

SENATE AMENDMENTS TO SENATE BILL 5506

By JOINT COMMITTEE ON WAYS AND MEANS

July 8

1 On page 1 of the printed bill, delete lines 4 through 29 and delete pages 2 through 5 and insert:
2 “**SECTION 1. The amounts authorized, as provided by ORS 286A.035, for issuance of**
3 **general obligation bonds of this state during the 2013-2015 biennium are as follows:**

4 **GENERAL OBLIGATION BONDS**

5 **General Fund Obligations**

6 **(1) Oregon University System**

7 **(Art. XI-G):**

8 **(a) Oregon State University:**

9 **(A) Strand Agricultural Hall**

10 deferred maintenance \$ 6,586,000

11 **(B) Biofuels Demonstration**

12 Project \$ 4,000,000

13 **(C) Classroom Building and Quad \$ 32,500,000**

14 **(D) Cascades Campus Expansion \$ 4,000,000**

15 **(E) Chemistry, Biology and
16 Environmental Engineering**

17 Building..... \$ 20,000,000

18 **(b) Portland State University:**

19 **(A) School of Business \$ 10,000,000**

20 **(B) Stott Center renovations**

21 and deferred maintenance \$ 20,000,000

22 **(c) University of Oregon:**

23 **(A) Straub and Earl Halls**

24 classroom expansion \$ 11,000,000

25 **(B) Science Commons and**

26 Research Library \$ 8,375,000

27 **(d) Western Oregon University**

28 New College of Education

29 Facility \$ 1,400,000

30 **(2) Department of Community**

31 Colleges and Workforce

32 Development (Art. XI-G) \$ 125,081,600

33 **(3) Department of Environmental**

34 Quality (Art. XI-H) \$ 10,000,000

35 **(4) Oregon Business Development**

1	Department (Art. XI-M)	\$	15,000,000
2	(5) Oregon Business Development		
3	Department (Art. XI-N).....	\$	15,000,000
4	(6) Oregon Department of		
5	Administrative		
6	Services (Art. XI-Q).....	\$	426,052,000
7	<u>Dedicated Fund Obligations</u>		
8	(7) Department of Transportation		
9	(Art. XI, section 7)	\$	453,725,000
10	(8) Department of Veterans'		
11	Affairs (Art. XI-A).....	\$	60,000,000
12	(9) Oregon University System		
13	(Art. XI-F(1)):		
14	(a) Systemwide:		
15	(A) Capital renewal, code		
16	compliance and safety.....	\$	3,300,000
17	(B) Commercial paper	\$	15,000,000
18	(C) Student building fee		
19	projects	\$	20,000,000
20	(b) Oregon Institute of		
21	Technology In Focus		
22	Building acquisition	\$	10,000,000
23	(c) Oregon State University:		
24	(A) Student Experience Center...	\$	42,700,000
25	(B) New student residence hall...	\$	19,000,000
26	(C) Memorial Union East		
27	Wing renovation	\$	9,177,500
28	(D) Cascades campus expansion..	\$	4,000,000
29	(E) Housing and dining		
30	facility upgrades.....	\$	9,500,000
31	(d) Portland State University:		
32	(A) Stott Center renovations		
33	and deferred maintenance	\$	2,000,000
34	(B) Land acquisition.....	\$	10,000,000
35	(e) Southern Oregon University:		
36	(A) Cascade Hall replacement.....	\$	7,000,000
37	(B) Student Recreation and		
38	Fitness Center	\$	20,000,000
39	(f) University of Oregon:		
40	(A) Erb Memorial Union	\$	84,300,000
41	(B) Student Recreation		
42	Center expansion and		
43	renovation	\$	50,250,000
44	(C) Housing expansion	\$	84,750,000
45	(10) Water Resources Department		

1	(Art. XI-I(1))	\$	10,235,000
2	(11) Housing and Community		
3	Services Department		
4	(Art. XI-I(2))	\$	25,000,000
5	(12) State Department		
6	of Energy (Art. XI-J).....	\$	60,000,000
7	<u>Total General Obligation</u>		
8	<u>Bonds</u>	\$	1,708,932,100

9 “SECTION 2. The amounts authorized, as provided by ORS 286A.035, for issuance of re-
10 venue bonds of this state during the 2013-2015 biennium are as follows:

11 **REVENUE BONDS**

12 Direct Revenue Bonds

13	Housing and Community		
14	Services Department.....	\$	150,000,000
15	Department of Transportation,		
16	Oregon Transportation		
17	Infrastructure Fund.....	\$	20,400,000
18	Highway User Tax Bonds.....	\$	846,690,000
19	Toll-backed Revenue Bonds ..	\$	663,000,000
20	Oregon Business Development		
21	Department	\$	35,000,000
22	Oregon Department of		
23	Administrative Services		
24	lottery revenue bonds	\$	157,557,715
25	State Department of Energy	\$	20,000,000
26	Oregon University System....	\$	50,000,000

27 Total Direct Revenue

28	<u>Bonds</u>	\$	1,942,647,715
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29 Pass-Through Revenue Bonds

30	Oregon Business Development		
31	Department industrial		
32	development bonds.....	\$	65,000,000
33	Oregon Facilities Authority..	\$	450,000,000
34	Housing and Community		
35	Services Department.....	\$	150,000,000

36 Total Pass-Through Revenue

37	<u>Bonds</u>	\$	665,000,000
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38	<u>Total Revenue Bonds</u>	\$	2,607,647,715
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39 “SECTION 3. The amount authorized, as provided by ORS 286A.035, for issuance of cer-
40 tificates of participation and other financing agreements of this state during the 2013-2015
41 biennium for the Oregon Department of Administrative Services is \$40,000,000.

42 “SECTION 4. The amounts allocated for private activity bonds, as provided in ORS
43 286A.615, are as follows:

- 44 (1) For calendar year 2014,
45 the amount of \$370,438,535

- 1 is allocated as follows:
- 2 (a) Oregon Business
- 3 Development Department \$ 40,000,000
- 4 (b) Housing and Community
- 5 Services Department..... \$ 125,000,000
- 6 (c) State Department of Energy \$ 10,000,000
- 7 (d) Private Activity Bond
- 8 Committee..... \$ 195,438,535
- 9 (2) For calendar year 2015,
- 10 the amount of \$370,438,535

- 11 is allocated as follows:
- 12 (a) Oregon Business
- 13 Development Department \$ 40,000,000
- 14 (b) Housing and Community
- 15 Services Department..... \$ 125,000,000
- 16 (c) State Department of Energy \$ 10,000,000
- 17 (d) Private Activity Bond
- 18 Committee..... \$ 195,438,535

19 (3) If an increase in the state’s population, a

20 sufficient increase in the region’s Consumer

21 Price Index or a change in federal law allows

22 the private activity bond limit as set by the

23 Internal Revenue Code of 1986, as amended, to

24 exceed \$370,438,535 during the 2014 calendar

25 year or \$370,438,535 during the 2015 calendar

26 year, the increase is allocated to the Private

27 Activity Bond Committee.

28 “SECTION 5. (1) For purposes of Article XI-F(1), section 1, of the Oregon Constitution,

29 the Legislative Assembly determines that the projects authorized to be financed pursuant to

30 section 1 (9) of this 2013 Act with bonds issued under Article XI-F(1) of the Oregon Consti-

31 tution, will benefit higher education institutions or activities.

32 “(2) For purposes of Article XI-G, section 1, of the Oregon Constitution, the Legislative

33 Assembly determines that the projects authorized to be financed pursuant to section 1 (1)

34 and (2) of this 2013 Act with bonds issued under Article XI-G of the Oregon Constitution,

35 will benefit higher education institutions or activities or community colleges authorized by

36 law to receive state aid.

37 “SECTION 6. Bonds authorized under section 1 (1) and (2) of this 2013 Act may not be

38 issued until the constructing authority certifies to the State Treasurer that the constructing

39 authority has matching funds available for the same or similar purposes as the Article XI-G

40 bonds that will fund the grant or loan to the constructing authority, that the match funds

41 are not proceeds of indebtedness incurred by the state under any article of the Oregon

42 Constitution, and that the match funds are available to the constructing authority in an

43 amount at least equal to the amount of Article XI-G bond proceeds that the constructing

44 authority will receive.

45 “SECTION 7. (1) The Department of Transportation may not request and the State

1 Treasurer may not issue any bonds for the Interstate 5 Bridge Replacement Project until the
2 conditions set forth in section 3 (4), chapter 4, Oregon Laws 2013 (Enrolled House Bill 2800),
3 have been satisfied.

4 (2) In lieu of the general obligation bonds authorized for the Department of Transporta-
5 tion under section 1 (7) of this 2013 Act, the State Treasurer may issue up to \$453,725,000 of
6 revenue bonds as provided in chapter 4, Oregon Laws 2013 (Enrolled House Bill 2800). The
7 amount of bonds authorized under section 1 (7) of this 2013 Act for the Department of
8 Transportation shall be reduced, and the amount of bonds authorized under section 2 of this
9 2013 Act for the Department of Transportation shall be increased, by the amount of any re-
10 venue bonds issued in lieu of the general obligation bonds authorized under section 1 (7) of
11 this 2013 Act.

12 **“SECTION 8.** (1) Out of the amount specified in section 1 (6) of this 2013 Act, the State
13 Treasurer may issue Article XI-Q bonds in an amount not to exceed \$15 million of net pro-
14 ceeds for the purposes specified in subsection (3) of this section, plus an amount estimated
15 by the State Treasurer to pay estimated bond-related costs.

16 **“(2)(a)** Bonds may not be issued pursuant to this section unless:

17 **“(A)** The Chief Justice of the Supreme Court has determined that:

18 **“(i)** The courthouse with respect to which the bonds will be issued has significant struc-
19 tural defects, including seismic defects, that present actual or potential threats to human
20 health and safety;

21 **“(ii)** Replacing the courthouse, whether by acquiring and remodeling or repairing an ex-
22 isting building or by constructing a new building, is more cost-effective than remodeling or
23 repairing the courthouse; and

24 **“(iii)** Replacing the courthouse creates an opportunity for colocation of the court with
25 other public offices; and

26 **“(B)** The Oregon Department of Administrative Services has approved the project for
27 which the bonds will be issued.

28 **“(b)** The Oregon Department of Administrative Services, after consultation with the Ju-
29 dicial Department, shall determine when net proceeds are needed for the purposes described
30 in subsection (3) of this section and shall consult with the Judicial Department regarding the
31 sale of bonds to be issued pursuant to this section.

32 **“(3)** The State Treasurer shall deposit the net proceeds of bonds issued pursuant to this
33 section in the Oregon Courthouse Capital Construction and Improvement Fund. The net
34 proceeds and any interest earnings may be used solely to finance costs related to acquiring,
35 constructing, remodeling, repairing, equipping or furnishing courthouses or portions of
36 courthouses that are owned or operated by the State of Oregon.

37 **“(4)** As used in ORS 286A.816 to 286A.826 with respect to this section:

38 **“(a)** ‘Project agency’ means the Judicial Department.

39 **“(b)** ‘Project fund’ means the Oregon Courthouse Capital Construction and Improvement
40 Fund.

41 **“SECTION 9.** (1)(a) Notwithstanding ORS 1.185, a county and the state, acting by and
42 through the Oregon Department of Administrative Services on behalf of the Judicial De-
43 partment, may enter into a lease agreement or an intergovernmental agreement with respect
44 to a courthouse or portions of a courthouse that the county is required to provide under ORS
45 1.185, pursuant to which the state agrees to provide the property and services described in

1 **ORS 1.185 (1)(a).**

2 **“(b)(A) An agreement entered into pursuant to this subsection may include a require-**
3 **ment that the county transfer to the Oregon Courthouse Capital Construction and Im-**
4 **provement Fund an amount not less than 50 percent of the total estimated costs of a project**
5 **funded with bonds issued pursuant to section 8 of this 2013 Act with respect to the court-**
6 **house or portions of a courthouse that are the subject of the agreement. The amount**
7 **transferred by a county pursuant to this paragraph may comprise property tax revenues,**
8 **bond proceeds or any other county moneys singly or in any combination and proportion.**

9 **“(B) The amount required to be transferred by the county under this subsection may not**
10 **be less than 75 percent of the total estimated costs unless the project includes colocation of**
11 **state facilities in the courthouse.**

12 **“(2) For purposes of section 8 of this 2013 Act, the state shall be considered to operate**
13 **a courthouse or portions of a courthouse that are the subject of an agreement entered into**
14 **pursuant to subsection (1) of this section if, as applicable:**

15 **“(a) The lease agreement conveys to the state a full leasehold interest, including exclu-**
16 **sive rights to control and use the courthouse or portions of the courthouse that are typical**
17 **of a long-term lease, for a term that is at least equal to the term during which the bonds**
18 **issued pursuant to section 8 of this 2013 Act will remain outstanding.**

19 **“(b) The intergovernmental agreement grants the state the exclusive right to control and**
20 **use the courthouse or portions of the courthouse for a term that is at least equal to the**
21 **term during which the bonds issued pursuant to section 8 of this 2013 Act will remain out-**
22 **standing.**

23 **“SECTION 10. Notwithstanding any provision of law:**

24 **“(1) General obligation bonds authorized to be issued under Article XI-G of the Oregon**
25 **Constitution prior to January 1, 2013, for community college projects must be issued not**
26 **later than June 30, 2015. Project approvals for general obligation bonds authorized to be is-**
27 **sued under Article XI-G of the Oregon Constitution prior to January 1, 2013, for community**
28 **college projects, expire on June 30, 2015.**

29 **“(2) A community college may not have more than one project approved for funding with**
30 **general obligation bonds authorized to be issued under Article XI-G of the Oregon Constitu-**
31 **tion that is awaiting matching funds, other than projects approved prior to January 1, 2013.**

32 **“(3) A community college for which a project to be funded with general obligation bonds**
33 **authorized to be issued under Article XI-G of the Oregon Constitution is approved in this**
34 **2013 Act may not request approval of an additional project to be funded with general obli-**
35 **gation bonds authorized to be issued under Article XI-G of the Oregon Constitution until the**
36 **beginning of the regular session of the Legislative Assembly held in 2017, unless the com-**
37 **munity college withdraws the project approved under this 2013 Act.**

38 **“(4) For biennia beginning on or after July 1, 2015, the aggregate amount authorized for**
39 **issuance of general obligation bonds under Article XI-G of the Oregon Constitution for**
40 **projects at a single community college may not exceed \$8 million.**

41 **“SECTION 11. Notwithstanding section 16, chapter __, Oregon Laws 2013 (Enrolled Sen-**
42 **ate Bill 5533), the State Treasurer may not issue the lottery bonds authorized by section 16,**
43 **chapter __, Oregon Laws 2013 (Enrolled Senate Bill 5533), unless the following conditions are**
44 **met no later than March 31, 2015:**

45 **“(1) The Governor’s office has approved a finance and development plan to help prepare**

1 the site of the Willamette Falls Legacy Project for a public access project;

2 “(2) A local or regional public sponsor of the project has secured a property interest in,
3 or option on, a riverfront portion of the property that was formerly the site of the Blue
4 Heron paper mill; and

5 “(3) A local or regional public sponsor of the project has requested that the State Parks
6 and Recreation Department participate in the planning, development and potential future
7 operation of any public access project on the site to ensure that the statewide significance
8 of Willamette Falls is recognized and interpreted and that the falls are accessible to the
9 public.

10 “SECTION 12. (1) Notwithstanding any other provision of law, the State Treasurer may
11 not issue any bond to finance the Oregon Convention Center hotel project unless the fol-
12 lowing conditions are met no later than March 31, 2015:

13 “(a) An intergovernmental agreement has been signed to dedicate site-specific local
14 transient lodging taxes from the Oregon Convention Center hotel to support debt service on
15 bonds for hotel construction;

16 “(b) An agreement has been signed by Metro and a private developer for development of
17 the Oregon Convention Center hotel; and

18 “(c) The amount of state bond proceeds used to finance the project is estimated in public
19 documents to be less than 5 percent of total project cost.

20 “(2) As used in this section, ‘Metro’ means the metropolitan service district organized
21 under ORS chapter 268.

22 “SECTION 13. This 2013 Act being necessary for the immediate preservation of the public
23 peace, health and safety, an emergency is declared to exist, and this 2013 Act takes effect
24 July 1, 2013.”.

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