

**HOUSE AMENDMENTS TO
A-ENGROSSED SENATE BILL 5535
(INCLUDING AMENDMENTS TO RESOLVE CONFLICTS)**

By JOINT COMMITTEE ON WAYS AND MEANS

June 29

1 On page 2 of the printed A-engrossed bill, line 4, delete the first “and”.

2 In line 5, after “338)” insert “and sections 39 and 98, chapter ___, Oregon Laws 2009 (Enrolled
3 House Bill 2208); repealing section 38, chapter ___, Oregon Laws 2009 (Enrolled House Bill 2208)”.

4 Delete lines 7 through 45 and delete page 3.

5 On page 4, delete lines 1 through 41 and insert:

6 “**SECTION 1.** ORS 285B.551 is amended to read:

7 “285B.551. (1) Pursuant to ORS 286A.560 to 286A.585, [*lottery bonds may be issued*] **at the re-**
8 **quest of the Oregon Department of Administrative Services, after the department consults**
9 **with the Economic and Community Development Department, the State Treasurer is au-**
10 **thorized to issue lottery bonds:**

11 “(a) To provide financial and other assistance, including but not limited to loans and grants, to
12 municipalities, ports and other persons and entities in accordance with the laws governing use of
13 moneys in the Special Public Works Fund created by ORS 285B.455, the Water Fund created by ORS
14 285B.563, the Safe Drinking Water Revolving Loan Fund created by ORS 285A.213, the Oregon Port
15 Revolving Fund created by ORS 285A.708, the Brownfields Redevelopment Fund created by ORS
16 285A.188, the Oregon Business Development Fund created by ORS 285B.092 and the Marine Navi-
17 gation Improvement Fund created by ORS 777.267.

18 “(b) To fund Oregon’s share of the costs of the Columbia River channel deepening project.

19 “(c) To fund Oregon’s share of the costs of studies and ecosystem restoration projects in the
20 lower Columbia River estuary designed to improve habitat for listed endangered or threatened spe-
21 cies of Columbia River anadromous salmonids.

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

23 “(a) The financial and other assistance to municipalities, ports and other persons and entities
24 will assist in the establishment and expansion of businesses in Oregon and in the construction, im-
25 provement and expansion of infrastructure, community and port facilities and other facilities that
26 comprise the physical foundation for industrial and commercial activity and provide the basic
27 framework for continued and expanded economic opportunities and quality communities throughout
28 Oregon.

29 “(b) The Columbia River channel deepening project is necessary to allow newer, larger
30 steamships access to Oregon and Washington deep draft ports. A deeper shipping channel will allow
31 the Columbia River to continue as a world leader in agricultural exports and as a key trade corridor
32 for farms and businesses throughout Oregon and the region.

33 “(c) Such financial and other assistance to municipalities, ports and other persons and entities
34 and the deepening of the Columbia River channel will therefore promote economic development

1 within this state, and thus the use of net proceeds derived from the operation of the Oregon State
2 Lottery to pay debt service on lottery bonds issued under this section to provide such financial and
3 other assistance to municipalities, ports and other persons and entities and to pay a portion of the
4 costs of deepening the Columbia River channel is an authorized use of state lottery funds under
5 section 4, Article XV of the Oregon Constitution, and ORS 461.510.

6 “(d) The current lower Columbia River estuary habitat for listed endangered or threatened spe-
7 cies of Columbia River anadromous salmonids could be improved through ecosystem restoration
8 projects. The use of the Oregon State Lottery to pay debt service on lottery bonds issued under this
9 section to pay for studying how the estuary could be improved and to pay for ecosystem restoration
10 projects are authorized uses of state lottery funds.

11 “(3) The aggregate principal amount of lottery bonds issued pursuant to subsection (1)(a) of this
12 section for financial and other assistance to municipalities, ports and other persons and entities may
13 not exceed the sum of [~~\$248.7 million~~] **\$266,226,252** and an additional amount estimated by the State
14 Treasurer to be necessary to pay bond-related costs. The aggregate principal amount of lottery
15 bonds issued pursuant to subsection (1)(b) of this section for the Columbia River channel deepening
16 project may not exceed the sum of \$17.7 million and an additional amount estimated by the State
17 Treasurer to be necessary to pay bond-related costs. [*Lottery bonds issued pursuant to this section*
18 *may be issued only at the request of the Director of the Economic and Community Development De-*
19 *partment. The director*] **The Oregon Department of Administrative Services** may not request the
20 issuance of lottery bonds pursuant to subsection (1)(b) of this section until **the Director of the**
21 **Economic and Community Development Department determines that** a final environmental
22 impact statement has been issued and a record of decisions has been submitted to Congress by the
23 United States Army Corps of Engineers, Congress has authorized the Columbia River channel
24 deepening project, and the Washington sponsors’ shares of the costs of the Columbia River channel
25 deepening project have been committed.

26 “(4) The net proceeds of lottery bonds issued pursuant to subsection (1)(a) and (b) of this section
27 shall be deposited in the Economic Infrastructure Project Fund, which is hereby established in the
28 State Treasury separate and distinct from the General Fund. All moneys in the Economic
29 Infrastructure Project Fund are continuously appropriated to the Economic and Community Devel-
30 opment Department for any purpose for which moneys in the Special Public Works Fund created by
31 ORS 285B.455 may be used, any purpose for which moneys in the Water Fund created by ORS
32 285B.563 may be used, any purpose for which moneys in the Safe Drinking Water Revolving Loan
33 Fund created by ORS 285A.213 may be used, any purpose for which moneys in the Oregon Port
34 Revolving Fund created by ORS 285A.708 may be used, any purpose for which moneys in the
35 Brownfields Redevelopment Fund created by ORS 285A.188 may be used, any purpose for which
36 moneys in the Oregon Business Development Fund created by ORS 285B.092 may be used and any
37 purpose for which moneys in the Marine Navigation Improvement Fund created by ORS 777.267 may
38 be used. The Director of the Economic and Community Development Department shall allocate the
39 moneys deposited in the Economic Infrastructure Project Fund for the purposes described in this
40 subsection in accordance with the priorities developed by the Oregon Economic and Community
41 Development Commission in accordance with ORS 285A.020. However, the director shall transfer
42 from the Economic Infrastructure Project Fund and deposit into the Channel Deepening Account of
43 the Marine Navigation Improvement Fund the proceeds of any lottery bonds sold to finance a por-
44 tion of the costs of the Columbia River channel deepening project. Upon determining the relative
45 allocation of moneys deposited in the Economic Infrastructure Project Fund among the purposes

1 described in this subsection, the director shall transfer from the Economic Infrastructure Project
2 Fund, and deposit into each of the other funds described in this subsection, the amounts so allocated.
3 Notwithstanding any other provision of law governing the funds described in this subsection, the
4 funds described in this subsection may be credited with moneys transferred from the Economic
5 Infrastructure Project Fund by the director in accordance with this subsection.

6 “(5) The aggregate principal amount of lottery bonds issued pursuant to subsection (1)(c) of this
7 section for the costs of studies and ecosystem restoration projects in the lower Columbia River
8 estuary may not exceed the sum of \$750,000 and an additional amount estimated by the State
9 Treasurer to be necessary to pay bond-related costs. The net proceeds of lottery bonds issued pur-
10 suant to subsection (1)(c) of this section shall be deposited in the Oregon Community Development
11 Fund created by ORS 285A.227 and may be used only for the Oregon nonfederal share of United
12 States Army Corps of Engineers Columbia River estuary projects authorized by Congress prior to
13 August 9, 2001. The director may not request the issuance of lottery bonds pursuant to subsection
14 (1)(c) of this section until Congress and Washington have authorized their respective shares of the
15 costs of the studies and ecosystem restoration projects in the lower Columbia River estuary.

16 “(6) The proceeds of lottery bonds issued pursuant to this section may be used only for the
17 purposes set forth in this section and for bond-related costs.

18 **“SECTION 1a. If House Bill 2152 becomes law, section 1 of this 2009 Act (amending ORS**
19 **285B.551) is repealed and ORS 285B.551, as amended by section 115, chapter ___, Oregon Laws**
20 **2009 (Enrolled House Bill 2152), is amended to read:**

21 “285B.551. (1) Pursuant to ORS 286A.560 to 286A.585, [*lottery bonds may be issued*] **at the re-**
22 **quest of the Oregon Department of Administrative Services, after the department consults**
23 **with the Oregon Business Development Department, the State Treasurer is authorized to**
24 **issue lottery bonds:**

25 “(a) To provide financial and other assistance, including but not limited to loans and grants, to
26 municipalities, ports and other persons and entities in accordance with the laws governing use of
27 moneys in the Special Public Works Fund created by ORS 285B.455, the Water Fund created by ORS
28 285B.563, the Safe Drinking Water Revolving Loan Fund created by ORS 285A.213, the Oregon Port
29 Revolving Fund created by ORS 285A.708, the Brownfields Redevelopment Fund created by ORS
30 285A.188, the Oregon Business Development Fund created by ORS 285B.092 and the Marine Navi-
31 gation Improvement Fund created by ORS 777.267.

32 “(b) To fund Oregon’s share of the costs of the Columbia River channel deepening project.

33 “(c) To fund Oregon’s share of the costs of studies and ecosystem restoration projects in the
34 lower Columbia River estuary designed to improve habitat for listed endangered or threatened spe-
35 cies of Columbia River anadromous salmonids.

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

37 “(a) The financial and other assistance to municipalities, ports and other persons and entities
38 will assist in the establishment and expansion of businesses in Oregon and in the construction, im-
39 provement and expansion of infrastructure, community and port facilities and other facilities that
40 comprise the physical foundation for industrial and commercial activity and provide the basic
41 framework for continued and expanded economic opportunities and quality communities throughout
42 Oregon.

43 “(b) The Columbia River channel deepening project is necessary to allow newer, larger
44 steamships access to Oregon and Washington deep draft ports. A deeper shipping channel will allow
45 the Columbia River to continue as a world leader in agricultural exports and as a key trade corridor

1 for farms and businesses throughout Oregon and the region.

2 “(c) Such financial and other assistance to municipalities, ports and other persons and entities
3 and the deepening of the Columbia River channel will therefore promote economic development
4 within this state, and thus the use of net proceeds derived from the operation of the Oregon State
5 Lottery to pay debt service on lottery bonds issued under this section to provide such financial and
6 other assistance to municipalities, ports and other persons and entities and to pay a portion of the
7 costs of deepening the Columbia River channel is an authorized use of state lottery funds under
8 section 4, Article XV of the Oregon Constitution, and ORS 461.510.

9 “(d) The current lower Columbia River estuary habitat for listed endangered or threatened spe-
10 cies of Columbia River anadromous salmonids could be improved through ecosystem restoration
11 projects. The use of the Oregon State Lottery to pay debt service on lottery bonds issued under this
12 section to pay for studying how the estuary could be improved and to pay for ecosystem restoration
13 projects are authorized uses of state lottery funds.

14 “(3)(a) The aggregate principal amount of lottery bonds issued pursuant to subsection (1)(a) of
15 this section for financial and other assistance to municipalities, ports and other persons and entities
16 may not exceed the sum of [~~\$248.7 million~~] **\$266,226,252** and an additional amount estimated by the
17 State Treasurer to be necessary to pay bond-related costs. The aggregate principal amount of lottery
18 bonds issued pursuant to subsection (1)(b) of this section for the Columbia River channel deepening
19 project may not exceed the sum of \$17.7 million and an additional amount estimated by the State
20 Treasurer to be necessary to pay bond-related costs.

21 “[~~(b)~~] *Lottery bonds issued under this section may be issued only at the request of the Director of*
22 *the Oregon Business Development Department.*]

23 “[~~(c)~~] **(b)** The [~~director~~] **Oregon Department of Administrative Services** may not request the
24 issuance of lottery bonds under subsection (1)(b) of this section until **the Director of the Oregon**
25 **Business Development Department determines that** a final environmental impact statement has
26 been issued and a record of decisions has been submitted to Congress by the United States Army
27 Corps of Engineers, Congress has authorized the Columbia River channel deepening project, and the
28 Washington sponsors’ shares of the costs of the Columbia River channel deepening project have been
29 committed.

30 “(4) The net proceeds of lottery bonds issued pursuant to subsection (1)(a) and (b) of this section
31 shall be deposited in the Economic Infrastructure Project Fund, which is hereby established in the
32 State Treasury separate and distinct from the General Fund. Interest earned by the Economic
33 Infrastructure Project Fund shall be credited to the fund. All moneys in the Economic Infrastructure
34 Project Fund are continuously appropriated to the Oregon Business Development Department for
35 any purpose for which moneys in the Special Public Works Fund created by ORS 285B.455 may be
36 used, any purpose for which moneys in the Water Fund created by ORS 285B.563 may be used, any
37 purpose for which moneys in the Safe Drinking Water Revolving Loan Fund created by ORS
38 285A.213 may be used, any purpose for which moneys in the Oregon Port Revolving Fund created
39 by ORS 285A.708 may be used, any purpose for which moneys in the Brownfields Redevelopment
40 Fund created by ORS 285A.188 may be used, any purpose for which moneys in the Oregon Business
41 Development Fund created by ORS 285B.092 may be used and any purpose for which moneys in the
42 Marine Navigation Improvement Fund created by ORS 777.267 may be used. The Director of the
43 Oregon Business Development Department shall allocate the moneys deposited in the Economic
44 Infrastructure Project Fund for the purposes described in this subsection in accordance with the
45 priorities developed by the Oregon Business Development Commission in accordance with ORS

1 285A.020. However, the director shall transfer from the Economic Infrastructure Project Fund and
2 deposit into the Channel Deepening Account of the Marine Navigation Improvement Fund the pro-
3 ceeds of any lottery bonds sold to finance a portion of the costs of the Columbia River channel
4 deepening project. Upon determining the relative allocation of moneys deposited in the Economic
5 Infrastructure Project Fund among the purposes described in this subsection, the director shall
6 transfer from the Economic Infrastructure Project Fund, and deposit into each of the other funds
7 described in this subsection, the amounts so allocated. Notwithstanding any other provision of law
8 governing the funds described in this subsection, the funds described in this subsection may be
9 credited with moneys transferred from the Economic Infrastructure Project Fund by the director in
10 accordance with this subsection.

11 “(5) The aggregate principal amount of lottery bonds issued pursuant to subsection (1)(c) of this
12 section for the costs of studies and ecosystem restoration projects in the lower Columbia River
13 estuary may not exceed the sum of \$750,000 and an additional amount estimated by the State
14 Treasurer to be necessary to pay bond-related costs. The net proceeds of lottery bonds issued pur-
15 suant to subsection (1)(c) of this section shall be deposited in the Oregon Business, Innovation and
16 Trade Fund created by ORS 285A.227 and may be used only for the Oregon nonfederal share of
17 United States Army Corps of Engineers Columbia River estuary projects authorized by Congress
18 prior to August 9, 2001. The director may not request the issuance of lottery bonds under subsection
19 (1)(c) of this section until Congress and Washington have authorized their respective shares of the
20 costs of the studies and ecosystem restoration projects in the lower Columbia River estuary.

21 “(6) The proceeds of lottery bonds issued pursuant to this section may be used only for the
22 purposes set forth in this section and for bond-related costs.

23 “**SECTION 2.** Section 2, chapter 788, Oregon Laws 2005, as amended by section 2, chapter 746,
24 Oregon Laws 2007, and section 149, chapter 783, Oregon Laws 2007, is amended to read:

25 “**Sec. 2.** (1) Pursuant to ORS [286.560 to 286.580, *lottery bonds may be issued by the State*
26 *Treasurer at the request of the Department of Higher Education for*] **286A.560 to 286A.585, at the**
27 **request of the Oregon Department of Administrative Services, after the department consults**
28 **with the Department of Higher Education, the State Treasurer is authorized to issue lottery**
29 **bonds for capital construction, deferred maintenance and capital renewal, code compliance and**
30 **safety projects.**

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

32 “(a) **New buildings and facilities are needed in order that universities have adequate fa-**
33 **ilities for teaching.**

34 “(b) **Having adequate university buildings and facilities is essential to Oregon’s healthy**
35 **economic growth.**

36 “[a] (c) Major subsystems within university buildings are wearing out and must be replaced in
37 order that universities have adequate facilities for teaching.

38 “[b] (d) Having safe and fully functioning university facilities is essential to Oregon’s healthy
39 economic growth.

40 “(3) The aggregate principal amount of lottery bonds issued pursuant to subsection (1) of this
41 section by the State Treasurer for:

42 “(a) **Capital construction may not exceed the amount of \$9,554,000 and an additional**
43 **amount estimated by the State Treasurer to be necessary to pay bond-related costs as de-**
44 **defined in ORS 286A.560.**

45 “(b) Deferred maintenance and capital renewal, code compliance and safety projects may not

1 exceed the amount of [*\$69.43 million*] **\$82,231,000** and an additional amount estimated by the State
2 Treasurer to be necessary to pay bond-related costs as defined in ORS 286.560.

3 “(4) Of the **\$22,355,000** of net proceeds of lottery bonds issued pursuant to this section for the
4 biennium beginning July 1, [2007] **2009**, an amount not to exceed [*\$50 million*]:

5 “(a) **\$14,247,000** shall be deposited in the Department of Higher Education **Capital Con-**
6 **struction**, Deferred Maintenance and Capital Repair Project Fund established by section 3, chapter
7 788, Oregon Laws 2005.

8 “(b) **\$1,522,000** shall be deposited in the Eastern Oregon University Zabel Hall Deferred
9 **Maintenance Project Account** established by section 16, chapter __, Oregon Laws 2009 (En-
10 **rolled Senate Bill 5506**).

11 “(c) **\$6,586,000** shall be deposited in the Oregon State University Strand Agriculture Hall
12 **Deferred Maintenance Project Account** established by section 19, chapter __, Oregon Laws
13 **2009 (Enrolled Senate Bill 5506)**.

14 “**SECTION 2a. If House Bill 2208 becomes law, section 38, chapter __, Oregon Laws 2009**
15 **(Enrolled House Bill 2208) (amending section 2, chapter 788, Oregon Laws 2005), is repealed**
16 **and section 2, chapter 788, Oregon Laws 2005, as amended by section 2, chapter 746, Oregon**
17 **Laws 2007, section 149, chapter 783, Oregon Laws 2007, and section 2 of this 2009 Act, is**
18 **amended to read:**

19 “**Sec. 2.** (1) Pursuant to ORS 286A.560 to 286A.585, at the request of the Oregon Department
20 of Administrative Services, after the department consults with the [*Department of Higher*
21 *Education*] **Oregon University System**, the State Treasurer is authorized to issue lottery bonds for
22 capital construction, deferred maintenance and capital renewal, code compliance and safety projects.

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

24 “(a) New buildings and facilities are needed in order that universities have adequate facilities
25 for teaching.

26 “(b) Having adequate university buildings and facilities is essential to Oregon’s healthy eco-
27 nomic growth.

28 “(c) Major subsystems within university buildings are wearing out and must be replaced in order
29 that universities have adequate facilities for teaching.

30 “(d) Having safe and fully functioning university facilities is essential to Oregon’s healthy eco-
31 nomic growth.

32 “(3) The aggregate principal amount of lottery bonds issued pursuant to subsection (1) of this
33 section by the State Treasurer for:

34 “(a) Capital construction may not exceed the amount of \$9,554,000 and an additional amount
35 estimated by the State Treasurer to be necessary to pay bond-related costs as defined in ORS
36 286A.560.

37 “(b) Deferred maintenance and capital renewal, code compliance and safety projects may not
38 exceed the amount of \$82,231,000 and an additional amount estimated by the State Treasurer to be
39 necessary to pay bond-related costs as defined in ORS 286.560.

40 “(4) Of the \$22,355,000 of net proceeds of lottery bonds issued pursuant to this section for the
41 biennium beginning July 1, 2009, an amount not to exceed:

42 “(a) \$14,247,000 shall be deposited in the [*Department of Higher Education*] **Oregon University**
43 **System** Capital Construction, Deferred Maintenance and Capital Repair Project Fund established
44 by section 3, chapter 788, Oregon Laws 2005.

45 “(b) \$1,522,000 shall be deposited in the Eastern Oregon University Zabel Hall Deferred Main-

1 tenance Project Account established by section 16, chapter ___, Oregon Laws 2009 (Enrolled Senate
2 Bill 5506).

3 “(c) \$6,586,000 shall be deposited in the Oregon State University Strand Agriculture Hall De-
4 ferred Maintenance Project Account established by section 19, chapter ___, Oregon Laws 2009 (En-
5 rolled Senate Bill 5506).

6 “**SECTION 2b.** If House Bill 2208 becomes law, section 39, chapter ___, Oregon Laws 2009
7 (Enrolled House Bill 2208), is amended to read:

8 “**Sec. 39.** (1) On the effective date of [*this 2009 Act*] **chapter ___, Oregon Laws 2009 (Enrolled**
9 **House Bill 2208)**, the unexpended balances of amounts received by the Department of Higher Edu-
10 cation, the State Board of Higher Education or the Oregon University System, prior to the effective
11 date of [*this 2009 Act*] **chapter ___, Oregon Laws 2009 (Enrolled House Bill 2208)**, from the Gen-
12 eral Fund that are not designated by statute or otherwise as matching funds or for repayment of
13 bonds issued under Article XI-G of the Oregon Constitution, are appropriated and transferred to the
14 Oregon University System Fund established by section 3, **chapter ___, Oregon Laws 2009 (En-**
15 **rolled House Bill 2208)** [*of this 2009 Act*].

16 “(2) On the effective date of [*this 2009 Act*] **chapter ___, Oregon Laws 2009 (Enrolled House**
17 **Bill 2208)**, the unexpended balances of amounts received by the Department of Higher Education,
18 the State Board of Higher Education or the Oregon University System, from sources other than the
19 General Fund and for purposes not otherwise designated by statute or federal law, are appropriated
20 and transferred to the Oregon University System Fund established by section 3, **chapter ___,**
21 **Oregon Laws 2009 (Enrolled House Bill 2208)** [*of this 2009 Act*].

22 “(3) On the effective date of [*this 2009 Act*] **chapter ___, Oregon Laws 2009 (Enrolled House**
23 **Bill 2208)**, the unexpended balances of amounts in the following accounts shall be transferred to the
24 appropriate designated accounts within the Oregon University System Fund established by section
25 **3, chapter ___, Oregon Laws 2009 (Enrolled House Bill 2208)**, [*of this 2009 Act*] as follows:

26 “(a) The fund or account to which moneys are deposited under ORS 351.060, 351.210, 351.642,
27 351.840, 352.360, 352.510 or 352.650 shall be transferred to the appropriate account designated by
28 ORS 351.060, 351.210, 351.642, 351.840, 352.360, 352.510 or 352.650.

29 “(b) The Higher Education Student Loan Fund shall be transferred to the account designated
30 by ORS 348.010.

31 “(c) The Higher Education Invention Fund shall be transferred to the account designated by
32 ORS 351.250.

33 “(d) The Higher Education Bond Building Fund shall be transferred to the account designated
34 by ORS 351.450.

35 “(e) The Higher Education Bond Sinking Fund shall be transferred to the account designated
36 by ORS 351.460.

37 “(f) The Higher Education Isolation Facility Bond Sinking Fund shall be transferred to the ac-
38 count designated by ORS 351.545.

39 “(g) The Higher Education Student Activities Fund shall be transferred to the account desig-
40 nated by ORS 351.590.

41 “(h) The Higher Education Auxiliary Enterprise Building Repair and Equipment Replacement
42 Fund shall be transferred to the account designated by ORS 351.615.

43 “(i) The Department of Higher Education Capital Construction Fund shall be transferred to the
44 account designated by ORS 351.626.

45 “(j) The Higher Education Capital Construction Fund shall be transferred to the account desig-

1 nated by ORS 351.627.

2 “(k) The Faculty Recruitment Fund shall be transferred to the account designated by ORS
3 351.638.

4 “(L) The Oregon Engineering Education Investment Fund shall be transferred to the account
5 designated by ORS 351.666.

6 “(m) The Basic Research Fund shall be transferred to the account designated by ORS 351.875.

7 “(n) The Oregon State University Fund shall be transferred to the account designated by ORS
8 352.560.

9 “(o) The University Fund shall be transferred to the account designated by ORS 352.510.

10 “[*p*] *The Department of Higher Education Deferred Maintenance and Capital Repair Project Fund*
11 *shall be transferred to the Oregon University System Fund.*]

12 “**SECTION 2c.** If House Bill 2208 becomes law, section 98, chapter ___, Oregon Laws 2009
13 (Enrolled House Bill 2208), is amended to read:

14 “**Sec. 98.** ORS 351.456, 351.513, 351.515, 351.523, 351.524, 351.526, 351.528, 351.529, 351.533,
15 351.534, 351.537, 351.540, 352.600 and 352.630 [*and section 3, chapter 788, Oregon Laws 2005, as*
16 *amended by section 3, chapter 746, Oregon Laws 2007,*] are repealed.”.

17 On page 5, after line 7, insert:

18 “**SECTION 3a.** If House Bill 2208 becomes law, section 3, chapter 788, Oregon Laws 2005, as
19 amended by section 3, chapter 746, Oregon Laws 2007, and section 3 of this 2009 Act is amended to
20 read:

21 “**Sec. 3.** (1) The [*Department of Higher Education*] **Oregon University System** Capital Con-
22 struction, Deferred Maintenance and Capital Repair Project Fund is established separate and dis-
23 tinct from the General Fund. Interest earned by the [*Department of Higher Education*] **Oregon**
24 **University System** Capital Construction, Deferred Maintenance and Capital Repair Project Fund
25 shall be credited to the fund.

26 “(2) Net proceeds of lottery bonds issued pursuant to section 2, chapter 788, Oregon Laws 2005,
27 shall be deposited into the [*Department of Higher Education*] **Oregon University System** Capital
28 Construction, Deferred Maintenance and Capital Repair Project Fund. Moneys in the fund are con-
29 tinuously appropriated to the [*Department of Higher Education*] **Oregon University System** for
30 capital construction, deferred maintenance and capital repair projects.”.

31