

REVENUE: No revenue impact

FISCAL: No fiscal impact

Action:	Do Pass
Vote:	5 - 0 - 0
Yeas:	Baertschiger, Burdick, Close, Prozanski, Roblan
Nays:	0
Exc.:	0
Prepared By:	Racquel Rancier, Administrator
Meeting Dates:	2/28, 3/7

WHAT THE MEASURE DOES: Requires moneys in county road fund expended for patrolling to be used for direct and indirect patrolling costs. Defines direct costs to include salaries, travel, equipment, and supplies directly related to county law enforcement patrolling. Defines indirect costs to include costs incurred for common or joint objectives including costs of operating and maintaining facilities, depreciation, administrative expenses and dispatch. Defines patrolling to mean activities of county law enforcement official in response to calls for service or initiated by official. Applies to moneys received by county before, on or after effective date of act. Repeals act on January 2, 2016. Declares emergency, effective on passage.

ISSUES DISCUSSED:

- Interpretation of statute in Lane County has prevented expenditures on services, equipment and other associated costs to support patrols
- Types of roads not limited to county roads but all roads within county such as city, county, highway, interstate, and forest roads

EFFECT OF COMMITTEE AMENDMENT: No amendment.

BACKGROUND: Oregon counties receive federal forest reserve moneys with 25 percent dedicated to schools and 75 percent distributed to county road funds. Senate Bill 808 (2007) authorized Douglas and Lane counties to use federal forest reserve moneys allocated to county road funds for law enforcement patrols with a sunset date of January 2, 2014. In 2011, the sunset was extended to January 2, 2016. In 2012, Coos, Curry, Josephine, Klamath, and Linn counties were also authorized to use federal forest payment money deposited into county road funds for law enforcement patrols. The counties were not allowed to use money deposited in a county's road fund for patrol activities from state or local taxes on motor fuel or the ownership, operation or use of a motor vehicle due to restrictions on these monies by Article IX, section 3a of the Oregon Constitution. The law, however, has been interpreted differently in regards to the types of costs that are included under "patrolling."

Senate Bill 496 clarifies the definition of patrolling and types of costs that money deposited into county road funds from forest payments can support.