

**Seventy-Eighth Oregon Legislative Assembly - 2015 Regular Session**  
**STAFF MEASURE SUMMARY**  
**House Committee On Education**

**MEASURE: HB 3039 A**  
**CARRIER: Rep. Frederick**

**Fiscal:** Has minimal fiscal impact

**Revenue:** No Revenue Impact

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**Action Date:** 04/03/15

**Action:** Do Pass As Amended And Be Printed Engrossed.

**Meeting Dates:** 03/18, 04/03

**Vote:**

Yeas: 8 - Barreto, Doherty, Frederick, McLain, Piluso, Reardon, Sprenger, Wilson

Exc: 1 - Hack

**Prepared By:** Richard Donovan, Committee Administrator

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**WHAT THE MEASURE DOES:**

Allows district school board to enter into partnership for purpose of acquiring, leasing or improving real property for educational purposes. Declares emergency, effective on passage.

**ISSUES DISCUSSED:**

- Measure as enabling partnerships between public schools and other entities, such as private universities
- Specific desire to enable partnership between Faubion School and Concordia University
- Desire to take advantage of federal tax credit opportunities
- Requirement to establish separate legal entity, over which the school district would maintain control, to take advantage of tax credit opportunities
- Required permission to enter into public-private partnership absent from statute
- Project-specific nature of partnership

**EFFECT OF COMMITTEE AMENDMENT:**

Replaces portions of measure relating to loans with language allowing district school boards to enter into agreements to take advantage of private partnerships in certain circumstances that are expected to reduce costs to the district for school facilities.

**BACKGROUND:**

The rights and powers of a district school board to contract for real property are governed by ORS 332.155–332.430. There is currently no provision under law to allow partnerships with non-public entities or organizations for the purpose of acquiring, leasing, or improving real property.

House Bill 3039-A allows school districts to partner with private entities in certain circumstances that are expected to reduce costs to the district for school facilities.