

38 (a) The revenues of the eligible port project, including, but not limited to, special as-
39 sessment revenues;

40 (b) The general fund of the Oregon port; or

41 (c) Any other lawful source.

42 **SECTION 5. Port Capital Improvement Fund.** (1) The Port Capital Improvement Fund is
43 established in the State Treasury, separate and distinct from the General Fund. Interest
44 earned by the Port Capital Improvement Fund shall be credited to the fund.

45 (2)(a) Moneys in the Port Capital Improvement Fund are continuously appropriated to the

1 **Oregon Business Development Department for the Oregon Infrastructure Finance Authority**
2 **for the purposes set forth in sections 1 to 5 of this 2025 Act.**

3 **(b) The authority may charge administrative costs to the fund.**

4 **(3) The fund shall consist of moneys credited to the fund, including:**

5 **(a) Moneys that the Legislative Assembly appropriates or otherwise transfers to the**
6 **fund;**

7 **(b) Moneys transferred to the fund by the department;**

8 **(c) Earnings on moneys in the fund;**

9 **(d) Repayment amounts, including interest and penalties, of financial assistance awarded**
10 **under sections 1 to 5 of this 2025 Act;**

11 **(e) Moneys received from the federal government or state or local governments; and**

12 **(f) Moneys, or the proceeds of assets, from any other public or private source, including,**
13 **but not limited to, grants and gifts.**

14 **(4)(a) The authority shall administer the fund.**

15 **(b) The department shall adopt rules for the administration of the fund.**

16 **SECTION 6. Section captions not part of law. The section captions used in this 2025 Act**
17 **are provided only for the convenience of the reader and do not become part of the statutory**
18 **law of this state or express any legislative intent in the enactment of this 2025 Act.**

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