

Submitter: Judith Kerr

On Behalf Of:

Committee: Senate Committee On Veterans, Emergency  
Management, Federal and World Affairs

Measure, Appointment or Topic: HB3328

#### HOUSE BILL 3328 - IN OPPOSITION

HB 3328 Inclusion sponsored by Representative Mark Owens addresses the use of a County Road Funds earmarked by federal law (16 U.S. Code 500) which states that moneys received from National Forest timber sales and other sources be paid to the states in which the National Forests are located to be used as each state legislature prescribes for the benefit of county roads and schools. These federal funds are also supported by Secure Rural Schools/Secure Rural Schools and Community Self Determination Act of 2000 (SRS funds).

This amendment/inclusion to the Oregon Revised Statute (ORS) 368.706 was at the request of one county commissioner without the full consensus of the Grant County administration or road fund budgeting taskforce which would be impacted.

The bill proposes that Grant County, in eastern Oregon, be added to the western Oregon counties of Coos, Curry, Douglas, Josephine, Klamath, Lane and Linn and may use road fund moneys for patrolling county roads by county law enforcement officials. An added Section 2 of this proposal states that an emergency is declared to exist and is necessary for the immediate preservation of the public peace, health and safety.

Passage of such an amendment would declare an emergency in those seven counties west of the Cascades as well as Grant County. No crisis, imminent danger or emergency exists in Grant County. As used in ORS 294.481, "emergency situation" means:

(a) Involuntary conversion or destruction of the property of a municipal corporation.

(b) Civil disturbance.

(c) Natural disaster; or

(d) Any public calamity. [Formerly 294.455; 2013 c.420 §6]

I understand that the authority to declare an emergency of this magnitude within eight counties lies with the governor. Chapter 753, Oregon Laws, Sec. 1-10, 11-15, County Public Safety Fiscal Emergencies.

Fiscal Impact: The amendment/inclusion of HB 3328 would allow unnecessary access to funds dedicated by ORS 368.705 which states specific use of these funds is for establishing, laying out, opening, surveying, altering, improving, constructing, maintaining and repairing county roads and bridges on county roads. All Grant County Road Department operations are supported solely by currently uncertain federal funding. Unnecessary drains on funds could severely impact the maintenance of county roads that serve schools, postal service, and public access.

Revenue Impact: Wherein Title III of the SRS funds already provide reimbursement

for search and rescue and other emergency services, including firefighting and law enforcement patrols. The use of the Title III emergency services has been served by this means by Grant County Resolution 25-05, dtd 1/22/202; Resolution 24-03; and Resolution 21-17 which was entitled Supplemental Budget for Sheriff Patrol. involving the whole county and should be addressed by appropriate funding through the County General Fund as well as the Title III sources. Therefore, I strongly object to the passing of this amendment to a codified Oregon Revised Statute. Thank you for your consideration in addressing this issue.

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