

Enrolled House Bill 2389

Sponsored by Representative OLSON, Senator OLSEN; Representatives DOHERTY, HUFFMAN, KRIEGER, Senators BOQUIST, COURTNEY, MONNES ANDERSON (Presession filed.)

CHAPTER

AN ACT

Relating to Fallen Hero roadside memorial signs; creating new provisions; amending ORS 366.931; and declaring an emergency.

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

SECTION 1. ORS 366.931 is amended to read:

366.931. (1) As used in this section, "Armed Forces of the United States" has the meaning given that term in ORS 348.282.

(2) *[Subject to subsection (3) of this section,]* To recognize and honor those who were killed in action or who died as a result of wounds received in action while serving in the Armed Forces of the United States, the Department of Transportation shall erect and maintain a Fallen Hero roadside memorial sign *[for:] if:*

(a) The Legislative Assembly adopts a concurrent resolution that recognizes the individual killed in the line of duty; and

(b) The department receives the payment of a fee determined by the department under subsection (3) of this section.

[(a) Eric McKinley, on Oregon Route 34 near milepost 50.]

[(b) Tyler Troyer, on Oregon Route 34 near milepost 4.]

[(c) Kevin Dewayne Davis, on Oregon Route 34 near milepost 15.]

[(d) Adam Buyes, on Oregon Route 22 near milepost 20.]

[(3) The department may not erect a Fallen Hero roadside memorial sign until the department receives the payment of a fee. The department shall determine the amount of the fee by rule, except that the fee may not exceed the direct and indirect expenses associated with erecting, maintaining and removing a roadside memorial sign.]

(3) The department shall determine the amount of the fee required under subsection (2)(b) of this section by rule. The fee may not exceed the direct and indirect expenses associated with erecting, maintaining and removing a roadside memorial sign.

(4) The department shall deposit the fees that the department collects under this section into the Roadside Memorial Fund established under ORS 366.932.

(5) A public body, as defined in ORS 174.109, may not expend moneys for the purpose of paying the fee required under *[subsection (3) of]* this section.

(6) The department, by rule, shall establish the size, design and location of a roadside memorial sign erected under this section. The sign must include the name of the individual the sign is recognizing.

SECTION 2. The amendments to ORS 366.931 by section 1 of this 2015 Act do not apply to the erection and maintenance of Fallen Hero roadside memorial signs for the individuals named in ORS 366.931 as in effect on January 1, 2015.

SECTION 3. This 2015 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2015 Act takes effect on its passage.

Passed by House March 17, 2015

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Timothy G. Sekerak, Chief Clerk of House

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Tina Kotek, Speaker of House

Passed by Senate April 27, 2015

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Peter Courtney, President of Senate

Received by Governor:

.....M.,....., 2015

Approved:

.....M.,....., 2015

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Kate Brown, Governor

Filed in Office of Secretary of State:

.....M.,....., 2015

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Jeanne P. Atkins, Secretary of State