

House Bill 2063

Ordered printed by the Speaker pursuant to House Rule 12.00A (5). Pre-session filed (at the request of Governor John A. Kitzhaber for Oregon Department of Administrative Services)

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**.

Requires Oregon Department of Administrative Services and Capital Projects Advisory Board to use definitions, criteria and methods to evaluate extent of deferred maintenance on state facilities. Requires department to establish and maintain database of state facilities with deferred maintenance. Requires department and board to set priorities for providing maintenance to state facilities.

Requires department and state agencies that own state facilities to assess extent of deferred maintenance in state facilities and provide results in format compatible with database. Requires department to provide for training in how to perform assessments.

Requires department to prepare and deliver report to Legislative Assembly and state agencies that own state facilities that lists state facilities with deferred maintenance, recommends necessary funding levels and includes other information.

Appropriates moneys to department to create fund for critical maintenance projects and authorizes department to issue and sell certificates of participation. Limits expenditures from fund.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to deferred maintenance for state 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. Sections 2, 3, 4, 5 and 6 of this 2011 Act are added to and made a part of**
6 **ORS chapter 276.**

7 **SECTION 2. As used in sections 3, 4 and 5 of this 2011 Act, "state facility" means a**
8 **building, related works and grounds that the State of Oregon or an agency of the state owns,**
9 **and appurtenances, utilities and assets necessary to carry out the functions for which the**
10 **state or state agency uses the building, related works or grounds.**

11 **SECTION 3. (1) The Oregon Department of Administrative Services and the Capital**
12 **Projects Advisory Board shall use standard definitions, criteria and methods to:**

13 (a) **Assess the condition of state facilities; and**

14 (b) **Evaluate the extent to which the State of Oregon has deferred maintenance necessary**
15 **to protect the condition, value and function of state facilities.**

16 (2) **The department shall establish and manage a database that:**

17 (a) **Lists all state facilities and preventive maintenance schedules that are necessary to**
18 **protect the condition, value and function of state facilities; and**

19 (b) **Enables a determination as to when replacing a state facility is more cost-effective**
20 **than performing deferred maintenance or otherwise repairing the state facility.**

21 (3) **The department and the board shall use established definitions, criteria and methods,**
22 **and input from state agencies, to set a priority among state facilities that require mainte-**
23 **nance as to when and in which order the state facilities should receive maintenance that the**
24 **state has previously deferred.**

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 **SECTION 4.** (1) The Oregon Department of Administrative Services and state agencies
 2 that own state facilities, in cooperation with other persons the department and the agencies
 3 deem necessary, shall assess the condition of the state facilities in accordance with estab-
 4 lished definitions, criteria and methods, and shall provide the results of the assessment to
 5 the department in a format that is compatible with the database described in section 3 of this
 6 2011 Act.

7 (2) The department is responsible for providing training to staff from state agencies that
 8 own state facilities in:

9 (a) How to perform the assessments described in subsection (1) of this section initially
 10 and on a continuing basis; and

11 (b) How to track the condition of and maintenance performed on state facilities as part
 12 of the state agency's daily operations.

13 **SECTION 5.** Every two years the Oregon Department of Administrative Services shall
 14 prepare and deliver to the Legislative Assembly and to state agencies that own state facili-
 15 ties a report that:

16 (1) Lists state facilities for which the state has deferred necessary maintenance;

17 (2) Specifies the priority that the department and the Capital Projects Advisory Board
 18 have set among the listed state facilities as to when and in which order the state facilities
 19 should receive needed maintenance;

20 (3) Lists estimated budgets for performing deferred maintenance on state facilities that
 21 are a priority;

22 (4) Describes the systems that state agencies that own state facilities have in place for
 23 performing preventive maintenance;

24 (5) Recommends, in accordance with a nationally recognized standard maintenance and
 25 repair budgeting model that has been adjusted appropriately for individual state facilities
 26 that have unusual maintenance requirements, the amount of funding that state agencies that
 27 own state facilities need to perform preventive maintenance; and

28 (6) Identifies the state facilities and budget amounts for which funds for maintenance
 29 have previously been requested, for which funds have been approved and for which actual
 30 expenditures have been made to maintain the state facilities as of the reporting date.

31 **SECTION 6.** The Oregon Department of Administrative Services may adopt rules neces-
 32 sary to implement sections 3, 4 and 5 of this 2011 Act.

33 **SECTION 7.** (1) In addition to and not in lieu of any other appropriation, there is appro-
 34 priated to the Oregon Department of Administrative Services, for the biennium beginning
 35 July 1, 2011, out of the General Fund, the amount of \$1 for the purpose of creating a fund
 36 to pay for critical deferred maintenance on state facilities identified as a priority under sec-
 37 tion 3 of this 2011 Act and for which other funding is not available. This appropriation is
 38 available to the department continuously until the department expends the funding for the
 39 purpose specified in this section.

40 (2) The department is authorized to issue and sell certificates of participation for the
 41 purpose of obtaining revenue for the projects identified in subsection (1) of this section. All
 42 moneys the department receives under this subsection shall be paid to the State Treasury
 43 and deposited to the credit of the Oregon Department of Administrative Services Operating
 44 Fund. The moneys are continuously appropriated to the department and may be used only
 45 for the purposes identified in this section.

1 **(3) Notwithstanding any other law limiting expenditures, the amount of \$1 is established**
2 **for the biennium beginning July 1, 2011, as the maximum limit for the payment of expenses**
3 **from revenue from the sale of certificates of participation or appropriations made under**
4 **subsection (1) or (2) of this section that the department collects or receives.**

5 **(4) The department may adopt rules necessary to implement the provisions of this sec-**
6 **tion.**

7 **SECTION 8.** **This 2011 Act being necessary for the immediate preservation of the public**
8 **peace, health and safety, an emergency is declared to exist, and this 2011 Act takes effect**
9 **on its passage.**

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