

HOUSE AMENDMENTS TO HOUSE BILL 3643

By JOINT COMMITTEE ON WAYS AND MEANS

February 22

1 On page 1 of the printed bill, delete lines 3 and 4 and insert “Oregon Laws 2005, and sections
2 6, 8, 9, 10, 13, 19 and 20, chapter 904, Oregon Laws 2009; repealing section 15, chapter 904, Oregon
3 Laws 2009; appropriating money; and declaring an emergency.”.

4 Delete lines 6 through 25 and delete pages 2 through 8 and insert:

5 “**SECTION 1.** Section 6, chapter 904, Oregon Laws 2009, is amended to read:

6 “**Sec. 6.** Notwithstanding any other law limiting expenditures, the following amounts are estab-
7 lished for a six-year period beginning July 1, 2009, as the maximum limit for payment of expenses
8 under this section from bond proceeds and other revenues, including federal funds, collected or re-
9 ceived by the [*Department of Higher Education*] **Oregon University System**, for the acquisition of
10 land, improvements to land and the acquisition, planning, constructing, altering, repairing, furnish-
11 ing and equipping of buildings, facilities and other projects within the [*Department of Higher Edu-*
12 *cation*] **Oregon University System**:

13 “

	Article	Article	Lottery	Energy	COPs	Other Revenues (including Federal Funds)
	XI-G Bonds	XI-F(1) Bonds	Bonds	Loans		
21 (1) Oregon University						
22 System						
23 (a) Capital renewal, code						
24 compliance and safety	\$ -	\$ -	\$ -	\$ -	\$ 20,286,000	\$ -
25 (b) South Waterfront Life						
26 Sciences Facility	50,000,000	60,000,000	-	-	-	90,000,000
27 (c) Oregon Center for						
28 Sustainability	-	80,000,000	-	-	-	-
29 [(d) <i>Biofuels demonstration</i>						
30 <i>project</i>	4,000,000	-	-	-	-	4,000,000
31 [(e)] (d) Wind demonstration						
32 project	-	-	-	-	-	4,000,000
33 (2) Eastern Oregon						
34 University						
35 (a) Zabel Hall						

1	deferred maintenance	1,522,000	-	2,215,000	2,706,000	-	-
2	(b) Pierce Library						
3	project	4,000,000	-	-	-	4,000,000	-
4	(3) Oregon Institute of						
5	Technology geothermal						
6	renewable energy						
7	demonstration project	2,000,000	2,000,000	-	-	-	2,600,000
8	(4) Oregon State						
9	University						
10	(a) Education Hall						
11	additional structural						
12	deficiencies deferred						
13	maintenance	-	-	4,000,000	-	-	-
14	<i>[(b) Strand Agriculture</i>						
15	<i>Hall deferred</i>						
16	<i>maintenance</i>	6,586,000	-	6,586,000	6,851,000	4,847,000	-]
17	(b) Strand Agriculture						
18	Hall deferred						
19	maintenance	2,586,000	-	6,586,000	6,851,000	4,847,000	-
20	<i>[(c) Bates Hall/Hallie Ford</i>						
21	<i>Healthy Children and</i>						
22	<i>Families Center</i>	6,000,000	-	-	-	-	6,000,000]
23	(c) Bates Hall/Hallie Ford						
24	Healthy Children and						
25	Families Center	5,000,000	-	-	-	-	5,000,000
26	(d) Student Success						
27	Center	2,054,000	-	4,554,000	-	-	7,392,000
28	(e) Cultural Center	-	10,000,000	-	-	-	-
29	(f) International Residence						
30	Hall	-	52,000,000	-	-	-	-
31	(g) Sports Performance						
32	Center	-	12,000,000	-	-	-	-
33	(h) CH2M Hill Alumni						
34	Center	-	-	-	-	-	4,200,000
35	(i) Sonpark/EPA acquisition,						
36	OF COPs	-	-	-	-	1,900,000	-
37	(j) Warehouse acquisition,						
38	OF COPs	-	-	-	-	1,000,000	-
39	(k) Marine Mammal and						
40	Genomics Building	9,000,000	-	-	-	-	16,049,153
41	(5) Portland State						
42	University						
43	(a) Science Research and						
44	Teaching Center/ Hazardous						
45	Waste Facility, phase 2	2,500,000	-	-	-	-	2,500,000

1	(b) City Tower acquisition	-	-	-	-	1	-
2	(c) Market Center						
3	acquisition	-	-	-	-	1	-
4	(d) Land acquisition	-	8,000,000	-	-	-	-
5	(6) Southern Oregon						
6	University						
7	(a) Churchill Hall						
8	deferred maintenance	-	-	-	2,730,000	3,192,000	-
9	(b) Theatre Arts building						
10	expansion and remodel	5,500,000	-	-	-	-	5,500,000
11	(7) University of Oregon						
12	(a) Allen Hall expansion						
13	and remodel	7,500,000	-	-	-	-	7,500,000
14	(b) Straub Memorial Hall						
15	deferred maintenance	-	-	-	8,998,000	4,321,000	-
16	(c) Power Station, phase 2,						
17	waste gasification						
18	demonstration project	-	29,150,000	5,000,000	13,502,000	3,663,000	5,000,000
19	(d) Erb Memorial Union,						
20	partial renovation,						
21	West Lower Level	-	2,260,000	-	-	-	300,000
22	(e) Chiles Center						
23	renovations	-	-	-	-	-	1,000,000
24	(f) Alumni Center Project	-	9,975,000	-	-	-	6,825,000
25	(g) Riverfront Research						
26	Park, Technology						
27	Business Incubator	-	-	-	-	-	1,500,000
28	(h) Barnhart Hall building						
29	envelope restoration	-	-	-	-	-	900,000
30	(i) Carson Hall electrical						
31	upgrade	-	-	-	-	-	560,000
32	(j) Earl Complex building						
33	envelope, electrical and						
34	mechanical systems	-	2,924,000	-	-	-	-
35	[(8) Reserves	-	8,508,470	-	-	-	5,356,710]
36	(8) Reserves	-	8,508,470	-	-	-	5,838,185
37	(9) Commercial paper						
38	capitalized interest						
39	pilot project	-	5,000,000	-	-	-	-
40	“	_____					

41

42 “**SECTION 2.** Section 8, chapter 904, Oregon Laws 2009, is amended to read:

43 “**Sec. 8. (1) Except as provided in subsection (2) of this section,** notwithstanding any other
44 provision of [*this 2009 Act,*] **chapter 904, Oregon Laws 2009,** the bond proceeds and other revenues,
45 including federal funds, the expenditures from which are limited by section 6 [*of this 2009 Act*],

1 **chapter 904, Oregon Laws 2009**, are not available for expenditure before [*the effective date of this*
2 *2009 Act*] **August 4, 2009**. However, any action taken by the State Board of Higher Education prior
3 to [*the effective date of this 2009 Act*] **August 4, 2009**, or any contract entered into by the board prior
4 to [*the effective date of this 2009 Act*] **August 4, 2009**, necessary for the acquisition of and improve-
5 ments to land and the acquisition, planning, constructing, altering, repairing, furnishing and equip-
6 ping of buildings and facilities authorized by [*this 2009 Act*] **chapter 904, Oregon Laws 2009**, is
7 hereby authorized.

8 “(2) **Notwithstanding any other provision of chapter 904, Oregon Laws 2009, or this 2010**
9 **Act, the bond proceeds and other revenues, including federal funds, the expenditures from**
10 **which are limited by section 6 (4)(k), chapter 904, Oregon Laws 2009, are not available for**
11 **expenditure before the operative date specified in section 11 of this 2010 Act. However, any**
12 **action taken by the State Board of Higher Education prior to the operative date specified in**
13 **section 11 of this 2010 Act or any contract entered into by the board prior to the operative**
14 **date specified in section 11 of this 2010 Act that is necessary for the acquisition of and im-**
15 **provements to land and the acquisition, planning, constructing, altering, repairing, furnish-**
16 **ing and equipping of buildings and facilities authorized by section 6 (4)(k), chapter 904,**
17 **Oregon Laws 2009, is hereby authorized.**

18 “**SECTION 3.** Section 9, chapter 904, Oregon Laws 2009, is amended to read:

19 “**Sec. 9. (1) Except as provided in subsection (3) of this section,** the project approvals and
20 expenditure limitations in [*this 2009 Act*] **chapter 904, Oregon Laws 2009**, and the expenditure
21 limitations established by the Emergency Board during the biennium beginning July 1, 2009, for
22 capital construction or acquisition projects of the Oregon University System and of the Department
23 of Community Colleges and Workforce Development for community colleges, expire on June 30, 2015,
24 unless otherwise noted or unless changed by the Legislative Assembly.

25 “(2) The project approvals and expenditure limitations established by section 2 (5)(b), (e) and (i),
26 chapter 725, Oregon Laws 2003, and section 2 (3)(h), chapter 845, Oregon Laws 2001, for capital
27 construction or acquisition projects of the Oregon University System expire on June 30, 2011, unless
28 otherwise changed by Legislative Assembly.

29 “(3) **The project approvals and expenditure limitations in section 6 (4)(b), (c) and (k),**
30 **chapter 904, Oregon Laws 2009, and the expenditure limitations established by the Emergency**
31 **Board during the biennium beginning July 1, 2009, for capital construction or acquisition**
32 **projects of the Oregon University System described in section 6 (4)(b), (c) and (k), chapter**
33 **904, Oregon Laws 2009, expire on June 30, 2015, unless otherwise noted or unless changed by**
34 **the Legislative Assembly.**

35 “**SECTION 4.** Section 10, chapter 904, Oregon Laws 2009, is amended to read:

36 “**Sec. 10. (1)** Pursuant to Article XI-G of the Oregon Constitution and ORS 351.345 and ORS
37 chapter 286A, the State Board of Higher Education may sell, with the approval of the State Treas-
38 urer, general obligation bonds of the State of Oregon of the kind and character and within the limits
39 prescribed by Article XI-G of the Oregon Constitution, as the board determines, but in no event may
40 the board sell more than the aggregate principal sum of \$144,900,479 par value for the biennium
41 beginning July 1, 2009. The moneys realized from the sale of the bonds shall be appropriated and
42 may be expended for the purposes set forth in section 2 (3)(h), chapter 845, Oregon Laws 2001, sec-
43 tion 2 (6)(h) and (p), chapter 787, Oregon Laws 2005, section 2 (2)(b), (4)(k), (5)(f) and (h)[,] and (6)(g)
44 and (h), chapter 761, Oregon Laws 2007, section 6 (1)(b) [*and (d)*], (2)(a) and (b), (3), [*(4)(b), (c) and*
45 *(d)*] (4)(b), (c), (d) and (k), (5)(a), (6)(b) and (7)(a) [*of this 2009 Act*], **chapter 904, Oregon Laws**

1 **2009**, and for payment for capitalized interest and costs incidental to issuance of the bonds.

2 “(2) In compliance with the requirements of Article XI-G of the Oregon Constitution, funds
3 available under the expenditure limitation for bonds issued pursuant to Article XI-G of the Oregon
4 Constitution in section 6 (1)(b) *[of this 2009 Act]*, **chapter 904, Oregon Laws 2009**, are matched with
5 the General Fund appropriation made under section 14 *[of this 2009 Act]*, **chapter 904, Oregon**
6 **Laws 2009**.

7 “[3] *In compliance with the requirements of Article XI-G of the Oregon Constitution, funds avail-*
8 *able under the expenditure limitation for bonds issued pursuant to Article XI-G of the Oregon Consti-*
9 *tution in section 6 (1)(d) of this 2009 Act are matched with the General Fund appropriation made under*
10 *section 15 of this 2009 Act.*]

11 “[4] **(3)** In compliance with the requirements of Article XI-G of the Oregon Constitution, funds
12 available under the expenditure limitation for bonds issued pursuant to Article XI-G of the Oregon
13 Constitution in section 6 (2)(a) *[of this 2009 Act]*, **chapter 904, Oregon Laws 2009**, are matched with
14 the General Fund appropriation made under section 16 *[of this 2009 Act]*, **chapter 904, Oregon**
15 **Laws 2009**.

16 “[5] **(4)** In compliance with the requirements of Article XI-G of the Oregon Constitution, funds
17 available under the expenditure limitation for bonds issued pursuant to Article XI-G of the Oregon
18 Constitution in section 6 (2)(b) *[of this 2009 Act]*, **chapter 904, Oregon Laws 2009**, are matched with
19 the General Fund appropriation made under section 17 *[of this 2009 Act]*, **chapter 904, Oregon**
20 **Laws 2009**.

21 “[6] **(5)** In compliance with the requirements of Article XI-G of the Oregon Constitution, funds
22 available under the expenditure limitation for bonds issued pursuant to Article XI-G of the Oregon
23 Constitution in section 6 (3) *[of this 2009 Act]*, **chapter 904, Oregon Laws 2009**, are matched with
24 the General Fund appropriation made under section 18 *[of this 2009 Act]*, **chapter 904, Oregon**
25 **Laws 2009**.

26 “[7] **(6)** In compliance with the requirements of Article XI-G of the Oregon Constitution, funds
27 available under the expenditure limitation for bonds issued pursuant to Article XI-G of the Oregon
28 Constitution in section 6 (4)(b) *[of this 2009 Act]*, **chapter 904, Oregon Laws 2009**, are matched with
29 the General Fund appropriation made under section 19 *[of this 2009 Act]*, **chapter 904, Oregon**
30 **Laws 2009**.

31 “[8] **(7)** In compliance with the requirements of Article XI-G of the Oregon Constitution, funds
32 available under the expenditure limitation for bonds issued pursuant to Article XI-G of the Oregon
33 Constitution in section 6 (4)(c) *[of this 2009 Act]*, **chapter 904, Oregon Laws 2009**, are matched with
34 the General Fund appropriation made under section 20 *[of this 2009 Act]*, **chapter 904, Oregon**
35 **Laws 2009**.

36 “[9] **(8)** In compliance with the requirements of Article XI-G of the Oregon Constitution, funds
37 available under the expenditure limitation for bonds issued pursuant to Article XI-G of the Oregon
38 Constitution in section 6 (4)(d) *[of this 2009 Act]*, **chapter 904, Oregon Laws 2009**, are matched with
39 the General Fund appropriation made under section 21 *[of this 2009 Act]*, **chapter 904, Oregon**
40 **Laws 2009**.

41 **“(9) In compliance with the requirements of Article XI-G of the Oregon Constitution,**
42 **funds available under the expenditure limitation for bonds issued pursuant to Article XI-G**
43 **of the Oregon Constitution in section 6 (4)(k), chapter 904, Oregon Laws 2009, are matched**
44 **with the General Fund appropriation made under section 7 of this 2010 Act.**

45 “(10) In compliance with the requirements of Article XI-G of the Oregon Constitution, funds

1 available under the expenditure limitation for bonds issued pursuant to Article XI-G of the Oregon
2 Constitution in section 6 (5)(a) [of this 2009 Act], **chapter 904, Oregon Laws 2009**, are matched with
3 the General Fund appropriation made under section 22 [of this 2009 Act], **chapter 904, Oregon**
4 **Laws 2009**.

5 “(11) In compliance with the requirements of Article XI-G of the Oregon Constitution, funds
6 available under the expenditure limitation for bonds issued pursuant to Article XI-G of the Oregon
7 Constitution in section 6 (6)(b) [of this 2009 Act], **chapter 904, Oregon Laws 2009**, are matched with
8 the General Fund appropriation made under section 23 [of this 2009 Act], **chapter 904, Oregon**
9 **Laws 2009**.

10 “(12) In compliance with the requirements of Article XI-G of the Oregon Constitution, funds
11 available under the expenditure limitation for bonds issued pursuant to Article XI-G of the Oregon
12 Constitution in section 6 (7)(a) [of this 2009 Act], **chapter 904, Oregon Laws 2009**, are matched with
13 the General Fund appropriation made under section 24 [of this 2009 Act], **chapter 904, Oregon**
14 **Laws 2009**.

15 “**SECTION 5.** Section 13, chapter 904, Oregon Laws 2009, is amended to read:

16 “**Sec. 13.** Notwithstanding ORS 351.345 and section 6 [of this 2009 Act], **chapter 904, Oregon**
17 **Laws 2009**, the State Board of Higher Education may issue bonds for a project listed in section 6
18 (1)(b) [and (d)], (2), (3), (4)(b), (c), [and] (d) **and (k)**, (5)(a), (6)(b) and (7)(a) [of this 2009 Act], **chapter**
19 **904, Oregon Laws 2009**:

20 “(1) If the total amount from other revenues, including federal funds, identified for the project
21 in the expenditure limitation in section 6 [of this 2009 Act], **chapter 904, Oregon Laws 2009**, has
22 been received by the State Board of Higher Education; or

23 “(2) After reporting to the Emergency Board or the Joint Committee on Ways and Means, if the
24 total amount from other revenues, including federal funds, identified for the project in the expendi-
25 ture limitation in section 6 [of this 2009 Act], **chapter 904, Oregon Laws 2009**, has not been re-
26 ceived by the State Board of Higher Education.

27 “**SECTION 6.** Section 2, chapter 788, Oregon Laws 2005, as amended by section 2, chapter 746,
28 Oregon Laws 2007, section 149, chapter 783, Oregon Laws 2007, and sections 2 and 2a, chapter 906,
29 Oregon Laws 2009, is amended to read:

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

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

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

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

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

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

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

45 “(a) Capital construction may not exceed the amount of \$9,554,000 and an additional amount

1 estimated by the State Treasurer to be necessary to pay bond-related costs as defined in ORS
2 286A.560.

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

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

8 “(a) [~~\$14,247,000~~] **\$18,247,000** shall be deposited in the Oregon University System Capital Con-
9 struction, Deferred Maintenance and Capital Repair Project Fund established by section 3, chapter
10 788, Oregon Laws 2005.

11 “(b) \$1,522,000 shall be deposited in the Eastern Oregon University Zabel Hall Deferred Main-
12 tenance Project Account established by section 16, chapter 904, Oregon Laws 2009.

13 “(c) [~~\$6,586,000~~] **\$2,586,000** shall be deposited in the Oregon State University Strand Agriculture
14 Hall Deferred Maintenance Project Account established by section 19, chapter 904, Oregon Laws
15 2009.

16 “**SECTION 7. (1) There is established in the General Fund an account to be known as the**
17 **Oregon State University Marine Mammal Institute and Marine Genomics Program Account.**
18 **Funds in the account shall be used for the construction, remodeling, expansion and reno-**
19 **vation of facilities for a facility project at Oregon State University Hatfield Marine Science**
20 **Center.**

21 “**(2) The account shall consist of proceeds from grant funds, gift funds and federal and**
22 **local government funds made available to the Oregon University System for the purpose of**
23 **the facility project described in subsection (1) of this section. Interest earned on moneys in**
24 **the account shall be credited to the account. The account may not be credited with more**
25 **than \$9,000,000 for purposes of this subsection.**

26 “**(3) Moneys in the account shall be considered to be General Fund moneys for purposes**
27 **of section 1 (3), Article XI-G of the Oregon Constitution, are continuously appropriated to**
28 **the Oregon University System and may be transferred to the Department of Higher Educa-**
29 **tion Capital Construction Fund for the facility project described in subsection (1) of this**
30 **section.**

31 “**SECTION 8.** Section 19, chapter 904, Oregon Laws 2009, is amended to read:

32 “**Sec. 19. (1) There is established in the General Fund an account to be known as the Oregon**
33 **State University Strand Agriculture Hall Deferred Maintenance Project Account. Funds in the ac-**
34 **count shall be used for the construction, remodeling, expansion and renovation of facilities for a**
35 **facility project at Oregon State University.**

36 “(2) The account shall consist of proceeds from lottery bonds made available to the [*Department*
37 *of Higher Education*] **Oregon University System** for the purpose of the facility project described
38 in subsection (1) of this section. Interest earned on moneys in the account shall be credited to the
39 account. The account may not be credited with more than [~~\$6,586,000~~] **\$2,586,000** for purposes of this
40 subsection.

41 “(3) Moneys in the account shall be considered to be General Fund moneys for purposes of
42 section 1 (3), Article XI-G of the Oregon Constitution, are continuously appropriated to the [*De-*
43 *partment of Higher Education*] **Oregon University System** and may be transferred to the [*Depart-*
44 *ment of Higher Education Capital Construction Fund*] **account designated by ORS 351.626** for the
45 facility project described in subsection (1) of this section.

1 “**SECTION 9.** Section 20, chapter 904, Oregon Laws 2009, is amended to read:

2 “**Sec. 20.** (1) There is established in the General Fund an account to be known as the Oregon
3 State University Bates Hall/Hallie Ford Healthy Children and Families Center Project Account.
4 Funds in the account shall be used for the construction, remodeling, expansion and renovation of
5 facilities for a facility project at Oregon State University.

6 “(2) The account shall consist of proceeds from grant funds, gift funds and federal and local
7 government funds made available to the [*Department of Higher Education*] **Oregon University Sys-**
8 **tem** for the purpose of the facility project described in subsection (1) of this section. Interest earned
9 on moneys in the account shall be credited to the account. The account may not be credited with
10 more than [*\$6,000,000*] **\$5,000,000** for purposes of this subsection.

11 “(3) Moneys in the account shall be considered to be General Fund moneys for purposes of
12 section 1 (3), Article XI-G of the Oregon Constitution, are continuously appropriated to the [*De-*
13 *partment of Higher Education*] **Oregon University System** and may be transferred to the [*Depart-*
14 *ment of Higher Education Capital Construction Fund*] **account designated by ORS 351.626** for the
15 facility project described in subsection (1) of this section.

16 “**SECTION 10.** Section 15, chapter 904, Oregon Laws 2009, is repealed.

17 “**SECTION 11.** (1) Section 7 of this 2010 Act, the amendments to section 2, chapter 788,
18 Oregon Laws 2005, and sections 6, 8, 9, 10, 13, 19 and 20, chapter 904, Oregon Laws 2009, by
19 sections 1 to 6, 8 and 9 of this 2010 Act and the repeal of section 15, chapter 904, Oregon Laws
20 2009, by section 10 of this 2010 Act become operative on the day after the date that the
21 Legislative Counsel and the Legislative Fiscal Officer receive notice from the Oregon De-
22 partment of Administrative Services of the award of a federal grant from the National In-
23 stitute of Standards and Technology to Oregon State University for the purpose of
24 constructing a Marine Mammal and Genomics Building at the Oregon State University
25 Hatfield Marine Science Center.

26 “(2) The Oregon University System shall notify the Oregon Department of Administrative
27 Services immediately upon receiving notice of award of the federal grant. The department
28 shall notify the Legislative Counsel and the Legislative Fiscal Officer immediately upon re-
29 ceiving notice from the Oregon University System.

30 “**SECTION 12.** This 2010 Act being necessary for the immediate preservation of the public
31 peace, health and safety, an emergency is declared to exist, and this 2010 Act takes effect
32 on its passage.”

33
