

**75<sup>th</sup> OREGON LEGISLATIVE ASSEMBLY – 2010 Special Session  
BUDGET REPORT AND MEASURE SUMMARY**

**MEASURE: HB 3633-B**

**JOINT COMMITTEE ON WAYS AND MEANS**

**Carrier – House: Rep. Boone  
Carrier – Senate: Sen. Whitsett**

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**Action:** As Pass the A-Engrossed Measure as Amended and Be Printed B-Engrossed

**Vote:** 21 – 1 – 2

House – Yeas: Barker, Buckley, Cowan, Edwards, Garrard, Jenson, Komp, Kotek, Nathanson, Richardson

– Nays: Gilman

– Exc: G. Smith

Senate – Yeas: Bates, Courtney, Edwards, Girod, Johnson, Monroe, Nelson, Shields, Verger, Whitsett, Winters

– Nays:

– Exc: Kruse

**Prepared By:** Lisa Pearson, Department of Administrative Services

**Reviewed By:** Laurie Byerly, Legislative Fiscal Office

**Meeting Date:** February 18, 2010

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**Agency**

Department of Land Conservation and Development

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**Biennium**

2009-11

## **Budget Summary**

	<u>2009-11 Legislatively Adopted Level</u>	<u>2010 Committee Recommendation</u>	<u>Committee Change from 2009-11 Leg. Adopted</u>	
			<u>\$\$ Change</u>	<u>% Change</u>
Other Funds	\$ 863,649	\$ 863,650	\$ 1	0%

## **Position Summary**

Authorized Positions	0	0
Full-time Equivalent (FTE) positions	0.00	0.00

## **Summary of Committee Action**

House Bill 3633 requires the Department of Land Conservation and Development to conduct a study on how best to develop commercially viable marine renewable energy resources. It also establishes the Marine Renewable Energy Resources Study Fund, which may receive donations and contributions from public and private entities. The newly established fund can not include General Fund or Federal Funds appropriated or otherwise obligated to support other department programs. If contributions do not reach a level sufficient to pay for the study by the 61st day after the adjournment die of the 2010 special session, the study and fund provisions of the bill are repealed.

No minimum level of sufficient funding is defined in the bill. DLCD and study proponents have indicated that at least \$50,000 would be needed for a rudimentary study, while a more robust study would require about \$100,000. The Committee established a \$1 Other Funds expenditure limitation for the study. Establishing a \$1 Other Funds expenditure limitation allows the department to request the necessary amount of budget authority from the Emergency Board if sufficient revenues have accumulated in the Marine Renewable Energy Resources Study Fund at a later date.

Due to the uncertainty regarding the level of contributions that will actually be realized and the corresponding scope and quality of the study, the Committee adopted the following budget note:

### **Budget Note**

In addition to the Legislative Counsel notification requirement in Section 4(2), the Department of Land Conservation and Development will report to the Legislative Fiscal Office (LFO) regarding the amount of moneys deposited into the fund and the source of those dollars. If funding is sufficient to conduct the study, LFO will work with the agency to increase the agency's Other Funds expenditure limitation through Emergency Board or other legislative action.