

SENATE AMENDMENTS TO SENATE BILL 5535

By JOINT COMMITTEE ON WAYS AND MEANS

June 26

1 On page 1 of the printed bill, line 2, after “and” delete the rest of the line and line 3 and insert
2 “sections 2 and 3, chapter 788, Oregon Laws 2005, and sections 14 and 15, chapter 2, Oregon Laws
3 2009 (Enrolled Senate Bill 338); appropriating money; and declaring an emergency.”.

4 Delete lines 5 through 18 and delete pages 2 through 5 and insert:

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

6 “285B.551. (1) Pursuant to ORS 286A.560 to 286A.585, [*lottery bonds may be issued*] **at the re-**
7 **quest of the Oregon Department of Administrative Services, after the department consults**
8 **with the Economic and Community Development Department, the State Treasurer is au-**
9 **thorized to issue lottery bonds:**

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

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

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

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

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

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

32 “(c) Such financial and other assistance to municipalities, ports and other persons and entities
33 and the deepening of the Columbia River channel will therefore promote economic development
34 within this state, and thus the use of net proceeds derived from the operation of the Oregon State
35 Lottery to pay debt service on lottery bonds issued under this section to provide such financial and

1 other assistance to municipalities, ports and other persons and entities and to pay a portion of the
2 costs of deepening the Columbia River channel is an authorized use of state lottery funds under
3 section 4, Article XV of the Oregon Constitution, and ORS 461.510.

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

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

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

1 Infrastructure Project Fund by the director in accordance with this subsection.

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

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

14 “**SECTION 2.** Section 2, chapter 788, Oregon Laws 2005, as amended by section 149, chapter
15 783, Oregon Laws 2007, is amended to read:

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

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

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

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

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

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

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

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

36 “(b) Deferred maintenance and capital renewal, code compliance and safety projects may not
37 exceed the amount of [*\$69.43 million*] **\$82,231,000** and an additional amount estimated by the State
38 Treasurer to be necessary to pay bond-related costs as defined in ORS 286.560.

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

41 “(a) **\$14,247,000** shall be deposited in the Department of Higher Education **Capital Con-**
42 **struction, Deferred Maintenance and Capital Repair Project Fund** established by section 3, chapter
43 788, Oregon Laws 2005.

44 “(b) **\$1,522,000 shall be deposited in the Eastern Oregon University Zabel Hall Deferred**
45 **Maintenance Project Account** established by section 16, chapter _____, Oregon Laws 2009

1 **(Enrolled Senate Bill 5506).**

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

5 **“SECTION 3.** Section 3, chapter 788, Oregon Laws 2005, as amended by section 3, chapter 746,
6 Oregon Laws 2007, is amended to read:

7 **“Sec. 3.** (1) The Department of Higher Education **Capital Construction**, Deferred Maintenance
8 and Capital Repair Project Fund is established separate and distinct from the General Fund. In-
9 terest earned by the Department of Higher Education **Capital Construction**, Deferred Maintenance
10 and Capital Repair Project Fund shall be credited to the fund.

11 **“(2)** Net proceeds of lottery bonds issued pursuant to section 2, chapter 788, Oregon Laws 2005,
12 shall be deposited into the Department of Higher Education **Capital Construction**, Deferred Main-
13 tenance and Capital Repair Project Fund. Moneys in the fund are continuously appropriated to the
14 Department of Higher Education for **capital construction**, deferred maintenance and capital repair
15 projects.

16 **“SECTION 4.** (1) Pursuant to ORS 286A.560 to 286A.585, at the request of the Oregon
17 Department of Administrative Services, after the department consults with the Housing and
18 Community Services Department, the State Treasurer is authorized to issue lottery bonds
19 for the Housing and Community Services Department to provide financial assistance to aid
20 in the acquisition, renovation or maintenance of section 8 housing or other housing with
21 federal rent subsidies.

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

23 **“(a)** Individuals who are at risk of homelessness or who otherwise pay a disproportionate
24 share of income for housing increase their potential for self-sufficiency, and use proportion-
25 ately fewer community-funded resources when they are provided a stable housing environ-
26 ment.

27 **“(b)** Having housing for at-risk populations is essential to Oregon’s healthy economic
28 growth.

29 **“(3)** The aggregate principal amount of lottery bonds issued pursuant to subsection (1)
30 of this section may not exceed the amount of \$16,301,718 plus an additional amount estimated
31 by the State Treasurer to be necessary to pay bond-related costs as defined in ORS 286A.560.

32 **“SECTION 5.** (1) The Housing and Community Services Department Housing Preservation
33 Fund is established separate and distinct from the General Fund. Interest earned by the
34 Housing and Community Services Department Housing Preservation Fund shall be credited
35 to the fund.

36 **“(2)** Net proceeds of lottery bonds issued pursuant to section 4 of this 2009 Act shall be
37 deposited into the Housing and Community Services Department Housing Preservation Fund.
38 Moneys in the fund are continuously appropriated to the Housing and Community Services
39 Department for providing financial assistance to aid in the acquisition, renovation or main-
40 tenance of section 8 housing or other housing with federal rent subsidies.

41 **“(3)** The Housing and Community Services Department Housing Preservation Fund may
42 include moneys transferred into the fund as provided in section 7 of this 2009 Act.

43 **“SECTION 6.** (1) Pursuant to ORS 286A.560 to 286A.585, at the request of the Oregon
44 Department of Administrative Services, after the department consults with the Housing and
45 Community Services Department, the State Treasurer is authorized to issue lottery bonds

1 for the Housing and Community Services Department to provide assistance to community
2 organizations or tenant groups in acquiring manufactured dwelling parks.

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

4 “(a) Park ownership by tenant groups or community organizations has been shown to
5 provide greater opportunity for appreciation in value of manufactured dwellings, stable
6 communities and maintaining a supply of affordable housing.

7 “(b) Having stable communities with an adequate supply of affordable housing is essential
8 to Oregon’s healthy economic growth.

9 “(3) The aggregate principle amount of lottery bonds issued pursuant to subsection (1)
10 of this section may not exceed the amount of \$3,098,616 plus an additional amount estimated
11 by the State Treasurer to be necessary to pay bond-related costs as defined in ORS 286A.560.

12 “**SECTION 7.** (1) The Housing and Community Services Department Manufactured
13 Dwelling Parks Preservation Fund is established separate and distinct from the General
14 Fund. Interest earned by the Housing and Community Services Department Manufactured
15 Dwelling Parks Preservation Fund shall be credited to the fund.

16 “(2) Net proceeds of lottery bonds issued pursuant to section 6 of this 2009 Act shall be
17 deposited into the Housing and Community Services Department Manufactured Dwelling
18 Parks Preservation Fund. Moneys in the fund are continuously appropriated to the Housing
19 and Community Services Department to provide assistance to community organizations or
20 tenant groups in acquiring manufactured dwelling parks.

21 “(3) If the Director of the Housing and Community Services Department determines that
22 there is insufficient demand for assistance to community organizations or tenant groups in
23 acquiring manufactured dwelling parks, the director may authorize a portion of the moneys
24 deposited in the fund to be transferred into the Housing and Community Services Depart-
25 ment Housing Preservation Fund established by section 5 of this 2009 Act.

26 “**SECTION 8.** (1) Pursuant to ORS 286A.560 to 286A.585, at the request of the Oregon
27 Department of Administrative Services, after the department consults with the Water Re-
28 sources Department, the State Treasurer is authorized to issue lottery bonds for the Water
29 Resources Department to:

30 “(a) Provide grants for the qualifying costs of planning studies performed to evaluate the
31 feasibility of developing a water conservation, reuse or storage project;

32 “(b) Develop an integrated state water resources strategy; and

33 “(c) Administer loans and grants for water development projects.

34 “(2) The Legislative Assembly finds that:

35 “(a) The optimum utilization of Oregon water resources is necessary to meet the water
36 needs of agriculture, industries, recreation and developing municipalities.

37 “(b) The adoption of an integrated state water resources strategy will help to ensure
38 Oregon’s economic health, including the preservation of existing jobs and the development
39 of new business enterprises, by furthering the optimum utilization of Oregon’s water re-
40 sources.

41 “(c) The potential for economic development and the potential for job growth of Oregon
42 can be maximized by coordinated utilization and control of water resources for multiple
43 purposes.

44 “(d) The factors described in paragraphs (a) to (c) of this subsection will encourage and
45 promote economic development throughout Oregon, and issuance of lottery bonds for the

1 purpose described in subsection (1) of this section is therefore an appropriate use of state
2 lottery funds under section 4, Article XV of the Oregon Constitution, and ORS 461.510.

3 “(3) The aggregate principal amount of lottery bonds issued pursuant to subsection (1)
4 of this section may not exceed the amount of \$1,000,000 plus an additional amount estimated
5 by the State Treasurer to be necessary to pay bond-related costs as defined in ORS 286A.560.

6 “**SECTION 9.** (1) For the biennium beginning July 1, 2009, at the request of the Oregon
7 Department of Administrative Services, after the department consults with the Water Re-
8 sources Commission, the State Treasurer is authorized to issue lottery bonds pursuant to
9 ORS 286A.560 to 286A.585 in the principal amount of \$2,500,000 par value plus an additional
10 amount to be estimated by the State Treasurer for payment of bond-related costs incurred
11 by the department, the commission and the State Treasurer.

12 “(2) Net proceeds from bonds issued under this section shall be deposited into the Water
13 Resources Department Water Supply Fund in an amount sufficient to provide \$2,500,000 in
14 net proceeds and interest earnings for the purposes of issuing grants to develop Umatilla
15 Basin critical ground water storage projects described in section 17, chapter __, Oregon
16 Laws 2009 (Enrolled House Bill 3369), and to provide or pay for services in connection with
17 those projects.

18 “(3) The use of lottery bonds for the purposes described in this section is justified by the
19 following findings:

20 “(a) The creation of a critical ground water storage project in the Umatilla Basin will
21 develop future water supplies that are critical to agriculture and maintaining the economy
22 of Oregon and to the restoration of watersheds, critical fish and wildlife habitat and pre-
23 serving the ecological condition of water habitats in a manner that benefits recreational in-
24 dustries, industries related to fish and wildlife and other industries; and

25 “(b) The creation of a critical ground water storage project in the Umatilla Basin will
26 reduce the negative effect of existing and future water shortages on the agricultural, fishing
27 and recreational industries.

28 “**SECTION 10.** (1) The Water Resources Department Water Supply Fund is established
29 separate and distinct from the General Fund. Interest earned by the Water Resources De-
30 partment Water Supply Fund shall be credited to the fund.

31 “(2) Net proceeds of lottery bonds issued pursuant to sections 8 and 9 of this 2009 Act
32 shall be deposited into the Water Resources Department Water Supply Fund. Moneys in the
33 fund are continuously appropriated as follows:

34 “(a) \$2,500,000 for the purposes of issuing grants to develop Umatilla Basin critical
35 ground water storage projects described in section 17, chapter __, Oregon Laws 2009 (En-
36 rolled House Bill 3369), and to provide or pay for services in connection with those projects.

37 “(b) \$217,000 to pay for the operation of loan and grant programs under sections 18 to 27,
38 chapter __, Oregon Laws 2009 (Enrolled House Bill 3369).

39 “(c) \$283,000 for the purpose of developing an integrated state water resources strategy
40 to implement the state water resources policy pursuant to ORS 536.220 and section 45,
41 chapter __, Oregon Laws 2009 (Enrolled House Bill 3369).

42 “(d) \$500,000 for purposes of the grant program established by section 1, chapter 13,
43 Oregon Laws 2008.

44 “**SECTION 11.** Section 14, chapter 2, Oregon Laws 2009 (Enrolled Senate Bill 338), is amended
45 to read:

1 “**Sec. 14.** (1) Pursuant to ORS 286A.560 to 286A.585, [*lottery bonds may be issued by the State*
2 *Treasurer at the request of the Department of Community Colleges and Workforce Development*] **at the**
3 **request of the Oregon Department of Administrative Services, after the department consults**
4 **with the Department of Community Colleges and Workforce Development, the State Treas-**
5 **urer is authorized to issue lottery bonds** for community college **capital construction**, deferred
6 maintenance, capital renewal, code compliance and safety projects.

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

8 “(a) **New buildings and facilities are needed in order that community colleges have ade-**
9 **quate facilities for teaching.**

10 “(b) **Having adequate community college buildings and facilities is essential to Oregon’s**
11 **healthy economic growth.**

12 “[(a)] (c) Subsystems within community college buildings are wearing out and must be replaced
13 so that community colleges have adequate facilities for teaching.

14 “[(b)] (d) Having safe and fully functioning community college facilities is essential to Oregon’s
15 healthy economic growth.

16 “(3) The aggregate principal amount of lottery bonds issued pursuant to subsection (1) of this
17 section [*by the State Treasurer*] for:

18 “(a) **Capital construction may not exceed the amount of \$8,600,000 and an additional**
19 **amount estimated by the State Treasurer to be necessary to pay bond-related costs as de-**
20 **defined in ORS 286A.560.**

21 “(b) Deferred maintenance, capital renewal, code compliance and safety projects may not exceed
22 the amount of [*\$43,862,850*] **\$48,962,850** and an additional amount estimated by the State Treasurer
23 to be necessary to pay bond-related costs as defined in ORS 286A.560.

24 “(4) Of the net proceeds of lottery bonds issued pursuant to this section for the biennium be-
25 ginning July 1, [*2007*] **2009**, an amount not to exceed **\$13,700,000** shall be deposited in the Depart-
26 ment of Community Colleges and Workforce Development **Capital Construction**, Deferred
27 Maintenance and Capital Repair Project Fund established by section 15 [*of this 2009 Act*], **chapter**
28 **2, Oregon Laws 2009 (Enrolled Senate Bill 338).**

29 “**SECTION 12.** Section 15, chapter 2, Oregon Laws 2009 (Enrolled Senate Bill 338), is amended
30 to read:

31 “**Sec. 15.** (1) The Department of Community Colleges and Workforce Development **Capital**
32 **Construction**, Deferred Maintenance and Capital Repair Project Fund is established separate and
33 distinct from the General Fund. Interest earned by the Department of Community Colleges and
34 Workforce Development **Capital Construction**, Deferred Maintenance and Capital Repair Project
35 Fund shall be credited to the fund.

36 “(2) Net proceeds of lottery bonds issued pursuant to section 14 [*of this 2009 Act*], **chapter 2,**
37 **Oregon Laws, 2009 (Enrolled Senate Bill 338)**, shall be deposited into the Department of Commu-
38 nity Colleges and Workforce Development **Capital Construction**, Deferred Maintenance and Capital
39 Repair Project Fund. Moneys in the fund are continuously appropriated to the Department of Com-
40 munity Colleges and Workforce Development for the purpose of making grants to community college
41 districts for **capital construction**, deferred maintenance, capital renewal, code compliance and
42 safety projects.

43 “**SECTION 13.** (1) **For the biennium beginning July 1, 2009, at the request of the Oregon**
44 **Department of Administrative Services, after the department consults with the State Board**
45 **of Forestry, the State Treasurer is authorized to issue lottery bonds pursuant to ORS**

1 286A.560 to 286A.585 in an amount not to exceed net proceeds of \$15,000,000 for the purpose
2 described in subsection (2) of this section, plus an additional amount, to be estimated by the
3 State Treasurer, for the payment of bond-related costs.

4 “(2) Notwithstanding ORS 526.060, the net proceeds of lottery bonds issued pursuant to
5 this section shall be deposited in the State Forest Acquisition Fund established under section
6 14 of this 2009 Act for the purpose of acquiring parcels in the Gilchrist area of Klamath
7 County for use as state forestland.

8 “(3) The Legislative Assembly finds that:

9 “(a) The Gilchrist area of Klamath County is an economically stressed region;

10 “(b) State acquisition of parcels located in the Gilchrist area of Klamath County for
11 management as state forestland would produce economic benefits for the area, including but
12 not limited to income from the harvest of forest products and direct employment and eco-
13 nomic benefit from processing harvested forest products;

14 “(c) State acquisition of parcels in the Gilchrist area of Klamath County and management
15 of those parcels as state forestland will result in increased employment in the tourism in-
16 dustry and other industries related to the development of recreational attractions on the
17 parcels;

18 “(d) There exists a substantial risk that failure to acquire certain parcels in the Gilchrist
19 area of Klamath County for use as state forestland will result in the parcels being converted
20 to nonforest use, resulting in the loss of existing forest industry jobs and existing jobs in
21 related industries in the area; and

22 “(e) The use of lottery bond proceeds as provided in this section will encourage and pro-
23 mote economic development within Oregon, and issuance of lottery bonds for the purpose
24 described in this section is therefore an appropriate use of state lottery funds under section
25 4, Article XV of the Oregon Constitution, and ORS 461.510.

26 “SECTION 14. The State Forest Acquisition Fund is established in the State Treasury,
27 separate and distinct from the General Fund. The State Forest Acquisition Fund shall consist
28 of moneys deposited in the fund under section 13 of this 2009 Act. The moneys in the State
29 Forest Acquisition Fund and the interest earnings on moneys in the fund are continuously
30 appropriated to the State Board of Forestry for the purpose of acquiring parcels in the
31 Gilchrist area of Klamath County for use as state forestland.

32 “SECTION 15. (1) The Forest Acquisition County Reimbursement Fund is established in
33 the State Treasury, separate and distinct from the General Fund. Interest earned by the
34 Forest Acquisition County Reimbursement Fund shall be credited to the fund. Moneys in the
35 Forest Acquisition County Reimbursement Fund are continuously appropriated to the State
36 Forestry Department for use as provided in this section.

37 “(2) The fund shall consist of moneys deposited in the fund pursuant to ORS 530.110 (3).

38 “(3) If the department uses proceeds from bonds issued on or after the effective date of
39 this 2009 Act under ORS 530.140 or 530.210 to 530.280, or from lottery bonds that were issued
40 on or after the effective date of this 2009 Act, to acquire land that, immediately prior to
41 acquisition by the department, was subject to taxation by a county, the department shall
42 make payments as provided in this section to reimburse the county for the loss of tax re-
43 venue from the acquired land. The amount paid to a county under this section shall be the
44 amount by which the tax revenue to the county for the last year in which the acquired land
45 was taxable exceeds the total amount distributed to the counties under ORS 530.110 (1)(b)

1 and (2)(c) from revenue generated by that land. However, if in any year the total amount
2 distributed under ORS 530.110 (1)(b) and (2)(c) from revenue generated by the acquired land
3 equals or exceeds the tax revenue to the county for the last year in which the acquired land
4 was taxable, payments under this section in regard to that land shall terminate and not re-
5 sume.

6 **“SECTION 16.** (1) The Legislative Assembly finds that:

7 **“(a)** Oregon International Port of Coos Bay is a large deep water port, the home of the
8 only commercial airport on the Oregon coast and a trade and commercial center of Oregon’s
9 south coast.

10 **“(b)** The purchase of rail cars and the repair, restoration and improvement of railways
11 is a key link that will:

12 **“(A)** Improve the transportation links between the port and the rest of Oregon.

13 **“(B)** Enhance the capacity of the port as a gateway for international trade.

14 **“(C)** Expand economic opportunities in the region.

15 **“(c)** The factors described in paragraphs (a) and (b) of this subsection will encourage and
16 promote economic development along the south coast and throughout Oregon, and issuance
17 of lottery bonds for the purpose described in subsection (3) of this section is therefore an
18 appropriate use of state lottery funds under section 4, Article XV of the Oregon Constitution,
19 and ORS 461.510.

20 **“(2)** For the biennium beginning July 1, 2009, at the request of the Oregon Department
21 of Administrative Services, the State Treasurer is authorized to issue lottery bonds pursuant
22 to ORS 286A.560 to 286A.585 in an amount not to exceed net proceeds of \$3,552,399 for the
23 purpose described in subsection (3) of this section, plus an additional amount, to be estimated
24 by the State Treasurer, for payment of bond-related costs.

25 **“(3)** Net proceeds of bonds issued pursuant to this section shall be deposited in the
26 Oregon International Port of Coos Bay Railway Acquisition Fund to finance the purchase of
27 rail cars and the repair, restoration and improvement of railways.

28 **“(4)** Bond-related costs for the lottery bonds authorized by this section must be paid from
29 the gross proceeds of the lottery bonds and from allocations for the purposes of ORS
30 286A.576 (1)(c).

31 **“SECTION 17.** The Oregon International Port of Coos Bay Railway Acquisition Fund is
32 established in the State Treasury, separate and distinct from the General Fund. The Oregon
33 International Port of Coos Bay Railway Acquisition Fund shall consist of moneys deposited
34 in the fund under section 16 of this 2009 Act. The moneys in the Oregon International Port
35 of Coos Bay Railway Acquisition Fund and the interest earnings on moneys in the fund are
36 continuously appropriated to the Oregon Department of Administrative Services for transfer
37 to the Oregon International Port of Coos Bay for the purchase of rail cars and the repair,
38 restoration and improvement of railways.

39 **“SECTION 18.** (1) The Legislative Assembly finds that:

40 **“(a)** The Pendleton Round-Up, which began in 1910, is one of the oldest, largest and most
41 prestigious rodeos in the world.

42 **“(b)** The Pendleton Round-Up, well attended from its inception, serves as the anchor
43 event in a week of activities that attracts visitors from around the country and the world
44 to Pendleton.

45 **“(c)** Construction, maintenance and restoration of the Pendleton Round-Up’s grandstands

1 and infrastructure are essential to the ability of the rodeo to continue to grow in its stature
2 as a world-class event.

3 “(d) The factors described in paragraphs (a) to (c) of this subsection will encourage and
4 promote economic development by serving the needs of visitors to eastern Oregon, and is-
5 suance of lottery bonds for the purpose described in subsection (3) of this section is therefore
6 an appropriate use of state lottery funds under section 4, Article XV of the Oregon Consti-
7 tution, and ORS 461.510.

8 “(2) For the biennium beginning July 1, 2009, at the request of the Oregon Department
9 of Administrative Services, the State Treasurer is authorized to issue lottery bonds pursuant
10 to ORS 286A.560 to 286A.585 in an amount not to exceed net proceeds of \$1,000,000 for the
11 purpose described in subsection (3) of this section, plus an additional amount, to be estimated
12 by the State Treasurer, for payment of bond-related costs.

13 “(3) Net proceeds of bonds issued pursuant to this section shall be deposited in the
14 Pendleton Round-Up Infrastructure Fund to finance the construction, maintenance and res-
15 toration of grandstands and infrastructure of the Pendleton Round-Up.

16 “(4) Bond-related costs for the lottery bonds authorized by this section must be paid from
17 the gross proceeds of the lottery bonds and from allocations for the purposes of ORS
18 286A.576 (1)(c).

19 “SECTION 19. The Pendleton Round-Up Infrastructure Fund is established in the State
20 Treasury, separate and distinct from the General Fund. The Pendleton Round-Up
21 Infrastructure Fund shall consist of moneys deposited in the fund under section 18 of this
22 2009 Act. The moneys in the Pendleton Round-Up Infrastructure Fund and the interest
23 earned by the fund are continuously appropriated to the Oregon Department of Administra-
24 tive Services for transfer to the Pendleton Round-Up Foundation for the construction,
25 maintenance and restoration of grandstands and infrastructure of the Pendleton Round-Up.

26 “SECTION 20. (1) The Legislative Assembly finds that:

27 “(a) The Port of Morrow is strategically connected to the world through Columbia River
28 barges, railroads and interstate highways and serves industry with state-of-the-art utilities,
29 communications infrastructure and modern docks.

30 “(b) Development and construction of an education center will enhance the services the
31 port can provide to attract new development and meet the needs of existing industrial and
32 commercial users.

33 “(c) The factors described in paragraphs (a) and (b) of this subsection will encourage and
34 promote economic development by serving the needs of visitors to eastern Oregon, and is-
35 suance of lottery bonds for the purpose described in subsection (3) of this section is therefore
36 an appropriate use of state lottery funds under section 4, Article XV of the Oregon Consti-
37 tution, and ORS 461.510.

38 “(2) For the biennium beginning July 1, 2009, at the request of the Oregon Department
39 of Administrative Services, the State Treasurer is authorized to issue lottery bonds pursuant
40 to ORS 286A.560 to 286A.585 in an amount not to exceed net proceeds of \$2,000,000 for the
41 purpose described in subsection (3) of this section, plus an additional amount, to be estimated
42 by the State Treasurer, for payment of bond-related costs.

43 “(3) Net proceeds of bonds issued pursuant to this section shall be deposited in the Port
44 of Morrow Education Center Fund to finance the development and construction of an edu-
45 cation center.

1 “(4) Bond-related costs for the lottery bonds authorized by this section must be paid from
2 the gross proceeds of the lottery bonds and from allocations for the purposes of ORS
3 286A.576 (1)(c).

4 “SECTION 21. The Port of Morrow Education Center Fund is established in the State
5 Treasury, separate and distinct from the General Fund. The Port of Morrow Education
6 Center Fund shall consist of moneys deposited in the fund under section 20 of this 2009 Act.
7 The moneys in the Port of Morrow Education Center Fund and the interest earnings on
8 moneys in the fund are continuously appropriated to the Oregon Department of Adminis-
9 trative Services for the development and construction of a Port of Morrow education center.

10 “SECTION 22. (1) The Legislative Assembly finds that:

11 “(a) The Port of Newport is a major business and economic hub on the central Oregon
12 coast.

13 “(b) Urban renewal projects including public rights of way, utility infrastructure, public
14 amenities and acquisition and development of strategic sites can support the port’s effort to
15 serve as the home port of the National Oceanic and Atmospheric Administration’s Marine
16 Operations Center and Pacific-based research vessels.

17 “(c) The factors described in paragraphs (a) and (b) of this subsection will encourage and
18 promote economic development and capitalize on the synergies provided by compatible de-
19 velopment at or near the port and the issuance of lottery bonds for the purpose described
20 in subsection (3) of this section is therefore an appropriate use of state lottery funds under
21 section 4, Article XV of the Oregon Constitution, and ORS 461.510.

22 “(2) If the Director of the Oregon Department of Administrative Services determines
23 that the Port of Newport is selected as the home port of the National Oceanic and Atmo-
24 spheric Administration’s Marine Operations Center and Pacific-based research vessels, for
25 the biennium beginning July 1, 2009, at the request of the Oregon Department of Adminis-
26 trative Services, the State Treasurer is authorized to issue lottery bonds pursuant to ORS
27 286A.560 to 286A.585 in an amount not to exceed net proceeds of \$19,500,000 for the purpose
28 described in subsection (3) of this section, plus an additional amount, to be estimated by the
29 State Treasurer, for payment of bond-related costs.

30 “(3) Net proceeds of bonds issued pursuant to this section shall be transferred to the Port
31 of Newport NOAA Home Port Fund to finance urban renewal projects, including public rights
32 of way, utility infrastructure, public amenities and acquisition and development of strategic
33 sites, to support the port’s effort to serve as the home port of the National Oceanic and
34 Atmospheric Administration’s Marine Operations Center and Pacific-based research vessels.

35 “(4) Bond-related costs for the lottery bonds authorized by this section must be paid from
36 the gross proceeds of the lottery bonds and from allocations for the purposes of ORS
37 286A.576 (1)(c).

38 “SECTION 23. The Port of Newport NOAA Home Port Fund is established in the State
39 Treasury, separate and distinct from the General Fund. The Port of Newport NOAA Home
40 Port Fund shall consist of moneys deposited in the fund under section 22 of this 2009 Act.
41 The moneys in the Port of Newport NOAA Home Port Fund and the interest earnings on
42 moneys in the fund are continuously appropriated to the Oregon Department of Adminis-
43 trative Services for transfer to the Port of Newport for urban renewal projects, including
44 public rights-of-way, utility infrastructure, public amenities and acquisition and development
45 of strategic sites, to support the port’s effort to serve as the home port of the National

1 Oceanic and Atmospheric Administration’s Marine Operations Center and Pacific-based re-
2 search vessels.

3 **“SECTION 24. (1) The Legislative Assembly finds that:**

4 **“(a) The Oregon judicial system is an essential component of the public safety system**
5 **that fosters an orderly and stable environment in which business can develop and thrive.**

6 **“(b) Construction and maintenance of court facilities is necessary so that the judicial**
7 **system can continue to function effectively.**

8 **“(c) The factors described in paragraphs (a) and (b) of this subsection will create con-**
9 **struction jobs and encourage and promote economic development through the maintenance**
10 **of an orderly and stable business environment, and the issuance of lottery bonds for the**
11 **purpose described in subsection (3) of this section is therefore an appropriate use of state**
12 **lottery funds under section 4, Article XV of the Oregon Constitution, and ORS 461.510.**

13 **“(2) For the biennium beginning July 1, 2009, at the request of the Oregon Department**
14 **of Administrative Services, after consultation with the Judicial Department, the State**
15 **Treasurer is authorized to issue lottery bonds pursuant to ORS 286A.560 to 286A.585 in an**
16 **amount not to exceed net proceeds of \$11,271,656 for the purpose described in subsection (3)**
17 **of this section, plus an additional amount, to be estimated by the State Treasurer, for pay-**
18 **ment of bond-related costs.**

19 **“(3) Net proceeds of bonds issued pursuant to this section shall be deposited in the**
20 **Oregon Judicial Facilities Fund to finance construction and maintenance of court facilities.**

21 **“(4) Bond-related costs for the lottery bonds authorized by this section must be paid from**
22 **the gross proceeds of the lottery bonds and from allocations for the purposes of ORS**
23 **286A.576 (1)(c).**

24 **“SECTION 25. The Oregon Judicial Facilities Fund is established in the State Treasury,**
25 **separate and distinct from the General Fund. The Oregon Judicial Facilities Fund shall con-**
26 **sist of moneys deposited in the fund under section 24 of this 2009 Act. The moneys in the**
27 **Oregon Judicial Facilities Fund and the interest earnings on moneys in the fund are contin-**
28 **uously appropriated to the Oregon Department of Administrative Services for disbursement**
29 **to Oregon counties to finance construction and maintenance of court facilities.**

30 **“SECTION 26. (1) The Legislative Assembly finds that:**

31 **“(a) Severe winter storms in December 2008 damaged public facilities and property owned**
32 **by private nonprofit organizations, such as roads, bridges, utilities, buildings, schools, rec-**
33 **reational areas and other property in Tillamook County.**

34 **“(b) The Federal Emergency Management Agency has designated Tillamook County as**
35 **eligible to receive matching funds to pay for part of the cost of repairing or replacing the**
36 **damaged facilities and property and removing debris from public areas.**

37 **“(c) Repairing or replacing the damaged facilities and property is essential to the eco-**
38 **nomic growth and vitality of Tillamook County.**

39 **“(d) The factors described in paragraphs (a) to (c) of this subsection will create con-**
40 **struction jobs and encourage and promote economic development through the maintenance**
41 **of an orderly and stable business environment, and the issuance of lottery bonds for the**
42 **purpose described in subsection (3) of this section is therefore an appropriate use of state**
43 **lottery funds under section 4, Article XV of the Oregon Constitution, and ORS 461.510.**

44 **“(2) For the biennium beginning July 1, 2009, at the request of the Oregon Department**
45 **of Administrative Services, the State Treasurer is authorized to issue lottery bonds pursuant**

1 to ORS 286A.560 to 286A.585 in an amount not to exceed net proceeds of \$7,800,000 for the
2 purpose described in subsection (3) of this section, plus an additional amount, to be estimated
3 by the State Treasurer, for payment of bond-related costs.

4 “(3) Net proceeds of bonds issued pursuant to this section shall be deposited in the
5 Tillamook FEMA Match Fund to finance the 25 percent local match for Federal Emergency
6 Management Agency funds available for repairing or replacing damaged public facilities such
7 as roads, bridges, utilities, buildings, schools, recreational areas and similar publicly owned
8 property, as well as certain private nonprofit organizations engaged in community service
9 activities, for removing debris from public areas and for emergency measures taken to save
10 lives and protect property and public health.

11 “(4) Bond-related costs for the lottery bonds authorized by this section must be paid from
12 the gross proceeds of the lottery bonds and from allocations for the purposes of ORS
13 286A.576 (1)(c).

14 “SECTION 27. The Tillamook FEMA Match Fund is established in the State Treasury,
15 separate and distinct from the General Fund. The Tillamook FEMA Match Fund shall con-
16 sist of moneys deposited in the fund under section 26 of this 2009 Act. The moneys in the
17 Tillamook FEMA Match Fund and the interest earned by the fund are continuously appro-
18 priated to the Oregon Department of Administrative Services for transfer to the Port of
19 Tillamook Bay to finance the 25 percent local match for Federal Emergency Management
20 Agency funds available for repairing or replacing damaged public facilities such as roads,
21 bridges, utilities, buildings, schools, recreational areas and similar publicly owned property,
22 as well as certain private nonprofit organizations engaged in community service activities,
23 for removing debris from public areas and for emergency measures taken to save lives and
24 protect property and public health.

25 “SECTION 28. (1) As used in this section and section 29 of this 2009 Act, ‘West Eugene
26 EmX Extension’ means the acquisition, construction and procurement of the components of
27 an extension of the bus rapid transit system in west Eugene by the Lane Transit District.

28 “(2) The Legislative Assembly finds that:

29 “(a) Establishment of the West Eugene EmX Extension will:

30 “(A) Enhance transportation options for employees in a portion of the urban growth
31 boundary that contains large, undeveloped tracts of land available for development.

32 “(B) Provide public transportation facilities necessary to support and promote capital
33 investment and job growth within the undeveloped portion of the urban growth boundary.

34 “(C) Create jobs in the construction industry.

35 “(b) Approval of lottery bonds for the West Eugene EmX Extension will increase the
36 likelihood that federal funds will be made available for construction of the project.

37 “(c) The factors described in paragraphs (a) and (b) of this subsection will encourage and
38 promote economic development within the State of Oregon, and issuance of lottery bonds to
39 finance the West Eugene EmX Extension is therefore an appropriate use of state lottery
40 funds under section 4, Article XV of the Oregon Constitution, and ORS 461.510.

41 “(3) For the biennium beginning July 1, 2009, at the request of the Oregon Department
42 of Administrative Services, the State Treasurer is authorized to issue lottery bonds pursuant
43 to ORS 286A.560 to 286A.585, in an amount not to exceed net proceeds of \$1,600,000 for the
44 purpose described in subsection (4) of this section, plus an additional amount, to be estimated
45 by the State Treasurer, for payment of bond-related costs.

1 “(4) Net proceeds of bonds issued pursuant to this section shall be deposited in the West
2 Eugene EmX Extension Fund established in section 29 of this 2009 Act sufficient to provide
3 \$1,600,000 in net proceeds and interest earnings for disbursement to the Lane Transit District
4 to establish the West Eugene EmX Extension.

5 “(5) Bond-related costs for the lottery bonds authorized by this section must be paid from
6 the gross proceeds of the lottery bonds and from allocations for the purposes of ORS
7 286A.576 (1)(c).

8 “SECTION 29. The West Eugene EmX Extension Fund is established in the State Treas-
9 ury, separate and distinct from the General Fund. Interest earned on moneys in the West
10 Eugene EmX Extension Fund shall be credited to the fund. The West Eugene EmX Extension
11 Fund consists of moneys deposited in the fund under section 28 of this 2009 Act, and may
12 include fees, revenues or other income deposited into the fund by the Legislative Assembly
13 for payment of costs incurred to establish the West Eugene EmX Extension. Moneys in the
14 fund are continuously appropriated to the Oregon Department of Administrative Services
15 for:

16 “(1) Disbursement to the Lane Transit District to pay \$1,600,000 of the costs incurred to
17 establish the West Eugene EmX Extension.

18 “(2) Payment of bond-related costs, as defined in ORS 286A.560.

19 “SECTION 30. If House Bill 2626 becomes law:

20 “(1) For the biennium beginning July 1, 2009, at the request of the Oregon Department
21 of Administrative Services, after the department consults with the State Department of
22 Energy, the State Treasurer is authorized to issue lottery bonds pursuant to ORS 286A.560
23 to 286A.585 in an amount not to exceed net proceeds of \$5,000,000 for the purpose described
24 in subsection (3) of this section, plus an additional amount, to be estimated by the State
25 Treasurer, for payment of bond-related costs.

26 “(2) The Legislative Assembly finds that:

27 “(a) The creation of an energy efficiency and sustainable technology loan program will
28 increase demand for energy-conserving improvements to buildings, resulting in the creation
29 and preservation of jobs in construction and building materials industries.

30 “(b) The program described in paragraph (a) of this subsection will encourage and pro-
31 mote economic development within Oregon, and the issuance of lottery bonds to finance the
32 program is therefore an appropriate use of state lottery funds under section 4, Article XV
33 of the Oregon Constitution, and ORS 461.510.

34 “(3) The amount of \$5,000,000 must be deposited in the Loan Offset Grant Fund estab-
35 lished by section 16, chapter _____, Oregon Laws 2009 (Enrolled House Bill 2626).

36 “(4) Bond-related costs for the lottery bonds authorized by this section must be paid from
37 the gross proceeds of the lottery bonds and from allocations for the purposes of ORS
38 286A.576 (1)(c).

39 “SECTION 31. This 2009 Act being necessary for the immediate preservation of the public
40 peace, health and safety, an emergency is declared to exist, and this 2009 Act takes effect
41 July 1, 2009.”