

Senate Bill 540

Sponsored by Senator DEVLIN; Senators HANSELL, HASS, 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 **as introduced**.

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, kindergarten through grade 12 and**
12 **community colleges and shall, if more than one member represents kindergarten through**
13 **grade 12, reflect a diverse range of school district sizes. To the extent practicable, the**
14 **members must represent 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 community colleges.**

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.**

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

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

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

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

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

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

9 (12) The Department of Education shall provide staff support to the task force and shall,
10 if requested by the task force, enter into a contract for staff support with a nonprofit cor-
11 poration that:

12 (a) Has a statewide facility inventory;

13 (b) Has technical expertise in real property acquisition and in facility planning and de-
14 velopment for public school districts; and

15 (c) Can provide staff support related to research, option development and facilitation.

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

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

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

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

31 **SECTION 4.** (1) The Department of Education shall establish and maintain a public edu-
32 cation facility information database as provided by this section. The department shall consult
33 with the Department of Community Colleges and Workforce Development in establishing and
34 maintaining the database.

35 (2)(a) The database required by this section shall provide information on school facilities,
36 auxiliary buildings and properties for all public education facilities in this state, including
37 preschool facilities, facilities serving any grades in kindergarten through grade 12 and com-
38 munity college facilities. The information shall include:

39 (A) Energy usage;

40 (B) Operations and maintenance costs;

41 (C) Seismic ratings;

42 (D) Education performance;

43 (E) Student population projections;

44 (F) Technology upgrade status; and

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

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

3 (A) Must be accessible by the public; and

4 (B) May include functions and other options that are available only to the Department
 5 of Education and to school districts.

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

9 (a) Have a statewide facility inventory; and

10 (b) Have technical expertise in real property acquisition and in facility planning and de-
 11 velopment for public school districts.

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

15 (1) \$100,000 for the purpose of developing the public education facility information data-
 16 base described in section 4 of this 2013 Act or for the purpose of purchasing a database that
 17 is substantially similar to the public education facility information database described in
 18 section 4 of this 2013 Act; and

19 (2) \$250,000 for the purpose of maintaining the public education facility information da-
 20 tabase described in section 4 of this 2013 Act.

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

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

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

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

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

32 (A) Has a statewide facility inventory; and

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

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

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

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

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

