

**A-Engrossed**  
**House Bill 2582**

Ordered by the House April 24  
Including House Amendments dated April 24

Sponsored by Representatives RAYFIELD, OLSON; Representatives BARNHART, BOONE, FAHEY, GOMBERG, WITT (Presession filed.)

**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.

Establishes University Research Fighting Fund to provide state moneys to public universities or Oregon Health and Science University when universities seek federal research grants. Requires Higher Education Coordinating Commission to administer fund and establish process to determine which universities that request moneys should be awarded moneys from fund. Establishes criteria commission must use in awarding moneys from fund.

**Requires that no later than January 15 of each even-numbered year, Legislative Fiscal Officer shall report to Joint Interim Committee on Ways and Means on ending balance remaining following transfer of General Fund moneys to Oregon Rainy Day Fund. Requires that during each regular session held during even-numbered year, Legislative Assembly shall consider report and determine whether to transfer General Fund moneys to ensure University Research Fighting Fund has balance of \$20,000,000. Establishes lower target for University Research Fighting Fund balance through biennium ending on June 30, 2023.**

*[Appropriates \$20,000,000 from General Fund to University Research Fighting Fund.]*

*[Requires that if ending balance remains following transfer of General Fund moneys to Oregon Rainy Day Fund, that amount of General Fund moneys are transferred to ensure University Research Fighting Fund has balance of \$20,000,000.]*

*[Declares emergency, effective July 1, 2017.]*

**A BILL FOR AN ACT**

1  
2 Relating to assisting public post-secondary institutions of education receive federal grant moneys.

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

4 **SECTION 1. (1) As used in this section:**

5 (a) **“Qualifying grant” means federal research moneys offered to post-secondary insti-**  
6 **tutions of education:**

7 (A) **On a competitive basis; and**

8 (B) **With a requirement that in order to receive the federal moneys, the post-secondary**  
9 **institution of education must provide additional moneys from private industry, state or other**  
10 **sources.**

11 (b) **“Qualifying institution” means:**

12 (A) **A public university listed in ORS 352.002; or**

13 (B) **The Oregon Health and Science University.**

14 (2) **In order to be eligible to receive moneys from the University Research Fighting Fund**  
15 **established in section 2 of this 2017 Act, a qualifying institution shall, at the time the quali-**  
16 **ifying institution applies for a qualifying grant:**

17 (a) **Notify the Governor that the qualifying institution has applied for a qualifying grant;**  
18 **and**

19 (b) **Apply to the Higher Education Coordinating Commission for moneys from the Uni-**

**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 **versity Research Fighting Fund.**

2 **(3) The application submitted under subsection (2)(b) of this section must include a de-**  
3 **tailed description on how receiving the qualifying grant would:**

- 4 **(a) Contribute to the economic development and commercialization of products or ideas;**
- 5 **(b) Assist in the solution of local, state, national or international problems;**
- 6 **(c) Further innovation; or**
- 7 **(d) Create or advance general knowledge, information and well-being.**

8 **(3) A qualifying institution may apply for a federal research grant individually or in**  
9 **partnership with:**

- 10 **(a) Any other qualifying institution or institutions; or**
- 11 **(b) Any other research university located in the United States.**

12 **(4) The commission by rule shall develop a process for reviewing and determining which**  
13 **applications submitted under subsection (2)(b) of this section should be awarded moneys from**  
14 **the University Research Fighting Fund.**

15 **(5) When awarding moneys from the University Research Fighting Fund, the commission**  
16 **shall ensure that:**

17 **(a) A qualifying institution may not receive moneys from the fund until the institution**  
18 **is awarded the qualifying grant.**

19 **(b) There is no limit on the number of applications for which a qualifying institution may**  
20 **be awarded moneys from the fund.**

21 **(c) There is an anticipated return on investment of at least two-to-one on any state**  
22 **moneys invested. This requirement may be reduced through the use of moneys provided by**  
23 **private industry or philanthropy.**

24 **(d) No more than \$10,000,000 may be awarded from the fund to a single application.**

25 **(e) No more than \$2,000,000 during a biennium may be awarded from the fund to appli-**  
26 **cations for grants of less than \$500,000.**

27 **(f) No more than \$10,000,000 during a biennium may be awarded from the fund for the**  
28 **purpose of capital construction.**

29 **(6) Grants or moneys provided under this section do not qualify as matching funds for**  
30 **the purposes of Article XI-G bonds.**

31 **(7) The commission shall report to the Legislative Assembly one time per calendar**  
32 **quarter regarding the awarding of moneys from the University Research Fighting Fund.**

33 **SECTION 2. (1) The University Research Fighting Fund is established in the State**  
34 **Treasury, separate and distinct from the General Fund.**

35 **(2) The fund shall consist of moneys appropriated or allocated to the Higher Education**  
36 **Coordinating Commission for deposit into the fund and any donations or grants received by**  
37 **the commission for a purpose of the fund.**

38 **(3) Moneys in the fund are continuously appropriated to the Higher Education Coordi-**  
39 **nating Commission for the purpose of carrying out the provisions of section 1 of this 2017**  
40 **Act.**

41 **SECTION 3. (1) As used in this section “ending balance” has the meaning given that term**  
42 **in ORS 293.146.**

43 **(2) Not later than January 15 of each even-numbered year, the Legislative Fiscal Officer,**  
44 **in consultation with the Legislative Revenue Officer, shall report to the Joint Interim Com-**  
45 **mittee on Ways and Means the General Fund ending balance from the prior biennium fol-**

1 **lowing the transfer to the Oregon Rainy Day Fund under ORS 293.146.**

2 **(3) During each regular session of the Legislative Assembly held during an even-**  
3 **numbered year, the Legislative Assembly shall consider the report submitted under sub-**  
4 **section (2) of this section and determine whether to transfer an amount necessary to ensure**  
5 **that the balance of the University Research Fighting Fund established by section 2 of this**  
6 **2017 Act is equal to \$20,000,000.**

7 **SECTION 4. Notwithstanding section 3 (3) of this 2017 Act:**

8 **(1) During the 2018 regular session of the Legislative Assembly, the Legislative Assembly**  
9 **shall use the report submitted under section 3 (2) of this 2017 Act to determine whether to**  
10 **transfer an amount necessary to ensure that the balance of the University Research Fighting**  
11 **Fund established by section 2 of this 2017 Act is equal to \$5,000,000;**

12 **(2) During the 2020 regular session of the Legislative Assembly, the Legislative Assembly**  
13 **shall use the report submitted under section 3 (2) of this 2017 Act to determine whether to**  
14 **transfer an amount necessary to ensure that the balance of the University Research Fighting**  
15 **Fund established by section 2 of this 2017 Act is equal to \$10,000,000; and**

16 **(3) During the 2022 regular session of the Legislative Assembly, the Legislative Assembly**  
17 **shall use the report submitted under section 3 (2) of this 2017 Act to determine whether to**  
18 **transfer an amount necessary to ensure that the balance of the University Research Fighting**  
19 **Fund established by section 2 of this 2017 Act is equal to \$15,000,000.**

20 **SECTION 5. Section 4 of this 2017 Act is repealed on January 2, 2023.**

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