

House Bill 2674

Sponsored by Representative WHISNANT, Senator TELFER; Representatives BOONE, D EDWARDS, ESQUIVEL, FREEMAN, GILLIAM, HANNA, KENNEMER, KRIEGER, SCHAUFLER, THOMPSON, WINGARD, Senators GEORGE, MORRISETTE, STARR

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**.

Prohibits schools from using school property to provide printing, binding or graphic arts services to public or to state or local government or political subdivision.

A BILL FOR AN ACT

1
2 Relating to services provided by schools; creating new provisions; and amending ORS 332.155.

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

4 **SECTION 1.** ORS 332.155 is amended to read:

5 332.155. A district school board:

6 (1) May furnish, equip, repair, lease, purchase and build schoolhouses, including high schools,
7 junior high schools, professional technical schools, gymnasiums, houses for teachers and other em-
8 ployees, and like buildings; and locate, buy and lease lands for all school purposes. Leases author-
9 ized by this section include lease-purchase agreements whereunder the district may acquire
10 ownership of the leased property at a nominal price. Such leases and lease-purchase agreements may
11 be for a term of up to 30 years.

12 (2) May contract for the removal or containment of asbestos substances in school buildings and
13 for repairs made necessary by such removal or containment. Contracts authorized by this section
14 may be for a term exceeding one year.

15 (3) May construct or cooperate in the construction of schools for training of student teachers
16 on state or district owned lands, for any state institution of higher education in or contiguous to the
17 district, and to expend district funds in so doing.

18 (4) May acquire personal property by a lease-purchase agreement or contract of purchase for a
19 term exceeding one year. A lease-purchase agreement is one in which the rent payable by the dis-
20 trict is expressly agreed to have been established to reflect the savings resulting from the exemption
21 from taxation, and the district is entitled to ownership of the property at a nominal or other price
22 which is stated or determinable by the terms of the agreement and was not intended to reflect the
23 true value of the property.

24 (5) May lease, sell and convey all property of the district as may not in the judgment of the
25 district school board be required for school purposes.

26 (6) May sell property of the district in transactions whereby the district has the right to lease,
27 occupy or reacquire the property following the sale or have facilities constructed thereon or fur-
28 nished to the specifications of the district. The construction or furnishing of such facilities shall be
29 subject to:

30 (a) ORS chapter 279A, except ORS 279A.125 and 279A.250 to 279A.290;

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 (b) ORS chapter 279B, except ORS 279B.235, 279B.240, 279B.270, 279B.275 and 279B.280; and

2 (c) ORS chapter 279C.005, 279C.100 to 279C.125 and 279C.300 to 279C.470.

3 (7) Shall furnish the schools with supplies, equipment, apparatus and services essential to
4 meeting the requirements of a standard school and may furnish such other supplies, equipment, ap-
5 paratus and services as the board considers advisable. **Supplies, equipment and apparatus fur-**
6 **nished under this subsection may not be used to provide services related to printing, binding**
7 **or graphic arts to the public or to any state or local government or political subdivision.**

8 (8) May construct, purchase or lease in cooperation with other school districts or community
9 college districts facilities for secondary professional technical programs for pupils of more than one
10 district and may furnish or cooperate in furnishing supplies and equipment for such facilities, to be
11 financed in the same manner as other school buildings and supplies are financed.

12 (9) May purchase real property upon a contractual basis when the period of time allowed for
13 payment under the contract does not exceed 30 years.

14 (10) May purchase relocatable classrooms and other relocatable structures in installment
15 transactions in which deferred installments of the purchase price are payable over not more than
16 10 years from the date such property is delivered to the district for occupancy and are secured by
17 a security interest in such property. Such transactions may take the form of, but are not limited to,
18 lease-purchase agreements.

19 (11) May enter into rental or lease-purchase agreements covering motor vehicles operated by the
20 district.

21 **SECTION 2. (1) The amendments to ORS 332.155 by section 1 of this 2009 Act apply only**
22 **to printing, binding or graphic arts services provided on or after the effective date of this**
23 **2009 Act.**

24 **(2) The amendments to ORS 332.155 by section 1 of this 2009 Act do not apply to contracts**
25 **for printing, binding or graphic arts services entered into prior to the effective date of this**
26 **2009 Act. However, a contract described in this subsection may not be renewed or extended**
27 **on or after the effective date of this 2009 Act.**

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