

A-Engrossed
Senate Bill 1566

Ordered by the Senate February 14
Including Senate Amendments dated February 14

Sponsored by Senator COURTNEY (Pre-session filed.)

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.

Requires State Department of Geology and Mineral Industries to maintain website related to seismic risk category of **public** schools.

Directs Superintendent of Public Instruction to include in annual school district and school performance reports information about how to access website maintained by department.

Requires school district or education service district to provide specified information to department. Allows school district or education service district to choose whether to provide specified information to parents and legal guardians of students of schools in district.

Takes effect July 1, 2012.

A BILL FOR AN ACT

1
2 Relating to seismic information about schools; creating new provisions; amending ORS 329.105 and
3 516.030; and prescribing an effective date.

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

5 **SECTION 1.** ORS 516.030 is amended to read:

6 516.030. The State Department of Geology and Mineral Industries shall:

7 (1) Initiate and conduct studies and surveys of the geological and mineral resources of the state
8 and their commercial utility.

9 (2) Conduct as a continuing project a geological survey of Oregon, including quadrangle geologic
10 mapping, either as a department undertaking or jointly with federal or other agencies.

11 (3) Initiate, carry out or administer studies and programs that will, in cooperation with univer-
12 sities, federal, state and local government agencies, reduce the loss of life and property by under-
13 standing and mitigating geologic hazards. These studies and programs may include but need not be
14 limited to:

15 (a) Statewide hazard assessment, including identification and mapping of geologic hazards, esti-
16 mation of their potential consequences and likelihood of occurrence and monitoring and assessment
17 of potentially hazardous geologic activity;

18 (b) Studies of paleoseismicity including but not limited to providing evidence of whether pre-
19 historic subduction zone and crustal earthquakes have occurred in Oregon;

20 (c) Operation of a state seismic network in cooperation with universities or federal agencies or
21 both through the strategic placement of instrumentation to monitor earthquake activity as it occurs;
22 and

23 (d) Operation of a state geodetic network through the monitoring and periodic survey of markers
24 in order to detect modern deformation of the earth's crust and the subsequent buildup of stress.

25 (4) Consider and study kindred scientific and economic questions in the field of geology and

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 mining that are deemed of value to the people of Oregon.

2 (5) Cooperate with federal or other agencies for the performance of work in Oregon deemed of
3 value to the state and of advantage to its people, under rules, terms and conditions to be arranged
4 between the governing board of the State Department of Geology and Mineral Industries and such
5 agencies. But in no case shall the cost to the department be in excess of the amount appropriated
6 therefor, and the results of any joint undertakings shall be made available without restrictions to
7 this department.

8 (6) Serve as a bureau of information and advisory services concerning geologic resources and
9 hazards, including:

10 (a) [*Maintenance of*] **Maintaining** a library, a public education program and a geologic database;

11 (b) **Maintaining a website that identifies the seismic risk category, as determined under
12 an assessment process approved by the department, for every public kindergarten through
13 grade 12 school and that is updated when the department makes a new assessment or be-
14 comes aware of information that could change the conclusions of a previous assessment;**

15 (c) **Providing** a review of functions;

16 (d) **Providing** expert advice to federal, state and local government agencies; [*and*]

17 (e) [*operation of*] **Operating as** a clearinghouse for post-hazard event earth science
18 investigations[. *The department shall provide*]; **and**

19 (f) **Providing** technical assistance to local governments on aggregate mining and reclamation
20 during preparation and amendment of comprehensive plans and land use regulations.

21 (7) Serve as a bureau of information concerning Oregon mineral resources, mineral industries
22 and geology, conduct a mineral survey of the state, and catalog each and every mineral occurrence
23 and deposit, metallic and nonmetallic, together with its location, production, method of working,
24 name of owner or agent, and other detailed information capable of being tabulated and published in
25 composite form for the use, guidance and benefit of the mineral industry of the state and of the
26 people in general and deemed necessary in compiling mineral statistics of the state.

27 (8) Collect a library of literature describing the geology and mineral deposits, metallic and
28 nonmetallic, of Oregon.

29 (9) Make qualitative examinations of rocks, mineral samples and specimens.

30 (10) Study minerals and ores, additional uses for the state's minerals, and explore the possibil-
31 ities for using improved treatment, processes, mining methods and reclamation techniques for regu-
32 lated mines and abandoned mined lands.

33 (11) Establish in the department or in cooperation with universities and other organizations a
34 repository for drill cores and samples considered by the department to be of long term use in de-
35 veloping information.

36 **SECTION 2.** ORS 329.105 is amended to read:

37 329.105. (1) The Superintendent of Public Instruction shall collect data and produce annual
38 school district and school performance reports to provide information to parents and to improve
39 schools.

40 (2) The superintendent shall include in the school district and school performance reports data
41 for the following areas, for each school or district, that are available to the Department of Educa-
42 tion from the most recent school year:

43 (a) Data required by the federal No Child Left Behind Act of 2001 (P.L. 107-110, 115 Stat. 1425);
44 [*and*]

45 (b) **Information about how to access the website that is maintained by the State De-**

1 **partment of Geology and Mineral Industries as provided by ORS 516.030 (6)(b); and**

2 [(b)] (c) Any other data identified by the Department of Education as required by federal law
3 to be in the reports.

4 (3) In addition to the data required by subsection (2) of this section, the superintendent may
5 include other data on the school district and school performance reports.

6 (4) The department shall work with stakeholders to:

7 (a) Design and implement an accountability system of progressive interventions for schools and
8 school districts that do not demonstrate improvement; and

9 (b) Provide technical assistance to schools and school districts that do not demonstrate im-
10 provement.

11 **SECTION 3. The amendments to ORS 329.105 by section 2 of this 2012 Act first apply to**
12 **annual school district and school performance reports produced on or after July 1, 2012.**

13 **SECTION 4. A school district or education service district:**

14 (1) **Must provide notification to the State Department of Geology and Mineral Industries**
15 **when the district:**

16 (a) **Constructs a new school building; or**

17 (b) **Modifies an existing school building in a manner that may affect the seismic risk**
18 **category of a school; and**

19 (2) **May provide to the parents or legal guardians of the students of the district infor-**
20 **mation about the seismic risk category of a school, as determined under an assessment**
21 **process approved by the State Department of Geology and Mineral Industries.**

22 **SECTION 5. This 2012 Act takes effect on July 1, 2012.**

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