

LC 5
2020 2nd Special Session
8/9/20 (DFY/ps)

DRAFT

SUMMARY

Modifies requirements relating to certain fiscal reports.

Establishes, modifies and repeals certain transfers of moneys from funds and accounts to General Fund.

Modifies law relating to costs for Oregon transparency website.

Directs Oregon Department of Administrative Services to report on certain terms in certain collective bargaining agreements.

Modifies authorized debt service payments.

Directs Public Employees Retirement Board to submit proposals for crediting amounts to funds or accounts. Repeals transfers of certain moneys to certain funds.

Directs Legislative Assembly to reflect balances of General Fund appropriations made to judicial and legislative departments, and adjustments thereto, in appropriation measures.

Establishes and modifies programs for economic development.

Modifies procedure for payment to children's advocacy centers. Modifies permissible uses of moneys in certain Department of Justice account.

Modifies permissible uses for certain moneys allocated to Housing and Community Services Department. Transfers moneys for department purposes. Provides for distribution of certain federal moneys by department. Repeals certain pilot programs within Housing and Community Services Department and Department of Human Services. Abolishes Wildfire Damage Housing Relief Account.

Permits use of certain revenues for operating costs of Oregon Department of Aviation.

Modifies operative date for provisions relating to in-home care.

Modifies procedure for expenditures from Water Supply Development Account.

Authorizes use of Early Learning Account for construction of facilities. Specifies amounts transferred to education accounts.

Authorizes use of Connect Oregon Fund for Coos Bay rail project.

Authorizes contract for study related to wildfire costs.

Encourages recipients of grants from Student Investment Account to prioritize use of grant moneys for purpose of meeting students' mental or be-

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 havioral health needs. Authorizes school district or public charter school
2 that submitted grant application or entered into grant agreement for moneys
3 from Student Investment Account for 2020-2021 school year to submit
4 amended grant application or amended grant agreement.

5 Declares emergency, effective on passage.

6 **A BILL FOR AN ACT**

7 Relating to state financial administration; creating new provisions; amending
8 ORS 147.225, 147.390, 180.095, 238.670, 276A.253, 285B.746, 285B.749,
9 291.227, 293.195, 293.229, 293.252, 329A.430, 410.612, 443.733 and 458.620 and
10 section 20, chapter 725, Oregon Laws 2017, sections 3, 12b, 23 and 24,
11 chapter 105, Oregon Laws 2018, section 3, chapter 122, Oregon Laws 2019,
12 section 45a, chapter 355, Oregon Laws 2019, section 4, chapter 574, Oregon
13 Laws 2019, sections 4 and 6, chapter 609, Oregon Laws 2019, section 5a,
14 chapter 642, Oregon Laws 2019, sections 2, 3, 4 and 7, chapter 643, Oregon
15 Laws 2019, section 85, chapter 678, Oregon Laws 2019, and section 7,
16 chapter 680, Oregon Laws 2019; and repealing ORS 458.667 and section 21,
17 chapter 725, Oregon Laws 2017, section 31, chapter 101, Oregon Laws 2018,
18 sections 12a, 13, 14, 15 and 16, chapter 105, Oregon Laws 2018, section 63,
19 chapter 355, Oregon Laws 2019, section 6, chapter 643, Oregon Laws 2019,
20 and section 8, chapter 680, Oregon Laws 2019; and declaring an emer-

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

22
23 **FISCAL REPORTING**

24
25 **SECTION 1.** ORS 293.229 is amended to read:

26 293.229. (1) Not later than October 1 of each fiscal year, each state agency
27 shall submit a report to the Legislative Fiscal Office that describes the sta-
28 tus of that agency's liquidated and delinquent accounts and efforts made by
29 that agency to collect liquidated and delinquent accounts during the previous
30 fiscal year. The report required under this subsection shall be in a form
31 prescribed by the Legislative Fiscal Office and shall include but not be lim-

1 ited to:

2 (a) Beginning balance and total number of all liquidated and delinquent
3 accounts;

4 (b) New liquidated and delinquent accounts added during the last pre-
5 ceding fiscal year;

6 (c) Total collections of liquidated and delinquent accounts;

7 (d) Total amount and total number of liquidated and delinquent accounts
8 that have been written off;

9 (e) Total number and ending balance of all liquidated and delinquent ac-
10 counts;

11 (f) Total amount of liquidated and delinquent accounts assigned to the
12 Department of Revenue and the total amount collected by the department
13 under ORS 293.250;

14 (g) Total amount of liquidated and delinquent accounts assigned to pri-
15 vate collection agencies and the total amount collected by private collection
16 agencies under ORS 293.231;

17 (h) Total number and total amount of all liquidated and delinquent ac-
18 counts exempted under ORS 293.233;

19 (i) Total number and ending balance of all liquidated and delinquent ac-
20 counts that have been placed in suspended collection status under ORS
21 305.155; and

22 (j) A statement indicating whether the agency has liquidated and delin-
23 quent accounts that are not exempt under ORS 293.233, or are otherwise
24 prohibited or exempted by law from assignment, for which no payment has
25 been received for more than 90 days and that have not been assigned to the
26 Department of Revenue under ORS 293.231.

27 (2) If a state agency reports under subsection (1) of this section that the
28 total ending balance of its liquidated and delinquent accounts is \$50 million
29 or greater, the state agency shall, not later than three months after it sub-
30 mits the report under subsection (1) of this section, submit an additional
31 report to the committees or interim committees of the Legislative Assembly

1 related to ways and means that:

2 (a) Describes major categories of liquidated and delinquent accounts held
3 by the state agency;

4 (b) Describes circumstances under which the state agency writes off or
5 adjusts liquidated and delinquent amounts or removes an account from liq-
6 uidated and delinquent status;

7 (c) Describes actions undertaken by the state agency to reduce the
8 amount of liquidated and delinquent debt owed to it at the end of each fiscal
9 year; and

10 (d) Sets forth a plan for future actions that will reduce the amount of
11 liquidated and delinquent debt owed to the state agency at the end of each
12 fiscal year and describes any additional resources that are necessary to carry
13 out the plan.

14 (3) The Legislative Fiscal Office shall produce an annual report not later
15 than [*December 31*] **February 1** of each fiscal year on the status of liquidated
16 and delinquent accounts of state agencies and the judicial branch of state
17 government. The report shall be based on the reports submitted by state
18 agencies as required in this section and on reports submitted by the judicial
19 branch of state government under ORS 1.195.

20 (4) The report required under subsection (3) of this section shall:

21 (a) List those state agencies, including the judicial branch of state gov-
22 ernment, that have liquidated and delinquent accounts that are not exempt
23 under ORS 1.198, 1.199 or 293.233, or are otherwise prohibited or exempted
24 by law from assignment, for which no payment has been received for more
25 than 90 days and that have not been assigned to a private collection agency
26 or to the Department of Revenue under ORS 1.197 or assigned to the De-
27 partment of Revenue under 293.231;

28 (b) List separately information about the liquidated and delinquent ac-
29 counts of the Secretary of State, the State Treasurer, other state agencies in
30 the executive branch of state government and the judicial branch of state
31 government; and

1 (c) Include any other information the Legislative Fiscal Office determines
2 is necessary to describe the status of liquidated and delinquent accounts
3 across offices and branches of state government.

4 (5) Notwithstanding ORS 293.227, as used in this section, “state agency”
5 has the meaning given that term in ORS 293.226, except that it:

6 (a) Does not include the judicial department as defined in ORS 174.113
7 or the legislative department as defined in ORS 174.114; and

8 (b) Includes public universities listed in ORS 352.002 and Oregon Health
9 and Science University, notwithstanding ORS 352.138 and 353.100.

10 **SECTION 2.** ORS 293.252 is amended to read:

11 293.252. (1) The Oregon Department of Administrative Services shall
12 monitor state agency debt collection functions described by law and assist
13 state agencies in efforts to improve the collection of delinquent debts owed
14 to state agencies. The department’s duties under this subsection include, but
15 are not limited to:

16 (a) Providing training to state agencies regarding processing and manag-
17 ing accounts receivable in compliance with applicable law and state policies.

18 (b) Providing technical assistance to state agencies in resolving chal-
19 lenges in processing and managing accounts receivable and developing fi-
20 nancial administrative systems to improve the handling of liquidated and
21 delinquent accounts.

22 (c) Developing performance standards for state debt collection, including
23 but not limited to standards defining what constitutes liquidated and delin-
24 quent accounts and when debt may be written off pursuant to ORS 293.240.

25 (d) Working with state agencies to improve the quality and value of data
26 that each state agency submits to the Legislative Fiscal Office for purposes
27 of ORS 293.229.

28 (e) Submitting an annual management report to the Legislative Assembly
29 not later than [*December 31*] **February 1** of each fiscal year, in conjunction
30 with the report of the Legislative Fiscal Office produced under ORS 293.229,
31 that identifies important issues and significant trends in state agency debt

1 collection practices and describes and evaluates efforts by state agencies to
2 improve the collection of delinquent debt.

3 (2) The department shall adopt policies:

4 (a) Providing guidance for the collection of liquidated and delinquent ac-
5 counts owing to state agencies.

6 (b) Setting procedures for state agencies to account for and manage in-
7 formation regarding the agency's liquidated and delinquent accounts.

8 (c) After consultation with the Attorney General, setting criteria for ef-
9 fective and efficient assignment of liquidated and delinquent accounts to the
10 Department of Revenue or private collection agencies, and setting perform-
11 ance measurements to be used in the application of the criteria.

12 (d) For the allocation, form and amount of charges or fees added to liq-
13 uidated and delinquent accounts under ORS 293.231, 293.250 and 697.105.

14 (e) Setting exemptions or adjustments for state agencies that are prohib-
15 ited by law from adding or collecting fees under ORS 293.231, 293.250 or
16 697.105 and for agencies for which the addition or collection of the fees is
17 not feasible given the agency resources available for collection of accounts
18 receivable.

19 (f) For the improvement of communications regarding liquidated and de-
20 linquent accounts among state agencies and between private collection
21 agencies and the Department of Revenue.

22 (g) Describing conditions under which a state agency may request and
23 collect Social Security numbers in accordance with state and federal law
24 when it is reasonably foreseeable that a person may owe the state agency a
25 liquidated and delinquent amount as a result of a transaction or activity.

26 (h) After consultation with the Attorney General, setting criteria under
27 which state agencies, the Department of Revenue and private collection
28 agencies may propose and accept offers of compromise as provided in ORS
29 293.240.

30 (3) As used in this section, "state agency" has the meaning given that
31 term in ORS 293.226, except that it does not include the judicial department

1 as defined in ORS 174.113, the Secretary of State or the State Treasurer.

2 **SECTION 3.** ORS 291.227 is amended to read:

3 291.227. (1)(a) As part of the development of the legislatively adopted
4 budget, each state agency that employs more than 100 employees shall report
5 to the Joint Committee on Ways and Means the state agency's maximum
6 supervisory ratio for the biennium.

7 (b) Before submitting the report to the committee, a state agency shall
8 provide a copy of the report to all labor organizations that represent em-
9 ployees of the state agency.

10 (2) A state agency must determine its maximum supervisory ratio by
11 starting from a baseline ratio of one to 11 and adjusting the ratio based on
12 some or all of the following factors:

13 (a) Safety of the public or of state agency employees;

14 (b) Geographic location of the agency's employees;

15 (c) Complexity of the agency's duties;

16 (d) Industry best practices and standards;

17 (e) Size and hours of operation of the agency;

18 (f) Unique personnel needs of the agency, including the agency's use of
19 volunteers or seasonal or temporary employees, or the exercise of supervisory
20 authority by agency supervisory employees over personnel who are not
21 agency employees; and

22 (g) Financial scope and responsibility of the agency.

23 (3) The Joint Committee on Ways and Means shall review the maximum
24 supervisory ratios reported by state agencies. [*The committee shall include*
25 *the maximum supervisory ratio in a budget report or budget note for each state*
26 *agency that reported a maximum supervisory ratio.*]

27 (4) Subject to subsection (5) of this section, a state agency whose actual
28 supervisory ratio is greater than its maximum supervisory ratio may not fill
29 a supervisory position.

30 (5)(a) The Oregon Department of Administrative Services may exempt a
31 state agency from the limitations of subsection (4) of this section if the de-

1 department determines that an additional supervisory position is reasonably
2 necessary to the state agency. The department must make the determination
3 with reference to some or all of the factors set forth in subsection (2) of this
4 section.

5 (b) At least five business days before granting an exemption under this
6 subsection, the department shall notify all labor organizations that represent
7 employees of the state agency of its intent to grant the exemption.

8 (6)(a) The department shall, once per quarter, produce reports on the ac-
9 tual supervisory ratio of each state agency. The reports must include data
10 on job families within each state agency to the extent such data is reason-
11 ably available.

12 (b) The department shall make the reports publicly available on the
13 Internet and shall notify all labor organizations that represent state em-
14 ployees when the reports are available.

15 (7) The department may adopt rules for the administration of this section,
16 including rules governing how temporary, seasonal or part-time employees
17 are accounted for in the calculation of a supervisory ratio.

18 (8) As used in this section:

19 (a) "Job families" means groups of occupations based upon work per-
20 formed, skills, education, training and credentials.

21 (b) "Legislatively adopted budget" has the meaning given that term in
22 ORS 291.002.

23 (c)(A) "State agency" means all state officers, boards, commissions, de-
24 partments, institutions, branches, agencies, divisions and other entities,
25 without regard to the designation given to those entities, that are within the
26 executive branch of government as described in Article III, section 1, of the
27 Oregon Constitution.

28 (B) "State agency" does not include:

29 (i) The legislative department as defined in ORS 174.114;

30 (ii) The judicial department as defined in ORS 174.113;

31 (iii) The Public Defense Services Commission;

- 1 (iv) The Secretary of State and the State Treasurer;
- 2 (v) Semi-independent state agencies listed in ORS 182.454;
- 3 (vi) The Oregon Tourism Commission;
- 4 (vii) The Oregon Film and Video Office;
- 5 (viii) Public universities listed in ORS 352.002;
- 6 (ix) The Oregon Health and Science University;
- 7 (x) The Travel Information Council;
- 8 (xi) Oregon Corrections Enterprises;
- 9 (xii) The Oregon State Lottery Commission;
- 10 (xiii) The State Accident Insurance Fund Corporation;
- 11 (xiv) The Oregon Utility Notification Center;
- 12 (xv) Oregon Community Power;
- 13 (xvi) The Citizens' Utility Board;
- 14 (xvii) A special government body as defined in ORS 174.117;
- 15 (xviii) Any other public corporation created under a statute of this state
- 16 and specifically designated as a public corporation; and
- 17 (xix) Any other semi-independent state agency denominated by statute as
- 18 a semi-independent state agency.

19 (d) "Supervisory employee" has the meaning given that term in ORS
20 243.650.

21 (e) "Supervisory ratio" means the ratio of employees who are supervisory
22 employees to employees who are not supervisory employees.

23
24 **OREGON MEDICAL BOARD**

25
26 **SECTION 4. Section 6, chapter 643, Oregon Laws 2019, is repealed.**

27
28 **OREGON TRANSPARENCY WEBSITE**

29
30 **SECTION 5. ORS 276A.253 is amended to read:**

31 276A.253. (1)(a) The State Chief Information Officer shall maintain and

1 make available an Oregon transparency website. The website must allow any
2 person to view information that is a public record and is not exempt from
3 disclosure under ORS 192.311 to 192.478, including but not limited to infor-
4 mation described in subsection (3) of this section. The State Chief Informa-
5 tion Officer shall provide on the home page of the website a method for users
6 to offer suggestions regarding the form or content of the website.

7 (b) The Oregon Department of Administrative Services shall assist the
8 State Chief Information Officer in performing duties under paragraph (a) of
9 this subsection to the extent the State Chief Information Officer deems the
10 assistance necessary.

11 (2) State agencies and education service districts, to the extent practica-
12 ble and subject to laws relating to confidentiality, when at no additional
13 cost, using existing data and existing resources of the state agency or edu-
14 cation service district and without reallocation of resources, shall:

15 (a) Furnish information to the Oregon transparency website by posting
16 reports and providing links to existing information system applications in
17 accordance with standards that the State Chief Information Officer estab-
18 lishes; and

19 (b) Provide the information in the format and manner that the State Chief
20 Information Officer requires.

21 (3) To the extent practicable and subject to laws relating to
22 confidentiality, when at no additional cost, using existing data and existing
23 resources of the state agency or education service district and without real-
24 location of resources, the Oregon transparency website must contain infor-
25 mation about each state agency and education service district, including but
26 not limited to:

27 (a) Annual revenues of state agencies and education service districts;

28 (b) Annual expenditures of state agencies and education service districts;

29 (c) Annual human resources expenses, including compensation, of state
30 agencies and education service districts;

31 (d) Annual tax expenditures of state agencies, including, when possible,

1 the identity of the recipients of each tax expenditure;

2 (e) For each state agency, a description of the percentage of expenditures
3 made in this state and the percentage of expenditures made outside this state
4 under all contracts for goods or services the state agency enters into during
5 each biennium;

6 (f) A prominently placed graphic representation of the primary funding
7 categories and approximate number of individuals that the state agency or
8 the education service district serves;

9 (g) A description of the mission, function and program categories of the
10 state agency or education service district;

11 (h) A copy of any audit report that the Secretary of State issues for the
12 state agency or the education service district;

13 (i) The local service plans of the education service districts;

14 (j) A copy of each report required by statute for education service dis-
15 tricts; and

16 (k) A copy of all notices of public meetings of the education service dis-
17 tricts.

18 (4) In addition to the information described in subsection (3) of this sec-
19 tion:

20 (a) The State Chief Information Officer shall post on the Oregon trans-
21 parency website notices of public meetings the state agency must provide
22 under ORS 192.640. If the state agency maintains a website where minutes
23 or summaries of the public meetings are available, the state agency shall
24 provide the State Chief Information Officer with the link to the state agency
25 website for posting on the Oregon transparency website.

26 (b) The State Chief Information Officer shall post on the Oregon trans-
27 parency website a link for the website that the Secretary of State maintains
28 for rules that the state agency adopts. If the state agency maintains a
29 website where the state agency posts the rules, or where any information
30 relating to the rules of the agency is posted, the state agency shall provide
31 the State Chief Information Officer with the link to the website for posting

1 on the Oregon transparency website.

2 (c) The State Chief Information Officer shall provide links on the Oregon
3 transparency website for information that the State Chief Information Offi-
4 cer receives concerning contracts and subcontracts that a state agency or
5 education service district enters into, to the extent that disclosing the in-
6 formation is allowed by law and the information is already available on
7 websites that the state agency or education service district maintains. To the
8 extent available, the information to which the State Chief Information Offi-
9 cer links under this section must include:

- 10 (A) Information on professional, personal and material contracts;
- 11 (B) The date of each contract and the amount payable under the contract;
- 12 (C) The period during which the contract is or was in effect; and
- 13 (D) The names and addresses of vendors.

14 (d) The State Chief Information Officer shall provide an economic devel-
15 opment section on the Oregon transparency website for posting of informa-
16 tion submitted to the State Chief Information Officer by state agencies
17 responsible for administering specific economic development programs. The
18 section shall include, but not be limited to, the following information, if it
19 is already collected or available within an existing database maintained by
20 the state agency in the course of administering the economic development
21 program:

22 (A) The names of filmmakers or companies that have received reimburse-
23 ments from the Oregon Production Investment Fund under ORS 284.368 and
24 the amount of each reimbursement;

25 (B) The amount of revenue bonds issued under ORS 285A.430 for the Be-
26 ginning and Expanding Farmer Loan Program, the names of persons who
27 received loans under the program and the amount of the loan;

28 (C) The names of persons who received grants, loans or equity invest-
29 ments from the Oregon Innovation Council under ORS 284.742 and the pur-
30 pose and amount of the grant, loan or equity investment;

31 (D) Copies of, or links to, annual reports required to be filed under ORS

1 285C.615 under the strategic investment program;

2 (E) Copies of, or links to, annual certifications required to be filed under
3 ORS 285C.506 for the business development income tax exemption; and

4 (F) Information required to be posted on the Oregon transparency website
5 under ORS 276A.256.

6 (e) The information reported under paragraph (d) of this subsection:

7 (A) May not include proprietary information; and

8 (B) Shall be provided to the State Chief Information Officer by the state
9 agency in the format and manner required by the State Chief Information
10 Officer.

11 (f) The State Chief Information Officer shall post on the Oregon trans-
12 parency website information describing the process for requesting copies of
13 public records from a public body, including a link to the public records
14 section of the Department of Justice webpage. At the request of a state
15 agency or education service district, the State Chief Information Officer
16 shall include a link to a location on the webpage of the agency or district
17 that describes the process for requesting public records from the agency or
18 district.

19 (5) In operating, refining and recommending enhancements to the Oregon
20 transparency website, the State Chief Information Officer and the Transpar-
21 ency Oregon Advisory Commission created in ORS 276A.259 shall consider
22 and, to the extent practicable, adhere to the following principles:

23 (a) The website must be accessible without cost and be easy to use;

24 (b) Information included on the Oregon transparency website must be
25 presented using plain, easily understandable language; and

26 (c) The website should teach users about how state government and edu-
27 cation service districts work and provide users with the opportunity to learn
28 something about how state government and education service districts raise
29 and spend revenue.

30 (6) If a state agency or an education service district is not able to include
31 information described in this section on the Oregon transparency website

1 because of the lack of availability of information or cost in acquiring infor-
2 mation, the Transparency Oregon Advisory Commission created in ORS
3 276A.259 shall list the information that is not included for the state agency
4 or education service district in the commission's report to the Legislative
5 Assembly required under ORS 276A.259.

6 (7)(a) For the purpose of providing transparency in the revenues, expend-
7 itures and budgets of the following entities, the State Chief Information Of-
8 ficer shall include on the Oregon transparency website a page that provides
9 links to websites established by:

10 (A) Local governments, as defined in ORS 174.116.

11 (B) Special government bodies, as defined in ORS 174.117.

12 (C) Semi-independent state agencies listed in ORS 182.454.

13 (D) Public universities listed in ORS 352.002.

14 (E) Public university statewide programs operated by a public university
15 listed in ORS 352.002.

16 (F) The Oregon Health and Science University.

17 (G) The Oregon Tourism Commission.

18 (H) The Oregon Film and Video Office.

19 (I) The Travel Information Council.

20 (J) The Children's Trust Fund of Oregon Foundation.

21 (K) Oregon Corrections Enterprises.

22 (L) The State Accident Insurance Fund Corporation.

23 (M) The Oregon Utility Notification Center.

24 (N) Any public corporation created under a statute of this state and spe-
25 cifically designated as a public corporation.

26 (b) The State Chief Information Officer shall include a link to an entity's
27 website after receiving a request from the entity and shall consider recom-
28 mendations from the Transparency Oregon Advisory Commission for includ-
29 ing other links to websites of the entities listed in paragraph (a) of this
30 subsection.

31 (c) At the request of any local government, as defined in ORS 174.116, or

1 special government body, as defined in ORS 174.117, the State Chief Infor-
2 mation Officer shall include on the Oregon transparency website notices of
3 public meetings required to be provided under ORS 192.640 by the local
4 government or special government body. The local government or special
5 government body must submit public meeting notice information in the for-
6 mat and manner required by the State Chief Information Officer.

7 (d) The office of the State Chief Information Officer shall include a
8 prominent link on the home page of the Oregon transparency website for
9 information posted to the page described in paragraph (a) of this subsection.

10 **(8) Nothing in this section prohibits the State Chief Information**
11 **Officer or the Oregon Department of Administrative Services from**
12 **incurring costs or requesting additional resources to develop, maintain**
13 **or enhance the Oregon transparency website.**

14

15 **NONSTATE EMPLOYEE COLLECTIVE BARGAINING**

16

17 **SECTION 6.** ORS 410.612 is amended to read:

18 410.612. (1) For purposes of collective bargaining under ORS 243.650 to
19 243.806, the Home Care Commission is the employer of record for home care
20 workers and personal support workers.

21 (2) Except as provided in ORS 410.614 and 410.619, home care workers and
22 personal support workers may not be considered to be employees of the State
23 of Oregon, an area agency, a support services brokerage or other public
24 agency.

25 (3)(a) The Oregon Department of Administrative Services shall represent
26 the commission in collective bargaining negotiations with the certified or
27 recognized exclusive representatives of all appropriate bargaining units of
28 home care workers and personal support workers. The department is au-
29 thorized to agree to terms and conditions of collective bargaining agreements
30 on behalf of the commission and the Department of Human Services.

31 **(b) The Oregon Department of Administrative Services shall report**

1 **to the legislative review agency, as defined in ORS 291.371, on any new**
2 **or changed provisions relating to compensation in a collective bar-**
3 **gaining agreement negotiated under this section.**

4 **SECTION 7.** ORS 329A.430 is amended to read:

5 329A.430. (1) As used in this section:

6 (a) “Certified family child care provider” means an individual who oper-
7 ates a family child care home that is certified under ORS 329A.280.

8 (b) “Child care subsidy” means a payment made by the state on behalf of
9 eligible children for child care services provided for periods of less than 24
10 hours in a day.

11 (c) “Exempt family child care provider” means an individual who provides
12 child care services in the home of the individual or in the home of the child,
13 whose services are not required to be certified or registered under ORS
14 329A.250 to 329A.450 and who receives a child care subsidy.

15 (d) “Family child care provider” means an individual who is a certified,
16 registered or exempt family child care provider.

17 (e) “Registered family child care provider” means an individual who op-
18 erates a family child care home that is registered under ORS 329A.330.

19 (2) For purposes of collective bargaining under ORS 243.650 to 243.806, the
20 State of Oregon is the public employer of record of family child care pro-
21 viders.

22 (3) Notwithstanding ORS 243.650 (19), family child care providers are
23 considered to be public employees governed by ORS 243.650 to 243.806. Fam-
24 ily child care providers have the right to form, join and participate in the
25 activities of labor organizations of their own choosing for the purpose of
26 representation and collective bargaining on matters concerning labor re-
27 lations. These rights shall be exercised in accordance with the rights granted
28 to public employees, with mediation and interest arbitration under ORS
29 243.742 as the method of concluding the collective bargaining process. Family
30 child care providers may not strike.

31 (4) Notwithstanding subsections (2) and (3) of this section, family child

1 care providers are not for any other purpose employees of the State of
2 Oregon or any other public body.

3 (5)(a) The Oregon Department of Administrative Services shall represent
4 the State of Oregon in collective bargaining negotiations with the certified
5 or recognized exclusive representatives of all appropriate bargaining units
6 of family child care providers. The Oregon Department of Administrative
7 Services is authorized to agree to terms and conditions of collective bar-
8 gaining agreements on behalf of the State of Oregon.

9 (b) **The department shall report to the legislative review agency,**
10 **as defined in ORS 291.371, on any new or changed provisions relating**
11 **to compensation in a collective bargaining agreement negotiated under**
12 **this section.**

13 (6) Notwithstanding ORS 243.650 (1):

14 (a) The appropriate bargaining unit for certified and registered family
15 child care providers is a bargaining unit of all certified and registered family
16 child care providers in the state.

17 (b) The appropriate bargaining unit for exempt family child care providers
18 is a bargaining unit of all exempt family child care providers in the state.

19 (7) This section does not modify any right of a parent or legal guardian
20 to choose and terminate the services of a family child care provider.

21 **SECTION 8.** ORS 443.733 is amended to read:

22 443.733. (1) As used in this section, “adult foster care home provider”
23 means a person who operates an adult foster home in the provider’s home
24 and who receives fees or payments from state funds for providing adult foster
25 care home services. “Adult foster care home provider” does not include a
26 person:

27 (a) Who is a resident manager of an adult foster home who does not
28 provide adult foster care home services in the resident manager’s own home
29 or who does not have a controlling interest in, or is not an officer or partner
30 in, the entity that is the provider of adult foster care home services;

31 (b) Who is not a natural person; or

1 (c) Whose participation in collective bargaining is determined by the li-
2 censing agency to be inconsistent with this section or in violation of state
3 or federal law.

4 (2) For purposes of collective bargaining under ORS 243.650 to 243.806, the
5 State of Oregon is the public employer of record of adult foster care home
6 providers.

7 (3) Notwithstanding ORS 243.650 (19), adult foster care home providers
8 are considered to be public employees governed by ORS 243.650 to 243.806.
9 Adult foster care home providers have the right to form, join and participate
10 in the activities of labor organizations of their own choosing for the pur-
11 poses of representation and collective bargaining on matters concerning la-
12 bor relations. Mandatory subjects of collective bargaining include but are
13 not limited to provider base rates and add-on payments. These rights shall
14 be exercised in accordance with the rights granted to public employees, with
15 mediation and interest arbitration under ORS 243.742 as the method of con-
16 cluding the collective bargaining process. Adult foster care home providers
17 may not strike.

18 (4) Notwithstanding subsections (2) and (3) of this section, adult foster
19 care home providers are not for any other purpose employees of the State
20 of Oregon or any other public body.

21 (5)(a) The Oregon Department of Administrative Services shall represent
22 the State of Oregon in collective bargaining negotiations with the certified
23 or recognized exclusive representative of an appropriate bargaining unit of
24 adult foster care home providers. The Oregon Department of Administrative
25 Services is authorized to agree to terms and conditions of collective bar-
26 gaining agreements on behalf of the State of Oregon.

27 **(b) The department shall report to the legislative review agency,**
28 **as defined in ORS 291.371, on any new or changed provisions relating**
29 **to compensation in a collective bargaining agreement negotiated under**
30 **this section.**

31 (6) Notwithstanding ORS 243.650 (1), an appropriate bargaining unit for

1 adult foster care home providers is any bargaining unit recognized by the
2 Governor in an executive order issued prior to January 1, 2008.

3 (7) This section does not modify any right of an adult receiving foster
4 care.

5

6

DEBT SERVICE

7

8 **SECTION 9.** Section 4, chapter 609, Oregon Laws 2019, is amended to
9 read:

10 **Sec. 4.** There is appropriated to the Department of Education, for the
11 biennium beginning July 1, 2019, out of the General Fund, the amount of
12 \$32,479,290 for debt service on [*Article XI-P*] general obligation bonds.

13 **SECTION 10.** Section 6, chapter 609, Oregon Laws 2019, is amended to
14 read:

15 **Sec. 6.** Notwithstanding any other law limiting expenditures, the follow-
16 ing amounts are established for the biennium beginning July 1, 2019, as the
17 maximum limits for payment of expenses, other than expenses described in
18 sections 7 and 10, **chapter 609, Oregon Laws 2019**[, *of this 2019 Act*], from
19 fees, moneys or other revenues, including Miscellaneous Receipts, but ex-
20 cluding lottery funds and federal funds, collected or received by the Depart-
21 ment of Education, for the following purposes:

- 22 (1) Capital bonding \$ 130,000,000
- 23 (2) Operations..... \$ 46,360,200
- 24 (3) Oregon School for the Deaf..... \$ 6,281,693
- 25 (4) Debt service for outstanding
- 26 general obligation bonds [*sold*]
- 27 [*pursuant to Article XI-P of the*
- 28 [*Oregon Constitution*]..... \$ 1

29 **SECTION 11.** Section 5a, chapter 642, Oregon Laws 2019, is amended to
30 read:

31 **Sec. 5a.** Notwithstanding any other law limiting expenditures, the

1 amount of \$1 is established for the biennium beginning July 1, 2019, as the
2 maximum limit for payment of expenses from fees, moneys or other revenues,
3 including Miscellaneous Receipts and federal funds from the United States
4 Department of Housing and Urban Development for contract services, but
5 excluding lottery funds and federal funds not described in this section, col-
6 lected or received by the Housing and Community Services Department, for
7 debt service [*and related costs for outstanding general obligation bonds sold*
8 *pursuant to Article XI-Q of the Oregon Constitution*].

9

10

PUBLIC EMPLOYEES RETIREMENT SYSTEM

11

12 **SECTION 12. Section 13 of this 2020 second special session Act is**
13 **added to and made a part of ORS chapter 238.**

14 **SECTION 13. At least 30 days before crediting any interest or other**
15 **income received through investment of moneys to any fund or ac-**
16 **count, the Public Employees Retirement Board shall submit a prelim-**
17 **inary proposal for crediting to the appropriate legislative review**
18 **agency, as defined in ORS 291.371, for its review and comment. The**
19 **proposal shall identify gross earnings, investment expenses and ad-**
20 **ministrative expenses, by fund or account, related to the crediting of**
21 **the interest or other income.**

22 **SECTION 14. ORS 238.670 is amended to read:**

23 238.670. (1) At the close of each calendar year in which the earnings on
24 the Public Employees Retirement Fund equal or exceed the assumed interest
25 rate established by the Public Employees Retirement Board under ORS
26 238.255, the board shall set aside, out of interest and other income received
27 through investment of the Public Employees Retirement Fund during that
28 calendar year, such part of the income as the board may deem advisable, not
29 exceeding seven and one-half percent of the combined total of such income,
30 which moneys so segregated shall remain in the fund and constitute therein
31 a reserve account. The board shall continue to credit the reserve account in

1 the manner required by this subsection until the board determines that the
2 reserve account is adequately funded for the purposes specified in this sub-
3 section, but the board may not credit further amounts to the reserve account
4 if the amounts in the reserve account exceed \$50 million. Such reserve ac-
5 count shall be maintained and used by the board to prevent any deficit of
6 moneys available for the payment of retirement allowances, due to interest
7 fluctuations, changes in mortality rate or, except as provided in subsection
8 (3) or (4) of this section, other contingency. In addition, the reserve account
9 may be used by the board for the following purposes:

10 (a) To prevent any deficit in the fund by reason of the insolvency of a
11 participating public employer. Reserves under this paragraph may be funded
12 only from the earnings on employer contributions made under ORS 238.225.

13 (b) To pay any legal expenses or judgments that do not arise in the or-
14 dinary course of adjudicating an individual member's benefits or an individ-
15 ual employer's liabilities.

16 (2) At the close of each calendar year, the board shall set aside, out of
17 interest and other income received during the calendar year, after deducting
18 the amounts provided by law and to the extent that such income is available,
19 a sufficient amount to credit to the reserves for pension accounts and an-
20 nuities varying percentage amounts adopted by the board as a result of pe-
21 riodic actuarial investigations. If total income available for distribution
22 exceeds those percentages of the total accumulated contributions of employ-
23 ees and employers, the reserves for pensions and annuities shall participate
24 in such excess.

25 (3) The board may set aside, out of interest and other income received
26 through investment of the fund, such part of the income as the board con-
27 siders necessary, which moneys so segregated shall remain in the fund and
28 constitute one or more reserve accounts. Such reserve accounts shall be
29 maintained and used by the board to offset gains and losses of invested
30 capital. The board, from time to time, may cause to be transferred from the
31 reserve account provided for in subsection (1) of this section to a reserve

1 account provided for in this subsection such amount as the board determines
2 to be unnecessary for the purposes set forth in subsection (1) of this section
3 and to be necessary for the purposes set forth in this subsection.

4 (4) The board may provide for amortizing gains and losses of invested
5 capital in such instances as the board determines that amortization is pref-
6 erable to a reserve account provided for in subsection (3) of this section.

7 *[(5) At least 30 days before crediting any interest and other income received*
8 *through investment of the Public Employees Retirement Fund to any reserve*
9 *account in the fund, the board shall submit a preliminary proposal for credit-*
10 *ing to the appropriate legislative review agency, as defined in ORS 291.371 (1),*
11 *for its review and comment.]*

12 **SECTION 15. Section 63, chapter 355, Oregon Laws 2019, is repealed.**

13 **SECTION 15a.** Section 45a, chapter 355, Oregon Laws 2019, is amended
14 to read:

15 **Sec. 45a.** Sections 44 and 45 [*of this 2019 Act*], **chapter 355, Oregon**
16 **Laws 2019**, are repealed on [*December 31, 2041*] **the effective date of this**
17 **2020 second special session Act.**

18 **SECTION 16.** Section 3, chapter 105, Oregon Laws 2018, as amended by
19 section 48, chapter 355, Oregon Laws 2019, is amended to read:

20 **Sec. 3.** (1) Section 2, chapter 105, Oregon Laws 2018, as amended by sec-
21 tion 47, **chapter 355, Oregon Laws 2019**[, *of this 2019 Act*], is repealed July
22 1, 2042.

23 (2)(a) The Employer Incentive Fund established under section 1, chapter
24 105, Oregon Laws 2018, is abolished on July 1, 2042.

25 (b)[(A) *Except as provided in subparagraph (B) of this paragraph,*] The
26 unexpended moneys remaining in the Employer Incentive Fund on July 1,
27 2042, shall be transferred to the General Fund.

28 [(B) *The unexpended moneys remaining in the Employer Incentive Fund*
29 *on July 1, 2042, that are attributable to sports betting games, as defined in*
30 *ORS 461.010, shall be transferred to the Administrative Services Economic*
31 *Development Fund.*]

1 **SECTION 17. Section 31, chapter 101, Oregon Laws 2018, is repealed.**

2 **SECTION 18. (1) Sections 12a, 14 and 16, chapter 105, Oregon Laws**
3 **2018, are repealed.**

4 **(2) Section 13, chapter 105, Oregon Laws 2018, as amended by section**
5 **49, chapter 355, Oregon Laws 2019, is repealed.**

6 **(3) Section 15, chapter 105, Oregon Laws 2018, as amended by section**
7 **50, chapter 355, Oregon Laws 2019, is repealed.**

8 **SECTION 18a. Section 12b, chapter 105, Oregon Laws 2018, is amended**
9 **to read:**

10 **Sec. 12b.** Section 12, chapter 105, Oregon Laws 2018, *[of this 2018 Act]*
11 **is repealed on *[December 31, 2024]* the effective date of this 2020 second**
12 **special session Act.**

13 **SECTION 18b. Section 85, chapter 678, Oregon Laws 2019, is amended to**
14 **read:**

15 **Sec. 85.** (1) Sections 1 to 6, chapter 678, Oregon Laws 2019, *[of this 2019*
16 *Act]* become operative on July 1, 2021.

17 **(2) The amendments to statutes and session law by sections 7 to 80,**
18 **chapter 678, Oregon Laws 2019, *[of this 2019 Act]* become operative on July**
19 **1, 2021.**

20 **(3) The amendments to section 22, chapter 105, Oregon Laws 2018, by**
21 **section 81, chapter 678, Oregon Laws 2019, *[of this 2019 Act]* become oper-**
22 **ative on *[January 1, 2022]* the effective date of this 2020 second special**
23 **session Act.**

24 **(4) The amendments to section 22, chapter 105, Oregon Laws 2018, by**
25 **section 82, chapter 678, Oregon Laws 2019, *[of this 2019 Act]* become oper-**
26 **ative on *[January 1, 2023]* the effective date of this 2020 second special**
27 **session Act.**

28 **(5) The State Treasurer, the Department of State Lands and the State**
29 **Land Board may take any actions before the operative dates specified in**
30 **subsections (1) to (4) of this section necessary to enable the State Treasurer**
31 **to exercise, on and after the operative dates specified in subsections (1) to**

1 (4) of this section, the duties, functions and powers required under **chapter**
2 **678, Oregon Laws 2019** [*this 2019 Act*].

3 **SECTION 18c.** Section 23, chapter 105, Oregon Laws 2018, as amended
4 by section 83, chapter 678, Oregon Laws 2019, is amended to read:

5 **Sec. 23.** Section 22, chapter 105, Oregon Laws 2018, as amended by
6 sections 81 and 82, **chapter 678, Oregon Laws 2019** [*of this 2019 Act*], is
7 repealed on [*January 2, 2027*] **the effective date of this 2020 second special**
8 **session Act.**

9 **SECTION 19.** Section 24, chapter 105, Oregon Laws 2018, as amended by
10 section 51, chapter 355, Oregon Laws 2019 is amended to read:

11 **Sec. 24.** (1) The School Districts Unfunded Liability Fund is established
12 in the State Treasury, separate and distinct from the General Fund. Interest
13 earned by the School Districts Unfunded Liability Fund shall be credited to
14 the fund. The fund consists of [*moneys transferred to the fund under sections*
15 *12, 13, 15 and 22, chapter 105, Oregon Laws 2018, and other*] moneys trans-
16 ferred, allocated or appropriated to the fund.

17 (2) Moneys in the fund are continuously appropriated to the Public Em-
18 ployees Retirement Board for the purpose of establishing and funding a
19 pooled account to be applied against the liabilities of participating public
20 employers, as defined in ORS 238.005, that are school districts.

21 (3) Moneys in the fund shall be invested in the Oregon Short Term Fund
22 established under ORS 293.728.

23 (4) The board shall establish an account in the Public Employees Retire-
24 ment Fund for the moneys in the School Districts Unfunded Liability Fund.

25 (5) The board shall adopt rules providing for:

26 (a) Proportional distribution to school districts of the moneys in the ac-
27 count established under subsection (4) of this section;

28 (b) Amortization of the moneys distributed; and

29 (c) Administration of the account established under subsection (4) of this
30 section in the same manner as accounts established under ORS 238.229 (2).

31 (6) No later than February 1 of each odd-numbered year, the board shall

1 report to the Oregon Department of Administrative Services and the Legis-
2 lative Fiscal Officer an estimate of how moneys will be distributed under this
3 section in the following biennium.

4
5 **GENERAL FUND APPROPRIATION BALANCES**

6
7 **SECTION 20.** ORS 293.195 is amended to read:

8 293.195. (1) Any difference between the amount appropriated **from the**
9 **General Fund** for a biennium to the judicial department as defined in ORS
10 174.113, including amounts appropriated to any agency of the judicial de-
11 partment, and the amount of the appropriation actually expended on or be-
12 fore the end of the biennium, is [*continuously*] appropriated to the judicial
13 department, **out of the General Fund**, for payment of expenses of the ju-
14 dicial department for the next biennium.

15 (2) Any difference between the amount appropriated **from the General**
16 **Fund** for a biennium to the legislative department as defined in ORS 174.114,
17 including amounts appropriated to any agency of the legislative department,
18 and the amount of the appropriation actually expended on or before the end
19 of the biennium, is [*continuously*] appropriated to the legislative
20 department, **out of the General Fund**, for payment of expenses of the leg-
21 islative department for the next biennium.

22 (3) **The appropriations made by subsections (1) and (2) of this sec-**
23 **tion are subject to adjustment by the Legislative Assembly. The Leg-**
24 **islative Assembly shall reflect the appropriations, including any**
25 **adjustments thereto, in an appropriation measure during each**
26 **biennium.**

27
28 **OREGON BUSINESS DEVELOPMENT DEPARTMENT**

29
30 **SECTION 21.** (1) **The Tide Gate Grant and Loan Fund is established**
31 **in the State Treasury, separate and distinct from the General Fund.**

1 Interest earned by the Tide Gate Grant and Loan Fund must be cred-
2 ited to the fund.

3 (2) The fund consists of:

4 (a) Moneys allocated to the Oregon Business Development Depart-
5 ment under section 3 (4), chapter 670, Oregon Laws 2019;

6 (b) Moneys appropriated, allocated, deposited or transferred to the
7 fund by the Legislative Assembly or otherwise;

8 (c) Repayments, including interest, of disbursements from the fund;

9 (d) Moneys received for deposit in the fund from the federal gov-
10 ernment, state agencies or local governments; and

11 (e) Interest earned on moneys in the fund.

12 (3) The moneys in the fund are continuously appropriated to the
13 department for the purposes specified in section 22 of this 2020 second
14 special session Act.

15 SECTION 22. (1) The Oregon Business Development Department
16 may directly or indirectly grant, expend or lend moneys from the Tide
17 Gate Grant and Loan Fund established under section 21 of this 2020
18 second special session Act to:

19 (a) Provide grants or loans to plan or construct tide gates, culverts
20 and associated drainage infrastructure;

21 (b) Obtain professional services for tide gate coordination or for
22 technical studies that have a statewide benefit for tide gate project
23 development; or

24 (c) Pay administrative expenses of the department incurred in car-
25 rying out the provisions of this section, including costs of investigat-
26 ing and processing an application, developing contracts, monitoring
27 use of grants or loans by a recipient, investigating and resolving
28 budget discrepancies, closing a project and providing financial and
29 other assistance associated with expenditures from the fund.

30 (2) The department shall adopt rules necessary to carry out the
31 provisions of this section.

1 **SECTION 22a. The Tide Gate Grant and Loan Fund established un-**
2 **der section 21 of this 2020 second special session Act is abolished on**
3 **June 30, 2023. Any moneys remaining in the fund on that date shall**
4 **be transferred to the Administrative Services Economic Development**
5 **Fund established under ORS 461.540.**

6 **SECTION 23. Sections 21 and 22 of this 2020 second special session**
7 **Act are repealed on June 30, 2023.**

8 **SECTION 24. ORS 285B.746 is amended to read:**

9 285B.746. (1) The Oregon Business Development Department may approve
10 a loan requested in an application filed under ORS 285B.743 if, after inves-
11 tigation, it finds that:

12 (a) The applicant is enrolled in a small business management program
13 with a small business development center or certified entity;

14 (b) The applicant has prepared a business plan for the business, which
15 has been reviewed by a small business development center or other entity
16 certified by the department to review business plans; and

17 (c) The applicant is not effectively owned or controlled by another busi-
18 ness entity or other person that, either by itself or when combined with the
19 applicant, is not eligible for a loan under ORS 285B.740 to 285B.758.

20 (2) In addition to the requirements for loan approval described in sub-
21 section (1) of this section, in order to obtain a loan under ORS 285B.740 to
22 285B.758, an applicant must also satisfy one of the following conditions:

23 (a) The business must have annual revenues of [~~\$500,000~~] **\$1,500,000** or
24 less in the 12-month period immediately preceding the date of application.

25 (b) The business or proposed business must be owned, in whole or in part,
26 by a person certified as having a severe disability by the Department of
27 Human Services or the Commission for the Blind.

28 (c) The applicant must submit proof to the Oregon Business Development
29 Department that the applicant is a veteran who:

30 (A) Has a United States Department of Veterans Affairs total disability
31 rating of at least 70 percent as a result of an injury or illness that the vet-

1 eran incurred, or that was aggravated, during active military service; and

2 (B) Received a discharge or release under other than dishonorable condi-
3 tions.

4 **SECTION 25.** ORS 285B.746, as amended by section 24 of this 2020 second
5 special session Act, is amended to read:

6 285B.746. (1) The Oregon Business Development Department may approve
7 a loan requested in an application filed under ORS 285B.743 if, after inves-
8 tigation, it finds that:

9 (a) The applicant is enrolled in a small business management program
10 with a small business development center or certified entity;

11 (b) The applicant has prepared a business plan for the business, which
12 has been reviewed by a small business development center or other entity
13 certified by the department to review business plans; and

14 (c) The applicant is not effectively owned or controlled by another busi-
15 ness entity or other person that, either by itself or when combined with the
16 applicant, is not eligible for a loan under ORS 285B.740 to 285B.758.

17 (2) In addition to the requirements for loan approval described in sub-
18 section (1) of this section, in order to obtain a loan under ORS 285B.740 to
19 285B.758, an applicant must also satisfy one of the following conditions:

20 (a) The business must have annual revenues of [~~\$1,500,000~~] **\$500,000** or less
21 in the 12-month period immediately preceding the date of application.

22 (b) The business or proposed business must be owned, in whole or in part,
23 by a person certified as having a severe disability by the Department of
24 Human Services or the Commission for the Blind.

25 (c) The applicant must submit proof to the Oregon Business Development
26 Department that the applicant is a veteran who:

27 (A) Has a United States Department of Veterans Affairs total disability
28 rating of at least 70 percent as a result of an injury or illness that the vet-
29 eran incurred, or that was aggravated, during active military service; and

30 (B) Received a discharge or release under other than dishonorable condi-
31 tions.

1 **SECTION 26.** ORS 285B.749 is amended to read:

2 285B.749. (1) The Oregon Business Development Department may approve
3 an entrepreneurial development loan under ORS 285B.740 to 285B.758 if, after
4 investigation, it finds that:

5 (a) The loan has a reasonable prospect of repayment from cash flow and
6 collateral and is secured by good and sufficient collateral; and

7 (b) The applicant provides equity funds for the project in the form of cash
8 or property in an amount equal to or greater than 20 percent of the amount
9 of the loan.

10 (2) The department shall determine the amount of the initial loan and any
11 subsequent loan to the borrower. The maximum of all loans to a borrower
12 from the Oregon Entrepreneurial Development Loan Fund may not exceed
13 [~~\$100,000~~] **\$250,000**.

14 (3) Entrepreneurial development loans shall be made for a period not ex-
15 ceeding 10 years at a rate of interest that does not exceed 18 percent per
16 annum.

17 **SECTION 27.** ORS 285B.749, as amended by section 26 of this 2020 second
18 special session Act, is amended to read:

19 285B.749. (1) The Oregon Business Development Department may approve
20 an entrepreneurial development loan under ORS 285B.740 to 285B.758 if, after
21 investigation, it finds that:

22 (a) The loan has a reasonable prospect of repayment from cash flow and
23 collateral and is secured by good and sufficient collateral; and

24 (b) The applicant provides equity funds for the project in the form of cash
25 or property in an amount equal to or greater than 20 percent of the amount
26 of the loan.

27 (2) The department shall determine the amount of the initial loan and any
28 subsequent loan to the borrower. The maximum of all loans to a borrower
29 from the Oregon Entrepreneurial Development Loan Fund may not exceed
30 [~~\$250,000~~] **\$100,000**.

31 (3) Entrepreneurial development loans shall be made for a period not ex-

1 ceeding 10 years at a rate of interest that does not exceed 18 percent per
2 annum.

3 **SECTION 28.** The amendments to ORS 285B.746 and 285B.749 by
4 sections 24 and 26 of this 2020 second special session Act apply to loans
5 approved on or before December 31, 2021.

6 **SECTION 29.** (1) The amendments to ORS 285B.746 and 285B.749 by
7 sections 25 and 27 of this 2020 second special session Act become op-
8 erative January 1, 2022.

9 (2) The amendments to ORS 285B.746 and 285B.749 by sections 25 and
10 27 of this 2020 second special session Act apply to loans approved on
11 or after the date specified in subsection (1) of this section.

12

13

DEPARTMENT OF JUSTICE

14

15 **SECTION 30.** ORS 147.225 is amended to read:

16 147.225. There is established the Criminal Injuries Compensation Account.
17 All moneys in the account are continuously appropriated for and may be
18 used by the Department of Justice for the purposes authorized in ORS 147.005
19 to 147.367, **147.390** and 147.397.

20 **SECTION 31.** ORS 147.390 is amended to read:

21 147.390. *[(1) Notwithstanding that a child is not a victim under ORS*
22 *147.015 (1)(a), in cases of suspected child sexual abuse as described in ORS*
23 *419B.005 (1)(a)(C), (D) or (E), or child physical abuse by an adult or caretaker*
24 *as otherwise described in ORS 419B.005 (1)(a)(A), compensation may be made*
25 *on behalf of the child for services provided by a children's advocacy center,*
26 *including a child abuse assessment, a medical assessment or a forensic inter-*
27 *view, if:]*

28 *[(a) The expenses are actually paid or incurred by the applicant; and]*

29 *[(b) A claim is filed on behalf of the child in the manner provided in ORS*
30 *147.015.]*

31 *[(2) The Department of Justice may pay compensation for child abuse as-*

1 *sessments or medical assessments required by ORS 419B.023 regardless of*
2 *whether a finding of abuse is made and only if other insurance is unavailable.*
3 *If the department pays compensation, the department shall pay the compen-*
4 *sation directly to the provider of the services. The medical fee schedules for*
5 *payment under this section shall be the schedules adopted under ORS*
6 *147.035.]*

7 **(1) In cases of suspected child sexual abuse as described in ORS**
8 **419B.005 (1)(a)(C), (D) or (E), or child physical abuse by an adult or**
9 **caretaker as otherwise described in ORS 419B.005 (1)(a)(A), the De-**
10 **partment of Justice may pay for services provided by a children’s ad-**
11 **vocacy center, including child abuse assessments, medical assessments**
12 **and forensic interviews. Payments under this section may be made**
13 **regardless of whether a finding of abuse is made. The department shall**
14 **make payments under this section directly to the children’s advocacy**
15 **center.**

16 **(2) A children’s advocacy center may not charge the department**
17 **more for medical services than the maximum amounts established in**
18 **the medical fee schedules adopted under ORS 147.035.**

19 (3) As used in this section, “child abuse assessment,” “children’s advocacy
20 center,” “forensic interview” and “medical assessment” have the meanings
21 given those terms in ORS 418.782.

22 **SECTION 32.** ORS 180.095 is amended to read:

23 180.095. (1) The Department of Justice Protection and Education Revolv-
24 ing Account is created in the General Fund. All moneys in the account are
25 continuously appropriated to the Department of Justice and may be used to
26 pay for only the following activities:

27 (a) Restitution and refunds in proceedings described in paragraph (c) of
28 this subsection;

29 (b) Consumer and business education relating to the laws governing
30 antitrust[,] **and** unlawful trade practices [*and the environment*]; and

31 (c) Personal services, travel, meals, lodging and all other costs and ex-

1 penses incurred by the department in investigating, preparing, commencing
2 and prosecuting the following actions and suits, and enforcing judgments,
3 settlements, compromises and assurances of voluntary compliance arising out
4 of the following actions and suits:

5 (A) Actions and suits under the state and federal antitrust laws;

6 (B) Actions and suits under ORS 336.184 and 646.605 to 646.656;

7 [(C) *Criminal prosecutions under state and federal environmental laws;*]

8 [(D)] (C) Actions commenced under ORS 59.331; and

9 [(E)] (D) Actions and suits under ORS 180.750 to 180.785.

10 (2) Moneys in the Department of Justice Protection and Education Re-
11 volving Account are not subject to allotment. Upon request of the Attorney
12 General, the State Treasurer shall create subaccounts within the account for
13 the purposes of managing moneys in the account and allocating those moneys
14 to the activities described in subsection (1) of this section.

15 (3) Except as otherwise provided by law, all sums of money received by
16 the Department of Justice under a judgment, settlement, compromise or as-
17 surance of voluntary compliance, including damages, restitution, refunds,
18 attorney fees, costs, disbursements and other recoveries, but excluding civil
19 penalties under ORS 646.642, in proceedings described in subsection (1)(c) of
20 this section shall, upon receipt, be deposited with the State Treasurer to the
21 credit of the Department of Justice Protection and Education Revolving Ac-
22 count. However, if the action or suit was based on an expenditure or loss
23 from a public body or a dedicated fund, the amount of such expenditure or
24 loss, after deduction of attorney fees and expenses awarded to the department
25 by the court or agreed to by the parties, if any, shall be credited to the
26 public body or dedicated fund and the remainder thereof credited to the De-
27 partment of Justice Protection and Education Revolving Account.

28 (4) If the Department of Justice recovers restitution or refunds in a pro-
29 ceeding described in subsection (1)(c) of this section, and the department
30 cannot determine the persons to whom the restitution or refunds should be
31 paid or the amount of the restitution or refund payable to individual claim-

1 ants is de minimis, the restitution or refunds may not be deposited in the
2 Department of Justice Protection and Education Revolving Account and
3 shall be deposited in the General Fund.

4 (5) Before April 1 of each odd-numbered year, the Department of Justice
5 shall report to the Joint Committee on Ways and Means:

6 (a) The department's projection of the balance in the Department of Jus-
7 tice Protection and Education Revolving Account at the end of the biennium
8 in which the report is made and at the end of the following biennium;

9 (b) The amount of the balance held for restitution and refunds;

10 (c) An estimate of the department's anticipated costs and expenses under
11 subsection (1)(b) and (c) of this section for the biennium in which the report
12 is made and for the following biennium; and

13 (d) Any judgment, settlement, compromise or other recovery, the proceeds
14 of which are used for purposes other than:

15 (A) For deposit into the Department of Justice Protection and Education
16 Revolving Account; or

17 (B) For payment of legal costs related to the judgment, settlement, com-
18 promise or other recovery.

19 (6) The Joint Committee on Ways and Means, after consideration of rec-
20 ommendations made by the Department of Justice, shall use the information
21 reported under subsection (5) of this section to determine an appropriate
22 balance for the revolving account.

23 **SECTION 33. The amendments to ORS 180.095 by section 32 of this**
24 **2020 second special session Act become operative September 1, 2020.**

25

26 **HOUSING AND COMMUNITY SERVICES DEPARTMENT**
27 **AND DEPARTMENT OF HUMAN SERVICES**

28

29 **SECTION 34. Moneys allocated to the Housing and Community**
30 **Services Department by the Emergency Board at its March 9, 2020,**
31 **meeting (Item No. 2), for the provision of rapid rehousing, including**

1 rental assistance, to victims of February 2020 flooding in Umatilla
2 County, including residents of the Umatilla Indian reservation, may
3 be utilized for development of new affordable housing units for victims
4 of February 2020 flooding in Umatilla County, including residents of
5 the Umatilla Indian reservation.

6 **SECTION 35.** Of the moneys allocated to the Housing and Commu-
7 nity Services Department by the Emergency Board at its March 9,
8 2020, meeting (Item No. 3), to replace housing and infrastructure
9 damaged or lost in Umatilla County or on the Umatilla Indian reser-
10 vation due to flooding in February 2020, up to \$3,000,000 may be utilized
11 for the development of new affordable housing units for victims of
12 February 2020 flooding in Umatilla County, including residents of the
13 Umatilla Indian reservation.

14 **SECTION 36.** The amount of \$3,000,000 is transferred from the
15 Manufactured Dwelling Parks Account established under ORS 456.579
16 to the General Housing Account of the Oregon Housing Fund estab-
17 lished under ORS 458.620 (1)(e) to be utilized for providing operating
18 support to affordable rental housing properties with long-term
19 affordability covenants with the Housing and Community Services
20 Department that have been impacted by tenants' reduction of income
21 due to the COVID-19 pandemic or eviction moratoria established by
22 chapter 13, Oregon Laws 2020 (first special session).

23 **SECTION 37.** Section 4, chapter 574, Oregon Laws 2019, is amended to
24 read:

25 **Sec. 4. (1)** Sections 1 [*to*] and 3 [*of this 2019 Act*], chapter 574, Oregon
26 Laws 2019, are repealed on [*July 1, 2022*] the effective date of this 2020
27 second special session Act.

28 **(2)** Section 2, chapter 574, Oregon Laws 2019, is repealed on July 1,
29 2022.

30 **SECTION 38.** The Wildfire Damage Housing Relief Account of the
31 Oregon Housing Fund established under ORS 458.620 is abolished. Any

1 **moneys remaining in the account on the operative date of this section**
2 **shall be transferred to the General Fund for general governmental**
3 **purposes.**

4 **SECTION 39.** ORS 458.620 is amended to read:

5 458.620. (1) There is created, separate and distinct from the General Fund
6 of the State Treasury, the Oregon Housing Fund, which consists of [*six*] **five**
7 separate revolving accounts:

8 (a) The Housing Development and Guarantee Account;

9 (b) The Emergency Housing Account;

10 (c) The Home Ownership Assistance Account;

11 (d) The Farmworker Housing Development Account; **and**

12 (e) The General Housing Account[; *and*].

13 [*(f) The Wildfire Damage Housing Relief Account.*]

14 (2) Earnings on investment of moneys in:

15 (a) The Housing Development and Guarantee Account accrue to that ac-
16 count.

17 (b) The Emergency Housing Account accrue to that account.

18 (c) The Home Ownership Assistance Account accrue to that account.

19 (d) The Farmworker Housing Development Account accrue to that ac-
20 count.

21 (e) The General Housing Account accrue to that account.

22 [*(f) The Wildfire Damage Housing Relief Account accrue to that account.*]

23 (3)(a) Moneys in the Housing Development and Guarantee Account are
24 continuously appropriated to the Housing and Community Services Depart-
25 ment to carry out the provisions of ORS 458.630.

26 (b) Moneys in the Emergency Housing Account are continuously appro-
27 priated to the department to carry out the provisions of ORS 458.650.

28 (c) Moneys in the Home Ownership Assistance Account are continuously
29 appropriated to the department to carry out the provisions of ORS 458.655.

30 (d) Moneys in the Farmworker Housing Development Account are con-
31 tinuously appropriated to the department to carry out the provisions of ORS

1 458.660.

2 (e) Moneys in the General Housing Account are continuously appropri-
3 ated to the department to carry out the provisions of ORS 456.515 to 456.725.

4 [(f) Moneys in the Wildfire Damage Housing Relief Account are contin-
5 uously appropriated to the department to carry out the provisions of ORS
6 458.667.]

7 (4) Individuals and corporations, both for profit or nonprofit, may make
8 monetary contributions to be credited to:

9 (a) The Housing Development and Guarantee Account; or

10 (b) The General Housing Account.

11 **SECTION 40. ORS 458.667 is repealed.**

12 **SECTION 40a. Section 38 of this 2020 second special session Act, the
13 amendments to ORS 458.620 by section 39 of this 2020 second special
14 session Act and the repeal of ORS 458.667 by section 40 of this 2020
15 second special session Act become operative May 31, 2021.**

16 **SECTION 41. (1) As used in this section, “COVID-19 housing
17 funds” means:**

18 (a) Federal funds that the Housing and Community Services De-
19 partment administers if the funds are designated for mortgage assist-
20 ance and are made available through a federal law whose purpose is
21 providing aid in response to COVID-19; and

22 (b) Federal funds received by the state under the Emergency Sol-
23 utions Grants program as authorized under subtitle B of title IV of the
24 McKinney-Vento Homeless Assistance Act (42 U.S.C. 11371 et seq.), as
25 amended, and made available under the Coronavirus Aid, Relief, and
26 Economic Security Act (P.L. 116-136).

27 (2) Notwithstanding ORS 458.505, the department may disburse
28 COVID-19 housing funds through grants and loans to local govern-
29 ments as defined in ORS 197.015, tribes as defined in ORS 273.462, in-
30 dividuals, housing authorities as defined in ORS 456.005, nonprofit
31 corporations as defined in ORS 65.001 and community action agencies

1 as described in ORS 458.505.

2 (3) The department, in its sole discretion, may allocate the funds
3 in any method that ensures statewide geographic coverage without
4 regard to an existing distribution formula, including through a com-
5 petitive grant or contract process.

6
7
8 **SECRETARY OF STATE**

9
10 **SECTION 42.** Notwithstanding ORS 56.041, and in addition to
11 transfers required by ORS 56.041 (4), the amount of \$263,037 is trans-
12 ferred from the Operating Account to the General Fund for general
13 governmental purposes. The transfer shall be made on September 30,
14 2020.

15 **SECTION 43.** Notwithstanding ORS 177.140, the amount of \$583,292
16 is transferred from the Secretary of State Administration Division
17 Account to the General Fund for general governmental purposes. The
18 transfer shall be made on September 30, 2020.

19 **SECTION 44.** Notwithstanding ORS 297.535, the amount of \$921,869
20 is transferred from the Division of Audits Account to the General
21 Fund for general governmental purposes. The transfer shall be made
22 on September 30, 2020.

23
24 **OREGON DEPARTMENT OF AVIATION**

25
26 **SECTION 45.** (1) Notwithstanding ORS 835.060, the Oregon Depart-
27 ment of Aviation may expend moneys in the State Aviation Account
28 for operating expenses of the department.

29 (2) Notwithstanding ORS 836.072 (6), the percentage of the combined
30 tax revenue from aircraft fuel used or distributed by a dealer and air-
31 craft fuel usable in aircraft operated by turbine engines that may be

1 used for operating expenses of the department is not limited.

2 (3) Notwithstanding section 7 (4), chapter 700, Oregon Laws 2015:

3 (a) Ten percent of the amounts described in section 7 (1), chapter
4 700, Oregon Laws 2015, are appropriated to the department for the
5 purposes specified in section 7 (4)(a), chapter 700, Oregon Laws 2015,
6 and for operating expenses of the department.

7 (b) The remaining 90 percent of the amounts described in section 7
8 (1), chapter 700, Oregon Laws 2015, shall be distributed as specified in
9 section 7 (4)(b), chapter 700, Oregon Laws 2015.

10 SECTION 46. Section 45 of this 2020 second special session Act is
11 repealed on June 30, 2021.

12
13 **IN-HOME ASSISTANCE PROGRAMS**

14
15 SECTION 47. Section 7, chapter 680, Oregon Laws 2019, is amended to
16 read:

17 **Sec. 7. (1)** Section 1 [*of this 2019 Act*], **chapter 680, Oregon Laws 2019,**
18 and the amendments to ORS 443.065[, 443.315] and 443.325 [*and section 2,*
19 *chapter 75, Oregon Laws 2018,*] by sections 3 [*to 6*] **and 5** [*of this 2019 Act*],
20 **chapter 680, Oregon Laws 2019,** become operative on [*January*] **July 1,**
21 2021.

22 (2) The amendments to ORS 443.315 by section 4, chapter 680,
23 Oregon Laws 2019, become operative on January 1, 2022.

24 (3) The amendments to ORS 410.598 by section 6, chapter 680,
25 Oregon Laws 2019, become operative on January 1, 2021.

26 SECTION 48. Section 8, chapter 680, Oregon Laws 2019, is repealed.

27
28 **TRANSFERS FOR GENERAL GOVERNMENTAL PURPOSES**

29
30 SECTION 49. Section 4, chapter 643, Oregon Laws 2019 is amended to
31 read:

1 **Sec 4.** Notwithstanding ORS 180.095, the amount of [~~\$46,000,000~~
2 **\$50,666,667** is transferred from the Department of Justice Protection and
3 Education Revolving Account to the General Fund for general governmental
4 purposes. The transfer shall be made on May 31, 2021.

5 **SECTION 50.** Section 2, chapter 643, Oregon Laws 2019, is amended to
6 read:

7 **Sec. 2.** Notwithstanding ORS 283.076, the amount of [~~\$50,900,000~~
8 **\$58,900,000** is transferred from the Oregon Department of Administrative
9 Services Operating Fund to the General Fund for general governmental
10 purposes. The transfer shall be made on May 31, 2021.

11 **SECTION 51.** Section 3, chapter 643, Oregon Laws 2019, is amended to
12 read:

13 **Sec. 3.** Notwithstanding ORS 276A.209, the amount of [~~\$26,500,000~~
14 **\$33,500,000** is transferred from the State Information Technology Operating
15 Fund to the General Fund for general governmental purposes. The transfer
16 shall be made on May 31, 2021.

17 **SECTION 52.** Section 7, chapter 643, Oregon Laws 2019, is amended to
18 read:

19 **Sec. 7.** Notwithstanding ORS 243.167, the amount of [~~\$15,000,000~~
20 **\$63,000,000** is transferred from the Public Employees' Revolving Fund to the
21 General Fund for general governmental purposes. The transfer shall be made
22 on May 31, 2021.

23 **SECTION 53.** **Notwithstanding ORS 180.180, the amount of \$2,000,000**
24 **is transferred from the Department of Justice Operating Account to**
25 **the General Fund for general governmental purposes. The transfer**
26 **shall be made on May 31, 2021.**

27 **SECTION 54.** **Notwithstanding ORS 128.670, 128.675 and 180.180, the**
28 **amount of \$2,300,000 is transferred from the Department of Justice**
29 **Operating Account, from moneys subject to ORS 128.670 (9), to the**
30 **General Fund for general governmental purposes. The transfer shall**
31 **be made on May 31, 2021.**

1 **SECTION 55.** Notwithstanding ORS 180.180, the amount of \$800,000
2 is transferred from the Department of Justice Operating Account to
3 the General Fund for general governmental purposes. The transfer
4 shall be made on May 31, 2021.

5 **SECTION 56.** Notwithstanding ORS 180.205, the amount of \$500,000
6 is transferred from the Tobacco Enforcement Fund to the General
7 Fund for general governmental purposes. The transfer shall be made
8 on May 31, 2021.

9 **SECTION 57.** Notwithstanding ORS 279A.290, the amount of
10 \$5,000,000 is transferred from the Miscellaneous Receipts account for
11 the State Treasurer to the General Fund for general governmental
12 purposes. The transfer shall be made on May 31, 2021.

13 **SECTION 58.** Notwithstanding section 24, chapter 105, Oregon Laws
14 2018, the amount of \$33,133,022 is transferred from the School Districts
15 Unfunded Liability Fund to the General Fund for general govern-
16 mental purposes. The transfer shall be made on May 31, 2021.

17 **SECTION 59.** Notwithstanding ORS 414.815, the amount of \$2,100,000
18 is transferred from the Law Enforcement Medical Liability Account
19 to the General Fund for general governmental purposes. The transfer
20 shall be made on May 31, 2021.

21 **SECTION 60.** Notwithstanding ORS 327.008 and 327.026, the amount
22 of \$1,500,000 is transferred from the State School Fund, from moneys
23 allocated to the Youth Corrections Education Program and the Juve-
24 nile Detention Education Program, to the General Fund for general
25 governmental purposes. The transfer shall be made on May 31, 2021.

26 **SECTION 61.** Notwithstanding ORS 342.953, the amount of \$9,000,000
27 is transferred from the Educator Advancement Fund to the General
28 Fund for general governmental purposes. The transfer shall be made
29 on May 31, 2021.

30 **SECTION 62.** Notwithstanding ORS 346.315, the amount of \$500,000
31 is transferred from the Blind and Visually Impaired Student Fund to

1 **the General Fund for general governmental purposes. The transfer**
2 **shall be made on May 31, 2021.**

3 **SECTION 63. Notwithstanding ORS 652.409, the amount of \$1,500,000**
4 **is transferred from the Wage Security Fund to the General Fund for**
5 **general governmental purposes. The transfer shall be made on May 31,**
6 **2021.**

7
8 **WATER SUPPLY DEVELOPMENT ACCOUNT**

9
10 **SECTION 64. Section 20, chapter 725, Oregon Laws 2017, is amended to**
11 **read:**

12 **Sec. 20.** An expenditure of moneys from the Water Supply Development
13 Account is not subject to any application process or public benefit scoring
14 or ranking under ORS 541.663, 541.666, 541.669, 541.673 or 541.677 if the ex-
15 penditure is for a purpose:

16 (1) Specifically identified in an appropriation to the account from the
17 General Fund [*for the biennium beginning July 1, 2017,*] for carrying out the
18 purpose; or

19 (2) Specifically identified in legislation [*enacted by the Seventy-ninth Leg-*
20 *islative Assembly*] that authorizes a transfer of lottery bond proceeds to the
21 account for carrying out the purpose.

22 **SECTION 65. Section 21, chapter 725, Oregon Laws 2017, is repealed.**

23
24 **EDUCATION**

25
26 **SECTION 66. In addition to the uses of the Early Learning Account**
27 **that are authorized by ORS 327.274, for the biennium ending June 30,**
28 **2021, the Department of Education and the Early Learning Division**
29 **may expend up to \$6,900,000 from the Early Learning Account for the**
30 **purpose of funding the construction, renovation and equipping of early**
31 **learning and child care facilities in a manner that is consistent with**

1 **the statewide early learning system plan overseen by the Early**
2 **Learning Council.**

3 **SECTION 67.** Section 3, chapter 122, Oregon Laws 2019, is amended to
4 read:

5 **Sec. 3.** (1) In addition to and not in lieu of the transfer under [*section 2*
6 *of this 2019 Act*] **ORS 327.001**, for the biennium beginning July 1, 2019, the
7 Department of Education shall transfer from the Fund for Student Success
8 to the State School Fund an amount that equals [*\$200 million*] **\$212,870,000.**

9 (2) Notwithstanding [*section 2 (4)(a) of this 2019 Act*] **ORS 327.001 (4)(a)**,
10 for the biennium beginning July 1, 2019, the amount the Department of Ed-
11 ucation shall transfer from the Fund for Student Success to the State School
12 Fund for the purpose of a transfer under ORS 327.008 (11) to the High Cost
13 Disabilities Account established in ORS 327.348 shall be \$20 million.

14 **(3) Notwithstanding the percentage transfers prescribed by ORS**
15 **327.001 (4)(b), for the biennium beginning July 1, 2019, the Department**
16 **of Education shall transfer moneys to the education accounts identi-**
17 **fied in ORS 327.001 (4)(b) as follows:**

18 **(a) To the Student Investment Account established in ORS 327.175,**
19 **\$150,000,000.**

20 **(b) To the Early Learning Account established in ORS 327.269,**
21 **\$170,518,281.**

22 **(c) To the Statewide Education Initiatives Account established in**
23 **ORS 327.250, \$246,622,099.**

24

25

TRANSPORTATION

26

27 **SECTION 68.** (1) Notwithstanding ORS 367.080 to 367.086 and subject
28 to subsection (2) of this section and the availability of funds, the De-
29 partment of Transportation shall distribute \$5,000,000 from the moneys
30 in the Connect Oregon Fund, other than moneys dedicated for pur-
31 poses described in Article XV, section 4a, of the Oregon Constitution,

1 for the Oregon International Port of Coos Bay Rail Line Repairs and
2 Bridge Replacement project.

3 (2) As a prerequisite to receiving a distribution under this section,
4 and no later than November 1, 2020, the Oregon International Port of
5 Coos Bay shall prepare and submit a plan to the Oregon Transporta-
6 tion Commission. The plan must, at a minimum, certify when and how
7 the port plans to spend the moneys for the project. The plan may
8 provide for reimbursement of a maximum of five percent of the allo-
9 cated moneys for development of the plan. The commission shall
10 promptly review a submitted plan and if the commission approves the
11 plan, the Department of Transportation shall distribute the moneys
12 after adopting an agreement with the port. The agreement shall follow
13 rules adopted by the commission for projects that receive grants from
14 the Connect Oregon Fund.

15

16

FORESTRY

17

18 SECTION 69. (1) The Oregon Department of Administrative Services
19 may enter into a contract for an independent economist to:

20 (a) Collect data and other information regarding:

21 (A) The actual costs of wildfire protection and wildfire suppression
22 on lands protected by the State Forestry Department; and

23 (B) The source of moneys used to pay costs of wildfire protection
24 and wildfire suppression on lands protected by the State Forestry De-
25 partment;

26 (b) Identify ways to improve tracking and substantiation for costs
27 described in paragraph (a)(A) of this subsection and for funding
28 sources described in paragraph (a)(B) of this subsection, including but
29 not limited to appropriate in-kind contributions;

30 (c) Compare Oregon costs and funding sources for wildfire pro-
31 tection and wildfire suppression on lands protected by the State

1 **Forestry Department with costs and funding sources for wildfire pro-**
2 **tection and wildfire suppression in comparable states;**

3 **(d) Identify regional differences in costs and funding sources for**
4 **wildfire protection and wildfire suppression on lands protected by the**
5 **State Forestry Department; and**

6 **(e) Provide data and information described in paragraphs (a) to (d)**
7 **of this subsection in a format that will enable an informed discussion**
8 **regarding the equitable allocation of wildfire protection and wildfire**
9 **suppression costs on lands protected by the State Forestry Department**
10 **and regarding the value of that wildfire protection and wildfire sup-**
11 **pression toward the protection of private and public assets.**

12 **(2) The economist contracting with the Oregon Department of Ad-**
13 **ministrative Services under subsection (1) of this section shall perform**
14 **the work in collaboration with a project team or technical advisory**
15 **group convened and overseen by the department. The project team or**
16 **technical advisory group shall consist of the following, each of whom**
17 **must have expertise regarding costs and funding sources for wildfire**
18 **protection and wildfire suppression:**

19 **(a) The following members appointed by the Governor:**

20 **(A) One representative of the State Forestry Department; and**

21 **(B) One representative of the Emergency Fire Cost Committee; and**

22 **(b) The following members jointly appointed by the President of the**
23 **Senate and the Speaker of the House of Representatives:**

24 **(A) One representative of the Legislative Fiscal Office;**

25 **(B) One representative of the Legislative Revenue Officer;**

26 **(C) One representative of the forest industry;**

27 **(D) One small woodland owner; and**

28 **(E) Two representatives of public interest groups.**

29 **(3) The economist and the project team or technical advisory group**
30 **shall complete the work described in subsection (1) of this section and**
31 **report the resulting findings and recommendations to the Governor's**

1 **Council on Wildfire Response and to a committee of the Legislative**
2 **Assembly relating to natural resources, in the manner provided under**
3 **ORS 192.245, no later than March 1, 2021.**

4
5 **STUDENT INVESTMENT ACCOUNT**
6

7 **SECTION 70. (1) Notwithstanding ORS 327.180 and for the 2020-2021**
8 **school year only, the recipient of a grant received under ORS 327.195**
9 **is encouraged to prioritize the use of grant moneys for the purpose of**
10 **meeting students' mental or behavioral health needs.**

11 **(2)(a) A school district or public charter school that submitted a**
12 **grant application or entered into a grant agreement for moneys to be**
13 **used for the 2020-2021 school year may submit an amended grant ap-**
14 **plication or enter into an amended grant agreement for the 2020-2021**
15 **school year.**

16 **(b) For the purposes of receiving an amended grant application or**
17 **amended grant agreement, the Department of Education may modify**
18 **or waive processes and requirements prescribed by ORS 327.185 based**
19 **on rules adopted by the State Board of Education.**

20 **(c) The department shall prescribe the format and timelines for the**
21 **submission of an amended grant application or amended grant agree-**
22 **ment under this section.**

23 **(3) Notwithstanding ORS 327.190 and for the 2020-2021 school year**
24 **only, a grant recipient is not required to meet longitudinal perform-**
25 **ance growth targets. The department may, however, develop other**
26 **applicable performance growth targets and indicators of progress.**
27 **Nothing in this subsection prohibits the department from providing**
28 **technical assistance under ORS 327.208 or from administering the in-**
29 **tensive program under ORS 327.222.**

30
31 **CAPTIONS**

1 **SECTION 71.** The unit captions used in this 2020 second special
2 session Act are provided only for the convenience of the reader and
3 do not become part of the statutory law of this state or express any
4 legislative intent in the enactment of this 2020 second special session
5 Act.

6

7

EMERGENCY CLAUSE

8

9 **SECTION 72.** This 2020 second special session Act being necessary
10 for the immediate preservation of the public peace, health and safety,
11 an emergency is declared to exist, and this 2020 second special session
12 Act takes effect on its passage.

13
