

# House Bill 5049

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**.

Directs Oregon Watershed Enhancement Board to allocate moneys deposited into Watershed Improvement Operating Fund and Watershed Improvement Grant Fund to various state agencies to implement section 4 (10), Article XV of Oregon Constitution.

Limits biennial expenditures of board from federal funds and lottery funds.

Limits biennial expenditures from fees, moneys or other revenues, including Miscellaneous Receipts, but excluding lottery funds and federal funds, collected or received by board for agency operations related to Oregon Plan.

Directs board to establish by rule process for allocating available moneys in Restoration and Protection Subaccount of Parks and Natural Resources Fund.

Declares emergency, effective July 1, 2009.

## A BILL FOR AN ACT

1  
2 Relating to financial administration of the Oregon Watershed Enhancement Board; limiting expen-  
3 ditures; and declaring an emergency.

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

5 **SECTION 1. Of the moneys deposited into the Watershed Improvement Operating Fund**  
6 **established under ORS 541.379, the Oregon Watershed Enhancement Board shall allocate**  
7 **\$5,494,658 to the Department of State Police for fish and wildlife activities to implement**  
8 **section 4 (10), Article XV of the Oregon Constitution.**

9 **SECTION 2. Of the moneys deposited into the Watershed Improvement Operating Fund**  
10 **established under ORS 541.379, the Oregon Watershed Enhancement Board shall allocate**  
11 **\$5,241,745 to the State Department of Fish and Wildlife for activities and projects to imple-**  
12 **ment section 4 (10), Article XV of the Oregon Constitution.**

13 **SECTION 3. Of the moneys deposited into the Watershed Improvement Operating Fund**  
14 **established under ORS 541.379, the Oregon Watershed Enhancement Board shall allocate**  
15 **\$4,340,230 to the State Department of Agriculture for activities and projects to implement**  
16 **section 4 (10), Article XV of the Oregon Constitution.**

17 **SECTION 4. Of the moneys deposited into the Watershed Improvement Operating Fund**  
18 **established under ORS 541.379, the Oregon Watershed Enhancement Board shall allocate**  
19 **\$6,056,344 to the Department of Environmental Quality for activities and projects to imple-**  
20 **ment section 4 (10), Article XV of the Oregon Constitution.**

21 **SECTION 5. Notwithstanding any other law limiting expenditures, the amount of**  
22 **\$16,407,566 is established for the biennium beginning July 1, 2009, as the maximum limit for**  
23 **payment of expenses by the Oregon Watershed Enhancement Board from lottery moneys**  
24 **deposited into the Watershed Improvement Operating Fund established under ORS 541.379,**  
25 **for operating expenses, activities and projects to implement section 4 (10), Article XV of the**  
26 **Oregon Constitution.**

**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       **SECTION 6.** Of the moneys deposited into the Watershed Improvement Grant Fund es-  
2       tablished under ORS 541.397, the Oregon Watershed Enhancement Board shall allocate  
3       \$4,686,103 to the State Department of Fish and Wildlife for expenses of implementing section  
4       4 (10), Article XV of the Oregon Constitution.

5       **SECTION 7.** Of the moneys deposited into the Watershed Improvement Grant Fund es-  
6       tablished under ORS 541.397, the Oregon Watershed Enhancement Board shall allocate  
7       \$583,052 to the Department of State Police for expenses of implementing section 4 (10), Ar-  
8       ticle XV of the Oregon Constitution.

9       **SECTION 8.** Of the moneys deposited into the Watershed Improvement Grant Fund es-  
10      tablished under ORS 541.397, the Oregon Watershed Enhancement Board shall allocate  
11      \$5,088,642 to the State Department of Agriculture for activities and projects to implement  
12      section 4 (10), Article XV of the Oregon Constitution.

13      **SECTION 9.** Of the moneys deposited into the Watershed Improvement Grant Fund es-  
14      tablished under ORS 541.397, the Oregon Watershed Enhancement Board shall allocate  
15      \$100,000 to the Water Resources Department for expenses of implementing section 4 (10),  
16      Article XV of the Oregon Constitution.

17      **SECTION 10.** Notwithstanding any other law limiting expenditures, the amount of  
18      \$8,900,000 is established for the biennium beginning July 1, 2009, as the maximum limit for  
19      payment of expenses from lottery funds collected or received by the Oregon Watershed En-  
20      hancement Board from the Restoration and Protection Research Fund established under  
21      ORS 541.378.

22      **SECTION 11.** Notwithstanding any other law limiting expenditures, the amount of  
23      \$20,206,181 is established for the biennium beginning July 1, 2009, as the maximum limit for  
24      payment of expenses for agency operations related to Oregon Plan activities from federal  
25      funds collected or received by the Oregon Watershed Enhancement Board.

26      **SECTION 12.** Notwithstanding any other law limiting expenditures, the amount of  
27      \$2,136,718 is established for the biennium beginning July 1, 2009, as the maximum limit for  
28      payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts,  
29      but excluding lottery funds and federal funds, collected or received by the Oregon Watershed  
30      Enhancement Board for agency operations related to Oregon Plan activities.

31      **SECTION 13.** (1) The Oregon Watershed Enhancement Board shall establish by rule a  
32      process for allocating on a quarterly basis available moneys in the Restoration and Pro-  
33      tection Subaccount of the Parks and Natural Resources Fund, established under ORS 541.377,  
34      to fulfill the biennial allocations made in this 2009 Act. Except as provided in subsection (2)  
35      of this section, all quarterly allocations shall be set at one-eighth of the biennial allocations.

36      (2) If, in any quarter, the moneys transferred from the State Lottery Fund to the Parks  
37      and Natural Resources Fund are insufficient to pay for the quarterly allocations established  
38      under subsection (1) of this section, the allocations shall be reduced proportionately by  
39      amounts sufficient to accommodate the revenue shortfall.

40      **SECTION 14.** This 2009 Act being necessary for the immediate preservation of the public  
41      peace, health and safety, an emergency is declared to exist, and this 2009 Act takes effect  
42      July 1, 2009.