

House Bill 2661

Sponsored by Representatives BERGER, CAMERON; Representatives GARRARD, SCHAUFLEER

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**.

Modifies distribution of proceeds from sale of certain property owned by Department of Corrections.

A BILL FOR AN ACT

1
2 Relating to the Department of Corrections; creating new provisions; and amending section 26,
3 chapter 954, Oregon Laws 2001.

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

5 **SECTION 1.** Section 26, chapter 954, Oregon Laws 2001, is amended to read:

6 **Sec. 26.** (1) The Department of Corrections shall work with the Oregon Department of Admin-
7 istrative Services and other interested parties to develop a plan for the sale of between 349 and 400
8 acres of the real property owned by the Department of Corrections and described in the report
9 "Mill Creek District: A Master Plan for the Corrections Farm Property, Salem, Oregon," published
10 June 30, 1999.

11 (2) In addition to the real property identified under subsection (1) of this section, the Depart-
12 ment of Corrections shall identify approximately 200 acres described in the report. The real prop-
13 erty identified under this subsection may be retained by the Department of Corrections for the
14 purpose of leasing to or may be sold to the Department of Public Safety Standards and Training.

15 (3)(a) Prior to January 31, 2002, the Department of Corrections shall report to the Emergency
16 Board about the progress in developing the plan and identifying the real property described in sub-
17 sections (1) and (2) of this section.

18 (b) Prior to January 8, 2003, the Department of Corrections shall report to the Emergency Board
19 about the plan. The report shall include a description of the real property identified for sale under
20 subsections (1) and (2) of this section.

21 (c) After reporting to the Emergency Board, the Department of Corrections shall:

22 (A) Transfer the real property identified in subsection (1) of this section to the Oregon Depart-
23 ment of Administrative Services to be sold for the benefit of the Trust for Cultural Development
24 Account established in ORS 285A.216;

25 (B) Transfer any real property identified in subsection (2) of this section that is to be sold to
26 the Department of Public Safety Standards and Training to the Oregon Department of Administra-
27 tive Services to be sold and the proceeds distributed as provided in subsection (4)(d) of this section;
28 and

29 (C) Transfer any real property identified in subsection (2) of this section that is not retained to
30 be leased to or that will not be sold to the Department of Public Safety Standards and Training to
31 the Oregon Department of Administrative Services to be sold and the proceeds distributed as pro-

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 vided in subsection (4)(d) of this section.

2 (4)(a) Notwithstanding ORS 270.100 to 270.190, the Oregon Department of Administrative Ser-
 3 vices shall sell or otherwise convey the real property transferred under subsection (3) of this section
 4 in a manner consistent with the provisions of this section. Conveyance may not include transfer to
 5 a state agency except as provided in this section. The Oregon Department of Administrative Ser-
 6 vices shall engage the services of a licensed real estate broker or real estate organization to facil-
 7 itate the sale of the real property.

8 (b)(A) The sale price of the real property transferred under subsection (3)(c)(A) or (C) of this
 9 section shall equal or exceed the fair market value of the real property.

10 (B) The sale price of the real property transferred under subsection (3)(c)(B) of this section shall
 11 be determined by the Oregon Department of Administrative Services.

12 (c) The Oregon Department of Administrative Services may sell any portion of the approximately
 13 200 acres of the real property identified in subsection (2) of this section to the Department of Public
 14 Safety Standards and Training for the purpose of siting a law enforcement training facility.

15 (d) The Oregon Department of Administrative Services shall retain from the sale or other
 16 conveyance of the real property under this subsection those costs incurred by the state in selling
 17 or conveying the real property, including costs incurred by the Department of Corrections in
 18 transferring the real property to the Oregon Department of Administrative Services and costs in-
 19 curred by the Oregon Department of Administrative Services in selling any portion of the real
 20 property to the Department of Public Safety Standards and Training. The remaining proceeds from
 21 the sale shall be transferred as follows:

22 (A) 100 percent of the remaining proceeds from the sale of the real property identified in sub-
 23 section (1) of this section to the Trust for Cultural Development Account;

24 (B) [50] 10 percent of the remaining proceeds from the sale of the real property identified in
 25 subsection (2) of this section to the Trust for Cultural Development Account; and

26 (C) [50] 90 percent of the remaining proceeds from the sale of the real property identified in
 27 subsection (2) of this section to the Department of Corrections to be used for capital improvement
 28 and capital construction projects.

29 **SECTION 2. The amendments to section 26, chapter 954, Oregon Laws 2001, by section 1**
 30 **of this 2009 Act apply to proceeds from the sale of real property specified in section 26 (2),**
 31 **chapter 954, Oregon Laws 2001, transferred on or after the effective date of this 2009 Act.**

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