

Enrolled House Bill 5006

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of Budget and Management Division, Oregon Department of Administrative Services)

CHAPTER

AN ACT

Relating to state financial administration; creating new provisions; amending section 6, chapter 904, Oregon Laws 2009; limiting expenditures; and declaring an emergency.

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

SECTION 1. Notwithstanding any other law limiting expenditures, the following amounts are established for a six-year period beginning July 1, 2011, as the maximum limits 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 state agencies listed, for the acquisition of land and the acquisition, planning, constructing, altering, repairing, furnishing and equipping of buildings and facilities:

- (1) **Oregon Health Authority,
Oregon State Hospital
replacement \$ 59,900,000**
- (2) **Oregon Department of
Administrative Services:**
 - (a) **HVAC improvement projects,
phase 1..... \$ 1,535,603**
 - (b) **Roof replacements \$ 1,479,759**
 - (c) **Fire panel upgrades \$ 2,791,212**
 - (d) **Building exterior
weatherization..... \$ 1,552,033**
 - (e) **Parking projects..... \$ 2,268,881**
 - (f) **Salem Motor Pool improvements \$ 1,366,366**
 - (g) **Facilities integrated software
system, phase 2..... \$ 1,000,000**
 - (h) **Planning..... \$ 250,000**
 - (i) **Department of Revenue
building HVAC system
chiller replacement \$ 1,000,000**
- (3) **Oregon Military Department:**
 - (a) **The Dalles Readiness Center \$ 4,011,273**
 - (b) **Christmas Valley site
acquisition..... \$ 680,000**
- (4) **Oregon Department of**

Fish and Wildlife:	
(a) Ruby pipeline mitigation acquisition.....	\$ 2,000,000
(b) Sandy Fish Hatchery fish passage.....	\$ 3,700,000
(c) Rock Creek Fish Hatchery fish passage.....	\$ 1,500,000
(d) Headquarters building.....	\$ 16,000,000
(5) Department of Transportation, Portland drive testing center.....	\$ 1
(6) Oregon Department of Aviation, Chiloquin State Airport runway/apron rehabilitation	\$ 10,526
(7) Department of Veterans' Affairs:	
(a) Lebanon Veterans' Home.....	\$ 300,000
(b) Roseburg Veterans' Home	\$ 1

SECTION 2. Notwithstanding any other law limiting expenditures, the following amounts are established for a six-year period beginning July 1, 2011, as the maximum limits for the expenditure of federal funds collected or received by the state agencies listed, for the acquisition of land and the acquisition, planning, constructing, altering, repairing, furnishing and equipping of buildings and facilities:

(1) Oregon Department of Aviation, Chiloquin State Airport runway/apron rehabilitation	\$ 200,000
(2) Oregon Military Department, The Dalles Readiness Center	\$ 12,980,000

SECTION 3. (1) Notwithstanding any other law limiting expenditures, and subject to subsection (2) of this section, for the six-year period beginning July 1, 2009, the amount of \$279,179,118 is established 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 Oregon Health Authority, for acquisition of land and the acquisition, planning, constructing, altering, repairing, furnishing and equipping of buildings and facilities for the Oregon State Hospital.

(2) Amounts expended under this section, when combined with amounts expended under section 1 (4), chapter 904, Oregon Laws 2009, may not exceed \$279,179,118.

SECTION 4. (1) Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 1 (1)(a), chapter 742, Oregon Laws 2007, for a six-year period beginning July 1, 2007, 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 Department of Transportation for Baker City highway facilities is increased by \$500,000.

(2) Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 1 (6), chapter 904, Oregon Laws 2009, for a six-year period 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 State Forestry Department for land acquisition is increased by \$1,983,256.

SECTION 5. The project approvals and expenditure limitations in sections 1 and 2 of this 2011 Act expire on June 30, 2017, unless otherwise noted or unless changed by the Legislative Assembly.

SECTION 6. The expiration dates of the project approvals and expenditure limitations authorized by the Legislative Assembly for the following projects are extended to the following dates:

- (1) Oregon Military Department:
 - (a) The Dalles Readiness Center - design (other funds) ..June 30, 2015
 - (b) The Dalles Readiness Center - design (federal funds).....June 30, 2015
 - (c) Christmas Valley - solar array panels.....June 30, 2013
 - (d) Camp Rilea - waste water treatment plant.....June 30, 2013
 - (e) Camp Withycombe - infrastructure upgrades.....June 30, 2013
 - (f) Boardman Multipurpose Training RangeJune 30, 2013
 - (g) Washington County Readiness CenterJune 30, 2013
- (2) Oregon Department of Administrative Services, Revenue Building reseal.....June 30, 2013

SECTION 7. The Legislative Assembly approves the proposal of the Oregon Military Department, submitted in accordance with ORS 396.515 (4), for the sale of:

- (1) Oregon City Armory
- (2) Lake Oswego Armory
- (3) Tigard Armory and Field Maintenance Shop

SECTION 8. The State Board of Higher Education shall determine the capital renewal, code compliance and safety projects to be undertaken with moneys made available under section 9 (1)(a) of this 2011 Act on the basis of the board’s determination of the most critical capital renewal, code compliance and safety needs. In determining the capital renewal, code compliance and safety needs, the board shall give priority to projects that protect the health and safety of occupants and maintain the structural integrity of facilities. Capital renewal, code compliance and safety projects do not include acquisition of buildings, structures or land.

SECTION 9. Notwithstanding any other law limiting expenditures, the following amounts are established for a six-year period beginning July 1, 2011, as the maximum limits for payment of expenses under this section from bond proceeds and other revenues, including federal funds, collected or received by the Oregon University System, for the acquisition, construction, improvement, repair, equipping and furnishing of buildings, structures, land and other projects or parts thereof, within the Oregon University System, as indicated in the project title:

		Other Revenues (Including Federal Funds)
Article XI-F(1) Bonds	Lottery Bonds	

(1) Oregon University System:			
(a) Capital renewal, code compliance and safety	\$ -	\$ 25,000,000	\$ 10,000,000
(b) Miscellaneous student building fee projects	-	-	20,000,000
(2) Eastern Oregon University, Quinn Coliseum deferred maintenance			
	-	13,179,000	-
(3) Oregon Institute of Technology:			
(a) Portland campus consolidation	-	20,000,000	10,000,000
(b) Geothermal demonstration project	-	-	\$3,500,000
(4) Oregon State University:			
(a) New business education building	-	24,100,000	31,900,000
(b) Bookstore relocation	-	-	12,000,000
(c) University housing and dining upgrades	-	-	8,000,000
(d) Animal Sciences Education and Research Pavilion telecommunications equipment	-	-	2,000,000
(e) Cross-country track expanded scope	1,000,000	-	3,000,000
(f) Education Hall deferred maintenance interior space remodeling	-	-	6,000,000
(g) Cascades Campus Graduate Studies Building	-	2,000,000	3,000,000
(5) Portland State University:			
(a) Blumel Hall domestic water line replacement	7,000,000	-	-
(b) Land acquisition, City Tower	1	-	-
(6) Southern Oregon University Science Building deferred maintenance and seismic upgrade			
	-	21,000,000	-
(7) University of Oregon:			
(a) Steam service replacement	-	-	2,500,000
(b) Earl Hall fire system improvements	-	-	750,000
(c) Bean Hall exterior preservation	-	-	1,500,000
(d) Barnhart Hall envelope restoration	-	-	1,700,000
(e) Allen Hall expansion and remodel project	-	-	5,300,000
(f) Lewis Integrative Science Building II	-	-	10,000,000
(8) Western Oregon University:			

(a) Todd Hall renovation	-	-	1,200,000
(b) Natural Sciences Laboratory Annex	-	7,200,000	2,500,000
(9) Reserves	-	-	4,449,800

SECTION 10. Notwithstanding any other provision of this 2011 Act, the bond proceeds and other revenues, including federal funds, the expenditures from which are limited by section 9 of this 2011 Act, are not available for expenditure before the effective date of this 2011 Act. However, any action taken by the State Board of Higher Education prior to the effective date of this 2011 Act or any contract entered into by the board prior to the effective date of this 2011 Act necessary for the acquisition, construction, improvement, repair, equipping and furnishing of buildings, structures, land and other projects or parts thereof, authorized by this 2011 Act, is hereby authorized.

SECTION 11. (1) The project approvals and expenditure limitations established in section 9 of this 2011 Act, and the expenditure limitations established by the Emergency Board during the biennium beginning July 1, 2011, for capital construction or acquisition projects of the Oregon University System expire on June 30, 2017, unless otherwise noted or unless changed by the Legislative Assembly.

(2) The project approvals and expenditure limitations established by section 2 (6)(h), chapter 787, Oregon Laws 2005, and increased by the Emergency Board at its April 2006 meeting, for capital construction or acquisition projects of the Oregon University System expire on June 30, 2013, unless otherwise changed by the Legislative Assembly.

(3) The project approvals and expenditure limitations established by section 2 (4)(g), (5)(g), 5(j), (6)(k) and (6)(p), chapter 787, Oregon Laws 2005, for capital construction or acquisition projects of the Oregon University System expire on June 30, 2013, unless otherwise changed by the Legislative Assembly.

(4) The project approvals and expenditure limitations established by section 2 (6)(e), chapter 761, Oregon Laws 2007, and increased by the Emergency Board at its September 2010 meeting, for capital construction or acquisition projects of the Oregon University System expire on June 30, 2013, unless otherwise changed by the Legislative Assembly.

(5) The project approvals and expenditure limitations established by the Emergency Board at its September 2010 meeting for construction of student family housing at Western Oregon University expire on June 30, 2017, unless otherwise changed by the Legislative Assembly.

(6) The project approvals and expenditure limitations established by section 3 (1), (6) and (7), chapter 787, Oregon Laws 2005, for capital construction or acquisition projects at Columbia Gorge Community College, Klamath Community College and Southwestern Oregon Community College expire on June 30, 2012, unless otherwise changed by the Legislative Assembly.

(7) The project approval and expenditure limitation established by section 16 of this 2011 Act for Strand Agriculture Hall deferred maintenance at Oregon State University expires on June 30, 2015, unless otherwise changed by the Legislative Assembly.

SECTION 12. Pursuant to Article XI-G of the Oregon Constitution, and ORS 286A.025 to 286A.095 and 351.345, the State Board of Higher Education may sell, with the approval of the State Treasurer, general obligation bonds of the State of Oregon of the kind and character and within the limits prescribed by Article XI-G of the Oregon Constitution, as the board determines, but in no event may the board sell more than the aggregate principal sum of \$17,608,000 par value for the biennium beginning July 1, 2011. The moneys realized from the sale of the bonds shall be appropriated and may be expended for the purposes set forth in section 6 (1)(d), (2)(a), (3), (4)(b) and (6)(b), chapter 904, Oregon Laws 2009, and for payment for capitalized interest and costs incidental to issuance of the bonds.

SECTION 13. Notwithstanding the expenditure limitations established under section 9 of this 2011 Act, the State Board of Higher Education may increase any limit for expenditures from other revenues, including federal funds, prescribed by section 9 of this 2011 Act for a specific project, if the expenditure limitation for bonds issued pursuant to Article XI-F(1) of the Oregon Constitution, for the same project is reduced by the board in the same amount.

SECTION 14. (1) Notwithstanding the expenditure limitations established in section 9 of this 2011 Act, and subject to subsection (2) of this section, the State Board of Higher Education may expend amounts that exceed the expenditure limitations established under section 9 (1) to (8) of this 2011 Act for other revenues, including federal funds, by the following percentage amounts:

(a) For a project with a total expenditure limitation of \$500,000 to \$999,999 under section 9 (1) to (8) of this 2011 Act, up to 12 percent of the expenditure limitation for other revenues, including federal funds.

(b) For a project with a total expenditure limitation of \$1,000,000 to \$4,999,999 under section 9 (1) to (8) of this 2011 Act, up to eight percent of the expenditure limitation for other revenues, including federal funds.

(c) For a project with a total expenditure limitation of \$5,000,000 to \$9,999,999 under section 9 (1) to (8) of this 2011 Act, up to five percent of the expenditure limitation for other revenues, including federal funds.

(d) For a project with a total expenditure limitation of \$10,000,000 or more under section 9 (1) to (8) of this 2011 Act, up to three percent of the expenditure limitation for other revenues, including federal funds.

(2) The total amount by which the expenditure limitations established in section 9 (1) to (8) of this 2011 Act are exceeded under this section may not be greater than the sum of the amounts established under section 9 (9) of this 2011 Act.

SECTION 15. For purposes of section 1, Article XI-F(1) of the Oregon Constitution, the Legislative Assembly determines that the projects authorized to be financed pursuant to sections 9 to 14 of this 2011 Act with bonds issued under Article XI-F(1) of the Oregon Constitution, will benefit higher education institutions or activities.

SECTION 16. Notwithstanding any other law limiting expenditures, the amount of \$4,847,000 is established for a six-year period beginning July 1, 2009, as the maximum limit for payment of expenses under this section from Article XI-Q bond proceeds collected or received by the Oregon University System for Strand Agriculture Hall deferred maintenance at Oregon State University.

SECTION 17. Section 6, chapter 904, Oregon Laws 2009, as amended by section 3, chapter 99, Oregon Laws 2010, is amended to read:

Sec. 6. Notwithstanding any other law limiting expenditures, the following amounts are established for a six-year period beginning July 1, 2009, as the maximum limit for payment of expenses under this section from bond proceeds and other revenues, including federal funds, collected or received by the Oregon University System, for the acquisition of land, improvements to land and the acquisition, planning, constructing, altering, repairing, furnishing and equipping of buildings, facilities and other projects within the Oregon University System:

					Other
					Revenues
					(including
Article	Article				Federal
XI-G	XI-F(1)	Lottery	Energy		Funds)
Bonds	Bonds	Bonds	Loans	COPs	

(1) Oregon University

System						
(a) Capital renewal, code compliance and safety	\$ -	\$ -	\$ -	\$ -	\$ 20,286,000	\$ -
(b) South Waterfront Life Sciences Facility	50,000,000	60,000,000	-	-	-	90,000,000
[(c) Oregon Center for Sustainability]	-	80,000,000	-	-	-	-]
[(d)] (c) Biofuels demonstration project	4,000,000	-	-	-	-	4,000,000
[(e)] (d) Wind demonstration project	-	-	-	-	-	4,000,000
(2) Eastern Oregon University						
(a) Zabel Hall deferred maintenance	1,522,000	-	2,215,000	2,706,000	-	-
(b) Pierce Library project	4,000,000	-	-	-	4,000,000	-
(3) Oregon Institute of Technology geothermal renewable energy demonstration project	2,000,000	2,000,000	-	-	-	2,600,000
(4) Oregon State University						
(a) Education Hall additional structural deficiencies deferred maintenance	-	-	4,000,000	-	-	-
(b) Strand Agriculture Hall deferred maintenance	6,586,000	-	6,586,000	6,851,000	[4,847,000]	-
(c) Bates Hall/Hallie Ford Healthy Children and Families Center	5,000,000	-	-	-	-	5,000,000
(d) Student Success Center	2,054,000	-	4,554,000	-	-	7,392,000
(e) Cultural Center	-	10,000,000	-	-	-	-
(f) International Residence Hall	-	52,000,000	-	-	-	-
(g) Sports Performance Center	-	12,000,000	-	-	-	-
(h) CH2M Hill Alumni Center	-	-	-	-	-	4,200,000
(i) Sonpark/EPA acquisition, OF COPs	-	-	-	-	1,900,000	-
(j) Warehouse acquisition, OF COPs	-	-	-	-	1,000,000	-
(k) Intramural Outdoor Sports Complex	-	7,450,000	-	-	-	300,000
(L) McAlexander Field House	-	3,250,000	-	-	-	500,000
(5) Portland State University						
(a) Science Research and						

Teaching Center/Hazardous Waste Facility, phase 2	2,500,000	-	-	-	-	2,500,000
[(b) City Tower acquisition	-	-	-	-	1	-]
[(c) (b) Market Center acquisition	-	-	-	-	24,000,000	-
[(d) (c) Land acquisition	-	8,000,000	-	-	-	-
[(e) (d) Lincoln Hall	-	-	-	-	-	4,500,000
(6) Southern Oregon University						
(a) Churchill Hall deferred maintenance	-	-	-	2,730,000	3,192,000	-
(b) Theatre Arts building expansion and remodel	5,500,000	-	-	-	-	5,500,000
(7) University of Oregon						
(a) Allen Hall expansion and remodel	7,500,000	-	-	-	-	7,500,000
(b) Straub Memorial Hall deferred maintenance	-	-	-	8,998,000	4,321,000	-
(c) Power Station, phase 2, waste gasification demonstration project	-	29,150,000	5,000,000	13,502,000	3,663,000	5,000,000
(d) Erb Memorial Union, partial renovation, West Lower Level	-	2,260,000	-	-	-	300,000
(e) Chiles Center renovations	-	-	-	-	-	1,000,000
(f) Alumni Center Project	-	9,975,000	-	-	-	6,825,000
(g) Riverfront Research Park, Technology Business Incubator	-	-	-	-	-	1,500,000
(h) Barnhart Hall building envelope restoration	-	-	-	-	-	900,000
(i) Carson Hall electrical upgrade	-	-	-	-	-	560,000
(j) Earl Complex building envelope, electrical and mechanical systems	-	2,924,000	-	-	-	-
(k) New student housing	-	75,000,000	-	-	-	-
(8) Reserves	-	11,390,970	-	-	-	5,771,710
(9) Commercial paper capitalized interest pilot project	-	5,000,000	-	-	-	-

SECTION 18. This 2011 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2011 Act takes effect on its passage.

Passed by House June 30, 2011

.....
Ramona Kenady Line, Chief Clerk of House

.....
Bruce Hanna, Speaker of House

.....
Arnie Roblan, Speaker of House

Passed by Senate June 30, 2011

.....
Peter Courtney, President of Senate

Received by Governor:

.....M,....., 2011

Approved:

.....M,....., 2011

.....
John Kitzhaber, Governor

Filed in Office of Secretary of State:

.....M,....., 2011

.....
Kate Brown, Secretary of State