

Enrolled
Senate Bill 42

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CHAPTER

AN ACT

Relating to the Water Pollution Control Revolving Fund; amending ORS 468.440.

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

SECTION 1. ORS 468.440 is amended to read:

468.440. (1) The Environmental Quality Commission shall establish by rule policies for establishing loan terms and interest rates for loans made from the Water Pollution Control Revolving Fund that *[assure]* **ensure** that the objectives of ORS 468.423 to 468.440 are met and that adequate funds are maintained in the Water Pollution Control Revolving Fund to meet future needs. In establishing the policy, the commission shall take into consideration at least the following factors:

- (a) The capability of the project to enhance or protect water quality.
- (b) The ability of a public agency to repay a loan.
- (c) Current market rates of interest.
- (d) The size of the community or district to be served by the treatment works.
- (e) The type of project financed.
- (f) The ability of the applicant to borrow elsewhere.
- (g) Whether advances have been made to the Water Pollution Control Revolving Fund from the Pollution Control Fund that must be repaid to the Pollution Control Sinking Fund.

(2) The commission may establish an interest rate ranging from zero to the market rate. *[The term of a loan may be for any period not to exceed 20 years.]* **The commission may establish the loan term, provided that the loans must be fully amortized not later than 20 years after project completion.**

[(3) The commission may adopt rules to implement the program to loan amounts in the Water Pollution Control Revolving Fund to public agencies as set forth under ORS 468.433 (2).]

[(4)] **(3)** The commission shall adopt by rule any procedures or standards necessary to carry out the provisions of ORS 468.423 to 468.440.

Passed by Senate February 8, 2005

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Secretary of Senate

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President of Senate

Passed by House May 19, 2005

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Speaker of House

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