

**Legislative
Fiscal Office**

Oregon State Capitol
900 Court Street NE, H-178
Salem, OR 97301
503-986-1828

Ken Rocco, Legislative Fiscal Officer
Paul Siebert, Deputy Fiscal Officer



**Joint Committee on
Ways and Means**

Sen. Richard Devlin, Senate Co-Chair
Rep. Nancy Nathanson, House Co-Chair

Sen. Betsy Johnson, Senate Co-Vice Chair
Sen. Jackie Winters, Senate Co-Vice Chair
Rep. Dan Rayfield, House Co-Vice Chair
Rep. Greg Smith, House Co-Vice Chair

To: Natural Resources Subcommittee
From: Matt Stayner, Legislative Fiscal Office
Date: April 20, 2017
Subject: SB 5537 - Department of State Lands
Work Session Recommendations

Department of State Lands – Agency Totals

	2013-15 Actual	2015-17 Legislatively Approved	2017-19 Current Service Level	2017-19 LFO Recommended
General Fund		346,082		
Other Funds	28,187,651	41,925,846	29,340,595	36,775,402
Other Funds NL	11,594,220	12,734,249	10,234,249	10,234,249
Federal Funds	2,475,172	2,396,484	1,723,318	2,264,641
Total Funds	42,257,043	57,402,661	41,298,162	49,274,292
Positions	103	112	103	110
FTE	103.00	111.00	103.00	108.33

The current service level budget for the Department of State Lands decreases by 28% from the 2015-17 legislatively approved budget due to the reduction in forest land management contracts and elimination of one-time funding for costs associated with rangeland wildfires, Portland harbor superfund site, SB 912 (2015) implementation costs, Elliot forest alternative planning, capital improvement projects, and federal grants.

The attached work session presentation report includes the LFO recommended adjustments to the agency's current service level budget for the 2017-19 biennium.

Adjustments to Current Service Level

See attached "Work Session Presentation Report."

Note: Statewide adjustments and six-year capital construction expenditures are not included in these recommendations. Any needed adjustments will be made in end of session bills.

Accept LFO Recommendation:

MOTION: I move the LFO recommendation to SB 5537. (VOTE)

OR

Change LFO Recommendation:

MOTION: I move the LFO recommendation to SB 5537, with modifications. (VOTE)

Performance Measures

See attached “Legislatively Proposed 2017-19 Key Performance Measures.”

Accept LFO Recommendation:

MOTION: I move the LFO recommendation on Key Performance Measures. (VOTE)

OR

Change LFO Recommendation:

MOTION: I move the LFO recommendation on Key Performance Measures, with modifications. (VOTE)

Budget Notes

There are no budget notes proposed.

Recommended Changes

LFO recommends a budget of \$36,775,402 Other Funds, \$2,264,641 Federal Funds, and 110 positions (108.33 FTE), which is reflected in the -1 amendment.

MOTION: I move adoption of the -1 amendment to SB 5537. (VOTE)

Final Subcommittee Action

LFO recommends that SB 5537, as amended by the -1 amendment, to be moved to the Ways and Means Full Committee.

MOTION: I move SB 5537, as amended, to the Full Committee with a do pass recommendation. (VOTE)

Carriers

Full Committee: _____

House Floor: _____

Senate Floor: _____

	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
2015-17 Agy. Leg. Adopted	328,228	-	35,792,955	1,795,917	10,234,249	-	48,151,349	110	109.00
2015-17 Ebds, SS & Admin Act	17,854	-	4,677,891	600,567	2,500,000	-	7,796,312	-	-
Ways & Means Actions	-	-	-	-	-	-	-	-	-
2015-17 Leg Approved Budget	346,082	-	40,470,846	2,396,484	12,734,249	-	55,947,661	110	109.00
2015-17 Leg Approved Budget (Base)	346,082	-	36,617,973	2,067,484	10,234,249	-	49,265,788	110	109.00
Summary of Base Adjustments	(310,381)	-	107,104	33,606	-	-	(169,671)	(7)	(6.00)
2017-19 Base Budget	35,701	-	36,725,077	2,101,090	10,234,249	-	49,096,117	103	103.00
010: Non-PICS Pers Svc/Vacancy Factor	(10,701)	-	(36,589)	4,244	-	-	(43,046)	-	-
020: Phase In / Out Pgm & One-time Cost	(25,000)	-	(7,977,708)	(392,502)	-	-	(8,395,210)	-	-
030: Inflation & Price List Adjustments	-	-	629,815	10,486	-	-	640,301	-	-
2017-19 Current Service Level	-	-	29,340,595	1,723,318	10,234,249	-	41,298,162	103	103.00
Adjusted 2017-19 Current Service Level	-	-	29,340,595	1,723,318	10,234,249	-	41,298,162	103	103.00
Total LFO Recommended Packages	-	-	7,434,807	541,323	-	-	7,976,130	7	5.33
2017-19 Legislative Actions	-	-	36,775,402	2,264,641	10,234,249	-	49,274,292	110	108.33
Net change from 2015-17 Leg Approved Budget	(346,082)	-	(3,695,444)	(131,843)	(2,500,000)	-	(6,673,369)	-	(0.67)
Percent change from 2015-17 Leg Approved Budget	(100.0%)	0.0%	(9.1%)	(5.5%)	(19.6%)	0.0%	(11.9%)	0.0%	(0.6%)
Net change from 2017-19 Adj Current Service Level	-	-	7,434,807	541,323	-	-	7,976,130	7	5.33
Percent change from 2017-19 Adj Current Service Level	0.0%	0.0%	25.3%	31.4%	0.0%	0.0%	19.3%	6.8%	5.2%

LFO102 - Work Session Presentation Report
2017-19 Biennium

Version: L - 01 - LFO Analyst Recommended
Cross Reference: 14100-010-00-00-00000
Common School Fund

	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
2015-17 Agy. Leg. Adopted	328,228	-	31,160,026	178,317	10,234,249	-	41,900,820	94	92.50
2015-17 Ebds, SS & Admin Act	17,854	-	4,252,597	214,502	2,500,000	-	6,984,953	-	-
Ways & Means Actions	-	-	-	-	-	-	-	-	-
2015-17 Leg Approved Budget	346,082	-	35,412,623	392,819	12,734,249	-	48,885,773	94	92.50
2015-17 Leg Approved Budget (Base)	346,082	-	31,677,750	392,819	10,234,249	-	42,650,900	94	92.50
Summary of Base Adjustments	(310,381)	-	65,126	(317)	-	-	(245,572)	(7)	(6.00)
2017-19 Base Budget	35,701	-	31,742,876	392,502	10,234,249	-	42,405,328	87	86.50
010: Non-PICS Pers Svc/Vacancy Factor	(10,701)	-	(26,224)	-	-	-	(36,925)	-	-
020: Phase In / Out Pgm & One-time Cost	(25,000)	-	(7,168,789)	(392,502)	-	-	(7,586,291)	-	-
030: Inflation & Price List Adjustments	-	-	539,026	-	-	-	539,026	-	-
2017-19 Current Service Level	-	-	25,086,889	-	10,234,249	-	35,321,138	87	86.50
Adjusted 2017-19 Current Service Level	-	-	25,086,889	-	10,234,249	-	35,321,138	87	86.50
Total LFO Recommended Packages	-	-	7,234,807	212,323	-	-	7,447,130	7	5.33
2017-19 Legislative Actions	-	-	32,321,696	212,323	10,234,249	-	42,768,268	94	91.83
Net change from 2015-17 Leg Approved Budget	(346,082)	-	(3,090,927)	(180,496)	(2,500,000)	-	(6,117,505)	-	(0.67)
Percent change from 2015-17 Leg Approved Budget	(100.0%)	0.0%	(8.7%)	(46.0%)	(19.6%)	0.0%	(12.5%)	0.0%	(0.7%)
Net change from 2017-19 Adj Current Service Level	-	-	7,234,807	212,323	-	-	7,447,130	7	5.33
Percent change from 2017-19 Adj Current Service Level	0.0%	0.0%	28.8%	100.0%	0.0%	0.0%	21.1%	8.1%	6.2%

	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
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Package 101 Portland Harbor Clean Up

Package Description This package continues increased expenditure limitation for legal expertise related to the Portland Harbor Superfund Site. This is the third consecutive biennium that additional expenditure authority has been established for the agency for this purpose. The package provides one-time only funding for one limited duration Natural Resource Specialist 4 position (1.00 FTE), \$3.6 million for professional services, and \$2.5 million for Attorney General expenses. The ongoing cost allocation process for the Portland Harbor requires legal expertise to reduce potential costs in the future. Related budget packages were approved in the 2011-13, 2013-15 and 2015-17 biennia. The cost allocation process and legal questions are expected to continue through the 2017-19 biennium. The position classification is the same as the 2015-17 position.

LFO Recommendation

LFO Recommended	-	-	6,326,537	-	-	-	6,326,537	1	1.00
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	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
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Package 102 Historical Filled Lands Project

Package Description This package provides one-time expenditure limitation for the continuation of work required under SB 912. The bill requires DSL to research whether the state of Oregon has remaining interests in historically filled lands in tidally-influenced waterways and legally navigable waterways. This requirement also applies to lands where state-asserted ownership occurred prior to September 9, 1995. The measure further allows the Department of State Lands (DSL) to sell, lease or trade historically filled lands owned by the state. The department must submit a report with its findings to the State Land Board. A project status report must be made to the environmental and natural resources interim committees of the legislature by September 16, 2017.

The package includes two limited duration positions (2.00 FTE) to begin notifications to affected land owners and perform the actions necessary to begin the appropriate divestment of these lands. The positions are a Natural Resource Specialist 4 and an Administrative Specialist 1. In addition, the package extends the two limited duration positions established in the 2015-17 biennium by 12 months to complete the mapping and site identification processes began in the prior biennium.

LFO Recommendation

LFO Recommended	-	-	574,321	-	-	-	574,321	4	2.83
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	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
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Package 103 Trust Land Management

Package Description This package adds ongoing Other Funds expenditure limitation for one Natural Resource Specialist 3 position (1.00 FTE) to work on transactions including real property. Currently there is only one property manager for about 60,000 acres of land. The new position would allow the agency to address project backlogs. The agency has three agricultural development projects in progress and has 90 transactions pending; some of the pending projects are in the initial stages while others are in the final stages.

LFO Recommendation

LFO Recommended	-	-	181,148	-	-	-	181,148	1	1.00
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	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
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Package 104 S&S Land Enhancement Fund

Package Description This package establishes expenditure limitation for projects that remove abandoned or derelict structures or vessels on submerged or submersible lands to keep waterways navigable. House Bill 2463(2015) allows DSL to seize abandoned or derelict structures on submerged or submersible lands if notice and opportunity for a hearing have been provided to the owner. It also created a Submerged Lands Enhancement Account using up to 20 percent of the revenue from state-owned submerged or submersible lands. An application is reviewed for projects meeting the following criteria: the significance of benefit to state owned land, protection or enhancement of Public Trust Values, capacity of applicant to perform the work, likelihood of project success, and ability to meet match obligation. The application team will recommend projects for funding from the Submerged Lands Enhancement Account to the DSL director. Representatives from the Oregon departments of Fish and Wildlife, Environmental Quality, and Marine Board will participate on the team along with a non-profit organization. If DSL has not originated the project, a 25 percent match is required from the applicant.

LFO Recommendation

LFO Recommended	-	-	-	-	-	-	-	-	-
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	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
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Package 105 Sage Grouse Monitoring

Package Description This package adds Other Funds expenditure limitation for one seasonal Natural Resource Specialist 1 position (0.50 FTE) to monitor compliance with the Candidate Conservation Agreement with Assurances for the Greater Sage Grouse and to help install conservation measures such as fence markers and water tank escape ramps.

LFO Recommendation

LFO Recommended	-	-	72,225	-	-	-	72,225	1	0.50
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	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
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Package 106 Shared Services Implementation

Package Description This package provides for an Other Funds transfer to pay for costs associated with a payroll specialist at the Water Resources Department (WRD) who will provide payroll services for DSL

LFO Recommendation

LFO Recommended	-	-	-	-	-	-	-	-	-
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	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
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Package 107 Vehicle Replacement

Package Description The expenditure limitation provided in this package will allow DSL to replace five agency-owned vehicles with leased vehicles from DAS motor pool. \$54,576 of this package is ongoing funding for those lease costs. The remaining \$26,000 is one-time funding for the outright purchase of a standard ATV and a Side-by-side ATV in addition to the leased vehicles. The new side-by-side OHV will allow more than just one employee to access remote sites. It will be able to haul three people and 100 pounds (45.4 kilograms) of gear, which meets the need for rangeland inventory and monitoring, leasehold inspections and juniper burning.

LFO Recommendation

LFO Recommended	-	-	80,576	-	-	-	80,576	-	-
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	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
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Package 802 Federal Grant Expenditure Limitation

Package Description This package continues federal funds grant expenditure limitation for Wetland Program development grants from the U.S. Environmental Protection Agency. DSL has consistently received grant funds through this program for over 15 years, but has typically phased-out the expenditure limitation for federal grant funds from common school program when developing its budget. The limitation provided in the package will allow the agency to expend anticipated funding through the end of the current grant period ending December 31, 2017.

LFO Recommendation

LFO Recommended	-	-	-	212,323	-	-	212,323	-	-
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	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
2015-17 Agy. Leg. Adopted	-	-	1,821,439	-	-	-	1,821,439	-	0.50
2015-17 Ebds, SS & Admin Act	-	-	2,306	-	-	-	2,306	-	-
Ways & Means Actions	-	-	-	-	-	-	-	-	-
2015-17 Leg Approved Budget	-	-	1,823,745	-	-	-	1,823,745	-	0.50
2015-17 Leg Approved Budget (Base)	-	-	1,823,745	-	-	-	1,823,745	-	0.50
Summary of Base Adjustments	-	-	21,623	-	-	-	21,623	-	-
2017-19 Base Budget	-	-	1,845,368	-	-	-	1,845,368	-	0.50
010: Non-PICS Pers Svc/Vacancy Factor	-	-	986	-	-	-	986	-	-
030: Inflation & Price List Adjustments	-	-	63,920	-	-	-	63,920	-	-
2017-19 Current Service Level	-	-	1,910,274	-	-	-	1,910,274	-	0.50
Adjusted 2017-19 Current Service Level	-	-	1,910,274	-	-	-	1,910,274	-	0.50
2017-19 Legislative Actions	-	-	1,910,274	-	-	-	1,910,274	-	0.50
Net change from 2015-17 Leg Approved Budget	-	-	86,529	-	-	-	86,529	-	-
Percent change from 2015-17 Leg Approved Budget	0.0%	0.0%	4.7%	0.0%	0.0%	0.0%	4.7%	0.0%	0.0%
Net change from 2017-19 Adj Current Service Level	-	-	-	-	-	-	-	-	-
Percent change from 2017-19 Adj Current Service Level	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%

	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
2015-17 Agy. Leg. Adopted	-	-	-	-	-	-	-	-	-
2015-17 Ebds, SS & Admin Act	-	-	-	-	-	-	-	-	-
Ways & Means Actions	-	-	-	-	-	-	-	-	-
2015-17 Leg Approved Budget	-	-	-	-	-	-	-	-	-
Net change from 2015-17 Leg Approved Budget	-	-	-	-	-	-	-	-	-
Percent change from 2015-17 Leg Approved Budget	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%

	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
2015-17 Agy. Leg. Adopted	-	-	1,962,130	1,617,600	-	-	3,579,730	16	16.00
2015-17 Ebds, SS & Admin Act	-	-	160,179	386,065	-	-	546,244	-	-
Ways & Means Actions	-	-	-	-	-	-	-	-	-
2015-17 Leg Approved Budget	-	-	2,122,309	2,003,665	-	-	4,125,974	16	16.00
2015-17 Leg Approved Budget (Base)	-	-	2,004,309	1,674,665	-	-	3,678,974	16	16.00
Summary of Base Adjustments	-	-	20,355	33,923	-	-	54,278	-	-
2017-19 Base Budget	-	-	2,024,664	1,708,588	-	-	3,733,252	16	16.00
010: Non-PICS Pers Svc/Vacancy Factor	-	-	(11,351)	4,244	-	-	(7,107)	-	-
030: Inflation & Price List Adjustments	-	-	15,649	10,486	-	-	26,135	-	-
2017-19 Current Service Level	-	-	2,028,962	1,723,318	-	-	3,752,280	16	16.00
Adjusted 2017-19 Current Service Level	-	-	2,028,962	1,723,318	-	-	3,752,280	16	16.00
Total LFO Recommended Packages	-	-	-	329,000	-	-	329,000	-	-
2017-19 Legislative Actions	-	-	2,028,962	2,052,318	-	-	4,081,280	16	16.00
Net change from 2015-17 Leg Approved Budget	-	-	(93,347)	48,653	-	-	(44,694)	-	-
Percent change from 2015-17 Leg Approved Budget	0.0%	0.0%	(4.4%)	2.4%	0.0%	0.0%	(1.1%)	0.0%	0.0%
Net change from 2017-19 Adj Current Service Level	-	-	-	329,000	-	-	329,000	-	-
Percent change from 2017-19 Adj Current Service Level	0.0%	0.0%	0.0%	19.1%	0.0%	0.0%	8.8%	0.0%	0.0%

	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
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Package 081 September 2016 Emergency Board

Package Description The Department of State Lands, South Slough National Estuarian Reserve (SSNER) was awarded a \$329,000 federal funds grant from NOAA in July of 2016 for the purpose of remodeling and construction at the Estuarine and Coastal Sciences (ECOS) Laboratory on the University of Oregon's Oregon Institute of Marine Biology (OIMB) campus in Charleston, Oregon. The project includes expansion of existing laboratory facilities, additional office spaces, reorientation of the garage to expand storage capacity, and additional parking. The September 2016 Emergency Board approved an increase in the agency's 2015-17 biennium federal funds limitation, but the agency is not anticipating the work to commence on the project until late June or early July 2017. The agency is entering into a sub-award agreement with University of Oregon who will manage the entire project. The agreement is currently at Department of Justice for final legal review. The grant period ends in June 2018.

LFO Recommendation

LFO Recommended	-	-	-	329,000	-	-	329,000	-	-
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	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
2015-17 Agy. Leg. Adopted	-	-	849,360	-	-	-	849,360	-	-
2015-17 Ebds, SS & Admin Act	-	-	262,809	-	-	-	262,809	-	-
Ways & Means Actions	-	-	-	-	-	-	-	-	-
2015-17 Leg Approved Budget	-	-	1,112,169	-	-	-	1,112,169	-	-
2015-17 Leg Approved Budget (Base)	-	-	1,112,169	-	-	-	1,112,169	-	-
Summary of Base Adjustments	-	-	-	-	-	-	-	-	-
2017-19 Base Budget	-	-	1,112,169	-	-	-	1,112,169	-	-
020: Phase In / Out Pgm & One-time Cost	-	-	(808,919)	-	-	-	(808,919)	-	-
030: Inflation & Price List Adjustments	-	-	11,220	-	-	-	11,220	-	-
2017-19 Current Service Level	-	-	314,470	-	-	-	314,470	-	-
Adjusted 2017-19 Current Service Level	-	-	314,470	-	-	-	314,470	-	-
Total LFO Recommended Packages	-	-	200,000	-	-	-	200,000	-	-
2017-19 Legislative Actions	-	-	514,470	-	-	-	514,470	-	-
Net change from 2015-17 Leg Approved Budget	-	-	(597,699)	-	-	-	(597,699)	-	-
Percent change from 2015-17 Leg Approved Budget	0.0%	0.0%	(53.7%)	0.0%	0.0%	0.0%	(53.7%)	0.0%	0.0%
Net change from 2017-19 Adj Current Service Level	-	-	200,000	-	-	-	200,000	-	-
Percent change from 2017-19 Adj Current Service Level	0.0%	0.0%	63.6%	0.0%	0.0%	0.0%	63.6%	0.0%	0.0%

	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
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Package 110 Headquarters Building Maintenance

Package Description This package provides additional capital improvement expenditure limitation to upgrade the lighting in the underground parking garage and replace and repair the structure on the roof that protects the HVAC system from the elements. Although the funding in the package is for specified projects in the current biennium, the limitation will be ongoing to address the consistent need for facilities maintenance.

LFO Recommendation

LFO Recommended	-	-	200,000	-	-	-	200,000	-	-
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