

**PROPOSED AMENDMENTS TO
A-ENGROSSED HOUSE BILL 2345**

1 On page 1 of the printed A-engrossed bill, line 2, after the semicolon in-
2 sert “amending ORS 777.262 and 777.267;”.

3 On page 3, line 33, delete “October 1” and insert “December 31”.

4 On page 4, after line 2, insert:

5 **“SECTION 3.** ORS 777.262 is amended to read:

6 “777.262. (1) The Legislative Assembly finds:

7 “(a) That recent changes in federal law authorize the United States Army
8 Corps of Engineers to require ports and other local communities to provide
9 a portion of the costs of dredging harbors and channels near those commu-
10 nities;

11 “(b) That port districts and communities in this state cannot afford to pay
12 the costs necessary to continue the dredging activities that are essential to
13 keep the major harbors and waterways navigable for larger vessels in mari-
14 time trade; and

15 “(c) That the State of Oregon must therefore pay for [*such*] **the** dredging
16 activities when ports cannot, or this state must tolerate the loss of maritime
17 trade and commerce that will inevitably result from the halt of dredging
18 activities.

19 “(2) Therefore, it is the purpose of this section and **one purpose of** ORS
20 777.267 to provide a method of financing [*required*] **all or part of the non-**
21 **federal portion of the costs of** dredging activities **that constitute new**
22 **federally authorized navigation improvements** in the ports of this state

1 when those ports are unable to finance [*such*] **the** activities.

2 **“SECTION 4.** ORS 777.267 is amended to read:

3 *“777.267. (1) [There is established in the State Treasury]* The Marine
4 Navigation Improvement Fund **is established in the State Treasury, sep-**
5 **arate and distinct from the General Fund.** Interest earned by the Marine
6 Navigation Improvement Fund shall be credited to the fund. The moneys in
7 the fund and interest earnings on the moneys in the fund are continuously
8 appropriated to the Oregon Business Development Department for the
9 Oregon Infrastructure Finance Authority for the purposes of:

10 *“(a) Paying a portion of the **construction** costs of dredging activities*
11 *that **constitute new federally authorized navigation improvement***
12 ***projects and** are carried out in the harbors and channels on the Oregon*
13 *coast and along the Columbia River when federal law or regulation requires*
14 *a portion of the costs [*of such dredging*] to be paid by nonfederal interests;*
15 *[and]*

16 *“(b) Paying the study and construction costs of other new navigation*
17 *improvement projects that directly support, **or provide access to,** a feder-*
18 *ally authorized navigation improvement project[.]; **and***

19 *“(c) **Paying the study and construction costs of maintenance***
20 ***projects related to existing federally authorized navigation improve-***
21 ***ment projects.***

22 *“(2) The Marine Navigation Improvement Fund established by this section*
23 *consists of moneys appropriated to the fund by the Legislative Assembly,*
24 *repayment of loans made with moneys in the fund and bond proceeds depos-*
25 *ited in the fund.*

26 *“(3) Moneys in the fund shall be used primarily to make loans to ports*
27 *for eligible projects. The authority may award a grant or provide other as-*
28 *sistance from moneys in the fund to a port for an eligible project only if a*
29 *loan is not feasible due to the financial hardship of the port or other special*
30 *circumstances, as set forth in rules adopted by the department.*

1 “(4) Eligibility for assistance from the Marine Navigation Improvement
2 Fund shall be limited to and funded, subject to the availability of funds, in
3 the following order of priority:

4 “[*(a) Federally authorized studies and construction of new navigation im-*
5 *provement projects.*]

6 “**(a) Maintenance projects related to existing federally authorized**
7 **navigation improvement projects.**

8 “(b) Other new navigation improvement projects [*if the projects*] **that** di-
9 rectly support, or provide access to, a federally authorized navigation im-
10 provement project or a federally authorized navigation channel.

11 “**(c) New federally authorized navigation improvement projects.**

12 “(5) **The authority shall limit** financial assistance for construction costs
13 under subsection [(4)(a)] **(1)(a)** of this section [*shall be limited*] to those
14 projects that have completed all federally required studies [*and have con-*
15 *firmed positive cost-benefit ratios as required by the National Economic De-*
16 *velopment Plan*].

17 “(6) **The authority shall limit** financial assistance for construction costs
18 under subsection [(4)(b)] **(1)(b)** of this section [*is limited*] to projects spon-
19 sored by a port, as defined in ORS 777.005 or 778.005, that meet criteria de-
20 veloped by the authority.

21 “(7) **The authority shall limit** financial assistance for [*studies of other*
22 *new construction projects*] **study costs** under subsection (1)(b) of this section
23 [*is limited*] to projects that meet criteria developed by the authority.

24 “(8) **The authority shall limit financial assistance for study and**
25 **construction costs under subsection (1)(c) of this section to projects**
26 **that meet criteria developed by the authority.”**

27 In line 3, delete “3” and insert “5”.

28 In line 4, delete “4” and insert “6”.

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