

A-Engrossed
House Bill 5063

Ordered by the House June 26
(Including Amendments by House June 26)

Sponsored by JOINT COMMITTEE ON WAYS AND MEANS (at the request of Executive Department)

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.

Establishes Light Rail Construction Fund. Dedicates use of moneys from fund to Banfield Transitway Project. Requires certain agreements with Federal Government and Tri-County Metropolitan Transportation District before moneys from fund can be used. Appropriates \$16,100,000 from General Fund to Light Rail Construction Fund. Limits biennial expenditures from Light Rail Construction Fund to \$4,600,000.

Appropriates [\$_____] \$3,285,753 from the General Fund to the Public Transit Division of the Department of Transportation for specified biennial expenses. [*Appropriates \$_____ from the General Fund to the division for distribution to the Tri-County Metropolitan Transportation District for biennial expenses.*] Limits biennial expenditures of the Public Transit Division from federal funds to [\$_____] \$2,568,400. Limits biennial expenditures from fees, moneys or other revenues, except federal funds, collected or received by the Public Transit Division to \$3,500. Authorizes the Public Transit Division to collect or receive moneys not subject to limitation from local governments or private nonprofit organizations for the purpose of matching federal grants for capital acquisition. Authorizes the Public Transit Division to collect or receive federal funds not subject to limitation to be distributed for urbanized public transportation operating assistance.

Appropriates \$1,056,000 from General Fund to Department of General Services for payment of City of Salem transit system improvements for biennium. Limits biennial expenditures of Highway Division for Banfield Transitway Project to \$43,400,000. Appropriates \$392,000 from General Fund to Public Transit Division for Lane Transit District federal matching moneys.

Declares emergency, effective July 1, 1979.

A BILL FOR AN ACT

1
2 Relating to the financial administration of state agencies involved in mass transportation projects; appropriating
3 money; limiting expenditures; and declaring an emergency.

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

5 **SECTION 1. (1) There is created as a fund the Light Rail Construction Fund separate and distinct from the**
6 **General Fund. The moneys in the fund and the interest earnings of the fund are appropriated continuously to**
7 **the Public Transit Division of the Department of Transportation for the purpose of financing that part of the**
8 **Banfield Transitway Project that includes construction of a light rail system from the City of Portland to the**
9 **City of Gresham to be routed along the corridor in which the Banfield Freeway, Interstate Highway 205 and**
10 **East Burnside Street are located.**

11 **(2) No moneys shall be expended for construction from the fund created by subsection (1) of this section**
12 **unless the Director of Transportation determines that the following conditions have occurred no later than the**
13 **last day of June 1981:**

14 **(a) The Federal Government has entered into a binding agreement to provide sufficient moneys to finance**
15 **that portion of the cost of the light rail construction part of the Banfield Transitway Project that is not provided**
16 **by interstate transfer moneys, by the Tri-County Metropolitan Transportation District or by moneys available**
17 **from the fund established in this section; and**

18 **(b) The Tri-County Metropolitan Transportation District has entered into a binding, enforceable agreement**

NOTE: Matter in bold face in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted; complete new sections begin with SECTION.

1 with the State of Oregon in which:

2 (A) During the construction of the Banfield Transitway Project, the district agrees not to request or accept
3 any state General Fund moneys for the light rail construction portion of that project other than those moneys
4 appropriated to the fund created in this section by the Sixtieth Legislative Assembly;

5 (B) The district agrees to provide not less than \$2,930,000 of the total funding for the light rail construction
6 part of the Banfield Transitway Project; and

7 (C) In any instance where the actual expenditures for the light rail portion of the Banfield Transitway
8 Project fall short of the estimated expenditures for the project, those moneys, other than federal moneys, that
9 are not required for the project shall remain in the fund established by this section.

10 (3) The Director of Transportation shall certify the unobligated balance of the fund created by this section
11 and that unobligated balance shall revert to the General Fund in accordance with the following:

12 (a) If at any time the Director of Transportation determines that the conditions required under subsection
13 (2) of this section will not occur within the required time under that subsection, the director shall certify the
14 unobligated balance of the fund and the unobligated balance shall revert.

15 (b) If the Director of Transportation determines that the conditions required under subsection (2) of this
16 section have occurred and moneys from the fund are expended on the Banfield Transitway Project, the director
17 shall certify the unobligated balance after the project is accepted by the Director of Transportation and all
18 claims, suits and actions arising out of the project have been resolved.

19 SECTION 2. There are appropriated to the Public Transit Division of the Department of Transportation,
20 for the biennium beginning July 1, 1979, out of the General Fund, the following amounts to be used for the
21 following purposes:

22	(1) Planning, administration and local technical assistance	\$	463,990
23	(2) Special payments for capital assistance		
24	(a) Tri-County Metropolitan Transportation District	\$	1,641,050
25	(b) Lane Transit District.....	\$	507,000
26	(3) Special payments for other operating and capital assistance	\$	673,713

27 SECTION 3. There is appropriated to the Light Rail Construction Fund established in section 1 of this Act,
28 out of the General Fund, the sum of \$16,100,000. This appropriation and the interest earnings from the moneys
29 are continuously available for the purposes of the Light Rail Construction Fund.

30 SECTION 4. (1) Notwithstanding any other law, the amount of \$43,400,000 is established, for the biennium
31 beginning July 1, 1979, as a maximum limit for the payment of expenses from federal funds, fees, moneys or
32 other revenues collected by the Highway Division of the Department of Transportation for expenses associated
33 with the Banfield Transitway Project including any repairs to the Steel Bridge in Portland. The expenditure
34 limitation established by this section is in addition to any other expenditure limitation established for the
35 Highway Division by law.

36 (2) Moneys approved for expenditure under subsection (1) of this section shall not be expended unless the
37 Director of Transportation approves expenditures from the Light Rail Construction Fund created under section
38 1 of this Act.

39 SECTION 5. (1) In addition to and not in lieu of any other appropriations or moneys made available by law
40 or from other sources, there is appropriated to the Department of General Services, out of the General Fund,

1 the sum of \$1,056,000 for payment to the City of Salem for transit system improvements during the biennium
2 beginning July 1, 1979.

3 (2) Before the Department of General Services may make payment to the City of Salem of any moneys
4 authorized under subsection (1) of this section, the City of Salem must enter a binding agreement with the State
5 of Oregon to exempt the State of Oregon from certain parking space requirements provided in the city code.
6 Prior to payment under this section, the agreement required by this subsection must be approved by the Joint
7 Committee on Ways and Means if the Legislative Assembly is in session or by the Emergency Board if the
8 Legislative Assembly is not in session.

9 SECTION 6. Notwithstanding any other law, the amount of \$3,500 is established for the biennium
10 beginning July 1, 1979, as the maximum limit for the payment of expenses from fees, moneys or other
11 revenues, except federal funds, collected or received by the Public Transit Division of the Department of
12 Transportation.

13 SECTION 7. Notwithstanding any other law, the amount of \$4,600,000 is established for the biennium
14 beginning July 1, 1979, as the maximum limit for expenditures from the Light Rail Construction Fund by the
15 Public Transit Division of the Department of Transportation.

16 SECTION 8. Notwithstanding any other law, moneys collected or received by the Public Transit Division
17 of the Department of Transportation or by the Department of Transportation during the biennium beginning
18 July 1, 1979, from local governments or private nonprofit organizations for the purpose of matching federal
19 funds for capital acquisition shall not be subject to limitation.

20 SECTION 9. Notwithstanding any other law, any federal moneys collected or received by the Public
21 Transit Division of the Department of Transportation or by the Department of Transportation during the
22 biennium beginning July 1, 1979, to be distributed for operation of urbanized area public transportation or
23 capital assistance shall not be subject to limitation.

24 SECTION 10. Notwithstanding any other law, the following amounts are established for the biennium
25 beginning July 1, 1979, as the maximum limits for the payment of expenses from federal funds collected or
26 received by the Public Transit Division of the Department of Transportation for the following purposes:

- 27 (1) Planning, administration and local technical assistance \$ 368,900
- 28 (2) Special payments for operating and capital assistance \$ 2,199,500

29 SECTION 11. (1) In addition to and not in lieu of any other appropriations or moneys made available by
30 law or from other sources, there is appropriated to the Emergency Board, for the biennium beginning July 1,
31 1979, out of the General Fund, the sum of \$392,000. The money appropriated under this subsection may be
32 released to the Public Transit Division of the Department of Transportation for the purposes described in
33 subsection (2) of this section.

34 (2) The Public Transit Division may grant moneys released to the division under subsection (1) of this
35 section to the Lane Transit District to be used by the district to match capital matching grants from the Federal
36 Government if such grants become available.

37 SECTION 12. This Act being necessary for the immediate preservation of the public peace, health and
38 safety, an emergency is declared to exist, and this Act takes effect July 1, 1979.