

A-Engrossed House Bill 5020

Ordered by the House June 14
Including House Amendments dated June 14

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)

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.

Appropriates moneys from General Fund to department for certain biennial expenses.

Appropriates moneys from General Fund to department for distribution as grants-in-aid and to purchase services.

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

Limits biennial expenditures by department from certain federal funds.

Limits biennial expenditures by department for payment of grants-in-aid and purchased services from certain federal funds received by department.

Limits biennial expenditures by department for payment of grants-in-aid and purchased services from fees, moneys or other revenues, including Miscellaneous Receipts, but excluding lottery funds and federal funds, collected or received by department.

Limits payment by department of expenses related to state education lottery bonds.

Authorizes specified nonlimited expenditures.

Appropriates moneys from General Fund to department for Local Option Equalization Grants Account.

Limits biennial expenditures by department for State School Fund from federal funds.

Adjusts, for biennium beginning July 1, 2009, specified limitations on expenditures from certain federal funds.

Declares emergency, effective July 1, 2011.

A BILL FOR AN ACT

1
2 Relating to the financial administration of the Department of Education; appropriating money; lim-
3 iting expenditures; and declaring an emergency.

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

5 **SECTION 1. There are appropriated to the Department of Education, for the biennium**
6 **beginning July 1, 2011, out of the General Fund, the following amounts, of which the de-**
7 **partment may expend up to 54 percent during the period beginning July 1, 2011, and ending**
8 **June 30, 2012, for the following purposes:**

9 (1) **Operations..... \$ 31,470,590**

10 (2) **Oregon School for the Deaf..... \$ 10,166,690**

11 (3) **Blind and Visually Impaired**

12 **Student Fund \$ 965,260**

13 **SECTION 2. There are appropriated to the Department of Education, for the biennium**
14 **beginning July 1, 2011, out of the General Fund, the following amounts, which are to be dis-**
15 **tributed as grants-in-aid and to purchase services and of which the department may expend**
16 **up to 54 percent during the period beginning July 1, 2011, and ending June 30, 2012, for the**
17 **following purposes:**

Note: For budget, see 2011-2013 Biennial Budget

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.

- 1 (1) Educating children with
- 2 disabilities in regional
- 3 programs pursuant to
- 4 ORS 343.236..... \$ 25,828,518
- 5 (2) Educating children with
- 6 disabilities in hospital
- 7 programs..... \$ 1,276,085
- 8 (3) Educating children with
- 9 disabilities in long term
- 10 care or treatment programs..... \$ 14,761,903
- 11 (4) Connectivity services for
- 12 school districts..... \$ 471,420
- 13 (5) Student leadership centers \$ 241,315
- 14 (6) Teacher and administrator
- 15 mentorship program \$ 4,519,700
- 16 (7) Breakfast and summer
- 17 food programs..... \$ 1,930,520
- 18 (8) Physical education grants..... \$ 370,660
- 19 (9) Early intervention services
- 20 and early childhood special
- 21 education programs \$115,261,696
- 22 (10) Oregon prekindergarten
- 23 program \$105,753,886
- 24 (11) Early Head Start..... \$ 916,997

25 **SECTION 3.** Notwithstanding any other law limiting expenditures, the following amounts
 26 are established for the biennium beginning July 1, 2011, as the maximum limits for payment
 27 of expenses, other than expenses described in sections 6 and 10 of this 2011 Act, from fees,
 28 moneys or other revenues, including Miscellaneous Receipts, but excluding lottery funds and
 29 federal funds, collected or received by the Department of Education for the following pur-
 30 poses:

- 31 (1) Operations..... \$ 14,308,545
- 32 (2) Oregon School for the Deaf..... \$ 2,154,136
- 33 (3) Oregon School for the Deaf
- 34 pursuant to section 6
- 35 (5)(c)(A)(i), chapter 562,
- 36 Oregon Laws 2009, as
- 37 amended by section 4, chapter
- 38 54, Oregon Laws 2010..... \$ 466,611
- 39 (4) Blind and Visually Impaired
- 40 Student Fund \$ 5,000,000
- 41 (5) Youth Corrections
- 42 Education Program..... \$ 15,031,781

43 **SECTION 4.** Notwithstanding any other law limiting expenditures, the following amounts
 44 are established for the biennium beginning July 1, 2011, as the maximum limits for payment
 45 of expenses from federal funds, other than those described in sections 5 and 10 of this 2011

1 Act, collected or received by the Department of Education for the following purposes:

- 2 (1) Operations..... \$ 58,354,404
- 3 (2) Oregon School for the Deaf..... \$ 300,000
- 4 (3) Youth Corrections
- 5 Education Program..... \$ 2,000,000

6 **SECTION 5.** Notwithstanding any other law limiting expenditures, the following amounts
7 are established for the biennium beginning July 1, 2011, as the maximum limits for payment
8 of grants-in-aid and purchased services from federal funds, other than those described in
9 section 10 of this 2011 Act, received by the Department of Education for the following pur-
10 poses:

- 11 (1) Individuals With
- 12 Disabilities Education Act \$276,272,802
- 13 (2) Title IA - Grants to local educational
- 14 agencies \$336,164,388
- 15 (3) Title IC - Migrant education..... \$ 21,288,062
- 16 (4) Title IIA - Teacher quality \$ 55,402,170
- 17 (5) Vocational education..... \$ 24,767,204
- 18 (6) All other federal programs \$ 56,881,374

19 **SECTION 6.** Notwithstanding any other law limiting expenditures, the amount of
20 \$17,317,588 is established for the biennium beginning July 1, 2011, as the maximum limit for
21 payment of grants-in-aid and purchased services from fees, moneys or other revenues, in-
22 cluding Miscellaneous Receipts, but excluding lottery funds and federal funds, collected or
23 received by the Department of Education for grant programs other than those specified in
24 section 2 of this 2011 Act.

25 **SECTION 7.** Notwithstanding any other law limiting expenditures, the amount of
26 \$48,747,513 is established for the biennium beginning July 1, 2011, as the maximum limit for
27 payment of expenses by the Department of Education from lottery moneys allocated from
28 the Administrative Services Economic Development Fund to the department for debt service
29 on outstanding state education lottery bonds.

30 **SECTION 8.** Notwithstanding any other law limiting expenditures, the amount of
31 \$4,822,380 is established for the biennium beginning July 1, 2011, as the maximum limit for
32 payment of expenses by the Department of Education from lottery moneys allocated from
33 the Oregon Education Fund to the department for debt service on outstanding state educa-
34 tion lottery bonds.

35 **SECTION 9.** Notwithstanding any other law limiting expenditures, the amount of
36 \$2,464,515 is established for the biennium beginning July 1, 2011, as the maximum limit for
37 payment of expenses by the Department of Education from Lottery Bond Fund earnings
38 collected or received by the department for debt service on outstanding state education lot-
39 tery bonds.

40 **SECTION 10.** For the biennium beginning July 1, 2011, the following expenditures by the
41 Department of Education are not limited:

- 42 (1) Moneys from the School Lunch Revolving Account, Education Training Revolving
- 43 Account, Tuition Protection Fund and Common School Fund; and
- 44 (2) Expenditures for grants-in-aid and purchased services from federal funds received by
- 45 the Department of Education from the United States Department of Agriculture.

1 **SECTION 11.** In addition to and not in lieu of any other appropriation, there is appro-
2 priated to the Department of Education, for the biennium beginning July 1, 2011, out of the
3 General Fund, the amount of \$1,930,520, for the Local Option Equalization Grants Account.

4 **SECTION 12.** Notwithstanding any other law limiting expenditures, the amount of
5 \$61,000,000 is established for the biennium beginning July 1, 2011, as the maximum limit for
6 payment of expenses from federal funds collected or received by the Department of Educa-
7 tion for the State School Fund.

8 **SECTION 13.** Notwithstanding any other law limiting expenditures, the limitation on
9 expenditures established by section 6, chapter 729, Oregon Laws 2009, for the biennium be-
10 ginning July 1, 2009, as the maximum limit for payment of grants-in-aid and purchased ser-
11 vices from fees, moneys or other revenues, including Miscellaneous Receipts, but excluding
12 lottery funds and federal funds, collected or received by the Department of Education for
13 grant programs other than those specified in section 2, chapter 729, Oregon Laws 2009, is
14 increased by \$5,525,000.

15 **SECTION 14.** Notwithstanding any other law limiting expenditures, the limitation on
16 expenditures established by section 5 (1), chapter 729, Oregon Laws 2009, for the biennium
17 beginning July 1, 2009, as the maximum limit for payment of grants-in-aid and purchased
18 services from federal funds received by the Department of Education from the United States
19 Department of Education and from other federal agencies other than the United States De-
20 partment of Agriculture, for the Individuals With Disabilities Education Act, is increased by
21 \$8,125,000.

22 **SECTION 15.** Notwithstanding any other law limiting expenditures, the limitation on
23 expenditures established by section 5 (2), chapter 729, Oregon Laws 2009, for the biennium
24 beginning July 1, 2009, as the maximum limit for payment of grants-in-aid and purchased
25 services from federal funds received by the Department of Education from the United States
26 Department of Education and from other federal agencies other than the United States De-
27 partment of Agriculture, for Title IA - grants to local educational agencies, is increased by
28 \$9,850,000.

29 **SECTION 16.** Notwithstanding any other law limiting expenditures, the limitation on
30 expenditures established by section 51 (3), chapter 910, Oregon Laws 2009, for the fiscal year
31 beginning July 1, 2009, and ending June 30, 2010, as the maximum limit for payment of ex-
32 penses from federal funds collected or received by the Department of Education for the State
33 School Fund, is increased by \$1,700,000.

34 **SECTION 17.** Notwithstanding any other law limiting expenditures, the limitation on
35 expenditures established by section 51 (4), chapter 910, Oregon Laws 2009, for the fiscal year
36 beginning July 1, 2010, and ending June 30, 2011, as the maximum limit for payment of ex-
37 penses from federal funds collected or received by the Department of Education for the State
38 School Fund, is decreased by \$1,700,000.

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