

# B-Engrossed House Bill 2013

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

Sponsored by Representative HUNT, Senator DEVLIN; Representatives BAILEY, BOONE, CANNON, DEMBROW, C EDWARDS, D EDWARDS, GALIZIO, GELSER, HOLVEY, JENSON, KOMP, READ, RILEY, ROBLAN, STIEGLER, VANORMAN, Senator PROZANSKI

## 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 Oregon School Facilities Task Force. Directs task force to study status of public school facilities and make recommendations for funding mechanisms that will meet capital needs of public school facilities.

*[Appropriates moneys from General Fund to Oregon Department of Administrative Services for purpose of task force.]*

**Establishes Oregon School Facilities Task Force Fund. Continuously appropriates moneys in fund to Oregon Department of Administrative Services for purposes related to task force.**

**Requires, if House Bill 2012 becomes law, lottery ending balance for 2007-2009 biennium to be allocated to department for purpose of funding task force and study conducted by task force.**

**Limits biennial expenditures from lottery moneys allocated to department for purpose of funding task force.**

Sunsets task force **and fund** on January 2, 2012.

Declares emergency, effective on passage.

## A BILL FOR AN ACT

1  
2 Relating to task force on public school facilities; appropriating money; limiting expenditures; and  
3 declaring an emergency.

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

5 **SECTION 1. (1) The Oregon School Facilities Task Force is established to conduct a study**  
6 **on the status of public school facilities and make recommendations as described in section**  
7 **2 of this 2009 Act.**

8 **(2) The task force consists of 15 members as follows:**

9 **(a) The State Treasurer, or the designee of the State Treasurer.**

10 **(b) The President of the Senate shall appoint to the task force the chairperson of the**  
11 **Senate committee on education.**

12 **(c) The Speaker of the House of Representatives shall appoint to the task force the**  
13 **chairperson of the House committee on education.**

14 **(d) The Governor shall appoint to the task force the following members:**

15 **(A) One architect who specializes in designing school facilities.**

16 **(B) One member of a district school board.**

17 **(C) Three school facility managers as follows:**

18 **(i) One who represents a school district that has fewer than 3,000 students;**

19 **(ii) One who represents a school district that has 3,000 or more students, but not more**

**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 than 10,000 students; and

2 (iii) One who represents a school district that has more than 10,000 students.

3 (D) One superintendent who was a superintendent for a school district that, within the  
4 previous five years, constructed a school facility and incurred bonded indebtedness for the  
5 purpose of financing the school facility.

6 (E) One civil engineer.

7 (F) One bond counsel or bond sales specialist.

8 (G) One general contractor who constructed a school facility within the previous five  
9 years.

10 (H) One public health official.

11 (I) Two members of the public.

12 (3) The State Treasurer, or the designee of the State Treasurer, and members of the  
13 Legislative Assembly who serve on the task force are nonvoting members of the task force  
14 and may act in an advisory capacity only.

15 (4) A majority of the voting members of the task force constitutes a quorum for the  
16 transaction of business.

17 (5) Official action by the task force requires the approval of a majority of the voting  
18 members of the task force.

19 (6) The task force shall elect one of its members to serve as chairperson.

20 (7) If there is a vacancy for any cause, the appointing authority shall make an appoint-  
21 ment to become immediately effective.

22 (8) The task force shall meet at times and places specified by the call of the chairperson  
23 or of a majority of the members of the task force.

24 (9) The task force may adopt rules necessary for the operation of the task force.

25 (10) The Oregon Department of Administrative Services shall provide staff support to the  
26 task force. The Director of the Oregon Department of Administrative Services may hire  
27 employees or consultants necessary for the performance of the functions of the task force.

28 (11) Members of the task force are not entitled to compensation, but members of the task  
29 force who are not members of the Legislative Assembly may be reimbursed for actual and  
30 necessary travel and other expenses incurred by them in the performance of their official  
31 duties in the manner and amounts provided for in ORS 292.495. Claims for expenses shall be  
32 paid out of funds appropriated to the Oregon Department of Administrative Services for  
33 purposes of the task force.

34 (12) All agencies of state government, as defined in ORS 174.111, are directed to assist  
35 the task force in the performance of its duties and, to the extent permitted by laws relating  
36 to confidentiality, to furnish such information and advice as the members of the task force  
37 consider necessary to perform their duties.

38 (13) The Oregon Department of Administrative Services may accept contributions of  
39 moneys and assistance from the United States Government or its agencies or from any other  
40 source, public or private, and agree to conditions placed on the moneys not inconsistent with  
41 the duties of the task force. All moneys received by the department under this subsection  
42 shall be deposited into the Oregon School Facilities Task Force Fund established under sec-  
43 tion 4 of this 2009 Act to be used for the purposes of carrying out the duties of the task  
44 force.

45 (14) The task force shall submit a report and make recommendations to the first special

1 session of the Legislative Assembly occurring in 2010 or, if there is not a special session, to  
2 the regular session of the Legislative Assembly occurring in 2011. The report shall include  
3 multiple options for conducting the study described in section 2 of this 2009 Act. The options  
4 must vary in cost and scope.

5 **SECTION 2.** (1) Following the submission of the report described in section 1 (14) of this  
6 2009 Act and based on the amount of available funding, the Oregon School Facilities Task  
7 Force established by section 1 of this 2009 Act shall conduct a study of public school facilities  
8 that includes:

9 (a) An evaluation of the existing condition of school facilities, including:

10 (A) The architectural status;

11 (B) The mechanical status;

12 (C) The electrical status;

13 (D) The structural status;

14 (E) The environmental and health quality status, including lighting, air quality, venti-  
15 lation, regulation of temperature and humidity and health and safety hazards;

16 (F) The status of implementing energy and water conservation efforts; and

17 (G) The status of making seismic upgrades.

18 (b) Minimum facility standards based on the educational requirements for the grades  
19 using the school facility.

20 (c) Modernizations, upgrades and other improvements required to be made to existing  
21 school facilities.

22 (d) An assessment of the current and projected capacity of school facilities.

23 (e) An assessment of the needs of school facilities based on the educational requirements  
24 for the grades that will be using the school facilities.

25 (f) The amount of money required to upgrade, rebuild or expand existing school facilities.

26 (g) The local financial capacity of school districts to meet capital needs for school facili-  
27 ties.

28 (h) A review of other state strategies for funding school facilities for preschool through  
29 grade 12.

30 (i) Additional topics determined by the task force.

31 (2) Based on the study conducted under subsection (1) of this section, the task force shall  
32 recommend funding mechanisms that will meet the capital needs of public school facilities,  
33 including identifying state and local financial contributions required to meet capital needs  
34 and proposing a statewide distribution formula that would provide funding for school facility  
35 improvement and development.

36 (3) The task force may appoint advisory committees for the purpose of performing the  
37 functions of the task force.

38 (4) The task force shall submit the report and make the recommendations described in  
39 this section to the Seventy-sixth Legislative Assembly no later than February 1, 2011.

40 **SECTION 3.** Sections 1 and 2 of this 2009 Act are repealed on January 2, 2012.

41 **SECTION 4.** The Oregon School Facilities Task Force Fund is established in the State  
42 Treasury, separate and distinct from the General Fund. Interest earned by the Oregon  
43 School Facilities Task Force Fund shall be credited to the fund. All moneys in the Oregon  
44 School Facilities Task Force Fund are continuously appropriated to the Oregon Department  
45 of Administrative Services for the purposes of the Oregon School Facilities Task Force es-

1 **tablished under section 1 of this 2009 Act.**

2 **SECTION 5. (1) Section 4 of this 2009 Act is repealed on January 2, 2012.**

3 **(2) Any moneys remaining in the Oregon School Facilities Task Force Fund on January**  
4 **2, 2012, that are unexpended, unobligated and not subject to any conditions shall revert to**  
5 **the General Fund.**

6 **SECTION 6. If House Bill 2012 becomes law, the lottery ending balance, as defined in**  
7 **section 1, chapter \_\_, Oregon Laws 2009 (Enrolled House Bill 2012), for the 2007-2009**  
8 **biennium shall be allocated to the Oregon Department of Administrative Services for the**  
9 **purpose of funding:**

10 **(1) The Oregon School Facilities Task Force, as established under section 1 of this 2009**  
11 **Act; and**

12 **(2) The study conducted by the Oregon School Facilities Task Force, as described in**  
13 **section 2 of this 2009 Act.**

14 **SECTION 7. Notwithstanding any other law limiting expenditures, the amount of \$35,000**  
15 **is established for the biennium beginning July 1, 2009, as the maximum limit for payment of**  
16 **expenses from lottery moneys allocated from the Administrative Services Economic Devel-**  
17 **opment Fund to the Oregon Department of Administrative Services for the Oregon School**  
18 **Facilities Task Force established under section 1 of this 2009 Act.**

19 **SECTION 8. This 2009 Act being necessary for the immediate preservation of the public**  
20 **peace, health and safety, an emergency is declared to exist, and this 2009 Act takes effect**  
21 **on its passage.**

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