

House Bill 3687

Sponsored by COMMITTEE ON EDUCATION

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**.

Qualifies school district for moneys from High Cost Disabilities Account based on amounts received from Blind and Visually Impaired Student Fund.

Requires Oregon Department of Administrative Services to consult with Capitol Planning Commission to develop plan for sale of real property of Oregon School for the Blind.

Requires Department of Education to distribute moneys from sale of real property of Oregon School for the Blind to Oregon School for the Deaf and to Blind and Visually Impaired Student Fund.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to the sale of the Oregon School for the Blind; creating new provisions; amending section
3 6, chapter 562, Oregon Laws 2009; and declaring an emergency.

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

5 **SECTION 1. Resources and services for which a school district receives moneys from the**
6 **Blind and Visually Impaired Student Fund established by ORS 346.315 for students described**
7 **in section 3 (1), chapter 562, Oregon Laws 2009, are considered approved costs for the purpose**
8 **of determining whether a school district qualifies to receive a high cost disabilities grant**
9 **from the High Cost Disabilities Account established by ORS 327.348.**

10 **SECTION 2. Section 1 of this 2010 Act applies to High Cost Disabilities Account distrib-**
11 **utions commencing with the distribution made in the 2009-2010 fiscal year.**

12 **SECTION 3. Section 1 of this 2010 Act is repealed on June 30, 2020.**

13 **SECTION 4. Section 6, chapter 562, Oregon Laws 2009, is amended to read:**

14 **Sec. 6.** (1) The Oregon Department of Administrative Services, in consultation with the De-
15 partment of Education, **the Capitol Planning Commission** and other interested parties, shall de-
16 velop a plan for the sale of the real property owned by the Department of Education known as the
17 Oregon School for the Blind.

18 (2) For the period beginning July 1, 2009, and ending on the date that title is transferred to a
19 purchaser, the Oregon Department of Administrative Services shall hold the real property described
20 in subsection (1) of this section in trust. While held in trust, any proceeds related to the real prop-
21 erty must first be used to reimburse expenditures incurred by the Oregon Department of Adminis-
22 trative Services in holding the property in trust. Proceeds in excess of the reimbursements shall
23 be transferred to the [*Education Stability Fund established under ORS 348.696*] **Department of**
24 **Education as provided by subsection (5) of this section.**

25 (3) Notwithstanding ORS 270.100 to 270.190, the Oregon Department of Administrative Services
26 shall sell the real property described in subsection (1) of this section in a manner consistent with
27 this section. The Oregon Department of Administrative Services may engage the services of a li-
28 censed real estate broker or real estate organization or any other professional necessary to facili-

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 tate the sale of the real property.

2 (4) The sale price of the real property described in subsection (1) of this section:

3 (a) Must equal or exceed the fair market value of the real property; and

4 (b) Shall be determined by the Oregon Department of Administrative Services.

5 (5)(a) The Oregon Department of Administrative Services shall retain from the sale of the real
6 property described in subsection (1) of this section the costs incurred by the state in selling the real
7 property, including:

8 (A) Costs incurred by the Department of Education in transferring the real property to the
9 Oregon Department of Administrative Services;

10 (B) Any costs incurred by the Oregon Department of Administrative Services in holding the real
11 property in trust that are not reimbursed as provided by subsection (2) of this section or by appro-
12 priation or other source of moneys; and

13 (C) Costs incurred by the Oregon Department of Administrative Services in selling the real
14 property.

15 (b) The Oregon Department of Administrative Services and the Department of Education shall
16 be reimbursed for any costs described in paragraph (a) of this subsection from the amount retained
17 as provided by paragraph (a) of this subsection.

18 (c)(A) **The Oregon Department of Administrative Services shall transfer the** proceeds from
19 the sale of the real property that remain after the amounts described in paragraph (a) of this sub-
20 section have been retained [*shall be transferred to the Education Stability Fund established under*
21 *ORS 348.696.*] **to the Department of Education for distribution as follows:**

22 (i) **Fifty percent for improvements and repairs to the Oregon School for the Deaf; and**

23 (ii) **Fifty percent to the Blind and Visually Impaired Student Fund established by ORS**
24 **346.315.**

25 (B) **The Oregon Department of Administrative Services shall transfer the proceeds from**
26 **the sale attributable to the portion of the real property legally described as Lots 5 and 6 of**
27 **Block 25 of the University Addition in the City of Salem, Marion County, Oregon, in the**
28 **manner provided by subparagraph (A) of this paragraph.**

29 (C) **Notwithstanding subparagraphs (A) and (B) of this paragraph, if any portion of the**
30 **real property described in subsection (1) of this section but excluding property described in**
31 **subparagraph (B) of this paragraph is determined to be subject to a charitable trust, the sale**
32 **proceeds attributable to that portion shall be distributed as provided by subparagraph (A)**
33 **of this paragraph unless a different distribution is required by the terms of the charitable**
34 **trust.**

35 (6)(a) Except for property described in subsection (1) of this section, all other property of the
36 Oregon School for the Blind:

37 (A) When practicable, shall be distributed to the regional program described in ORS 343.236
38 (1)(b) or to the school districts providing educational services to students described in section 3 (1)
39 [*of this 2009 Act*], **chapter 562, Oregon Laws 2009**; and

40 (B) May be preserved in a manner determined by the Superintendent of Public Instruction if the
41 property has historic significance.

42 (b) Proceeds from the sale, lease or other action related to the property described in this sub-
43 section shall be transferred to the Education Stability Fund.

44 **SECTION 5. This 2010 Act being necessary for the immediate preservation of the public**
45 **peace, health and safety, an emergency is declared to exist, and this 2010 Act takes effect**

1 **on its passage.**

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