

House Bill 5018

Ordered printed by the Speaker pursuant to House Rule 12.00A (5). Pre-session filed (at the request of Budget and Management Division, Oregon Department of Administrative Services)

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**.

Appropriates moneys from General Fund to Department of Higher Education for capital construction.

Limits for six-year period beginning July 1, 2009, payment of expenses from bond proceeds and other revenues, including federal funds, collected or received by Department of Higher Education for capital construction within Department of Higher Education and by Department of Community Colleges and Workforce Development for capital construction at community colleges.

Sets expiration date on project approvals and expenditure limitations.

Establishes accounts related to issuance of general obligation bonds under Article XI-G of Oregon Constitution.

Authorizes State Treasurer, at request of State Board of Education, to issue bonds under Article XI-G of Oregon Constitution for capital construction at community colleges.

Declares emergency, effective July 1, 2009.

A BILL FOR AN ACT

1
2 Relating to state financial administration; appropriating money; limiting expenditures; and declaring
3 an emergency.

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

5 **SECTION 1. (1) In addition to and not in lieu of any other appropriation, there is appro-**
6 **priated to the Department of Higher Education, for the biennium beginning July 1, 2009, out**
7 **of the General Fund, the amount of \$15,000,000, which may be expended for construction of**
8 **a facility for a corporate complex in the South Waterfront Central District in the North**
9 **Macadam Urban Renewal Area in the City of Portland.**

10 **(2) In addition to and not in lieu of any other appropriation, there is appropriated to the**
11 **Department of Higher Education, for the biennium beginning July 1, 2009, out of the General**
12 **Fund, the amount of \$3,000,000, which may be expended for an office and classroom building**
13 **for Western Oregon University.**

14 **SECTION 2. The State Board of Higher Education shall determine the capital renewal,**
15 **code compliance, and safety projects to be undertaken with moneys made available under**
16 **section 3 (1)(a) of this 2009 Act on the basis of the board's determination of the most critical**
17 **capital renewal, code compliance, and safety needs. In determining the capital renewal, code**
18 **compliance, and safety needs, the board shall give priority to projects that protect the health**
19 **and safety of occupants and maintain the structural integrity of facilities.**

20 **SECTION 3. Notwithstanding any other law limiting expenditures, the following amounts**
21 **are established for a six-year period beginning July 1, 2009, as the maximum limit for pay-**
22 **ment of expenses under this section from bond proceeds and other revenues, including fed-**
23 **eral funds, collected or received by the Department of Higher Education, for the acquisition**
24 **of land, improvements to land and the acquisition, planning, constructing, altering, repairing,**
25 **furnishing and equipping of buildings, facilities and other projects within the Department of**

Note: For budget, see 2009-2011 Biennial Budget

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 **Higher Education:**

2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45

	Article XI-G Bonds	Article XI-F(1) Bonds	Lottery Bonds	Energy Loans	COPs	Other Revenues (including Federal Funds)
(1) Oregon University System						
(a) Capital renewal, code compliance, and safety	\$ -	\$ -	\$ 51,400,000	\$ -	\$ -	\$ -
(b) South waterfront Life Sciences Facility	75,000,000	60,000,000	-	-	25,000,000	90,000,000
(c) South waterfront Corporate Complex	-	150,000,000	-	-	-	-
(d) Oregon Center for Sustainability	-	80,000,000	-	-	-	-
(e) Biofuels demonstration project	4,000,000	-	-	-	-	4,000,000
(f) Wind demonstration project	-	-	-	-	-	4,000,000
(2) Eastern Oregon University Zabel Hall deferred maintenance	1,522,000	-	2,215,000	2,706,000	-	-
(3) Oregon Institute of Technology						
(a) Owens Hall deferred maintenance	1,444,000	-	1,715,000	1,871,000	-	-
(b) Geo-thermal renewable energy demonstration project	2,000,000	2,000,000	-	-	-	2,600,000
(4) Oregon State University						
(a) Education Hall additional structural deficiencies deferred maintenance	-	-	4,000,000	-	-	-
(b) Strand Agriculture Hall deferred maintenance	6,586,000	-	6,586,000	6,851,000	4,847,000	-
(c) Bates Hall/Hallie Ford Healthy Children and						

1	Families Center	6,000,000	-	-	-	-	6,000,000
2	(d) Student Involvement						
3	Center	-	55,000,000	-	-	-	-
4	(e) Cultural Center	-	5,000,000	-	-	-	5,000,000
5	(f) Memorial Union,						
6	phase 3	-	14,000,000	-	-	-	-
7	(g) Student Health Services	-	19,000,000	-	-	-	-
8	(h) International Residence						
9	Hall	-	52,000,000	-	-	-	-
10	(i) Sports Performance						
11	Center	-	12,000,000	-	-	-	-
12	(j) CH2M Hill Alumni						
13	Center	-	-	-	-	-	4,200,000
14	(5) Portland State						
15	University						
16	(a) Campus Steam Loop						
17	phase 2 deferred						
18	maintenance	-	-	-	10,032,000	7,468,000	-
19	(6) Southern Oregon						
20	University						
21	(a) Churchill Hall						
22	deferred maintenance	-	-	-	2,730,000	3,192,000	-
23	(b) Theatre Arts building						
24	expansion and remodel	5,500,000	-	-	-	-	5,500,000
25	(7) University of Oregon						
26	(a) Fenton Hall additional						
27	structural deficiencies						
28	deferred maintenance	-	-	5,000,000	-	-	-
29	(b) Straub Memorial Hall						
30	deferred maintenance	4,554,000	-	4,554,000	8,998,000	4,321,000	-
31	(c) Power Station, phase 2,						
32	waste gasification						
33	demonstration project	5,000,000	29,150,000	-	13,502,000	3,663,000	5,000,000
34	(d) Erb Memorial Union,						
35	partial renovation,						
36	West Lower Level	-	2,260,000	-	-	-	300,000
37	(e) Chiles Center						
38	renovations	-	-	-	-	-	1,000,000
39	(f) Alumni Center Project	-	-	-	-	-	16,800,000
40	(g) Riverfront Research						
41	Park, Technology						
42	Business Incubator	-	-	-	-	-	1,500,000
43	(h) Barnhart Hall building						
44	envelope restoration	-	-	-	-	-	900,000
45	(i) Carson Hall electrical						

1	upgrade	-	-	-	-	-	560,000
2	(j) Earl Complex building						
3	envelope, electrical, and						
4	mechanical systems	-	2,924,000	-	-	-	-
5	(8) Western Oregon						
6	University						
7	(a) Physical Education						
8	Building deferred						
9	maintenance	-	-	-	4,117,000	8,534,000	-
10	(b) Classroom and office						
11	building	3,000,000	-	-	-	-	-
12	(c) Health and Wellness						
13	Center	-	12,000,000	-	-	-	-
14	(9) Reserves	-	15,319,220	-	-	-	5,838,200

17 **SECTION 4.** Notwithstanding any other law limiting expenditures, the following amounts
18 are established for a six-year period beginning July 1, 2009, as the maximum limit for pay-
19 ment of expenses under this section from bond proceeds and other revenues, including fed-
20 eral funds, collected or received by the Department of Community Colleges and Workforce
21 Development, for the acquisition of and improvements to land and the acquisition, planning,
22 constructing, altering, repairing, furnishing and equipping of buildings and facilities at com-
23 munity colleges:

	Article	Other
	XI-G	Revenues
	Bonds	(including
		Federal
		Funds)
32 (1) Treasure Valley Community College		
33 Ontario University Center	\$ 3,000,000	\$ 3,000,000
34 (2) Blue Mountain Community College		
35 Hermiston University Center	\$ 4,400,000	\$ 4,400,000
36 (3) Umpqua Community College		
37 Roseburg Regional Health		
38 Occupations Training Center	\$ 8,500,000	\$ 8,500,000

41 **SECTION 5.** Notwithstanding any other provision of this 2009 Act, the bond proceeds and
42 other revenues, including federal funds, the expenditures from which are limited by section
43 3 of this 2009 Act, are not available for expenditure before the effective date of this 2009 Act.
44 However, any action taken by the State Board of Higher Education prior to the effective date
45 of this 2009 Act or any contract entered into by the board prior to the effective date of this

1 2009 Act necessary for the acquisition of and improvements to land and the acquisition,
2 planning, constructing, altering, repairing, furnishing and equipping of buildings and facilities
3 authorized by this 2009 Act is hereby authorized.

4 **SECTION 6.** (1) The project approvals and expenditure limitations in this 2009 Act, and
5 the expenditure limitations established by the Emergency Board during the biennium begin-
6 ning July 1, 2009, for capital construction or acquisition projects of the Department of Higher
7 Education and of the Department of Community Colleges and Workforce Development for
8 community colleges, expire on June 30, 2015, unless otherwise noted or unless changed by the
9 Legislative Assembly.

10 (2) The project approvals and expenditure limitations established by section 2 (5)(b), (e),
11 and (i), chapter 725, Oregon Laws 2003, and section 2 (3)(h), chapter 845, Oregon Laws 2001,
12 for capital construction or acquisition projects of the Department of Higher Education expire
13 on June 30, 2011, unless otherwise changed by Legislative Assembly.

14 **SECTION 7.** (1) Pursuant to Article XI-G of the Oregon Constitution and ORS 351.345 and
15 ORS chapter 286A, the State Board of Higher Education may sell, with the approval of the
16 State Treasurer, general obligation bonds of the State of Oregon of the kind and character
17 and within the limits prescribed by Article XI-G of the Oregon Constitution, as the board
18 determines, but in no event may the board sell more than the aggregate principal sum of
19 \$211,113,535 par value for the biennium beginning July 1, 2009. The moneys realized from the
20 sale of the bonds shall be appropriated and may be expended for the purposes set forth in
21 section 2 (3)(h), chapter 845, Oregon Laws 2001, and in section 2 (6)(h) and (p), chapter 787,
22 Oregon Laws 2005, and in section 2 (2)(b), 4(k), (5)(h) and (f), and (6)(g) and (h), chapter 761,
23 Oregon Laws 2007, and in section 3 (1)(b) and (e), (2), (3)(a) and (b), (4)(b) and (c), (6)(b), 7(b)
24 and (c), and (8)(b) of this 2009 Act and for payment for capitalized interest and costs inci-
25 dental to issuance of the bonds.

26 (2) In compliance with the requirements of Article XI-G of the Oregon Constitution,
27 funds available under the expenditure limitation for bonds issued pursuant to Article XI-G
28 of the Oregon Constitution in section 3 (2) of this 2009 Act are matched with the General
29 Fund appropriation made under section 11 (1) of this 2009 Act.

30 (3) In compliance with the requirements of Article XI-G of the Oregon Constitution,
31 funds available under the expenditure limitation for bonds issued pursuant to Article XI-G
32 of the Oregon Constitution in section 3 (3)(a) of this 2009 Act are matched with the General
33 Fund appropriation made under section 12 (1) of this 2009 Act.

34 (4) In compliance with the requirements of Article XI-G of the Oregon Constitution,
35 funds available under the expenditure limitation for bonds issued pursuant to Article XI-G
36 of the Oregon Constitution in section 3 (3)(b) of this 2009 Act are matched with the General
37 Fund appropriation made under section 13 (1) of this 2009 Act.

38 (5) In compliance with the requirements of Article XI-G of the Oregon Constitution,
39 funds available under the expenditure limitation for bonds issued pursuant to Article XI-G
40 of the Oregon Constitution in section 3 (4)(b) of this 2009 Act are matched with the General
41 Fund appropriation made under section 14 (1) of this 2009 Act.

42 (6) In compliance with the requirements of Article XI-G of the Oregon Constitution,
43 funds available under the expenditure limitation for bonds issued pursuant to Article XI-G
44 of the Oregon Constitution in section 3 (4)(c) of this 2009 Act are matched with the General
45 Fund appropriation made under section 15 (1) of this 2009 Act.

1 (7) In compliance with the requirements of Article XI-G of the Oregon Constitution,
2 funds available under the expenditure limitation for bonds issued pursuant to Article XI-G
3 of the Oregon Constitution in section 3 (6)(b) of this 2009 Act are matched with the General
4 Fund appropriation made under section 16 (1) of this 2009 Act.

5 (8) In compliance with the requirements of Article XI-G of the Oregon Constitution,
6 funds available under the expenditure limitation for bonds issued pursuant to Article XI-G
7 of the Oregon Constitution in section 3 (7)(b) of this 2009 Act are matched with the General
8 Fund appropriation made under section 17 (1) of this 2009 Act.

9 (9) In compliance with the requirements of Article XI-G of the Oregon Constitution,
10 funds available under the expenditure limitation for bonds issued pursuant to Article XI-G
11 of the Oregon Constitution in section 3 (7)(c) of this 2009 Act are matched with the General
12 Fund appropriation made under section 18 (1) of this 2009 Act.

13 (10) In compliance with the requirements of Article XI-G of the Oregon Constitution,
14 funds available under the expenditure limitation for bonds issued pursuant to Article XI-G
15 of the Oregon Constitution in section 3 (1)(b) of this 2009 Act are matched with the General
16 Fund appropriation made under section 19 (1) of this 2009 Act.

17 (11) In compliance with the requirements of Article XI-G of the Oregon Constitution,
18 funds available under the expenditure limitation for bonds issued pursuant to Article XI-G
19 of the Oregon Constitution in section 3 (1)(e) of this 2009 Act are matched with the General
20 Fund appropriation made under section 20 (1) of this 2009 Act.

21 **SECTION 8.** Notwithstanding the expenditure limitations established under sections 3 and
22 9 of this 2009 Act, the State Board of Higher Education may increase any limit for expen-
23 ditures from other revenues, including federal funds, prescribed by sections 3 and 9 of this
24 2009 Act for a specific project, if the expenditure limitation for bonds issued pursuant to
25 Article XI-F(1) or XI-G of the Oregon Constitution for the project is reduced by the board
26 in the same amount.

27 **SECTION 9.** (1) Notwithstanding the expenditure limitations established under section 3
28 of this 2009 Act, and subject to subsection (3) of this section, the State Board of Higher Ed-
29 ucation may expend amounts that exceed the expenditure limitations established under sec-
30 tion 3 (1) to (8) of this 2009 Act for bonds issued pursuant to Article XI-F(1) of the Oregon
31 Constitution by the following percentage amounts:

32 (a) For a project with a combined approved General Fund appropriation and total ex-
33 penditure limitation of \$500,000 to \$999,999 under section 3 of this 2009 Act, up to 12 percent
34 of the expenditure limitation for bonds issued pursuant to Article XI-F(1) of the Oregon
35 Constitution.

36 (b) For a project with a combined approved General Fund appropriation and total ex-
37 penditure limitation of \$1,000,000 to \$4,999,999 under section 3 of this 2009 Act, up to eight
38 percent of the expenditure limitation for bonds issued pursuant to Article XI-F(1) of the
39 Oregon Constitution.

40 (c) For a project with a combined approved General Fund appropriation and total ex-
41 penditure limitation of \$5,000,000 to \$9,999,999 under section 3 of this 2009 Act, up to five
42 percent of the expenditure limitation for bonds issued pursuant to Article XI-F(1) of the
43 Oregon Constitution.

44 (d) For a project with a combined approved General Fund appropriation and total ex-
45 penditure limitation of \$10,000,000 or more under section 3 of this 2009 Act, up to three per-

1 cent of the expenditure limitation for bonds issued pursuant to Article XI-F(1) of the Oregon
 2 Constitution.

3 (2) Notwithstanding the expenditure limitations established under section 3 of this 2009
 4 Act, and subject to subsection (3) of this section, the State Board of Higher Education may
 5 expend amounts that exceed the expenditure limitations established under section 3 (1) to (8)
 6 of this 2009 Act for other revenues, including federal funds, by the following percentage
 7 amounts:

8 (a) For a project with a combined approved General Fund appropriation and total ex-
 9 penditure limitation of \$500,000 to \$999,999 under section 3 of this 2009 Act, up to 12 percent
 10 of the expenditure limitation for other revenues, including federal funds.

11 (b) For a project with a combined approved General Fund appropriation and total ex-
 12 penditure limitation of \$1,000,000 to \$4,999,999 under section 3 of this 2009 Act, up to eight
 13 percent of the expenditure limitation for other revenues, including federal funds.

14 (c) For a project with a combined approved General Fund appropriation and total ex-
 15 penditure limitation of \$5,000,000 to \$9,999,999 under section 3 of this 2009 Act, up to five
 16 percent of the expenditure limitation for other revenues, including federal funds.

17 (d) For a project with a combined approved General Fund appropriation and total ex-
 18 penditure limitation of \$10,000,000 or more under section 3 of this 2009 Act, up to three per-
 19 cent of the expenditure limitation for other revenues, including federal funds.

20 (3) The total amount by which the expenditure limitations established under section 3 of
 21 this 2009 Act are exceeded under subsections (1) and (2) of this section may not be greater
 22 than the sum of the amounts established under section 3 (9) of this 2009 Act.

23 **SECTION 10.** Notwithstanding ORS 351.345 and section 3 of this 2009 Act, the State Board
 24 of Higher Education may issue bonds for a project listed in section 3 (1)(b) and (e), (2), (3)(a)
 25 and (b), (4)(b) and (c), (6)(b), (7)(b) and (c), and (8)(b) of this 2009 Act:

26 (1) If the total amount from other revenues, including federal funds, identified for the
 27 project in the expenditure limitation in section 3 of this 2009 Act has been received by the
 28 state board; or

29 (2) After reporting to the Emergency Board or the Joint Committee on Ways and Means,
 30 if the total amount from other revenues, including federal funds, identified for the project
 31 in the expenditure limitation in section 3 of this 2009 Act has not been received by the state
 32 board.

33 **SECTION 11.** (1) There is established in the General Fund an account to be known as the
 34 Eastern Oregon University Zabel Hall Deferred Maintenance Project Account. Funds in the
 35 account shall be used for the construction, remodeling, expansion and renovation of facilities
 36 for a facility project at Eastern Oregon University.

37 (2) The account shall consist of proceeds from lottery bonds made available to the De-
 38 partment of Higher Education for the purpose of the facility project described in subsection
 39 (1) of this section. Interest earned on moneys in the account shall be credited to the account.
 40 The account may not be credited with more than \$4,921,000 for purposes of this subsection.

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

1 **SECTION 12.** (1) There is established in the General Fund an account to be known as the
 2 **Oregon Institute of Technology Owens Hall Deferred Maintenance Project Account.** Funds
 3 in the account shall be used for the construction, remodeling, expansion and renovation of
 4 facilities for a facility project at the Oregon Institute of Technology.

5 (2) The account shall consist of proceeds from lottery bonds made available to the De-
 6 partment of Higher Education for the purpose of the facility project described in subsection
 7 (1) of this section. Interest earned on moneys in the account shall be credited to the account.
 8 The account may not be credited with more than \$3,586,000 for purposes of this subsection.

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

14 **SECTION 13.** (1) There is established in the General Fund an account to be known as the
 15 **Oregon Institute of Technology Geothermal Renewable Energy Demonstration Project Ac-**
 16 **count.** Funds in the account shall be used for the construction, remodeling, expansion and
 17 renovation of facilities for a facility project at the Oregon Institute of Technology.

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

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

28 **SECTION 14.** (1) There is established in the General Fund an account to be known as the
 29 **Oregon State University Strand Agriculture Hall Deferred Maintenance Project Account.**
 30 Funds in the account shall be used for the construction, remodeling, expansion and reno-
 31 vation of facilities for a facility project at Oregon State University.

32 (2) The account shall consist of proceeds from lottery bonds made available to the De-
 33 partment of Higher Education for the purpose of the facility project described in subsection
 34 (1) of this section. Interest earned on moneys in the account shall be credited to the account.
 35 The account may not be credited with more than \$6,586,000 for purposes of this subsection.

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

41 **SECTION 15.** (1) There is established in the General Fund an account to be known as the
 42 **Oregon State University Bates Hall/Hallie Ford Healthy Children and Families Center Project**
 43 **Account.** Funds in the account shall be used for the construction, remodeling, expansion and
 44 renovation of facilities for a facility project at Oregon State University.

45 (2) The account shall consist of proceeds from gift funds made available to the Depart-

1 ment of Higher Education for the purpose of the facility project described in subsection (1)
 2 of this section. Interest earned on moneys in the account shall be credited to the account.
 3 The account may not be credited with more than \$6,000,000 for purposes of this subsection.

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

9 **SECTION 16.** (1) There is established in the General Fund an account to be known as the
 10 Southern Oregon University Theatre Arts Expansion and Remodel Project Account. Funds
 11 in the account shall be used for the construction, remodeling, expansion and renovation of
 12 facilities for a facility project at Southern Oregon University.

13 (2) The account shall consist of proceeds from gift funds made available to and funds
 14 donated to the Department of Higher Education for the purpose of the facility project de-
 15 scribed in subsection (1) of this section. Interest earned on moneys in the account shall be
 16 credited to the account. The account may not be credited with more than \$5,500,000 for
 17 purposes of this subsection.

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

23 **SECTION 17.** (1) There is established in the General Fund an account to be known as the
 24 University of Oregon Straub Hall Deferred Maintenance Project Account. Funds in the ac-
 25 count shall be used for the construction, remodeling, expansion and renovation of facilities
 26 for a facility project at the University of Oregon.

27 (2) The account shall consist of proceeds from lottery bonds made available to the De-
 28 partment of Higher Education for the purpose of the facility project described in subsection
 29 (1) of this section. Interest earned on moneys in the account shall be credited to the account.
 30 The account may not be credited with more than \$4,554,000 for purposes of this subsection.

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

36 **SECTION 18.** (1) There is established in the General Fund an account to be known as the
 37 University of Oregon Power Station Phase 2 (Waste Gasification Demonstration) Project
 38 Account. Funds in the account shall be used for the construction, remodeling, expansion and
 39 renovation of facilities for a facility project at the University of Oregon.

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

45 (3) Moneys in the account shall be considered to be General Fund moneys for purposes

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

5 **SECTION 19.** (1) There is established in the General Fund an account to be known as the
 6 South Waterfront Life Sciences Facility Project Account. Funds in the account shall be used
 7 for the construction, remodeling, expansion and renovation of facilities for a facility project
 8 located in the South Waterfront Central District in the North Macadam Urban Renewal Area
 9 in the City of Portland.

10 (2) The account shall consist of proceeds from grant funds, gift funds and federal and
 11 local government funds made available to and funds donated to the Department of Higher
 12 Education for the purpose of the facility project described in subsection (1) of this section.
 13 Interest earned on moneys in the account shall be credited to the account. The account may
 14 not be credited with more than \$75,000,000 for purposes of this subsection.

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

20 **SECTION 20.** (1) There is established in the General Fund an account to be known as the
 21 Oregon State University Biofuels Demonstration Project Account. Funds in the account shall
 22 be used for the construction, remodeling, expansion and renovation of facilities for a facility
 23 project at Oregon State University.

24 (2) The account shall consist of proceeds from grant funds, gift funds, and federal and
 25 local government funds made available to and funds donated to the Department of Higher
 26 Education for the purpose of the facility project described in subsection (1) of this section.
 27 Interest earned on moneys in the account shall be credited to the account. The account may
 28 not be credited with more than \$4,000,000 for purposes of this subsection.

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

34 **SECTION 21.** (1) Pursuant to Article XI-G of the Oregon Constitution and ORS 341.721
 35 and ORS chapter 286A, the State Treasurer may sell, at the request of the State Board of
 36 Education, general obligation bonds of the State of Oregon of the kind and character and
 37 within the limits prescribed by Article XI-G of the Oregon Constitution, as the treasurer
 38 determines, but in no event may the treasurer sell more than the aggregate principal sum
 39 of \$23,600,000 par value for the biennium beginning July 1, 2009. The moneys realized from
 40 the sale of the bonds shall be appropriated and may be expended for the purposes set forth
 41 in section 4 of this 2009 Act and section 3 (6), chapter 787, Oregon Laws 2005, for payment
 42 for capitalized interest and costs incidental to issuance of the bonds.

43 (2) In compliance with the requirements of Article XI-G of the Oregon Constitution,
 44 funds available under the expenditure limitation for bonds issued pursuant to Article XI-G
 45 of the Oregon Constitution in section 4 (1) of this 2009 Act are matched with the General

1 Fund appropriation made under section 23 (1) of this 2009 Act.

2 (3) In compliance with the requirements of Article XI-G of the Oregon Constitution,
 3 funds available under the expenditure limitation for bonds issued pursuant to Article XI-G
 4 of the Oregon Constitution in section 4 (2) of this 2009 Act are matched with the General
 5 Fund appropriation made under section 24 (1) of this 2009 Act.

6 (4) In compliance with the requirements of Article XI-G of the Oregon Constitution,
 7 funds available under the expenditure limitation for bonds issued pursuant to Article XI-G
 8 of the Oregon Constitution in section 4 (3) of this 2009 Act are matched with the General
 9 Fund appropriation made under section 25 (1) of this 2009 Act.

10 **SECTION 22.** Notwithstanding section 4 of this 2009 Act, at the request of the State
 11 Board of Education, the State Treasurer may issue bonds for a project listed in section 4 of
 12 this 2009 Act:

13 (1) If the total amount from other revenues, including federal funds, identified for the
 14 project in the expenditure limitation in section 4 of this 2009 Act has been received by the
 15 Department of Community Colleges and Workforce Development; or

16 (2) After the department reports to the Emergency Board or the Joint Committee on
 17 Ways and Means, if the total amount from other revenues, including federal funds, identified
 18 for the project in the expenditure limitation in section 4 of this 2009 Act has not been re-
 19 ceived by the department.

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

24 (2) The account may consist of the following moneys that have been deposited in the
 25 account by the Department of Community Colleges and Workforce Development at the re-
 26 quest of the Treasure Valley Community College District for the purposes listed in sub-
 27 section (1) of this section:

28 (a) Moneys from federal and local governments;

29 (b) Donations;

30 (c) Community College Support Fund moneys transferred to the account by the depart-
 31 ment at the request of the community college district;

32 (d) Building reserve funds of the community college district transferred to the depart-
 33 ment from the community college district; and

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

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

36 (4) The account may not be credited with more than \$3,000,000 in donations, Community
 37 College Support Fund moneys, proceeds from the sale of bonds, building reserve funds, fed-
 38 eral and local government funds and interest.

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

44 **SECTION 24.** (1) There is established in the General Fund an account to be known as the
 45 Blue Mountain Community College Facilities Account. Moneys in the account shall be used

1 to construct, improve, repair, equip and furnish facilities and purchase land for facilities for
2 the Blue Mountain Community College District.

3 (2) The account may consist of the following moneys that have been deposited in the
4 account by the Department of Community Colleges and Workforce Development at the re-
5 quest of the Blue Mountain Community College District for the purposes listed in subsection
6 (1) of this section:

7 (a) Moneys from federal and local governments;

8 (b) Donations;

9 (c) Community College Support Fund moneys transferred to the account by the depart-
10 ment at the request of the community college district;

11 (d) Building reserve funds of the community college district transferred to the depart-
12 ment from the community college district; and

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

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

15 (4) The account may not be credited with more than \$4,400,000 in donations, Community
16 College Support Fund moneys, proceeds from the sale of bonds, building reserve funds, fed-
17 eral and local government funds and interest.

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

23 **SECTION 25.** (1) There is established in the General Fund an account to be known as the
24 Umpqua Community College Facilities Account. Moneys in the account shall be used to con-
25 struct, improve, repair, equip and furnish facilities and purchase land for facilities for the
26 Umpqua Community College District.

27 (2) The account may consist of the following moneys that have been deposited in the
28 account by the Department of Community Colleges and Workforce Development at the re-
29 quest of the Umpqua Community College District for the purposes listed in subsection (1) of
30 this section:

31 (a) Moneys from federal and local governments;

32 (b) Donations;

33 (c) Community College Support Fund moneys transferred to the account by the depart-
34 ment at the request of the community college district;

35 (d) Building reserve funds of the community college district transferred to the depart-
36 ment from the community college district; and

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

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

39 (4) The account may not be credited with more than \$8,500,000 in donations, Community
40 College Support Fund moneys, proceeds from the sale of bonds, building reserve funds, fed-
41 eral and local government funds and interest.

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

1 **purposes listed in subsection (1) of this section.**

2 **SECTION 26. This 2009 Act being necessary for the immediate preservation of the public**
3 **peace, health and safety, an emergency is declared to exist, and this 2009 Act takes effect**
4 **July 1, 2009.**

5
