

SENATE AMENDMENTS TO SENATE BILL 5505

By JOINT COMMITTEE ON WAYS AND MEANS

July 4

1 On page 1 of the printed bill, line 2, after the semicolon insert “creating new provisions;
2 amending ORS 283.085 and 286A.833;”.

3 Delete lines 4 through 28 and delete pages 2 through 5 and insert:

4 “**SECTION 1. The amounts authorized, as provided by ORS 286A.035, for issuance of**
5 **general obligation bonds of the state during the 2017-2019 biennium, notwithstanding section**
6 **10, chapter 705, Oregon Laws 2013, are as follows:**

7
8 **GENERAL OBLIGATION BONDS**

9 **General Fund Obligations**

10 **(1) Higher Education Coordinating**
11 **Commission (Art. XI-G):**

12 **(a) Oregon Institute of**
13 **Technology, Center for**
14 **Excellence in Engineering**
15 **and Technology/Cornett**
16 **Hall Renovation..... \$ 2,050,000**

17 **(b) Oregon State University:**
18 **(A) Quality Foods and Beverage**
19 **Center \$ 9,100,000**
20 **(B) Gilkey Hall Renovation \$ 2,050,000**

21 **(c) Portland State University,**
22 **Graduate School of**
23 **Education Facility..... \$ 36,485,000**

24 **(d) University of Oregon,**
25 **Campus for Accelerating**
26 **Scientific Impact..... \$ 50,620,000**

27 **(e) Western Oregon University:**
28 **(A) Information Technology**
29 **Center Renovation \$ 540,000**

30 **(B) Oregon Military Building**
31 **Renovation \$ 540,000**

32 **(f) Blue Mountain Community**
33 **College, Facility for**
34 **Agricultural Resource**
35 **Management..... \$ 5,115,000**

1	(g) Chemeketa Community		
2	College, Agricultural		
3	Complex.....	\$	6,125,000
4	(h) Clackamas Community College:		
5	(A) DeJardin Building Addition...	\$	8,140,000
6	(B) Student Services and		
7	Community Commons.....	\$	8,140,000
8	(i) Clatsop Community College,		
9	Marine Science Center		
10	Renovation and Expansion....	\$	8,135,000
11	(j) Columbia Gorge Community		
12	College, Middle College		
13	Prototype Facility	\$	7,400,000
14	(k) Lane Community College,		
15	Health Care Village Facility..	\$	8,140,000
16	(L) Linn-Benton Community		
17	College, Student Advising		
18	and Campus Safety Center ...	\$	7,635,000
19	(m) Mt. Hood Community College,		
20	Maywood Park Center.....	\$	8,140,000
21	(n) Oregon Coast Community		
22	College, Workforce Education		
23	and Resiliency Center	\$	8,140,000
24	(o) Portland Community College,		
25	Health Technology		
26	Building Renovation.....	\$	8,140,000
27	(p) Rogue Community College,		
28	Elk Building Science Facility		
29	Renovation and Expansion....	\$	6,125,000
30	(q) Southwestern Oregon		
31	Community College,		
32	Dellwood Hall Remodel and		
33	Expansion.....	\$	2,805,000
34	(r) Treasure Valley Community		
35	College, Workforce		
36	Vocational Center	\$	2,865,000
37	(s) Umpqua Community College,		
38	Industrial Technology		
39	Building.....	\$	8,140,000
40	(2) Department of Environmental		
41	Quality (Art. XI-H)	\$	10,300,000
42	(3) Oregon Business Development		
43	Department (Art. XI-M)	\$	101,180,000
44	(4) Oregon Business Development		
45	Department (Art. XI-N).....	\$	20,430,000

1	(5) Department of Education		
2	(Art. XI-P)	\$	100,985,000
3	(6) Oregon Department of		
4	Administrative		
5	Services (Art. XI-Q):		
6	(a) Department of Corrections:		
7	(A) Capital Improvements and		
8	Renewal.....	\$	26,770,000
9	(B) Technology Infrastructure....	\$	12,445,000
10	(b) Department of Education,		
11	Oregon School for the Deaf		
12	Facility Improvements.....	\$	4,365,000
13	(c) Department of Human		
14	Services, ONE Integrated		
15	Eligibility and Medicaid		
16	Eligibility System.....	\$	34,045,000
17	(d) Department of Justice,		
18	Child Support Enforcement		
19	Automated System.....	\$	16,585,000
20	(e) Department of Revenue,		
21	Core Tax Revenue Systems		
22	Replacement.....	\$	4,855,000
23	(f) Department of Veterans'		
24	Affairs:		
25	(A) Lebanon Veteran's Home		
26	Parking Lot.....	\$	1,345,000
27	(B) The Dalles Veterans' Home		
28	Capital Improvements.....	\$	1,195,000
29	(C) Roseburg Veterans' Home	\$	10,720,000
30	(g) Housing and Community		
31	Services Department, Local		
32	Innovation and Fast Track		
33	Housing Program.....	\$	81,090,000
34	(h) Higher Education		
35	Coordinating Commission:		
36	(A) Public Universities Capital		
37	Improvement and Renewal ...	\$	50,620,000
38	(B) Eastern Oregon University,		
39	Loso Hall Renovation	\$	5,575,000
40	(C) Oregon Institute of		
41	Technology:		
42	(i) Center for Excellence in		
43	Engineering and Technology/		
44	Cornett Hall Renovation	\$	38,475,000
45	(ii) Oregon Manufacturing		

1	Innovation Center, Research		
2	and Development Facility	\$	3,940,000
3	(D) Oregon State University:		
4	(i) Cordley Hall Renovation	\$	15,250,000
5	(ii) Fairbanks Hall Renovation ...	\$	11,220,000
6	(iii) Gilkey Hall Renovation	\$	1,045,000
7	(iv) Cascades Expansion Site		
8	Reclamation	\$	9,145,000
9	(E) Portland State University,		
10	Graduate School of		
11	Education Facility.....	\$	9,145,000
12	(F) Southern Oregon		
13	University, Central Hall		
14	Capital Improvements.....	\$	6,125,000
15	(G) Western Oregon University:		
16	(i) Information Technology		
17	Center Renovation	\$	5,070,000
18	(ii) Oregon Military Building		
19	Renovation	\$	7,335,000
20	(i) Legislative Administration		
21	Committee, Capitol		
22	Accessibility, Maintenance,		
23	and Safety	\$	13,960,000
24	(j) Oregon Judicial Department:		
25	(A) Lane County Courthouse	\$	5,115,000
26	(B) Multnomah County		
27	Courthouse.....	\$	102,495,000
28	(C) Oregon Supreme Court		
29	Building Renovation.....	\$	6,125,000
30	(k) Oregon Military Department:		
31	(A) Grants Pass Armory		
32	Service Life Extension.....	\$	3,330,000
33	(B) Regional Armory Emergency		
34	Enhancement Project	\$	8,675,000
35	(C) Regional Training Institute ..	\$	6,630,000
36	(D) Resiliency Grant Fund.....	\$	5,070,000
37	(E) Youth Challenge Armory	\$	5,095,000
38	(L) Oregon Youth Authority:		
39	(A) Capital Improvements.....	\$	17,450,000
40	(B) MacLaren West Cottages		
41	Renovation	\$	15,450,000
42	(C) Rogue Valley Facility		
43	Improvements	\$	7,095,000
44	(m) State Department of Fish		
45	and Wildlife.....	\$	10,215,000

1	(n) State Forestry Department,	
2	Toledo Facility Replacement.	\$ 774,225
3	<u>Dedicated Fund Obligations</u>	
4	(7) Department of Veterans'	
5	Affairs (Art. XI-A).....	\$ 120,000,000
6	(8) Higher Education Coordinating	
7	Commission (Art. XI-F(1)):	
8	(a) Portland State University:	
9	(A) Land Acquisition for	
10	University Center Building ...	\$ 15,260,000
11	(B) 12th & Market	
12	Residence Hall.....	\$ 54,225,000
13	(C) Graduate School of	
14	Education Facility.....	\$ 6,080,000
15	(D) Corbett Building Purchase....	\$ 5,100,000
16	(b) Oregon Institute of	
17	Technology, Student	
18	Recreation Center	\$ 5,115,000
19	(c) Eastern Oregon University,	
20	Track and Field Facilities	
21	Restoration	\$ 790,000
22	(9) Department of Environmental	
23	Quality (Art. XI-H)	\$ 10,000,000
24	(10) Housing and Community	
25	Services Department	
26	(Art. XI-I(2))	\$ 25,000,000
27	(11) Oregon Department of	
28	Administrative Services	
29	(Art. XI-Q):	
30	(a) Portland State Office	
31	Building Improvements.....	\$ 13,360,000
32	(b) State Forestry Department,	
33	Toledo Facility Replacement.	\$ 1,075,775
34	<u>Total General Obligation</u>	
35	<u>Bonds</u>	\$ 1,257,310,000

36 "SECTION 2. The amounts authorized, as provided by ORS 286A.035, for issuance of re-
37 venue bonds of the state during the 2017-2019 biennium are as follows:

38
39 **REVENUE BONDS**

40 **Direct Revenue Bonds**

41	Housing and Community	
42	Services Department.....	\$ 300,000,000
43	Oregon Business Development	
44	Department	\$ 30,000,000
45	Oregon Department of	

1	Administrative Services,		
2	Lottery Revenue Bonds	\$	199,860,000
3	Total Direct Revenue		
4	Bonds	\$	529,860,000
5	Pass-Through Revenue Bonds		
6	Oregon Business Development		
7	Department, Industrial		
8	Development Bonds.....	\$	400,000,000
9	Oregon Business Development		
10	Department, Beginning and		
11	Expanding Farmer Loan		
12	Program	\$	10,000,000
13	Oregon Facilities Authority..	\$	1,350,000,000
14	Housing and Community		
15	Services Department.....	\$	325,000,000
16	Total Pass-Through Revenue		
17	Bonds	\$	2,085,000,000
18	Total Revenue Bonds	\$	2,614,860,000

19 **“SECTION 3. The amount authorized, as provided by ORS 286A.035, for issuance of cer-**
20 **tificates of participation and other financing agreements of the state during the 2017-2019**
21 **biennium for the Oregon Department of Administrative Services is \$110,985,000.**

22 **“SECTION 4. The amounts allocated for private activity bonds, as provided in ORS**
23 **286A.615, are as follows:**

- 24 (1) For calendar year 2018,
- 25 the amount of \$409,346,500
- 26 is allocated as follows:
- 27 (a) Oregon Business Development
- 28 Department, Industrial
- 29 Development Bonds..... \$ 40,000,000
- 30 (b) Oregon Business Development
- 31 Department, Beginning and
- 32 Expanding Farmer Loan
- 33 Program..... \$ 5,000,000
- 34 (c) Housing and Community
- 35 Services Department..... \$125,000,000
- 36 (d) Private Activity Bond
- 37 Committee..... \$239,346,500
- 38 (2) For calendar year 2019,
- 39 the amount of \$409,346,500
- 40 is allocated as follows:
- 41 (a) Oregon Business Development
- 42 Department, Industrial
- 43 Development Bonds..... \$ 40,000,000
- 44 (b) Oregon Business Development
- 45 Department, Beginning and

1	Expanding Farmer Loan	
2	Program.....	\$ 5,000,000
3	(c) Housing and Community	
4	Services Department.....	\$125,000,000
5	(d) Private Activity Bond	
6	Committee.....	\$239,346,500
7	(3) If an increase in this state’s population, a	
8	sufficient increase in the region’s Consumer	
9	Price Index or a change in federal law allows	
10	the private activity bond limit as set by the	
11	Internal Revenue Code of 1986, as amended, to	
12	exceed \$409,346,500 during the 2018 calendar	
13	year or \$409,346,500 during the 2019 calendar	
14	year, the increase is allocated to the Private	
15	Activity Bond Committee.	

16 “**SECTION 5.** (1) For purposes of Article XI-F(1), section 1, of the Oregon Constitution,
17 the Legislative Assembly determines that the projects authorized to be financed pursuant to
18 section 1 (8) of this 2017 Act with bonds issued under Article XI-F(1) of the Oregon Consti-
19 tution will benefit higher education institutions or activities.

20 “(2) For purposes of Article XI-G, section 1, of the Oregon Constitution, the Legislative
21 Assembly determines that the projects authorized to be financed pursuant to section 1 (1)
22 of this 2017 Act with bonds issued under Article XI-G of the Oregon Constitution will benefit
23 higher education institutions or activities or community colleges authorized by law to receive
24 state aid.

25 “**SECTION 6.** Bonds authorized under section 1 (1) of this 2017 Act may not be issued
26 until the constructing authority certifies that the constructing authority has matching funds
27 available for the same or similar purposes as the Article XI-G bonds that will fund the grant
28 to the constructing authority, that the match funds are not proceeds of indebtedness in-
29 curred by the state under any other article of the Oregon Constitution, and that the match
30 funds are available to the constructing authority in an amount at least equal to the amount
31 of indebtedness incurred by the state through the issuance of the Article XI-G bonds.

32 “**SECTION 7.** ORS 286A.833 is amended to read:

33 “286A.833. (1) In accordance with the applicable provisions of this chapter, the State Treasurer,
34 with the concurrence of the [*Director of the Oregon Department of Administrative Services*] **Higher**
35 **Education Coordinating Commission**, may issue Article XI-F(1) bonds **for the benefit of a public**
36 **university** if:

37 “(a) The [*Higher Education Coordinating Commission*] **Director of the Oregon Department of**
38 **Administrative Services** requests that bonds be issued for the purposes specified in Article XI-F(1)
39 of the Oregon Constitution, plus an amount determined by the State Treasurer to pay estimated
40 bond-related costs;

41 “(b) The issuance does not exceed the budget authorization for bond issuance established under
42 ORS 286A.035; and

43 “(c) A loan agreement is executed under ORS 286A.836 prior to sale of the bonds.

44 “(2) The State Treasurer may issue Article XI-F(1) bonds for the purpose of refunding Article
45 XI-F(1) bonds, with the concurrence of a public university that received proceeds of Article XI-F(1)

1 bonds to be refunded.

2 “(3) The State Treasurer shall deposit the net proceeds of Article XI-F(1) bonds in one or more
3 project funds established in the State Treasury or with a third party under contract with the Oregon
4 Department of Administrative Services and approved by the State Treasurer. Net proceeds of Article
5 XI-F(1) bonds must be expended for the purposes described in the commission’s budget authorization.

6 “(4) If at any time the department and the commission jointly determine that the net proceeds
7 of Article XI-F(1) bonds deposited in a project fund pursuant to subsection (3) of this section exceed
8 the cost of the project described in the commission’s budget authorization, the department may al-
9 locate and transfer the excess amount as determined by the department to other project funds, the
10 Article XI-F(1) Bond Fund established under ORS 286A.839 or the Article XI-F(1) Bond Adminis-
11 tration Fund established under ORS 286A.842. Before transferring an excess amount under this
12 subsection, the department shall consult with the public university for whose benefit the Article
13 XI-F(1) bonds were issued, but the department may transfer an excess amount without the approval
14 of the public university. Excess amounts may not be transferred to a project fund for the project
15 of another public university unless the applicable loan agreements and loan repayment schedules
16 are amended to reflect the transfer.

17 “(5) Article XI-F(1) bonds are direct general obligations of the State of Oregon and must contain
18 a direct promise on behalf of the State of Oregon to pay the principal of, the interest on and the
19 premium, if any, on the Article XI-F(1) bonds. The State of Oregon shall pledge its full faith and
20 credit and taxing power to the payment of the principal of, the interest on and the premium, if any,
21 on Article XI-F(1) bonds, and the ad valorem taxing power of the State of Oregon may be pledged
22 to pay Article XI-F(1) bonds.

23 “**SECTION 8.** ORS 283.085 is amended to read:

24 “283.085. As used in ORS 283.085 to 283.092:

25 “(1) ‘Available funds’ means funds appropriated or otherwise made available by the Legislative
26 Assembly to pay amounts due under a financing agreement for the fiscal period in which the pay-
27 ments are due, unexpended proceeds of the financing agreement and reserves or other amounts that
28 have been deposited in trust to pay amounts due under the financing agreement.

29 “(2) ‘Credit enhancement agreement’ means any agreement or contractual relationship between
30 the state and any bank, trust company, insurance company, surety bonding company, pension fund
31 or other financial institution providing additional credit on or security for a financing agreement
32 or certificates of participation authorized by ORS 283.085 to 283.092.

33 “(3) ‘Financing agreement’ means a lease purchase agreement, an installment sale agreement, a
34 loan agreement or any other agreement:

35 “(a) To finance real or personal property that is or will be owned and operated by the state or
36 any of its agencies;

37 “(b) To finance infrastructure, including but not limited to telecommunications systems, systems
38 for water, sewage, electricity, steam or natural gas and other equipment or improvements that are
39 necessary or appropriate to support a facility that is, or will be, owned or operated by the state;

40 “(c) To finance infrastructure components that are, or will be, owned or operated by a local
41 government agency of this state if the Director of the Oregon Department of Administrative Services
42 determines that financing the infrastructure facilitates the construction or operation of an adult or
43 juvenile corrections facility or a public safety training facility owned or operated by the state or
44 any of its agencies;

45 “(d) To finance all or a portion of the state’s pension liabilities for retirement, health care or

1 disability benefits, in an amount that produces net proceeds that do not exceed the State Treasurer's
2 estimate of those liabilities based on information provided to the State Treasurer by the Public
3 Employees Retirement System; [or]

4 “(e) To finance:

5 “(A) The release of all or a portion of the Elliott State Forest from restrictions resulting
6 from ownership of that forest by the Common School Fund; or

7 “(B) Compensation paid to the Common School Fund for the preservation of noneconomic
8 benefits of the forest through the imposition, transfer or sale of restrictions such as ease-
9 ments, use requirements or other methods that preserve noneconomic benefits of the forest
10 for the public, including recreation, aesthetics, wildlife or habitat preservation or other en-
11 vironmental and quality of life considerations; or

12 “[e)] (f) To refinance previously executed financing agreements.

13 “(4) ‘Financing costs’ means costs or expenses that the director determines are necessary or
14 desirable in connection with entering into financing agreements and maintaining the certificate of
15 participation program, including but not limited to payment of:

16 “(a) Amounts due under financing agreements;

17 “(b) Costs and obligations the director or any other agency of the state incurs in connection
18 with the exercise of a power granted by ORS 283.085 to 283.092; and

19 “(c) Amounts due in connection with the investment of proceeds of financing agreements.

20 “(5) ‘Personal property’ means tangible personal property, software and fixtures.

21 “(6) ‘Property rights’ means, with respect to personal property, the rights of a secured party
22 under ORS chapter 79, and, with respect to real property, the rights of a trustee or lender under a
23 lease authorized by ORS 283.089 (1)(e).

24 “(7) ‘Software’ means software and training and maintenance contracts related to the operation
25 of computing equipment.

26 “**SECTION 9.** (1) A community college for which one project to be funded with general
27 obligation bonds authorized to be issued under Article XI-G of the Oregon Constitution is
28 approved in this 2017 Act may not request approval of an additional project to be funded with
29 general obligation bonds authorized to be issued under Article XI-G of the Oregon Constitu-
30 tion until the beginning of the regular session of the Legislative Assembly held in 2021, un-
31 less the community college withdraws the project approved under this 2017 Act.

32 “(2) A community college for which two projects to be funded with general obligation
33 bonds authorized to be issued under Article XI-G of the Oregon Constitution is approved in
34 this 2017 Act may not request approval of an additional project to be funded with general
35 obligation bonds authorized to be issued under Article XI-G of the Oregon Constitution until
36 the beginning of the regular session of the Legislative Assembly held in 2025, unless the
37 community college withdraws a project approved under this 2017 Act.

38 “**SECTION 10.** (1) Out of the amount specified in section 1 (6)(j)(A) of this 2017 Act, the
39 State Treasurer may issue Article XI-Q bonds in an amount not to exceed \$5,000,000 of net
40 proceeds for the purposes and in the manner specified in section 8, chapter 705, Oregon Laws
41 2013, plus an amount estimated by the State Treasurer to pay estimated bond-related costs.

42 “(2) Out of the amount specified in section 1 (6)(j)(B) of this 2017 Act, the State Treasurer
43 may issue Article XI-Q bonds in an amount not to exceed \$92,600,000 of net proceeds for the
44 purposes and in the manner specified in section 8, chapter 705, Oregon Laws 2013, plus an
45 amount estimated by the State Treasurer to pay estimated bond-related costs.

1 “(3) For purposes of sections 8 and 9, chapter 705, Oregon Laws 2013, and section 64,
2 chapter 723, Oregon Laws 2013, bonds issued pursuant to this section are considered to be
3 bonds issued pursuant to section 8, chapter 705, Oregon Laws 2013.

4 “(4) Bonds may not be issued out of the amounts specified in section 1 (6)(j)(A) and (B)
5 of this 2017 Act except as provided in this section.

6 “SECTION 11. (1) As used in this section:

7 “(a) ‘Apprentice’ has the meaning given that term in ORS 660.010.

8 “(b) ‘Apprenticeable occupation’ has the meaning given that term in ORS 660.010.

9 “(c) ‘Apprenticeship training program’ means the total system of apprenticeship that a
10 particular local joint committee, as defined in ORS 660.010, operates, including the local joint
11 committee’s registered standards and all other terms and conditions for qualifying, recruit-
12 ing, selecting, employing and training apprentices in an apprenticeable occupation.

13 “(d) ‘Minority individual’ has the meaning given that term in ORS 200.005.

14 “(e) ‘Qualified contracts’ means contracts that:

15 “(A) Are for improvements to real property in connection with the University of Oregon
16 Campus for Accelerating Scientific Impact;

17 “(B) Have a cost that, at the time the contract is executed, is estimated to be greater
18 than \$200,000; and

19 “(C) Are to be paid from proceeds of bonds issued under Article XI-G of the Oregon
20 Constitution.

21 “(f) ‘Woman’ has the meaning given that term in ORS 200.005.

22 “(2) The University of Oregon, in all qualified contracts, shall require contractors to:

23 “(a) Employ apprentices to perform 15 percent of the work hours that workers in
24 apprenticeable occupations perform under the contract, in a manner consistent with the
25 apprentices’ respective apprenticeship training programs;

26 “(b) Establish and execute a plan for outreach, recruitment and retention of women and
27 minority individuals to perform work under the contract; and

28 “(c) Require any subcontractors engaged by the contractors to abide by the requirements
29 set forth in paragraphs (a) and (b) of this subsection.

30 “(3) On or before February 1 of each year, the University of Oregon shall report to the
31 Joint Committee on Ways and Means or Joint Interim Committee on Ways and Means on the
32 amount of work performed by apprentices, women and minority individuals under qualified
33 contracts.

34 “SECTION 12. This 2017 Act being necessary for the immediate preservation of the public
35 peace, health and safety, an emergency is declared to exist, and this 2017 Act takes effect
36 July 1, 2017.”.

37