

HOUSE AMENDMENTS TO HOUSE BILL 5036

By JOINT COMMITTEE ON WAYS AND MEANS

June 29

- 1 On page 1 of the printed bill, line 2, delete “section 4” and insert “sections 4, 10, 14 and 29”.
- 2 In line 3, after the first semicolon insert “repealing section 15, chapter 30, Oregon Laws
3 2010;”.
- 4 On page 2, line 30, delete “\$306,226,252” and insert “\$276,226,252”.
- 5 On page 4, line 5, delete “\$85,479,000” and insert “\$87,479,000”.
- 6 In line 8, delete “\$51.4 million” and insert “\$25 million”.
- 7 In line 12, delete “\$51.4 million” and insert “\$25 million”.
- 8 In line 15, delete “\$85,479,000” and insert “\$87,479,000”.
- 9 In line 30, delete “\$26,301,718” and insert “\$21,301,718”.
- 10 Delete lines 32 through 45 and delete pages 5 through 7 and insert:
- 11 **“SECTION 4. (1) For the biennium beginning July 1, 2011, at the request of the Oregon**
12 **Department of Administrative Services, after the department consults with the Water Re-**
13 **sources Department, the State Treasurer is authorized to issue lottery bonds pursuant to**
14 **ORS 286A.560 to 286A.585 in an amount not to exceed net proceeds of \$1,229,052 for the pur-**
15 **pose described in subsection (2) of this section, plus an additional amount estimated by the**
16 **State Treasurer to be necessary to pay bond-related costs.**
- 17 **“(2) Net proceeds of lottery bonds issued under this section must be transferred to the**
18 **Water Resources Department for deposit in the Water Resources Department Water Supply**
19 **Fund established under section 10, chapter 906, Oregon Laws 2009, sufficient to provide**
20 **\$1,229,052 in net proceeds and interest earnings to provide grants for feasibility studies for**
21 **water conservation, reuse and storage projects.**
- 22 **“(3) The Legislative Assembly finds that the use of lottery bond proceeds will create jobs,**
23 **further economic development, finance public education or restore and protect parks,**
24 **beaches, watersheds and native fish and wildlife and is authorized based on the following**
25 **findings:**
- 26 **“(a) Adequate drinking water systems, irrigation, drainage and healthy ecosystems en-**
27 **hance community development and encourage economic growth.**
- 28 **“(b) Having adequate drinking water systems, irrigation, drainage and healthy**
29 **ecosystems is essential to Oregon’s economic growth.**
- 30 **“(c) Assisting local governments to mitigate losses resulting from reduced water supply**
31 **for irrigation and retirement of water rights will enhance community efforts to facilitate and**
32 **promote economic growth.**
- 33 **“(d) Increasing the use of renewable energy will assist in reducing energy costs in the**
34 **long term, which allows for sustainable economic growth.**
- 35 **“SECTION 5. Section 10, chapter 906, Oregon Laws 2009, is amended to read:**

1 **“Sec. 10.** (1) The Water Resources Department Water Supply Fund is established separate and
2 distinct from the General Fund. Interest earned [by] **on moneys deposited in** the Water Resources
3 Department Water Supply Fund shall be credited to the fund. **Moneys in the fund are contin-**
4 **uously appropriated to the Water Resources Department.**

5 **“(2) The Water Resources Department Water Supply Fund consists of:**

6 “[(2)] (a) Net proceeds of lottery bonds issued pursuant to sections 8 and 9 [*of this 2009 Act*],
7 **chapter 906, Oregon Laws 2009, [shall be]** deposited into the Water Resources Department Water
8 Supply Fund[. *Moneys in the fund are continuously appropriated as follows*] **for the following pur-**
9 **poses:**

10 “[(a)] (A) \$2,500,000 for the purposes of issuing grants to develop Umatilla Basin critical ground
11 water storage projects described in section 17, chapter 907, Oregon Laws 2009 [*Enrolled House Bill*
12 *3369*], and to provide or pay for services in connection with those projects.

13 “[(b)] (B) \$217,000 to pay for the operation of loan and grant programs under sections 18 to 27,
14 chapter 907, Oregon Laws 2009 [*Enrolled House Bill 3369*].

15 “[(c)] (C) \$283,000 for the purpose of developing an integrated state water resources strategy to
16 implement the state water resources policy pursuant to ORS 536.220 and section 45, chapter 907,
17 Oregon Laws 2009 [*Enrolled House Bill 3369*].

18 “[(d)] (D) \$500,000 for purposes of the grant program established by section 1, chapter 13,
19 Oregon Laws 2008.

20 **“(b) Net proceeds of lottery bonds issued pursuant to section 4 of this 2011 Act in an**
21 **amount sufficient to provide \$1,229,052 in net proceeds and interest earnings for the depart-**
22 **ment to finance grants for feasibility studies for water conservation, reuse and storage**
23 **projects.**

24 **“(c) Any other fees, revenues or income deposited in the fund by the Legislative Assem-**
25 **bly.**

26 **“SECTION 6.** (1) For the biennium beginning July 1, 2011, at the request of the Oregon
27 Department of Administrative Services, after the department consults with the Port of
28 Morrow, the State Treasurer is authorized to issue lottery bonds pursuant to ORS 286A.560
29 to 286A.585 in an amount not to exceed net proceeds of \$3.2 million for the purpose described
30 in subsection (2) of this section, plus an additional amount estimated by the State Treasurer
31 to be necessary to pay bond-related costs.

32 **“(2) Net proceeds of lottery bonds issued pursuant to this section in an amount sufficient**
33 **to provide \$3.2 million in net proceeds and interest earned must be transferred to the de-**
34 **partment for disbursement to the Port of Morrow for the purpose of Willow Creek/SAGE**
35 **Center improvements, including construction of sidewalks or other walkways.**

36 **“(3) The Legislative Assembly finds that the use of lottery bond proceeds will create jobs,**
37 **further economic development, finance public education or restore and protect parks,**
38 **beaches, watersheds and native fish and wildlife, and is authorized because:**

39 **“(a) The proceeds will be used to construct or improve public infrastructure that facili-**
40 **tate and promote tourism and that provide access to cultural and educational facilities.**

41 **“(b) The projects will create jobs in tourism and construction.**

42 **“SECTION 7.** The Willow Creek/SAGE Center Improvements Fund is established in the
43 State Treasury, separate and distinct from the General Fund. Interest earned on moneys in
44 the Willow Creek/SAGE Center Improvements Fund shall be credited to the fund. The
45 Willow Creek/SAGE Center Improvements Fund consists of moneys deposited in the fund

1 under section 6 of this 2011 Act and may include fees, revenues or other income deposited
2 into the fund by the Legislative Assembly. Moneys in the fund are continuously appropriated
3 to the Oregon Department of Administrative Services for disbursement to the Port of
4 Morrow for the purpose of Willow Creek/SAGE Center improvements, including construction
5 of sidewalks or other walkways.

6 **“SECTION 8.** (1) For the biennium beginning July 1, 2011, at the request of the Oregon
7 Department of Administrative Services, after the department consults with the City of
8 Hermiston, the State Treasurer is authorized to issue lottery bonds pursuant to ORS
9 286A.560 to 286A.585 in an amount not to exceed net proceeds of \$6.4 million for the purpose
10 described in subsection (2) of this section, plus an additional amount estimated by the State
11 Treasurer to be necessary to pay bond-related costs.

12 **“(2)** Net proceeds of lottery bonds issued under this section in an amount sufficient to
13 provide \$6.4 million in net proceeds and interest earnings for transfer to the department for
14 disbursement to the City of Hermiston for the purpose of acquiring, developing, constructing
15 and equipping the Eastern Oregon Trade Center.

16 **“(3)** The Legislative Assembly finds that the use of lottery bond proceeds will create jobs,
17 further economic development, finance public education or restore and protect parks,
18 beaches, watersheds and native fish and wildlife, and is authorized based on the following
19 findings:

20 **“(a)** The human capital and other resources of eastern Oregon are underutilized;

21 **“(b)** The Eastern Oregon Trade Center will be a resource to promote and focus attention
22 on the development potential of the region; and

23 **“(c)** Construction of the Eastern Oregon Trade Center will create jobs.

24 **“SECTION 9.** (1) The Eastern Oregon Trade Center Fund is established in the State
25 Treasury, separate and distinct from the General Fund. Interest earned on moneys in the
26 Eastern Oregon Trade Center Fund shall be credited to the fund. The Eastern Oregon Trade
27 Center Fund consists of moneys deposited in the fund under section 8 of this 2011 Act and
28 may include fees, revenues or other income deposited into the fund by the Legislative As-
29 sembly.

30 **“(2)** Moneys in the fund are continuously appropriated to the Oregon Department of Ad-
31 ministrative Services for disbursement to the City of Hermiston for the purpose of acquiring,
32 developing, constructing and equipping the Eastern Oregon Trade Center.

33 **“SECTION 10.** (1) For the biennium beginning July 1, 2011, at the request of the Oregon
34 Department of Administrative Services, after the department consults with the Milton-
35 Freewater Water Control District, the State Treasurer is authorized to issue lottery bonds
36 pursuant to ORS 286A.560 to 286A.585 in an amount not to exceed net proceeds of \$2.9 million
37 for the purpose described in subsection (2) of this section, plus an additional amount esti-
38 mated by the State Treasurer to be necessary to pay bond-related costs.

39 **“(2)** Net proceeds of lottery bonds issued under this section in the amount sufficient to
40 provide \$2.9 million in net proceeds and interest earned must be transferred to the depart-
41 ment for disbursement to the Milton-Freewater Water Control District for public
42 infrastructure improvements, including levee restoration and repair projects and bridge
43 projects, in Milton-Freewater and surrounding areas.

44 **“(3)** The Legislative Assembly finds that the use of lottery bond proceeds will create jobs,
45 further economic development, finance public education or restore and protect parks,

1 beaches, watersheds and native fish and wildlife, and is authorized based on the following
2 findings:

3 “(a) Public investment in flood controls and transportation infrastructure encourage and
4 promote private capital investment and economic development; and

5 “(b) Construction projects will create jobs in Milton-Freewater and the surrounding area.

6 “**SECTION 11.** (1) The Milton-Freewater Levee and Bridge Improvement Fund is estab-
7 lished in the State Treasury, separate and distinct from the General Fund. Interest earned
8 on moneys in the Milton-Freewater Levee and Bridge Improvement Fund shall be credited
9 to the fund. The Milton-Freewater Levee and Bridge Improvement Fund consists of moneys
10 deposited in the fund under section 10 of this 2011 Act and may include fees, revenues or
11 other income deposited into the fund by the Legislative Assembly.

12 “(2) Moneys in the fund are continuously appropriated to the Oregon Department of Ad-
13 ministrative Services for disbursement to the Milton-Freewater Water Control District for
14 the purpose of public infrastructure improvements, including levee restoration and repair
15 projects and bridge projects, in Milton-Freewater and surrounding areas.

16 “**SECTION 12.** (1) For the biennium beginning July 1, 2011, at the request of the Oregon
17 Department of Administrative Services, after the department consults with the Lane Transit
18 District, the State Treasurer is authorized to issue lottery bonds pursuant to ORS 286A.560
19 to 286A.585 in an amount not to exceed net proceeds of \$4.2 million for the purpose described
20 in subsection (2) of this section, plus an additional amount estimated by the State Treasurer
21 to be necessary to pay bond-related costs.

22 “(2) Net proceeds of lottery bonds issued under this section in an amount sufficient to
23 provide \$4.2 million in net proceeds and interest earnings for the department to deposit in
24 the West Eugene EmX Extension Fund for disbursement to the Lane Transit District for the
25 West Eugene EmX Extension, as defined in section 28, chapter 906, Oregon Laws 2009.

26 “(3) The Legislative Assembly finds that the use of lottery bond proceeds will create jobs,
27 further economic development, finance public education or restore and protect parks,
28 beaches, watersheds and native fish and wildlife, and is authorized based on the findings
29 identified by the Legislative Assembly in section 28, chapter 906, Oregon Laws 2009.

30 “**SECTION 13.** Section 29, chapter 906, Oregon Laws 2009, is amended to read:

31 “**Sec. 29.** The West Eugene EmX Extension Fund is established in the State Treasury, separate
32 and distinct from the General Fund. Interest earned on moneys in the West Eugene EmX Extension
33 Fund shall be credited to the fund. The West Eugene EmX Extension Fund consists of moneys de-
34 posited in the fund under section 28 [of this 2009 Act], **chapter 906, Oregon Laws 2009, and section**
35 **12 of this 2011 Act**, and may include fees, revenues or other income deposited into the fund by the
36 Legislative Assembly for payment of costs incurred to establish the West Eugene EmX Extension.
37 Moneys in the fund are continuously appropriated to the Oregon Department of Administrative
38 Services for:

39 “(1) Disbursement to the Lane Transit District [to pay \$1,600,000 of] **of moneys appropriated**
40 **by the Legislative Assembly for the purpose of paying** the costs incurred to establish the West
41 Eugene EmX Extension.

42 “(2) Payment of bond-related costs, as defined in ORS 286A.560.

43 “**SECTION 14.** (1) For the biennium beginning July 1, 2011, at the request of the Oregon
44 Department of Administrative Services, after the department consults with the Oregon His-
45 torical Society, the State Treasurer is authorized to issue lottery bonds pursuant to ORS

1 286A.560 to 286A.585 in an amount not to exceed net proceeds of \$2.5 million for the purpose
2 described in subsection (2) of this section, plus an additional amount estimated by the State
3 Treasurer to be necessary to pay bond-related costs.

4 “(2) Net proceeds of lottery bonds issued pursuant to this section in an amount sufficient
5 to provide \$2.5 million in net proceeds and interest earnings to the department for dis-
6 bursement to the Oregon Historical Society for payment of costs associated with the mort-
7 gage on the society’s storage facility in Gresham.

8 “(3) The Legislative Assembly finds that the use of lottery bond proceeds will create jobs,
9 further economic development, finance public education or restore and protect parks,
10 beaches, watersheds and native fish and wildlife, and is authorized based on the following
11 findings:

12 “(a) The mission of the Oregon Historical Society is not just to preserve Oregon’s docu-
13 mentary history but to utilize the documents preserved to educate Oregonians of all ages.

14 “(b) By relieving the society of the mortgage costs on the society’s storage facility, the
15 society is able to focus more resources on operations that serve the society’s mission.

16 “SECTION 15. (1) The Oregon Historical Society Mortgage Relief Fund is established in
17 the State Treasury, separate and distinct from the General Fund. Interest earned on moneys
18 in the Oregon Historical Society Mortgage Relief Fund shall be credited to the fund. The
19 Oregon Historical Society Mortgage Relief Fund consists of moneys deposited in the fund
20 under section 14 of this 2011 Act and may include fees, revenues or other income deposited
21 into the fund by the Legislative Assembly.

22 “(2) Moneys in the fund are continuously appropriated to the Oregon Department of Ad-
23 ministrative Services for disbursement to the Oregon Historical Society to pay costs associ-
24 ated with the mortgage on the society’s storage facility in Gresham.

25 “SECTION 16. (1) For the biennium beginning July 1, 2011, at the request of the Oregon
26 Department of Administrative Services, after the department consults with the State Board
27 of Forestry, the State Treasurer is authorized to issue lottery bonds pursuant to ORS
28 286A.560 to 286A.585 in an amount not to exceed net proceeds of \$1,980,000 for the purpose
29 described in subsection (2) of this section, plus an additional amount estimated by the State
30 Treasurer to be necessary to pay bond-related costs.

31 “(2) Notwithstanding ORS 526.060, net proceeds of lottery bonds issued under this section
32 in an amount sufficient to provide \$1,980,000 in net proceeds and interest earnings for deposit
33 in the State Forest Acquisition Fund established under section 14, chapter 906, Oregon Laws
34 2009, for the purpose of acquiring parcels in the Gilchrist area of Klamath County for use
35 as state forestland.

36 “(3) The Legislative Assembly finds that:

37 “(a) The Gilchrist area of Klamath County is an economically stressed region;

38 “(b) State acquisition of parcels located in the Gilchrist area of Klamath County for
39 management as state forestland would produce economic benefits for the area, including but
40 not limited to income from the harvest of forest products and direct employment and eco-
41 nomic benefit from processing harvested forest products;

42 “(c) State acquisition of parcels in the Gilchrist area of Klamath County and management
43 of those parcels as state forestland will result in increased employment in the tourism in-
44 dustry and other industries related to the development of recreational attractions on parcels;

45 “(d) There exists a substantial risk that failure to acquire certain parcels in the Gilchrist

1 area of Klamath County for use as state forestland will result in the parcels being converted
2 to nonforest use, resulting in the loss of existing forest industry jobs and existing jobs in
3 related industries in the area; and

4 “(e) The use of lottery bond proceeds as provided in this section will create jobs, further
5 economic development, finance public education or protect parks, watersheds, fish or wildlife
6 within Oregon, and issuance of lottery bonds for the purpose described in this section is
7 therefore an appropriate use of state lottery funds under section 4, Article XV of the Oregon
8 Constitution, and ORS 461.510.

9 “**SECTION 17.** Section 14, chapter 906, Oregon Laws 2009 is amended to read:

10 “**Sec. 14.** The State Forest Acquisition Fund is established in the State Treasury, separate and
11 distinct from the General Fund. The State Forest Acquisition Fund shall consist of moneys deposited
12 in the fund under section 13 [*of this 2009 Act*], **chapter 906, Oregon Laws 2009, and section 16**
13 **of this 2011 Act, and may include fees, revenues or other income deposited into the fund by**
14 **the Legislative Assembly.** The moneys in the State Forest Acquisition Fund and the interest
15 earnings on moneys in the fund are continuously appropriated to the State Board of Forestry for the
16 purpose of acquiring parcels in the Gilchrist area of Klamath County for use as state forestland.

17 “**SECTION 18.** (1) **For the biennium beginning July 1, 2011, at the request of the Oregon**
18 **Department of Administrative Services, after the department consults with the Department**
19 **of Veterans’ Affairs, the State Treasurer is authorized to issue lottery bonds pursuant to**
20 **ORS 286A.560 to 286A.585 in an amount not to exceed net proceeds of \$10.5 million for the**
21 **purpose described in subsection (2) of this section, plus an additional amount estimated by**
22 **the State Treasurer to be necessary to pay bond-related costs.**

23 “(2) Net proceeds of lottery bonds issued under this section in an amount sufficient to
24 provide \$10.5 million in net proceeds and interest earnings must be transferred to the De-
25 partment of Veterans’ Affairs and deposited in the Roseburg Veterans’ Home Construction
26 Fund established in section 19 of this 2011 Act for the purpose of acquiring, developing,
27 constructing and equipping the Roseburg Veterans’ Home.

28 “(3) The Legislative Assembly finds that the use of lottery bond proceeds will create jobs,
29 further economic development, finance public education or restore and protect parks,
30 beaches, watersheds and native fish and wildlife, and is authorized based on the finding that
31 establishment of the Roseburg Veterans’ Home will create jobs in construction and health
32 care fields.

33 “**SECTION 19.** The Roseburg Veterans’ Home Construction Fund is established in the
34 State Treasury, separate and distinct from the General Fund. Interest earned on moneys in
35 the Roseburg Veterans’ Home Construction Fund shall be credited to the fund. The
36 Roseburg Veterans’ Home Construction Fund consists of moneys deposited in the fund under
37 section 18 of this 2011 Act and may include fees, revenues or other income deposited into the
38 fund by the Legislative Assembly for payment of costs incurred to acquire, develop, con-
39 struct and equip the Roseburg Veterans’ Home. Moneys in the fund are continuously appro-
40 priated to the Department of Veterans’ Affairs for the purpose of acquiring, developing,
41 constructing and equipping the Roseburg Veterans’ Home.

42 “**SECTION 20.** (1) **For the biennium beginning July 1, 2011, at the request of the Oregon**
43 **Department of Administrative Services, in consultation with the Department of Transporta-**
44 **tion, the State Treasurer is authorized to issue lottery bonds pursuant to ORS 286A.560 to**
45 **286A.585 in an amount not to exceed net proceeds of \$40 million for the purpose described in**

1 subsection (2) of this section, plus an additional amount, to be estimated by the State
2 Treasurer, for payment of bond-related costs.

3 “(2) Net proceeds of lottery bonds issued pursuant to this section must be deposited in
4 the Multimodal Transportation Fund established under ORS 367.080 sufficient to provide \$40
5 million in net proceeds and interest earnings for the Department of Transportation to fi-
6 nance grants and loans for transportation projects as provided in ORS 367.080 to 367.086.

7 “(3) Bond-related costs for the lottery bonds authorized by this section must be paid from
8 the gross proceeds of the lottery bonds and from allocations for the purposes of ORS
9 286A.576 (1)(c).

10 “(4) The Legislative Assembly finds that issuing lottery bonds to finance transportation
11 projects pursuant to this section is essential to promoting the state’s economic development
12 and the use of lottery bond proceeds is authorized based on the following findings:

13 “(a) There is an urgent need to improve and expand publicly owned and privately owned
14 transportation infrastructure to support economic development in this state.

15 “(b) A safe, efficient and reliable transportation network supports the long-term eco-
16 nomic development and livability of this state.

17 “(c) A multimodal network of air, rail, public transit, highway and marine transportation
18 moves people and goods efficiently.

19 “(d) Local governments and private sector businesses often lack capital and the technical
20 capacity to undertake multimodal transportation projects.

21 “(e) Public financial assistance can stimulate industrial growth and commercial enter-
22 prise and promote employment opportunities in this state.

23 “(f) Public investment in transportation infrastructure will create jobs and further eco-
24 nomic development in this state.

25 “(g) The use of lottery bond proceeds as provided in this section will create jobs, further
26 economic development, finance public education or protect parks, watersheds, fish or wildlife
27 within Oregon, and issuance of lottery bonds for the purpose described in this section is
28 therefore an appropriate use of state lottery funds under section 4, Article XV of the Oregon
29 Constitution, and ORS 461.510.

30 “SECTION 21. To the extent that proposed transportation projects meet the qualifica-
31 tions established by the Oregon Transportation Commission by rule, the commission shall
32 allocate at least 10 percent of the net proceeds of the lottery bonds authorized by section 20
33 of this 2011 Act to each region described in this section. For purposes of this section, the
34 regions are as follows:

35 “(1) Region one consists of Clackamas, Columbia, Hood River, Multnomah and
36 Washington Counties.

37 “(2) Region two consists of Benton, Clatsop, Lane, Lincoln, Linn, Marion, Polk, Tillamook
38 and Yamhill Counties.

39 “(3) Region three consists of Coos, Curry, Douglas, Jackson and Josephine Counties.

40 “(4) Region four consists of Crook, Deschutes, Gilliam, Jefferson, Klamath, Lake,
41 Sherman, Wasco and Wheeler Counties.

42 “(5) Region five consists of Baker, Grant, Harney, Malheur, Morrow, Umatilla, Union and
43 Wallowa Counties.

44 “SECTION 22. Section 15, chapter 30, Oregon Laws 2010, is repealed.

45 “SECTION 23. This 2011 Act being necessary for the immediate preservation of the public

1 **peace, health and safety, an emergency is declared to exist, and this 2011 Act takes effect**
2 **July 1, 2011.”.**

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