

D R A F T

SUMMARY

Repeals requirement that certain local governments make health care insurance coverage available to certain retirees.

A BILL FOR AN ACT

Relating to health care insurance coverage made available to retirees of local government; amending ORS 279A.025 and 421.352; and repealing ORS 243.303.

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

SECTION 1. ORS 243.303 is repealed.

SECTION 2. ORS 279A.025 is amended to read:

279A.025. (1) Except as provided in subsections (2) to (4) of this section, the Public Contracting Code applies to all public contracting.

(2) The Public Contracting Code does not apply to:

(a) Contracts between a contracting agency and:

(A) Another contracting agency;

(B) The Oregon Health and Science University;

(C) The Oregon State Bar;

(D) A governmental body of another state;

(E) The federal government;

(F) An American Indian tribe or an agency of an American Indian tribe;

(G) A nation, or a governmental body in a nation, other than the United States; or

(H) An intergovernmental entity formed between or among:

(i) Governmental bodies of this or another state;

- 1 (ii) The federal government;
- 2 (iii) An American Indian tribe or an agency of an American Indian tribe;
- 3 (iv) A nation other than the United States; or
- 4 (v) A governmental body in a nation other than the United States;
- 5 (b) Agreements authorized by ORS chapter 190 or by a statute, charter
- 6 provision, ordinance or other authority for establishing agreements between
- 7 or among governmental bodies or agencies or tribal governing bodies or
- 8 agencies;
- 9 (c) Insurance and service contracts as provided for under ORS 414.115,
- 10 414.125, 414.135 and 414.145 for purposes of source selection;
- 11 (d) Grants;
- 12 (e) Contracts for professional or expert witnesses or consultants to pro-
- 13 vide services or testimony relating to existing or potential litigation or legal
- 14 matters in which a public body is or may become interested;
- 15 (f) Acquisitions or disposals of real property or interest in real property;
- 16 (g) Sole-source expenditures when rates are set by law or ordinance for
- 17 purposes of source selection;
- 18 (h) Contracts for the procurement or distribution of textbooks;
- 19 (i) Procurements by a contracting agency from an Oregon Corrections
- 20 Enterprises program;
- 21 (j) The procurement, transportation or distribution of distilled liquor, as
- 22 defined in ORS 471.001, or the appointment of agents under ORS 471.750 by
- 23 the Oregon Liquor Control Commission;
- 24 (k) Contracts entered into under ORS chapter 180 between the Attorney
- 25 General and private counsel or special legal assistants;
- 26 (L) Contracts for the sale of timber from lands owned or managed by the
- 27 State Board of Forestry and the State Forestry Department;
- 28 (m) Contracts for forest protection or forest related activities, as de-
- 29 scribed in ORS 477.406, by the State Forester or the State Board of Forestry;
- 30 (n) Sponsorship agreements entered into by the State Parks and Recre-
- 31 ation Director in accordance with ORS 565.080 (4);

1 (o) Contracts entered into by the Housing and Community Services De-
2 partment in exercising the department's duties prescribed in ORS chapters
3 456 and 458, except that the department's public contracting for goods and
4 services is subject to ORS chapter 279B;

5 (p) Contracts entered into by the State Treasurer in exercising the powers
6 of that office prescribed in ORS chapters 178, 286A, 287A, 289, 293, 294 and
7 295, including but not limited to investment contracts and agreements,
8 banking services, clearing house services and collateralization agreements,
9 bond documents, certificates of participation and other debt repayment
10 agreements, and any associated contracts, agreements and documents, re-
11 gardless of whether the obligations that the contracts, agreements or docu-
12 ments establish are general, special or limited, except that the State
13 Treasurer's public contracting for goods and services is subject to ORS
14 chapter 279B;

15 (q) Contracts, agreements or other documents entered into, issued or es-
16 tablished in connection with:

17 (A) The issuance of obligations, as defined in ORS 286A.100 and 287A.310,
18 of a public body;

19 (B) The making of program loans and similar extensions or advances of
20 funds, aid or assistance by a public body to a public or private body for the
21 purpose of carrying out, promoting or sustaining activities or programs au-
22 thorized by law; or

23 (C) The investment of funds by a public body as authorized by law, and
24 other financial transactions of a public body that by their character cannot
25 practically be established under the competitive contractor selection proce-
26 dures of ORS 279B.050 to 279B.085;

27 (r) Contracts for employee benefit plans as provided in ORS 243.105 (1),
28 243.125 (4), 243.221, 243.275, 243.291[, 243.303] and 243.565;

29 (s) Contracts for employee benefit plans as provided in ORS 243.860 to
30 243.886; or

31 (t) Any other public contracting of a public body specifically exempted

1 from the code by another provision of law.

2 (3) The Public Contracting Code does not apply to the contracting activ-
3 ities of:

4 (a) The Oregon State Lottery Commission;

5 (b) The Oregon University System and member public universities, except
6 as provided in ORS 351.086;

7 (c) The legislative department;

8 (d) The judicial department;

9 (e) Semi-independent state agencies listed in ORS 182.454, except as pro-
10 vided in ORS 279.835 to 279.855 and 279A.250 to 279A.290;

11 (f) Oregon Corrections Enterprises;

12 (g) The Oregon Film and Video Office, except as provided in ORS
13 279A.100 and 279A.250 to 279A.290;

14 (h) The Travel Information Council, except as provided in ORS 279A.250
15 to 279A.290;

16 (i) The Oregon 529 College Savings Network and the Oregon 529 College
17 Savings Board;

18 (j) The Oregon Innovation Council;

19 (k) The Oregon Utility Notification Center; or

20 (L) Any other public body specifically exempted from the code by another
21 provision of law.

22 (4) ORS 279A.200 to 279A.225 and 279B.050 to 279B.085 do not apply to
23 contracts made with qualified nonprofit agencies providing employment op-
24 portunities for individuals with disabilities under ORS 279.835 to 279.855.

25 **SECTION 3.** ORS 421.352, as amended by section 64, chapter 107, Oregon
26 Laws 2012, is amended to read:

27 421.352. (1) The provisions of ORS chapters 182, 183, 240, 270, 273, 276,
28 279A, 279B, 279C, 283, 291, 292 and 293 and ORS 35.550 to 35.575, 183.710 to
29 183.725, 183.745, 183.750, 184.345, 190.430, 190.490, 200.035, 236.605 to 236.640,
30 [243.303,] 243.305, 243.315, 243.325 to 243.335, 243.345, 243.350, 243.696, 279.835
31 to 279.855, 282.010 to 282.150, 283.085 to 283.092 and 656.017 (2) do not apply

1 to Oregon Corrections Enterprises.

2 (2) Oregon Corrections Enterprises is not subject to any provision of law
3 enacted after December 2, 1999, that governs state agencies generally unless
4 the provision specifically provides that it applies to Oregon Corrections En-
5 terprises.

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