

Enrolled Senate Bill 5506

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CHAPTER

AN ACT

Relating to state financial administration; creating new provisions; amending sections 26 and 27, chapter 787, Oregon Laws 2005, and sections 20, 21, 22, 23 and 27, 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, 2009, 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 and the acquisition, planning, constructing, altering, repairing, furnishing and equipping of buildings and facilities:

(1)	Department of Transportation Colocation of State and Local Facilities.....	\$	1
(2)	Oregon Department of Administrative Services		
(a)	Mill Creek Infrastructure	\$	5,000,000
(b)	Roof Replacements.....	\$	2,113,535
(c)	Planning Funds	\$	250,000
(d)	HVAC Improvement Projects ...	\$	750,357
(e)	Revenue Building Lighting Upgrade.....	\$	617,329
(f)	Justice Building Elevator Upgrade	\$	875,000
(3)	Department of Corrections Junction City Prison	\$	44,675,713
(4)	Department of Human Services Oregon State Hospital.....	\$	279,179,118
(5)	Oregon State Police Oregon Wireless Interoperability		

Network, Phase 2.....	\$187,779,889
(6) State Forestry Department Land Acquisition.....	\$15,000,000
(7) Oregon Military Department	
(a) The Dalles Readiness Center	\$ 1
(b) Hood River Armory.....	\$ 1,358,762
(c) Milton-Freewater Armory.....	\$ 3,348,000
(8) Oregon Department of Aviation Joseph Airport.....	\$ 75,000

SECTION 2. Notwithstanding any other law limiting expenditures, the following amounts are established for a six-year period beginning July 1, 2009, as the maximum limits for the expenditure of federal funds collected or received by the state agencies listed, for the acquisition of land and the acquisition, planning, constructing, altering, repairing, furnishing and equipping of buildings and facilities:

(1) Oregon Military Department	
(a) The Dalles Readiness Center	\$ 1
(b) Central Oregon Biak Training Center	\$ 550,000
(c) Camp Rilea Roof and Siding Replacement.....	\$ 200,000
(d) Clackamas Armory Reroofing...	\$ 170,000
(e) Hermiston Armory Drill Floor HVAC	\$ 90,000
(f) Coos Bay Armory Unit Transformation.....	\$ 350,000
(g) Hood River Armory Improvements	\$ 233,000
(h) Central Oregon Readiness Center Interior Improvements	\$ 300,000
(i) Camp Withycombe Storm Water Project	\$ 1,300,000
(j) Camp Rilea Water Supply System.....	\$ 3,000,000
(2) Oregon Department of Aviation Joseph Airport.....	\$ 1,500,000

SECTION 3. The project approvals and expenditure limitations in sections 1 and 2 of this 2009 Act expire on June 30, 2015, unless otherwise noted or unless changed by the Legislative Assembly.

SECTION 4. The expiration dates of the project approvals and expenditure limitations authorized by the Legislative Assembly for the following projects are extended to the following dates:

(1) Oregon Military Department	
(a) Lane County Armed Forces Reserve Center Complex.....	30-Jun-10

- (b) Camp Rilea Dining Facilities..... 30-Jun-11
- (c) Infantry Battle Course, Boardman Bombing Range 30-Jun-11
- (d) Qualification Training Range, Boardman Bombing Range..... 30-Jun-11
- (e) The Dalles Readiness Center 30-Jun-11
- (2) Department of Administrative Services Pendleton State Office Building, Space Improvements . 30-Jun-11

SECTION 5. The State Board of Higher Education shall determine the capital renewal, code compliance and safety projects to be undertaken with moneys made available under section 6 (1)(a) of this 2009 Act on the basis of the board's determination of the most critical capital renewal, code compliance and safety needs. In determining the capital renewal, code compliance and safety needs, the board shall give priority to projects that protect the health and safety of occupants and maintain the structural integrity of facilities.

SECTION 6. Notwithstanding any other law limiting expenditures, the following amounts are established for a six-year period beginning July 1, 2009, 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, facilities and other projects within the Department of Higher Education:

	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	\$ -	\$ -	\$ -	\$ -	\$ 20,286,000	\$ -
(b) South Waterfront Life Sciences Facility	50,000,000	60,000,000	-	-	-	90,000,000
(c) Oregon Center for Sustainability	-	80,000,000	-	-	-	-
(d) Biofuels demonstration project	4,000,000	-	-	-	-	4,000,000
(e) Wind demonstration project	-	-	-	-	-	4,000,000
(2) Eastern Oregon University						
(a) Zabel Hall deferred maintenance	1,522,000	-	2,215,000	2,706,000	-	-
(b) Pierce Library project	4,000,000	-	-	-	4,000,000	-
(3) Oregon Institute of Technology geothermal						

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 Families Center	6,000,000	-	-	-	-	6,000,000
(d) Student Success Center	2,054,000	-	4,554,000	-	-	7,392,000
(e) Cultural Center	-	10,000,000	-	-	-	-
(f) International Residence Hall	-	52,000,000	-	-	-	-
(g) Sports Performance Center	-	12,000,000	-	-	-	-
(h) CH2M Hill Alumni Center	-	-	-	-	-	4,200,000
(i) Sonpark/EPA acquisition, OF COPs	-	-	-	-	1,900,000	-
(j) Warehouse acquisition, OF COPs	-	-	-	-	1,000,000	-
(5) Portland State University						
(a) Science Research and Teaching Center/ Hazardous Waste Facility, phase 2	2,500,000	-	-	-	-	2,500,000
(b) City Tower acquisition	-	-	-	-	1	-
(c) Market Center acquisition	-	-	-	-	1	-
(d) Land acquisition	-	8,000,000	-	-	-	-
(6) Southern Oregon University						
(a) Churchill Hall deferred maintenance	-	-	-	2,730,000	3,192,000	-
(b) Theatre Arts building expansion and remodel	5,500,000	-	-	-	-	5,500,000
(7) University of Oregon						
(a) Allen Hall expansion and remodel	7,500,000	-	-	-	-	7,500,000
(b) Straub Memorial Hall deferred maintenance	-	-	-	8,998,000	4,321,000	-
(c) Power Station, phase 2, waste gasification demonstration project	-	29,150,000	5,000,000	13,502,000	3,663,000	5,000,000
(d) Erb Memorial Union, partial renovation,						

West Lower Level	-	2,260,000	-	-	-	300,000
(e) Chiles Center renovations	-	-	-	-	-	1,000,000
(f) Alumni Center Project	-	9,975,000	-	-	-	6,825,000
(g) Riverfront Research Park, Technology Business Incubator	-	-	-	-	-	1,500,000
(h) Barnhart Hall building envelope restoration	-	-	-	-	-	900,000
(i) Carson Hall electrical upgrade	-	-	-	-	-	560,000
(j) Earl Complex building envelope, electrical and mechanical systems	-	2,924,000	-	-	-	-
(8) Reserves	-	8,508,470	-	-	-	5,356,710
(9) Commercial paper capitalized interest pilot project	-	5,000,000	-	-	-	-

SECTION 7. Notwithstanding any other law limiting expenditures, the following amounts are established for a six-year period beginning July 1, 2009, 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 Community Colleges and Workforce Development, for the acquisition of and improvements to land and the acquisition, planning, constructing, altering, repairing, furnishing and equipping of buildings and facilities at community colleges:

	Article XI-G Bonds	Other Revenues (including Federal Funds)
(1) Central Oregon Community College Technology Education Center	\$ 5,700,000	\$ 5,700,000
(2) Chemeketa Community College McMinnville Campus	\$ 6,255,000	\$ 6,255,000
(3) Clackamas Community College Harmony Campus Phase II	\$ 8,000,000	\$ 8,000,000
(4) Columbia Gorge Community College Workforce Building	\$ 8,000,000	\$ 8,000,000
(5) Lane Community College Downtown Campus Building	\$ 8,000,000	\$ 8,000,000
(6) Oregon Coast Community College Marine Sciences Building	\$ 2,000,000	\$ 2,000,000
(7) Portland Community College Cascade Campus Education Center	\$ 8,000,000	\$ 8,000,000
(8) Treasure Valley Community College Ontario University Center	\$ 3,000,000	\$ 3,000,000
(9) Umpqua Community College		

SECTION 8. Notwithstanding any other provision of this 2009 Act, the bond proceeds and other revenues, including federal funds, the expenditures from which are limited by section 6 of this 2009 Act, are not available for expenditure before the effective date of this 2009 Act. However, any action taken by the State Board of Higher Education prior to the effective date of this 2009 Act or any contract entered into by the board prior to the effective date of this 2009 Act necessary for the acquisition of and improvements to land and the acquisition, planning, constructing, altering, repairing, furnishing and equipping of buildings and facilities authorized by this 2009 Act is hereby authorized.

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

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

SECTION 10. (1) Pursuant to Article XI-G of the Oregon Constitution and ORS 351.345 and ORS chapter 286A, the State Board of Higher Education may sell, with the approval of the State Treasurer, general obligation bonds of the State of Oregon of the kind and character and within the limits prescribed by Article XI-G of the Oregon Constitution, as the board determines, but in no event may the board sell more than the aggregate principal sum of \$144,900,479 par value for the biennium beginning July 1, 2009. The moneys realized from the sale of the bonds shall be appropriated and may be expended for the purposes set forth in section 2 (3)(h), chapter 845, Oregon Laws 2001, section 2 (6)(h) and (p), chapter 787, Oregon Laws 2005, section 2 (2)(b), (4)(k), (5)(f) and (h), and (6)(g) and (h), chapter 761, Oregon Laws 2007, section 6 (1)(b) and (d), (2)(a) and (b), (3), (4)(b), (c) and (d), (5)(a), (6)(b) and (7)(a) of this 2009 Act and for payment for capitalized interest and costs incidental to issuance of the bonds.

(2) In compliance with the requirements of Article XI-G of the Oregon Constitution, funds available under the expenditure limitation for bonds issued pursuant to Article XI-G of the Oregon Constitution in section 6 (1)(b) of this 2009 Act are matched with the General Fund appropriation made under section 14 of this 2009 Act.

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

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

(5) In compliance with the requirements of Article XI-G of the Oregon Constitution, funds available under the expenditure limitation for bonds issued pursuant to Article XI-G of the Oregon Constitution in section 6 (2)(b) of this 2009 Act are matched with the General Fund appropriation made under section 17 of this 2009 Act.

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

of the Oregon Constitution in section 6 (3) of this 2009 Act are matched with the General Fund appropriation made under section 18 of this 2009 Act.

(7) In compliance with the requirements of Article XI-G of the Oregon Constitution, funds available under the expenditure limitation for bonds issued pursuant to Article XI-G of the Oregon Constitution in section 6 (4)(b) of this 2009 Act are matched with the General Fund appropriation made under section 19 of this 2009 Act.

(8) In compliance with the requirements of Article XI-G of the Oregon Constitution, funds available under the expenditure limitation for bonds issued pursuant to Article XI-G of the Oregon Constitution in section 6 (4)(c) of this 2009 Act are matched with the General Fund appropriation made under section 20 of this 2009 Act.

(9) In compliance with the requirements of Article XI-G of the Oregon Constitution, funds available under the expenditure limitation for bonds issued pursuant to Article XI-G of the Oregon Constitution in section 6 (4)(d) of this 2009 Act are matched with the General Fund appropriation made under section 21 of this 2009 Act.

(10) In compliance with the requirements of Article XI-G of the Oregon Constitution, funds available under the expenditure limitation for bonds issued pursuant to Article XI-G of the Oregon Constitution in section 6 (5)(a) of this 2009 Act are matched with the General Fund appropriation made under section 22 of this 2009 Act.

(11) In compliance with the requirements of Article XI-G of the Oregon Constitution, funds available under the expenditure limitation for bonds issued pursuant to Article XI-G of the Oregon Constitution in section 6 (6)(b) of this 2009 Act are matched with the General Fund appropriation made under section 23 of this 2009 Act.

(12) In compliance with the requirements of Article XI-G of the Oregon Constitution, funds available under the expenditure limitation for bonds issued pursuant to Article XI-G of the Oregon Constitution in section 6 (7)(a) of this 2009 Act are matched with the General Fund appropriation made under section 24 of this 2009 Act.

SECTION 11. Notwithstanding the expenditure limitations established under sections 6 and 12 of this 2009 Act, the State Board of Higher Education may increase any limit for expenditures from other revenues, including federal funds, prescribed by sections 6 and 12 of this 2009 Act for a specific project, if the expenditure limitation for bonds issued pursuant to Article XI-F(1) or XI-G of the Oregon Constitution for the project is reduced by the board in the same amount.

SECTION 12. (1) Notwithstanding the expenditure limitations established under section 6 of this 2009 Act, and subject to subsection (3) of this section, the State Board of Higher Education may expend amounts that exceed the expenditure limitations established under section 6 (1) to (7) of this 2009 Act for bonds issued pursuant to Article XI-F(1) of the Oregon Constitution by the following percentage amounts:

(a) For a project with a combined approved General Fund appropriation and total expenditure limitation of \$500,000 to \$999,999 under section 6 of this 2009 Act, up to 12 percent of the expenditure limitation for bonds issued pursuant to Article XI-F(1) of the Oregon Constitution.

(b) For a project with a combined approved General Fund appropriation and total expenditure limitation of \$1,000,000 to \$4,999,999 under section 6 of this 2009 Act, up to eight percent of the expenditure limitation for bonds issued pursuant to Article XI-F(1) of the Oregon Constitution.

(c) For a project with a combined approved General Fund appropriation and total expenditure limitation of \$5,000,000 to \$9,999,999 under section 6 of this 2009 Act, up to five percent of the expenditure limitation for bonds issued pursuant to Article XI-F(1) of the Oregon Constitution.

(d) For a project with a combined approved General Fund appropriation and total expenditure limitation of \$10,000,000 or more under section 6 of this 2009 Act, up to three per-

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

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

(a) For a project with a combined approved General Fund appropriation and total expenditure limitation of \$500,000 to \$999,999 under section 6 of this 2009 Act, up to 12 percent of the expenditure limitation for other revenues, including federal funds.

(b) For a project with a combined approved General Fund appropriation and total expenditure limitation of \$1,000,000 to \$4,999,999 under section 6 of this 2009 Act, up to eight percent of the expenditure limitation for other revenues, including federal funds.

(c) For a project with a combined approved General Fund appropriation and total expenditure limitation of \$5,000,000 to \$9,999,999 under section 6 of this 2009 Act, up to five percent of the expenditure limitation for other revenues, including federal funds.

(d) For a project with a combined approved General Fund appropriation and total expenditure limitation of \$10,000,000 or more under section 6 of this 2009 Act, up to three percent of the expenditure limitation for other revenues, including federal funds.

(3) The total amount by which the expenditure limitations established under section 6 of this 2009 Act are exceeded under subsections (1) and (2) of this section may not be greater than the sum of the amounts established under section 6 (8) of this 2009 Act.

(4) Notwithstanding the expenditure limitations established under section 6 of this 2009 Act and subsection (3) of this section, the State Board of Higher Education may expend an additional amount in excess of the expenditure limitations established under section 6 of this 2009 Act to pay the cost of accrued and unpaid interest attributable to short term borrowing under Article XI-F(1) of the Oregon Constitution for a project listed in section 6 (1) to (7), if the short term borrowing has been refunded by another borrowing. The amount of such accrued and unpaid interest shall not exceed the amount established under section 6 (9) of this 2009 Act and may be treated as an allowable project cost related to the acquisition of land, improvements to land and acquisition, planning, constructing, altering, repairing, furnishing and equipping of buildings, facilities and other projects within the Department of Higher Education that may be paid from bond proceeds and other revenues, including federal funds, collected or received by the Department of Higher Education.

SECTION 13. Notwithstanding ORS 351.345 and section 6 of this 2009 Act, the State Board of Higher Education may issue bonds for a project listed in section 6 (1)(b) and (d), (2), (3), (4)(b), (c) and (d), (5)(a), (6)(b) and (7)(a) of this 2009 Act:

(1) If the total amount from other revenues, including federal funds, identified for the project in the expenditure limitation in section 6 of this 2009 Act has been received by the State Board of Higher Education; or

(2) After reporting to the Emergency Board or the Joint Committee on Ways and Means, if the total amount from other revenues, including federal funds, identified for the project in the expenditure limitation in section 6 of this 2009 Act has not been received by the State Board of Higher Education.

SECTION 14. (1) There is established in the General Fund an account to be known as the South Waterfront Life Sciences Facility Project Account. Funds in the account shall be used for the construction, remodeling, expansion and renovation of facilities for a facility project located in the South Waterfront Central District in the North Macadam Urban Renewal Area in the City of Portland.

(2) The account shall consist of proceeds from grant funds, gift funds and federal and local government funds made available to and funds donated to the Department of Higher Education for the purpose of the facility project described in subsection (1) of this section.

Interest earned on moneys in the account shall be credited to the account. The account may not be credited with more than \$50,000,000 for purposes of this subsection.

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

SECTION 15. (1) There is established in the General Fund an account to be known as the Oregon State University Biofuels Demonstration Project Account. Funds in the account shall be used for the construction, remodeling, expansion and renovation of facilities for a facility project at Oregon State University.

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

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

SECTION 16. (1) There is established in the General Fund an account to be known as the Eastern Oregon University Zabel Hall Deferred Maintenance Project Account. Funds in the account shall be used for the construction, remodeling, expansion and renovation of facilities for a facility project at Eastern Oregon University.

(2) The account shall consist of proceeds from lottery bonds made available to the Department of Higher Education for the purpose of the facility project described in subsection (1) of this section. Interest earned on moneys in the account shall be credited to the account. The account may not be credited with more than \$1,522,000 for purposes of this subsection.

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

SECTION 17. (1) There is established in the General Fund an account to be known as the Eastern Oregon University Pierce Library Project Account. Funds in the account shall be used for the construction, remodeling, expansion and renovation of facilities for a facility project at Eastern Oregon University.

(2) The account shall consist of proceeds from certificates of participation made available to the Department of Higher Education for the purpose of the facility project described in subsection (1) of this section. Interest earned on moneys in the account shall be credited to the account. The account may not be credited with more than \$4,000,000 for purposes of this subsection.

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

SECTION 18. (1) There is established in the General Fund an account to be known as the Oregon Institute of Technology Geothermal Renewable Energy Demonstration Project Account. Funds in the account shall be used for the construction, remodeling, expansion and renovation of facilities for a facility project at the Oregon Institute of Technology.

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

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

SECTION 19. (1) There is established in the General Fund an account to be known as the Oregon State University Strand Agriculture Hall Deferred Maintenance Project Account. Funds in the account shall be used for the construction, remodeling, expansion and renovation of facilities for a facility project at Oregon State University.

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

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

SECTION 20. (1) There is established in the General Fund an account to be known as the Oregon State University Bates Hall/Hallie Ford Healthy Children and Families Center Project Account. Funds in the account shall be used for the construction, remodeling, expansion and renovation of facilities for a facility project at Oregon State University.

(2) The account shall consist of proceeds from grant funds, gift funds and federal and local government funds made available to the Department of Higher Education for the purpose of the facility project described in subsection (1) of this section. Interest earned on moneys in the account shall be credited to the account. The account may not be credited with more than \$6,000,000 for purposes of this subsection.

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

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

(2) The account shall consist of proceeds from grant funds, gift funds and federal and local government funds made available to the Department of Higher Education for the purpose of the facility project described in subsection (1) of this section. Interest earned on moneys in the account shall be credited to the account. The account may not be credited with more than \$2,054,000 for purposes of this subsection.

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

SECTION 22. (1) There is established in the General Fund an account to be known as the Portland State University Science Research and Teaching Center/Hazardous Waste Facility Phase 2 Project Account. Funds in the account shall be used for the construction, remodeling, expansion and renovation of facilities for a facility project at Oregon State University.

(2) The account shall consist of proceeds from grant funds, gift funds and federal and local government funds made available to the Department of Higher Education for the purpose of the facility project described in subsection (1) of this section. Interest earned on moneys in the account shall be credited to the account. The account may not be credited with more than \$2,500,000 for purposes of this subsection.

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

SECTION 23. (1) There is established in the General Fund an account to be known as the Southern Oregon University Theatre Arts Expansion and Remodel Project Account. Funds in the account shall be used for the construction, remodeling, expansion and renovation of facilities for a facility project at Southern Oregon University.

(2) The account shall consist of proceeds from grant funds, gift funds and federal and local government funds made available to and funds donated to the Department of Higher Education for the purpose of the facility project described in subsection (1) of this section. Interest earned on moneys in the account shall be credited to the account. The account may not be credited with more than \$5,500,000 for purposes of this subsection.

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

SECTION 24. (1) There is established in the General Fund an account to be known as the University of Oregon Allen Hall Expansion and Remodel Project Account. Funds in the account shall be used for the construction, remodeling, expansion and renovation of facilities for a facility project at the University of Oregon.

(2) The account shall consist of proceeds from grant funds and gift funds made available to and funds donated to the Department of Higher Education for the purpose of the facility project described in subsection (1) of this section. Interest earned on moneys in the account shall be credited to the account. The account may not be credited with more than \$7,500,000 for purposes of this subsection.

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

SECTION 25. (1) Pursuant to Article XI-G of the Oregon Constitution and ORS 341.721 and ORS chapter 286A, the State Treasurer may sell, at the request of the State Board of Education, general obligation bonds of the State of Oregon of the kind and character and within the limits prescribed by Article XI-G of the Oregon Constitution, as the treasurer determines, but in no event may the treasurer sell more than the aggregate principal sum of \$63,223,000 par value for the biennium beginning July 1, 2009. The moneys realized from the sale of the bonds shall be appropriated and may be expended for the purposes set forth in section 7 of this 2009 Act and section 3 (1), chapter 761, Oregon Laws 2007, and for payment for capitalized interest and costs incidental to issuance of the bonds.

(2) In compliance with the requirements of Article XI-G of the Oregon Constitution, funds available under the expenditure limitation for bonds issued pursuant to Article XI-G of the Oregon Constitution in section 7 (1) of this 2009 Act are matched with the General Fund appropriation made under section 20, chapter 761, Oregon Laws 2007, as amended by section 27 of this 2009 Act.

(3) In compliance with the requirements of Article XI-G of the Oregon Constitution, funds available under the expenditure limitation for bonds issued pursuant to Article XI-G of the Oregon Constitution in section 7 (2) of this 2009 Act are matched with the General Fund appropriation made under section 21, chapter 761, Oregon Laws 2007, as amended by section 28 of this 2009 Act.

(4) In compliance with the requirements of Article XI-G of the Oregon Constitution, funds available under the expenditure limitation for bonds issued pursuant to Article XI-G of the Oregon Constitution in section 7 (3) of this 2009 Act are matched with the General Fund appropriation made under section 22, chapter 761, Oregon Laws 2007, as amended by section 29 of this 2009 Act.

(5) In compliance with the requirements of Article XI-G of the Oregon Constitution, funds available under the expenditure limitation for bonds issued pursuant to Article XI-G of the Oregon Constitution in section 7 (4) of this 2009 Act are matched with the General Fund appropriation made under section 26, chapter 787, Oregon Laws 2005, as amended by section 30 of this 2009 Act.

(6) In compliance with the requirements of Article XI-G of the Oregon Constitution, funds available under the expenditure limitation for bonds issued pursuant to Article XI-G of the Oregon Constitution in section 7 (5) of this 2009 Act are matched with the General Fund appropriation made under section 23, chapter 761, Oregon Laws 2007, as amended by section 31 of this 2009 Act.

(7) In compliance with the requirements of Article XI-G of the Oregon Constitution, funds available under the expenditure limitation for bonds issued pursuant to Article XI-G of the Oregon Constitution in section 7 (6) of this 2009 Act are matched with the General Fund appropriation made under section 27, chapter 787, Oregon Laws 2005, as amended by section 26, chapter 761, Oregon Laws 2007, and section 32 of this 2009 Act.

(8) In compliance with the requirements of Article XI-G of the Oregon Constitution, funds available under the expenditure limitation for bonds issued pursuant to Article XI-G of the Oregon Constitution in section 7 (7) of this 2009 Act are matched with the General Fund appropriation made under section 27, chapter 761, Oregon Laws 2007, as amended by section 33 of this 2009 Act.

(9) In compliance with the requirements of Article XI-G of the Oregon Constitution, funds available under the expenditure limitation for bonds issued pursuant to Article XI-G of the Oregon Constitution in section 7 (8) of this 2009 Act are matched with the General Fund appropriation made under section 34 of this 2009 Act.

(10) In compliance with the requirements of Article XI-G of the Oregon Constitution, funds available under the expenditure limitation for bonds issued pursuant to Article XI-G of the Oregon Constitution in section 7 (9) of this 2009 Act are matched with the General Fund appropriation made under section 35 of this 2009 Act.

SECTION 26. Notwithstanding section 7 of this 2009 Act, at the request of the State Board of Education, the State Treasurer may issue bonds for a project listed in section 7 of this 2009 Act:

(1) If the total amount from other revenues, including federal funds, identified for the project in the expenditure limitation in section 7 of this 2009 Act has been received by the Department of Community Colleges and Workforce Development; or

(2) After the department reports to the Emergency Board or the Joint Committee on Ways and Means, if the total amount from other revenues, including federal funds, identified

for the project in the expenditure limitation in section 7 of this 2009 Act has not been received by the department.

SECTION 27. Section 20, chapter 761, Oregon Laws 2007, is amended to read:

Sec. 20. (1) There is established in the General Fund an account to be known as the Central Oregon Community College Facilities Account. Moneys in the account shall be used to construct, improve, repair, equip and furnish facilities and purchase land for facilities for the Central Oregon Community College District.

(2) The account may consist of the following moneys that have been deposited in the account by the Department of Community Colleges and Workforce Development at the request of the Central Oregon Community College District for the purposes listed in subsection (1) of this section:

(a) Moneys from federal and local governments;

(b) Donations;

(c) Community College Support Fund moneys transferred to the account by the department at the request of the community college district;

(d) Building reserve funds of the community college district transferred to the department from the community college district; and

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

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

(4) The account may not be credited with more than [\$5,778,000] **\$11,478,000** in donations, Community College Support Fund moneys, proceeds from the sale of bonds, building reserve funds, federal and local government funds and interest.

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

SECTION 28. Section 21, chapter 761, Oregon Laws 2007, is amended to read:

Sec. 21. (1) There is established in the General Fund an account to be known as the Chemeketa Community College Facility Account. Moneys in the account shall be used to construct, improve, repair, equip and furnish facilities and purchase land for facilities for the Chemeketa Community College District.

(2) The account may consist of the following moneys that have been deposited in the account by the Department of Community Colleges and Workforce Development at the request of the Chemeketa Community College District for the purposes listed in subsection (1) of this section:

(a) Moneys from federal and local governments;

(b) Donations;

(c) Community College Support Fund moneys transferred to the account by the department at the request of the community college district;

(d) Building reserve funds of the community college district transferred to the department from the community college district; and

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

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

(4) The account may not be credited with more than [\$5,625,000] **\$11,880,000** in donations, Community College Support Fund moneys, proceeds from the sale of bonds, building reserve funds, federal and local government funds and interest.

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

SECTION 29. Section 22, chapter 761, Oregon Laws 2007, is amended to read:

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

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

(a) Moneys from federal and local governments;

(b) Donations;

(c) Community College Support Fund moneys transferred to the account by the department at the request of the community college district;

(d) Building reserve funds of the community college district transferred to the department from the community college district; and

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

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

(4) The account may not be credited with more than [~~\$5,156,250~~] **\$13,156,250** in donations, Community College Support Fund moneys, proceeds from the sale of bonds, building reserve funds, federal and local government funds and interest.

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

SECTION 30. Section 26, chapter 787, Oregon Laws 2005, is amended to read:

Sec. 26. (1) There is established in the General Fund an account to be known as the Columbia Gorge Community College Facilities Account. Moneys in the account shall be used to construct, improve, repair, equip and furnish facilities for the Columbia Gorge Community College District.

(2) The account may consist of the following moneys that have been deposited in the account by the Department of Community Colleges and Workforce Development at the request of the Columbia Gorge Community College District for the purposes listed in subsection (1) of this section:

(a) Moneys from federal and local governments;

(b) Donations;

(c) Community College Support Fund moneys transferred to the account by the department at the request of the community college district;

(d) Building reserve funds of the community college district transferred to the department from the community college district; and

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

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

(4) The account may not be credited with more than [~~\$7,500,000~~] **\$15,500,000** in donations, Community College Support Fund moneys, proceeds from the sale of bonds, building reserve funds, federal and local government funds and interest.

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

SECTION 31. Section 23, chapter 761, Oregon Laws 2007, is amended to read:

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

(2) The account may consist of the following moneys that have been deposited in the account by the Department of Community Colleges and Workforce Development at the request of the Lane Community College District for the purposes listed in subsection (1) of this section:

- (a) Moneys from federal and local governments;
- (b) Donations;

(c) Community College Support Fund moneys transferred to the account by the department at the request of the community college district;

(d) Building reserve funds of the community college district transferred to the department from the community college district; and

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

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

(4) The account may not be credited with more than [~~\$6,750,000~~] **\$14,750,000** in donations, Community College Support Fund moneys, proceeds from the sale of bonds, building reserve funds, federal and local government funds and interest.

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

SECTION 32. Section 27, chapter 787, Oregon Laws 2005, as amended by section 26, chapter 761, Oregon Laws 2007, is amended to read:

Sec. 27. (1) There is established in the General Fund an account to be known as the Oregon Coast Community College Facilities Account. Moneys in the account shall be used to construct, improve, repair, equip and furnish facilities and purchase land for facilities for the Oregon Coast Community College District.

(2) The account may consist of the following moneys that have been deposited in the account by the Department of Community Colleges and Workforce Development at the request of the Oregon Coast Community College District for the purposes listed in subsection (1) of this section:

- (a) Moneys from federal and local governments;
- (b) Donations;

(c) Community College Support Fund moneys transferred to the account by the department at the request of the community college district;

(d) Building reserve funds of the community college district transferred to the department from the community college district; and

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

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

(4) The account may not be credited with more than [~~\$7,500,000~~] **\$9,500,000** in donations, Community College Support Fund moneys, proceeds from the sale of bonds, building reserve funds, federal and local government funds and interest.

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

SECTION 33. Section 27, chapter 761, Oregon Laws 2007, is amended to read:

Sec. 27. (1) There is established in the General Fund an account to be known as the Portland Community College Facilities Account. Moneys in the account shall be used to construct, improve, repair, equip and furnish facilities and purchase land for facilities for the Portland Community College District.

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

- (a) Moneys from federal and local governments;
 - (b) Donations;
 - (c) Community College Support Fund moneys transferred to the account by the department at the request of the community college district;
 - (d) Building reserve funds of the community college district transferred to the department from the community college district; and
 - (e) Proceeds from the sale of bonds issued by the community college district.
- (3) Interest earned on moneys in the account shall be credited to the account.
- (4) The account may not be credited with more than [\$7,500,000] **\$15,500,000** in donations, Community College Support Fund moneys, proceeds from the sale of bonds, building reserve funds, federal and local government funds and interest.
- (5) Moneys in the account shall be considered to be General Fund moneys for purposes of section 1 (3), Article XI-G of the Oregon Constitution, are continuously appropriated to the department and may be transferred to the Community College Capital Construction Fund for the purpose of making distributions to the Portland Community College District for the purposes listed in subsection (1) of this section.

SECTION 34. (1) There is established in the General Fund an account to be known as the Treasure Valley Community College Facilities Account. Moneys in the account shall be used to construct, improve, repair, equip and furnish facilities and purchase land for facilities for the Treasure Valley Community College District.

(2) The account may consist of the following moneys that have been deposited in the account by the Department of Community Colleges and Workforce Development at the request of the Treasure Valley Community College District for the purposes listed in subsection (1) of this section:

- (a) Moneys from federal and local governments;**
 - (b) Donations;**
 - (c) Community College Support Fund moneys transferred to the account by the department at the request of the community college district;**
 - (d) Building reserve funds of the community college district transferred to the department from the community college district; and**
 - (e) Proceeds from the sale of bonds issued by the community college district.**
- (3) Interest earned on moneys in the account shall be credited to the account.**
- (4) The account may not be credited with more than \$3,000,000 in donations, Community College Support Fund moneys, proceeds from the sale of bonds, building reserve funds, federal and local government funds and interest.**
- (5) Moneys in the account shall be considered to be General Fund moneys for purposes of section 1 (3), Article XI-G of the Oregon Constitution, are continuously appropriated to the department and may be transferred to the Community College Capital Construction Fund for the purpose of making distributions to the Treasure Valley Community College District for the purposes listed in subsection (1) of this section.**

SECTION 35. (1) There is established in the General Fund an account to be known as the Umpqua Community College Facilities Account. Moneys in the account shall be used to construct, improve, repair, equip and furnish facilities and purchase land for facilities for the Umpqua Community College District.

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

- (a) Moneys from federal and local governments;**
- (b) Donations;**
- (c) Community College Support Fund moneys transferred to the account by the department at the request of the community college district;**

(d) Building reserve funds of the community college district transferred to the department from the community college district; and

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

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

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

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

SECTION 36. (1) There is established in the General Fund an account to be known as the Blue Mountain Community College Facilities Account. Moneys in the account shall be used to construct, improve, repair, equip and furnish facilities and purchase land for facilities for the Blue Mountain Community College District.

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

(a) Moneys from federal and local governments;

(b) Donations;

(c) Community College Support Fund moneys transferred to the account by the department at the request of the community college district;

(d) Building reserve funds of the community college district transferred to the department from the community college district; and

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

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

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

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

SECTION 37. Notwithstanding any other law limiting expenditures, the following amounts are established for the biennium beginning July 1, 2009, as the maximum limit for payment of expenses under this section from bond proceeds collected or received by the Department of Community Colleges and Workforce Development for community college districts for capital construction, deferred maintenance, capital renewal, code compliance and safety projects:

**Lottery
Bonds**

(1)	Blue Mountain Community College Hermiston Higher Education Center	\$ 7,400,000
(2)	Central Oregon Community College	

	Classroom Construction	\$ 1,200,000
(3)	Clackamas Community College Deferred Maintenance, Capital Renewal, Code Compliance and Safety Projects.....	\$ 1,000,000
(4)	Clatsop Community College Towler Hall Seismic Upgrades ..	\$ 1,900,000
(5)	Mt. Hood Community College Classroom and Laboratory Seismic Upgrades	\$ 950,000
(6)	Rogue Community College Deferred Maintenance, Capital Renewal, Code Compliance, Safety Projects and Renovations	\$ 1,250,000

SECTION 38. This 2009 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2009 Act takes effect July 1, 2009.

Passed by Senate June 26, 2009

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Secretary of Senate

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President of Senate

Passed by House June 29, 2009

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Speaker of House

Received by Governor:

.....M.,....., 2009

Approved:

.....M.,....., 2009

.....
Governor

Filed in Office of Secretary of State:

.....M.,....., 2009

.....
Secretary of State