

# House Bill 3073

Sponsored by COMMITTEE ON AGRICULTURE, NATURAL RESOURCES AND RURAL COMMUNITIES

## 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 **as introduced**.

Makes legislative finding that financing riparian restoration projects that improve water quality will create jobs and further economic development in Oregon.

Authorizes issuance of lottery bonds to finance riparian restoration projects that improve water quality.

Creates Oregon Conservation and Water Quality Fund. Continuously appropriates moneys in fund to Department of Environmental Quality for riparian restoration projects that improve water quality.

Declares emergency, effective July 1, 2009.

## A BILL FOR AN ACT

1  
2 Relating to public borrowing for riparian restoration projects; appropriating money; and declaring  
3 an emergency.

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

5 **SECTION 1. (1) The Legislative Assembly finds that it can create jobs and further eco-**  
6 **nomical development in Oregon by using lottery moneys to leverage additional federal invest-**  
7 **ments in the state for the purpose of:**

8 (a) **Assisting municipalities and private landowners to implement federal and state non-**  
9 **point source water quality regulations and voluntary riparian restoration projects.**

10 (b) **Assisting municipalities to comply with increasingly stringent temperature require-**  
11 **ments for wastewater treatment systems by creating forested buffers in lieu of more ex-**  
12 **pensive mechanical cooling.**

13 (2) **The factors described in subsection (1) of this section will encourage and promote**  
14 **economic development within this state, and the issuance of lottery bonds to finance riparian**  
15 **restoration projects that improve water quality through the use of riparian buffers is**  
16 **therefore an appropriate use of state lottery funds to pay the amounts specified in section**  
17 **2 of this 2009 Act, under section 4, Article XV of the Oregon Constitution, and under ORS**  
18 **461.510.**

19 **SECTION 2. (1) For the biennium beginning July 1, 2009, at the request of the Director**  
20 **of the Department of Environmental Quality, the State Treasurer is authorized to issue lot-**  
21 **tery bonds pursuant to ORS 286A.560 to 286A.585 in the amount of \$5 million to finance the**  
22 **creation and improvement of riparian buffers protecting water quality in Oregon, plus an**  
23 **additional amount, to be estimated by the State Treasurer, for payment of bond-related costs**  
24 **incurred by the department and the State Treasurer.**

25 (2) **Net proceeds of lottery bonds issued under subsection (1) of this section, in the**  
26 **amount of \$5 million, must be deposited in the Oregon Conservation and Water Quality Fund**  
27 **established by section 3 of this 2009 Act.**

28 (3) **Bond-related costs incurred by the department and the State Treasurer for the lot-**

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1 tery bonds authorized by this section must be paid from the gross proceeds of the lottery  
2 bonds and from allocations for the purposes of ORS 286A.576 (1)(c).

3 (4) Neither the faith and credit nor any of the taxing power of this state is pledged or  
4 otherwise committed by sections 1 to 3 of this 2009 Act, and the commitments of this state  
5 under sections 1 to 3 of this 2009 Act do not constitute a debt or liability of this state within  
6 the meaning of section 7, Article XI of the Oregon Constitution.

7 SECTION 3. (1) The Oregon Conservation and Water Quality Fund is established separate  
8 and distinct from the General Fund. The moneys in the Oregon Conservation and Water  
9 Quality Fund and the interest earnings of the fund are continuously appropriated to the  
10 Department of Environmental Quality for the purpose described in subsection (2) of this  
11 section. The fund consists of moneys deposited in the fund under section 2 of this 2009 Act  
12 for the purpose described in subsection (2) of this section.

13 (2) Moneys in the fund are available to make grants or loans, as determined by the de-  
14 partment, to provide a match for projects to improve water quality through riparian resto-  
15 ration that are eligible to be 80 percent funded with federal funds.

16 SECTION 4. This 2009 Act being necessary for the immediate preservation of the public  
17 peace, health and safety, an emergency is declared to exist, and this 2009 Act takes effect  
18 July 1, 2009.