

House Bill 5100

Sponsored by JOINT COMMITTEE ON WAYS AND MEANS

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Increases and decreases certain biennial appropriations made from General Fund to specified state agencies and Emergency Board.

Limits biennial expenditures from fees, moneys or other revenues, including Miscellaneous Receipts, but excluding lottery funds and federal funds, collected or received by specified state agencies.

Increases and decreases limitations on biennial expenditures for certain expenses for specified state agencies.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to state financial administration; appropriating money; limiting expenditures; and declaring
3 an emergency.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1. (1) Notwithstanding any other law limiting expenditures, the limitation on**
6 **expenditures established by section 3, chapter 673, Oregon Laws 2009, for the biennium be-**
7 **ginning July 1, 2009, as the maximum limit for payment of expenses from federal funds col-**
8 **lected or received by the Department of Justice, is increased by \$1,531,744 for investigating**
9 **and prosecuting drug trafficking organizations and gang violence.**

10 **(2) Notwithstanding any other law limiting expenditures, the limitation on expenditures**
11 **established by section 3, chapter 673, Oregon Laws 2009, for the biennium beginning July 1,**
12 **2009, as the maximum limit for payment of expenses from federal funds collected or received**
13 **by the Department of Justice, is increased by \$1,603,405 for federal grants relating to reduc-**
14 **ing mortgage fraud, investigating and prosecuting individuals who target children on the**
15 **Internet, reducing violence against women and paying medical and other costs related to**
16 **victims of person crimes.**

17 **(3) Notwithstanding any other law limiting expenditures, the limitation on expenditures**
18 **established by section 2, chapter 673, Oregon Laws 2009, for the biennium beginning July 1,**
19 **2009, as the maximum limit for payment of expenses from fees, moneys or other revenues,**
20 **including Miscellaneous Receipts, but excluding lottery funds and federal funds, collected or**
21 **received by the Department of Justice, is increased by \$510,000 for costs related to training**
22 **in, investigating and prosecuting issues related to domestic abuse.**

23 **(4) Notwithstanding any other law limiting expenditures, the limitation on expenditures**
24 **established by section 2, chapter 673, Oregon Laws 2009, for the biennium beginning July 1,**
25 **2009, as the maximum limit for payment of expenses from fees, moneys or other revenues,**
26 **including Miscellaneous Receipts, but excluding lottery funds and federal funds, collected or**
27 **received by the Department of Justice, is increased by \$337,265 for the processing and col-**
28 **lecting of revenue for crime victims' programs.**

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

SECTION 2. For the biennium beginning July 1, 2009, expenditures by the Department of Justice from the Department of Justice Protection and Education Revolving Account under ORS 180.095 (1)(a) for payments of restitution and refunds are not limited.

SECTION 3. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 3 (4), chapter 680, Oregon Laws 2009, for the biennium beginning July 1, 2009, as the maximum limit for payment of expenses from federal funds collected or received by the State Parks and Recreation Department, is increased by \$122,500 for a forest fuels reduction project in Collier Memorial State Park in Klamath County.

SECTION 4. (1) Notwithstanding any other provision of law, the General Fund appropriation made to the Emergency Board by section 5, chapter 730, Oregon Laws 2009, for the biennium beginning July 1, 2009, for allocation to the State Forestry Department for fire protection expenses, is decreased by \$2,137,020.

(2) Notwithstanding any other provision of law, the General Fund appropriation made to the State Forestry Department by section 1 (2), chapter 730, Oregon Laws 2009, for the biennium beginning July 1, 2009, is increased by \$2,137,020 for costs associated with contracting for large air tankers and helicopters to supplement fire suppression resources for the 2009 fire season.

SECTION 5. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 20 (2), chapter 910, Oregon Laws 2009, for the biennium beginning July 1, 2009, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts, but excluding lottery funds and federal funds, collected or received by the Judicial Department, is increased by \$1,343,662 for electronic court.

SECTION 6. Notwithstanding any other provision of law, the authorized appropriations and expenditure limitations for the biennium beginning July 1, 2009, for the Department of Human Services are changed by the amounts specified:

	2009	
	Oregon Laws	
	Chapter/	
Agency/Program/Funds	Section	Adjustment
Department of Human Services:		
Administrative Services		
General Fund	ch. 732 1(1)	+\$8,272,423
Other funds	ch. 732 2(1)	-\$11,566,598
Federal funds	ch. 732 4(1)	+\$1,887,722
Children, Adults and Families		
General Fund	ch. 732 1(2)	+\$26,461,107
Other funds	ch. 732 2(2)	-\$9,735,418
Federal funds	ch. 732 4(2)	+\$1,195,550
Health Services		

1	General Fund	ch. 732 1(3)	-\$45,456,858
2	Other funds	ch. 732 2(3)	+\$38,725,204
3	Federal funds	ch. 732 4(3)	-\$10,497,520
4	Seniors and People		
5	with Disabilities		
6	General Fund	ch. 732 1(4)	+\$43,773,928
7	Other funds	ch. 732 2(4)	-\$2,548,717
8	Federal funds	ch. 732 4(4)	+\$92,455,579

11 **SECTION 7.** Notwithstanding any other law limiting expenditures, the limitation on
12 expenditures established by section 2, chapter 663, Oregon Laws 2009, for the biennium be-
13 ginning July 1, 2009, as the maximum limit for payment of expenses from fees, moneys or
14 other revenues, including Miscellaneous Receipts, and including federal funds received from
15 the Department of Human Services for family preservation and support and other services
16 supporting children and families, but excluding lottery funds and federal funds not described
17 in this section, collected or received by the State Commission on Children and Families, is
18 increased by \$938,274 for expenditures related to private foundation grants for Reconnecting
19 Foster Youth with Families and for Reading for Healthy Families.

20 **SECTION 8.** Notwithstanding any other law limiting expenditures, the limitation on
21 expenditures established by section 5, chapter 665, Oregon Laws 2009, for the biennium be-
22 ginning July 1, 2009, as the maximum limit for payment of expenses from federal funds other
23 than those described in section 3, chapter 665, Oregon Laws 2009, collected or received by the
24 Employment Department, is increased by \$1,250,000 for expenditures related to labor market
25 enhancement studies.

26 **SECTION 9.** Notwithstanding any other law limiting expenditures, the limitation on
27 expenditures established by section 2 (1), chapter 671, Oregon Laws 2009, as the maximum
28 limit for payment of expenses and debt service, from fees, moneys or other revenues, in-
29 cluding Miscellaneous Receipts and federal funds from the United States Department of
30 Housing and Urban Development for contract services, but excluding lottery funds and fed-
31 eral funds not described in this section, collected or received by the Housing and Community
32 Services Department, is increased by \$131,163 for operations.

33 **SECTION 10.** (1) Notwithstanding any other law limiting expenditures, the limitation on
34 expenditures established by section 4, chapter 671, Oregon Laws 2009, as the maximum limit
35 for payment of expenses from federal funds other than those described in sections 2 and 5,
36 chapter 671, Oregon Laws 2009, collected or received by the Housing and Community Services
37 Department, is increased by \$20,452,513 for expenditures related to cash grants exchanged for
38 or in lieu of federal low-income housing tax credits as authorized by section 1602 of the
39 American Recovery and Reinvestment Act of 2009 (P.L. 111-5).

40 (2) Notwithstanding any other law limiting expenditures, the limitation on expenditures
41 established by section 4, chapter 671, Oregon Laws 2009, for the biennium beginning July 1,
42 2009, as the maximum limit for payment of expenses from federal funds other than those
43 described in sections 2 and 5, chapter 671, Oregon Laws 2009, collected or received by the
44 Housing and Community Services Department, is increased by \$6,829,635 for expenditures
45 related to administration of the Neighborhood Stabilization Program grant from the United

1 States Department of Housing and Urban Development.

2 **SECTION 11.** (1) Notwithstanding any other law limiting expenditures, the limitation on
 3 expenditures established by section 1 (1), chapter 116, Oregon Laws 2009, for the biennium
 4 beginning July 1, 2009, as the maximum limit for payment of expenses from fees, moneys or
 5 other revenues, including Miscellaneous Receipts, but excluding lottery funds and federal
 6 funds, collected or received by the Public Utility Commission of Oregon, is increased by
 7 \$222,361 for implementation of portions of the Enhancing State Government Energy Assur-
 8 ance Capabilities and Planning for Smart Grid Resiliency Initiative grant awarded by the
 9 United States Department of Energy.

10 (2) Notwithstanding any other law limiting expenditures, the limitation on expenditures
 11 established by section 2, chapter 116, Oregon Laws 2009, for the biennium beginning July 1,
 12 2009, as the maximum limit for payment of expenses from federal funds collected or received
 13 by the Public Utility Commission of Oregon, is increased by \$416,474 for expenditures related
 14 to the Oregon Electricity Regulators Assistance Project.

15 **SECTION 12.** (1) Notwithstanding any other law limiting expenditures, the limitation on
 16 expenditures established by section 1 (15), chapter 739, Oregon Laws 2009, for the biennium
 17 beginning July 1, 2009, as the maximum limit for payment of expenses from fees, moneys or
 18 other revenues, including Miscellaneous Receipts and federal funds received as reimburse-
 19 ment from the United States Department of Transportation, but excluding lottery funds and
 20 federal funds not described in this section, collected or received by the Department of
 21 Transportation, is increased by \$2,000,000 for transportation work zone safety patrol grants.

22 (2) Notwithstanding any other law limiting expenditures, the limitation on expenditures
 23 established by section 2 (5), chapter 739, Oregon Laws 2009, for the biennium beginning July
 24 1, 2009, as the maximum limit for payment of expenses from federal funds other than those
 25 described in section 1, chapter 739, Oregon Laws 2009, collected or received by the Depart-
 26 ment of Transportation, is increased by \$700,000 for transportation safety grants.

27 **SECTION 13.** (1) For the biennium beginning July 1, 2009, expenditures by the Oregon
 28 Department of Administrative Services for the federal funds debt service on Build America
 29 Bonds are not limited.

30 (2) For the biennium beginning July 1, 2009, expenditures by the Department of Human
 31 Services for the federal funds debt service on Build America Bonds are not limited.

32 (3) For the biennium beginning July 1, 2009, expenditures by the Oregon Military De-
 33 partment for the federal funds debt service on Build America Bonds are not limited.

34 (4) For the biennium beginning July 1, 2009, expenditures by the Oregon Youth Authority
 35 for the federal funds debt service on Build America Bonds are not limited.

36 (5) For the biennium beginning July 1, 2009, expenditures by the Department of Commu-
 37 nity Colleges and Workforce Development for the federal funds debt service on Build Amer-
 38 ica Bonds are not limited.

39 (6) For the biennium beginning July 1, 2009, expenditures by the Oregon University Sys-
 40 tem for the federal funds debt service on Build America Bonds are not limited.

41 (7) For the biennium beginning July 1, 2009, expenditures by the Department of Trans-
 42 portation for the federal funds debt service on Build America Bonds are not limited.

43 (8) For the biennium beginning July 1, 2009, expenditures by the State Department of
 44 Energy for the federal funds debt service on Build America Bonds are not limited.

45 (9) For the biennium beginning July 1, 2009, expenditures by the Department of Cor-

1 rections for the federal funds debt service on Build America Bonds are not limited.

2 **SECTION 14.** (1) Notwithstanding any other law limiting expenditures, the limitation on
 3 expenditures established by section 3, chapter 727, Oregon Laws 2009, for the biennium be-
 4 ginning July 1, 2009, as the maximum limit for payment of expenses from federal funds other
 5 than those described in sections 4 and 5, chapter 727, Oregon Laws 2009, collected or received
 6 by the Department of Community Colleges and Workforce Development, is increased by
 7 \$2,153,427 for a State Energy Sector Partnership and Training grant.

8 (2) Notwithstanding any other law limiting expenditures, the limitation on expenditures
 9 established by section 4, chapter 727, Oregon Laws 2009, for the biennium beginning July 1,
 10 2009, as the maximum limit for payment of expenses from federal funds other than those
 11 described in section 5, chapter 727, Oregon Laws 2009, collected or received by the Depart-
 12 ment of Community Colleges and Workforce Development for the Oregon Youth Conserva-
 13 tion Corps, is increased by \$3,125,000 for the Oregon Youth Employment Initiative.

14 (3) Notwithstanding any other law limiting expenditures, the limitation on expenditures
 15 established by section 2 (1), chapter 727, Oregon Laws 2009, for the biennium beginning July
 16 1, 2009, as the maximum limit for payment of expenses from fees, moneys or other revenues,
 17 including Miscellaneous Receipts, but excluding lottery funds, federal funds and those funds
 18 described in section 6, chapter 727, Oregon Laws 2009, collected or received by the Depart-
 19 ment of Community Colleges and Workforce Development for the Department of Community
 20 Colleges and Workforce Development, is increased by \$478,460 for a State Labor Market In-
 21 formation Improvement Grant.

22 **SECTION 15.** (1) Notwithstanding any other law limiting expenditures, the limitation on
 23 expenditures established by section 2 (1), chapter 721, Oregon Laws 2009, for the biennium
 24 beginning July 1, 2009, as the maximum limit for payment of expenses from fees, moneys or
 25 other revenues, including Miscellaneous Receipts, but excluding lottery funds and federal
 26 funds, collected or received by the Oregon Business Development Department for business,
 27 innovation and trade, is decreased by \$18,989.

28 (2) Notwithstanding any other law limiting expenditures, the limitation on expenditures
 29 established by section 2 (2), chapter 721, Oregon Laws 2009, for the biennium beginning July
 30 1, 2009, as the maximum limit for payment of expenses from fees, moneys or other revenues,
 31 including Miscellaneous Receipts, but excluding lottery funds and federal funds, collected or
 32 received by the Oregon Business Development Department, is increased by \$531,520 for
 33 infrastructure financing.

34 **SECTION 16.** (1) Notwithstanding any other law limiting expenditures, the limitation on
 35 expenditures established by section 2 (3), chapter 860, Oregon Laws 2009, for the biennium
 36 beginning July 1, 2009, as the maximum limit for payment of expenses from fees, moneys or
 37 other revenues, including Miscellaneous Receipts, but excluding lottery funds and federal
 38 funds, collected or received by the Department of Corrections, is increased by \$760,781 for
 39 education, treatment and other services provided to offenders.

40 (2) Notwithstanding any other law limiting expenditures, the limitation on expenditures
 41 established by section 3, chapter 860, Oregon Laws 2009, for the biennium beginning July 1,
 42 2009, as the maximum limit for payment of expenses from federal funds collected or received
 43 by the Department of Corrections, is increased by \$1,362,077 for services related to workplace
 44 and community transition training and for the costs of incarcerating illegal aliens.

45 **SECTION 17.** Notwithstanding any other law limiting expenditures, the amount of

1 \$900,000 is established for a six-year period beginning July 1, 2009, as the maximum limit for
2 payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts,
3 but excluding lottery funds and federal funds, collected or received by the Department of
4 Corrections for replacing irrigation wells on the property referred to as the Mill Creek
5 property in Salem.

6 SECTION 18. Notwithstanding any other law limiting expenditures, the amount of
7 \$700,000 is established for the biennium beginning July 1, 2009, as the maximum limit for
8 payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts,
9 but excluding lottery funds and federal funds, collected or received by the Department of
10 Corrections for capital improvements, including repair of the wastewater treatment system
11 at the Deer Ridge Correctional Institution and installation of a solar water heating system
12 at the Eastern Oregon Correctional Institution.

13 SECTION 19. Notwithstanding any other law limiting expenditures, the limitation on
14 expenditures established by section 2 (3), chapter 862, Oregon Laws 2009, for the biennium
15 beginning July 1, 2009, as the maximum limit for payment of expenses from fees, moneys or
16 other revenues, including Miscellaneous Receipts, but excluding lottery funds and federal
17 funds, collected or received by the Department of State Police, is increased by \$60,000 for
18 forensic services requested by Western Oregon University.

19 SECTION 20. This 2010 Act being necessary for the immediate preservation of the public
20 peace, health and safety, an emergency is declared to exist, and this 2010 Act takes effect
21 on its passage.
22
