

Enrolled Senate Bill 5534

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CHAPTER

AN ACT

Relating to state financial administration; limiting expenditures; and declaring an emergency.

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

SECTION 1. During the biennium beginning July 1, 2009, all lottery revenues available to benefit the public purposes specified in section 4, Article XV of the Oregon Constitution, that are in excess of distributions or allocations required by law shall be maintained in the Administrative Services Economic Development Fund.

SECTION 2. Except as provided in chapter __, Oregon Laws 2009 (Enrolled House Bill 2013), all moneys in the Administrative Services Economic Development Fund as of July 1, 2009, and thereafter are reserved to meet the commitments of this 2009 Act.

SECTION 3. The following amounts are allocated for the biennium beginning July 1, 2009, from the Administrative Services Economic Development Fund, to the Economic and Community Development Department, for the following purposes:

- (1) Shared services..... \$ 6,648,906
- (2) Business, innovation, trade \$ 23,418,391
- (3) Oregon Film and Video Office .. \$ 1,251,703
- (4) Principal and interest
payments on outstanding lottery
revenue bonds..... \$ 68,813,104
- (5) Principal and interest
payments on lottery revenue
bonds issued for economic
development activities as
provided by ORS 285B.551..... \$ 2,079,041

SECTION 4. There is allocated for the biennium beginning July 1, 2009, from the Administrative Services Economic Development Fund, to the Department of Education, for the State School Fund, the amount of \$439,791,571.

SECTION 5. There is allocated for the biennium beginning July 1, 2009, from the Administrative Services Economic Development Fund, to the Department of Transportation, the amount of \$79,916,398 for the purposes of paying, when due, the principal, interest and premium, if any, on outstanding lottery bonds for rail projects, rail infrastructure assistance and multimodal transportation infrastructure projects and on any bonds issued to refund

such lottery bonds, of funding reserves for any of those bonds and of paying related costs of the department.

SECTION 5a. There is allocated for the biennium beginning July 1, 2009, from the Administrative Services Economic Development Fund, to the Department of Transportation, the amount of \$5,005,778 for the purposes of paying, when due, the principal, interest and premium, if any, on lottery bonds issued for multimodal transportation infrastructure projects and on any bonds issued to refund such lottery bonds, of funding reserves for any of those bonds and of paying related costs of the department.

SECTION 6. Pursuant to ORS 461.549, there is allocated for the biennium beginning July 1, 2009, from the Administrative Services Economic Development Fund, to the Problem Gambling Treatment Fund, for distribution to counties for treatment of gambling addiction, the amount of \$9,249,772.

SECTION 7. There is allocated for the biennium beginning July 1, 2009, from the Administrative Services Economic Development Fund, to the Department of Education, for deposit in the Lottery Bond Fund for the purpose of paying, when due, the principal, interest and premium, if any, on outstanding education lottery bonds, the amount of \$34,445,022.

SECTION 8. There is transferred to the Lottery Bond Fund for the biennium beginning July 1, 2009, out of the Oregon Education Fund, 100 percent of the declared earnings on the Education Stability Fund that are transferred to the Oregon Education Fund during the biennium beginning July 1, 2009, to be used by the Department of Education for the purposes of maintaining cash flow and paying, when due, the principal, interest and premium, if any, on outstanding education lottery bonds.

SECTION 9. There is allocated for the biennium beginning July 1, 2009, from the Administrative Services Economic Development Fund, to the Housing and Community Services Department, for the purpose of paying, when due, the principal, interest and premium, if any, on outstanding lottery bonds, the amount of \$7,294,062.

SECTION 9a. There is allocated for the biennium beginning July 1, 2009, from the Administrative Services Economic Development Fund, to the Housing and Community Services Department, for the purpose of paying, when due, the principal, interest and premium, if any, on lottery bonds issued for preservation of section 8 housing or acquisition of manufactured dwelling parks, the amount of \$1,479,883.

SECTION 10. There is allocated for the biennium beginning July 1, 2009, from the Administrative Services Economic Development Fund, to the Oregon Department of Administrative Services, for transfer to the State Department of Agriculture, the amount of \$22,000 for the purpose of supporting the administration of county fairs in this state.

SECTION 11. Pursuant to ORS 565.447, there is allocated for the biennium beginning July 1, 2009, from the Administrative Services Economic Development Fund, to the Oregon Department of Administrative Services, the amount of \$3,021,303 for the purpose of supporting county fairs in this state. Funds allocated under this section shall be deposited in the County Fair Account established by ORS 565.445.

SECTION 12. There is allocated for the biennium beginning July 1, 2009, from the Administrative Services Economic Development Fund, to the Oregon Department of Administrative Services, the amount of \$1,830,791 for the purpose of paying, when due, the principal, interest and premium, if any, and bond-related costs on outstanding lottery bonds issued to finance equipment modernization for public broadcasting in Oregon.

SECTION 13. There is allocated for the biennium beginning July 1, 2009, from the Administrative Services Economic Development Fund, to the Department of Higher Education, the amount of \$10,400,250 for the purpose of paying, when due, the principal, interest and premium, if any, on outstanding lottery bonds issued to finance facilities construction and deferred maintenance projects.

SECTION 13a. There is allocated for the biennium beginning July 1, 2009, from the Administrative Services Economic Development Fund, to the Department of Community Col-

leges and Workforce Development, the amount of \$7,911,324 for the purpose of paying, when due, the principal, interest and premium, if any, on outstanding lottery bonds issued to finance facilities construction and deferred maintenance projects.

SECTION 13b. There is allocated for the biennium beginning July 1, 2009, from the Administrative Services Economic Development Fund, to the Department of Community Colleges and Workforce Development, the amount of \$1,394,779 for the purpose of paying, when due, the principal, interest and premium, if any, on lottery bonds issued to finance facilities construction and deferred maintenance projects.

SECTION 14. There is allocated for the biennium beginning July 1, 2009, from the Administrative Services Economic Development Fund, to the office of the Governor, the amount of \$2,046,278 for expenses of the Economic Revitalization Team.

SECTION 15. For the purpose of carrying out the provisions of ORS 461.543 (4), there is allocated for the biennium beginning July 1, 2009, from the Administrative Services Economic Development Fund, to the Sports Lottery Account, the amount of \$9,665,082.

SECTION 16. There is allocated for the biennium beginning July 1, 2009, from the Administrative Services Economic Development Fund, to the Oregon Department of Administrative Services, the amount of \$33,064,418 for distribution to counties for economic development activities as provided by ORS 461.547.

SECTION 17. There is allocated for the biennium beginning July 1, 2009, from the Administrative Services Economic Development Fund, to the Water Resources Department, the amount of \$354,912 for the purpose of paying, when due, the principal, interest and premium, if any, on lottery bonds issued to finance grants for qualifying costs of planning and the creation of water storage projects, administration and the development of an integrated water resources strategy.

SECTION 17a. There is allocated for the biennium beginning July 1, 2009, from the Administrative Services Economic Development Fund, to the State Forestry Department, the amount of \$1,507,602 for the purpose of paying, when due, the principal, interest and premium, if any, on lottery bonds issued for land acquisition.

SECTION 17b. There is allocated for the biennium beginning July 1, 2009, from the Administrative Services Economic Development Fund, to the State Department of Energy, the amount of \$590,348 for the purpose of paying, when due, the principal, interest and premium, if any, on lottery bonds issued for the Loan Offset Grant Fund established under section 16, chapter _____, Oregon Laws 2009 (Enrolled House Bill 2626).

SECTION 17c. There is allocated for the biennium beginning July 1, 2009, from the Administrative Services Economic Development Fund, to the Oregon Department of Administrative Services, the amount of \$5,133,130 for the purpose of paying, when due, the principal, interest and premium, if any, on lottery bonds issued for pass-through payments to other entities.

SECTION 18. (1) The Oregon Department of Administrative Services shall establish by rule a process for allocating available moneys in the Administrative Services Economic Development Fund on a quarterly basis to fulfill the biennial allocations made in this 2009 Act. All quarterly allocations shall be set by the Oregon Department of Administrative Services.

(2) If, in any quarter, the moneys transferred from the State Lottery Fund to the Administrative Services Economic Development Fund are insufficient to pay for the quarterly allocations made under this 2009 Act, the Oregon Department of Administrative Services:

(a) Shall satisfy the debt service obligations for Westside Light Rail in the amount of \$2,863,158 prior to making any other allocations pursuant to this 2009 Act.

(b) Subject to paragraph (a) of this subsection, prior to making any other allocations pursuant to this 2009 Act, shall satisfy debt service obligations in the following amounts:

- (A) Economic and Community Development Department \$ 70,892,145
- (B) Department of Education \$ 34,445,022

(C) Housing and Community Services Department.....	\$ 8,773,945
(D) Oregon Department of Administrative Services.....	\$ 6,963,921
(E) Department of Higher Education.....	\$ 10,400,250
(F) Department of Transportation for rail and infrastructure projects	\$ 84,922,176
(G) Water Resources Department ..	\$ 354,912
(H) Department of Community Colleges and Workforce Development	\$ 9,306,103
(I) State Department of Energy	\$ 590,348
(J) State Forestry Department	\$ 1,507,602

(3) After the debt service obligations described in subsection (2) of this section are satisfied, if the remaining moneys transferred from the State Lottery Fund to the Administrative Services Economic Development Fund are insufficient to pay for the quarterly allocations made under this 2009 Act, the allocations shall be reduced proportionately in sufficient amounts to accommodate the revenue shortfall.

SECTION 19. (1) The amounts allocated by section 3 (10), chapter 745, Oregon Laws 2007, for the biennium beginning July 1, 2007, from the Administrative Services Economic Development Fund, to the Economic and Community Development Department, for principal and interest payments on lottery revenue bonds is increased by \$46,926.

(2) The amounts allocated by section 6, chapter 745, Oregon Laws 2007, for the biennium beginning July 1, 2007, from the Administrative Services Economic Development Fund, to the Economic and Community Development Department, for the purpose of paying, when due, the principal, interest and premium, if any, on outstanding lottery bonds for Coos Bay channel deepening projects authorized pursuant to section 13, chapter 746, Oregon Laws 2007, and on any bonds issued to refund such lottery bonds, of funding reserves for any of those bonds and of paying related costs of the department is decreased by \$46,924.

SECTION 20. (1) The amounts allocated by section 21, chapter 745, Oregon Laws 2007, for the biennium beginning July 1, 2007, from the Administrative Services Economic Development Fund, to the Department of Higher Education, for the purpose of paying, when due, the principal, interest and premium, if any, on outstanding lottery bonds issued to finance facilities construction and deferred maintenance projects is increased by \$28,047.

(2) The amounts allocated by section 27, chapter 745, Oregon Laws 2007, for the biennium beginning July 1, 2007, from the Administrative Services Economic Development Fund, to the Department of Higher Education, for the purpose of paying, when due, the principal, interest and premium, if any, and bond-related costs on lottery bonds issued to finance capital repair projects is decreased by \$28,046.

SECTION 21. 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

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Governor

Filed in Office of Secretary of State:

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

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Secretary of State