

House Bill 2033

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 **as introduced**.

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 (1) Not later than July 31 in each calendar year, the sum of \$750,000 shall be withdrawn
7 from the appropriation specified in ORS 366.762, and the sum of \$250,000 shall be withdrawn from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9 withdrawn shall be set up in a separate account to be administered by the Department of Trans-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

11 (2) Not later than July 31 in each calendar year, the sum of \$1 million shall be withdrawn from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

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

30 (C) Federal Highway Administration revenues allocated by formula to the county annually under

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 the federal-aid highway program authorized by 23 U.S.C. chapter 1. These moneys do not include
 2 federal funds received by the county through a competitive grant process.

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

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

11 366.772. (1) Not later than July 31 in each calendar year, the sum of \$500,000 shall be withdrawn
 12 from the appropriation specified in ORS 366.762, and the sum of \$250,000 shall be withdrawn from
 13 moneys available to the Department of Transportation from the State Highway Fund. The sums
 14 withdrawn shall be set up in a separate account to be administered by the Department of Trans-
 15 portation.

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

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

23 (4) As used in this section:

24 (a) “**Arterial highway**” has the meaning given that term in ORS 801.127.

25 (b) “**Collector highway**” has the meaning given that term in ORS 801.197.

26 [(a)] (c) “County road base funding deficit” means the amount of a county’s minimum county
 27 road base funding minus the amount of that county’s dedicated county road funding. A county has
 28 a county road base funding deficit only if the amount of the dedicated county road funding is less
 29 than the amount of the minimum county road base funding.

30 [(b)] (d) “Dedicated county road funding” for a county means:

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

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

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

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

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

1 **July 1, 2007.**

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