

Enrolled House Bill 5017

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

CHAPTER

AN ACT

Relating to state financial administration; and declaring an emergency.

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

SECTION 1. In addition to and not in lieu of any other appropriation, there is appropriated to the Department of Education, for the biennium beginning July 1, 2015, out of the General Fund, the amount of \$6,912,858,941 for the State School Fund.

SECTION 2. Notwithstanding any other law limiting expenditures, the amount of \$342,141,059 is established for the biennium beginning July 1, 2015, as the maximum limit for payment of expenses from lottery moneys allocated from the Administrative Services Economic Development Fund to the Department of Education for the State School Fund.

SECTION 3. Notwithstanding any other law limiting expenditures, the amount of \$3,260,692 is established for the biennium beginning July 1, 2015, as the maximum limit for payment of expenses by the Department of Education from fees, moneys or other revenues, including Miscellaneous Receipts, but excluding lottery funds and federal funds, collected or received by the Department of Education for the State School Fund.

SECTION 4. Notwithstanding ORS 327.008 and 327.013, for the biennium beginning July 1, 2015, the Department of Education:

(1) May spend up to \$968,000 from the State School Fund for the contract described in ORS 329.488.

(2) May spend up to \$1,600,000 from the State School Fund for purposes related to the Oregon Virtual School District.

(3) May spend up to \$12,500,000 from the State School Fund for an English language learners program. Up to \$10,000,000 of this amount may be used to support school districts that are identified as low-performing districts relating to English language learners. Up to \$2,500,000 of this amount may be used for technical assistance, best practice support and implementation of the statewide English language learners plan.

(4) May spend up to \$2,395,593 from the State School Fund to provide lunches, at no charge to the student, to students who are eligible for reduced price lunches under the United States Department of Agriculture's current Income Eligibility Guidelines.

SECTION 5. (1) The Department of Education may not spend more than \$3,629,130,346, plus one-half of any amount appropriated under section 7 of this 2015 Act, from the State School Fund for the fiscal year beginning July 1, 2015.

(2) The Department of Education may not spend more than \$3,629,130,346, plus one-half of any amount appropriated under section 7 of this 2015 Act, from the State School Fund for the fiscal year beginning July 1, 2016.

SECTION 6. The amount of \$2,859,866 is transferred from the State School Fund to the Local Option Equalization Grants Account created in ORS 327.339.

SECTION 7. In addition to and not in lieu of any other appropriation, there is appropriated to the Department of Education, for the biennium beginning July 1, 2015, out of the General Fund, the amount determined under section 8 of this 2015 Act, for the State School Fund.

SECTION 8. (1) As part of the estimate of revenues prepared in May 2015, the Oregon Department of Administrative Services shall determine whether the total amount of General Fund revenues estimated to be available for the biennium beginning July 1, 2015, is more than the total amount of General Fund revenues estimated to be available for the biennium beginning July 1, 2015, in the estimate of revenues prepared by the department in February 2015.

(2) If the condition specified in subsection (1) of this section is met, the department shall determine the amount that is equal to the difference between the total amount of General Fund revenues estimated to be available for the biennium beginning July 1, 2015, included in the estimate of revenues prepared by the department in May 2015, and the total amount of General Fund revenues that was estimated to be available for the biennium beginning July 1, 2015, in the estimate of revenues prepared by the department in February 2015.

(3) The amount appropriated under section 7 of this 2015 Act is an amount equal to 40 percent of the amount determined under subsection (2) of this section.

(4) Section 7 of this 2015 Act is not operative unless the estimate of revenues prepared by the Oregon Department of Administrative Services in May 2015 shows that the total amount of General Fund revenues estimated to be available for the biennium beginning July 1, 2015, is more than the total amount of General Fund revenues estimated to be available for the biennium beginning July 1, 2015, in the estimate of revenues prepared by the department in February 2015.

SECTION 9. If the conditions in section 8 of this 2015 Act are met, section 7 of this 2015 Act becomes operative July 1, 2015.

SECTION 10. This 2015 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2015 Act takes effect July 1, 2015.

Passed by House March 31, 2015

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Timothy G. Sekerak, Chief Clerk of House

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Tina Kotek, Speaker of House

Passed by Senate April 6, 2015

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Peter Courtney, President of Senate

Received by Governor:

.....M,....., 2015

Approved:

.....M,....., 2015

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Kate Brown, Governor

Filed in Office of Secretary of State:

.....M,....., 2015

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Jeanne P. Atkins, Secretary of State