

HOUSE AMENDMENTS TO A-ENGROSSED HOUSE BILL 4176

By JOINT COMMITTEE ON WAYS AND MEANS

March 2

1 On page 1 of the printed A-engrossed bill, line 2, after “203.100;” insert “repealing ORS 203.095
2 and 203.100; appropriating money; limiting expenditures;”.

3 After line 3, insert:

4 “Whereas counties that received federal payments pursuant to the Secure Rural Schools and
5 Community Self-Determination Act of 2000 (P.L. 106-393) are experiencing significant budget
6 shortfalls that compromise public health and safety, undermine funding for county roads and
7 exacerbate job losses; and

8 “Whereas it is in the best interest of the state to provide counties with a tool that would fa-
9 cilitate a collaborative process to identify solutions and mitigate the impact of the loss of Secure
10 Rural Schools and Community Self-Determination Act of 2000 funds; now, therefore;”.

11 Delete lines 6 through 12 and insert:

12 “203.095. (1)(a) The governing body of a county may seek a declaration of a fiscal emergency
13 by requesting in writing that the Governor review and analyze state-required services provided by
14 the county if:

15 “(A) The governing body of the county believes that the county is in a state of fiscal distress
16 that compromises the county’s ability to provide a minimally adequate level, currently or within the
17 next fiscal year, of any service that a county is required to provide by state law; and

18 “(B) For the fiscal year beginning July 1, 2007, the county received federal payments pursuant
19 to the Secure Rural Schools and Community Self-Determination Act of 2000 (P.L. 106-393) in an
20 amount equal to at least 10 percent of the county’s property tax revenues, excluding bonds.

21 “(b) A county making a request under this subsection shall include with the request an esti-
22 mated amount needed to fund the fiscal assistance board that would be established under subsection
23 (4) of this section and the proposed sources of those funds.”.

24 On page 2, line 19, after “officials,” insert “including but not limited to members of the county
25 governing body, the county assessor, clerk, tax collector, court administrator, district attorney and
26 judges;”.

27 In line 21, after “alternatives” insert “, service delivery alternatives”.

28 In line 23, after “restore” insert “or sustain”.

29 In line 32, delete “or”.

30 After line 32, insert:

31 “(h) Enter into intergovernmental agreements or other service delivery structures involving
32 other public entities; or”.

33 In line 33, delete “(h)” and insert “(i)”.

34 In line 45, after “section.” insert “The update shall include a report on the costs of the fiscal
35 assistance board, the revenues used by the board to pay those costs and the sources of the revenues

1 so used.”.

2 On page 3, line 2, after “restored” insert “or sustained”.

3 In line 5, after “restored” insert “or sustained”.

4 On page 4, delete lines 35 through 45.

5 On page 5, delete lines 1 through 7 and insert:

6 **“SECTION 3. (1) At least one-half of the costs of administering a fiscal assistance board**
7 **established under ORS 203.095 must be paid by the county that has been declared to be in**
8 **fiscal distress. The county shall deposit the moneys necessary to pay the county’s share in**
9 **the fund established under subsection (2) of this section. The remainder of the costs of ad-**
10 **ministering a fiscal assistance board established under ORS 203.095 shall be paid from mon-**
11 **eys appropriated from the General Fund or allocated by the Emergency Board to the Oregon**
12 **Department of Administrative Services.**

13 **“(2) The Fiscally Distressed Counties Fund is established, separate and distinct from the**
14 **General Fund. Interest earned by the Fiscally Distressed Counties Fund shall be credited to**
15 **the fund. The Fiscally Distressed Counties Fund shall consist of moneys deposited by coun-**
16 **ties under subsection (1) of this section and moneys contributed to the fund from any other**
17 **source, public or private. Moneys in the Fiscally Distressed Counties Fund are continuously**
18 **appropriated to the Oregon Department of Administrative Services for the purpose of es-**
19 **tablishing and administering fiscal assistance boards for fiscally distressed counties under**
20 **ORS 203.095.**

21 **“(3) If more than one county has been declared by the Governor as being in fiscal dis-**
22 **tress, the Fiscally Distressed Counties Fund shall be divided into separate accounts holding**
23 **moneys dedicated to the administration of the fiscal assistance board for each county.**

24 **“(4) When the Governor declares that the fiscal emergency for a county has ended, all**
25 **moneys remaining in the Fiscally Distressed Counties Fund that have been deposited for the**
26 **purpose of administering the fiscal assistance board for that county must be returned, on a**
27 **pro rata basis, to the county.**

28 **“SECTION 4. Notwithstanding any other law limiting expenditures, the amount of \$1 is**
29 **established for the biennium beginning July 1, 2011, as the maximum limit for payment of**
30 **expenses from fees, moneys or other revenues, including Miscellaneous Receipts, but ex-**
31 **cluding lottery funds and federal funds, collected or received by the Oregon Department of**
32 **Administrative Services from the Fiscally Distressed Counties Fund.**

33 **“SECTION 5. ORS 203.095 and 203.100 are repealed on January 2, 2014.**

34 **“SECTION 6. If ORS 203.095 and 203.100 are repealed, any moneys remaining in the Fiscal**
35 **Distressed Counties Fund on January 2, 2014, shall be returned as prescribed in section 3 (4)**
36 **of this 2012 Act.”.**

37 In line 8, delete “4” and insert “7”.