

A-Engrossed House Bill 5025

Ordered by the House June 9
Including House Amendments dated June 9

Introduced and printed pursuant to House Concurrent Resolution 23 (2023) (at the request of Oregon Department of Administrative 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 Higher Education Coordinating Commission for certain biennial expenses.

Limits biennial expenditures by commission from certain lottery moneys.

Appropriates moneys from General Fund to Emergency Board for allocation to commission to award grants to specified universities.

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

Limits biennial expenditures by commission from federal funds for certain purposes.

Limits biennial expenditures by commission from timber tax funds for Community College Support Fund.

Authorizes specified nonlimited expenditures.

Declares emergency, effective July 1, 2023.

A BILL FOR AN ACT

1
2 Relating to the financial administration of the Higher Education Coordinating Commission; and de-
3 claring an emergency.

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

5 **SECTION 1. There are appropriated to the Higher Education Coordinating Commission,**
6 **for the biennium beginning July 1, 2023, out of the General Fund, the following amounts, for**
7 **the following purposes:**

- 8 (1) **Higher Education Coordinating**
- 9 **Commission programs and**
- 10 **operations \$ 87,294,874**
- 11 (2) **Public university operations**
- 12 **and student support**
- 13 **for distribution to**
- 14 **public universities..... \$ 1,006,164,482**
- 15 (3) **Community College Support**
- 16 **Fund for distribution to**
- 17 **community colleges and**
- 18 **community college service**
- 19 **districts and school**
- 20 **districts..... \$ 800,000,000**
- 21 (4) **Oregon Opportunity Grant ... \$ 183,776,003**

Note: For budget, see 2023-2025 Biennial Budget

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	(5) Oregon Promise grants.....	\$ 44,252,681
2	(6) Oregon Tribal Student Grant	\$ 24,245,859
3	(7) Oregon National Guard	
4	tuition assistance.....	\$ 5,119,455
5	(8) Oregon Health and Science	
6	University education and	
7	other programs.....	\$ 139,292,377
8	(9) Public university statewide	
9	programs.....	\$ 59,248,952
10	(10) Statewide public services.....	\$ 180,611,441
11	(11) Debt service and related costs:	
12	(a) Debt service on outstanding	
13	general obligation bonds sold	
14	for the benefit of Oregon	
15	public universities.....	\$ 263,112,900
16	(b) Debt service on outstanding	
17	general obligation bonds sold	
18	for the benefit of Oregon	
19	community colleges.....	\$ 39,711,540
20	(c) Debt service on outstanding	
21	general obligation bonds	
22	sold for the benefit of	
23	Oregon Health and Science	
24	University	\$ 23,575,130
25	(d) Debt service on outstanding	
26	general obligation bonds sold	
27	for implementing the Financial	
28	Assistant Management Information	
29	Systems project	\$ 1,443,880
30	(e) Repayment of energy loans	
31	made to Oregon public	
32	universities by State	
33	Department of Energy	\$ 13,119,216
34	(f) Debt-related costs on bonds	
35	sold for the benefit of	
36	Oregon public universities....	\$ 1,249,211
37	(g) Debt-related costs on bonds	
38	sold for the benefit of Oregon	
39	community colleges.....	\$ 162,662

40 **SECTION 2.** Notwithstanding any other law limiting expenditures, the amount of
 41 \$33,308,670 is established for the biennium beginning July 1, 2023, as the maximum limit for
 42 payment of expenses from lottery moneys allocated from the Administrative Services Eco-
 43 nomic Development Fund to the Higher Education Coordinating Commission for debt service
 44 on lottery bonds sold for the benefit of Oregon public universities.

45 **SECTION 3.** Notwithstanding any other law limiting expenditures, the amount of

1 \$11,821,800 is established for the biennium beginning July 1, 2023, as the maximum limit for
2 payment of expenses from lottery moneys allocated from the Administrative Services Eco-
3 nomic Development Fund to the Higher Education Coordinating Commission for debt service
4 on lottery bonds sold for the benefit of Oregon community colleges.

5 **SECTION 4.** Notwithstanding any other law limiting expenditures, the amount of
6 \$56,406,064 is established for the biennium beginning July 1, 2023, as the maximum limit for
7 payment of expenses from lottery moneys allocated from the Administrative Services Eco-
8 nomic Development Fund to the Higher Education Coordinating Commission to the Outdoor
9 School Education Fund.

10 **SECTION 5.** Notwithstanding any other law limiting expenditures, the amount of
11 \$18,329,943 is established for the biennium beginning July 1, 2023, as the maximum limit for
12 payment of expenses by the Higher Education Coordinating Commission from lottery moneys
13 allocated to the Sports Lottery Account.

14 **SECTION 6.** Notwithstanding any other law limiting expenditures, the amount of
15 \$84,000,000 is established for the biennium beginning July 1, 2023, as the maximum limit for
16 payment of expenses from lottery moneys distributed from the Education Stability Fund to
17 the Higher Education Coordinating Commission for Oregon Opportunity Grants.

18 **SECTION 7.** (1) In addition to and not in lieu of any other appropriation, there is appro-
19 priated to the Emergency Board, for the biennium beginning July 1, 2023, out of the General
20 Fund, the amount of \$18,735,518, to be allocated to the Higher Education Coordinating Com-
21 mission to award grants to Portland State University and Oregon’s technical regional uni-
22 versities (Oregon Institute of Technology, Southern Oregon University, Eastern Oregon
23 University and Western Oregon University) to assist these institutions with long-term fi-
24 nancial sustainability.

25 (2) If any of the moneys appropriated by subsection (1) of this section are not allocated
26 by the Emergency Board prior to December 1, 2024, the moneys remaining on that date be-
27 come available for any purpose for which the Emergency Board lawfully may allocate funds.

28 **SECTION 8.** Notwithstanding any other law limiting expenditures, the following amounts
29 are established for the biennium beginning July 1, 2023, as the maximum limits for payment
30 of expenses from fees, moneys or other revenues, including Miscellaneous Receipts, but ex-
31 cluding lottery funds and federal funds and funds described in sections 12 to 16 of this 2023
32 Act, collected or received by the Higher Education Coordinating Commission, for the follow-
33 ing purposes:

- 34 (1) Higher Education Coordinating
35 Commission programs and
36 related grants \$115,100,094
- 37 (2) Debt service on outstanding
38 general obligation bonds sold
39 for the benefit of Oregon
40 Health and Science University.. \$ 7,328,750
- 41 (3) Debt service on outstanding
42 lottery bonds and general
43 obligation bonds sold for
44 the benefit of Oregon public
45 universities \$ 3,957,430

1 **SECTION 9.** Notwithstanding any other law limiting expenditures, the amount of
2 \$20,000,000 is established for the biennium beginning July 1, 2023, as the maximum limit for
3 payment of expenses by the Higher Education Coordinating Commission from American
4 Rescue Plan Act Coronavirus State Fiscal Recovery Fund moneys received by the Oregon
5 Department of Administrative Services and transferred to the commission for carrying out
6 the provisions of sections 3 and 3a, chapter 28, Oregon Laws 2022.

7 **SECTION 10.** Notwithstanding any other law limiting expenditures, the amount of
8 \$91,808,631 is established for the biennium beginning July 1, 2023, as the maximum limit for
9 payment of expenses by the Higher Education Coordinating Commission from American
10 Rescue Plan Act Coronavirus State Fiscal Recovery Fund moneys received by the Oregon
11 Department of Administrative Services and transferred to the commission for carrying out
12 the provisions of sections 9 and 11, chapter 28, Oregon Laws 2022.

13 **SECTION 11.** Notwithstanding any other law limiting expenditures, the amount of
14 \$135,765,439 is established for the biennium beginning July 1, 2023, as the maximum limit for
15 payment of expenses from federal funds, excluding federal funds described in section 14 of
16 this 2023 Act, collected or received by the Higher Education Coordinating Commission, for
17 Higher Education Coordinating Commission programs and related grants.

18 **SECTION 12.** Notwithstanding any other law limiting expenditures, the amount of \$98,626
19 is established for the biennium beginning July 1, 2023, as the maximum limit for payment of
20 expenses by the Higher Education Coordinating Commission from the moneys received from
21 the Western Oregon Timber Severance Tax Fund and the Eastern Oregon Timber Severance
22 Tax Fund for the Community College Support Fund.

23 **SECTION 13.** For the biennium beginning July 1, 2023, expenditures by the Higher Edu-
24 cation Coordinating Commission for debt service on general obligation bonds and certificates
25 of participation issued for the benefit of public universities and Oregon Health and Science
26 University and paid with resources received from the public universities and Oregon Health
27 and Science University are not limited.

28 **SECTION 14.** For the biennium beginning July 1, 2023, expenditures by the Higher Edu-
29 cation Coordinating Commission for payments to individuals, organizations or units of gov-
30 ernment from federal National Emergency Grants funds are not limited.

31 **SECTION 15.** For the biennium beginning July 1, 2023, expenditures by the Higher Edu-
32 cation Coordinating Commission for debt service on Build America Bonds sold for the benefit
33 of public universities and community colleges are not limited.

34 **SECTION 16.** For the biennium beginning July 1, 2023, expenditures by the Higher Edu-
35 cation Coordinating Commission of moneys from the Tuition Protection Fund are not limited.

36 **SECTION 17.** This 2023 Act being necessary for the immediate preservation of the public
37 peace, health and safety, an emergency is declared to exist, and this 2023 Act takes effect
38 July 1, 2023.

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