

Enrolled
Senate Bill 1543

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CHAPTER

AN ACT

Relating to transportation; creating new provisions; amending section 64, chapter 865, Oregon Laws 2009; limiting expenditures; and declaring an emergency.

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

SECTION 1. On or before November 1 of each year, the Oregon Transportation Commission shall submit a report to the interim legislative committees related to transportation issues. The report must include the following components:

(1) The amount of funding available for reallocation as a result of completion of the transportation projects described in section 64, chapter 865, Oregon Laws 2009, for less than the amounts originally allocated for the projects.

(2) A list of transportation projects, ranked in order of priority by the commission, from the list of projects described in section 64, chapter 865, Oregon Laws 2009, that require additional funding to be completed.

SECTION 2. Section 1 of this 2012 Act becomes operative on July 1, 2012.

SECTION 3. Section 64, chapter 865, Oregon Laws 2009, is amended to read:

Sec. 64. (1) Proceeds of the bonds, as defined in ORS 367.010, authorized under ORS 367.620 (3)(c) may be used to finance all or any portion of the projects as listed in subsection (2) of this section. The **Oregon Transportation** Commission shall determine the order of completion for the projects listed in subsection (2) of this section.

(2) The following amounts are allocated for the projects listed below:

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- (a) U.S. Highway 26 at the
Glencoe Road Interchange.....\$ 32 million
 - (b) Interstate 84 at the
257th Avenue Interchange\$ 24 million
 - (c) State Highway 212: Sunrise
Corridor, Phase I, Units 1,
2 and 3.....\$ 100 million
 - (d) U.S. Highway 26 at the Shute
Road Interchange, Phase I.....\$ 45 million
 - (e) Interstate 5 at the Interstate

205 Interchange	\$	11 million
(f) U.S. Highway 26: 185th Avenue to Cornell Road	\$	20 million
(g) Interstate 205 and State Highway 213 at the Washington Street Interchange	\$	22 million
(h) Interstate 84 at the Hood River Interchange	\$	10 million
(i) State Highway 43 at the Sellwood Bridge Interchange .	\$	30 million
(j) State Highway 6 at U.S. Highway 101.....	\$	27 million
(k) State Highway 99W: Newberg and Dundee Bypass, Phase I..	\$	192 million
(L) Interstate 5 at the State Highway 214 Interchange	\$	43 million
(m) Interstate 5 at Beltline Highway, Units 3, 4, 5, 6 and 7.....	\$	80 million
(n) Beltline Highway at Delta Highway	\$	2 million
(o) Interstate 5 at Kuebler Road, Phase I.....	\$	15 million
(p) Interstate 5 at Kuebler Road, Phase II (Mill Creek)....	\$	4 million
(q) State Highway 42, county line curves	\$	10 million
(r) State Highway 62: Corridor Solution, Phase II.....	\$	100 million
(s) Interstate 5 at the Fern Valley Road Interchange	\$	25 million
(t) Interstate 5 Sutherlin truck climbing lanes.....	\$	4.1 million
(u) Interstate 5 Sexton truck climbing lanes	\$	10 million
(v) Interstate 84 at the U.S. Highway 97 Interchange.....	\$	19 million
(w) U.S. Highway 97: Crooked River Bridge to Redmond.....	\$	2 million
(x) State Highway 140: Klamath Falls to the Nevada state line	\$	23 million
(y) Murphy Road at the U.S. Highway 97 Interchange.....	\$	25 million
(z) U.S. Highway 97: Redmond reroute, Phase II	\$	5 million
(aa) Chico Road reconstruction in Baker County	\$	1 million
(bb) Chandler Lane reconstruction in Baker County	\$	4.6 million
(cc) Interstate 84 Spring Creek climbing lane in		

Union County	\$	5.7 million
(dd) Northwest Washington Avenue in Malheur County	\$	4.5 million
(ee) Pierce Road improvements in Union County	\$	5 million
(ff) State Highway 82 alternate route in Wallowa County	\$	5 million
(gg) Westland Road in Umatilla County.....	\$	1.1 million
(hh) State Highway 207 and State Highway 206 intersections.....	\$	0.5 million
(ii) Vehicle chain-up areas east of Pendleton on Interstate 84.....	\$	4.7 million
(jj) Izee-Paulina Highway in Grant County	\$	4.5 million
(kk) Monroe Street and U.S. Highway 20 Intersection in Harney County	\$	0.9 million

(3)(a) When the commission determines that the project described in subsection (2)(e) of this section is completed, the commission shall reallocate any amount remaining from the allocation made under subsection (2)(e) of this section to the project described in subsection (2)(b) of this section.

(b) When the commission determines that the project described in subsection (2)(f) of this section is completed, the commission shall reallocate any amount remaining from the allocation made under subsection (2)(f) of this section to the project described in subsection (2)(d) of this section.

[(3)] (4) Prior to June 1, 2010, in addition to the projects listed in subsection (2) of this section, if projects are recommended to the Oregon Transportation Commission by the applicable local area commission on transportation after consultation with the local governments listed in this subsection, the Oregon Transportation Commission may also approve and allocate funds to the following local governments for projects approved by the commission in the following amounts:

(a) Baker County	\$	4.5 million
(b) Grant County	\$	1.1 million
(c) Harney County.....	\$	4.1 million
(d) Malheur County.....	\$	5.8 million
(e) Union County	\$	1.3 million
(f) Umatilla County	\$	2.5 million
(g) City of Nyssa	\$	1 million
(h) City of Heppner.....	\$	3 million
(i) City of Milton-Freewater.....	\$	3 million
(j) City of Ontario	\$	1.2 million
(k) Port of Umatilla	\$	4.5 million
(L) Port of Morrow.....	\$	10.7 million

SECTION 4. Section 5 of this 2012 Act is added to and made a part of ORS chapter 776.

SECTION 5. (1)(a) Except as provided in paragraph (b) of this subsection, a licensee or trainee may not pilot a vessel on the Coos Bay bar pilotage ground or the Yaquina Bay bar pilotage ground if the licensee or trainee, or an immediate family member of the licensee or trainee, has any financial interest in a boat or equipment assisting the vessel in entering or exiting the bay.

(b) The Oregon Board of Maritime Pilots shall adopt rules allowing a licensee or trainee who is prohibited from piloting a vessel under paragraph (a) of this subsection to pilot the vessel in an emergency, and fixing rates for pilotage under this paragraph.

(2) This section does not prohibit a licensee or trainee from piloting a vessel if the licensee or trainee, or an immediate family member of the licensee or trainee, owns stock in a corporation registered on a national securities exchange that owns boats or equipment assisting ships on the Coos Bay bar pilotage ground or the Yaquina Bay bar pilotage ground.

SECTION 6. (1) Section 5 of this 2012 Act becomes operative on January 1, 2013.

(2) The Oregon Board of Maritime Pilots may take any action on or before the operative date specified in subsection (1) of this section to enable the board to exercise, on and after the operative date specified in subsection (1) of this section, all the duties, functions and powers conferred on the board by section 5 of this 2012 Act.

SECTION 7. (1) In addition to and not in lieu of any other allocation, there is allocated to Multnomah County, for the biennium beginning July 1, 2011, out of moneys described in section 2 (4), chapter 542, Oregon Laws 2011, the amount of \$5 million, which may be expended for the construction of State Highway 43 at the Sellwood Bridge Interchange.

(2) In addition to and not in lieu of any other allocation, there is allocated to Multnomah County, for the biennium beginning July 1, 2011, out of moneys described in section 2 (6), chapter 542, Oregon Laws 2011, the amount of \$9.5 million, which may be expended for project development and construction of Cornelius Pass Road.

SECTION 8. (1) Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (4), chapter 542, Oregon Laws 2011, for the biennium beginning July 1, 2011, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts and federal funds received as reimbursement from the United States Department of Transportation, but excluding lottery funds and federal funds not described in section 2, chapter 542, Oregon Laws 2011, collected or received by the Department of Transportation, is increased by \$5 million for the purposes set forth in section 7 (1) of this 2012 Act.

(2) Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (6), chapter 542, Oregon Laws 2011, for the biennium beginning July 1, 2011, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts and federal funds received as reimbursement from the United States Department of Transportation, but excluding lottery funds and federal funds not described in section 2, chapter 542, Oregon Laws 2011, collected or received by the Department of Transportation, is increased by \$9.5 million for the purposes set forth in section 7 (2) of this 2012 Act.

SECTION 9. This 2012 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2012 Act takes effect on its passage.

Passed by Senate February 29, 2012

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Robert Taylor, Secretary of Senate

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Peter Courtney, President of Senate

Passed by House March 1, 2012

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Bruce Hanna, Speaker of House

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Arnie Roblan, Speaker of House

Received by Governor:

.....M,....., 2012

Approved:

.....M,....., 2012

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John Kitzhaber, Governor

Filed in Office of Secretary of State:

.....M,....., 2012

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Kate Brown, Secretary of State