

A-Engrossed
House Bill 2528

Ordered by the House April 13
Including House Amendments dated April 13

Sponsored by Representative WITT; Representative NEARMAN (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.

Establishes Task Force on Citizen Review of Public Works Projects. Requires task force to study need for and feasibility of establishing review board composed of residents of this state to review, approve and oversee public works projects **with anticipated contract price of \$30 million or more that involve geologically sensitive conditions**. Requires task force to consider expertise that members of any proposed review board would need, scope and extent of board's responsibilities, need for expert staff to advise and support board members, criteria that board would use in reviewing, approving and overseeing public works projects, potential effect of board's review and approval on public works procurement methods and procedures, and related matters.

Sunset on December 31, 2016.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to citizen review of public works projects; and declaring an emergency.

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

4 **SECTION 1. (1) The Task Force on Citizen Review of Public Works Projects is estab-**
5 **lished, consisting of 11 members appointed as follows:**

6 (a) **The President of the Senate shall appoint two members from among members of the**
7 **Senate and shall designate one of the members as a cochair of the task force.**

8 (b) **The Speaker of the House of Representatives shall appoint two members from among**
9 **members of the House of Representatives and shall designate one member as a cochair of**
10 **the task force.**

11 (c) **The Governor shall appoint seven members as follows:**

12 (A) **One member who is an employee of the Oregon Department of Administrative Ser-**
13 **vices with expertise in public improvement contracting;**

14 (B) **One member from a local contract review board, as defined in ORS 279A.010;**

15 (C) **One member from a labor organization that represents workers who work on public**
16 **works projects;**

17 (D) **One member from a contractor that has constructed public works projects for this**
18 **state; and**

19 (E) **Three members who are residents of this state with particular expertise or interest**
20 **in public works contracting issues.**

21 (2) **The task force shall study the need for and feasibility of establishing a review board**
22 **composed of residents of this state to review, approve and oversee public works projects that**
23 **state agencies undertake with an anticipated contract price of \$30 million or more and that**

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 involve geologically sensitive conditions. In conducting the study, the task force shall con-
2 sider the expertise that members of any proposed review board would need, the scope and
3 extent of the board's responsibilities, the need for expert staff to advise and support board
4 members, the criteria that the board would use in reviewing, approving and overseeing public
5 works projects of the type identified in this subsection, the potential effect of the board's
6 review and approval on public works procurement methods and procedures that state agen-
7 cies use, and related matters.

8 (3)(a) The task force may consult with experts, hear testimony from affected persons and
9 otherwise collect data and information from any source that are necessary to carry out the
10 task force's duties.

11 (b) The cochairs of the task force may expand the task force's membership if the
12 cochairs jointly deem an expansion necessary.

13 (4) A majority of the members of the task force constitutes a quorum for the transaction
14 of business.

15 (5) Official action by the task force requires the approval of a majority of the members
16 of the task force.

17 (6) If there is a vacancy for any cause, the appointing authority shall make an appoint-
18 ment that becomes effective immediately.

19 (7) The task force shall meet at times and places specified by the call of the cochairs or
20 of a majority of the members of the task force.

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

22 (9) The task force shall submit a report in the manner provided by ORS 192.245, and may
23 include recommendations for legislation, to an interim committee of the Legislative Assem-
24 bly related to public contracting as appropriate no later than September 15, 2016.

25 (10) The Oregon Department of Administrative Services shall provide staff support to the
26 task force.

27 (11) Members of the task force who are not members of the Legislative Assembly are not
28 entitled to compensation, but may be reimbursed for actual and necessary travel and other
29 expenses incurred by them in the performance of the members' official duties in the manner
30 and amounts provided for in ORS 292.495. Claims for expenses incurred in performing func-
31 tions of the task force shall be paid out of funds appropriated to the Oregon Department of
32 Administrative Services for purposes of the task force.

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

37 **SECTION 2.** Section 1 of this 2015 Act is repealed on December 31, 2016.

38 **SECTION 3.** This 2015 Act being necessary for the immediate preservation of the public
39 peace, health and safety, an emergency is declared to exist, and this 2015 Act takes effect
40 on its passage.