

# House Bill 4209

Sponsored by Representative KOTEK (at the request of Joint Committee on the First Special Session of 2020)

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Allows Eastern Oregon Border Economic Development Board to enter into agreement with third-party administrator to operate programs for awarding grants and making loans that enhance and expand workforce development and economic development in Eastern Oregon Border Economic Development Region. Requires that board submit proposed agreement to Oregon Business Development Department for review.

Declares emergency, effective on passage.

## A BILL FOR AN ACT

1  
2 Relating to awarding moneys through programs in the eastern Oregon border region; creating new  
3 provisions; amending ORS 284.771, 284.776, 284.781, 284.786, 284.791, 284.796 and 284.801; and  
4 declaring an emergency.

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

6 **SECTION 1.** ORS 284.771 is amended to read:

7 284.771. As used in ORS 284.771 to 284.801, unless the context [*clearly*] requires otherwise:

8 (1) "Eastern Oregon Border Economic Development Region" or "region[*l*]" [*as defined in rules*  
9 *adopted by the Eastern Oregon Border Economic Development Board in consultation with the Oregon*  
10 *Business Development Department,*] means that part of the state that:

11 (a) Is within 20 miles of the Oregon border with the State of Idaho, and that includes, but is not  
12 limited to, the cities of Ontario, Vale and Nyssa;

13 (b) Includes Willow Creek and Brogan;

14 (c) Is an area in Oregon that is across the Oregon border from Weiser, Idaho; and

15 (d) Is an area southwest of Vale for a distance of 10 miles.

16 (2) "Economic development" means development that:

17 (a) Relates to and supports:

18 (A) The economic health or recovery of the region;

19 (B) Business enterprise and activities in the region; or

20 (C) Development or certification of regionally significant industrial sites in the region;

21 (b) Creates jobs or prevents the loss of jobs in the region; or

22 (c) Promotes or expands businesses or prevents the decline of businesses located or to be located  
23 in the region.

24 (3) "Law" means statutes, administrative rules and any other form of regulation imposed by this  
25 state or a political subdivision of this state.

26 (4) "Local governing body" means either the county court or board of county commissioners of  
27 the county.

28 (5) "Local government" has the meaning given that term in ORS 174.116.

29 (6) "Regionally significant industrial site" has the meaning given that term in ORS 285B.626.

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1       **(7) “Third-party administrator” means the entity with which the Eastern Oregon Border**  
 2 **Economic Development Board enters into an agreement pursuant to ORS 284.781 (4).**

3       [(7)] **(8)** “Traded sector” has the meaning given that term in ORS 285A.010.

4       [(8)(a)] **(9)(a)** “Workforce development” means activities or services that assist individuals to  
 5 attain employment, progress along career pathways or establish and maintain businesses and that  
 6 promote economic development by making skilled employees more readily available.

7       (b) “Workforce development” includes:

8       (A) Education, training and apprenticeships;

9       (B) Labor market analysis;

10       (C) Employment and reemployment assistance;

11       (D) Employee recruitment and retention;

12       (E) Workforce programs that have a primary mission of helping individuals become employed,  
 13 retain employment, increase wages, progress along career pathways or establish and maintain busi-  
 14 nesses;

15       (F) Convening, coordinating, oversight and evaluation activities and services for business and  
 16 state workforce agencies; and

17       (G) Development of residential housing necessary to attract and keep employees in the region.

18       **SECTION 2.** ORS 284.776 is amended to read:

19       284.776. (1) The Eastern Oregon Border Economic Development Board is established to formu-  
 20 late and implement strategies and practices for strategic investment in workforce development and  
 21 economic development in the Eastern Oregon Border Economic Development Region and to [*make*  
 22 *grants or loans to eligible applicants*] **arrange for the awarding of grants and making of loans**  
 23 for the purpose of encouraging workforce development and economic development in the region.

24       (2) The board shall consist of seven voting members and one nonvoting member as follows:

25       (a) The Governor shall appoint seven voting members from a list of eligible appointees with  
 26 expertise in traded sector business, education, workforce development or economic development  
 27 provided by the local governing bodies within the [*Eastern Oregon Border Economic Development*]  
 28 region. The Governor shall request an updated list of eligible appointees from the local governing  
 29 bodies within the region for the purpose of making appointments when vacancies occur.

30       (b) The Director of the Oregon Business Development Department, or the director’s designee,  
 31 is an ex officio nonvoting member of the board.

32       (3) The term of office of each voting member of the board is four years, but a member serves  
 33 at the pleasure of the Governor. Before the expiration of the term of a voting member, the Governor  
 34 shall appoint a successor whose term begins on January 1 next following. A member is eligible for  
 35 reappointment for a total of two consecutive terms. If there is a vacancy for any cause, the Gover-  
 36 nor shall make an appointment to become immediately effective for the unexpired term.

37       (4) The Governor shall appoint one voting member of the board as the chairperson.

38       (5) A voting member of the board is entitled to compensation and expenses as provided in ORS  
 39 292.495.

40       (6) A majority of the voting members of the board constitutes a quorum for the transaction of  
 41 business.

42       (7)(a) The board shall meet at least once every three months at a time and place determined by  
 43 the chairperson. **In addition**, the board [*also*] may meet at other times and places specified by the  
 44 call of the chairperson or of a majority of the members of the board.

45       (b) Meetings of the board are subject to ORS 192.610 to 192.690 governing public meetings and

1 ORS 192.311 to 192.478 governing public records.

2 (8) The board may establish any advisory or technical committees the board considers necessary  
 3 to aid and advise the board in the performance of its functions. The committees may be continuing  
 4 or temporary committees. The board shall determine the representation, membership, terms and or-  
 5 ganization of the committees and shall appoint the members of the committees.

6 (9)(a) **Until the board has entered into an agreement with a third-party administrator**  
 7 **pursuant to ORS 284.781 (4)**, the Oregon Business Development Department shall provide staff to  
 8 the board as necessary to allow the board to carry out the board’s responsibilities under ORS  
 9 284.771 to 284.801. [*The department may contract with a third party to provide staff to the board under*  
 10 *this subsection, provided that the third party remains subject to the direction and control of the de-*  
 11 *partment.*]

12 (b) **Upon entering into the agreement, the third-party administrator shall provide staff**  
 13 **to the board as necessary.**

14 **SECTION 3.** ORS 284.781 is amended to read:

15 284.781. The Eastern Oregon Border Economic Development Board[, *in collaboration with and*  
 16 *with the assistance of the Oregon Business Development Department,*] has the following duties, func-  
 17 tions and powers:

18 (1) To identify policies and strategies that will:

19 (a) Promote workforce development, including development of residential housing necessary to  
 20 attract and keep employees in the **Eastern Oregon Border Economic Development** Region, and  
 21 economic development;

22 (b) Facilitate **the** development [*or*] **and** prevent **the** decline of regionally significant industrial  
 23 sites;

24 (c) Create [*or*] **and** maintain jobs in the region; and

25 (d) Improve access to career and technical education, workforce training programs and higher  
 26 education to enhance the availability of a qualified workforce for employers in the region.

27 (2) To make recommendations to the Legislative Assembly for policies and strategies intended  
 28 to improve the availability of career and technical education, workforce training programs and  
 29 higher education for the purpose of improving the availability of a qualified workforce for employers  
 30 in the [*Eastern Oregon Border Economic Development*] region.

31 (3) To identify specific laws that place specific workforce development [*or*] **and** economic de-  
 32 velopment efforts in the [*Eastern Oregon Border Economic Development*] region, including develop-  
 33 ment of residential housing necessary to attract and keep employees in the region, at a competitive  
 34 disadvantage **with respect** to the same type of efforts **made** in the areas across the Oregon border  
 35 [*as described in ORS 284.786*] **from the region and to take action in accordance with ORS**  
 36 **284.786 upon identifying such laws.**

37 [(4) *Subject to the availability of funds in the Eastern Oregon Border Economic Development Board*  
 38 *Fund, to make grants or loans to qualified applicants pursuant to ORS 284.791, not to exceed a total*  
 39 *of 10 active grants at any one time.*]

40 [(5) *To establish a means to evaluate grants or loans made by the board and the department, in-*  
 41 *cluding, but not limited to, determining the number of businesses or regionally significant industrial*  
 42 *sites assisted, the types and amount of resources leveraged, return on investment criteria, performance*  
 43 *and outcome measures and methods to evaluate the impact on jobs and wages in any area of the*  
 44 *Eastern Oregon Border Economic Development Region to which grant or loan moneys were applied or*  
 45 *in which they were utilized.*]

1       **(4) To enter into an agreement with a third-party administrator, subject to approval by**  
 2 **the Oregon Business Development Department under section 6 of this 2020 special session**  
 3 **Act, pursuant to which the third-party administrator shall operate one or more programs**  
 4 **to award grants and make loans in accordance with ORS 284.791.**

5       [(6)] (5) To facilitate collaboration among employers, local governments, state agencies and  
 6 stakeholders for the purpose of enhancing and expanding workforce development and economic de-  
 7 velopment in the region.

8       [(7)] (6) To consult with affected school districts, community colleges and universities and the  
 9 Employment Department in identifying policies and strategies that will enhance and promote  
 10 workforce development to improve the availability of a qualified workforce for employers in the  
 11 [*Eastern Oregon Border Economic Development*] region.

12       **(7) To adopt rules that define the region more specifically and to consult with the Oregon**  
 13 **Business Development Department in the rulemaking process.**

14       [(8) *To report annually on or before December 31 of each year to standing and interim committees*  
 15 *of the Legislative Assembly related to economic development regarding implementation and adminis-*  
 16 *tration of the Eastern Oregon Border Economic Development Board and grants or loans made by the*  
 17 *board and the Oregon Business Development Department pursuant to ORS 284.791. The report may*  
 18 *include recommendations regarding proposed legislation and strategies to improve workforce develop-*  
 19 *ment and economic development in the region.*]

20       **(8) To prescribe the form of the application required under ORS 284.791 (3).**

21       **SECTION 4.** ORS 284.786 is amended to read:

22       284.786. [(1) *The Eastern Oregon Border Economic Development Board may identify specific laws*  
 23 *that repeatedly place specific workforce development or economic development efforts in the Eastern*  
 24 *Oregon Border Economic Development Region, including development of residential housing necessary*  
 25 *to attract and keep employees in the region, at a competitive disadvantage to the same type of efforts*  
 26 *in the areas across the Oregon border.*]

27       [(2)] (1) Upon identifying a specific law **in accordance with ORS 284.781 (3)**, the **Eastern**  
 28 **Oregon Border Economic Development** Board:

29       (a) May recommend to the agency, board or commission that imposes or administers [*such a*] **the**  
 30 law that the agency, board or commission consider an exception or waiver to the law[, *where per-*  
 31 *mitted by law,*] **in order** to assist in workforce development and economic development efforts in the  
 32 **Eastern Oregon Border Economic Development** Region. Within 60 days of receiving a recom-  
 33 mendation from the Eastern Oregon Border Economic Development Board under this paragraph, the  
 34 agency, board or commission shall review the recommendation and hold a public hearing in the re-  
 35 gion, or otherwise consider information from the public and stakeholder entities, to determine  
 36 whether:

37       (A) The law has **repeatedly** posed a [*repeated*] disadvantage to workforce development [*and*] **or**  
 38 economic development in the region in the last five years compared to comparable laws, rules or  
 39 other forms of regulation imposed by the State of Idaho or a political subdivision of the State of  
 40 Idaho; and

41       (B) An exception or waiver to the specific law may be made for the purpose of furthering  
 42 workforce development or economic development in the [*Eastern Oregon Border Economic Develop-*  
 43 *ment*] region.

44       (b) If the agency, board or commission determines that an exception or waiver may not be made  
 45 under paragraph (a) of this subsection, may recommend to the agency, board or commission or to

1 the Legislative Assembly that a specific exception or waiver be *[allowed]* **made** for the purpose of  
2 workforce development or economic development in the region.

3 [(3)] (2) The Eastern Oregon Border Economic Development Board may not recommend an ex-  
4 ception or waiver to a specific law **if**:

5 (a) **The exception or waiver to the law is not permitted by law; or**

6 (b) *[That is related]* **The law relates** to employment or state taxation.

7 **SECTION 5.** Section 6 of this 2020 special session Act is added to and made a part of ORS  
8 284.771 to 284.801.

9 **SECTION 6.** (1) Upon finalizing a proposed agreement with a third-party administrator  
10 pursuant to ORS 284.781 (4), the Eastern Oregon Border Economic Development Board shall  
11 submit the proposed agreement to the Oregon Business Development Department.

12 (2) The department shall review the proposed agreement and if the department deter-  
13 mines that the agreement is sufficient for the purposes of ORS 284.771 to 284.801, department  
14 shall:

15 (a) **Notify the board and the third-party administrator of its determination; and**

16 (b) **Distribute to the third-party administrator all moneys in the Eastern Oregon Border**  
17 **Economic Development Board Fund established under ORS 284.801 that are available for the**  
18 **purpose of awarding grants and making loans in accordance with ORS 284.791.**

19 (3)(a) **If the department determines that the proposed agreement is not sufficient, the**  
20 **department shall return the agreement to the board with recommendations for revising or**  
21 **rejecting the agreement.**

22 (b) **The board may consult with the department regarding the department's recommen-**  
23 **dations and, with the department's approval, resubmit the agreement with appropriate**  
24 **changes as necessary.**

25 (4)(a) **The board or the third-party administrator may terminate the agreement at any**  
26 **time.**

27 (b) **Upon termination of the agreement by either party, the third-party administrator**  
28 **shall transfer all unspent and unobligated moneys remaining from the moneys distributed**  
29 **under subsection (2) of this section to the department for deposit in the Eastern Oregon**  
30 **Border Economic Development Board Fund.**

31 **SECTION 7.** ORS 284.791 is amended to read:

32 284.791. (1)(a) Subject to **available funds**, *[the availability of funds in the Eastern Oregon Border*  
33 *Economic Development Board Fund, the Eastern Oregon Border Economic Development Board may]*  
34 **the third-party administrator shall operate one or more programs to award grants [or] and**  
35 **make** loans to eligible applicants to enhance and expand workforce development or economic de-  
36 velopment in the Eastern Oregon Border Economic Development Region. *[Repayment of loans made*  
37 *under this section is subject to subsection (8) of this section. The board shall make the decision to ap-*  
38 *prove and award grants or loans under this section, but the Oregon Business Development Department*  
39 *shall be responsible for the actual payment of the grants or loans from the Eastern Oregon Border*  
40 *Economic Development Board Fund.]*

41 (b) **No more than 10 programs may be active at any time. A program is active as long**  
42 **as any loan made through the program remains outstanding or any work or project funded**  
43 **or financed by a grant awarded through the program has not been completed in accordance**  
44 **with the grant agreement.**

45 (2) Eligible applicants **for grants and loans** include, but are not limited to:

- 1 (a) Local governments;
- 2 (b) Institutions of higher education as defined in ORS 348.582;
- 3 (c) Private or nonprofit businesses whose principal place of business, or the majority of whose
- 4 workforce, is located in the [*Eastern Oregon Border Economic Development*] region;
- 5 (d) Small business development centers established under ORS 285B.165 to 285B.171;
- 6 (e) Economic development organizations;
- 7 (f) School districts; and
- 8 (g) Other **types of** entities [*as defined by the board*] **specified by the Eastern Oregon Border**
- 9 **Economic Development Board** by rule.

10 (3)(a) An eligible applicant may apply **to the third-party administrator** for a grant or loan

11 [*by submitting an application and paying the required application fee, if any, in accordance with rules*

12 *adopted by the board in consultation with the department. The rules must, at a minimum.*]. **The**

13 **third-party administrator may not consider an application unless the application is timely**

14 **and accompanied by any required application fee. The third-party administrator shall pre-**

15 **scribe deadlines for the application process.**

16 [(a)] (b) [*Establish criteria for the award of grants or loans under this section that provide that*

17 *the*] **An** applicant must demonstrate **that** the grant or loan moneys will be used for:

18 (A) Economic development that will lead to private investment, job creation or retention and the

19 establishment or expansion of viable businesses in the region;

20 (B) Expansion of [*a*] transportation infrastructure [*sufficient*] to facilitate moving traded sector

21 goods or services in the region to market;

22 (C) Enhancement and expansion of workforce development in the region, including development

23 of residential housing necessary to attract and keep employees in the region, that is responsive to

24 the needs of the region's businesses and industries;

25 (D) Certification of regionally significant industrial sites within the region;

26 (E) Extension of private utilities, including, but not limited to, gas and electrical connections,

27 to regionally significant industrial sites within the region;

28 (F) A due diligence assessment pursuant to the Oregon Industrial Site Readiness Assessment

29 Program under ORS 285B.635 to 285B.640 or other assessments or evaluations that prepare a site

30 for development; or

31 (G) Provision of support services and technical assistance to entrepreneurs and business owners

32 in the region, including, but not limited to, small business development centers established under

33 ORS 285B.165 to 285B.171.; and]

34 [(b) *Establish criteria for repayment of loans, collection of moneys owed and repayment of grant*

35 *proceeds in the event of default.*]

36 [(4) *Applications for loans must contain:*]

37 [(a) *A plan for repayment by the applicant to the Eastern Oregon Border Economic Development*

38 *Board Fund of moneys borrowed from the fund plus interest; and]*

39 [(b) *If required by the department and the board, evidence of debt assurance of, or security for,*

40 *repayment by the applicant.*]

41 (c) **Applications for loans must contain a proposed plan for repayment with interest of**

42 **moneys borrowed from the third-party administrator under this section.**

43 (d) **The board shall adopt rules that, at a minimum, establish criteria for awarding grants**

44 **and making loans under this section, in addition to the criteria set forth in paragraph (b)**

45 **of this subsection.**

1 [(5)] (4) Loans **may not be** made under this section[:]

2 [(a) *May not be*] for a [*loan*] term that exceeds the [*usable*] **useful** life of the work or project for  
3 which the loan funds will be used or a specified number of years from completion **of the work or**  
4 **project**, whichever is less.[: and]

5 [(b) *Are subject to subsection (8) of this section regarding repayment of loans made by the depart-*  
6 *ment.*]

7 [(6)(a)] (5) [*Grants or loans made under this section are payable solely from the Eastern Oregon*  
8 *Border Economic Development Board Fund established under ORS 284.801.*] Amounts paid as grants  
9 [*or*] **and** loans shall not constitute a debt of the state or a lending of the credit of the state within  
10 the meaning of any [*constitutional or*] statutory limitation **and are not intended to constitute a**  
11 **debt of the state or a lending of the credit of the state within the meaning of any constitu-**  
12 **tional limitation.**

13 [(b) *Notwithstanding paragraph (a) of this subsection, nothing in this section is intended to impair*  
14 *the exercise of rights granted against the security for a loan, if any.*]

15 [(7)] (6) The [*department shall assist the board in evaluating*] **third-party administrator shall**  
16 **consider** applications for grants [*or*] **and** loans under this section by:

17 (a) Evaluating timelines for completion of work and projects for which grant or loan moneys  
18 requested in the application will be used;

19 (b) Investigating whether necessary permits for development, if needed, have been or can be  
20 secured in a timely manner;

21 [(c) *Recommending how to maximize use of grant or loan moneys to ensure successful completion*  
22 *of the work or project for which the grant or loan moneys will be used;*]

23 [(d)] (c) Assessing the ability of the applicant to repay the grant or loan; **and**

24 (d) **Applying any other methods or criteria the third-party administrator considers nec-**  
25 **essary or convenient for the purpose.**

26 [(e) *Documenting the strengths, weaknesses and risks of the applicant and project; and*]

27 [(f) *Making recommendations regarding terms and conditions for approval of a grant or loan.*]

28 [(8) *The department shall adopt rules governing repayment of loans made under this section and*  
29 *collection of moneys owed to the Eastern Oregon Border Economic Development Board Fund. The de-*  
30 *partment may seek appropriate legal remedies to secure repayment of any loans made under this section*  
31 *that are due to the fund.*]

32 [(9)] (7) The [*department may assess and charge*] **agreement between the board and the**  
33 **third-party administrator shall include limits on administrative** fees, including, but not limited  
34 to, application fees, [*for loans or grants made*] under this section **that the third-party adminis-**  
35 **trator may collect or retain from grant and loan proceeds.**

36 (8) **The third-party administrator may enter into an agreement with a lending partner for**  
37 **the purpose of administering loans made under this section.**

38 (9) **The following moneys shall be retained and accumulated by the third-party adminis-**  
39 **trator to be used for the purposes set forth in ORS 284.771 to 284.801:**

40 (a) **Moneys received as repayment of loans;**

41 (b) **Moneys received as repayment of grant proceeds in the event of default by the**  
42 **grantee under the grant agreement;**

43 (c) **Interest and other receipts from outstanding indebtedness; and**

44 (d) **Moneys from any other sources received pursuant to an agreement entered into**  
45 **pursuant to ORS 284.781 (4).**

1       **(10) The agreement shall specify the amount of moneys distributed under section 6 of this**  
 2 **2020 special session Act that the third-party administrator may retain for expenses incurred**  
 3 **in operating grant and loan programs under this section.**

4       **SECTION 8.** ORS 284.796 is amended to read:

5       284.796. The Eastern Oregon Border Economic Development Board[, *in consultation with the*  
 6 *Oregon Business Development Department,*] shall adopt rules to implement and administer the pro-  
 7 visions of ORS 284.771 to 284.801 **and may consult with the Oregon Business Development De-**  
 8 **partment in the rulemaking process.**

9       **SECTION 9.** ORS 284.801 is amended to read:

10       284.801. (1) The Eastern Oregon Border Economic Development Board Fund is established in the  
 11 State Treasury, separate and distinct from the General Fund. Interest earned by the Eastern Oregon  
 12 Border Economic Development Board Fund shall be credited to the fund.

13       (2) Moneys in the fund are continuously appropriated to the Oregon Business Development  
 14 Department[:] **for distribution to the third-party administrator under section 6 of this 2020**  
 15 **special session Act.**

16       [(a) *For distribution to the Eastern Oregon Border Economic Development Board for the purposes*  
 17 *set forth in ORS 284.771 to 284.801; and]*

18       [(b) *To reimburse the department for the administrative costs of the department incurred in pro-*  
 19 *cessing grant or loan applications, investigating the eligibility of applicants and servicing outstanding*  
 20 *grants and loans. Reimbursements made under this paragraph may not exceed an annual amount equal*  
 21 *to the total revenues received in that year from applicant fees assessed and charged by the department*  
 22 *under ORS 284.791, plus four percent of the total asset value of the fund.]*

23       (3) Moneys in the Eastern Oregon Border Economic Development Board Fund consist of:

24       [(a) *Applicant fees for grants or loans assessed, charged and paid pursuant to ORS 284.791;*]

25       [(b) (a) Moneys [*received as repayment of principal and interest on loans made from the fund*  
 26 *under ORS 284.771 to 284.801]* **returned to the fund upon termination of an agreement pursuant**  
 27 **to section 6 (4)(b) of this 2020 special session Act;**

28       [(c) (b) Amounts appropriated or otherwise transferred to the fund by the Legislative Assembly;

29       [(d) (c) Amounts donated to the fund;

30       [(e) (d) Moneys transferred to the fund from the federal government, state agencies or local  
 31 governments;

32       [(f) (e) Lottery bond proceeds [*approved*] **allocated** by the Legislative Assembly for deposit in  
 33 the fund;

34       [(g) (f) Earnings received on moneys in the fund; and

35       [(h) (g) Other amounts deposited in the fund from any source.

36       [(4) *All repayments of grants or loans, interest and other receipts from outstanding indebtedness*  
 37 *or any other sources shall be retained and accumulated in the fund and shall be used for the purposes*  
 38 *set forth in ORS 284.771 to 284.801.]*

39       [(5) *The Oregon Business Development Department may enter into intergovernmental agreements*  
 40 *under ORS chapter 190 as necessary for the administration of the Eastern Oregon Border Economic*  
 41 *Development Board Fund.]*

42       **SECTION 10.** Section 11 of this 2020 special session Act is added to and made a part of  
 43 **ORS 284.771 to 284.801.**

44       **SECTION 11.** (1) **On or before June 30 of each year, the third-party administrator shall**  
 45 **submit the following information from the previous 12 months to the Eastern Oregon Border**

1 **Economic Development Board:**

2 (a) The number of businesses or regionally significant industrial sites that were assisted  
3 with grants awarded and loans made through programs under ORS 284.791;

4 (b) The types and amount of resources leveraged by the grant and loan moneys;

5 (c) The return on investment, performance and outcome with respect to jobs and wages  
6 in any area of the Eastern Oregon Border Economic Development Region in which grant and  
7 loan moneys were utilized; and

8 (d) Any other information the third-party administrator considers useful in evaluating  
9 the experience of the grant and loan programs.

10 (2)(a) On or before September 15 of each year, the Eastern Oregon Border Economic  
11 Development Board shall submit a report, in the manner required under ORS 192.245, to the  
12 Joint Committee on Ways and Means or the Emergency Board, that sets forth the informa-  
13 tion received from the third-party administrator under subsection (1) of this section and any  
14 other information from any source that the Eastern Oregon Border Economic Development  
15 Board thinks convenient or necessary for evaluating the administration and experience of  
16 the grant and loan program established under ORS 284.771 to 284.801.

17 (b) The Eastern Oregon Border Economic Development Board's report may include rec-  
18 ommendations for legislation and strategies to improve workforce development and economic  
19 development in the region.

20 **SECTION 12.** This 2020 special session Act being necessary for the immediate preserva-  
21 tion of the public peace, health and safety, an emergency is declared to exist, and this 2020  
22 special session Act takes effect on its passage.

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