

Enrolled
House Joint Memorial 5

Sponsored by Representatives HUNT, SCOTT, Senators BROWN, FERRIOLI; Representative MAURER

To the President of the United States and the Senate and the House of Representatives of the United States of America, in Congress assembled:

We, your memorialists, the Seventy-fourth Legislative Assembly of the State of Oregon, in legislative session assembled, respectfully represent as follows:

Whereas the National Forest System, managed by the Forest Service of the United States Department of Agriculture, was established in 1907 and has grown to include approximately 192,000,000 acres of federal lands, of which more than 15,000,000 acres are in Oregon; and

Whereas the revested Oregon and California Railroad ("O & C") grant lands and the reconveyed Coos Bay Wagon Road grant lands, which are managed predominantly by the Bureau of Land Management, were once in private ownership but were returned to federal ownership in 1916 and 1919 and now comprise approximately 2,600,000 acres of federal lands, all of which are in Oregon; and

Whereas Congress recognized that, by its decision to secure these lands in federal ownership, the counties across the United States where these lands are situated, of which 33 counties are located in Oregon, would be deprived of opportunities for economic development and of tax revenues they would otherwise receive if the lands were held in private ownership; and

Whereas these same counties have expended public funds year after year to provide services such as road construction and maintenance, search and rescue, law enforcement, waste removal and fire protection that directly benefit these federal lands and the people who use these lands; and

Whereas to accord a measure of compensation to these affected counties for the critical services they provide to county residents and to visitors to these federal lands and for the lost economic opportunities stemming from federal ownership as compared to private ownership, Congress determined that the federal government should share with these counties a portion of the revenues the United States receives from these federal lands; and

Whereas Congress enacted in 1908 and subsequently amended a law that requires that 25 percent of the revenues derived from the National Forest System lands be paid to the states for use by counties where the lands are situated for the benefit of public schools and roads; and

Whereas Congress enacted in 1937 and subsequently amended the O & C Act (50 Stat. 874; 43 U.S.C. 1181 et seq.), which requires that revenues derived from the O & C grant lands and the Coos Bay Wagon Road grant lands be shared with the counties in which those lands are situated and be used for a broad range of essential public services as other county funds are used; and

Whereas Oregon counties dependent on and supportive of these federal lands received and relied on shared revenues from these lands for many decades to provide essential funding for schools, road maintenance and other critical public services; and

Whereas in recent years, the principal source of these revenues, federal timber sales, has been sharply curtailed, and as the volume of timber sold annually from the federal lands in Oregon has decreased substantially, so too have the revenues shared with the affected counties, adversely affecting funding for education, road maintenance and other public programs and services; and

Whereas in the Secure Rural Schools and Community Self-Determination Act of 2000, Congress recognized this trend and temporarily mitigated the adverse consequences by providing annual safety-net payments through 2006 to counties across the United States, including all counties in

Oregon that traditionally shared in timber receipts from national forest lands, O & C grant lands and Coos Bay Wagon Road grant lands; and

Whereas the authority for these safety-net payments expired in 2006; and

Whereas, without these safety-net payments, revenue sharing is based only on actual federal timber receipts, and Oregon will lose more than \$230 million per year in payments for schools and counties under Titles I and III of the Secure Rural Schools and Community Self-Determination Act of 2000, with associated losses of essential programs and services and thousands of jobs in both the government and private sectors, and Oregon will lose an additional \$26 million per year that is currently spent by counties on special projects under Title II of the Secure Rural Schools and Community Self-Determination Act of 2000, for a total loss of more than \$512 million per biennium, most of which is spent on programs and services that the state cannot replace; and

Whereas there is a need to maintain funding for education, road maintenance and other public services through predictable payments to the affected counties, as well as job creation in those counties and other opportunities associated with restoration, maintenance and stewardship of federal lands available under the Secure Rural Schools and Community Self-Determination Act of 2000; now, therefore,

Be It Resolved by the Legislative Assembly of the State of Oregon:

That we, the members of the Seventy-fourth Legislative Assembly, respectfully urge the Congress of the United States to pass the Secure Rural Schools and Community Self-Determination Reauthorization Act of 2007 that will reauthorize and extend the Secure Rural Schools and Community Self-Determination Act of 2000 (P.L. 106-393) for an additional seven-year period through federal fiscal year 2016, and that the Act be continued in its present form and be funded through a mandatory, continuing appropriation; and be it further

Resolved, That a copy of this memorial shall be sent to the President of the United States, to the Senate Majority Leader and the Speaker of the House of Representatives and to each member of the Oregon Congressional Delegation.

Adopted by House February 22, 2007

Chief Clerk of House

Speaker of House

Adopted by Senate May 8, 2007

President of Senate