

# House Bill 2013

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 **as introduced**.

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.

Sunsets task force on January 2, 2012.

Declares emergency, effective on passage.

## A BILL FOR AN ACT

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

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

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

6 **(2) The task force consists of 11 members appointed as follows:**

7 **(a) The President of the Senate shall appoint to the task force the chairperson of the**  
8 **Senate committee on education and the Speaker of the House of Representatives shall ap-**  
9 **point to the task force the chairperson of the House committee on education.**

10 **(b) The Governor shall appoint to the task force the following members:**

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

12 **(B) Two school facility managers, one of whom represents a school district that has**  
13 **greater than 10,000 students and one of whom represents a school district that has fewer**  
14 **than 1,000 students.**

15 **(C) One superintendent who was a superintendent for a school district that, within the**  
16 **previous five years, constructed a school facility and incurred bonded indebtedness for the**  
17 **purpose of financing the school facility.**

18 **(D) One civil engineer.**

19 **(E) One bond counsel or bond sales specialist.**

20 **(F) One general contractor who constructed a school facility within the previous five**  
21 **years.**

22 **(G) Two members of the public.**

23 **(3) Members of the Legislative Assembly appointed to the task force are nonvoting**  
24 **members of the task force and may act in an advisory capacity only.**

25 **(4) A majority of the voting members of the task force constitutes a quorum for the**  
26 **transaction of business.**  
27

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

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

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

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

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

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

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

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

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

22 **SECTION 2.** (1) The Oregon School Facilities Task Force established by section 1 of this  
23 2009 Act shall conduct a study of public school facilities that includes:

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

25 (A) The architectural status;

26 (B) The mechanical status;

27 (C) The electrical status;

28 (D) The structural status;

29 (E) The status of implementing energy conservation efforts; and

30 (F) The status of making seismic upgrades.

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

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

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

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

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

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

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

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

44 (2) Based on the study conducted under subsection (1) of this section, the task force shall  
45 recommend funding mechanisms that will meet the capital needs of public school facilities,

1 including identifying state and local financial contributions required to meet capital needs  
2 and proposing a statewide distribution formula that would provide funding for school facility  
3 improvement and development.

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

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

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

9 **SECTION 4.** In addition to and not in lieu of any other appropriation, there is appropri-  
10 ated to the Oregon Department of Administrative Services, for the biennium beginning July  
11 1, 2009, out of the General Fund, the amount of \$\_\_\_\_\_, which may be expended for the  
12 costs of the Oregon School Facilities Task Force established by section 1 of this 2009 Act.

13 **SECTION 5.** This 2009 Act being necessary for the immediate preservation of the public  
14 peace, health and safety, an emergency is declared to exist, and this 2009 Act takes effect  
15 on its passage.  
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