

Senate Bill 5999

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 Budget and Management Division, Oregon Department of Administrative Services)

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**.

Appropriates moneys from General Fund to Department of Higher Education for capital construction.

Limits for six-year period beginning July 1, 2007, payment of expenses from bond proceeds and other revenues, including federal funds, collected or received by Department of Higher Education for capital construction within Department of Higher Education and by Department of Community Colleges and Workforce Development for capital construction at community colleges.

Sets expiration date on project approvals and expenditure limitations.

Establishes accounts related to issuance of general obligation bonds under Article XI-G of Oregon Constitution.

Authorizes State Treasurer, at request of State Board of Education, to issue bonds under Article XI-G of Oregon Constitution for capital construction at community colleges.

Declares emergency, effective July 1, 2007.

A BILL FOR AN ACT

Relating to state financial administration; creating new provisions; amending sections 26, 27 and 29, chapter 787, Oregon Laws 2005; appropriating money; limiting expenditures; and declaring an emergency.

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

SECTION 1. The State Board of Higher Education shall determine the capital renewal, code compliance and safety projects to be undertaken with moneys made available under section 2 (1)(c) of this 2007 Act on the basis of the board's determination of the most critical deferred maintenance needs. In determining the deferred maintenance needs, the board shall give priority to projects that protect the health and safety of occupants and maintain the structural integrity of facilities.

SECTION 2. Notwithstanding any other law limiting expenditures, the following amounts are established for a six-year period beginning July 1, 2007, as the maximum limit for payment of expenses under this section from bond proceeds and other revenues, including federal funds, collected or received by the Department of Higher Education, for the acquisition of land, improvements to land and the acquisition, planning, constructing, altering, repairing, furnishing and equipping of buildings, facilities and other projects within the Department of Higher Education:

	Article	Article			Other Revenues (including Federal
	XI-G	XI-F(1)	Lottery	Energy	

Note: For budget, see 2007-2009 Biennial Budget

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.

	Bonds	Bonds	Bonds	Loans	COPs	Funds)
1						
2						
3						
4						
5						
6						
7						
8						
9						
10						
11						
12						
13						
14						
15						
16						
17						
18						
19						
20						
21						
22						
23						
24						
25						
26						
27						
28						
29						
30						
31						
32						
33						
34						
35						
36						
37						
38						
39						
40						
41						
42						
43						
44						
45						

1	(L) Nash Hall Deferred						
2	Maintenance/Seismic						
3	Tier II	-	-	7,552,000	6,824,000	-	1,198,000
4	(m) Building rewiring	-	-	-	-	5,000,000	-
5	(5) Portland State University						
6	(a) Parking expansion						
7	(block 189 development)	-	12,000,000	-	-	-	-
8	(b) Student housing and						
9	land acquisition	-	1	-	-	-	-
10	(c) Peter Stott Center						
11	gym expansion	-	8,500,000	-	-	-	-
12	(d) Retail development	-	1	-	-	-	-
13	(e) Land acquisition	-	1	-	-	-	-
14	(f) Walk of the Heroines						
15	Project	-	-	-	-	-	1,800,000
16	(g) Science Research and Teaching						
17	Center/Hazardous Waste						
18	Facility	9,500,000	-	-	-	-	9,500,000
19	(h) Lincoln Hall Deferred						
20	Maintenance/Seismic						
21	Tier I	-	-	17,232,000	11,986,000	-	-
22	(i) Science Building II						
23	Deferred Maintenance/						
24	Seismic Tier II	-	-	15,317,000	10,992,000	-	-
25	(j) Campus fiber expansion						
26	and telecom facility						
27	upgrades	-	-	-	-	1,000,000	-
28	(6) Southern Oregon University,						
29	Theater Arts Expansion						
30	and Remodel	-	-	4,350,000	-	-	4,350,000
31	(7) University of Oregon						
32	(a) Riverfront Research						
33	Park Multitenant						
34	Building	-	19,250,000	-	-	-	-
35	(b) Riverfront Research						
36	Park building purchase	-	14,373,000	-	-	-	-
37	(c) New student housing	-	1	-	-	-	-
38	(d) Food service upgrade	-	1,000,000	-	-	-	-
39	(e) Residence hall renewal	-	2,000,000	-	-	-	-
40	(f) Residence hall renewal						
41	for marketing	-	2,000,000	-	-	-	-
42	(g) Gilbert/Peterson Hall						
43	phase 3	-	-	-	-	-	5,000,000
44	(h) Oregon State Museum						
45	of Anthropology	-	-	-	-	-	2,500,000

1	(i) Integrative Science						
2	Complex, Phase 2	30,000,000	-	-	-	-	30,000,000
3	(j) Fenton Hall Deferred						
4	Maintenance/Seismic						
5	Tier I	-	-	4,961,000	3,111,000	-	-
6	(k) Classroom and laboratory						
7	upgrades	-	-	-	-	5,000,000	-
8	(8) Oregon Institute of						
9	Technology						
10	(a) Geothermal Electrical						
11	Generation Project	-	-	2,000,000	3,000,000	-	-
12	(b) Center for Health						
13	Professions	9,000,000	-	-	-	-	11,000,000
14	(9) Project Reserves	-	4,584,190	-	-	-	5,029,521

SECTION 3. Notwithstanding any other law limiting expenditures, the following amounts are established for a six-year period beginning July 1, 2007, as the maximum limit for payment of expenses under this section from bond proceeds and other revenues, including federal funds, collected or received by the Department of Community Colleges and Workforce Development, for the acquisition of and improvements to land and the acquisition, planning, constructing, altering, repairing, furnishing and equipping of buildings and facilities at community colleges:

		Article	Other
		XI-G	Revenues
		Bonds	(including
			Federal
			Funds)
32	(1) Blue Mountain Community College		
33	-Hermiston University Center	\$ 4,000,000	\$ 4,000,000
34	(2) Central Oregon Community College		
35	-Science and Allied Health		
36	Instructional Building	7,500,000	7,500,000
37	(3) Chemeketa Community College		
38	-Classroom and Health Sciences	7,500,000	7,500,000
39	(4) Clatsop Community College		
40	-New campus	17,500,000	17,500,000
41	(5) Clackamas Community College		
42	-Allied Healthcare Center of Excellence	7,500,000	7,500,000
43	(6) Columbia Gorge Community College		
44	-Workforce building	7,500,000	7,500,000
45	(7) Lane Community College		

1	-Health and Wellness Building	7,500,000	7,500,000
2	(8) Linn-Benton Community College		
3	-Library and Student Services Renovation	3,500,000	3,500,000
4	(9) Oregon Coast Community College		
5	-Expansion - Aquarium South		
6	County and Central Campus Land Purchase	7,500,000	7,500,000
7	(10) Portland Community College		
8	-Educational Center	7,500,000	7,500,000
9	(11) Treasure Valley Community College		
10	-Community College/University Center	2,150,000	2,150,000
11	(12) Umpqua Community College		
12	-Regional Health Occupational		
13	Training Center	7,500,000	7,500,000

14
15
16 **SECTION 4.** Notwithstanding any other provision of this 2007 Act, the bond proceeds and
17 other revenues, including federal funds, the expenditures from which are limited by section
18 2 of this 2007 Act, are not available for expenditure before the effective date of this 2007 Act.
19 However, any action taken by the State Board of Higher Education prior to the effective date
20 of this 2007 Act or any contract entered into by the board prior to the effective date of this
21 2007 Act necessary for the acquisition of and improvements to land and the acquisition,
22 planning, constructing, altering, repairing, furnishing and equipping of buildings and facilities
23 authorized by this 2007 Act is hereby authorized.

24 **SECTION 5.** (1) The project approvals and expenditure limitations in this 2007 Act, and
25 the expenditure limitations established by the Emergency Board during the biennium begin-
26 ning July 1, 2007, for capital construction or acquisition projects of the Department of Higher
27 Education and of the Department of Community Colleges and Workforce Development for
28 community colleges, expire on June 30, 2013, unless otherwise noted or unless changed by the
29 Legislative Assembly.

30 (2) The project approvals and expenditure limitations established by section 2 (3)(h) and
31 (4)(f), chapter 845, Oregon Laws 2001, for capital construction or acquisition projects of the
32 Department of Higher Education expire on June 30, 2009, unless otherwise changed by Leg-
33 islative Assembly.

34 **SECTION 6.** (1) Pursuant to Article XI-G of the Oregon Constitution and ORS 286.031 to
35 286.061 and 351.345, the State Board of Higher Education may sell, with the approval of the
36 State Treasurer, general obligation bonds of the State of Oregon of the kind and character
37 and within the limits prescribed by Article XI-G of the Oregon Constitution, as the board
38 determines, but in no event may the board sell more than the aggregate principal sum of
39 \$139,231,035 par value for the biennium beginning July 1, 2007. The moneys realized from the
40 sale of the bonds shall be appropriated and may be expended for the purposes set forth in
41 section 2 (3)(h), chapter 845, Oregon Laws 2001, and in section 2 (5)(f), (i) and (j), (6)(h) and
42 (7)(e), chapter 787, Oregon Laws 2005, and section 2 (2)(b), (3)(b), (4)(k), (5)(g), (7)(i) and (8)(b)
43 of this 2007 Act and for payment for capitalized interest and costs incidental to issuance of
44 the bonds.

45 (2) In compliance with the requirements of Article XI-G of the Oregon Constitution,

1 funds available under the expenditure limitation for bonds issued pursuant to Article XI-G
2 of the Oregon Constitution in section 2 (2)(b) of this 2007 Act are matched with the General
3 Fund appropriation made under section 10 of this 2007 Act.

4 (3) In compliance with the requirements of Article XI-G of the Oregon Constitution,
5 funds available under the expenditure limitation for bonds issued pursuant to Article XI-G
6 of the Oregon Constitution in section 2 (3)(b) of this 2007 Act are matched with the General
7 Fund appropriation made under section 11 of this 2007 Act.

8 (4) In compliance with the requirements of Article XI-G of the Oregon Constitution,
9 funds available under the expenditure limitation for bonds issued pursuant to Article XI-G
10 of the Oregon Constitution in section 2 (4)(k) of this 2007 Act are matched with the General
11 Fund appropriation made under section 12 of this 2007 Act.

12 (5) In compliance with the requirements of Article XI-G of the Oregon Constitution,
13 funds available under the expenditure limitation for bonds issued pursuant to Article XI-G
14 of the Oregon Constitution in section 2 (5)(g) of this 2007 Act are matched with the General
15 Fund appropriation made under section 13 of this 2007 Act.

16 (6) In compliance with the requirements of Article XI-G of the Oregon Constitution,
17 funds available under the expenditure limitation for bonds issued pursuant to Article XI-G
18 of the Oregon Constitution in section 2 (7)(i) of this 2007 Act are matched with the General
19 Fund appropriation made under section 14 of this 2007 Act.

20 (7) In compliance with the requirements of Article XI-G of the Oregon Constitution,
21 funds available under the expenditure limitation for bonds issued pursuant to Article XI-G
22 of the Oregon Constitution in section 2 (8)(b) of this 2007 Act are matched with the General
23 Fund appropriation made under section 15 of this 2007 Act.

24 **SECTION 7.** Notwithstanding the expenditure limitations established under sections 2 and
25 8 of this 2007 Act, the State Board of Higher Education may increase any limit for expen-
26 ditures from other revenues, including federal funds, prescribed by sections 2 and 8 of this
27 2007 Act for a specific project, if the expenditure limitation for bonds issued pursuant to
28 Article XI-F(1) or XI-G of the Oregon Constitution for the project is reduced by the board
29 in the same amount.

30 **SECTION 8.** (1) Notwithstanding the expenditure limitations established under section 2
31 of this 2007 Act, and subject to subsection (3) of this section, the State Board of Higher Ed-
32 ucation may expend amounts that exceed the expenditure limitations established under sec-
33 tion 2 (2) to (8) of this 2007 Act for bonds issued pursuant to Article XI-F(1) of the Oregon
34 Constitution by the following percentage amounts:

35 (a) For a project with a combined approved General Fund appropriation and total ex-
36 penditure limitation of \$500,000 to \$999,999 under section 2 of this 2007 Act, up to 12 percent
37 of the expenditure limitation for bonds issued pursuant to Article XI-F(1) of the Oregon
38 Constitution.

39 (b) For a project with a combined approved General Fund appropriation and total ex-
40 penditure limitation of \$1,000,000 to \$4,999,999 under section 2 of this 2007 Act, up to eight
41 percent of the expenditure limitation for bonds issued pursuant to Article XI-F(1) of the
42 Oregon Constitution.

43 (c) For a project with a combined approved General Fund appropriation and total ex-
44 penditure limitation of \$5,000,000 to \$9,999,999 under section 2 of this 2007 Act, up to five
45 percent of the expenditure limitation for bonds issued pursuant to Article XI-F(1) of the

Oregon Constitution.

(d) For a project with a combined approved General Fund appropriation and total expenditure limitation of \$10,000,000 or more under section 2 of this 2007 Act, up to three percent of the expenditure limitation for bonds issued pursuant to Article XI-F(1) of the Oregon Constitution.

(2) Notwithstanding the expenditure limitations established under section 2 of this 2007 Act, and subject to subsection (3) of this section, the State Board of Higher Education may expend amounts that exceed the expenditure limitations established under section 2 (2) to (8) of this 2007 Act for other revenues, including federal funds, by the following percentage amounts:

(a) For a project with a combined approved General Fund appropriation and total expenditure limitation of \$500,000 to \$999,999 under section 2 of this 2007 Act, up to 12 percent of the expenditure limitation for other revenues, including federal funds.

(b) For a project with a combined approved General Fund appropriation and total expenditure limitation of \$1,000,000 to \$4,999,999 under section 2 of this 2007 Act, up to eight percent of the expenditure limitation for other revenues, including federal funds.

(c) For a project with a combined approved General Fund appropriation and total expenditure limitation of \$5,000,000 to \$9,999,999 under section 2 of this 2007 Act, up to five percent of the expenditure limitation for other revenues, including federal funds.

(d) For a project with a combined approved General Fund appropriation and total expenditure limitation of \$10,000,000 or more under section 2 of this 2007 Act, up to three percent of the expenditure limitation for other revenues, including federal funds.

(3) The total amount by which the expenditure limitations established under section 2 of this 2007 Act are exceeded under subsections (1) and (2) of this section may not be greater than the sum of the amounts established under section 2 (9) of this 2007 Act.

SECTION 9. Notwithstanding ORS 351.345 and section 2 of this 2007 Act, the State Board of Higher Education may issue bonds for a project listed in section 2 (2)(b), (3)(b), (4)(k), (5)(g), (7)(i) or (8)(b) of this 2007 Act:

(1) If the total amount from other revenues, including federal funds, identified for the project in the expenditure limitation in section 2 of this 2007 Act has been received by the state board; or

(2) After reporting to the Emergency Board or the Joint Committee on Ways and Means, if the total amount from other revenues, including federal funds, identified for the project in the expenditure limitation in section 2 of this 2007 Act has not been received by the state board.

SECTION 10. (1) There is established in the General Fund an account to be known as the Western Oregon University Business, Math and Computer Science Facility Project Account. Funds in the account shall be used for the construction, remodeling, expansion and renovation of facilities for a facility project at Western Oregon University.

(2) The account shall consist of proceeds from lottery bonds, grant funds, gift funds, federal and local government funds made available to and funds donated to the Department of Higher Education for the purpose of the facility project described in subsection (1) of this section. Interest earned on moneys in the account shall be credited to the account. The account may not be credited with more than \$5,000,000 for purposes of this subsection.

(3) Moneys in the account shall be considered to be General Fund moneys for purposes

of section 1 (3), Article XI-G of the Oregon Constitution, are continuously appropriated to the Department of Higher Education and may be transferred to the Department of Higher Education Capital Construction Fund for the facility project described in subsection (1) of this section.

SECTION 11. (1) There is established in the General Fund an account to be known as the Eastern Oregon University Hermiston University Center Account. Funds in the account shall be used for the construction, remodeling, expansion and renovation of facilities for a university center at the Eastern Oregon University.

(2) The account shall consist of grant funds, gift funds, federal and local government funds made available to and funds donated to the Department of Higher Education for the purpose of the university center project described in subsection (1) of this section. Interest earned on moneys in the account shall be credited to the account. The account may not be credited with more than \$6,500,000 for purposes of this subsection.

(3) Moneys in the account shall be considered to be General Fund moneys for purposes of section 1 (3), Article XI-G of the Oregon Constitution, are continuously appropriated to the Department of Higher Education and may be transferred to the Department of Higher Education Capital Construction Fund for the university center project described in subsection (1) of this section.

SECTION 12. (1) There is established in the General Fund an account to be known as the Oregon State University Pauling Research and Education Building Account. Funds in the account shall be used for the construction, remodeling, expansion and renovation of facilities for the Pauling Research and Education Building at the Oregon State University.

(2) The account shall consist of grant funds, gift funds, federal and local government funds made available to and funds donated to the Department of Higher Education for the purpose of the Pauling Research and Education Building project described in subsection (1) of this section. Interest earned on moneys in the account shall be credited to the account. The account may not be credited with more than \$31,256,035 for purposes of this subsection.

(3) Moneys in the account shall be considered to be General Fund moneys for purposes of section 1 (3), Article XI-G of the Oregon Constitution, are continuously appropriated to the Department of Higher Education and may be transferred to the Department of Higher Education Capital Construction Fund for the Pauling Research and Education Building project described in subsection (1) of this section.

SECTION 13. (1) There is established in the General Fund an account to be known as the Portland State University Science Research and Teaching Center and Hazardous Waste Facility Account. Funds in the account shall be used for the construction, remodeling, expansion and renovation of facilities for a Science Research and Teaching Center and Hazardous Waste Facility at Portland State University.

(2) The account shall consist of grant funds, gift funds, proceeds of legal settlements, federal and local government funds made available to and funds donated to the Department of Higher Education for the purpose of the center and facility project described in subsection (1) of this section. Interest earned on moneys in the account shall be credited to the account. The account may not be credited with more than \$9,500,000 for purposes of this subsection.

(3) Moneys in the account shall be considered to be General Fund moneys for purposes of section 1 (3), Article XI-G of the Oregon Constitution, are continuously appropriated to the Department of Higher Education and may be transferred to the Department of Higher

Education Capital Construction Fund for the center and facility project described in subsection (1) of this section.

SECTION 14. (1) There is established in the General Fund an account to be known as the University of Oregon Integrative Science Complex, Phase 2 Account. Funds in the account shall be used for the construction, remodeling, expansion and renovation of facilities for an Interactive Science Complex, Phase 2 at the University of Oregon.

(2) The account shall consist of grant funds, gift funds, federal and local government funds made available to and funds donated to the Department of Higher Education for the purpose of the Interactive Science Complex, Phase 2 project described in subsection (1) of this section. Interest earned on moneys in the account shall be credited to the account. The account may not be credited with more than \$30,000,000 for purposes of this subsection.

(3) Moneys in the account shall be considered to be General Fund moneys for purposes of section 1 (3), Article XI-G of the Oregon Constitution, are continuously appropriated to the Department of Higher Education and may be transferred to the Department of Higher Education Capital Construction Fund for the Interactive Science Complex, Phase 2 project described in subsection (1) of this section.

SECTION 15. (1) There is established in the General Fund an account to be known as the Oregon Institute of Technology Center for Health Professions Account. Funds in the account shall be used for the construction, remodeling, expansion and renovation of facilities for a Center for Health Professions project for the Oregon Institute of Technology.

(2) The account shall consist of grant funds, gift funds, federal and local government funds made available to and funds donated to the Department of Higher Education for the purpose of the Center for Health Professions project described in subsection (1) of this section. Interest earned on moneys in the account shall be credited to the account. The account may not be credited with more than \$9,000,000 for purposes of this subsection.

(3) Moneys in the account shall be considered to be General Fund moneys for purposes of section 1 (3), Article XI-G of the Oregon Constitution, are continuously appropriated to the Department of Higher Education and may be transferred to the Department of Higher Education Capital Construction Fund for the Center for Health Professions project described in subsection (1) of this section.

SECTION 16. (1) Pursuant to Article XI-G of the Oregon Constitution and ORS 286.031 to 286.061 and ORS 341.721, the State Treasurer may sell, at the request of the State Board of Education, general obligation bonds of the State of Oregon of the kind and character and within the limits prescribed by Article XI-G of the Oregon Constitution, as the treasurer determines, but in no event may the treasurer sell more than the aggregate principal sum of \$99,750,000 par value for the biennium beginning July 1, 2007. The moneys realized from the sale of the bonds shall be appropriated and may be expended for the purposes set forth in section 3 of this 2007 Act and sections 3 (5) and (6), chapter 787, Oregon Laws 2005, for payment for capitalized interest and costs incidental to issuance of the bonds.

(2) In compliance with the requirements of Article XI-G of the Oregon Constitution, funds available under the expenditure limitation for bonds issued pursuant to Article XI-G of the Oregon Constitution in section 3 (1) of this 2007 Act are matched with the General Fund appropriation made under section 18 of this 2007 Act.

(3) In compliance with the requirements of Article XI-G of the Oregon Constitution, funds available under the expenditure limitation for bonds issued pursuant to Article XI-G

1 of the Oregon Constitution in section 3 (2) of this 2007 Act are matched with the General
2 Fund appropriation made under section 19 of this 2007 Act.

3 (4) In compliance with the requirements of Article XI-G of the Oregon Constitution,
4 funds available under the expenditure limitation for bonds issued pursuant to Article XI-G
5 of the Oregon Constitution in section 3 (3) of this 2007 Act are matched with the General
6 Fund appropriation made under section 20 of this 2007 Act.

7 (5) In compliance with the requirements of Article XI-G of the Oregon Constitution,
8 funds available under the expenditure limitation for bonds issued pursuant to Article XI-G
9 of the Oregon Constitution in section 3 (4) of this 2007 Act are matched with the General
10 Fund appropriation made under section 21 of this 2007 Act.

11 (6) In compliance with the requirements of Article XI-G of the Oregon Constitution,
12 funds available under the expenditure limitation for bonds issued pursuant to Article XI-G
13 of the Oregon Constitution in section 3 (5) of this 2007 Act are matched with the General
14 Fund appropriation made under section 22 of this 2007 Act.

15 (7) In compliance with the requirements of Article XI-G of the Oregon Constitution,
16 funds available under the expenditure limitation for bonds issued pursuant to Article XI-G
17 of the Oregon Constitution in section 3 (6) of this 2007 Act are matched with the General
18 Fund appropriation made under section 23 of this 2007 Act.

19 (8) In compliance with the requirements of Article XI-G of the Oregon Constitution,
20 funds available under the expenditure limitation for bonds issued pursuant to Article XI-G
21 of the Oregon Constitution in section 3 (7) of this 2007 Act are matched with the General
22 Fund appropriation made under section 24 of this 2007 Act.

23 (9) In compliance with the requirements of Article XI-G of the Oregon Constitution,
24 funds available under the expenditure limitation for bonds issued pursuant to Article XI-G
25 of the Oregon Constitution in section 3 (8) of this 2007 Act are matched with the General
26 Fund appropriation made under section 25 of this 2007 Act.

27 (10) In compliance with the requirements of Article XI-G of the Oregon Constitution,
28 funds available under the expenditure limitation for bonds issued pursuant to Article XI-G
29 of the Oregon Constitution in section 3 (9) of this 2007 Act are matched with the General
30 Fund appropriation made under section 26 of this 2007 Act.

31 (11) In compliance with the requirements of Article XI-G of the Oregon Constitution,
32 funds available under the expenditure limitation for bonds issued pursuant to Article XI-G
33 of the Oregon Constitution in section 3 (10) of this 2007 Act are matched with the General
34 Fund appropriation made under section 27 of this 2007 Act.

35 (12) In compliance with the requirements of Article XI-G of the Oregon Constitution,
36 funds available under the expenditure limitation for bonds issued pursuant to Article XI-G
37 of the Oregon Constitution in section 3 (11) of this 2007 Act are matched with the General
38 Fund appropriation made under section 28 of this 2007 Act.

39 (13) In compliance with the requirements of Article XI-G of the Oregon Constitution,
40 funds available under the expenditure limitation for bonds issued pursuant to Article XI-G
41 of the Oregon Constitution in section 3 (12) of this 2007 Act are matched with the General
42 Fund appropriation made under section 29 of this 2007 Act.

43 **SECTION 17.** Notwithstanding section 3 of this 2007 Act, at the request of the State
44 Board of Education, the State Treasurer may issue bonds for a project listed in section 3 of
45 this 2007 Act:

(1) If the total amount from other revenues, including federal funds, identified for the project in the expenditure limitation in section 3 of this 2007 Act has been received by the Department of Community Colleges and Workforce Development; or

(2) After the department reports to the Emergency Board or the Joint Committee on Ways and Means, if the total amount from other revenues, including federal funds, identified for the project in the expenditure limitation in section 3 of this 2007 Act has not been received by the department.

SECTION 18. (1) There is established in the General Fund an account to be known as the Blue Mountain Community College Facilities Account. Moneys in the account shall be used to construct, improve, repair, equip, furnish and purchase land for facilities for the Blue Mountain Community College District.

(2) The account may consist of the following moneys that have been deposited in the account by the Department of Community Colleges and Workforce Development at the request of the Blue Mountain Community College District for the purposes listed in subsection (1) of this section:

(a) Moneys from federal and local governments;

(b) Donations;

(c) Community College Support Fund moneys transferred to the account by the department at the request of the community college district;

(d) Building reserve funds of the community college district transferred to the department from the community college district; and

(e) Proceeds from the sale of bonds issued by the community college district.

(3) Interest earned on moneys in the account shall be credited to the account.

(4) The account may not be credited with more than \$4,000,000 in donations, Community College Support Fund moneys, proceeds from the sale of bonds, building reserve funds, federal and local government funds and interest.

(5) Moneys in the account shall be considered to be General Fund moneys for purposes of section 1 (3), Article XI-G of the Oregon Constitution, are continuously appropriated to the department and may be transferred to the Community College Capital Construction Fund for the purpose of making distributions to the Blue Mountain Community College District for the purposes listed in subsection (1) of this section.

SECTION 19. (1) There is established in the General Fund an account to be known as the Central Oregon Community College Facilities Account. Moneys in the account shall be used to construct, improve, repair, equip and furnish facilities and purchase land for facilities for the Central Oregon Community College District.

(2) The account may consist of the following moneys that have been deposited in the account by the Department of Community Colleges and Workforce Development at the request of the Central Oregon Community College District for the purposes listed in subsection (1) of this section:

(a) Moneys from federal and local governments;

(b) Donations;

(c) Community College Support Fund moneys transferred to the account by the department at the request of the community college district;

(d) Building reserve funds of the community college district transferred to the department from the community college district; and

(e) Proceeds from the sale of bonds issued by the community college district.

(3) Interest earned on moneys in the account shall be credited to the account.

(4) The account may not be credited with more than \$7,500,000 in donations, Community College Support Fund moneys, proceeds from the sale of bonds, building reserve funds, federal and local government funds and interest.

(5) Moneys in the account shall be considered to be General Fund moneys for purposes of section 1 (3), Article XI-G of the Oregon Constitution, are continuously appropriated to the department and may be transferred to the Community College Capital Construction Fund for the purpose of making distributions to the Central Oregon Community College District for the purposes listed in subsection (1) of this section.

SECTION 20. (1) There is established in the General Fund an account to be known as the Chemeketa Community College Facility Account. Moneys in the account shall be used to construct, improve, repair, equip and furnish facilities and purchase land for facilities for the Chemeketa Community College District.

(2) The account may consist of the following moneys that have been deposited in the account by the Department of Community Colleges and Workforce Development at the request of the Chemeketa Community College District for the purposes listed in subsection (1) of this section:

(a) Moneys from federal and local governments;

(b) Donations;

(c) Community College Support Fund moneys transferred to the account by the department at the request of the community college district;

(d) Building reserve funds of the community college district transferred to the department from the community college district; and

(e) Proceeds from the sale of bonds issued by the community college district.

(3) Interest earned on moneys in the account shall be credited to the account.

(4) The account may not be credited with more than \$7,500,000 in donations, Community College Support Fund moneys, proceeds from the sale of bonds, building reserve funds, federal and local government funds and interest.

(5) Moneys in the account shall be considered to be General Fund moneys for purposes of section 1 (3), Article XI-G of the Oregon Constitution, are continuously appropriated to the department and may be transferred to the Community College Capital Construction Fund for the purpose of making distributions to the Chemeketa Community College District for the purposes listed in subsection (1) of this section.

SECTION 21. Section 29, chapter 787, Oregon Laws 2005, is amended to read:

Sec. 29. (1) There is established in the General Fund an account to be known as the Clatsop Community College Facilities Account. Moneys in the account shall be used to construct, improve, repair, equip[,] and furnish facilities and purchase land for [new] facilities for the Clatsop Community College District.

(2) The account may consist of the following moneys that have been deposited in the account by the Department of Community Colleges and Workforce Development at the request of the Clatsop Community College District for the purposes listed in subsection (1) of this section:

(a) Moneys from federal and local governments;

(b) Donations;

(c) Community College Support Fund moneys transferred to the account by the department at

the request of the community college district;

(d) Building reserve funds of the community college district transferred to the department from the community college district; and

(e) Proceeds from the sale of bonds issued by the community college district.

(3) Interest earned on moneys in the account shall be credited to the account.

(4) The account may not be credited with more than [\$7,500,000] **\$25,000,000** in donations, Community College Support Fund moneys, proceeds from the sale of bonds, building reserve funds, federal and local government funds and interest.

(5) Moneys in the account shall be considered to be General Fund moneys for purposes of section 1 (3), Article XI-G of the Oregon Constitution, are continuously appropriated to the department and may be transferred to the Community College Capital Construction Fund for the purpose of making distributions to the Clatsop Community College District for the purposes listed in subsection (1) of this section.

SECTION 22. (1) There is established in the General Fund an account to be known as the Clackamas Community College Facilities Account. Moneys in the account shall be used to construct, improve, repair, equip and furnish facilities and purchase land for facilities for the Clackamas Community College District.

(2) The account may consist of the following moneys that have been deposited in the account by the Department of Community Colleges and Workforce Development at the request of the Clackamas Community College District for the purposes listed in subsection (1) of this section:

(a) Moneys from federal and local governments;

(b) Donations;

(c) Community College Support Fund moneys transferred to the account by the department at the request of the community college district;

(d) Building reserve funds of the community college district transferred to the department from the community college district; and

(e) Proceeds from the sale of bonds issued by the community college district.

(3) Interest earned on moneys in the account shall be credited to the account.

(4) The account may not be credited with more than \$7,500,000 in donations, Community College Support Fund moneys, proceeds from the sale of bonds, building reserve funds, federal and local government funds and interest.

(5) Moneys in the account shall be considered to be General Fund moneys for purposes of section 1 (3), Article XI-G of the Oregon Constitution, are continuously appropriated to the department and may be transferred to the Community College Capital Construction Fund for the purpose of making distributions to the Clackamas Community College District for the purposes listed in subsection (1) of this section.

SECTION 23. Section 26, chapter 787, Oregon Laws 2005, is amended to read:

Sec. 26. (1) There is established in the General Fund an account to be known as the Columbia Gorge Community College Facilities Account. Moneys in the account shall be used to construct, improve, repair, equip and furnish facilities and purchase land for facilities for the Columbia Gorge Community College District.

(2) The account may consist of the following moneys that have been deposited in the account by the Department of Community Colleges and Workforce Development at the request of the Columbia Gorge Community College District for the purposes listed in subsection (1) of this section:

(a) Moneys from federal and local governments;

(b) Donations;

(c) Community College Support Fund moneys transferred to the account by the department at the request of the community college district;

(d) Building reserve funds of the community college district transferred to the department from the community college district; and

(e) Proceeds from the sale of bonds issued by the community college district.

(3) Interest earned on moneys in the account shall be credited to the account.

(4) The account may not be credited with more than [\$7,500,000] **\$15,000,000** in donations, Community College Support Fund moneys, proceeds from the sale of bonds, building reserve funds, federal and local government funds and interest.

(5) Moneys in the account shall be considered to be General Fund moneys for purposes of section 1 (3), Article XI-G of the Oregon Constitution, are continuously appropriated to the department and may be transferred to the Community College Capital Construction Fund for the purpose of making distributions to the Columbia Gorge Community College District for the purposes listed in subsection (1) of this section.

SECTION 24. (1) There is established in the General Fund an account to be known as the Lane Community College Facilities Account. Moneys in the account shall be used to construct, improve, repair, equip and furnish facilities and purchase land for facilities for the Lane Community College District.

(2) The account may consist of the following moneys that have been deposited in the account by the Department of Community Colleges and Workforce Development at the request of the Lane Community College District for the purposes listed in subsection (1) of this section:

(a) Moneys from federal and local governments;

(b) Donations;

(c) Community College Support Fund moneys transferred to the account by the department at the request of the community college district;

(d) Building reserve funds of the community college district transferred to the department from the community college district; and

(e) Proceeds from the sale of bonds issued by the community college district.

(3) Interest earned on moneys in the account shall be credited to the account.

(4) The account may not be credited with more than \$7,500,000 in donations, Community College Support Fund moneys, proceeds from the sale of bonds, building reserve funds, federal and local government funds and interest.

(5) Moneys in the account shall be considered to be General Fund moneys for purposes of section 1 (3), Article XI-G of the Oregon Constitution, are continuously appropriated to the department and may be transferred to the Community College Capital Construction Fund for the purpose of making distributions to the Lane Community College District for the purposes listed in subsection (1) of this section.

SECTION 25. (1) There is established in the General Fund an account to be known as the Linn-Benton Community College Facilities Account. Moneys in the account shall be used to construct, improve, repair, equip and furnish facilities and purchase land for facilities for the Linn-Benton Community College District.

(2) The account may consist of the following moneys that have been deposited in the

1 account by the Department of Community Colleges and Workforce Development at the re-
 2 quest of the Linn-Benton Community College District for the purposes listed in subsection
 3 (1) of this section:

4 (a) Moneys from federal and local governments;

5 (b) Donations;

6 (c) Community College Support Fund moneys transferred to the account by the depart-
 7 ment at the request of the community college district;

8 (d) Building reserve funds of the community college district transferred to the depart-
 9 ment from the community college district; and

10 (e) Proceeds from the sale of bonds issued by the community college district.

11 (3) Interest earned on moneys in the account shall be credited to the account.

12 (4) The account may not be credited with more than \$3,500,000 in donations, Community
 13 College Support Fund moneys, proceeds from the sale of bonds, building reserve funds, fed-
 14 eral and local government funds and interest.

15 (5) Moneys in the account shall be considered to be General Fund moneys for purposes
 16 of section 1 (3), Article XI-G of the Oregon Constitution, are continuously appropriated to
 17 the department and may be transferred to the Community College Capital Construction Fund
 18 for the purpose of making distributions to the Linn-Benton Community College District for
 19 the purposes listed in subsection (1) of this section.

20 **SECTION 26.** Section 27, chapter 787, Oregon Laws 2005, is amended to read:

21 **Sec. 27.** (1) There is established in the General Fund an account to be known as the Oregon
 22 Coast Community College Facilities Account. Moneys in the account shall be used to construct,
 23 improve, repair, equip and furnish [*new*] facilities [*in Lincoln City, South Beach and Waldport*] **and**
 24 **purchase land for facilities for the Oregon Coast Community College District.**

25 (2) The account may consist of the following moneys that have been deposited in the account
 26 by the Department of Community Colleges and Workforce Development at the request of the Oregon
 27 Coast Community College District for the purposes listed in subsection (1) of this section:

28 (a) Moneys from federal and local governments;

29 (b) Donations;

30 (c) Community College Support Fund moneys transferred to the account by the department at
 31 the request of the community college district;

32 (d) Building reserve funds of the community college district transferred to the department from
 33 the community college district; and

34 (e) Proceeds from the sale of bonds issued by the community college district.

35 (3) Interest earned on moneys in the account shall be credited to the account.

36 (4) The account may not be credited with more than [*\$4,500,000*] **\$12,000,000** in donations,
 37 Community College Support Fund moneys, proceeds from the sale of bonds, building reserve funds,
 38 federal and local government funds and interest.

39 (5) Moneys in the account shall be considered to be General Fund moneys for purposes of sec-
 40 tion 1 (3), Article XI-G of the Oregon Constitution, are continuously appropriated to the department
 41 and may be transferred to the Community College Capital Construction Fund for the purpose of
 42 making distributions to the Oregon Coast Community College District for the purposes listed in
 43 subsection (1) of this section.

44 **SECTION 27.** (1) **There is established in the General Fund an account to be known as the**
 45 **Portland Community College Facilities Account. Moneys in the account shall be used to**

1 construct, improve, repair, equip and furnish facilities and purchase land for facilities for the
2 Portland Community College District.

3 (2) The account may consist of the following moneys that have been deposited in the
4 account by the Department of Community Colleges and Workforce Development at the re-
5 quest of the Portland Community College District for the purposes listed in subsection (1)
6 of this section:

7 (a) Moneys from federal and local governments;

8 (b) Donations;

9 (c) Community College Support Fund moneys transferred to the account by the depart-
10 ment at the request of the community college district;

11 (d) Building reserve funds of the community college district transferred to the depart-
12 ment from the community college district; and

13 (e) Proceeds from the sale of bonds issued by the community college district.

14 (3) Interest earned on moneys in the account shall be credited to the account.

15 (4) The account may not be credited with more than \$7,500,000 in donations, Community
16 College Support Fund moneys, proceeds from the sale of bonds, building reserve funds, fed-
17 eral and local government funds and interest.

18 (5) Moneys in the account shall be considered to be General Fund moneys for purposes
19 of section 1 (3), Article XI-G of the Oregon Constitution, are continuously appropriated to
20 the department and may be transferred to the Community College Capital Construction Fund
21 for the purpose of making distributions to the Portland Community College District for the
22 purposes listed in subsection (1) of this section.

23 **SECTION 28.** (1) There is established in the General Fund an account to be known as the
24 Treasure Valley Community College Facilities Account. Moneys in the account shall be used
25 to construct, improve, repair, equip and furnish facilities and purchase land for facilities for
26 the Treasure Valley Community College District.

27 (2) The account may consist of the following moneys that have been deposited in the
28 account by the Department of Community Colleges and Workforce Development at the re-
29 quest of the Treasure Valley Community College District for the purposes listed in sub-
30 section (1) of this section:

31 (a) Moneys from federal and local governments;

32 (b) Donations;

33 (c) Community College Support Fund moneys transferred to the account by the depart-
34 ment at the request of the community college district;

35 (d) Building reserve funds of the community college district transferred to the depart-
36 ment from the community college district; and

37 (e) Proceeds from the sale of bonds issued by the community college district.

38 (3) Interest earned on moneys in the account shall be credited to the account.

39 (4) The account may not be credited with more than \$2,150,000 in donations, Community
40 College Support Fund moneys, proceeds from the sale of bonds, building reserve funds, fed-
41 eral and local government funds and interest.

42 (5) Moneys in the account shall be considered to be General Fund moneys for purposes
43 of section 1 (3), Article XI-G of the Oregon Constitution, are continuously appropriated to
44 the department and may be transferred to the Community College Capital Construction Fund
45 for the purpose of making distributions to the Treasure Valley Community College District

for the purposes listed in subsection (1) of this section.

SECTION 29. (1) There is established in the General Fund an account to be known as the Umpqua Community College Facilities Account. Moneys in the account shall be used to construct, improve, repair, equip and furnish facilities and purchase land for facilities for the Umpqua Community College District.

(2) The account may consist of the following moneys that have been deposited in the account by the Department of Community Colleges and Workforce Development at the request of the Umpqua Community College District for the purposes listed in subsection (1) of this section:

(a) Moneys from federal and local governments;

(b) Donations;

(c) Community College Support Fund moneys transferred to the account by the department at the request of the community college district;

(d) Building reserve funds of the community college district transferred to the department from the community college district; and

(e) Proceeds from the sale of bonds issued by the community college district.

(3) Interest earned on moneys in the account shall be credited to the account.

(4) The account may not be credited with more than \$7,500,000 in donations, Community College Support Fund moneys, proceeds from the sale of bonds, building reserve funds, federal and local government funds and interest.

(5) Moneys in the account shall be considered to be General Fund moneys for purposes of section 1 (3), Article XI-G of the Oregon Constitution, are continuously appropriated to the department and may be transferred to the Community College Capital Construction Fund for the purpose of making distributions to the Umpqua Community College District for the purposes listed in subsection (1) of this section.

SECTION 30. This 2007 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2007 Act takes effect July 1, 2007.