

Enrolled
House Bill 5054

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; appropriating money; and declaring an emergency.

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

SECTION 1. As used in sections 1 to 4 of this 2011 Act, “state agency” means every state officer, board, commission, department, institution, branch or agency of the state government, the costs of which are paid wholly or in part from funds held in the State Treasury.

SECTION 2. (1) Notwithstanding ORS 291.232 to 291.260, and subject to section 5 of this 2011 Act and any rule that may be adopted by the Oregon Department of Administrative Services, any obligations incurred by a state agency on or after July 1, 2011, that do not exceed the level of expenditures authorized under ORS 291.232 to 291.260 or otherwise authorized for the last quarter of the 2009-2011 biennium are authorized, and necessary funds are appropriated therefor, unless the Oregon Department of Administrative Services determines that the state agency’s expenditure level should be modified, based on pending legislation.

(2) The Oregon Department of Administrative Services by rule shall specify the means whereby funds expended pursuant to subsection (1) of this section or section 5 of this 2011 Act are reconciled and charged to the state agency’s 2011-2013 legislatively approved budget during the 2011-2013 biennium.

(3) All payments for debt service, certificates of participation and other financing agreements are hereby authorized during the period commencing July 1, 2011.

SECTION 3. Sections 1 to 5 of this 2011 Act apply to a state agency for which no budget has become law on or before July 1, 2011.

SECTION 4. (1)(a) If there is no 2011-2013 legislatively adopted budget upon final adjournment of the regular session of the Seventy-sixth Legislative Assembly against which any expenditure authorized by section 2 (1) or 5 of this 2011 Act can be applied, the expenditure shall be considered to have been made from funds appropriated to the Oregon Department of Administrative Services.

(b) For the purpose of paying the incurred expenses of state agencies, there is appropriated to the Oregon Department of Administrative Services any cash or other funds remaining in the accounts of the state agency for which no budget has been adopted and for which no expenditure authority exists when the Legislative Assembly adjourns sine die.

(c) The Oregon Department of Administrative Services may apply for reimbursement from the Emergency Board of any expenditure made under this subsection during the 2011-2013 biennium.

(2)(a) If, after final adjournment of the regular session of the Seventy-sixth Legislative Assembly, the Governor vetoes a legislatively adopted budget against which any expenditure authorized by section 2 (1) or 5 of this 2011 Act can be applied, the expenditure shall be considered to have been made from funds appropriated to the Oregon Department of Administrative Services.

(b) For the purpose of paying the incurred expenses of state agencies, there is appropriated to the Oregon Department of Administrative Services any cash or other funds remaining in the accounts of the state agency for which a legislatively adopted budget has been vetoed and for which no expenditure authority exists when the Governor vetoes the budget.

(c) The Oregon Department of Administrative Services may apply for reimbursement from the Emergency Board of any expenditure made under this subsection during the 2011-2013 biennium.

SECTION 5. (1) Notwithstanding ORS 291.232 to 291.260, and subject to any rule that may be adopted by the Oregon Department of Administrative Services, any obligations incurred by the Oregon Health Authority on or after July 1, 2011, are authorized as provided in this section, and necessary funds are appropriated therefor, unless the Oregon Department of Administrative Services determines that the authority's expenditure level should be modified, based on pending legislation.

(2) Any obligations incurred by the Oregon Health Authority on or after July 1, 2011, involving the costs of administration and enforcement of duties, functions and powers transferred from the Department of Human Services to the Oregon Health Authority as described in section 1, chapter 901, Oregon Laws 2009, that do not exceed the level of expenditures authorized for the department under ORS 291.232 to 291.260 or otherwise authorized for the department for the seventh quarter of the 2009-2011 biennium, are authorized.

(3) Any obligations incurred by the Oregon Health Authority on or after July 1, 2011, involving the costs of administration and enforcement of duties, functions and powers transferred from the Oregon Department of Administrative Services to the Oregon Health Authority as described in section 2, chapter 901, Oregon Laws 2009, that do not exceed the level of expenditures authorized for the department under ORS 291.232 to 291.260 or otherwise authorized for the department for the last quarter of the 2009-2011 biennium, are authorized.

(4) Any obligations incurred by the Oregon Health Authority on or after July 1, 2011, involving the costs of administration and enforcement of duties, functions and powers transferred from the Department of Consumer and Business Services to the Oregon Health Authority as described in section 3, chapter 901, Oregon Laws 2009, that do not exceed the level of expenditures authorized for the department under ORS 291.232 to 291.260 or otherwise authorized for the department for the last quarter of the 2009-2011 biennium, are authorized.

(5) Any obligations incurred by the Oregon Health Authority on or after July 1, 2011, involving the costs of administration and enforcement of duties, functions and powers transferred from the Office of Private Health Partnerships to the Oregon Health Authority as described in section 4, chapter 901, Oregon Laws 2009, that do not exceed the level of expenditures authorized for the office under ORS 291.232 to 291.260 or otherwise authorized for the office for the last quarter of the 2009-2011 biennium, are authorized.

SECTION 6. Sections 1 to 5 of this 2011 Act are repealed on August 15, 2011.

SECTION 7. 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 July 1, 2011.

Passed by House June 22, 2011

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Ramona Kenady Line, Chief Clerk of House

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Bruce Hanna, Speaker of House

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Arnie Roblan, Speaker of House

Passed by Senate June 24, 2011

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Peter Courtney, President of Senate

Received by Governor:

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

Approved:

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

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John Kitzhaber, Governor

Filed in Office of Secretary of State:

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

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Kate Brown, Secretary of State