

House Bill 2667

Sponsored by Representative FREDERICK; Representatives KENY-GUYER, WITT (Presession 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 **as introduced**.

Creates Task Force on Procuring Through Small and Local Businesses. Requires task force to study extent to which contracting agencies award public contracts to minority-owned, woman-owned or emerging small businesses, categorize types of public contracts that contracting agencies typically award to minority-owned, woman-owned or emerging small businesses, evaluate extent to which large procurements for goods and services could feasibly be broken into smaller procurements, study available systems for assessing degree to which transporting goods, labor, construction materials and other items increases release of atmospheric carbon dioxide, methane and ozone, evaluate whether contracting agencies can feasibly base procurement decision on degree to which contractor releases atmospheric carbon dioxide, methane or ozone and recommend incentives to induce contracting agencies to award public contracts to minority-owned, woman-owned or emerging small businesses.

Sunsets task force on January 1, 2015.

Declares emergency, effective on passage.

A BILL FOR AN ACT

Relating to public procurement; and declaring an emergency.

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

SECTION 1. (1) The Task Force on Procuring Through Small and Local Businesses is established, consisting of nine members appointed as follows:

(a) The President of the Senate shall appoint:

(A) Two members from among members of the Senate.

(B) One member who represents a minority-owned, woman-owned or emerging small business.

(b) The Speaker of the House of Representatives shall appoint:

(A) Two members from among members of the House of Representatives.

(B) One member who represents a minority-owned, woman-owned or emerging small business.

(c) The Governor shall appoint three members as follows:

(A) One member who represents a minority-owned, woman-owned or emerging small business;

(B) An employee of the Oregon Department of Administrative Services; and

(C) An employee of the Department of Transportation.

(2) The task force shall:

(a) Study the extent to which contracting agencies award public contract to minority-owned, woman-owned or emerging small businesses in this state and describe and categorize the types of public contracts that contracting agencies typically award to minority-owned, woman-owned or emerging small businesses in this state;

(b) Evaluate the extent to which large procurements for goods and services, including construction services, could feasibly be broken into smaller procurements that would be

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 within the capabilities and expertise of minority-owned, woman-owned and emerging small
 2 businesses in this state;

3 (c) Study available systems that can feasibly be used to assess the degree to which
 4 transporting goods and components of goods, labor, construction materials and other items
 5 necessary for a procurement increases the release of atmospheric carbon dioxide, methane
 6 and ozone and evaluate whether reducing transportation of the items would significantly
 7 reduce the release of atmospheric carbon dioxide, methane and ozone;

8 (d) Evaluate whether contracting agencies can feasibly base a procurement decision on
 9 the degree to which a contractor releases atmospheric carbon dioxide, methane or ozone
 10 during or as a result of activity related to performing a public contract; and

11 (e) Investigate and recommend incentives that can help to induce contracting agencies
 12 to award public contracts to minority-owned, woman-owned or emerging small businesses.

13 (3) The task force may:

14 (a) Consult and communicate with any person;

15 (b) Hold hearings and receive testimony and other evidence;

16 (c) Request data and information from contracting agencies; and

17 (d) Take other actions that are consistent with the task force's purpose.

18 (4) A majority of the voting members of the task force constitutes a quorum for the
 19 transaction of business.

20 (5) Official action by the task force requires the approval of a majority of the voting
 21 members of the task force.

22 (6) The task force shall elect a member of the task force to serve as chairperson.

23 (7) If there is a vacancy for any cause, the appointing authority shall make an appoint-
 24 ment to become immediately effective.

25 (8) The task force shall meet at times and places specified by the call of the chairperson
 26 or of a majority of the voting members of the task force.

27 (9) The task force may adopt rules necessary for the operation of the task force.

28 (10) The task force shall submit a report in the manner provided by ORS 192.245, and
 29 may include recommendations for legislation, to an interim committee of the Legislative
 30 Assembly related to public contracting as appropriate no later than September 1, 2014.

31 (11) The Oregon Department of Administrative Services shall provide staff support to the
 32 task force.

33 (12) Members of the task force who are not members of the Legislative Assembly are not
 34 entitled to compensation, but may be reimbursed for actual and necessary travel and other
 35 expenses the members incur in performing the members' official duties in the manner and
 36 amounts provided for in ORS 292.495. Claims for expenses incurred in performing functions
 37 of the task force shall be paid out of funds appropriated to the Oregon Department of Ad-
 38 ministrative Services for purposes of the task force.

39 (13) All agencies of state government, as defined in ORS 174.111, are directed to assist
 40 the task force in performing the task force's duties and, to the extent permitted by laws
 41 relating to confidentiality, to furnish such information and advice as the members of the
 42 task force consider necessary to perform the members' duties.

43 **SECTION 2.** Section 1 of this 2013 Act is repealed on January 1, 2015.

44 **SECTION 3.** This 2013 Act being necessary for the immediate preservation of the public
 45 peace, health and safety, an emergency is declared to exist, and this 2013 Act takes effect

1 **on its passage.**

2
