

Senate Bill 247

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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**.

Creates Alternative Mode Transportation Fund. Requires that nine percent of net proceeds from Oregon State Lottery be deposited in Multimodal Transportation Fund, and that nine percent of net proceeds be deposited in Alternative Mode Transportation Fund.

Continuously appropriates moneys in Alternative Mode Transportation Fund to Department of Transportation. Provides that moneys may only be used for capital improvements and operational costs of mass transit, passenger rail, bicycle and pedestrian projects.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to funding transportation projects; creating new provisions; amending ORS 367.080; appro-
3 priating money; and declaring an emergency.

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

5 **SECTION 1. (1) Nine percent of the net proceeds from the Oregon State Lottery in a**
6 **biennium shall be deposited by the Oregon State Lottery Commission in the Multimodal**
7 **Transportation Fund created by ORS 367.080.**

8 **(2) Nine percent of the net proceeds from the Oregon State Lottery in a biennium shall**
9 **be deposited by the Oregon State Lottery Commission in the Alternative Mode Transporta-**
10 **tion Fund created by section 3 of this 2013 Act.**

11 **(3) The Legislative Assembly finds that use of proceeds from the Oregon State Lottery**
12 **to finance transportation projects pursuant to this section is essential to promoting the**
13 **economic development of this state, and the use of lottery proceeds is authorized based on**
14 **the following findings:**

15 **(a) There is an urgent need to improve and expand publicly owned and privately owned**
16 **transportation infrastructure to support economic development in this state.**

17 **(b) A safe, efficient and reliable transportation network supports the long-term economic**
18 **development and livability of this state.**

19 **(c) A multimodal network of air, rail, public transit, highway and marine transportation**
20 **moves people and goods efficiently.**

21 **(d) Local governments and private sector businesses often lack capital and the technical**
22 **capacity to undertake multimodal transportation projects.**

23 **(e) Public financial assistance can stimulate industrial growth and commercial enterprise**
24 **and promote employment opportunities in this state.**

25 **(f) Public investment in transportation infrastructure will create jobs and further eco-**
26 **nomical development in this state.**

27 **(g) The use of lottery proceeds as provided in this section will create jobs, further eco-**

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 nomic development, finance public education or protect parks, watersheds, fish or wildlife
 2 within this state, and the use of lottery proceeds for the purpose described in this section
 3 is therefore an appropriate use of state lottery funds under Article XV, section 4, of the
 4 Oregon Constitution, and ORS 461.510.

5 **SECTION 2.** Section 1 of this 2013 Act applies to proceeds derived from the operation of
 6 the Oregon State Lottery in the 2013-2015 biennium and subsequent biennia.

7 **SECTION 3.** (1) As used in this section, “transportation project” has the meaning given
 8 that term in ORS 367.010.

9 (2) The Alternative Mode Transportation Fund is established separate and distinct from
 10 the General Fund. Earnings on moneys in the fund shall be deposited into the fund. Moneys
 11 in the fund are continuously appropriated to the Department of Transportation for the pur-
 12 poses described in this section.

13 (3) The department shall use moneys in the Alternative Mode Transportation Fund to
 14 provide grants and loans for transportation projects as provided in this section. Grants and
 15 loans may be provided only for capital improvements and operational costs of projects that
 16 involve one or more of the following modes of transportation:

- 17 (a) Mass transit;
- 18 (b) Passenger rail;
- 19 (c) Bicycle; and
- 20 (d) Pedestrian.

21 (4) All moneys received by the department as interest on loans made under this section
 22 and as repayment of principal of loans made under this section shall be deposited into the
 23 Alternative Mode Transportation Fund.

24 (5) The Oregon Transportation Commission shall select projects to be funded with mon-
 25 eys in the Alternative Mode Transportation Fund. Before selecting a project, the commission
 26 shall solicit recommendations from advisory committees established by the department. In
 27 selecting projects the commission shall consider:

- 28 (a) Whether a proposed project reduces transportation costs or improves access to jobs
 29 and sources of labor;
- 30 (b) Whether a proposed project results in an economic benefit to this state;
- 31 (c) Whether payment of mass transit operational costs maintains a critical transporta-
 32 tion service;
- 33 (d) How much of the cost of a proposed project could be paid by the applicant from other
 34 sources; and
- 35 (e) Whether a proposed project is ready for construction.

36 (6) The Department of Transportation shall administer all transportation projects that
 37 are selected under this section. The department may use moneys from the Alternative Mode
 38 Transportation Fund to pay administrative costs incurred by the department in carrying out
 39 the provisions of this section.

40 **SECTION 4.** ORS 367.080 is amended to read:

41 367.080. (1) As used in ORS 367.080 to 367.086, “transportation project” has the meaning given
 42 that term in ORS 367.010.

43 (2) The Multimodal Transportation Fund is established separate and distinct from the General
 44 Fund. Earnings on moneys in the Multimodal Transportation Fund shall be deposited into the fund.
 45 Moneys in the Multimodal Transportation Fund are continuously appropriated to the Department

1 of Transportation for the purposes described in subsection (3) of this section and in ORS 367.086.

2 (3) The department shall use moneys in the Multimodal Transportation Fund to provide grants
3 and loans for transportation projects as provided in ORS 367.080 to 367.086. Grants and loans may
4 be provided only for projects that involve one or more of the following modes of transportation:

5 (a) Air;

6 (b) Marine; **and**

7 (c) Rail **other than passenger rail**]; *and*]

8 [(d) *Public transit*].

9 (4) All moneys received by the department as interest on loans made under this section and as
10 repayment of principal of loans made under this section shall be deposited into the Multimodal
11 Transportation Fund.

12 **SECTION 5. This 2013 Act being necessary for the immediate preservation of the public**
13 **peace, health and safety, an emergency is declared to exist, and this 2013 Act takes effect**
14 **on its passage.**

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