

# House Bill 5204

Sponsored by JOINT COMMITTEE ON WAYS AND MEANS

## 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 **as introduced**.

Modifies certain biennial appropriations made from General Fund to specified state agencies and Emergency Board.

Establishes and modifies limitations on expenditures for certain biennial expenses for specified state agencies.

Declares emergency, effective on passage.

## A BILL FOR AN ACT

Relating to state financial administration; 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 672, Oregon Laws 2019, for the biennium ending June 30, 2021, as the maximum limit for payment of expenses from federal funds collected or received by the Secretary of State, is increased by \$2,500,000 for election security enhancements.**

**SECTION 2. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2, chapter 642, Oregon Laws 2019, for the biennium ending June 30, 2021, as the maximum limit for payment of expenses for operations, from fees, moneys or other revenues, including Miscellaneous Receipts and federal funds from the United States Department of Housing and Urban Development for contract services, but excluding lottery funds and federal funds not described in section 2, chapter 642, Oregon Laws 2019, collected or received by the Housing and Community Services Department, is increased by \$270,022 for management occupancy reviews conducted by the Housing and Community Services Department.**

**SECTION 3. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (1), chapter 479, Oregon Laws 2019, for the biennium ending June 30, 2021, 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 Public Safety Standards and Training, for operations, is increased by \$429,087 for expenditure of an Assistance to Firefighters grant award on mobile firefighter training equipment.**

**SECTION 4. (1) Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (4), chapter 518, Oregon Laws 2019, for the biennium ending June 30, 2021, 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 518, Oregon Laws 2019, collected or received by the Oregon Department of Administrative Services, for**

**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 the Chief Human Resources Office, is increased by \$307,486 to conduct a study of engineering  
2 classifications.

3 (2) Notwithstanding any other law limiting expenditures, the limitation on expenditures  
4 established by section 2 (6), chapter 518, Oregon Laws 2019, for the biennium ending June 30,  
5 2021, as the maximum limit for payment of expenses from fees, moneys or other revenues,  
6 including Miscellaneous Receipts and federal funds received from charges, but excluding lot-  
7 tery funds and federal funds not described in section 2, chapter 518, Oregon Laws 2019, col-  
8 lected or received by the Oregon Department of Administrative Services, for enterprise asset  
9 management, is increased by \$2,300,000 for infrastructure improvements at the Mill Creek  
10 Corporate Center.

11 **SECTION 5.** (1) Notwithstanding any other law limiting expenditures, the limitation on  
12 expenditures established by section 2, chapter 519, Oregon Laws 2019, for the biennium end-  
13 ing June 30, 2021, as the maximum limit for payment of expenses from fees, moneys or other  
14 revenues, including Miscellaneous Receipts, but excluding lottery funds and federal funds,  
15 collected or received by the Commission for the Blind, is increased by \$156,098 for the pur-  
16 chase of vending machine equipment for the commission's business enterprise program and  
17 for the case management migration update project.

18 (2) Notwithstanding any other law limiting expenditures, the limitation on expenditures  
19 established by section 3, chapter 519, Oregon Laws 2019, for the biennium ending June 30,  
20 2021, as the maximum limit for payment of expenses from federal funds collected or received  
21 by the Commission for the Blind, is increased by \$2,552,443 for the purchase of vending ma-  
22 chine equipment for the commission's business enterprise program and for the case man-  
23 agement migration update project.

24 **SECTION 6.** Notwithstanding any other law limiting expenditures, the amount of \$86,953  
25 is established for the biennium ending June 30, 2021, as the maximum limit for payment of  
26 expenses by the Department of State Lands from the Submerged Lands Enhancement Fund  
27 established under ORS 274.388.

28 **SECTION 7.** Notwithstanding any other law limiting expenditures, the limitation on  
29 expenditures established by section 1 (1), chapter 454, Oregon Laws 2019, for the biennium  
30 ending June 30, 2021, as the maximum limit for payment of expenses from fees, moneys or  
31 other revenues, including Miscellaneous Receipts, but excluding lottery funds, federal funds  
32 and funds described in section 2, chapter 454, Oregon Laws 2019, collected or received by the  
33 Department of State Lands, for Common School Fund programs, is decreased by \$86,953.

34 **SECTION 8.** Notwithstanding any other law limiting expenditures, the limitation on  
35 expenditures established by section 3 (2), chapter 454, Oregon Laws 2019, for the biennium  
36 ending June 30, 2021, as the maximum limit for payment of expenses from federal funds  
37 collected or received by the Department of State Lands, for Common School Fund programs,  
38 is increased by \$427,008 for the expenditure of federal grant funding for ongoing wetlands  
39 program development and preliminary program development for the eventual assumption of  
40 permitting authority under 33 U.S.C. 1344 of the Federal Water Pollution Control Act.

41 **SECTION 9.** Notwithstanding any other provision of law, the General Fund appropriation  
42 made to the Emergency Board by section 5 (1)(a), chapter 664, Oregon Laws 2019, for the  
43 biennium ending June 30, 2021, for severity resource expenses, is decreased by \$2,373,669.

44 **SECTION 10.** Notwithstanding any other provision of law, the General Fund appropriation  
45 made to the State Forestry Department by section 1 (2), chapter 664, Oregon Laws 2019, for

1 the biennium ending June 30, 2021, for fire protection, is increased by \$12,757,565 for the  
2 payment of emergency firefighting costs, interest expenses and severity resources associated  
3 with the 2019 forest fire season.

4 SECTION 11. Notwithstanding any other law limiting expenditures, the limitation on  
5 expenditures established by section 2 (2), chapter 664, Oregon Laws 2019, for the biennium  
6 ending June 30, 2021, as the maximum limit for payment of expenses from fees, moneys or  
7 other revenues, including Miscellaneous Receipts and including federal funds from the United  
8 States Forest Service for fire protection and for research projects, but excluding lottery  
9 funds and federal funds not described in section 2, chapter 664, Oregon Laws 2019, collected  
10 or received by the State Forestry Department, for fire protection, is increased by \$23,587,897  
11 for the payment of emergency firefighting costs associated with the 2019 forest fire season.

12 SECTION 12. Notwithstanding any other law limiting expenditures, the limitation on  
13 expenditures established by section 4 (3), chapter 302, Oregon Laws 2019, for the biennium  
14 ending June 30, 2021, as the maximum limit for payment of expenses from federal funds  
15 collected or received by the State Parks and Recreation Department, for community support  
16 and grants, is increased by \$665,000 for the expenditure of federal grant funds for historic  
17 revitalization.

18 SECTION 13. Notwithstanding any other law limiting expenditures, the limitation on  
19 expenditures established by section 4 (4), chapter 535, Oregon Laws 2019, for the biennium  
20 ending June 30, 2021, as the maximum limit for payment of expenses from federal funds other  
21 than those described in section 3, chapter 535, Oregon Laws 2019, collected or received by the  
22 Water Resources Department, for technical services, is increased by \$260,484 for the ex-  
23 penditure of federal grant funds for work on the rehabilitation of high hazard potential dams.

24 SECTION 14. Notwithstanding any other law limiting expenditures, the limitation on  
25 expenditures established by section 2 (2), chapter 689, Oregon Laws 2019, for the biennium  
26 ending June 30, 2021, as the maximum limit for payment of expenses from fees, moneys or  
27 other revenues, including Miscellaneous Receipts and including federal funds from the Pacific  
28 Coastal Salmon Recovery Fund, but excluding lottery funds and federal funds not described  
29 in section 2, chapter 689, Oregon Laws 2019, collected or received by the State Department  
30 of Fish and Wildlife, for the Wildlife Division, is increased by \$300,000 to provide permit  
31 consultation and technical support for the Jordan Cove Energy Project.

32 SECTION 15. Notwithstanding any other law limiting expenditures, the limitation on  
33 expenditures established by section 4, chapter 698, Oregon Laws 2019, for the biennium end-  
34 ing June 30, 2021, as the maximum limit for payment of expenses from federal funds collected  
35 or received by the State Department of Energy, is increased by \$1,075,258 to expend grant  
36 funds related to the siting of potential renewable energy development projects.

37 SECTION 16. Notwithstanding any other law limiting expenditures, the limitation on  
38 expenditures established by section 2 (3), chapter 452, Oregon Laws 2019, for the biennium  
39 ending June 30, 2021, as the maximum limit for payment of expenses from fees, moneys or  
40 other revenues, including Miscellaneous Receipts, and including federal funds for contract  
41 services, but excluding lottery funds and federal funds not described in section 2, chapter 452,  
42 Oregon Laws 2019, collected or received by the State Department of Agriculture, for natural  
43 resources, is increased by \$1,230,000 to address increasing workload around the hemp pro-  
44 gram.

45 SECTION 17. Notwithstanding any other law limiting expenditures, the limitation on

1 expenditures established by section 2 (6), chapter 692, Oregon Laws 2019, for the biennium  
2 ending June 30, 2021, as the maximum limit for payment of expenses from fees, moneys or  
3 other revenues, including Miscellaneous Receipts, but excluding lottery funds and federal  
4 funds, collected or received by the Department of Justice, for the General Counsel Division,  
5 is increased by \$350,877 for the Business Transactions Section.

6 **SECTION 18.** Notwithstanding any other law limiting expenditures, the limitation on  
7 expenditures established by section 2 (3), chapter 692, Oregon Laws 2019, for the biennium  
8 ending June 30, 2021, as the maximum limit for payment of expenses from fees, moneys or  
9 other revenues, including Miscellaneous Receipts, but excluding lottery funds and federal  
10 funds, collected or received by the Department of Justice, for the Civil Enforcement Division,  
11 is increased by \$233,801 for an anti-poaching campaign.

12 **SECTION 19.** Notwithstanding any other provision of law, the General Fund appropriation  
13 made to the Department of Revenue by section 2, chapter 220, Oregon Laws 2019, for the  
14 biennium ending June 30, 2021, for the Corporate Division, is increased by \$387,375, for the  
15 implementation of the corporate activity tax established under chapter 122, Oregon Laws  
16 2019.

17 **SECTION 20.** Notwithstanding any other law limiting expenditures, the limitation on  
18 expenditures established by section 2 (6), chapter 612, Oregon Laws 2019, for the biennium  
19 ending June 30, 2021, as the maximum limit for payment of expenses from fees, moneys or  
20 other revenues, including Miscellaneous Receipts and reimbursements from federal service  
21 agreements, but excluding lottery funds and federal funds not described in section 2, chapter  
22 612, Oregon Laws 2019, collected or received by the Department of Revenue, for the Corpo-  
23 rate Division, is increased by \$9,984,869 for the implementation of the corporate activity tax  
24 established under chapter 122, Oregon Laws 2019.

25 **SECTION 21.** Notwithstanding any other provision of law, the General Fund appropriation  
26 made to the Department of Revenue by section 3, chapter 220, Oregon Laws 2019, for the  
27 biennium ending June 30, 2021, for the core systems replacement program and the imple-  
28 mentation of the corporate activity tax established under chapter 122, Oregon Laws 2019, is  
29 decreased by \$1,165,000.

30 **SECTION 22.** Notwithstanding any other law limiting expenditures, the amount of  
31 \$3,630,000 is established for the biennium ending June 30, 2021, as the maximum limit for  
32 payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts,  
33 but excluding lottery funds and federal funds, collected or received by the Department of  
34 Revenue, for the core systems replacement program, for the implementation of the corpo-  
35 rate activity tax established under chapter 122, Oregon Laws 2019.

36 **SECTION 23.** Notwithstanding any other provision of law, the General Fund appropriation  
37 made to the Department of Revenue by section 1 (1), chapter 612, Oregon Laws 2019, for the  
38 biennium ending June 30, 2021, for administration, is decreased by \$28,559.

39 **SECTION 24.** Notwithstanding any other law limiting expenditures, the limitation on  
40 expenditures established by section 2 (1), chapter 612, Oregon Laws 2019, for the biennium  
41 ending June 30, 2021, as the maximum limit for payment of expenses from fees, moneys or  
42 other revenues, including Miscellaneous Receipts and reimbursements from federal service  
43 agreements, but excluding lottery funds and federal funds not described in section 2, chapter  
44 612, Oregon Laws 2019, collected or received by the Department of Revenue, for adminis-  
45 tration, is decreased by \$7,592.

1       **SECTION 25.** Notwithstanding any other provision of law, the General Fund appropriation  
2 made to the Department of Revenue by section 1 (3), chapter 612, Oregon Laws 2019, for the  
3 biennium ending June 30, 2021, for the Personal Tax and Compliance Division, is decreased  
4 by \$287,641.

5       **SECTION 26.** Notwithstanding any other law limiting expenditures, the limitation on  
6 expenditures established by section 2 (3), chapter 612, Oregon Laws 2019, for the biennium  
7 ending June 30, 2021, as the maximum limit for payment of expenses from fees, moneys or  
8 other revenues, including Miscellaneous Receipts and reimbursements from federal service  
9 agreements, but excluding lottery funds and federal funds not described in section 2, chapter  
10 612, Oregon Laws 2019, collected or received by the Department of Revenue, for the Personal  
11 Tax and Compliance Division, is decreased by \$5,870.

12       **SECTION 27.** Notwithstanding any other provision of law, the General Fund appropriation  
13 made to the Department of Revenue by section 1 (4), chapter 612, Oregon Laws 2019, for the  
14 biennium ending June 30, 2021, for the Business Division, is decreased by \$122,072.

15       **SECTION 28.** Notwithstanding any other law limiting expenditures, the limitation on  
16 expenditures established by section 2 (4), chapter 612, Oregon Laws 2019, for the biennium  
17 ending June 30, 2021, as the maximum limit for payment of expenses from fees, moneys or  
18 other revenues, including Miscellaneous Receipts and reimbursements from federal service  
19 agreements, but excluding lottery funds and federal funds not described in section 2, chapter  
20 612, Oregon Laws 2019, collected or received by the Department of Revenue, for the Business  
21 Division, is decreased by \$62,885.

22       **SECTION 29.** Notwithstanding any other provision of law, the General Fund appropriation  
23 made to the Department of Revenue by section 1 (6), chapter 612, Oregon Laws 2019, for the  
24 biennium ending June 30, 2021, for the Information Technology Services Division, is de-  
25 creased by \$128,780.

26       **SECTION 30.** Notwithstanding any other law limiting expenditures, the limitation on  
27 expenditures established by section 2 (7), chapter 612, Oregon Laws 2019, for the biennium  
28 ending June 30, 2021, as the maximum limit for payment of expenses from fees, moneys or  
29 other revenues, including Miscellaneous Receipts and reimbursements from federal service  
30 agreements, but excluding lottery funds and federal funds not described in section 2, chapter  
31 612, Oregon Laws 2019, collected or received by the Department of Revenue, for the Infor-  
32 mation Technology Services Division, is decreased by \$20,964.

33       **SECTION 31.** Notwithstanding any other law limiting expenditures, the limitation on  
34 expenditures established by section 2 (8), chapter 612, Oregon Laws 2019, for the biennium  
35 ending June 30, 2021, as the maximum limit for payment of expenses from fees, moneys or  
36 other revenues, including Miscellaneous Receipts and reimbursements from federal service  
37 agreements, but excluding lottery funds and federal funds not described in section 2, chapter  
38 612, Oregon Laws 2019, collected or received by the Department of Revenue, for the  
39 marijuana program, is decreased by \$14,053.

40       **SECTION 32.** Notwithstanding any other law limiting expenditures, the limitation on  
41 expenditures established by section 7 (8), chapter 220, Oregon Laws 2019, for the biennium  
42 ending June 30, 2021, as the maximum limit for payments of grant-in-aid, program costs and  
43 purchased services by the Department of Education from the Statewide Education Initiatives  
44 Account established in ORS 327.250, for early warning system grants, is decreased by  
45 \$216,820.

1       **SECTION 33.** Notwithstanding any other law limiting expenditures, the limitation on  
2 expenditures established by section 8 (2), chapter 220, Oregon Laws 2019, for the biennium  
3 ending June 30, 2021, as the maximum limit for payment of expenses by the Department of  
4 Education from the Statewide Education Initiatives Account established in ORS 327.250, for  
5 operations, is increased by \$216,820.

6       **SECTION 34.** Notwithstanding any other law limiting expenditures, the limitation on  
7 expenditures established by section 8 (1), chapter 220, Oregon Laws 2019, for the biennium  
8 ending June 30, 2021, as the maximum limit for payment of expenses by the Department of  
9 Education from the Statewide Education Initiatives Account established in ORS 327.250, for  
10 professional development and training for educators, is decreased by \$349,586.

11       **SECTION 35.** Notwithstanding any other law limiting expenditures, the limitation on  
12 expenditures established by section 8 (2), chapter 220, Oregon Laws 2019, for the biennium  
13 ending June 30, 2021, as the maximum limit for payment of expenses by the Department of  
14 Education from the Statewide Education Initiatives Account established in ORS 327.250, for  
15 operations, is increased by \$349,586.

16       **SECTION 36.** This 2020 Act being necessary for the immediate preservation of the public  
17 peace, health and safety, an emergency is declared to exist, and this 2020 Act takes effect  
18 on its passage.  
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