

Enrolled
Senate Bill 5542

Printed pursuant to Senate Interim Rule 213.28 by order of the President of the Senate in conformance with pre-session filing rules, indicating neither advocacy nor opposition on the part of the President (at the request of Oregon Department of Administrative Services)

CHAPTER

AN ACT

Relating to state financial administration; creating new provisions; amending ORS 274.064 and sections 1 and 2, chapter 570, Oregon Laws 2017, sections 12, 15 and 29, chapter 748, Oregon Laws 2017, and section 8, chapter 87, Oregon Laws 2018; repealing section 10, chapter 748, Oregon Laws 2017; and declaring an emergency.

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

SECTION 1. Section 8, chapter 87, Oregon Laws 2018, is amended to read:

Sec. 8. (1) For the biennium ending June 30, 2019, at the request of the Oregon Department of Administrative Services, after the department consults with the Higher Education Coordinating Commission, the State Treasurer is authorized to issue lottery bonds pursuant to ORS 286A.560 to 286A.585 in an amount that produces \$9 million in net proceeds and interest earnings for the purposes described in subsection (2) of this section, plus an additional amount estimated by the State Treasurer to be necessary to pay bond-related costs.

(2) Net proceeds of lottery bonds issued under this section in an amount sufficient to provide \$9 million in net proceeds and interest earnings must be transferred to the Higher Education Coordinating Commission for deposit in the [*Public University Fund established under ORS 352.450, segregated in a distinct subaccount to allow necessary compliance with the Internal Revenue Code*] **EOU Field House Facility Fund, established under section 2 of this 2019 Act**, for distribution to Eastern Oregon University to construct a new field house facility.

(3) The Legislative Assembly finds that the use of lottery bond proceeds will create jobs, further economic development, finance public education or restore and protect parks, beaches, watersheds and native fish and wildlife, and is authorized based on the following findings:

(a) A new facility is needed in order for the university to have adequate instructional and athletic space.

(b) Having adequate university buildings and facilities is essential to Oregon’s healthy economic growth.

(c) The field house facility will be used as a venue for regional events, providing significant economic benefits to local communities.

(d) Oregon manufactured wood products, including cross-laminated timber, will be utilized in the construction of the field house facility, supporting Oregon’s wood products manufacturing industry.

SECTION 2. (1) **The EOU Field House Facility Fund is established in the State Treasury, separate and distinct from the General Fund. Interest earned on the moneys in the EOU Field House Facility Fund must be credited to the fund. The fund consists of moneys depos-**

ited in the fund under section 8, chapter 87, Oregon Laws 2018, and may include moneys appropriated, allocated, deposited or transferred to the fund by the Legislative Assembly or otherwise and interest earned on moneys in the fund.

(2) Moneys in the fund are continuously appropriated to the Higher Education Coordinating Commission for the purposes specified in section 8, chapter 87, Oregon Laws 2018.

SECTION 3. The Oregon Department of Administrative Services may expend up to \$533,000 of net proceeds of lottery bonds issued pursuant to section 1, chapter 614, Oregon Laws 2011, for distribution to the Cascade AIDS Project for the purposes described in section 12, chapter 748, Oregon Laws 2017.

SECTION 4. Section 12, chapter 748, Oregon Laws 2017, is amended to read:

Sec. 12. (1) For the biennium beginning July 1, 2017, at the request of the Oregon Department of Administrative Services, after the department consults with the Cascade AIDS Project, the State Treasurer is authorized to issue lottery bonds pursuant to ORS 286A.560 to 286A.585 in an amount that produces, **together with the amount distributed by the department under section 3 of this 2019 Act, no more than** \$1 million in net proceeds and interest earnings for the purposes described in subsection (2) of this section, plus an additional amount estimated by the State Treasurer to be necessary to pay bond-related costs.

(2) Net proceeds of lottery bonds issued under this section in an amount sufficient to provide \$1 million in net proceeds and interest earnings must be transferred to the department for deposit in the ODAS Economic Development Distributions Fund established under ORS 461.553 for distribution to the Cascade AIDS Project for acquisition and renovation of a primary care and mental health center for the lesbian, gay, bisexual, transgender, queer, and other minority gender identities and sexual orientation community.

(3) The Legislative Assembly finds that the use of lottery bond proceeds will create jobs, further economic development, finance public education or restore and protect parks, beaches, watersheds and native fish and wildlife, and is authorized based on the following findings:

(a) Individuals increase their potential for self-sufficiency and use fewer public resources when they have access to health care.

(b) Individuals who have mental illnesses increase their potential for self-sufficiency and use fewer public resources when they have access to mental health services.

SECTION 5. Section 15, chapter 748, Oregon Laws 2017, is amended to read:

Sec. 15. (1) For the biennium beginning July 1, 2017, at the request of the Oregon Department of Administrative Services, after the department consults with the Family Nurturing Center [*Rogue Valley Children's Relief Nursery*], the State Treasurer is authorized to issue lottery bonds pursuant to ORS 286A.560 to 286A.585 in an amount that produces \$2 million in net proceeds and interest earnings for the purposes described in subsection (2) of this section, plus an additional amount estimated by the State Treasurer to be necessary to pay bond-related costs.

(2) Net proceeds of lottery bonds issued under this section in an amount sufficient to provide \$2 million in net proceeds and interest earnings must be transferred to the department for deposit in the ODAS Economic Development Distributions Fund established under ORS 461.553 for distribution to the Family Nurturing Center [*Rogue Valley Children's Relief Nursery to purchase and rehabilitate affordable housing adjacent to the Family Nurturing Center Campus*] **to build or redevelop affordable housing units serving seniors and families with young children.**

(3) The Legislative Assembly finds that the use of lottery bond proceeds will create jobs, further economic development, finance public education or restore and protect parks, beaches, watersheds and native fish and wildlife, and is authorized based on the following findings:

(a) Having housing for at-risk populations is essential to Oregon's healthy economic growth.

(b) A severe shortage of affordable housing exists in Oregon, and market indicators demonstrate a growing gap between the supply of and demand for affordable housing.

SECTION 6. Section 29, chapter 748, Oregon Laws 2017, is amended to read:

Sec. 29. (1) For the biennium beginning July 1, 2017, at the request of the Oregon Department of Administrative Services, after the department consults with the Oregon Business Development

Department, the State Treasurer is authorized to issue lottery bonds pursuant to ORS 286A.560 to 286A.585 in an amount that produces \$3,390,000 in net proceeds and interest earnings for the purposes described in subsection (2) of this section, plus an additional amount estimated by the State Treasurer to be necessary to pay bond-related costs.

(2) Net proceeds of lottery bonds issued under this section in an amount sufficient to provide \$3,390,000 in net proceeds and interest earnings must be transferred to the Oregon Business Development Department for deposit in the American Manufacturing Innovation District Fund established in section 7a, chapter 66, Oregon Laws 2016, for construction of [*access roads to the*] Oregon Manufacturing Innovation Center [*Research and Development Facility and Training Center*] **access roads.**

(3) The Legislative Assembly finds that the use of lottery bonds proceeds with create jobs and further economic development, and is authorized based on the finding that the Oregon Manufacturing Innovation Center will enable and encourage the development of a robust manufacturing sector in the Oregon economy.

SECTION 7. Section 1, chapter 570, Oregon Laws 2017, as amended by section 1, chapter 87, Oregon Laws 2018, is amended to read:

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

GENERAL OBLIGATION BONDS

General Fund Obligations

(1) Higher Education Coordinating Commission (Art. XI-G):		
(a) Oregon Institute of Technology, Center for Excellence in Engineering and Technology/Cornett Hall Renovation.....	\$	2,050,000
(b) Oregon State University:		
[(A) <i>Quality Foods and Beverage</i> Center.....]	\$	9,100,000]
(A) Dairy Products Pilot Plant ...	\$	3,055,000
(B) Gilkey Hall Renovation.....	\$	2,050,000
(C) Cascades Academic Building 2.....	\$	10,215,000
(c) Portland State University, Graduate School of Education Facility	\$	36,485,000
(d) University of Oregon, Campus for Accelerating Scientific Impact	\$	70,910,000
(e) Western Oregon University:		
(A) Information Technology Center Renovation.....	\$	540,000
(B) Oregon Military Building Renovation.....	\$	540,000
(f) Blue Mountain Community College, Facility for Agricultural Resource Management.....	\$	5,115,000
(g) Chemeketa Community		

	College, Agricultural Complex	\$ 6,125,000
(h)	Clackamas Community College:	
(A)	DeJardin Building Addition.....	\$ 8,140,000
(B)	Student Services and Community Commons	\$ 8,140,000
(i)	Clatsop Community College, [Marine Science Center] [Renovation and Expansion.....	\$ 8,135,000]
	Maritime Science Building....	\$ 8,135,000
(j)	Columbia Gorge Community College, Middle College Prototype Facility	\$ 7,400,000
(k)	Lane Community College, Health Care Village Facility.....	\$ 8,140,000
(L)	Linn-Benton Community College, Student Advising and Campus Safety Center	\$ 7,635,000
(m)	Mt. Hood Community College, Maywood Park Center	\$ 8,140,000
(n)	Oregon Coast Community College, Workforce Education and Resiliency Center.....	\$ 8,140,000
(o)	Portland Community College, Health Technology Building Renovation	\$ 8,140,000
(p)	Rogue Community College, [Elk Building Science Facility] [Renovation and Expansion.....	\$ 6,125,000]
	Redwood Campus Science Facility.....	\$ 6,125,000
(q)	Southwestern Oregon Community College, Dellwood Hall Remodel and Expansion.....	\$ 2,805,000
(r)	Treasure Valley Community College, Workforce Vocational Center.....	\$ 2,865,000
(s)	Umpqua Community College, Industrial Technology Building	\$ 8,140,000
(2)	Department of Environmental Quality (Art. XI-H).....	\$ 10,300,000
(3)	Oregon Business Development Department (Art. XI-M).....	\$ 101,180,000
(4)	Oregon Business Development Department (Art. XI-N).....	\$ 20,430,000
(5)	Department of Education (Art. XI-P)	\$ 100,985,000
(6)	Oregon Department of Administrative Services (Art. XI-Q):	

(a)	Department of Corrections:		
(A)	Capital Improvements and Renewal	\$	26,770,000
(B)	Technology Infrastructure	\$	12,445,000
(b)	Department of Education, Oregon School for the Deaf Facility Improvements	\$	4,365,000
(c)	Department of Environmental Quality, Environmental Data Management System.....	\$	5,070,000
(d)	Department of Human Services, ONE Integrated Eligibility and Medicaid Eligibility System.....	\$	34,045,000
(e)	Department of Justice, Child Support Enforcement Automated System	\$	19,400,000
(f)	Department of Revenue, Core Tax Revenue Systems Replacement	\$	4,855,000
(g)	Department of Veterans' Affairs:		
(A)	Lebanon Veteran's Home Parking Lot	\$	1,345,000
(B)	The Dalles Veterans' Home Capital Improvements	\$	1,195,000
(C)	Roseburg Veterans' Home.....	\$	10,720,000
(h)	Housing and Community Services Department, Local Innovation and Fast Track Housing Program	\$	81,090,000
(i)	Higher Education Coordinating Commission:		
(A)	Public Universities Capital Improvement and Renewal.....	\$	50,620,000
(B)	Eastern Oregon University, Loso Hall Renovation	\$	5,575,000
(C)	Oregon Institute of Technology:		
(i)	Center for Excellence in Engineering and Technology/ Cornett Hall Renovation	\$	38,475,000
(ii)	Oregon Manufacturing Innovation Center, Research and Development Facility	\$	3,940,000
(D)	Oregon State University:		
(i)	Cordley Hall Renovation.....	\$	15,250,000
(ii)	Fairbanks Hall Renovation.....	\$	11,220,000
(iii)	Gilkey Hall Renovation	\$	1,045,000
(iv)	Cascades Expansion Site Reclamation.....	\$	9,145,000
(v)	Cascades Academic		

	Building 2.....	\$	29,410,000
(E)	Portland State University, Graduate School of Education Facility	\$	9,145,000
(F)	Southern Oregon University:		
(i)	Central Hall Capital Improvements	\$	6,125,000
(ii)	Boiler Replacement.....	\$	2,855,000
(G)	Western Oregon University:		
(i)	Information Technology Center Renovation	\$	5,070,000
(ii)	Oregon Military Building Renovation	\$	7,335,000
(j)	Legislative Administration Committee, Capitol Accessibility, Maintenance, and Safety	\$	23,660,000
(k)	Oregon Judicial Department:		
(A)	Lane County Courthouse	\$	5,115,000
(B)	Multnomah County Courthouse.....	\$	102,495,000
(C)	Oregon Supreme Court Building Renovation	\$	6,125,000
(L)	Oregon Military Department:		
(A)	Grants Pass Armory Service Life Extension.....	\$	3,330,000
(B)	Regional Armory Emergency Enhancement Project	\$	8,675,000
(C)	Regional Training Institute	\$	6,630,000
(D)	Resiliency Grant Fund.....	\$	5,070,000
(E)	Youth Challenge Armory	\$	5,095,000
(m)	Oregon Youth Authority:		
(A)	Capital Improvements	\$	17,450,000
(B)	MacLaren West Cottages Renovation	\$	15,450,000
(C)	Rogue Valley Facility Improvements	\$	7,095,000
(n)	State Department of Fish and Wildlife	\$	10,215,000
(o)	State Forestry Department, Toledo Facility Replacement.....	\$	774,225
	<u>Dedicated Fund Obligations</u>		
(7)	Department of Veterans' Affairs (Art. XI-A).....	\$	120,000,000
(8)	Higher Education Coordinating Commission (Art. XI-F(1)):		
(a)	Portland State University:		
(A)	Land Acquisition for University Center Building.....	\$	15,260,000
(B)	12th & Market Residence Hall.....	\$	54,225,000

(C) Graduate School of Education Facility	\$ 6,080,000
(D) Corbett Building Purchase.....	\$ 5,100,000
(b) Oregon Institute of Technology, Student Recreation Center.....	\$ 5,115,000
(c) Eastern Oregon University, Track and Field Facilities Restoration	\$ 1,180,000
(d) Western Oregon University, Natural Sciences Building Renovation	\$ 3,560,000
(9) Department of Environmental Quality (Art. XI-H).....	\$ 10,000,000
(10) Housing and Community Services Department (Art. XI-I(2)).....	\$ 25,000,000
(11) Oregon Department of Administrative Services (Art. XI-Q):	
(a) Portland State Office Building Improvements	\$ 13,360,000
(b) State Forestry Department, Toledo Facility Replacement.....	\$ 1,075,775
Total General Obligation	
<i>[Bonds].....</i>	<i>\$ 1,341,615,000]</i>
Bonds	\$ 1,335,570,000

SECTION 8. Section 2, chapter 570, Oregon Laws 2017, as amended by section 2, chapter 87, Oregon Laws 2018, is amended to read:

Sec. 2. The amounts authorized, as provided by ORS 286A.035, for issuance of revenue bonds of the state during the 2017-2019 biennium are as follows:

REVENUE BONDS	
<u>Direct Revenue Bonds</u>	
Housing and Community Services Department	\$ 400,000,000
Oregon Business Development Department.....	\$ 30,000,000
Oregon Department of Administrative Services, <i>[Lottery Revenue Bonds].....</i>	<i>\$ 221,025,000]</i>
Lottery Revenue Bonds	\$ 217,670,000
Total Direct Revenue	
<i>[Bonds].....</i>	<i>\$ 651,025,000]</i>
Bonds	\$ 647,670,000
<u>Pass-Through Revenue Bonds</u>	
Oregon Business Development Department, Industrial Development Bonds	\$ 400,000,000
Oregon Business Development Department, Beginning and Expanding Farmer Loan	

Program.....	\$	10,000,000
Oregon Facilities Authority	\$	1,350,000,000
Housing and Community Services Department	\$	600,000,000
<u>Total Pass-Through Revenue</u>		
Bonds	\$	2,360,000,000
<i>[Total Revenue Bonds.....</i>	<i>\$</i>	<i>3,011,025,000]</i>
Total Revenue Bonds	\$	3,007,670,000

SECTION 9. Section 10, chapter 748, Oregon Laws 2017, is repealed.

SECTION 10. ORS 274.064 is amended to read:

274.064. (1) The Portland Harbor Cleanup Fund is established in the State Treasury, separate and distinct from the General Fund. **Interest earned by the Portland Harbor Cleanup Fund must be credited to the fund.** The Portland Harbor Cleanup Fund consists of **all moneys** *[deposited in the fund under section 10, chapter 748, Oregon Laws 2017,]* **credited to the fund** and may include moneys appropriated, allocated, deposited or transferred to the fund by the Legislative Assembly or otherwise and interest earned on moneys in the fund.

(2) Moneys in the fund are continuously appropriated to the Department of State Lands for *[disbursement for the purposes set forth in section 10, chapter 748, Oregon Laws 2017]* **costs relating to or arising out of the Portland Harbor Superfund Site.**

(3) Nothing in this section or *[section 10, chapter 748, Oregon Laws 2017,]* **any other law that appropriates, allocates, deposits or transfers moneys to the fund** waives or limits the department's ability to recover, by way of insurance, cost recovery, contribution, or claim or action relating to or arising out of the Portland Harbor Superfund Site, moneys from other parties, including claims for costs incurred by the department. In no event shall anything in this section or *[section 10, chapter 748, Oregon Laws 2017,]* **any other law that appropriates, allocates, deposits or transfers moneys to the fund** be construed as a waiver by the State of Oregon of any form of defense or immunity, whether sovereign immunity, governmental immunity, immunity based on the Eleventh Amendment to the United States Constitution or otherwise.

SECTION 11. This 2019 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2019 Act takes effect on its passage.

Passed by Senate March 12, 2019

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Lori L. Brocker, Secretary of Senate

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Peter Courtney, President of Senate

Passed by House April 1, 2019

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Tina Kotek, Speaker of House

Received by Governor:

.....M,....., 2019

Approved:

.....M,....., 2019

.....
Kate Brown, Governor

Filed in Office of Secretary of State:

.....M,....., 2019

.....
Bev Clarno, Secretary of State