

Enrolled House Bill 5046

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of Oregon Department of Administrative Services)

CHAPTER

AN ACT

Relating to state financial administration; creating new provisions; amending section 2, chapter 592, Oregon Laws 2017; repealing section 123, chapter 702, Oregon Laws 2017; and declaring an emergency.

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

SECTION 1. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 3, chapter 555, Oregon Laws 2017, for the biennium ending June 30, 2019, as the maximum limit for payment of expenses from federal funds collected or received by the Commission for the Blind, is increased by \$963,482 for expending supplemental award from the United States Department of Education and carryforward funds from the Vocational Rehabilitation Grant.

SECTION 2. Section 2, chapter 592, Oregon Laws 2017, is amended to read:

Sec. 2. Notwithstanding any other law limiting expenditures, the following amounts are established for the biennium beginning July 1, 2017, as the maximum limits for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts and including federal funds from the United States Forest Service for fire protection and for research projects, but excluding lottery funds and federal funds not described in this section, collected or received by the State Forestry Department, for the following purposes:

- (1) Agency administration..... \$ 35,626,463
- (2) Fire protection..... \$ 73,073,033
- (3) State forests \$ 92,937,670
- (4) Private forests \$ 10,777,171
- (5) Capital improvement \$ 4,608,658
- [(6) Debt service..... \$ 692,528]
- (6) Debt service program**
- (a) Debt service \$ 727,883**
- (b) Bond issuance and related expenses..... \$ 1,035,000**
- (7) Equipment pool..... \$ 16,653,089
- (8) Facilities maintenance and management..... \$ 5,435,565

SECTION 3. Section 123, chapter 702, Oregon Laws 2017, is repealed.

SECTION 4. Notwithstanding any other provision of law, the General Fund appropriation made to the State Forestry Department by section 1 (2), chapter 592, Oregon Laws 2017, for

the biennium ending June 30, 2019, is increased by \$31,545,752 for the payment of emergency firefighting costs associated with the 2018 forest fire season.

SECTION 5. (1) Notwithstanding any other provision of law, the General Fund appropriation made to the Water Resources Department by section 1 (1), chapter 606, Oregon Laws 2017, for the biennium ending June 30, 2019, for administrative services, is decreased by \$319,930.

(2) Notwithstanding any other provision of law, the General Fund appropriation made to the Water Resources Department by section 1 (2), chapter 606, Oregon Laws 2017, for the biennium ending June 30, 2019, for field services, is decreased by \$266,000.

(3) Notwithstanding any other provision of law, the General Fund appropriation made to the Water Resources Department by section 1 (3), chapter 606, Oregon Laws 2017, for the biennium ending June 30, 2019, for water rights and adjudications, is decreased by \$200,000.

(4) Notwithstanding any other provision of law, the General Fund appropriation made to the Water Resources Department by section 1 (4), chapter 606, Oregon Laws 2017, for the biennium ending June 30, 2019, for technical services, is increased by \$19,611.

(5) Notwithstanding any other provision of law, the General Fund appropriation made to the Water Resources Department by section 1 (5), chapter 606, Oregon Laws 2017, for the biennium ending June 30, 2019, for the director's office, is increased by \$766,319.

SECTION 6. Notwithstanding any other law limiting expenditures, the expenditure limitation established by section 120, chapter 702, Oregon Laws 2017, for the biennium ending June 30, 2019, 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 State Lands, from the Portland Harbor Cleanup Fund established by section 11, chapter 748, Oregon Laws 2017, is decreased by \$6,235,000.

SECTION 7. (1) The amount of \$12,000,000 is transferred from the Common School Fund to the Portland Harbor Cleanup Fund established by section 11, chapter 748, Oregon Laws 2017, to be used for the purposes specified in that section, subject to subsection (2) of this section.

(2) The transferred amount must be separately accounted for and may be used only for purposes permissible under Article VIII, section 5, of the Oregon Constitution.

SECTION 7a. (1) The amount of \$12,000,000 is transferred from the State Highway Fund to the Portland Harbor Cleanup Fund established by section 11, chapter 748, Oregon Laws 2017, to be used for the purposes specified in that section, subject to subsection (2) of this section.

(2) The transferred amount must be separately accounted for and may be used only for purposes permissible under Article IX, section 3a, of the Oregon Constitution.

SECTION 8. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 1 (1), chapter 375, Oregon Laws 2017, for the biennium ending June 30, 2019, 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 State Lands, for Common School Fund programs, is increased by \$4,922,972 for expenses associated with the cleanup efforts at the Goble, Oregon, site on the Columbia River.

SECTION 9. Notwithstanding any other provision of law, the General Fund appropriation made to the Land Use Board of Appeals by section 1, chapter 536, Oregon Laws 2017, for the biennium ending June 30, 2019, is increased by \$62,368 for unanticipated personal services costs.

SECTION 10. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2, chapter 373, Oregon Laws 2017, for the biennium ending June 30, 2019, 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 Naturopathic Medicine, is increased by \$100,000 for the payment of costs associated with a new licensing database.

SECTION 11. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 4, chapter 373, Oregon Laws 2017, for the biennium ending June 30, 2019, 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 Board of Medical Imaging, is increased by \$60,000 for the payment of costs associated with a new licensing database.

SECTION 12. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 6, chapter 373, Oregon Laws 2017, for the biennium ending June 30, 2019, 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 Veterinary Medical Examining Board, is increased by \$100,000 for the payment of costs associated with a new licensing database.

SECTION 13. (1) Notwithstanding any other law limiting expenditures, the expenditure limitation established by section 2 (1), chapter 572, Oregon Laws 2017, for the biennium ending June 30, 2019, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts and federal funds received from charges, but excluding lottery funds and federal funds not described in section 2, chapter 572, Oregon Laws 2017, collected or received by the Oregon Department of Administrative Services, for the Chief Operating Office, is increased by \$29,866.

(2) Notwithstanding any other law limiting expenditures, the expenditure limitation established by section 2 (7), chapter 572, Oregon Laws 2017, for the biennium ending June 30, 2019, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts and federal funds received from charges, but excluding lottery funds and federal funds not described in section 2, chapter 572, Oregon Laws 2017, collected or received by the Oregon Department of Administrative Services, for Enterprise Goods and Services, is increased by \$253,258.

NOTE: Section 14 was deleted by amendment. Subsequent sections were not renumbered.

SECTION 15. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 4 (1), chapter 544, Oregon Laws 2017, for the biennium ending June 30, 2019, as the maximum limit for payment of expenses from federal funds, other than those described in section 2, chapter 544, Oregon Laws 2017, collected or received by the State Department of Fish and Wildlife, for the Fish Division, is decreased by \$1,700,000.

SECTION 16. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 4 (2), chapter 544, Oregon Laws 2017, for the biennium ending June 30, 2019, as the maximum limit for payment of expenses from federal funds, other than those described in section 2, chapter 544, Oregon Laws 2017, collected or received by the State Department of Fish and Wildlife, for the Wildlife Division, is increased by \$1,700,000.

SECTION 17. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 6 (1), chapter 595, Oregon Laws 2017, for the biennium ending June 30, 2019, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts, but excluding lottery funds, federal funds and funds described in sections 9 and 10, chapter 595, Oregon Laws 2017, collected or received by the Higher Education Coordinating Commission, for operations, is increased by \$125,000 for expending the funds of a grant from the Lumina Foundation.

SECTION 18. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 6 (1), chapter 595, Oregon Laws 2017, for the biennium ending June 30, 2019, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts, but excluding lottery funds, federal funds

and funds described in sections 9 and 10, chapter 595, Oregon Laws 2017, collected or received by the Higher Education Coordinating Commission, for operations, is increased by \$40,700 for the costs of administering the Volunteers program grant.

SECTION 19. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 5 (1), chapter 590, Oregon Laws 2017, for the biennium ending June 30, 2019, as the maximum limit for payment of grants-in-aid, program costs and purchased services from federal funds, other than those described in sections 4 and 10, chapter 590, Oregon Laws 2017, received by the Department of Education, for early learning programs, is increased by \$1,010,625 for a pilot project to provide child care for infants and toddlers.

SECTION 20. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (1), chapter 582, Oregon Laws 2017, for the biennium ending June 30, 2019, 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 Public Defense Services Commission, for professional services, is decreased by \$90,000.

SECTION 21. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (2), chapter 582, Oregon Laws 2017, for the biennium ending June 30, 2019, 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 Public Defense Services Commission, for the Contract and Business Services Division, is increased by \$90,000.

SECTION 22. Notwithstanding any other provision of law, the General Fund appropriation made to the Public Defense Services Commission by section 1 (2), chapter 582, Oregon Laws 2017, for the biennium ending June 30, 2019, for professional services, is increased by \$4,493,458.

SECTION 23. Notwithstanding any other provision of law, the General Fund appropriation made to the Department of Justice by section 1 (6), chapter 576, Oregon Laws 2017, for the biennium ending June 30, 2019, for the Division of Child Support, is decreased by \$1,343,260 for the child support enforcement automated system project.

SECTION 24. There is appropriated to the Department of Justice, for the biennium ending June 30, 2019, out of the General Fund, the amount of \$1,343,260, for system development costs for the child support enforcement automated system.

SECTION 25. Notwithstanding any other provision of law, the General Fund appropriation made to the Department of Justice by section 1 (5), chapter 576, Oregon Laws 2017, for the biennium ending June 30, 2019, for the defense of criminal convictions, is increased by \$700,000.

SECTION 26. Notwithstanding any other provision of law, the General Fund appropriation made to the Department of Justice by section 1, chapter 535, Oregon Laws 2017, for the biennium ending June 30, 2019, for the payment of expenses of district attorneys, is increased by \$350,000.

SECTION 27. Notwithstanding any other provision of law, the General Fund appropriation made to the Department of Corrections by section 1 (1), chapter 573, Oregon Laws 2017, for the biennium ending June 30, 2019, for operations and health services, is increased by \$30,381,426.

SECTION 28. Notwithstanding any other provision of law, the General Fund appropriation made to the Department of Corrections by section 1 (2), chapter 573, Oregon Laws 2017, for the biennium ending June 30, 2019, for central administration and administrative services, is increased by \$11,133,885.

SECTION 29. Notwithstanding any other provision of law, the General Fund appropriation made to the Department of Corrections by section 1 (3), chapter 573, Oregon Laws 2017, for

the biennium ending June 30, 2019, for offender management and rehabilitation, is decreased by \$2,000,000.

SECTION 30. Notwithstanding any other provision of law, the General Fund appropriation made to the Department of Corrections by section 1 (4), chapter 573, Oregon Laws 2017, for the biennium ending June 30, 2019, for community corrections, is increased by \$1,504,245.

SECTION 31. Notwithstanding any other provision of law, the General Fund appropriation made to the Department of Corrections by section 1 (6), chapter 573, Oregon Laws 2017, for the biennium ending June 30, 2019, for capital improvements, is decreased by \$1,276,717.

SECTION 32. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (1), chapter 573, Oregon Laws 2017, for the biennium ending June 30, 2019, 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 Corrections, for operations and health services, is increased by \$4,902,939.

SECTION 33. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (2), chapter 573, Oregon Laws 2017, for the biennium ending June 30, 2019, 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 Corrections, for central administration and administrative services, is decreased by \$6,384,560.

SECTION 34. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (3), chapter 573, Oregon Laws 2017, for the biennium ending June 30, 2019, 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 Corrections, for offender management and rehabilitation, is increased by \$591,035.

SECTION 35. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (4), chapter 573, Oregon Laws 2017, for the biennium ending June 30, 2019, 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 Corrections, for community corrections, is increased by \$890,587.

SECTION 36. Notwithstanding any other provision of law, the General Fund appropriation made to the Department of State Police by section 1 (4), chapter 581, Oregon Laws 2017, for the biennium ending June 30, 2019, for administrative services, agency support, criminal justice information services and the office of the State Fire Marshal, is increased by \$6,665,000.

SECTION 37. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (1), chapter 581, Oregon Laws 2017, for the biennium ending June 30, 2019, 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 State Police, for patrol services, criminal investigations and gaming enforcement, is increased by \$4,100,000.

SECTION 38. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (2), chapter 581, Oregon Laws 2017, for the biennium ending June 30, 2019, 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 State Police, for fish and wildlife enforcement, is increased by \$2,900,000.

SECTION 39. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (4), chapter 581, Oregon Laws 2017, for the biennium ending June 30, 2019, 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 State Police, for administrative services, agency support, criminal justice information services and the office of the State Fire Marshal, is decreased by \$7,000,000.

SECTION 40. Notwithstanding any other provision of law, the General Fund appropriation made to the Oregon Military Department by section 1 (1), chapter 566, Oregon Laws 2017, for the biennium ending June 30, 2019, for administration, is increased by \$50,100.

SECTION 41. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (4), chapter 566, Oregon Laws 2017, for the biennium ending June 30, 2019, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts and reimbursements from federal service agreements, but excluding lottery funds and federal funds not described in section 2, chapter 566, Oregon Laws 2017, collected or received by the Oregon Military Department, for community support, is increased by \$3,850,000.

SECTION 42. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 4, chapter 510, Oregon Laws 2017, for the biennium ending June 30, 2019, as the maximum limit for payment of expenses from federal funds collected or received by the State Library, is increased by \$140,000.

SECTION 43. Notwithstanding any other provision of law, the General Fund appropriation made to the Emergency Board by section 1, chapter 702, Oregon Laws 2017, for the biennium ending June 30, 2019, as modified by legislative or Emergency Board action, is decreased by \$57,255,961.

SECTION 44. Notwithstanding any other provision of law, the authorized appropriations and expenditure limitations for the biennium ending June 30, 2019, for the following agencies and programs are changed by the amounts specified:

(1) ADMINISTRATION.

Agency/Program/Funds	2017 Oregon Laws Chapter/ Section	Adjustment
Oregon Department of Administrative Services:		
Debt service		
General Fund	Ch. 572 1(5)	-\$654,700
ODAS debt service		
Other Funds	Ch. 572 2(13)	-25,900
Department of Revenue:		
Debt service		
General Fund	Ch. 601 1(6)	-48,686
Debt service and related costs		
Other Funds	Ch. 601 2(8)	-3,985

(2) ECONOMIC DEVELOPMENT.

Agency/Program/Funds	2017 Oregon Laws Chapter/ Section	Adjustment
Housing and Community Services Department:		
Debt service		
General Fund	Ch. 574 5	-\$512,835
Oregon Business Development Department:		
Debt service		
General Fund	Ch. 580 1(3)	-444,873

(3) EDUCATION.

Agency/Program/Funds	2017 Oregon Laws Chapter/ Section	Adjustment
Department of Education:		
Debt service - XI-Q bonds		
General Fund	Ch. 702 52	-\$50,387
Debt service - XI-P bonds		
General Fund	Ch. 590 8	-20,392
Higher Education		
Coordinating Commission:		
Debt service on outstanding general obligation bonds sold pursuant to Article XI-G of the Oregon Constitution for the benefit of Oregon community colleges		
General Fund	Ch. 595 1(16)(a)	-8,200
Debt service on outstanding general obligation bonds sold pursuant to Article XI-G of the Oregon Constitution for the benefit of Oregon public universities		
General Fund	Ch. 595 1(16)(b)	-36,000
Debt service on outstanding general obligation bonds sold pursuant to Article XI-Q of the Oregon Constitution for the benefit of Oregon public universities		
General Fund	Ch. 595	

	1(16)(d)	-3,561,231
Debt service on Article XI-G and XI-Q bonds issued for the benefit of Oregon public universities		
Other Funds	Ch. 595 6(3)	3,561,294

	2018 Oregon Laws Chapter/ Section	Adjustment
Agency/Program/Funds		
Department of Education:		
Debt service - XI-P bonds		
Other Funds	Ch. 99 76	\$20,392

(4) HUMAN SERVICES.

	2017 Oregon Laws Chapter/ Section	Adjustment
Agency/Program/Funds		
Department of Human Services:		
Debt service and related costs		
General Fund	Ch. 702 104	-\$3,354,521
Oregon Health Authority:		
Debt service		
General Fund	Ch. 545 1(4)	911,612

(5) LEGISLATIVE BRANCH.

	2017 Oregon Laws Chapter/ Section	Adjustment
Agency/Program/Funds		
Legislative Administration Committee:		
Debt service		
General Fund	Ch. 577 1(2)	-\$72,813

(6) NATURAL RESOURCES.

	2017 Oregon Laws Chapter/ Section	Adjustment
Agency/Program/Funds		
Department of Environmental Quality:		
Debt service		
General Fund	Ch. 591 1(5)	-\$56,767
State Forestry Department:		
Debt service		
General Fund	Ch. 592 1(4)	-32,119

(7) PUBLIC SAFETY.

	2017 Oregon Laws Chapter/ Section	Adjustment
Agency/Program/Funds		
Department of Corrections:		
Debt service		
General Fund	Ch. 573 1(5)	\$50,047
Department of Justice:		
Debt service and related costs		
General Fund	Ch. 576 1(7)	-198,163
Oregon Military Department:		
Capital debt service and related costs		
General Fund	Ch. 566 1(5)	-442,881
Oregon Youth Authority:		
Debt service		
General Fund	Ch. 588 1(5)	-890,785

	2018 Oregon Laws Chapter/ Section	Adjustment
Agency/Program/Funds		
Department of Corrections:		
Debt Service		
Other funds	Ch. 99 170	\$55,192

SECTION 45. Notwithstanding any other provision of law, the authorized appropriations for the biennium ending June 30, 2019, for the following agencies are changed by the amounts specified:

2017
Oregon Laws

Agency Title	Chapter/ Section	Total
Office of the Legislative Counsel	Ch. 577 10	-\$13,400
Legislative Policy and Research Committee	Ch. 577 14	-13,700
Legislative Revenue Officer	Ch. 577 15	-3,600
Legislative Fiscal Officer	Ch. 577 13(1)	-7,100
Legislative Assembly	Ch. 577 7(1)	-977,100
Legislative Assembly	Ch. 577 7(2)	1,895,600
Legislative Assembly	Ch. 577 6	-988,600
Legislative Administration Committee	Ch. 577 1(1)	108,900
Commission on Indian Services	Ch. 577 16	-1,000

SECTION 46. This 2019 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2019 Act takes effect on its passage.

Passed by House March 14, 2019

.....
Timothy G. Sekerak, Chief Clerk of House

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Tina Kotek, Speaker of House

Received by Governor:

.....M,....., 2019

Approved:

.....M,....., 2019

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Kate Brown, Governor

Passed by Senate April 1, 2019

.....
Peter Courtney, President of Senate

Filed in Office of Secretary of State:

.....M,....., 2019

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Bev Clarno, Secretary of State