

A-Engrossed Senate Bill 338

Ordered by the Senate January 23
Including Senate Amendments dated January 23

Sponsored by Senator COURTNEY

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.

Limits for six-year period beginning July 1, 2007, payment of expenses from other funds collected or received by various state agencies for capital construction. **Limits for six-year period beginning July 1, 2007, 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.**

Establishes for six-year period beginning July 1, 2007, maximum limit for expenditure of federal funds collected or received by Oregon Military Department.

Establishes various accounts in General Fund. Continuously appropriates moneys from accounts to Department of Higher Education and Department of Community Colleges and Workforce Development. Allows transfer of money to Department of Higher Education for capital construction. Allows transfer of money to Department of Community Colleges and Workforce Development for expenditures relating to deferred maintenance, capital renewal, code compliance and safety projects.

Establishes Department of Community Colleges and Workforce Development Deferred Maintenance and Capital Repair Project Fund. Allows Department of Community Colleges and Workforce Development to request that State Treasurer deposit lottery bonds in fund for expenditures relating to deferred maintenance, capital renewal, code compliance and safety projects.

Limits biennial expenditures from bond proceeds collected or received by Department of Community Colleges and Workforce Development to pay for expenditures relating to deferred maintenance, capital renewal, code compliance and safety projects.

Matches funds available under expenditure limitation by issuance of certain bonds with General Fund appropriations.

Declares emergency, effective on passage.

A BILL FOR AN ACT

Relating to state financial administration; creating new provisions; amending ORS 341.725 and 341.728 and sections 2, 3, 6, 13 and 18, chapter 761, Oregon Laws 2007; appropriating money; limiting expenditures; and declaring an emergency.

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

SECTION 1. Notwithstanding any other law limiting expenditures, the following amounts are established for a six-year period beginning July 1, 2007, as the maximum limits for the payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts, but excluding lottery funds and federal funds, collected or received by the state agencies listed, for the acquisition of land, improvements to land and the acquisition, planning, constructing, altering, repairing, furnishing and equipping of buildings and facilities:

-
- (1) Department of Transportation**
 - (a) Deferred Maintenance**

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	Projects.....	\$ 4,353,406
2	(b) ODOT Rail Station.....	\$ 24,900
3	(2) State Forestry Department	
4	(a) Sisters Relocation	
5	Projects (Phase 2).....	\$ 2,000,000
6	(b) Deferred Maintenance.....	\$ 619,050
7	(3) State Parks and	
8	Recreation Department	
9	Deferred Maintenance.....	\$ 869,000
10	(4) Department of State Lands	
11	(a) Portland Harbor	
12	Boundary Survey	\$ 200,000
13	(b) Deferred Maintenance.....	\$ 260,000
14	(5) Judicial Department	
15	Deferred Maintenance.....	\$ 415,000
16	(6) Oregon Military	
17	Department	
18	Deferred Maintenance.....	\$ 4,358,013
19	(7) Oregon Youth Authority	
20	Deferred Maintenance.....	\$ 9,225,863
21	(8) Oregon Department of	
22	Administrative Services	
23	Deferred Maintenance.....	\$ 2,999,472
24	(9) Department of Corrections	
25	Deferred Maintenance.....	\$ 6,685,000
26	(10) State Department of	
27	Fish and Wildlife	
28	(a) Capital Construction/	
29	Improvements	\$ 1,320,000
30	(b) Deferred Maintenance.....	\$ 1,241,000

SECTION 2. Notwithstanding any other law limiting expenditures, the amount of \$410,513 is established for a six-year period beginning July 1, 2007, as the maximum limit for the expenditure of federal funds collected or received by the Oregon Military Department for the purpose of matching amounts authorized to be expended under section 1 of this 2009 Act for the acquisition of land and the acquisition, planning, constructing, altering, repairing, furnishing and equipping of buildings and facilities.

SECTION 3. Section 2, chapter 761, Oregon Laws 2007, as amended by section 11, chapter 15, Oregon Laws 2008, 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, 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,

1 facilities and other projects within the Department of Higher Education:

	Article	Article	Lottery	Energy		Other
	XI-G	XI-F(1)	Lottery	Energy		Revenues
	Bonds	Bonds	Bonds	Loans	COPs	(including
						Federal
						Funds)
10 (1) Department of Higher						
11 Education						
12 Capital renewal, code						
13 compliance and safety	-	20,000,000	50,000,000		-[-]	31,114,000
14 (2) Western Oregon University						13,100,000
15 (a) New student residence	-	11,250,000	-	-	-	-
16 (b) Business, Math and Computer						
17 Science Facility Project	2,500,000	-	-	-	-	500,000
18 (c) Humanities and Social						
19 Science Deferred Maintenance/						
20 Seismic Tier II	984,500	-	-	1,074,000	-	1,080,000
21 (d) Physical Education						
22 Building Deferred Maintenance	--	--	--	4,117,000	8,534,000	--
23 (e) Health and Wellness Center	--	12,000,000	--	--	--	--
24 (f) Classroom and Office						
25 Building	3,000,000	--	--	--	3,000,000	--
26 (3) Eastern Oregon University						
27 Inlow Hall Deferred						
28 Maintenance/Seismic						
29 Tier I	1,312,000	-	-	3,618,000	-	-
30 (4) Oregon State University						
31 (a) National Wave Energy						
32 Research Center	1,500,000	-	-	-	-	3,000,000
33 (b) Goss Stadium expansion	-	-	-	-	-	4,500,000
34 (c) Apperson Hall	-	-	-	-	-	4,000,000
35 (d) OSU Dining Center						
36 Renovation: Arnold						
37 Catering	-	3,500,000	-	-	-	-
38 (e) Cross Country Track	-	3,000,000	-	-	-	-
39 (f) Athletics/Academic						
40 Center	-	1	-	-	-	-
41 (g) Boathouse remodel	-	3,000,000	-	-	-	-
42 (h) Gill Coliseum renovation	-	20,000,000	-	-	-	-
43 (i) Mouse Model Organism						
44 Facility	-	-	-	-	-	1,500,000
45 (j) Intramural Field						

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1	Synthetic Turf Project	-	-	-	-	-	3,250,000
2	(k) Pauling Research and						
3	Education Building	31,256,035	-	-	-	-	31,256,035
4	(L) Nash Hall Deferred						
5	Maintenance/Seismic						
6	Tier II	3,776,000	-	-	6,824,000	-	1,198,000
7	(m) Building rewiring	-	-	-	-	5,000,000	-
8	(5) Portland State University						
9	(a) Parking expansion						
10	(block 189 development)	-	12,000,000	-	-	-	-
11	(b) Student housing and						
12	land acquisition	-	1	-	-	-	-
13	(c) Peter Stott Center						
14	gym expansion	-	8,500,000	-	-	-	-
15	(d) Retail development	-	1	-	-	-	-
16	(e) Walk of the Heroines						
17	Project	-	-	-	-	-	1,800,000
18	(f) PCAT Redevelopment						
19	Project	10,000,000	42,000,000	-	-	-	19,000,000
20	(g) Campus fiber expansion						
21	and telecom facility upgrades	-	-	-	-	1,000,000	-
22	(h) Science Research and Teaching						
23	Center/Hazardous Waste						
24	[Facility	9,500,000	--	--	--	--	9,500,000]
25	Facility Phase I	7,000,000	--	--	--	3,500,000	3,500,000
26	(i) Lincoln Hall Deferred						
27	Maintenance/Seismic						
28	Tier I	8,616,000	-	-	11,986,000	-	-
29	(j) Science Building II						
30	Deferred Maintenance/						
31	Seismic Tier II	7,658,500	-	-	10,992,000	-	-
32	(k) Campus steam loop Phase II						
33	Deferred Maintenance	--	--	--	10,032,000	7,468,000	--
34	(6) University of Oregon						
35	(a) Riverfront Research						
36	Park Multitenant						
37	Building	-	19,250,000	-	-	-	-
38	(b) Riverfront Research						
39	Park building purchase	-	14,373,000	-	-	-	-
40	(c) New student housing	-	1	-	-	-	-
41	(d) Food service upgrade	-	1,000,000	-	-	-	-
42	(e) Gilbert/Peterson Hall						
43	phase 3	-	-	-	-	-	6,000,000
44	(f) Oregon State Museum						
45	of Anthropology	-	-	-	-	-	3,500,000

1	(g) Integrative Science						
2	Complex, Phase 2	30,000,000	-	-	-	-	35,000,000
3	(h) Fenton Hall Deferred						
4	Maintenance/Seismic						
5	Tier I	2,480,500	-	-	3,111,000	-	-
6	(i) Classroom and laboratory						
7	upgrades	-	-	-	-	5,000,000	-
8	(j) Hayward Field	2,500,000	-	-	-	-	2,500,000
9	(k) New Arena	-	200,000,000	-	-	-	-
10	(7) Oregon Institute of						
11	Technology						
12	(a) Center for Health						
13	Professions	9,000,000	-	-	-	-	11,000,000
14	(b) Owens Hall Deferred						
15	Maintenance	1,444,000	--	--	1,871,000	1,715,000	--
16	(8) Project Reserves	-	1,810,397	-	-	-	1,969,007
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19 **SECTION 4.** Section 6, chapter 761, Oregon Laws 2007, as amended by section 13, chapter 15,
20 Oregon Laws 2008, is amended to read:

21 **Sec. 6.** (1) Pursuant to Article XI-G of the Oregon Constitution and ORS 351.345 and either ORS
22 286.031 to 286.061 (2005 Edition) or ORS chapter 286A, the State Board of Higher Education may
23 sell, with the approval of the State Treasurer, general obligation bonds of the State of Oregon of the
24 kind and character and within the limits prescribed by Article XI-G of the Oregon Constitution, as
25 the board determines, but in no event may the board sell more than the aggregate principal sum of
26 [~~\$135,104,535~~] **\$137,048,535** par value for the biennium beginning July 1, 2007. The moneys realized
27 from the sale of the bonds shall be appropriated and may be expended for the purposes set forth in
28 section 2 (3)(h), chapter 845, Oregon Laws 2001, and in section 2 (6)(h) and (7)(e), chapter 787,
29 Oregon Laws 2005, and section 2 (2)(b), [~~and~~] (c) **and (f)**, (3), (4)(a), (k) and (L), (5)(f), (h), (i) and (j),
30 (6)(g), (h) and (j) and (7)(a) **and (b)**, chapter 761, Oregon Laws 2007, and for payment for capitalized
31 interest and costs incidental to issuance of the bonds.

32 (2) In compliance with the requirements of Article XI-G of the Oregon Constitution, funds
33 available under the expenditure limitation for bonds issued pursuant to Article XI-G of the Oregon
34 Constitution in section 2 (2)(b), chapter 761, Oregon Laws 2007, are matched with the General Fund
35 appropriations made under sections 10 (7) and 11, chapter 761, Oregon Laws 2007.

36 (3) In compliance with the requirements of Article XI-G of the Oregon Constitution, funds
37 available under the expenditure limitation for bonds issued pursuant to Article XI-G of the Oregon
38 Constitution in section 2 (2)(c), chapter 761, Oregon Laws 2007, are matched with the General Fund
39 appropriation made under section 10 (8), chapter 761, Oregon Laws 2007.

40 (4) In compliance with the requirements of Article XI-G of the Oregon Constitution, funds
41 available under the expenditure limitation for bonds issued pursuant to Article XI-G of the Oregon
42 Constitution in section 2 (3), chapter 761, Oregon Laws 2007, are matched with the General Fund
43 appropriation made under section 10 (1), chapter 761, Oregon Laws 2007.

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

1 Constitution in section 2 (4)(a), chapter 761, Oregon Laws 2007, are matched with the General Fund
2 appropriation made under section 10 (3), chapter 761, Oregon Laws 2007.

3 (6) In compliance with the requirements of Article XI-G of the Oregon Constitution, funds
4 available under the expenditure limitation for bonds issued pursuant to Article XI-G of the Oregon
5 Constitution in section 2 (4)(k), chapter 761, Oregon Laws 2007, are matched with the General Fund
6 appropriation made under section 12, chapter 761, Oregon Laws 2007.

7 (7) In compliance with the requirements of Article XI-G of the Oregon Constitution, funds
8 available under the expenditure limitation for bonds issued pursuant to Article XI-G of the Oregon
9 Constitution in section 2 (4)(L), chapter 761, Oregon Laws 2007, are matched with the General Fund
10 appropriation made under section 10 (2), chapter 761, Oregon Laws 2007.

11 (8) In compliance with the requirements of Article XI-G of the Oregon Constitution, funds
12 available under the expenditure limitation for bonds issued pursuant to Article XI-G of the Oregon
13 Constitution in section 2 (5)(f), chapter 761, Oregon Laws 2007, are matched with the General Fund
14 appropriation made under section 17, chapter 761, Oregon Laws 2007.

15 (9) In compliance with the requirements of Article XI-G of the Oregon Constitution, funds
16 available under the expenditure limitation for bonds issued pursuant to Article XI-G of the Oregon
17 Constitution in section 2 (5)(h), chapter 761, Oregon Laws 2007, are matched with the General Fund
18 appropriation made under section 13, chapter 761, Oregon Laws 2007.

19 (10) In compliance with the requirements of Article XI-G of the Oregon Constitution, funds
20 available under the expenditure limitation for bonds issued pursuant to Article XI-G of the Oregon
21 Constitution in section 2 (5)(i), chapter 761, Oregon Laws 2007, are matched with the General Fund
22 appropriation made under section 10 (4), chapter 761, Oregon Laws 2007.

23 (11) In compliance with the requirements of Article XI-G of the Oregon Constitution, funds
24 available under the expenditure limitation for bonds issued pursuant to Article XI-G of the Oregon
25 Constitution in section 2 (5)(j), chapter 761, Oregon Laws 2007, are matched with the General Fund
26 appropriation made under section 10 (5), chapter 761, Oregon Laws 2007.

27 (12) In compliance with the requirements of Article XI-G of the Oregon Constitution, funds
28 available under the expenditure limitation for bonds issued pursuant to Article XI-G of the Oregon
29 Constitution in section 2 (6)(g), chapter 761, Oregon Laws 2007, are matched with the General Fund
30 appropriation made under section 14, chapter 761, Oregon Laws 2007.

31 (13) In compliance with the requirements of Article XI-G of the Oregon Constitution, funds
32 available under the expenditure limitation for bonds issued pursuant to Article XI-G of the Oregon
33 Constitution in section 2 (6)(h), chapter 761, Oregon Laws 2007, are matched with the General Fund
34 appropriation made under section 10 (6), chapter 761, Oregon Laws 2007.

35 (14) In compliance with the requirements of Article XI-G of the Oregon Constitution, funds
36 available under the expenditure limitation for bonds issued pursuant to Article XI-G of the Oregon
37 Constitution in section 2 (6)(j), chapter 761, Oregon Laws 2007, are matched with the General Fund
38 appropriation made under section 15, chapter 761, Oregon Laws 2007.

39 (15) In compliance with the requirements of Article XI-G of the Oregon Constitution, funds
40 available under the expenditure limitation for bonds issued pursuant to Article XI-G of the Oregon
41 Constitution in section 2 (7)(a), chapter 761, Oregon Laws 2007, are matched with the General Fund
42 appropriation made under section 16, chapter 761, Oregon Laws 2007.

43 **(16) 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 2 (2)(f), chapter 761, Oregon Laws 2007, are matched**

1 **with the General Fund appropriation made under section 6 of this 2009 Act.**

2 **(17) 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 2 (7)(b), chapter 761, Oregon Laws 2007, are matched**
5 **with the General Fund appropriation made under section 7 of this 2009 Act.**

6 **SECTION 5.** Section 13, chapter 761, Oregon Laws 2007, is amended to read:

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

12 (2) The account shall consist of **proceeds from certificates of participation**, grant funds, gift
13 funds, proceeds of legal settlements, federal and local government funds made available to and funds
14 donated to the Department of Higher Education for the purpose of the center and facility project
15 described in subsection (1) of this section. Interest earned on moneys in the account shall be cred-
16 ited to the account. The account may not be credited with more than [\$9,500,000] **\$7,000,000** for
17 purposes of this subsection.

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

22 **SECTION 6.** (1) **There is established in the General Fund an account to be known as the**
23 **Western Oregon University Classroom and Office Building Account. Funds in the account**
24 **shall be used for the construction, remodeling, expansion and renovation of facilities for**
25 **classroom and office space at Western Oregon University.**

26 (2) The account shall consist of **proceeds from certificates of participation**, grant funds,
27 **gift funds**, proceeds of legal settlements, federal and local government funds made available
28 **to and funds donated to the Department of Higher Education for the purpose of the class-**
29 **room and office space project described in subsection (1) of this section. Interest earned on**
30 **moneys in the account shall be credited to the account. The account may not be credited**
31 **with more than \$3,000,000 for purposes of this subsection.**

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

37 **SECTION 7.** (1) **There is established in the General Fund an account to be known as the**
38 **Oregon Institute of Technology Owens Hall Deferred Maintenance Account. Funds in the**
39 **account shall be used for the construction, remodeling, expansion and renovation of Owens**
40 **Hall at the Oregon Institute of Technology.**

41 (2) The account shall consist of **proceeds from certificates of participation**, grant funds,
42 **gift funds**, proceeds of legal settlements, federal and local government funds made available
43 **to and funds donated to the Department of Higher Education for the purpose of the project**
44 **described in subsection (1) of this section. Interest earned on moneys in the account shall**
45 **be credited to the account. The account may not be credited with more than \$1,444,000 for**

1 **purposes of this subsection.**

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

7 **SECTION 8. The expenditure limitations in sections 1 and 2 of this 2009 Act expire on**
 8 **June 30, 2013, unless otherwise noted or unless changed by the Legislative Assembly.**

9 **SECTION 9.** Section 3, chapter 761, Oregon Laws 2007, as amended by section 12, chapter 15,
 10 Oregon Laws 2008, is amended to read:

11 **Sec. 3.** Notwithstanding any other law limiting expenditures, the following amounts are estab-
 12 lished for a six-year period beginning July 1, 2007, as the maximum limit for payment of expenses
 13 under this section from bond proceeds and other revenues, including federal funds, collected or re-
 14 ceived by the Department of Community Colleges and Workforce Development, for the acquisition
 15 of and improvements to land and the acquisition, planning, constructing, altering, repairing, fur-
 16 nishing and equipping of buildings and facilities [at] **for** community colleges:

			Other Revenues (including Federal Funds)
	Article XI-G Bonds		
25 (1) Central Oregon Community College			
26 -Science and Allied Health			
27 Instructional Building	5,778,000		5,778,000
28 (2) Chemeketa Community College			
29 (a) [-]Classroom and Health Sciences	5,625,000		5,625,000
30 (b) Deferred Maintenance, capital			
31 renewal, code compliance and safety	5,082,500		5,082,500
32 (3) Clackamas Community College			
33 (a) [-]Allied Healthcare Center of Excellence	5,156,250		5,156,250
34 (b) Deferred Maintenance, capital			
35 renewal, code compliance and safety	1,293,750		1,293,750
36 (4) Lane Community College			
37 -Health and Wellness Building	6,750,000		6,750,000
38 (5) Linn-Benton Community College			
39 -Science Center Expansion and Renovation	3,731,250		3,731,250
40 (6) Mt. Hood Community College			
41 -Child Development Center	2,500,000		2,500,000
42 (7) Oregon Coast Community College			
43 -Expansion - Aquarium South			
44 County and Central Campus Land Purchase	3,000,000		3,000,000
45 (8) Portland Community College			

1	(a) [-]Educational Center	7,500,000	7,500,000
2	(b) Deferred Maintenance, capital		
3	renewal, code compliance and safety	3,327,500	3,327,500
4	(9) Clatsop Community College	4,000,000	4,000,000
5	-New Facilities and Renovation		
6	of Existing Facilities		

9 **SECTION 10.** Section 18, chapter 761, Oregon Laws 2007, as amended by section 15, chapter
10 15, Oregon Laws 2008, is amended to read:

11 **Sec. 18.** (1) Pursuant to Article XI-G of the Oregon Constitution and ORS 341.721 and either
12 ORS 286.031 to 286.061 (2005 Edition) or ORS chapter 286A, the State Treasurer may sell, at the
13 request of the State Board of Education, general obligation bonds of the State of Oregon of the kind
14 and character and within the limits prescribed by Article XI-G of the Oregon Constitution, as the
15 treasurer determines, but in no event may the treasurer sell more than the aggregate principal sum
16 of [~~\$56,640,500~~] **\$66,344,250** par value for the biennium beginning July 1, 2007. The moneys realized
17 from the sale of the bonds shall be appropriated and may be expended for the purposes set forth in
18 section 3, chapter 761, Oregon Laws 2007, and sections 3 (5) and (6), chapter 787, Oregon Laws 2005,
19 for payment for capitalized interest and costs incidental to issuance of the bonds.

20 (2) In compliance with the requirements of Article XI-G of the Oregon Constitution, funds
21 available under the expenditure limitation for bonds issued pursuant to Article XI-G of the Oregon
22 Constitution in section 3 (1), chapter 761, Oregon Laws 2007, are matched with the General Fund
23 appropriation made under section 20, chapter 761, Oregon Laws 2007.

24 (3) In compliance with the requirements of Article XI-G of the Oregon Constitution, funds
25 available under the expenditure limitation for bonds issued pursuant to Article XI-G of the Oregon
26 Constitution in section 3 (2)(a), chapter 761, Oregon Laws 2007, are matched with the General Fund
27 appropriation made under section 21, chapter 761, Oregon Laws 2007.

28 (4) In compliance with the requirements of Article XI-G of the Oregon Constitution, funds
29 available under the expenditure limitation for bonds issued pursuant to Article XI-G of the Oregon
30 Constitution in section 3 (3)(a), chapter 761, Oregon Laws 2007, are matched with the General Fund
31 appropriation made under section 22, chapter 761, Oregon Laws 2007.

32 (5) In compliance with the requirements of Article XI-G of the Oregon Constitution, funds
33 available under the expenditure limitation for bonds issued pursuant to Article XI-G of the Oregon
34 Constitution in section 3 (4), chapter 761, Oregon Laws 2007, are matched with the General Fund
35 appropriation made under section 23, chapter 761, Oregon Laws 2007.

36 (6) In compliance with the requirements of Article XI-G of the Oregon Constitution, funds
37 available under the expenditure limitation for bonds issued pursuant to Article XI-G of the Oregon
38 Constitution in section 3 (5), chapter 761, Oregon Laws 2007, are matched with the General Fund
39 appropriation made under section 24, chapter 761, Oregon Laws 2007.

40 (7) In compliance with the requirements of Article XI-G of the Oregon Constitution, funds
41 available under the expenditure limitation for bonds issued pursuant to Article XI-G of the Oregon
42 Constitution in section 3 (6), chapter 761, Oregon Laws 2007, are matched with the General Fund
43 appropriation made under section 25, chapter 761, Oregon Laws 2007.

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

1 Constitution in section 3 (7), chapter 761, Oregon Laws 2007, are matched with the General Fund
2 appropriation made under section 27, chapter 787, Oregon Laws 2005.

3 (9) In compliance with the requirements of Article XI-G of the Oregon Constitution, funds
4 available under the expenditure limitation for bonds issued pursuant to Article XI-G of the Oregon
5 Constitution in section 3 (8)(a), chapter 761, Oregon Laws 2007, are matched with the General Fund
6 appropriation made under section 27, chapter 761, Oregon Laws 2007.

7 (10) In compliance with the requirements of Article XI-G of the Oregon Constitution, funds
8 available under the expenditure limitation for bonds issued pursuant to Article XI-G of the Oregon
9 Constitution in section 3 (9), chapter 761, Oregon Laws 2007, are matched with the General Fund
10 appropriation made under section 29, chapter 787, Oregon Laws 2005.

11 **(11) In compliance with the requirements of Article XI-G of the Oregon Constitution,**
12 **funds available under the expenditure limitation for bonds issued pursuant to Article XI-G**
13 **of the Oregon Constitution in section 3 (2)(b), chapter 761, Oregon Laws 2007, are matched**
14 **with the General Fund appropriation made under section 11 of this 2009 Act.**

15 **(12) In compliance with the requirements of Article XI-G of the Oregon Constitution,**
16 **funds available under the expenditure limitation for bonds issued pursuant to Article XI-G**
17 **of the Oregon Constitution in section 3 (3)(b), chapter 761, Oregon Laws 2007, are matched**
18 **with the General Fund appropriation made under section 12 of this 2009 Act.**

19 **(13) In compliance with the requirements of Article XI-G of the Oregon Constitution,**
20 **funds available under the expenditure limitation for bonds issued pursuant to Article XI-G**
21 **of the Oregon Constitution in section 3 (8)(b), chapter 761, Oregon Laws 2007, are matched**
22 **with the General Fund appropriation made under section 13 of this 2009 Act.**

23 **SECTION 11.** (1) There is established in the General Fund an account to be known as the
24 Chemeketa Community College Deferred Maintenance Account. Moneys in the account shall
25 be used for deferred maintenance, capital renewal, code compliance and safety projects for
26 the Chemeketa 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 Chemeketa Community College District for the purposes listed in subsection (1)
30 of 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 \$5,082,500 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 Chemeketa Community College District for

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

2 **SECTION 12.** (1) There is established in the General Fund an account to be known as the
3 Clackamas Community College Deferred Maintenance Account. Moneys in the account shall
4 be used for deferred maintenance, capital renewal, code compliance and safety projects for
5 the Clackamas Community College District.

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

10 (a) Moneys from federal and local governments;

11 (b) Donations;

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

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

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

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

18 (4) The account may not be credited with more than \$1,293,750 in donations, Community
19 College Support Fund moneys, proceeds from the sale of bonds, building reserve funds, fed-
20 eral and local government funds and interest.

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

26 **SECTION 13.** (1) There is established in the General Fund an account to be known as the
27 Portland Community College Deferred Maintenance Account. Moneys in the account shall
28 be used for deferred maintenance, capital renewal, code compliance and safety projects for
29 the Portland Community College District.

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

34 (a) Moneys from federal and local governments;

35 (b) Donations;

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

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

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

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

42 (4) The account may not be credited with more than \$3,327,500 in donations, Community
43 College Support Fund moneys, proceeds from the sale of bonds, building reserve funds, fed-
44 eral and local government funds and interest.

45 (5) 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 and may be transferred to the Community College Capital Construction Fund
3 for the purpose of making distributions to the Portland Community College District for the
4 purposes listed in subsection (1) of this section.

5 **SECTION 14.** (1) Pursuant to ORS 286A.560 to 286A.585, lottery bonds may be issued by
6 the State Treasurer at the request of the Department of Community Colleges and Workforce
7 Development for community college deferred maintenance, capital renewal, code compliance
8 and safety projects.

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

10 (a) Subsystems within community college buildings are wearing out and must be replaced
11 so that community colleges have adequate facilities for teaching.

12 (b) Having safe and fully functioning community college facilities is essential to Oregon's
13 healthy economic growth.

14 (3) The aggregate principal amount of lottery bonds issued pursuant to subsection (1) of
15 this section by the State Treasurer for deferred maintenance, capital renewal, code compli-
16 ance and safety projects may not exceed the amount of \$43,862,850 and an additional amount
17 estimated by the State Treasurer to be necessary to pay bond-related costs as defined in ORS
18 286A.560.

19 (4) Of the net proceeds of lottery bonds issued pursuant to this section for the biennium
20 beginning July 1, 2007, an amount not to exceed \$43,862,850 shall be deposited in the Depart-
21 ment of Community Colleges and Workforce Development Deferred Maintenance and Capital
22 Repair Project Fund established by section 15 of this 2009 Act.

23 **SECTION 15.** (1) The Department of Community Colleges and Workforce Development
24 Deferred Maintenance and Capital Repair Project Fund is established separate and distinct
25 from the General Fund. Interest earned by the Department of Community Colleges and
26 Workforce Development Deferred Maintenance and Capital Repair Project Fund shall be
27 credited to the fund.

28 (2) Net proceeds of lottery bonds issued pursuant to section 14 of this 2009 Act shall be
29 deposited into the Department of Community Colleges and Workforce Development Deferred
30 Maintenance and Capital Repair Project Fund. Moneys in the fund are continuously appro-
31 priated to the Department of Community Colleges and Workforce Development for the pur-
32 pose of making grants to community college districts for deferred maintenance, capital
33 renewal, code compliance and safety projects.

34 **SECTION 16.** Notwithstanding any other law limiting expenditures, the following amounts
35 are established for the biennium beginning July 1, 2007, as the maximum limit for payment
36 of expenses under this section from bond proceeds collected or received by the Department
37 of Community Colleges and Workforce Development for community college districts for de-
38 ferred maintenance, capital renewal, code compliance and safety projects:

	Lottery	
	Bonds	
(1) Blue Mountain Community		
College.....	\$	2,055,500
(2) Central Oregon Community		

1	College.....	\$ 2,822,250
2	(3) Chemeketa Community	
3	College.....	\$ 2,982,500
4	(4) Clackamas Community	
5	College.....	\$ 62,000
6	(5) Clatsop Community College	\$ 1,875,000
7	(6) Columbia Gorge Community	
8	College.....	\$ 1,595,000
9	(7) Klamath Community College	\$ 1,600,000
10	(8) Lane Community College	\$ 8,000,000
11	(9) Linn-Benton Community	
12	College.....	\$ 1,844,750
13	(10) Mt. Hood Community College ...	\$ 3,850,000
14	(11) Oregon Coast Community	
15	College.....	\$ 500,000
16	(12) Portland Community College	\$ 3,087,500
17	(13) Rogue Community College	\$ 4,000,000
18	(14) Southwestern Oregon	
19	Community College	\$ 4,000,000
20	(15) Tillamook Bay Community	
21	College.....	\$ 175,000
22	(16) Treasure Valley	
23	Community College	\$ 1,413,350
24	(17) Umpqua Community College.....	\$ 4,000,000

25
26

SECTION 17. ORS 341.725 is amended to read:

28 341.725. (1) The Community College Capital Construction Fund is established separate and dis-
29 tinct from the General Fund. Interest earned on moneys in the Community College Capital Con-
30 struction Fund shall be credited to the fund.

31 (2) Moneys in the Community College Capital Construction Fund are appropriated continuously
32 to the Department of Community Colleges and Workforce Development and may be disbursed by the
33 department [*for the construction, remodeling, expansion and renovation of facilities*] **to construct,**
34 **improve, repair, equip and furnish buildings, structures and projects, or parts thereof, and**
35 **to purchase or improve sites therefor,** at community colleges pursuant to grant agreements en-
36 tered into between the department and community college districts under ORS 341.735.

37 **SECTION 18.** ORS 341.728 is amended to read:

38 341.728. (1) The Community College Bond Building Fund is established separate and distinct
39 from the General Fund.

40 (2) The Community College Bond Building Fund shall consist of moneys realized from the sale
41 of bonds issued pursuant to Article XI-G of the Oregon Constitution for the benefit of community
42 college districts under ORS 341.721.

43 (3) Moneys in the Community College Bond Building Fund are appropriated continuously to the
44 Department of Community Colleges and Workforce Development and may be disbursed by the de-
45 partment [*for the construction, remodeling, expansion and renovation of facilities*] **to construct, im-**

1 **prove, repair, equip and furnish buildings, structures and projects, or parts thereof, and to**
2 **purchase or improve sites therefor,** at community colleges pursuant to grant agreements entered
3 into between the department and community college districts under ORS 341.735.

4 (4) Moneys in the Community College Bond Building Fund may be invested as provided in ORS
5 286A.025 until needed for disbursement under subsection (3) of this section. If a surplus remains in
6 the fund after disbursement, the surplus and earnings from temporary investments shall be credited
7 to the Community College Bond Sinking Fund.

8 **SECTION 19. This 2009 Act being necessary for the immediate preservation of the public**
9 **peace, health and safety, an emergency is declared to exist, and this 2009 Act takes effect**
10 **on its passage.**

11 _____