

A-Engrossed
Senate Bill 540

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

Sponsored by Senator DEVLIN; Senators HANSELL, HASS, MONROE, ROBLAN

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.

Establishes Task Force on School Capital Improvement Planning. Sunsets task force on date of convening of 2015 regular session of Legislative Assembly. Appropriates funds for task force.

Directs Department of Education to establish and maintain public education facility information database. Appropriates funds for database.

Directs department to administer school capital construction program. Sunsets program on July 1, 2015. Appropriates funds for program.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to public education facilities; appropriating money; and declaring an emergency.

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

4 **SECTION 1. (1) The Task Force on School Capital Improvement Planning is established.**

5 **(2) The task force consists of no more than 12 members appointed by the Governor in**
6 **consultation with the President of the Senate and the Speaker of the House of Represen-**
7 **tatives. All appointments to the task force must be completed within 90 days of the effective**
8 **date of this 2013 Act.**

9 **(3) The members of the task force shall include representatives of education, business,**
10 **the community and government and at least one expert on capital construction. The mem-**
11 **bers representing education must represent preschool and kindergarten through grade 12**
12 **and shall, if more than one member represents kindergarten through grade 12, reflect a di-**
13 **verse range of school district sizes. To the extent practicable, the members must represent**
14 **a geographic diversity.**

15 **(4)(a) The task force shall research and recommend to the Oregon Education Investment**
16 **Board programs and funding sources that:**

17 **(A) Will allow providers of public education to respond to evolving methods for delivering**
18 **education and for funding and maintaining capital infrastructures; and**

19 **(B) Establish a more efficient and integrated capital infrastructure system for preschool**
20 **through grade 12.**

21 **(b) When recommending the capital infrastructure system described in paragraph (a)(B)**
22 **of this subsection, the task force shall recommend the appropriate role of the Department**
23 **of Education in supporting the capital infrastructure system.**

24 **(5) A majority of the members of the task force constitutes a quorum for the transaction**
25 **of business.**

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 **(6) Official action by the task force requires the approval of a majority of the members**
2 **of the task force.**

3 **(7) The task force shall elect one of its members to serve as chairperson.**

4 **(8) If there is a vacancy for any cause, the Governor shall make an appointment to be-**
5 **come immediately effective.**

6 **(9) The task force shall meet at times and places specified by the call of the chairperson**
7 **or of a majority of the members of the task force.**

8 **(10) The task force may adopt rules necessary for the operation of the task force.**

9 **(11) The task force shall submit a report in the manner provided in ORS 192.245, and may**
10 **include recommendations for legislation, to the interim legislative committees on education**
11 **no later than October 1, 2014.**

12 **(12) The Department of Education shall provide staff support to the task force and shall,**
13 **if requested by the task force, enter into a contract for staff support with a nonprofit cor-**
14 **poration.**

15 **(13) Members of the task force are not entitled to compensation, but may be reimbursed**
16 **for actual and necessary travel and other expenses incurred by them in the performance of**
17 **their official duties in the manner and amounts provided for in ORS 292.495. Claims for ex-**
18 **penditures shall be paid out of funds appropriated to the Department of Education for purposes**
19 **of the task force.**

20 **(14) All agencies of state government, as defined in ORS 174.111, are directed to assist**
21 **the task force in the performance of its duties and, to the extent permitted by laws relating**
22 **to confidentiality, to furnish such information and advice as the members of the task force**
23 **consider necessary to perform their duties.**

24 **SECTION 2. Section 1 of this 2013 Act is repealed on the date of the convening of the 2015**
25 **regular session of the Legislative Assembly as specified in ORS 171.010.**

26 **SECTION 3. In addition to and not in lieu of any other appropriation, there is appropri-**
27 **ated to the Department of Education, for the biennium beginning July 1, 2013, out of the**
28 **General Fund, the amount of \$100,000, which may be expended for the task force established**
29 **by section 1 of this 2013 Act.**

30 **SECTION 4. (1) The Department of Education shall establish and maintain a public edu-**
31 **cation facility information database as provided by this section.**

32 **(2)(a) The database required by this section shall provide information on preschool facil-**
33 **ities and facilities serving any grades in kindergarten through grade 12 and any related**
34 **auxiliary buildings and properties. The information may include:**

35 **(A) Energy usage;**

36 **(B) Operations and maintenance costs;**

37 **(C) Seismic ratings;**

38 **(D) Education performance;**

39 **(E) Student population projections;**

40 **(F) Technology upgrade status; and**

41 **(G) Other data needed to measure compliance with the state building code.**

42 **(b) In addition to the requirements of paragraph (a) of this subsection, the database re-**
43 **quired by this section:**

44 **(A) Must be accessible by the public; and**

45 **(B) May include functions and other options that are available only to the Department**

1 of Education and to school districts.

2 (3) The department may enter into a contract with a nonprofit corporation for the pur-
3 pose of maintaining the facility information database described in this section.

4 **SECTION 5.** In addition to and not in lieu of any other appropriation, there is appropri-
5 ated to the Department of Education, for the biennium beginning July 1, 2013, out of the
6 General Fund, the amount of \$350,000, which may be expended as follows:

7 (1) \$100,000 for the purpose of developing the public education facility information data-
8 base described in section 4 of this 2013 Act or for the purpose of purchasing a database that
9 is substantially similar to the public education facility information database described in
10 section 4 of this 2013 Act; and

11 (2) \$250,000 for the purpose of maintaining the public education facility information da-
12 tabase described in section 4 of this 2013 Act.

13 **SECTION 6.** (1) The Department of Education shall administer a school capital con-
14 struction program that:

15 (a) Provides statewide and regionally-based technical assistance and training to public
16 schools; and

17 (b) Assists public schools in using community resources and in developing partnerships
18 with public and private entities.

19 (2) For the purpose of providing technical assistance and training, the department shall
20 establish regional zones. To the extent practicable, the zones shall be based on other regional
21 zones established by the department.

22 (3)(a) To assist the department in administering the program described in this section,
23 the department may enter into a contract with a nonprofit corporation that:

24 (A) Has a statewide facility inventory; and

25 (B) Has technical expertise in real property acquisition and in facility planning and de-
26 velopment for public school districts.

27 (b) Any contract entered into as provided by this subsection shall be consistent with the
28 purposes of this section and may include a requirement that the nonprofit corporation match
29 funding or other contributions consistent with the purposes of this section.

30 **SECTION 7.** Section 6 of this 2013 Act is repealed on July 1, 2015.

31 **SECTION 8.** In addition to and not in lieu of any other appropriation, there is appropri-
32 ated to the Department of Education, for the biennium beginning July 1, 2013, out of the
33 General Fund, the amount of \$375,000, which may be expended for the program established
34 by section 6 of this 2013 Act.

35 **SECTION 9.** This 2013 Act being necessary for the immediate preservation of the public
36 peace, health and safety, an emergency is declared to exist, and this 2013 Act takes effect
37 on its passage.

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