

# A-Engrossed House Bill 5142

Ordered by the House June 28  
Including House Amendments dated June 28

Sponsored by COMMITTEE ON HEALTH AND HUMAN 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 \_\_\_\_\_ for biennial expenses.]*  
*[Limits biennial expenditures from fees, moneys or other revenues, including Miscellaneous Receipts, but excluding lottery funds and federal funds, collected or received by \_\_\_\_\_.]*  
*[Limits biennial expenditures by \_\_\_\_\_ from federal funds.]*  
*[Declares emergency, effective July 1, 2005.]*

**Appropriates moneys from General Fund to Department of Education for certain biennial expenses.**

**Appropriates moneys from General Fund to department for distribution as grants-in-aid and to purchase services.**

**Limits certain biennial expenditures from fees, moneys or other revenues, including Miscellaneous Receipts, but excluding lottery funds and federal funds, collected or received by department.**

**Limits biennial expenditures by department from certain federal funds.**

**Limits biennial expenditures by department for payment of grants-in-aid and purchased services from certain federal funds received by department.**

**Limits biennial expenditures by department for payment of grants-in-aid and purchased services from fees, moneys or other revenues, including Miscellaneous Receipts, but excluding lottery funds and federal funds, collected or received by department.**

**Limits payment by department of expenses related to state education lottery bonds.**

**Authorizes specified nonlimited expenditures.**

**Appropriates moneys from General Fund to Emergency Board for allocation to department for specified biennial expenses.**

**Declares emergency, effective July 1, 2005.**

## A BILL FOR AN ACT

1  
2 Relating to state financial administration; appropriating money; limiting expenditures; and declaring  
3 an emergency.

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

5 **SECTION 1. The following amounts are appropriated to the Department of Education, for**  
6 **the biennium beginning July 1, 2005, out of the General Fund, for the following purposes:**

7 (1) Operations..... \$ 31,126,129

8 (2) Oregon State Schools for  
9 the Deaf and for the Blind..... \$ 16,997,830

10 **SECTION 2. The following amounts, which are to be distributed as grants-in-aid and to**  
11 **purchase services, are appropriated to the Department of Education, for the biennium be-**  
12 **ginning July 1, 2005, out of the General Fund, for the following purposes:**

13 (1) Early intervention services  
14 and early childhood special  
15 education programs ..... \$ 84,732,417

16 (2) Educating children with

**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	disabilities in regional	
2	programs pursuant to	
3	ORS 343.236.....	\$ 30,832,573
4	(3) Educating children with	
5	disabilities in hospital	
6	programs.....	\$ 1,527,083
7	(4) Educating children with	
8	disabilities in long term	
9	care or treatment programs.....	\$ 17,665,484
10	(5) Oregon prekindergarten	
11	program .....	\$ 49,868,304
12	(6) Start Making a Reader Today	
13	(SMART) program.....	\$ 100,000
14	(7) Connectivity services for	
15	school districts.....	\$ 600,000
16	(8) Summer food service programs	\$ 50,176
17	(9) Student leadership centers .....	\$ 736,688
18	(10) Frontier Learning Network .....	\$ 667,128

19 **SECTION 3.** Notwithstanding any other law limiting expenditures, the following amounts  
20 are established for the biennium beginning July 1, 2005, as the maximum limits for payment  
21 of expenses, other than expenses described in sections 6 and 10 of this 2005 Act, from fees,  
22 moneys or other revenues, including Miscellaneous Receipts, but excluding lottery funds and  
23 federal funds, collected or received by the Department of Education for the following pur-  
24 poses:

25	(1) Operations.....	\$ 9,451,398
26	(2) Oregon State Schools for	
27	the Deaf and for the Blind.....	\$ 3,316,266
28	(3) Youth Corrections	
29	Education Program.....	\$ 24,361,796

30 **SECTION 4.** Notwithstanding any other law limiting expenditures, the following amounts  
31 are established for the biennium beginning July 1, 2005, as the maximum limits for payment  
32 of expenses from federal funds, other than those described in sections 5 and 10 of this 2005  
33 Act, collected or received by the Department of Education for the following purposes:

34	(1) Operations.....	\$ 42,038,013
35	(2) Oregon State Schools for	
36	the Deaf and for the Blind.....	\$ 368,413
37	(3) Youth Corrections	
38	Education Program.....	\$ 2,462,907

39 **SECTION 5.** Notwithstanding any other law limiting expenditures, the following amounts  
40 are established for the biennium beginning July 1, 2005, as the maximum limits for payment  
41 of grants-in-aid and purchased services from federal funds received by the Department of  
42 Education from the United States Department of Education and from other federal agencies  
43 other than the United States Department of Agriculture from the following sources:

44	(1) Individuals with	
45	Disabilities Education Act .....	\$248,212,674

- 1       (2) Title IA - Grants to
- 2           local educational agencies..... \$247,142,256
- 3       (3) Title IC - Migrant education..... \$ 25,564,947
- 4       (4) Title IIA - Teacher quality ..... \$ 55,585,911
- 5       (5) Vocational education..... \$ 15,743,566
- 6       (6) All other federal programs ..... \$ 96,197,930

7       **SECTION 6.** Notwithstanding any other law limiting expenditures, the amount of  
8 \$14,744,661 is established for the biennium beginning July 1, 2005, as the maximum limit for  
9 payment of grants-in-aid and purchased services from fees, moneys or other revenues, in-  
10 cluding Miscellaneous Receipts, but excluding lottery funds and federal funds, collected or  
11 received by the Department of Education for grant programs other than those specified in  
12 section 2 of this 2005 Act.

13       **SECTION 7.** Notwithstanding any other law limiting expenditures, the amount of  
14 \$55,929,095 is established for the biennium beginning July 1, 2005, as the maximum limit for  
15 payment of expenses by the Department of Education from lottery moneys allocated from  
16 the Administrative Services Economic Development Fund to the department for debt service  
17 on the outstanding state education lottery bonds issued during the 1997-1999 and 1999-2001  
18 biennia.

19       **SECTION 8.** Notwithstanding any other law limiting expenditures, the amount of  
20 \$1,000,000 is established for the biennium beginning July 1, 2005, as the maximum limit for  
21 payment of expenses by the Department of Education from lottery moneys allocated from  
22 the Oregon Education Fund to the department for debt service on the outstanding state ed-  
23 ucation lottery bonds issued during the 1997-1999 and 1999-2001 biennia.

24       **SECTION 9.** Notwithstanding any other law limiting expenditures, the amount of  
25 \$1,731,375 is established for the biennium beginning July 1, 2005, as the maximum limit for  
26 payment of expenses by the Department of Education from Lottery Bond Fund earnings  
27 collected or received by the department for debt service on the outstanding state education  
28 lottery bonds issued during the 1997-1999 and 1999-2001 biennia.

29       **SECTION 10.** For the biennium beginning July 1, 2005, the following expenditures by the  
30 Department of Education are not limited:

31       (1) Moneys from the School Lunch Revolving Account, Education Training Revolving  
32 Account, Private Vocational School Tuition Protection Fund and Distance Learning Fund;  
33 and

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

36       **SECTION 11.** (1) In addition to and not in lieu of any other appropriation, there is ap-  
37 propriated to the Emergency Board, for the biennium beginning July 1, 2005, out of the  
38 General Fund, the amount of \$4,893,114, to be allocated to the Department of Education for  
39 early intervention services and early childhood special education programs.

40       (2) In addition to and not in lieu of any other appropriation, there is appropriated to the  
41 Emergency Board, for the biennium beginning July 1, 2005, out of the General Fund, the  
42 amount of \$1,800,000, to be allocated to the Department of Education for the prekindergarten  
43 through grade 16 integrated data systems (KIDS) project.

44       (3) If any of the moneys appropriated by subsection (1) or (2) of this section are not al-  
45 located by the Emergency Board prior to December 1, 2006, the moneys remaining on that

1 **date become available for any purpose for which the Emergency Board lawfully may allocate**  
2 **funds.**

3 **SECTION 12. This 2005 Act being necessary for the immediate preservation of the public**  
4 **peace, health and safety, an emergency is declared to exist, and this 2005 Act takes effect**  
5 **July 1, 2005.**

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