

A-Engrossed
House Bill 5023

Ordered by the House August 4
Including House Amendments dated August 4

Ordered printed by the Speaker pursuant to House Rule 12.00A (5). Pre-session filed (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.

Appropriates moneys from General Fund to Emergency Board for allocations during biennium.
Appropriates moneys from General Fund for various programs.
Adjusts specified expenditure limitations.
Declares emergency, effective July 1, 2005.

A BILL FOR AN ACT

1
2 Relating to state financial administration; creating new provisions; amending section 10, chapter
3 _____, Oregon Laws 2005 (Enrolled Senate Bill 5543), and section 4, chapter _____, Oregon
4 Laws 2005 (Enrolled Senate Bill 5546); repealing section 4, chapter _____, Oregon Laws 2005
5 (Enrolled House Bill 5139); appropriating money; limiting expenditures; and declaring an emer-
6 gency.

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

8 **SECTION 1. In addition to and not in lieu of any other appropriation, there is appropri-**
9 **ated to the Emergency Board, for the biennium beginning July 1, 2005, out of the General**
10 **Fund, the amount of \$30,000,000 for the purposes for which the Emergency Board lawfully**
11 **may allocate such moneys.**

12 **SECTION 2. (1) In addition to and not in lieu of any other appropriation, there is appro-**
13 **priated to the Emergency Board, for the biennium beginning July 1, 2005, out of the General**
14 **Fund, the amount of \$130,000,000, to be allocated to state agencies for state employee com-**
15 **penensation changes for the biennium beginning July 1, 2005.**

16 **(2) If any of the moneys appropriated by subsection (1) of this section are not allocated**
17 **by the Emergency Board prior to December 1, 2006, the moneys remaining on that date be-**
18 **come available for any purpose for which the Emergency Board lawfully may allocate funds.**

19 **SECTION 3. (1) In addition to and not in lieu of any other appropriation, there is appro-**
20 **priated to the Emergency Board, for the biennium beginning July 1, 2005, out of the General**
21 **Fund, the amount of \$10,000,000, to be allocated to state agencies for home care worker col-**
22 **lective bargaining changes for the biennium beginning July 1, 2005.**

23 **(2) If any of the moneys appropriated by subsection (1) of this section are not allocated**
24 **by the Emergency Board prior to December 1, 2006, the moneys remaining on that date be-**
25 **come available for any purpose for which the Emergency Board lawfully may allocate funds.**

26 **SECTION 4. Section 4, chapter _____, Oregon Laws 2005 (Enrolled House Bill 5139), is**

Note: For budget, see 2005-2007 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.

1 repealed.

2 **SECTION 5.** Notwithstanding any other law limiting expenditures, the limitation on
3 expenditures established by section 2 (5), chapter _____, Oregon Laws 2005 (Enrolled House
4 Bill 5139), for the biennium beginning July 1, 2005, as the maximum limit for payment of ex-
5 penses from lottery moneys allocated from the Parks and Natural Resources Fund to the
6 State Parks and Recreation Department for facility repair and maintenance, is decreased by
7 \$1,001,999.

8 **SECTION 6.** Notwithstanding any other law limiting expenditures, the limitation on
9 expenditures established by section 2 (2), chapter _____, Oregon Laws 2005 (Enrolled Sen-
10 ate Bill 5546), for the biennium beginning July 1, 2005, as the maximum limit for payment
11 of expenses for South Slough National Estuarine Research Reserve operations, from fees,
12 moneys or other revenues, including Miscellaneous Receipts, but excluding lottery funds and
13 federal funds, collected or received by the Department of State Lands, is increased by
14 \$165,000.

15 **SECTION 7.** Notwithstanding any other law limiting expenditures, the limitation on
16 expenditures established by section 3 (2), chapter _____, Oregon Laws 2005 (Enrolled Sen-
17 ate Bill 5546), for the biennium beginning July 1, 2005, as the maximum limit for payment
18 of expenses for South Slough National Estuarine Research Reserve operations, from federal
19 funds, collected or received by the Department of State Lands, is increased by \$120,000.

20 **SECTION 8.** Section 4, chapter _____, Oregon Laws 2005 (Enrolled Senate Bill 5546), is
21 amended to read:

22 **Sec. 4.** For the biennium beginning July 1, 2005, expenditures by the Department of State Lands
23 for [*distribution of interest earnings on the Common School Fund to counties for apportionment among*
24 *the school districts of the county,*] unclaimed property finders fees and State Treasurer charges for
25 investment related transactions are not limited.

26 **SECTION 9.** The amendments to section 4, chapter _____, Oregon Laws 2005 (Enrolled
27 Senate Bill 5546), by section 8 of this 2005 Act, become operative on January 1, 2006.

28 **SECTION 10.** Section 10, chapter _____, Oregon Laws 2005 (Enrolled Senate Bill 5543), is
29 amended to read:

30 **Sec. 10.** For the biennium beginning July 1, 2005, the following expenditures by the Department
31 of Education **and the Superintendent of Public Instruction** are not limited:

32 (1) [*Moneys*] **Expenditures** from the School Lunch Revolving Account, Education Training Re-
33 volving Account, Private Vocational School Tuition Protection Fund and Distance Learning Fund;
34 [*and*]

35 (2) Expenditures for grants-in-aid and purchased services from federal funds received by the
36 Department of Education from the United States Department of Agriculture; **and**

37 (3) **Expenditures for distribution of moneys transferred by the Department of State**
38 **Lands from the Distributable Income Account, as provided in ORS 327.410.**

39 **SECTION 11.** The amendments to section 10, chapter _____, Oregon Laws 2005 (En-
40 rolled Senate Bill 5543), by section 10 of this 2005 Act become operative on January 1, 2006.

41 **SECTION 12.** In addition to and not in lieu of any other appropriation, there is appro-
42 priated to the Oregon Department of Administrative Services, for the biennium beginning
43 July 1, 2005, out of the General Fund, the amount of \$409,956, which may be expended for
44 operating costs of the Oregon Progress Board.

45 **SECTION 13.** Notwithstanding any other provision of law, the authorized appropriations

1 and expenditure limitations for the biennium beginning July 1, 2005, for the following agen-
 2 cies and programs are changed by the amounts specified:

3
 4
 5 (1) HUMAN SERVICES.
 6

	2005		
	Oregon Laws		
	Chapter/		
Agency/Program/Funds	Section	Adjustment	
Department of Human Services:			
Department-wide support			
services			
General Fund	HB 5148 1(1)	-\$22,596	
Federal funds	HB 5148 4(1)	-788	
Children, Adults and Families			
General Fund	HB 5148 1(2)	-177,352	
Federal funds	HB 5148 4(2)	-3,520	

22
 23 (2) JUDICIAL BRANCH.
 24

	2005		
	Oregon Laws		
	Chapter/		
Agency/Program/Funds	Section	Adjustment	
Public Defense Services			
Commission:			
Legal Services			
General Fund	ch. 552 1(1)	-\$9,446	
Public Defense Services			
Account			
General Fund	ch. 552 1(2)	-256,347	
Contract and Business			
Services			
General Fund	ch. 552 1(3)	+265,793	
Judicial Department:			
Operations			
General Fund	ch. 604 1(1)	+800,000	
Other funds	ch. 604 2	-800,000	

1
2 **(3) NATURAL RESOURCES.**
3

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5 **2005**

6 **Oregon Laws**

7 **Chapter/**

8 **Agency/Program/Funds Section Adjustment**

9

10 **State Department of**

11 **Fish and Wildlife:**

12 **Fish propagation**

13 **Other funds HB 5165 2(1)(a) \$100,000**

14 **State Forestry Department:**

15 **Private and community**

16 **forests**

17 **Other funds SB 5612 2(4) -104,057**

18

19

20 **(4) PUBLIC SAFETY.**
21

22

23 **2005**

24 **Oregon Laws**

25 **Chapter/**

26 **Agency/Program/Funds Section Adjustment**

27

28 **State Board of Parole and**

29 **Post-Prison Supervision**

30 **General Fund HB 5121 1 +\$18,057**

31 **Department of Public Safety**

32 **Standards and Training:**

33 **Operations**

34 **Other funds HB 5136 2(1) +199,164**

35 **Oregon Youth Authority**

36 **Operations**

37 **General Fund ch. 554 1(1) +199,948**

38 **Federal funds ch. 554 3 +4,308**

39

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41 **SECTION 14. Notwithstanding any other law limiting expenditures of the Department of**

42 **Community Colleges and Workforce Development for the payment of expenses of the de-**

43 **partment from federal funds, for the biennium ending June 30, 2005, the limitation on**

44 **expenditures for the Department of Community Colleges and Workforce Development estab-**

45 **lished by section 3, chapter 721, Oregon Laws 2003, as modified by Emergency Board action,**

1 is increased by \$2,000,000.

2 **SECTION 15.** Notwithstanding any other law limiting expenditures of the Teacher Stan-
3 dards and Practices Commission for the payment of expenses of the commission from fees,
4 moneys or other revenues, including Miscellaneous Receipts, but excluding lottery funds and
5 federal funds, collected or received by the commission for the biennium ending June 30, 2005,
6 the limitation on expenditures for the Teacher Standards and Practices Commission estab-
7 lished by section 1, chapter 507, Oregon Laws 2003, as modified by Emergency Board action,
8 is increased by \$30,000.

9 **SECTION 16.** Notwithstanding any other law limiting expenditures of the State Board of
10 Clinical Social Workers for the payment of expenses of the board from fees, moneys or other
11 revenues, including Miscellaneous Receipts, but excluding lottery funds and federal funds,
12 collected or received by the board for the biennium ending June 30, 2005, the limitation on
13 expenditures for the State Board of Clinical Social Workers established by section 1, chapter
14 479, Oregon Laws 2003, as modified by Emergency Board action, is increased by \$1,500.

15 **SECTION 17.** Notwithstanding any other law limiting expenditures, the amount of \$90,000
16 is established for the biennium beginning July 1, 2005, as the maximum limit for payment of
17 expenses from fees, moneys or other revenues, including Miscellaneous Receipts, but ex-
18 cluding lottery funds and federal funds, collected or received by the Oregon Board of Inves-
19 tigators.

20 **SECTION 18.** Notwithstanding any other law limiting expenditures, the amount of
21 \$7,040,489 is established for the biennium beginning July 1, 2005, as the maximum limit for
22 payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts,
23 but excluding lottery funds and federal funds, collected or received by the Oregon State Fair
24 and Exposition Center.

25 **SECTION 19.** Notwithstanding any other law limiting expenditures, the limitation on
26 expenditures established by section 2, chapter _____, Oregon Laws 2005 (Enrolled House
27 Bill 5129), for the biennium beginning July 1, 2005, as the maximum limit for payment of ex-
28 penses from fees, moneys or other revenues, including Miscellaneous Receipts, but excluding
29 lottery funds and federal funds, collected or received by the Department of Justice, is in-
30 creased by \$349,803 for tobacco tax compliance activities.

31 **SECTION 20.** Notwithstanding any other law limiting expenditures, the limitation on
32 expenditures established by section 5, chapter 580, Oregon Laws 2005 (Enrolled Senate Bill
33 5573), for the biennium beginning July 1, 2005, as the maximum limit for payment of expenses
34 from fees, moneys or other revenues, including Miscellaneous Receipts, except those depos-
35 ited in the Multistate Tax Commission Revolving Account and the Senior Property Tax
36 Deferral Revolving Account, but excluding lottery funds and federal funds, collected or re-
37 ceived by the Department of Revenue, is increased by \$349,803 for payments to the Depart-
38 ment of Justice for tobacco tax compliance activities.

39 **SECTION 21.** In addition to and not in lieu of any other appropriation, there is appro-
40 priated to the Oregon Student Assistance Commission, for the biennium beginning July 1,
41 2005, out of the General Fund, the amount of \$400,000 for the Oregon Opportunity Grant
42 program.

43 **SECTION 22.** In addition to and not in lieu of any other appropriation, there is appro-
44 priated to the Oregon Youth Authority, for the biennium beginning July 1, 2005, out of the
45 General Fund, the amount of \$750,000 for gang intervention services in east Multnomah

1 County.

2 **SECTION 23.** In addition to and not in lieu of any other appropriation, there is appro-
3 priated to the Legislative Assembly, for the biennium beginning July 1, 2005, out of the
4 General Fund, the amount of \$200,000 for contracted information-technology services.

5 **SECTION 24.** In addition to and not in lieu of any other appropriation, there is appro-
6 priated to the State Department of Agriculture, for the biennium beginning July 1, 2005, out
7 of the General Fund, the amount of \$50,000 for insect control in Malheur County.

8 **SECTION 25.** In addition to and not in lieu of any other appropriation, there is appro-
9 priated to the Oregon Department of Administrative Services, for the biennium beginning
10 July 1, 2005, out of the General Fund, the amount of \$224,000 for the Oregon Law Commission
11 to conduct a project on reform of government ethics laws.

12 **SECTION 26.** In addition to and not in lieu of any other appropriation, there is appro-
13 priated to the State Department of Fish and Wildlife, for the biennium beginning July 1, 2005,
14 out of the General Fund, the amount of \$224,000, for the restoration of Diamond Lake.

15 **SECTION 27.** In addition to and not in lieu of any other appropriation, there is appro-
16 priated to the Oregon Department of Administrative Services, for the biennium beginning
17 July 1, 2005, out of the General Fund, the amount of \$100,000, for the City of Hillsboro for
18 grants to support projects that enhance cultural, economic and community development.

19 **SECTION 28.** In addition to and not in lieu of any other appropriation, there is appro-
20 priated to the Department of Human Services, for the biennium beginning July 1, 2005, out
21 of the General Fund, the amount of \$250,000, for the purpose of abstinence education pro-
22 grams.

23 **SECTION 29.** In addition to and not in lieu of any other appropriation, there is appro-
24 priated to the Department of Human Services, for the biennium beginning July 1, 2005, out
25 of the General Fund, the amount of \$298,900, for grants to community-based agencies that
26 provide domestic violence and sexual assault services.

27 **SECTION 30.** In addition to and not in lieu of any other appropriation, there is appro-
28 priated to the Department of Human Services, for the biennium beginning July 1, 2005, out
29 of the General Fund, the amount of \$300,000, for the workforce alcohol and drug prevention
30 services contract.

31 **SECTION 31.** In addition to and not in lieu of any other appropriation, there is appro-
32 priated to the Department of Education, for the biennium beginning July 1, 2005, out of the
33 General Fund, the amount of \$400,000, for the Local Option Equalization Grants Account.

34 **SECTION 32.** (1) In addition to and not in lieu of any other appropriation, there is ap-
35 propriated to the Emergency Board, for the biennium beginning July 1, 2005, out of the
36 General Fund, the amount of \$800,000, to be allocated to the Department of Education for
37 the Local Option Equalization Grants Account.

38 (2) If any of the moneys appropriated by subsection (1) of this section are not allocated
39 by the Emergency Board prior to December 1, 2006, the moneys remaining on that date be-
40 come available for any purpose for which the Emergency Board lawfully may allocate funds.

41 **SECTION 33.** This 2005 Act being necessary for the immediate preservation of the public
42 peace, health and safety, an emergency is declared to exist, and this 2005 Act takes effect
43 July 1, 2005.

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