

Enrolled

House Joint Memorial 25

Sponsored by Representative COWAN; Representatives BAILEY, BARKER, BARNHART, BENTZ, BERGER, BEYER, BOONE, BUCKLEY, CAMERON, CANNON, CLEM, ESQUIVEL, GARRARD, GILLIAM, HANNA, HICKS, HOLVEY, HOYLE, HUFFMAN, HUNT, JENSON, JOHNSON, KENNEMER, KOMP, KRIEGER, MCLANE, NATHANSON, OLSON, ROBLAN, SCHAUFLER, G SMITH, THOMPSON, WAND, WHISNANT, WITT, Senators ATKINSON, BATES, BEYER, BONAMICI, BOQUIST, BURDICK, COURTNEY, DEVLIN, EDWARDS, FERRIOLI, GIROD, HASS, JOHNSON, KRUSE, MONNES ANDERSON, MONROE, MORSE, PROZANSKI, ROSENBAUM, VERGER, WHITSETT

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-Sixth 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 land, 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 reconvened 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 timberlands in federal rather than private 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 for use in providing essential public services, including K-12 public education; 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 people who use these federal lands; and

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

Whereas Congress enacted in 1908 and subsequently amended a law that requires 25 percent of the revenues derived from the National Forest System lands to 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 (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 are other county funds; 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 public schools, road maintenance and other critical public services; and

Whereas the principal source of these revenues, federal timber sales, has been sharply curtailed; and

Whereas the reduced volume of timber sales from the federal lands in Oregon has decreased the revenues shared with the affected counties and school districts, 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 payments through 2006, with a one-year extension through 2007, and a subsequent four-year extension from 2008 through 2011, to counties and rural schools across the United States, including all counties and schools 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 will expire in 2011; and

Whereas without these safety-net payments, revenue sharing is based only on actual federal timber receipts; and

Whereas Oregon will lose more than \$215.6 million per year in payments for rural public schools and counties under Titles I and III of the Secure Rural Schools and Community Self-Determination Act, with associated losses of essential programs and services and thousands of jobs in both the government and private sectors; and

Whereas Oregon will lose an additional \$20.2 million per year that is currently spent on special conservation projects by Resource Advisory Committees under Title II of the Secure Rural Schools and Community Self-Determination Act; and

Whereas Oregon will suffer a total loss of more than \$471.6 million per biennium, which the state cannot replace; and

Whereas there is a need to maintain funding from the Secure Rural Schools and Community Self-Determination Act for rural public education, road maintenance and other public services through predictable payments to the affected counties and schools; now, therefore,

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

(1) The Congress of the United States is urged to pass legislation that will reauthorize and extend the Secure Rural Schools and Community Self-Determination Act of 2000, as amended and extended in 2008, for an additional 10-year period, from 2012 through 2021, and to provide that the Act be continued at 2008 funding levels and be funded through a mandatory, continuing appropriation.

(2) A copy of this memorial shall be sent to the President of the United States, to the Senate Majority Leader, to the Speaker of the House of Representatives and to each member of the Oregon Congressional Delegation.

Adopted by House April 18, 2011

Ramona Kenady Line, Chief Clerk of House

Bruce Hanna, Speaker of House

Arnie Roblan, Speaker of House

Adopted by Senate May 18, 2011

Peter Courtney, President of Senate