

# Enrolled Senate Bill 5516

Printed pursuant to Senate Interim Rule 213.28 by order of the President of the Senate in conformance with pre-session filing rules, indicating neither advocacy nor opposition on the part of the President (at the request of Budget and Management Division, Oregon Department of Administrative Services)

CHAPTER .....

AN ACT

Relating to state financial administration; creating new provisions; amending ORS 351.532 and sections 2 and 11, chapter 725, Oregon Laws 2003, and sections 2 and 27, chapter 787, Oregon Laws 2005; appropriating money; limiting expenditures; and declaring an emergency.

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

**SECTION 1.** The State Board of Higher Education shall determine the capital renewal, code compliance and safety projects to be undertaken with moneys made available under section 2 (1) of this 2007 Act on the basis of the board's determination of the most critical deferred maintenance needs. In determining the deferred maintenance needs, the board shall give priority to projects that protect the health and safety of occupants and maintain the structural integrity of facilities.

**SECTION 2.** Notwithstanding any other law limiting expenditures, the following amounts are established for a six-year period beginning July 1, 2007, as the maximum limit for payment of expenses under this section from bond proceeds and other revenues, including federal funds, collected or received by the Department of Higher Education, for the acquisition of land, improvements to land and the acquisition, planning, constructing, altering, repairing, furnishing and equipping of buildings, facilities and other projects within the Department of Higher Education:

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	Article XI-G Bonds	Article XI-F(1) Bonds	Lottery Bonds	Energy Loans	COPs	Other Revenues (including Federal Funds)
(1) Department of Higher Education Capital renewal, code compliance and safety	--	20,000,000	50,000,000	--	--	13,100,000
(2) Western Oregon University						

(a) New student residence	--	11,250,000	--	--	--	--
(b) Business, Math and Computer Science Facility Project	2,500,000	--	--	--	--	500,000
(c) Humanities and Social Science Deferred Maintenance/Seismic Tier II	984,500	--	--	1,074,000	--	1,080,000
(3) Eastern Oregon University Inlow Hall Deferred Maintenance/Seismic Tier I	1,312,000	--	--	3,618,000	--	--
(4) Oregon State University						
(a) National Wave Energy Research Center	1,500,000	--	--	--	--	3,000,000
(b) Goss Stadium expansion	--	--	--	--	--	4,500,000
(c) Apperson Hall	--	--	--	--	--	4,000,000
(d) OSU Dining Center Renovation: Arnold Catering	--	3,500,000	--	--	--	--
(e) Cross Country Track	--	3,000,000	--	--	--	--
(f) Athletics/Academic Center	--	1	--	--	--	--
(g) Boathouse remodel	--	3,000,000	--	--	--	--
(h) Gill Coliseum renovation	--	20,000,000	--	--	--	--
(i) Mouse Model Organism Facility	--	--	--	--	--	1,500,000
(j) Intramural Field Synthetic Turf Project	--	--	--	--	--	3,250,000
(k) Pauling Research and Education Building	31,256,035	--	--	--	--	31,256,035
(L) Nash Hall Deferred Maintenance/Seismic Tier II	3,776,000	--	--	6,824,000	--	1,198,000
(m) Building rewiring	--	--	--	--	5,000,000	--
(5) Portland State University						
(a) Parking expansion (block 189 development)	--	12,000,000	--	--	--	--
(b) Student housing and land acquisition	--	1	--	--	--	--
(c) Peter Stott Center gym expansion	--	8,500,000	--	--	--	--
(d) Retail development	--	1	--	--	--	--
(e) Walk of the Heroines Project	--	--	--	--	--	1,800,000
(f) PCAT Redevelopment Project	10,000,000	42,000,000	--	--	--	19,000,000
(g) Campus fiber expansion and telecom facility upgrades	--	--	--	--	1,000,000	--
(h) Science Research and Teaching Center/Hazardous Waste Facility	9,500,000	--	--	--	--	9,500,000
(i) Lincoln Hall Deferred Maintenance/Seismic						

Tier I	8,616,000	--	--	11,986,000	--	--
(j) Science Building II Deferred Maintenance/ Seismic Tier II	7,658,500	--	--	10,992,000	--	--
(6) University of Oregon (a) Riverfront Research Park Multitenant Building	--	19,250,000	--	--	--	--
(b) Riverfront Research Park building purchase	--	14,373,000	--	--	--	--
(c) New student housing	--	1	--	--	--	--
(d) Food service upgrade	--	1,000,000	--	--	--	--
(e) Gilbert/Peterson Hall phase 3	--	--	--	--	--	6,000,000
(f) Oregon State Museum of Anthropology	--	--	--	--	--	3,500,000
(g) Integrative Science Complex, Phase 2	30,000,000	--	--	--	--	35,000,000
(h) Fenton Hall Deferred Maintenance/Seismic Tier I	2,480,500	--	--	3,111,000	--	--
(i) Classroom and laboratory upgrades	--	--	--	--	5,000,000	--
(j) Hayward Field	2,500,000	--	--	--	--	2,500,000
(7) Oregon Institute of Technology Center for Health Professions	5,500,000	--	--	--	--	14,500,000
(8) Project Reserves	--	1,810,397	--	--	--	1,969,007

**SECTION 3. Notwithstanding any other law limiting expenditures, the following amounts are established for a six-year period beginning July 1, 2007, as the maximum limit for payment of expenses under this section from bond proceeds and other revenues, including federal funds, collected or received by the Department of Community Colleges and Workforce Development, for the acquisition of and improvements to land and the acquisition, planning, constructing, altering, repairing, furnishing and equipping of buildings and facilities at community colleges:**

	Article XI-G Bonds	Other Revenues (including Federal Funds)
(1) Central Oregon Community College -Science and Allied Health Instructional Building	5,778,000	5,778,000
(2) Chemeketa Community College -Classroom and Health Sciences	5,625,000	5,625,000
(3) Clackamas Community College		

	-Allied Healthcare Center of Excellence	5,156,250	5,156,250
(4)	Lane Community College		
	-Health and Wellness Building	6,750,000	6,750,000
(5)	Linn-Benton Community College		
	-Science Center Expansion and Renovation	3,731,250	3,731,250
(6)	Mt. Hood Community College		
	-Child Development Center	2,500,000	2,500,000
(7)	Oregon Coast Community College		
	-Expansion - Aquarium South		
	County and Central Campus Land Purchase	3,000,000	3,000,000
(8)	Portland Community College		
	-Educational Center	7,500,000	7,500,000

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**SECTION 4.** Notwithstanding any other provision of this 2007 Act, the bond proceeds and other revenues, including federal funds, the expenditures from which are limited by section 2 of this 2007 Act, are not available for expenditure before the effective date of this 2007 Act. However, any action taken by the State Board of Higher Education prior to the effective date of this 2007 Act or any contract entered into by the board prior to the effective date of this 2007 Act necessary for the acquisition of and improvements to land and the acquisition, planning, constructing, altering, repairing, furnishing and equipping of buildings and facilities authorized by this 2007 Act is hereby authorized.

**SECTION 5.** (1) The project approvals and expenditure limitations in this 2007 Act, and the expenditure limitations established by the Emergency Board during the biennium beginning July 1, 2007, for capital construction or acquisition projects of the Department of Higher Education and of the Department of Community Colleges and Workforce Development for community colleges, expire on June 30, 2013, unless otherwise noted or unless changed by the Legislative Assembly.

(2) The project approvals and expenditure limitations established by section 2 (3)(h), (4)(f) and (5)(g), chapter 845, Oregon Laws 2001, for capital construction or acquisition projects of the Department of Higher Education expire on June 30, 2009, unless otherwise changed by Legislative Assembly.

(3)(a) The project approvals and expenditure limitations established by section 2 (5)(f) of this 2007 Act are in lieu of the project approvals and expenditure limitations adopted by the Emergency Board during the 2005-2007 biennium for the Department of Higher Education for the Portland State University PCAT Redevelopment Project.

(b) Any action taken by the State Board of Higher Education prior to the effective date of this 2007 Act or any contract entered into by the board prior to the effective date of this 2007 Act necessary for the acquisition of and improvements to land and the acquisition, planning, constructing, altering, repairing, furnishing and equipping of buildings and facilities for the PCAT Redevelopment Project that was within the project approvals and expenditures limit authorized by the Emergency Board during the 2005-2007 biennium is hereby authorized.

**SECTION 6.** (1) Pursuant to Article XI-G of the Oregon Constitution and ORS 286.031 to 286.061 and 351.345, the State Board of Higher Education may sell, with the approval of the State Treasurer, general obligation bonds of the State of Oregon of the kind and character and within the limits prescribed by Article XI-G of the Oregon Constitution, as the board determines, but in no event may the board sell more than the aggregate principal sum of \$131,604,535 par value for the biennium beginning July 1, 2007. The moneys realized from the sale of the bonds shall be appropriated and may be expended for the purposes set forth in section 2 (3)(h), chapter 845, Oregon Laws 2001, and in section 2 (6)(h) and (7)(e), chapter 787, Oregon Laws 2005, and section 2 (2)(b) and (c), (3), (4)(a), (k) and (L), (5)(f), (h), (i) and (j),

(6)(g), (h) and (j) and (7) of this 2007 Act and for payment for capitalized interest and costs incidental to issuance of the bonds.

(2) In compliance with the requirements of Article XI-G of the Oregon Constitution, funds available under the expenditure limitation for bonds issued pursuant to Article XI-G of the Oregon Constitution in section 2 (2)(b) of this 2007 Act are matched with the General Fund appropriations made under sections 10 (7) and 11 of this 2007 Act.

(3) In compliance with the requirements of Article XI-G of the Oregon Constitution, funds available under the expenditure limitation for bonds issued pursuant to Article XI-G of the Oregon Constitution in section 2 (2)(c) of this 2007 Act are matched with the General Fund appropriation made under section 10 (8) of this 2007 Act.

(4) In compliance with the requirements of Article XI-G of the Oregon Constitution, funds available under the expenditure limitation for bonds issued pursuant to Article XI-G of the Oregon Constitution in section 2 (3) of this 2007 Act are matched with the General Fund appropriation made under section 10 (1) of this 2007 Act.

(5) In compliance with the requirements of Article XI-G of the Oregon Constitution, funds available under the expenditure limitation for bonds issued pursuant to Article XI-G of the Oregon Constitution in section 2 (4)(a) of this 2007 Act are matched with the General Fund appropriation made under section 10 (3) of this 2007 Act.

(6) In compliance with the requirements of Article XI-G of the Oregon Constitution, funds available under the expenditure limitation for bonds issued pursuant to Article XI-G of the Oregon Constitution in section 2 (4)(k) of this 2007 Act are matched with the General Fund appropriation made under section 12 of this 2007 Act.

(7) In compliance with the requirements of Article XI-G of the Oregon Constitution, funds available under the expenditure limitation for bonds issued pursuant to Article XI-G of the Oregon Constitution in section 2 (4)(L) of this 2007 Act are matched with the General Fund appropriation made under section 10 (2) of this 2007 Act.

(8) In compliance with the requirements of Article XI-G of the Oregon Constitution, funds available under the expenditure limitation for bonds issued pursuant to Article XI-G of the Oregon Constitution in section 2 (5)(f) of this 2007 Act are matched with the General Fund appropriation made under section 17 of this 2007 Act.

(9) In compliance with the requirements of Article XI-G of the Oregon Constitution, funds available under the expenditure limitation for bonds issued pursuant to Article XI-G of the Oregon Constitution in section 2 (5)(h) of this 2007 Act are matched with the General Fund appropriation made under section 13 of this 2007 Act.

(10) In compliance with the requirements of Article XI-G of the Oregon Constitution, funds available under the expenditure limitation for bonds issued pursuant to Article XI-G of the Oregon Constitution in section 2 (5)(i) of this 2007 Act are matched with the General Fund appropriation made under section 10 (4) of this 2007 Act.

(11) In compliance with the requirements of Article XI-G of the Oregon Constitution, funds available under the expenditure limitation for bonds issued pursuant to Article XI-G of the Oregon Constitution in section 2 (5)(j) of this 2007 Act are matched with the General Fund appropriation made under section 10 (5) of this 2007 Act.

(12) In compliance with the requirements of Article XI-G of the Oregon Constitution, funds available under the expenditure limitation for bonds issued pursuant to Article XI-G of the Oregon Constitution in section 2 (6)(g) of this 2007 Act are matched with the General Fund appropriation made under section 14 of this 2007 Act.

(13) In compliance with the requirements of Article XI-G of the Oregon Constitution, funds available under the expenditure limitation for bonds issued pursuant to Article XI-G of the Oregon Constitution in section 2 (6)(h) of this 2007 Act are matched with the General Fund appropriation made under section 10 (6) of this 2007 Act.

(14) In compliance with the requirements of Article XI-G of the Oregon Constitution, funds available under the expenditure limitation for bonds issued pursuant to Article XI-G

of the Oregon Constitution in section 2 (6)(j) of this 2007 Act are matched with the General Fund appropriation made under section 15 of this 2007 Act.

(15) In compliance with the requirements of Article XI-G of the Oregon Constitution, funds available under the expenditure limitation for bonds issued pursuant to Article XI-G of the Oregon Constitution in section 2 (7) of this 2007 Act are matched with the General Fund appropriation made under section 16 of this 2007 Act.

**SECTION 7.** Notwithstanding the expenditure limitations established under sections 2 and 8 of this 2007 Act, the State Board of Higher Education may increase any limit for expenditures from other revenues, including federal funds, prescribed by sections 2 and 8 of this 2007 Act for a specific project, if the expenditure limitation for bonds issued pursuant to Article XI-F(1) or XI-G of the Oregon Constitution for the project is reduced by the board in the same amount.

**SECTION 8.** (1) Notwithstanding the expenditure limitations established under section 2 of this 2007 Act, and subject to subsection (3) of this section, the State Board of Higher Education may expend amounts that exceed the expenditure limitations established under section 2 (2) to (7) of this 2007 Act for bonds issued pursuant to Article XI-F(1) of the Oregon Constitution by the following percentage amounts:

(a) For a project with a combined approved General Fund appropriation and total expenditure limitation of \$500,000 to \$999,999 under section 2 of this 2007 Act, up to 12 percent of the expenditure limitation for bonds issued pursuant to Article XI-F(1) of the Oregon Constitution.

(b) For a project with a combined approved General Fund appropriation and total expenditure limitation of \$1,000,000 to \$4,999,999 under section 2 of this 2007 Act, up to eight percent of the expenditure limitation for bonds issued pursuant to Article XI-F(1) of the Oregon Constitution.

(c) For a project with a combined approved General Fund appropriation and total expenditure limitation of \$5,000,000 to \$9,999,999 under section 2 of this 2007 Act, up to five percent of the expenditure limitation for bonds issued pursuant to Article XI-F(1) of the Oregon Constitution.

(d) For a project with a combined approved General Fund appropriation and total expenditure limitation of \$10,000,000 or more under section 2 of this 2007 Act, up to three percent of the expenditure limitation for bonds issued pursuant to Article XI-F(1) of the Oregon Constitution.

(2) Notwithstanding the expenditure limitations established under section 2 of this 2007 Act, and subject to subsection (3) of this section, the State Board of Higher Education may expend amounts that exceed the expenditure limitations established under section 2 (2) to (7) of this 2007 Act for other revenues, including federal funds, by the following percentage amounts:

(a) For a project with a combined approved General Fund appropriation and total expenditure limitation of \$500,000 to \$999,999 under section 2 of this 2007 Act, up to 12 percent of the expenditure limitation for other revenues, including federal funds.

(b) For a project with a combined approved General Fund appropriation and total expenditure limitation of \$1,000,000 to \$4,999,999 under section 2 of this 2007 Act, up to eight percent of the expenditure limitation for other revenues, including federal funds.

(c) For a project with a combined approved General Fund appropriation and total expenditure limitation of \$5,000,000 to \$9,999,999 under section 2 of this 2007 Act, up to five percent of the expenditure limitation for other revenues, including federal funds.

(d) For a project with a combined approved General Fund appropriation and total expenditure limitation of \$10,000,000 or more under section 2 of this 2007 Act, up to three percent of the expenditure limitation for other revenues, including federal funds.

(3) The total amount by which the expenditure limitations established under section 2 of this 2007 Act are exceeded under subsections (1) and (2) of this section may not be greater than the sum of the amounts established under section 2 (8) of this 2007 Act.

**SECTION 9.** Notwithstanding ORS 351.345 and section 2 of this 2007 Act, the State Board of Higher Education may issue bonds for a project listed in section 2 (2)(b), (4)(k), (5)(f) and (h), (6)(g) and (j) and (7) of this 2007 Act:

(1) If the total amount from other revenues, including federal funds, identified for the project in the expenditure limitation in section 2 of this 2007 Act has been received by the state board; or

(2) After reporting to the Emergency Board or the Joint Committee on Ways and Means, if the total amount from other revenues, including federal funds, identified for the project in the expenditure limitation in section 2 of this 2007 Act has not been received by the state board.

**SECTION 10.** There is appropriated to the Department of Higher Education, for the biennium beginning July 1, 2007, out of the General Fund, the following amounts for the following purposes:

- (1) Eastern Oregon University  
Inlow Hall..... \$ 1,312,000
- (2) Oregon State University  
Nash Hall ..... \$ 3,776,000
- (3) Oregon State University  
National Wave Energy Research  
Center ..... \$ 1,500,000
- (4) Portland State University  
Lincoln Hall..... \$ 8,616,000
- (5) Portland State University  
Science Building II..... \$ 7,658,500
- (6) University of Oregon  
Fenton Hall..... \$ 2,480,500
- (7) Western Oregon  
University Business,  
Math and Computer Science  
Facility..... \$ 2,000,000
- (8) Western Oregon University  
Humanities and Social Science . \$ 984,500

**SECTION 11.** (1) There is established in the General Fund an account to be known as the Western Oregon University Business, Math and Computer Science Facility Project Account. Funds in the account shall be used for the construction, remodeling, expansion and renovation of facilities for a facility project at Western Oregon University.

(2) The account shall consist of proceeds from lottery bonds, grant funds, gift funds, federal and local government funds made available to and funds donated to the Department of Higher Education for the purpose of the facility project described in subsection (1) of this section. Interest earned on moneys in the account shall be credited to the account. The account may not be credited with more than \$500,000 for purposes of this subsection.

(3) Moneys in the account shall be considered to be General Fund moneys for purposes of section 1 (3), Article XI-G of the Oregon Constitution, are continuously appropriated to the Department of Higher Education and may be transferred to the Department of Higher Education Capital Construction Fund for the facility project described in subsection (1) of this section.

**SECTION 12.** (1) There is established in the General Fund an account to be known as the Oregon State University Pauling Research and Education Building Account. Funds in the

account shall be used for the construction, remodeling, expansion and renovation of facilities for the Pauling Research and Education Building at the Oregon State University.

(2) The account shall consist of grant funds, gift funds, federal and local government funds made available to and funds donated to the Department of Higher Education for the purpose of the Pauling Research and Education Building project described in subsection (1) of this section. Interest earned on moneys in the account shall be credited to the account. The account may not be credited with more than \$31,256,035 for purposes of this subsection.

(3) Moneys in the account shall be considered to be General Fund moneys for purposes of section 1 (3), Article XI-G of the Oregon Constitution, are continuously appropriated to the Department of Higher Education and may be transferred to the Department of Higher Education Capital Construction Fund for the Pauling Research and Education Building project described in subsection (1) of this section.

**SECTION 13.** (1) There is established in the General Fund an account to be known as the Portland State University Science Research and Teaching Center and Hazardous Waste Facility Account. Funds in the account shall be used for the construction, remodeling, expansion and renovation of facilities for a Science Research and Teaching Center and Hazardous Waste Facility at Portland State University.

(2) The account shall consist of grant funds, gift funds, proceeds of legal settlements, federal and local government funds made available to and funds donated to the Department of Higher Education for the purpose of the center and facility project described in subsection (1) of this section. Interest earned on moneys in the account shall be credited to the account. The account may not be credited with more than \$9,500,000 for purposes of this subsection.

(3) Moneys in the account shall be considered to be General Fund moneys for purposes of section 1 (3), Article XI-G of the Oregon Constitution, are continuously appropriated to the Department of Higher Education and may be transferred to the Department of Higher Education Capital Construction Fund for the center and facility project described in subsection (1) of this section.

**SECTION 14.** (1) There is established in the General Fund an account to be known as the University of Oregon Integrative Science Complex, Phase 2 Account. Funds in the account shall be used for the construction, remodeling, expansion and renovation of facilities for an Interactive Science Complex, Phase 2 at the University of Oregon.

(2) The account shall consist of grant funds, gift funds, federal and local government funds made available to and funds donated to the Department of Higher Education for the purpose of the Interactive Science Complex, Phase 2 project described in subsection (1) of this section. Interest earned on moneys in the account shall be credited to the account. The account may not be credited with more than \$30,000,000 for purposes of this subsection.

(3) Moneys in the account shall be considered to be General Fund moneys for purposes of section 1 (3), Article XI-G of the Oregon Constitution, are continuously appropriated to the Department of Higher Education and may be transferred to the Department of Higher Education Capital Construction Fund for the Interactive Science Complex, Phase 2 project described in subsection (1) of this section.

**SECTION 15.** (1) There is established in the General Fund an account to be known as the University of Oregon Hayward Field Account. Funds in the account shall be used for the construction, remodeling, expansion and renovation of Hayward Field at the University of Oregon.

(2) The account shall consist of funds received from not-for-profit organizations, grant funds, gift funds, federal and local government funds made available to and funds donated to the Department of Higher Education for the purpose of the Hayward Field project described in subsection (1) of this section. Interest earned on moneys in the account shall be credited to the account. The account may not be credited with more than \$2,500,000 for purposes of this subsection.



(3) Moneys in the account shall be considered to be General Fund moneys for purposes of section 1 (3), Article XI-G of the Oregon Constitution, are continuously appropriated to the Department of Higher Education and may be transferred to the Department of Higher Education Capital Construction Fund for the Hayward Field project described in subsection (1) of this section.

**SECTION 16.** (1) There is established in the General Fund an account to be known as the Oregon Institute of Technology Center for Health Professions Account. Funds in the account shall be used for the construction, remodeling, expansion and renovation of facilities for a Center for Health Professions project for the Oregon Institute of Technology.

(2) The account shall consist of grant funds, gift funds, federal and local government funds made available to and funds donated to the Department of Higher Education for the purpose of the Center for Health Professions project described in subsection (1) of this section. Interest earned on moneys in the account shall be credited to the account. The account may not be credited with more than \$5,500,000 for purposes of this subsection.

(3) Moneys in the account shall be considered to be General Fund moneys for purposes of section 1 (3), Article XI-G of the Oregon Constitution, are continuously appropriated to the Department of Higher Education and may be transferred to the Department of Higher Education Capital Construction Fund for the Center for Health Professions project described in subsection (1) of this section.

**SECTION 17.** (1) There is established in the General Fund an account to be known as the Portland State University Science PCAT Redevelopment Account. Funds in the account shall be used for the construction, remodeling, expansion and renovation of facilities on the current site of the Portland Center for Advanced Technology at Portland State University.

(2) The account shall consist of grant funds, gift funds, proceeds of legal settlements, federal and local government funds made available to and funds donated to the Department of Higher Education for the purpose of the project described in subsection (1) of this section. Interest earned on moneys in the account shall be credited to the account. The account may not be credited with more than \$10,000,000 for purposes of this subsection.

(3) Moneys in the account shall be considered to be General Fund moneys for purposes of section 1 (3), Article XI-G of the Oregon Constitution, are continuously appropriated to the Department of Higher Education and may be transferred to the Department of Higher Education Capital Construction Fund for the project described in subsection (1) of this section.

**SECTION 18.** (1) Pursuant to Article XI-G of the Oregon Constitution and ORS 286.031 to 286.061 and 341.721, the State Treasurer may sell, at the request of the State Board of Education, general obligation bonds of the State of Oregon of the kind and character and within the limits prescribed by Article XI-G of the Oregon Constitution, as the treasurer determines, but in no event may the treasurer sell more than the aggregate principal sum of \$52,640,500 par value for the biennium beginning July 1, 2007. The moneys realized from the sale of the bonds shall be appropriated and may be expended for the purposes set forth in section 3 of this 2007 Act and sections 3 (5) and (6), chapter 787, Oregon Laws 2005, for payment for capitalized interest and costs incidental to issuance of the bonds.

(2) In compliance with the requirements of Article XI-G of the Oregon Constitution, funds available under the expenditure limitation for bonds issued pursuant to Article XI-G of the Oregon Constitution in section 3 (1) of this 2007 Act are matched with the General Fund appropriation made under section 20 of this 2007 Act.

(3) In compliance with the requirements of Article XI-G of the Oregon Constitution, funds available under the expenditure limitation for bonds issued pursuant to Article XI-G of the Oregon Constitution in section 3 (2) of this 2007 Act are matched with the General Fund appropriation made under section 21 of this 2007 Act.

(4) In compliance with the requirements of Article XI-G of the Oregon Constitution, funds available under the expenditure limitation for bonds issued pursuant to Article XI-G

of the Oregon Constitution in section 3 (3) of this 2007 Act are matched with the General Fund appropriation made under section 22 of this 2007 Act.

(5) In compliance with the requirements of Article XI-G of the Oregon Constitution, funds available under the expenditure limitation for bonds issued pursuant to Article XI-G of the Oregon Constitution in section 3 (4) of this 2007 Act are matched with the General Fund appropriation made under section 23 of this 2007 Act.

(6) In compliance with the requirements of Article XI-G of the Oregon Constitution, funds available under the expenditure limitation for bonds issued pursuant to Article XI-G of the Oregon Constitution in section 3 (5) of this 2007 Act are matched with the General Fund appropriation made under section 24 of this 2007 Act.

(7) In compliance with the requirements of Article XI-G of the Oregon Constitution, funds available under the expenditure limitation for bonds issued pursuant to Article XI-G of the Oregon Constitution in section 3 (6) of this 2007 Act are matched with the General Fund appropriation made under section 25 of this 2007 Act.

(8) In compliance with the requirements of Article XI-G of the Oregon Constitution, funds available under the expenditure limitation for bonds issued pursuant to Article XI-G of the Oregon Constitution in section 3 (7) of this 2007 Act are matched with the General Fund appropriation made under section 27, chapter 787, Oregon Laws 2005.

(9) In compliance with the requirements of Article XI-G of the Oregon Constitution, funds available under the expenditure limitation for bonds issued pursuant to Article XI-G of the Oregon Constitution in section 3 (8) of this 2007 Act are matched with the General Fund appropriation made under section 27 of this 2007 Act.

**SECTION 19.** Notwithstanding section 3 of this 2007 Act, at the request of the State Board of Education, the State Treasurer may issue bonds for a project listed in section 3 of this 2007 Act:

(1) If the total amount from other revenues, including federal funds, identified for the project in the expenditure limitation in section 3 of this 2007 Act has been received by the Department of Community Colleges and Workforce Development; or

(2) After the department reports to the Emergency Board or the Joint Committee on Ways and Means, if the total amount from other revenues, including federal funds, identified for the project in the expenditure limitation in section 3 of this 2007 Act has not been received by the department.

**SECTION 20.** (1) There is established in the General Fund an account to be known as the Central Oregon Community College Facilities Account. Moneys in the account shall be used to construct, improve, repair, equip and furnish facilities and purchase land for facilities for the Central Oregon Community College District.

(2) The account may consist of the following moneys that have been deposited in the account by the Department of Community Colleges and Workforce Development at the request of the Central Oregon Community College District for the purposes listed in subsection (1) of this section:

(a) Moneys from federal and local governments;

(b) Donations;

(c) Community College Support Fund moneys transferred to the account by the department at the request of the community college district;

(d) Building reserve funds of the community college district transferred to the department from the community college district; and

(e) Proceeds from the sale of bonds issued by the community college district.

(3) Interest earned on moneys in the account shall be credited to the account.

(4) The account may not be credited with more than \$5,778,000 in donations, Community College Support Fund moneys, proceeds from the sale of bonds, building reserve funds, federal and local government funds and interest.

(5) Moneys in the account shall be considered to be General Fund moneys for purposes of section 1 (3), Article XI-G of the Oregon Constitution, are continuously appropriated to the department and may be transferred to the Community College Capital Construction Fund for the purpose of making distributions to the Central Oregon Community College District for the purposes listed in subsection (1) of this section.

**SECTION 21.** (1) There is established in the General Fund an account to be known as the Chemeketa Community College Facility Account. Moneys in the account shall be used to construct, improve, repair, equip and furnish facilities and purchase land for facilities for the Chemeketa Community College District.

(2) The account may consist of the following moneys that have been deposited in the account by the Department of Community Colleges and Workforce Development at the request of the Chemeketa Community College District for the purposes listed in subsection (1) of this section:

(a) Moneys from federal and local governments;

(b) Donations;

(c) Community College Support Fund moneys transferred to the account by the department at the request of the community college district;

(d) Building reserve funds of the community college district transferred to the department from the community college district; and

(e) Proceeds from the sale of bonds issued by the community college district.

(3) Interest earned on moneys in the account shall be credited to the account.

(4) The account may not be credited with more than \$5,625,000 in donations, Community College Support Fund moneys, proceeds from the sale of bonds, building reserve funds, federal and local government funds and interest.

(5) Moneys in the account shall be considered to be General Fund moneys for purposes of section 1 (3), Article XI-G of the Oregon Constitution, are continuously appropriated to the department and may be transferred to the Community College Capital Construction Fund for the purpose of making distributions to the Chemeketa Community College District for the purposes listed in subsection (1) of this section.

**SECTION 22.** (1) There is established in the General Fund an account to be known as the Clackamas Community College Facilities Account. Moneys in the account shall be used to construct, improve, repair, equip and furnish facilities and purchase land for facilities for the Clackamas Community College District.

(2) The account may consist of the following moneys that have been deposited in the account by the Department of Community Colleges and Workforce Development at the request of the Clackamas Community College District for the purposes listed in subsection (1) of this section:

(a) Moneys from federal and local governments;

(b) Donations;

(c) Community College Support Fund moneys transferred to the account by the department at the request of the community college district;

(d) Building reserve funds of the community college district transferred to the department from the community college district; and

(e) Proceeds from the sale of bonds issued by the community college district.

(3) Interest earned on moneys in the account shall be credited to the account.

(4) The account may not be credited with more than \$5,156,250 in donations, Community College Support Fund moneys, proceeds from the sale of bonds, building reserve funds, federal and local government funds and interest.

(5) Moneys in the account shall be considered to be General Fund moneys for purposes of section 1 (3), Article XI-G of the Oregon Constitution, are continuously appropriated to the department and may be transferred to the Community College Capital Construction Fund

for the purpose of making distributions to the Clackamas Community College District for the purposes listed in subsection (1) of this section.

**SECTION 23.** (1) There is established in the General Fund an account to be known as the Lane Community College Facilities Account. Moneys in the account shall be used to construct, improve, repair, equip and furnish facilities and purchase land for facilities for the Lane Community College District.

(2) The account may consist of the following moneys that have been deposited in the account by the Department of Community Colleges and Workforce Development at the request of the Lane Community College District for the purposes listed in subsection (1) of this section:

- (a) Moneys from federal and local governments;
  - (b) Donations;
  - (c) Community College Support Fund moneys transferred to the account by the department at the request of the community college district;
  - (d) Building reserve funds of the community college district transferred to the department from the community college district; and
  - (e) Proceeds from the sale of bonds issued by the community college district.
- (3) Interest earned on moneys in the account shall be credited to the account.
- (4) The account may not be credited with more than \$6,750,000 in donations, Community College Support Fund moneys, proceeds from the sale of bonds, building reserve funds, federal and local government funds and interest.

(5) Moneys in the account shall be considered to be General Fund moneys for purposes of section 1 (3), Article XI-G of the Oregon Constitution, are continuously appropriated to the department and may be transferred to the Community College Capital Construction Fund for the purpose of making distributions to the Lane Community College District for the purposes listed in subsection (1) of this section.

**SECTION 24.** (1) There is established in the General Fund an account to be known as the Linn-Benton Community College Facilities Account. Moneys in the account shall be used to construct, improve, repair, equip and furnish facilities and purchase land for facilities for the Linn-Benton Community College District.

(2) The account may consist of the following moneys that have been deposited in the account by the Department of Community Colleges and Workforce Development at the request of the Linn-Benton Community College District for the purposes listed in subsection (1) of this section:

- (a) Moneys from federal and local governments;
  - (b) Donations;
  - (c) Community College Support Fund moneys transferred to the account by the department at the request of the community college district;
  - (d) Building reserve funds of the community college district transferred to the department from the community college district; and
  - (e) Proceeds from the sale of bonds issued by the community college district.
- (3) Interest earned on moneys in the account shall be credited to the account.
- (4) The account may not be credited with more than \$3,731,250 in donations, Community College Support Fund moneys, proceeds from the sale of bonds, building reserve funds, federal and local government funds and interest.

(5) Moneys in the account shall be considered to be General Fund moneys for purposes of section 1 (3), Article XI-G of the Oregon Constitution, are continuously appropriated to the department and may be transferred to the Community College Capital Construction Fund for the purpose of making distributions to the Linn-Benton Community College District for the purposes listed in subsection (1) of this section.

**SECTION 25.** (1) There is established in the General Fund an account to be known as the Mt. Hood Community College Facilities Account. Moneys in the account shall be used to

**construct, improve, repair, equip and furnish facilities and purchase land for facilities for the Mt. Hood Community College District.**

**(2) The account may consist of the following moneys that have been deposited in the account by the Department of Community Colleges and Workforce Development at the request of the Mt. Hood Community College District for the purposes listed in subsection (1) of this section:**

**(a) Moneys from federal and local governments;**

**(b) Donations;**

**(c) Community College Support Fund moneys transferred to the account by the department at the request of the community college district;**

**(d) Building reserve funds of the community college district transferred to the department from the community college district; and**

**(e) Proceeds from the sale of bonds issued by the community college district.**

**(3) Interest earned on moneys in the account shall be credited to the account.**

**(4) The account may not be credited with more than \$2,500,000 in donations, Community College Support Fund moneys, proceeds from the sale of bonds, building reserve funds, federal and local government funds and interest.**

**(5) Moneys in the account shall be considered to be General Fund moneys for purposes of section 1 (3), Article XI-G of the Oregon Constitution, are continuously appropriated to the department and may be transferred to the Community College Capital Construction Fund for the purpose of making distributions to the Linn-Benton Community College District for the purposes listed in subsection (1) of this section.**

**SECTION 26.** Section 27, chapter 787, Oregon Laws 2005, is amended to read:

**Sec. 27. (1) There is established in the General Fund an account to be known as the Oregon Coast Community College Facilities Account. Moneys in the account shall be used to construct, improve, repair, equip and furnish [new facilities in Lincoln City, South Beach and Waldport] facilities and purchase land for facilities for the Oregon Coast Community College District.**

**(2) The account may consist of the following moneys that have been deposited in the account by the Department of Community Colleges and Workforce Development at the request of the Oregon Coast Community College District for the purposes listed in subsection (1) of this section:**

**(a) Moneys from federal and local governments;**

**(b) Donations;**

**(c) Community College Support Fund moneys transferred to the account by the department at the request of the community college district;**

**(d) Building reserve funds of the community college district transferred to the department from the community college district; and**

**(e) Proceeds from the sale of bonds issued by the community college district.**

**(3) Interest earned on moneys in the account shall be credited to the account.**

**(4) The account may not be credited with more than [\$4,500,000] \$7,500,000 in donations, Community College Support Fund moneys, proceeds from the sale of bonds, building reserve funds, federal and local government funds and interest.**

**(5) Moneys in the account shall be considered to be General Fund moneys for purposes of section 1 (3), Article XI-G of the Oregon Constitution, are continuously appropriated to the department and may be transferred to the Community College Capital Construction Fund for the purpose of making distributions to the Oregon Coast Community College District for the purposes listed in subsection (1) of this section.**

**SECTION 27. (1) There is established in the General Fund an account to be known as the Portland Community College Facilities Account. Moneys in the account shall be used to construct, improve, repair, equip and furnish facilities and purchase land for facilities for the Portland Community College District.**

**(2) The account may consist of the following moneys that have been deposited in the account by the Department of Community Colleges and Workforce Development at the re-**

quest of the Portland Community College District for the purposes listed in subsection (1) of this section:

- (a) Moneys from federal and local governments;
  - (b) Donations;
  - (c) Community College Support Fund moneys transferred to the account by the department at the request of the community college district;
  - (d) Building reserve funds of the community college district transferred to the department from the community college district; and
  - (e) Proceeds from the sale of bonds issued by the community college district.
- (3) Interest earned on moneys in the account shall be credited to the account.
- (4) The account may not be credited with more than \$7,500,000 in donations, Community College Support Fund moneys, proceeds from the sale of bonds, building reserve funds, federal and local government funds and interest.
- (5) Moneys in the account shall be considered to be General Fund moneys for purposes of section 1 (3), Article XI-G of the Oregon Constitution, are continuously appropriated to the department and may be transferred to the Community College Capital Construction Fund for the purpose of making distributions to the Portland Community College District for the purposes listed in subsection (1) of this section.

**SECTION 28.** Section 2, chapter 787, Oregon Laws 2005, is amended to read:

**Sec. 2.** Notwithstanding any other law limiting expenditures, the following amounts are established for a six-year period beginning July 1, 2005, as the maximum limit for payment of expenses under this section from bond proceeds and other revenues, including federal funds, collected or received by the Department of Higher Education, for the acquisition of land, improvements to land and the acquisition, planning, constructing, altering, repairing, furnishing and equipping of buildings, facilities and other projects within the Oregon University System:

	Article XI-G Bonds	Article XI-F(1) Bonds	Lottery Bonds	Energy Loans	Other Revenues (Including Federal Funds)
(1) Oregon University System					
(a) Capital repair/Code compliance	\$ 11,796,329	\$ 20,000,000	\$ --	\$ --	\$ 10,000,000
(b) Small capital projects	-	6,000,000	-	-	6,000,000
(c) Miscellaneous student building fee projects	-	3,000,000	-	-	-
(2) Western Oregon University					
(a) Deferred Maintenance Tier 1, WOU Physical plant	-	-	2,538,000	1,552,000	-
(b) Humanities and Social Services Building seismic	-	-	-	-	1,500,000
(3) Eastern Oregon University					
- Deferred Maintenance Tier 1, Central heating plant	-	-	-	3,044,000	-

(4) Portland State University					
(a) Retail development, various locations	-	5,000,000	-	-	-
(b) University Place redevelopment phase 1	-	1	-	-	-
(c) Parking structure construction	-	30,000,000	-	-	-
(d) Student recreation/fitness center and housing	-	42,000,000	-	-	-
(e) Smith Memorial Student Union renovation	-	1,500,000	-	-	-
(f) City Tower building acquisition	-	-	-	-	1
(g) Deferred Maintenance Tier 1, Heating plant	-	-	32,000	5,498,000	2,570,000
(h) Deferred Maintenance Tier 2, Shattuck Hall	-	-	7,312,000	6,383,000	-
(5) University of Oregon					
(a) Outside tennis courts replacement	-	850,000	-	-	950,000
(b) Earl Residence Hall Complex accessibility upgrade	-	750,000	-	-	-
(c) Food service upgrade	-	3,500,000	-	-	-
(d) Erb Memorial Union, International Area renovation	-	500,000	-	-	634,000
(e) Basketball arena, land acquisition, parking structure	-	1	-	-	1
(f) New education building and education complex	19,400,000	4,300,000	-	400,000	24,000,000
(g) Deferred Maintenance Tier 1, Heating/Power plant	-	-	174,000	13,049,000	-
(h) Living Learning Center	-	3,000,000	-	-	-
(i) Theater complex	3,950,000	-	-	-	3,950,000
(j) Gilbert Hall	3,300,000	-	-	-	3,300,000
(6) Oregon State University					
(a) Cauthorn Hall housing remodel	-	10,500,000	-	-	-
(b) Student family housing and child care center construction	-	-	-	-	17,500,000
(c) Student housing suites and apartments construction	-	-	-	-	17,500,000
(d) Residential infrastructure deferred maintenance	-	3,000,000	-	-	-
(e) Arnold Dining Center remodel	-	1,000,000	-	-	-
(f) Finley Hall remodel	-	12,500,000	-	-	-
(g) Memorial Union phase 3 renovation	-	-	-	-	7,500,000
(h) New steam plant/Utility switch construction	1	1	-	1	1
(i) Research Park multitenant #1 and #2	-	-	-	-	1
(j) Our Little Village Child Care Center	-	2,200,000	-	-	-
(k) Deferred Maintenance Tier 2,					

Education Hall	-	-	7,152,000	1,355,000	-
[(L) Apperson Hall	-	-	-	-	10,000,000]
<b>(L) Apperson Hall</b>	-	-	-	-	<b>14,000,000</b>
(m) Reser Stadium and parking addition	-	4,000,000	-	-	-
(n) College of Veterinary Medicine, Large Animal Hospital	-	-	-	-	12,000,000
(o) Nash Hall seismic	-	-	-	-	2,000,000
(p) Animal sciences education and research pavilion	4,000,000	-	-	-	4,000,000
 (7) Southern Oregon University					
(a) Jefferson Public Radio equipment	-	-	-	-	500,000
(b) Land acquisition	-	1	-	-	-
(c) Theatre Arts expansion and remodel	-	-	-	-	4,200,000
(d) Stevenson Union addition remodel	-	1,500,000	-	-	-
(e) Medford instructional facility with Rogue Community College	5,550,000	-	-	-	2,550,000
(f) Deferred Maintenance Tier 1, Central heating plant	-	-	881,000	363,000	-
 (8) Oregon Institute of Technology					
(a) Student housing project construction	-	1	-	-	-
(b) Deferred Maintenance Tier 1, Facilities services	-	-	579,000	549,000	-
(c) Deferred Maintenance Tier 2, Snell Hall	-	-	762,000	532,000	550,000
(9) Project reserves	-	5,334,000	-	-	3,732,720

**SECTION 29.** Section 2, chapter 725, Oregon Laws 2003, is amended to read:

**Sec. 2.** Notwithstanding any other law limiting expenditures, the amount of \$446,097,973 is established as the maximum limit for payment of expenses under this section and section 1, **chapter 725, Oregon Laws 2003, [of this 2003 Act]** from the proceeds of bonds and other revenue sources, including federal funds, by the Department of Higher Education for the acquisition of land and improvements to land and the acquisition, planning, constructing, altering, repairing, furnishing and equipping of buildings and facilities. Within this total expenditure limitation there are established maximum limits for expenditures as follows:

	Article XI-G Bonds	Article XI-F(1) Bonds	Lottery Bonds	Other Revenues (Including Federal Funds)
(1) Oregon University System:				
(a) Academic modernization, capital repair, deferred maintenance,				



code and safety compliance	\$12,519,853	\$20,000,000	\$10,000,000
(b) Miscellaneous student building fee projects		\$3,000,000	
(c) Small capital projects		\$6,000,000	\$6,000,000
(2) Oregon State University:			
(a) Reser Stadium expansion and parking facilities		\$66,000,000	\$44,000,000
(b) Memorial Union remodel, phase 3		\$5,500,000	
(c) College Inn renovation or replacement		\$1,000,000	\$11,000,000
(d) Residential housing deferred maintenance upgrade/replacement		\$3,000,000	
(e) Arnold Dining Center remodel		\$7,000,000	
(f) Poling Hall remodel		\$9,000,000	
(g) New single student suites/apartments		\$1,000,000	\$11,000,000
(h) Instrumentation and flow imaging lab addition			\$650,000
(i) [ <i>Graf Hall and adjacent buildings remodel</i> ] <b>HP Building II Renovation</b>	\$4,750,000	\$4,750,000	\$9,500,000
(j) College of Veterinary Medicine addition			\$2,200,000
(3) Portland State University:			
(a) Smith Memorial Student Union renovations and code compliance		\$7,000,000	
(b) Athletic arena construction		\$5,000,000	\$20,000,000
(c) Ondine student housing tower remodel and seismic upgrade		\$6,000,000	
(d) Helen Gordon Child Development Center rehabilitation, phase 2		\$3,500,000	
(e) Peter W. Stott Center student recreation and fitness improvements, phase 2		\$4,100,000	
(f) Combination housing/parking structure		\$20,000,000	
(g) New housing construction, phase 1		\$15,000,000	
(h) Center for nanoscience and nanotechnology	\$500,000	\$500,000	\$1,000,000
(4) Southern Oregon University: Jefferson Public Radio transmitter/ translator network equipment			\$500,000
(5) University of Oregon:			
(a) University Health and Counseling Center addition/remodel		\$10,080,000	
(b) University housing		\$8,500,000	
(c) Living Learning Center		\$27,000,000	
(d) Residence hall restoration, phase 1		\$2,000,000	
(e) Parking structure		\$10,920,000	
(f) Heart of Campus rehabilitation			\$850,000
(g) Museum of Natural History addition and alterations			\$1,460,000
(h) Allen Hall, phase 7			\$2,000,000
(i) Alumni Center construction			\$21,200,000
(j) Integrative science complex	\$4,750,000	\$4,750,000	\$9,500,000

(k) Theatre complex		\$6,360,000
(6) Project reserve	\$2,612,667	\$1,625,600

**SECTION 30.** Section 11, chapter 725, Oregon Laws 2003, is amended to read:

**Sec. 11.** (1) Pursuant to ORS 286.560 to 286.580 and 348.716, lottery bonds may be issued to fund projects for:

(a) The remodel of [*Graf Hall and adjacent buildings*] **the HP Building II Renovation project** at Oregon State University for a microproducts breakthrough institute relating to a signature research center;

(b) The expansion of microscopy and materials characterization facilities at Portland State University relating to a signature research center; and

(c) The construction, remodeling, expansion and renovation of facilities for an integrative science complex at the University of Oregon relating to a signature research center.

(2) The use of lottery bond proceeds is authorized based on the following findings:

(a) The universities of the Oregon University System promote the improved education of Oregon's students;

(b) The promotion of educated employees for business and industry expands markets, which in turn creates jobs and stimulates economic development of the state's business and industry; and

(c) The creation of a signature research center will support the growth of emerging markets and the creation of new markets, which in turn create jobs and stimulate economic development of the state's business and industry.

(3) The aggregate principal amount of lottery bonds issued pursuant to this section may not exceed the sum of \$10,000,000 and an additional amount estimated by the State Treasurer to be necessary to pay bond-related costs. Lottery bonds issued pursuant to this section shall be issued only at the request of the Chancellor of the Oregon University System.

(4)(a) Of the net proceeds of lottery bonds issued pursuant to this section, \$4,750,000 shall be deposited in the Oregon State University Engineering Capital Construction Remodel Account established in section 8, **chapter 725, Oregon Laws 2003** [*of this 2003 Act*].

(b) Of the net proceeds of lottery bonds issued pursuant to this section, \$500,000 shall be deposited in the Portland State University Center for Nanoscience and Nanotechnology Account established in section 9, **chapter 725, Oregon Laws 2003** [*of this 2003 Act*].

(c) Of the net proceeds of lottery bonds issued pursuant to this section, \$4,750,000 shall be deposited in the University of Oregon Integrative Science Complex Account established in section 10, **chapter 725, Oregon Laws 2003** [*of this 2003 Act*].

(5) The proceeds of lottery bonds issued pursuant to this section may be used only for the purposes set forth in subsection (1) of this section and for bond-related costs.

**SECTION 31.** ORS 351.532 is amended to read:

351.532. (1) There is established in the General Fund an account to be known as the Oregon State University Engineering Capital Construction Remodel Account. Funds in the account shall be used for the [*remodel of Graf Hall and adjacent buildings*] **HP Building II Renovation project** at Oregon State University for a microproducts breakthrough institute related to a signature research center.

(2) The account shall consist of proceeds from lottery bonds made available to the Oregon University System for the purpose of the Oregon State University capital construction project described in subsection (1) of this section. Interest earned on moneys in the account shall be credited to the account.

(3) Moneys in the account shall be considered to be General Fund moneys for purposes of section 1 (3), Article XI-G of the Oregon Constitution, and are continuously appropriated to the Department of Higher Education for the capital construction project described in subsection (1) of this section. The account may not be credited with more than \$4,750,000 in interest and proceeds from lottery bonds.

**SECTION 32.** This 2007 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2007 Act takes effect July 1, 2007.

Passed by Senate June 24, 2007

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Secretary of Senate

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President of Senate

Passed by House June 27, 2007

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Speaker of House

Received by Governor:

.....M,....., 2007

Approved:

.....M,....., 2007

.....  
Governor

Filed in Office of Secretary of State:

.....M,....., 2007

.....  
Secretary of State