

## HOUSE AMENDMENTS TO HOUSE BILL 2396

By COMMITTEE ON TRANSPORTATION

April 16

1 On page 1 of the printed bill, delete lines 8 through 20 and insert:

2 **“SECTION 2. (1) At the request of the Oregon Department of Administrative Services,**  
3 **the State Treasurer is authorized to issue lottery bonds pursuant to ORS 286A.560 to**  
4 **286A.585:**

5 **“(a) For the biennium beginning July 1, 2009, in an amount not to exceed net proceeds**  
6 **of \$1.6 million for the purpose described in subsection (2) of this section, plus an additional**  
7 **amount, to be estimated by the State Treasurer, for payment of bond-related costs;**

8 **“(b) For the biennium beginning July 1, 2011, in an amount not to exceed net proceeds**  
9 **of \$8.4 million for the purpose described in subsection (2) of this section, plus an additional**  
10 **amount, to be estimated by the State Treasurer, for payment of bond-related costs; and**

11 **“(c) For the biennium beginning July 1, 2013, in an amount not to exceed net proceeds**  
12 **of \$20 million for the purpose described in subsection (2) of this section, plus an additional**  
13 **amount, to be estimated by the State Treasurer, for payment of bond-related costs.**

14 **“(2) Net proceeds of bonds issued pursuant to this section must be deposited in the West**  
15 **Eugene EmX Extension Fund established in section 4 of this 2009 Act sufficient to provide**  
16 **\$30 million in net proceeds and interest earnings for disbursement to the Lane Transit Dis-**  
17 **trict to establish the West Eugene EmX Extension.**

18 **“(3) Bond-related costs for the lottery bonds authorized by this section must be paid from**  
19 **the gross proceeds of the lottery bonds and from allocations for the purposes of ORS**  
20 **286A.576 (1)(c).”.**

21 On page 2, delete lines 6 through 39 and insert:

22 **“SECTION 4. (1) The West Eugene EmX Extension Fund is established in the State**  
23 **Treasury, separate and distinct from the General Fund. Interest earned on moneys in the**  
24 **West Eugene EmX Extension Fund shall be credited to the fund. The fund consists of mon-**  
25 **eys deposited in the fund under section 2 of this 2009 Act, and may include fees, revenues**  
26 **or other income deposited into the fund by the Legislative Assembly for payment of costs**  
27 **incurred to establish the West Eugene EmX Extension. Moneys in the fund are continuously**  
28 **appropriated to the Oregon Department of Administrative Services for the purposes de-**  
29 **scribed in subsection (2) of this section.**

30 **“(2) Subject to section 5 of this 2009 Act, moneys in the fund are available for:**

31 **“(a) Disbursement to the Lane Transit District to pay \$30 million of the costs incurred**  
32 **to establish the West Eugene EmX Extension.**

33 **“(b) Payment of bond-related costs, as defined in ORS 286A.560.**

34 **“SECTION 5. (1) The Oregon Department of Administrative Services, in consultation with**  
35 **the Department of Transportation, shall enter into a grant agreement with the Lane Transit**

1 **District that requires:**

2 **“(a) The district to:**

3 **“(A) Indemnify the state government, as defined in ORS 174.111, to the fullest extent**  
4 **permitted by law for any liability the state government might incur in connection with bor-**  
5 **rowing by the district for the West Eugene EmX Extension.**

6 **“(B) Refrain from requesting or accepting moneys from the General Fund for the West**  
7 **Eugene EmX Extension.**

8 **“(C) Refund to the Oregon Department of Administrative Services for deposit in the West**  
9 **Eugene EmX Extension Fund, upon completion of the West Eugene EmX Extension, the**  
10 **amount by which the aggregate expenditure for the extension is less than \$75 million.**

11 **“(b) The Oregon Department of Administrative Services to disburse, over the course of**  
12 **the development of the West Eugene EmX Extension, an aggregate amount of \$30 million to**  
13 **the district from the West Eugene EmX Extension Fund when:**

14 **“(A) Moneys are available;**

15 **“(B) The department determines that the district has entered into one or more contracts**  
16 **that have an aggregate value of at least \$75 million for the acquisition, construction and**  
17 **procurement of the components of the West Eugene EmX Extension; and**

18 **“(C) The department determines that the district has provided documentation showing**  
19 **that the district will have sufficient financing to complete the West Eugene EmX Extension.**

20 **“(2) The State of Oregon is not liable to the lenders, vendors or contractors of the Lane**  
21 **Transit District for any action or omission under sections 1 to 5 of this 2009 Act or the grant**  
22 **agreement authorized by this section.”.**

23

---