

## HOUSE AMENDMENTS TO HOUSE BILL 2295

By COMMITTEE ON JUDICIARY

May 27

1 On page 1 of the printed bill, line 2, after “ORS” delete the rest of the line and line 3 and insert  
2 “283.085, 461.540 and 461.547; appropriating money; and declaring an emergency.”.

3 On page 2, delete lines 31 through 45 and delete pages 3 through 5 and insert:

4 “**SECTION 4.** ORS 461.540 is amended to read:

5 “461.540. (1) There hereby is established in the General Fund of the State Treasury the Admin-  
6 istrative Services Economic Development Fund. All moneys transferred from the State Lottery Fund,  
7 interest earnings credited to this fund and other moneys authorized to be transferred to this fund  
8 from whatever source are appropriated continuously for any of the following public purposes:

9 “(a) Creating jobs;

10 “(b) Furthering economic development in Oregon; or

11 “(c) Financing public education.

12 “(2) Moneys shall be transferred from the Administrative Services Economic Development Fund  
13 to the Education Stability Fund established under ORS 348.696 as described in section 4, Article XV  
14 of the Oregon Constitution.

15 “(3) As used in this section and section 4, Article XV of the Oregon Constitution:

16 “(a) ‘Creating jobs’ includes, but is not limited to:

17 “(A) Supporting the creation of new jobs in Oregon;

18 “(B) Helping prevent the loss of existing jobs in Oregon;

19 “(C) Assisting with work transition to new jobs in Oregon; or

20 “(D) Training or retraining workers.

21 “(b) ‘Education’ includes, but is not limited to, the Education Stability Fund established under  
22 ORS 348.696 and specific programs that support the following:

23 “(A) Prekindergartens;

24 “(B) Elementary and secondary schools;

25 “(C) Community colleges;

26 “(D) Higher education;

27 “(E) Continuing education;

28 “(F) Workforce training and education programs; or

29 “(G) Financial assistance to Oregon students.

30 “(c) ‘Furthering economic development’ includes, but is not limited to, providing:

31 “(A) Services or financial assistance to for-profit and nonprofit businesses located or to be lo-  
32 cated in Oregon;

33 “(B) Services or financial assistance to business or industry associations to promote, expand or  
34 prevent the decline of their businesses;

35 “(C) **Services or financial assistance for construction or renovation of state courthouse**

1 **facilities; or**

2 “[(C)] (D) Services or financial assistance for facilities, physical environments or infrastructure  
3 projects, as defined in ORS 285B.410, that benefit Oregon’s economy.

4 “**SECTION 5.** ORS 461.547 is amended to read:

5 “461.547. (1) The Oregon State Lottery Commission shall transfer an amount allocated by law,  
6 but not to exceed 2.5 percent of the net receipts from video lottery games, from the State Lottery  
7 Fund to counties for economic development activities. However, if net receipts from video lottery  
8 games in any biennium decrease to the point that 2.5 percent of those receipts is less than the  
9 amount allocated for the biennium beginning July 1, 2003, the commission shall transfer an amount  
10 equal to 2.5 percent of the net receipts from video lottery games for that biennium from the State  
11 Lottery Fund to counties for economic development activities. Ninety percent of the moneys shall  
12 be distributed to each county in proportion to the gross receipts from video lottery games from each  
13 county. Ten percent of the moneys shall be distributed in equal amounts to each county.

14 “(2) **Amounts received by counties under this section may be used for construction or**  
15 **renovation of state courthouse facilities.**

16 “[2)] (3) As used in this section:

17 “(a) ‘Gross receipts from video lottery games’ means the amount of money inserted into video  
18 lottery games plus the value of any free game prizes used by players for subsequent games.

19 “(b) ‘Net receipts from video lottery games’ means the amount of money that is received from  
20 the operation of video lottery games after the payment of prizes but prior to any other payment.

21 “**SECTION 6.** ORS 461.547, as amended by section 10a, chapter 734, Oregon Laws 2003, is  
22 amended to read:

23 “461.547. (1) The Oregon State Lottery Commission shall transfer an amount equal to 2.5 percent  
24 of the net receipts from video lottery games from the State Lottery Fund to counties for economic  
25 development activities. Ninety percent of the moneys shall be distributed to each county in propor-  
26 tion to the gross receipts from video lottery games from each county. Ten percent of the moneys  
27 shall be distributed in equal amounts to each county.

28 “(2) **Amounts received by counties under this section may be used for construction or**  
29 **renovation of state courthouse facilities.**

30 “[2)] (3) As used in this section:

31 “(a) ‘Gross receipts from video lottery games’ means the amount of money inserted into video  
32 lottery games plus the value of any free game prizes used by players for subsequent games.

33 “(b) ‘Net receipts from video lottery games’ means the amount of money that is received from  
34 the operation of video lottery games after the payment of prizes but prior to any other payment.

35 “**SECTION 7.** ORS 283.085 is amended to read:

36 “283.085. As used in ORS 283.085 to 283.092, 286.515 and 286.525:

37 “(1) ‘Available funds’ means funds appropriated or otherwise made available by the Legislative  
38 Assembly to pay amounts due under a financing agreement for the fiscal period in which the pay-  
39 ments are due, together with any unexpended proceeds of the financing agreement, and any reserves  
40 or other amounts which have been deposited in trust to pay amounts due under the financing  
41 agreement.

42 “(2) ‘Credit enhancement agreement’ means any agreement or contractual relationship between  
43 the state and any bank, trust company, insurance company, surety bonding company, pension fund  
44 or other financial institution providing additional credit on or security for a financing agreement  
45 or certificates of participation authorized by ORS 283.085 to 283.092, 286.515 and 286.525.

1           “(3) ‘Director’ means the Director of the Oregon Department of Administrative Services.

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

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

6           “(B) To finance infrastructure related to a facility that is owned and operated by the state;

7           “(C) To finance infrastructure components that are owned or operated by a local government  
8 agency of this state if the director determines that financing the infrastructure will facilitate the  
9 construction or operation of an adult or juvenile corrections facility or a public safety training fa-  
10 cility owned and operated by the state or any of its agencies;

11           “(D) To finance all or a portion of the state’s pension liabilities for retirement, health care or  
12 disability benefits, in an amount that produces net proceeds that do not exceed the State Treasurer’s  
13 estimate of those liabilities based on information provided to the State Treasurer by the Public  
14 Employees Retirement System;

15           “(E) To finance all or a portion of the costs of construction or renovation of state  
16 courthouse facilities; or

17           “[(E)] (F) To refinance previously executed financing agreements.

18           “(b) As used in this subsection, ‘infrastructure’ includes, but is not limited to, sewer and water  
19 systems and road improvements.

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

21           “(6) ‘Property rights’ means, with respect to personal property, the rights of a secured party  
22 under ORS chapter 79, and, with respect to real property, the rights of a trustee or lender under a  
23 lease authorized by ORS 283.089 (5).

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

26           “(8) ‘Treasurer’ means the State Treasurer.

27           “**SECTION 8. There is appropriated to the Oregon Department of Administrative Ser-**  
28 **vices, for the biennium beginning July 1, 2005, out of the General Fund, the amount of**  
29 **\$\_\_\_\_\_ for the purpose of paying the expenses of the department and the State Court**  
30 **Facilities Task Force in carrying out sections 1, 2 and 3 of this 2005 Act.**

31           “**SECTION 9. Sections 1, 2 and 3 of this 2005 Act are repealed January 2, 2008.**

32           “**SECTION 10. This 2005 Act being necessary for the immediate preservation of the public**  
33 **peace, health and safety, an emergency is declared to exist, and this 2005 Act takes effect**  
34 **on its passage.”.**

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