

**A-Engrossed**  
**House Bill 2033**

Ordered by the House May 9  
Including House Amendments dated May 9

Ordered printed by the Speaker pursuant to House Rule 12.00A (5). Pre-session filed (at the request of House Interim Committee on Transportation for Association of Oregon Counties)

**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.

Revises definition of "minimum county road base funding" for purposes of allocating moneys from State Highway Fund.

Declares emergency, effective July 1, 2007.

**A BILL FOR AN ACT**

1  
2 Relating to allocation of moneys to counties for road funding; amending ORS 366.772; repealing  
3 section 21, chapter 618, Oregon Laws 2003; and declaring an emergency.

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

5 **SECTION 1.** ORS 366.772 is amended to read:

6 366.772. (1) Not later than July 31 in each calendar year, the sum of \$750,000 shall be withdrawn  
7 from the appropriation specified in ORS 366.762, and the sum of [*\$250,000*] **\$750,000** shall be with-  
8 drawn from moneys available to the Department of Transportation from the State Highway Fund.  
9 The sums withdrawn shall be set up in a separate account to be administered by the Department  
10 of Transportation.

11 (2) Not later than July 31 in each calendar year, the sum of [*\$1 million*] **\$1.5 million** shall be  
12 withdrawn from the separate account described in subsection (1) of this section and distributed to  
13 counties that had a county road base funding deficit in the prior fiscal year. A county's share of the  
14 [*\$1 million*] **\$1.5 million** shall be based on the ratio of the amount of the county's road base funding  
15 deficit to the total amount of county road base funding deficits of all counties.

16 (3) Moneys allocated as provided in this section may be used only for maintenance, repair and  
17 improvement of existing roads.

18 (4) As used in this section:

19 (a) **"Arterial highway" has the meaning given that term in ORS 801.127.**

20 (b) **"Collector highway" has the meaning given that term in ORS 801.197.**

21 [(a)] (c) "County road base funding deficit" means the amount of a county's minimum county  
22 road base funding minus the amount of that county's dedicated county road funding. A county has  
23 a county road base funding deficit only if the amount of the dedicated county road funding is less  
24 than the amount of the minimum county road base funding.

25 [(b)] (d) "Dedicated county road funding" for a county means:

26 (A) Moneys received from federal forest reserves and apportioned to the county road fund in  
27 accordance with ORS 294.060;

**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 (B) State Highway Fund moneys distributed to the county, other than moneys distributed under  
2 this section; and

3 (C) Federal Highway Administration revenues allocated by formula to the county annually under  
4 the federal-aid highway program authorized by 23 U.S.C. chapter 1. These moneys do not include  
5 federal funds received by the county through a competitive grant process.

6 [(c)] (e) "Minimum county road base funding" means [*\$1 million*] **\$4,500 per mile of county**  
7 **roads that are arterial and collector highways** beginning on July 1, [2003] **2007**, and thereafter  
8 means [*\$1 million*] **\$4,500 per mile of county roads that are arterial and collector highways** as  
9 adjusted annually on the basis of the Portland-Salem, OR-WA, Consumer Price Index for All Urban  
10 Consumers for All Items, as published by the Bureau of Labor Statistics of the United States De-  
11 partment of Labor.

12 **SECTION 2.** ORS 366.772, as amended by section 20, chapter 618, Oregon Laws 2003, is  
13 amended to read:

14 366.772. (1) Not later than July 31 in each calendar year, the sum of [*\$500,000*] **\$750,000** shall  
15 be withdrawn from the appropriation specified in ORS 366.762, and the sum of [*\$250,000*] **\$750,000**  
16 shall be withdrawn from moneys available to the Department of Transportation from the State  
17 Highway Fund. The sums withdrawn shall be set up in a separate account to be administered by the  
18 Department of Transportation.

19 (2) Not later than July 31 in each calendar year, the sum of [*\$750,000*] **\$1.5 million** shall be  
20 withdrawn from the separate account described in subsection (1) of this section and distributed to  
21 counties that had a county road base funding deficit in the prior fiscal year. A county's share of the  
22 [*\$750,000*] **\$1.5 million** shall be based on the ratio of the amount of the county's road base funding  
23 deficit to the total amount of county road base funding deficits of all counties.

24 (3) Moneys allocated as provided in this section may be used only for maintenance, repair and  
25 improvement of existing roads.

26 (4) As used in this section:

27 (a) "Arterial highway" has the meaning given that term in ORS 801.127.

28 (b) "Collector highway" has the meaning given that term in ORS 801.197.

29 [(a)] (c) "County road base funding deficit" means the amount of a county's minimum county  
30 road base funding minus the amount of that county's dedicated county road funding. A county has  
31 a county road base funding deficit only if the amount of the dedicated county road funding is less  
32 than the amount of the minimum county road base funding.

33 [(b)] (d) "Dedicated county road funding" for a county means:

34 (A) Moneys received from federal forest reserves and apportioned to the county road fund in  
35 accordance with ORS 294.060;

36 (B) State Highway Fund moneys distributed to the county, other than moneys distributed under  
37 this section; and

38 (C) Federal Highway Administration revenues allocated by formula to the county annually under  
39 the federal-aid highway program authorized by 23 U.S.C. chapter 1. These moneys do not include  
40 federal funds received by the county through a competitive grant process.

41 [(c)] (e) "Minimum county road base funding" means [*\$1 million*] **\$4,500 per mile of county**  
42 **roads that are arterial and collector highways** beginning on July 1, [2003] **2007**, and thereafter  
43 means [*\$1 million*] **\$4,500 per mile of county roads that are arterial and collector highways** as  
44 adjusted annually on the basis of the Portland-Salem, OR-WA, Consumer Price Index for All Urban  
45 Consumers for All Items, as published by the Bureau of Labor Statistics of the United States De-

1 partment of Labor.

2 **SECTION 3. Section 21, chapter 618, Oregon Laws 2003, is repealed.**

3 **SECTION 4. This 2007 Act being necessary for the immediate preservation of the public**  
4 **peace, health and safety, an emergency is declared to exist, and this 2007 Act takes effect**  
5 **July 1, 2007.**

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