

SENATE AMENDMENTS TO SENATE BILL 5555

By JOINT COMMITTEE ON WAYS AND MEANS

June 26

1 Delete lines 5 through 18 of the printed bill and insert:

2 **“SECTION 1. In addition to and not in lieu of any other appropriation, there is appro-**
3 **riated to the Department of Education, for the biennium beginning July 1, 2009, out of the**
4 **General Fund, the amount of \$4,911,527,276 for the State School Fund.**

5 **“SECTION 2. Notwithstanding any other law limiting expenditures, the amount of**
6 **\$439,791,571 is established for the biennium beginning July 1, 2009, as the maximum limit for**
7 **payment of expenses from lottery moneys allocated from the Administrative Services Eco-**
8 **nomic Development Fund to the Department of Education for the State School Fund.**

9 **“SECTION 3. Notwithstanding any other law limiting expenditures, the amount of**
10 **\$3,637,214 is established for the biennium beginning July 1, 2009, as the maximum limit for**
11 **payment of expenses by the Department of Education from fees, moneys or other revenues,**
12 **including Miscellaneous Receipts, but excluding lottery funds and federal funds, collected or**
13 **received by the Department of Education for the State School Fund.**

14 **“SECTION 4. Notwithstanding ORS 327.008, for the biennium beginning July 1, 2009, the**
15 **Department of Education may:**

16 **“(1) Not expend any moneys from the State School Fund for the administration of ORS**
17 **326.133 and 326.136.**

18 **“(2) Expend up to \$1,800,598 from the State School Fund for the purposes of the Oregon**
19 **Virtual School District.**

20 **“SECTION 5. (1) The Department of Education may not spend more than \$2,930,266,041**
21 **from the State School Fund for the fiscal year beginning July 1, 2009.**

22 **“(2) The Department of Education may not spend more than \$3,050,789,962 from the State**
23 **School Fund for the fiscal year beginning July 1, 2010.**

24 **“SECTION 6. In addition to and not in lieu of any other appropriation, there is appro-**
25 **riated to the Department of Education, for the biennium beginning July 1, 2009, out of the**
26 **General Fund, the amount of \$1,400,000 for the Local Option Equalization Grants Account.**

27 **“SECTION 7. (1) In addition to and not in lieu of any other appropriation, there is ap-**
28 **propriated to the Emergency Board, for the biennium beginning July 1, 2009, out of the**
29 **General Fund, the amount of \$900,000, to be allocated to Department of Education for the**
30 **Local Option Equalization Grants Account created by ORS 327.339.**

31 **“(2) If any of the moneys appropriated by subsection (1) of this section are not allocated**
32 **by the Emergency Board prior to December 1, 2010, the moneys remaining on that date be-**
33 **come available for any purpose for which the Emergency Board lawfully may allocate funds.**

34 **“SECTION 8. Notwithstanding any condition or limitation described in ORS 293.144 and**
in addition to and not in lieu of any other appropriation, there is appropriated to the De-

1 partment of Education, for the biennium beginning July 1, 2009, out of the Oregon Rainy Day
2 Fund, the amount determined as provided by section 10 of this 2009 Act, for the State School
3 Fund.

4 “**SECTION 9.** In addition to and not in lieu of any other appropriation, there is appro-
5 priated to the Department of Education, for the biennium beginning July 1, 2009, out of the
6 General Fund, the amount determined as provided by section 10 of this 2009 Act, for the
7 State School Fund.

8 “**SECTION 10.** (1) As part of the quarterly revenue estimate scheduled to be released in
9 June 2010, the Oregon Department of Administrative Services shall calculate the sum of:

10 “(a) The projected ending balance of the General Fund for the biennium beginning July
11 1, 2009;

12 “(b) The balance available in the Oregon Rainy Day Fund on the day of the estimate; and

13 “(c) The balance in the Education Stability Fund on the day of the estimate.

14 “(2) Subject to the limitations described in subsection (3) of this section, of the amount
15 calculated under subsection (1) of this section that exceeds \$100,000,000:

16 “(a) All moneys in the Oregon Rainy Day Fund are available to satisfy the appropriation
17 made under section 8 of this 2009 Act; and

18 “(b) All unappropriated moneys in the General Fund are available to satisfy the appro-
19 priation made under section 9 of this 2009 Act.

20 “(3)(a) The appropriations made under sections 8 and 9 of this 2009 Act are not operative
21 unless the sum calculated under subsection (1) of this section exceeds \$100,000,000.

22 “(b) The total amount appropriated under sections 8 and 9 of this 2009 Act may not re-
23 duce the amount calculated under subsection (1) of this section to below \$100,000,000.

24 “(c) The total amount appropriated under sections 8 and 9 of this 2009 Act may not ex-
25 ceed \$400,000,000.

26 “(d) The first moneys used to satisfy the appropriations described in sections 8 and 9 of
27 this 2009 Act must come from the Oregon Rainy Day Fund. The total balance of the Oregon
28 Rainy Day Fund must be appropriated as provided by section 8 of this 2009 Act before any
29 moneys may be appropriated from the General Fund as provided by section 9 of this 2009 Act.

30 “**SECTION 11.** If the conditions specified in section 10 of this 2009 Act are met, sections
31 8 and 9 of this 2009 Act become operative on June 1, 2010.

32 “**SECTION 12.** This 2009 Act being necessary for the immediate preservation of the public
33 peace, health and safety, an emergency is declared to exist, and this 2009 Act takes effect
34 July 1, 2009.”.