

Enrolled House Bill 5023

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)

CHAPTER

AN ACT

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

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

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

SECTION 2. (1) In addition to and not in lieu of any other appropriation, there is appropriated to the Emergency Board, for the biennium beginning July 1, 2005, out of the General Fund, the amount of \$130,000,000, to be allocated to state agencies for state employee compensation changes for the biennium beginning July 1, 2005.

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

SECTION 3. (1) In addition to and not in lieu of any other appropriation, there is appropriated to the Emergency Board, for the biennium beginning July 1, 2005, out of the General Fund, the amount of \$10,000,000, to be allocated to state agencies for home care worker collective bargaining changes for the biennium beginning July 1, 2005.

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

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 Section 4, chapter _____, Oregon Laws 2005 (Enrolled House Bill 5139), is repealed.

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

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

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

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

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

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

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

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

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

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

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

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

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

SECTION 13. Notwithstanding any other provision of law, the authorized appropriations and expenditure limitations for the biennium beginning July 1, 2005, for the following agencies and programs are changed by the amounts specified:

(1) HUMAN SERVICES.

	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

(2) JUDICIAL BRANCH.

Agency/Program/Funds	2005 Oregon Laws Chapter/ 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

(3) NATURAL RESOURCES.

Agency/Program/Funds	2005 Oregon Laws Chapter/ Section	Adjustment
State Department of Fish and Wildlife:		
Fish propagation		
Other funds	HB 5165 2(1)(a)	\$100,000
State Forestry Department: Private and community forests		
Other funds	SB 5612 2(4)	-104,057

(4) PUBLIC SAFETY.

Agency/Program/Funds	2005 Oregon Laws Chapter/ Section	Adjustment
State Board of Parole and Post-Prison Supervision General Fund	HB 5121 1	+\$18,057
Department of Public Safety Standards and Training: Operations Other funds	HB 5136 2(1)	+199,164
Oregon Youth Authority Operations General Fund	ch. 554 1(1)	+199,948
Federal funds	ch. 554 3	+4,308

SECTION 14. Notwithstanding any other law limiting expenditures of the Department of Community Colleges and Workforce Development for the payment of expenses of the department from federal funds, for the biennium ending June 30, 2005, the limitation on expenditures for the Department of Community Colleges and Workforce Development established by section 3, chapter 721, Oregon Laws 2003, as modified by Emergency Board action, is increased by \$2,000,000.

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

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

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

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

SECTION 19. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2, chapter _____, Oregon Laws 2005 (Enrolled House Bill

5129), for the biennium beginning July 1, 2005, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts, but excluding lottery funds and federal funds, collected or received by the Department of Justice, is increased by \$349,803 for tobacco tax compliance activities.

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

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

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

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

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

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

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

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

SECTION 28. In addition to and not in lieu of any other appropriation, there is appropriated to the Department of Human Services, for the biennium beginning July 1, 2005, out of the General Fund, the amount of \$250,000, for the purpose of abstinence education programs.

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

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

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

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

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

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

Passed by House August 5, 2005

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Chief Clerk of House

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Speaker of House

Passed by Senate August 5, 2005

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President of Senate

Received by Governor:

.....M.,....., 2005

Approved:

.....M.,....., 2005

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Governor

Filed in Office of Secretary of State:

.....M.,....., 2005

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Secretary of State