

**PROPOSED AMENDMENTS TO RESOLVE CONFLICTS TO
A-ENGROSSED SENATE BILL 80**

- 1 On page 1 of the printed A-engrossed bill, line 9, delete “348.890,”.
2 In line 15, delete “461.543,”.
3 On page 2, line 4, delete “and”.
4 In line 5, after “2015” insert “, and sections 29 and 30, chapter 565, Oregon
5 Laws 2015 (Enrolled House Bill 3303)”.
6 In line 14, delete the third “and”.
7 In line 15, delete “, 168a” and after “2013” insert “, section 32, chapter
8 ___, Oregon Laws 2015 (Enrolled House Bill 2411), section 51, chapter 245,
9 Oregon Laws 2015 (Enrolled House Bill 2412), and section 20, chapter 565,
10 Oregon Laws 2015 (Enrolled House Bill 3303)”.
11 On page 4, delete lines 30 and 31.
12 In line 32, delete “(4)” and insert “(3)”.
13 On page 65, line 8, delete “the”.
14 On page 93, delete lines 17 through 27 and insert:
15 “**NOTE:** Section 115 was deleted by amendment. Subsequent sections were
16 not renumbered.”.
17 On page 132, delete lines 33 through 45.
18 On page 133, delete lines 1 through 15 and insert:
19 “**NOTE:** Section 178 was deleted by amendment. Subsequent sections were
20 not renumbered.”.
21 On page 152, delete lines 26 through 45 and delete pages 153 and 154 and
22 insert:

1 **“SECTION 223.** Section 1, chapter 90, Oregon Laws 2010, as amended by
2 section 1, chapter 373, Oregon Laws 2011, and section 99, chapter 366, Oregon
3 Laws 2015 (Enrolled House Bill 2408), is amended to read:

4 **“Sec. 1.** (1) There is created the Grow Oregon Council, consisting of 19
5 members appointed as follows:

6 “(a) The President of the Senate shall appoint:

7 “(A) Two members from among members of the Senate who shall be from
8 different political parties.

9 “(B) Two members representing municipal or regional economic develop-
10 ment organizations.

11 “(C) One member who shall be a current or former business leader with
12 fast-growth business experience.

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

14 “(A) Two members from among members of the House of Representatives
15 who shall be from different political parties.

16 “(B) Two members representing municipal or regional economic develop-
17 ment organizations.

18 “(C) One member who shall be a current or former business leader with
19 fast-growth business experience.

20 “(D) One member representing a nonprofit business development organ-
21 ization.

22 “(c) The executive director of the Higher Education Coordinating Com-
23 mission shall appoint:

24 “(A) One member representing [*the Oregon University System*] **public**
25 **universities listed in ORS 352.002** who shall be a current or former busi-
26 ness leader.

27 “(B) One member representing the community colleges in this state.

28 “(d) The Director of the Oregon Business Development Department shall
29 appoint:

30 “(A) One member representing the department.

1 “(B) One member representing a small business development center who
2 shall be a current or former business leader.

3 “(e) The Governor shall appoint:

4 “(A) Two members who are currently principals of Oregon-based compa-
5 nies, or have been principals of Oregon-based companies within the past five
6 years; and

7 “(B) Two members who represent trade associations.

8 “(f) At least two of the nonlegislative members appointed should have
9 knowledge of advanced market research tools and their application.

10 “(2) The council shall:

11 “(a) Identify and assess Oregon’s continuum of business development ser-
12 vices with particular attention to the needs of stage two, high-growth busi-
13 nesses, advanced market research, including but not limited to connectivity
14 among business service providers, and infrastructure to support
15 entrepreneurship and growth company capacity building.

16 “(b) Collaborate with state and local governments and their departments,
17 community colleges, institutions of higher education and business and eco-
18 nomic development organizations to identify areas for program modification,
19 enhancement, coordination and creation to deliver a more robust continuum
20 of services for stage two, high-growth businesses consistent with the princi-
21 ples of economic gardening.

22 “(c) Make recommendations to the Seventy-seventh Legislative Assembly
23 for program modification, enhancement, coordination and creation to deliver
24 a more robust continuum of services for stage two, high-growth businesses
25 consistent with the principles of economic gardening.

26 “(d) Recommend program areas in which [*Oregon University System*]
27 **public university** graduate programs and community colleges may choose
28 to participate in order to assist in providing a more robust continuum of
29 services for stage two, high-growth businesses consistent with the principles
30 of economic gardening, including but not limited to courses of study and

1 internships.

2 “(e) Make recommendations for criteria for stage two, high-growth busi-
3 nesses as the criteria relate to recommended strategies for fast-growth
4 stage-two business development.

5 “(f) Make recommendations for key metrics and outcomes to be measured
6 should the state create an economic gardening program.

7 “(g) Make recommendations for how an economic gardening program may
8 fit within efforts under way to support the development of the state’s mi-
9 nority, women and emerging small business enterprises.

10 “(h) Explore opportunities for connecting market research and economic
11 gardening services to capital access programs, including but not limited to
12 the Building Opportunities for Oregon Small Business Today (BOOST) Ac-
13 count.

14 “(i) Explore opportunities for facilitating the access of stage two, high-
15 growth businesses to international markets.

16 “(j) Advise the Oregon Business Development Department or other ad-
17 ministering entity on a pilot program providing economic gardening services,
18 if such a pilot program is authorized.

19 “(3) A majority of the members of the council constitutes a quorum for
20 the transaction of business.

21 “(4) Official action by the council requires the approval of a majority of
22 the members of the council.

23 “(5) The council shall elect one of its members to serve as chairperson.

24 “(6) If there is a vacancy for any cause, the appointing authority shall
25 make an appointment to become immediately effective.

26 “(7)(a) The council shall meet at least once every three months, at times
27 and places specified by the call of the chairperson or of a majority of the
28 members of the council.

29 “(b) The Grow Oregon Council shall cease meeting once the council:

30 “(A) Completes its evaluation of the implementation of the pilot program

1 providing economic gardening services, if such a program is authorized; or

2 “(B) Recommends against implementation of a pilot program.

3 “(8) The council may adopt rules necessary for the operation of the
4 council.

5 “(9) Notwithstanding ORS 171.072, members of the council who are mem-
6 bers of the Legislative Assembly are not entitled to mileage expenses or a
7 per diem and serve as volunteers on the council. Other members of the
8 council are not entitled to compensation or reimbursement for expenses and
9 serve as volunteers on the council.

10 “(10) All agencies of state government, as defined in ORS 174.111, are di-
11 rected to assist the council in the performance of its duties and, to the extent
12 permitted by laws relating to confidentiality, to furnish such information and
13 advice as the members of the council consider necessary to perform their
14 duties.

15

16

“AMENDMENTS TO RESOLVE CONFLICTS

17

18 “**SECTION 224.** If House Bill 3303 becomes law, ORS 200.025, as amended
19 by section 60 of this 2015 Act, is amended to read:

20 “200.025. (1) *[There is created, in the Office of the Governor, the Advocate*
21 *for Minority, Women and Emerging Small Business who shall be appointed*
22 *by the Governor.]* **The Governor shall appoint a Governor’s Policy Advi-**
23 **sor for Economic and Business Equity within the office of the Gover-**
24 **nor.**

25 “(2) *[There is created in the Oregon Business Development Department the*
26 *Office for Minority, Women and Emerging Small Business, the employees of*
27 *which shall be appointed by]* **The Certification Office for Business Inclu-**
28 **sion and Diversity is created within the Oregon Business Development**
29 **Department, and the Director of the Oregon Business Development De-**
30 **partment shall appoint the employees of the office.**

1 “[(3)(a) *The director may prescribe the duties and assignments of all offi-*
2 *cers and employees of the Office for Minority, Women and Emerging Small*
3 *Business. The director shall establish the compensation of all officers and*
4 *employees of the office.*]

5 “[(b) *The officers and employees of the office shall be allowed reimburse-*
6 *ment for reasonable and necessary travel and other expenses incurred in the*
7 *performance of their duties.*]

8 “[(4)] **(3) The [Advocate for Minority, Women and Emerging Small Busi-**
9 **ness] Governor’s Policy Advisor for Economic and Business Equity**
10 **shall:**

11 “(a) Advise the Governor and the director on activities and initiatives
12 that may promote the economic integration of minorities, women, **service-**
13 **disabled veterans** and emerging small businesses into the business sector;

14 “[(b) *Prepare an annual report to the Governor, director and Legislative*
15 *Assembly on the status of minorities and women in the marketplace, accom-*
16 *plishments and resolutions of issues of concern to minority and women’s en-*
17 *terprises and recommendations for executive and legislative actions; and]*

18 “(b) **Prepare an annual report to the Governor, director and Legis-**
19 **lative Assembly on disadvantaged business enterprises, minority-**
20 **owned businesses, woman-owned businesses, businesses that**
21 **service-disabled veterans own and emerging small businesses that ex-**
22 **amines:**

23 “(A) **The status of the enterprises and businesses in the market-**
24 **place;**

25 “(B) **Accomplishments and resolutions that have occurred with re-**
26 **spect to issues that concern the enterprises and businesses; and**

27 “(C) **Recommendations for executive and legislative action; and**

28 “(c) Carry out other duties that [*may be assigned by*] the Governor **may**
29 **assign.**

30 “[(5)] **(4) The [Office for Minority, Women and Emerging Small Business]**

1 **Certification Office for Business Inclusion and Diversity** shall:

2 “(a) Provide information to [*minority, women and*] **minority-owned**
3 **businesses, woman-owned businesses, businesses that service-disabled**
4 **veterans own and** emerging small businesses;

5 “(b) Assist in [*the development and implementation of*] **developing and**
6 **implementing** an aggressive strategy for this state, based on research and
7 monitoring, that encourages [*participation of*] minorities, women, **service-**
8 **disabled veterans** and emerging small businesses **to participate** in the
9 state’s economy;

10 “(c) [*Make recommendations to the director on the research, development*
11 *and implementation of the plan for the involvement of disadvantaged and mi-*
12 *nority groups and emerging small businesses in all state programs*] **Recom-**
13 **mend to the director methods for researching, developing and**
14 **implementing a plan to involve minority-owned businesses, woman-**
15 **owned businesses, businesses that service-disabled veterans own and**
16 **emerging small businesses in all state programs;**

17 “(d) Maintain, **in consultation with the Department of Transporta-**
18 **tion, public universities listed in ORS 352.002 and other entities,** an
19 Oregon Opportunity Register and Clearinghouse for information [*on public*
20 *agency and other contract solicitations for professional services, supplies and*
21 *services and other bid opportunities, in consultation with public universities*
22 *listed in ORS 352.002, the Department of Transportation and other entities*]
23 **about contracting agency solicitations and other opportunities to sub-**
24 **mit bids or proposals to contracting agencies to provide goods, supplies**
25 **and services, including professional services;**

26 “[*e*] *Monitor the certification and compliance program for disadvantaged,*
27 *minority, women and emerging small businesses under ORS 200.055;*]

28 “(e) **Monitor the certification and compliance program under ORS**
29 **200.055 for:**

30 “(A) **Disadvantaged business enterprises;**

1 **“(B) Minority-owned businesses, woman-owned businesses and**
2 **businesses that service-disabled veterans own; and**

3 **“(C) Emerging small businesses;**

4 “(f) Investigate complaints and possible abuses of the certification pro-
5 gram; and

6 “(g) Assist in [*the promotion and coordination of*] **promoting and coor-**
7 **dinating** plans, programs and operations of state government that
8 [*strengthen minority and women participation*] **help minority-owned busi-**
9 **nesses, woman-owned businesses, businesses that service-disabled vet-**
10 **erans own and emerging small businesses to participate** in the economic
11 life of this state.

12 **“SECTION 225.** If House Bill 3303 becomes law, ORS 200.025, as amended
13 by section 2, chapter 565, Oregon Laws 2015 (Enrolled House Bill 3303), is
14 amended to read:

15 “200.025. (1) The Governor shall appoint a Governor’s Policy Advisor for
16 Economic and Business Equity within the office of the Governor.

17 “(2) The Certification Office for Business Inclusion and Diversity is cre-
18 ated within the Oregon Business Development Department, and the Director
19 of the Oregon Business Development Department shall appoint the employees
20 of the office.

21 “(3) The Governor’s Policy Advisor for Economic and Business Equity
22 shall:

23 “(a) Advise the Governor and the director on activities and initiatives
24 that may promote the economic integration of minorities, women, service-
25 disabled veterans and emerging small businesses into the business sector;

26 “(b) Prepare an annual report to the Governor, director and Legislative
27 Assembly on disadvantaged business enterprises, minority-owned businesses,
28 woman-owned businesses, businesses that service-disabled veterans own and
29 emerging small businesses that examines:

30 “(A) The status of the enterprises and businesses in the marketplace;

1 “(B) Accomplishments and resolutions that have occurred with respect to
2 issues that concern the enterprises and businesses; and

3 “(C) Recommendations for executive and legislative action; and

4 “(c) Carry out other duties that the Governor may assign.

5 “(4) The Certification Office for Business Inclusion and Diversity shall:

6 “(a) Provide information to minority-owned businesses, woman-owned
7 businesses, businesses that service-disabled veterans own and emerging small
8 businesses;

9 “(b) Assist in developing and implementing an aggressive strategy for this
10 state, based on research and monitoring, that encourages minorities, women,
11 service-disabled veterans and emerging small businesses to participate in the
12 state’s economy;

13 “(c) Recommend to the director methods for researching, developing and
14 implementing a plan to involve minority-owned businesses, woman-owned
15 businesses, businesses that service-disabled veterans own and emerging small
16 businesses in all state programs;

17 “(d) Maintain, in consultation with the [*State Board of Higher Education,*
18 *the*] Department of Transportation, **public universities listed in ORS**
19 **352.002** and other entities, an Oregon Opportunity Register and Clearing-
20 house for information about contracting agency solicitations and other op-
21 portunities to submit bids or proposals to contracting agencies to provide
22 goods, supplies and services, including professional services;

23 “(e) Monitor the certification and compliance program under ORS 200.055
24 for:

25 “(A) Disadvantaged business enterprises;

26 “(B) Minority-owned businesses, woman-owned businesses and businesses
27 that service-disabled veterans own; and

28 “(C) Emerging small businesses;

29 “(f) Investigate complaints and possible abuses of the certification pro-
30 gram; and

1 “(g) Assist in promoting and coordinating plans, programs and operations
2 of state government that help minority-owned businesses, woman-owned
3 businesses, businesses that service-disabled veterans own and emerging small
4 businesses to participate in the economic life of this state.

5 **“SECTION 226.** If House Bill 3524 does not become law, ORS 270.100, as
6 amended by section 72 of this 2015 Act, is amended to read:

7 “270.100. (1)(a) Before offering for sale any real property or equitable in-
8 terest [*therein owned by the state*] **in real property that the state owns,**
9 the state agency acting for the state in [*such*] **the sales** transaction shall
10 report [*its intent of sale or transfer*] to the Oregon Department of Adminis-
11 trative Services **that the state agency intends to sell or transfer the real**
12 **property or the equitable interest.** The department, or [*the*] **an agency the**
13 **department** specifically [*designated by the department*] **designates,** shall
14 notify other state agencies authorized to own real property of the intended
15 sale or transfer to determine whether [*acquisition of*] **acquiring** the real
16 property or interest [*therein*] **in the real property** would be advantageous
17 to another state agency.

18 “(b) The department shall give political subdivisions, as defined in ORS
19 271.005, the first opportunity after other state agencies to acquire, purchase,
20 exchange or lease real property **or an interest in real property** [*to be sold*
21 *or disposed of by*] **that** the State of Oregon **disposes of or sells.** The state
22 agency responsible for selling or transferring the property **or the equitable**
23 **interest** may require at the time of the sale or transfer that [*any state real*
24 *property sold or transferred to*] a political subdivision[, *as defined in ORS*
25 *271.005, shall be for use*] **must use state real property or an equitable**
26 **interest in real property sold or transferred to the political subdivision**
27 for a public purpose or benefit, and [*not be for resale*] **that the political**
28 **subdivision may not resell the real property or the equitable interest**
29 to a private purchaser.

30 “(c) If a state agency that intends to sell or transfer real property

1 **or an equitable interest in real property has not disposed of the real**
2 **property or the equitable interest** [*is not disposed of*] under paragraph (a)
3 or (b) of this subsection, [*in accordance with rules adopted by the*
4 *department,*] the state agency [*desiring to sell or transfer the property*] shall
5 cause [*it*] **the real property** to be appraised by one or more competent and
6 experienced appraisers **in accordance with rules the department adopts.**
7 Except as provided in ORS 273.825, if [*such*] **the property** has an appraised
8 value exceeding \$5,000, [*it shall*] **the property or an equitable interest in**
9 **the property may** not be sold to any private person except after notice
10 calling for such proposals as set forth in ORS 270.130.

11 “(d) The department shall adopt rules to carry out the provisions of this
12 section.

13 “(2) Before [*acquisition of*] **a state agency acquires** any real property
14 or interest [*therein by any state agency*] **in real property**, except for highway
15 right of way [*acquired by*] **that** the Department of Transportation **acquires,**
16 [*and*] park properties [*acquired by*] **that** the State Parks and Recreation De-
17 partment **acquires** and property within the approved projected campus
18 boundaries for public universities listed in ORS 352.002, the state agency
19 shall report [*its intent of acquisition*] to the Oregon Department of Adminis-
20 trative Services **that the state agency intends to acquire the real prop-**
21 **erty or the interest in real property.** The department shall notify other
22 state agencies [*owning land of the intended acquisition*] **that own land that**
23 **the state agency intends to acquire real property or an interest in real**
24 **property** to determine whether another state agency desires to sell or
25 transfer property that would meet the needs of the [*purchasing*] **acquiring**
26 agency. In accordance with rules [*adopted by*] the Oregon Department of
27 Administrative Services **adopts**, if no other state agency desires to sell or
28 transfer property that would meet the needs of the agency **that intends to**
29 **acquire real property or an interest in real property**, the agency may
30 acquire the real property or interest [*therein*] **in real property**, consistent

1 with applicable provisions of law.

2 “(3) Before any terminal disposition of real property or an interest in real
3 property, the state agency acting for the state in the transaction must secure
4 approval of the transaction from the Oregon Department of Administrative
5 Services.

6 “(4) Subsection (3) of this section does not apply to terminal disposition
7 of the following real property:

8 “(a) Property [*controlled by*] **that** the State Department of Fish and
9 Wildlife **controls**;

10 “(b) State forestlands [*controlled by*] **that** the State Forestry Department
11 **controls**;

12 “(c) Property [*controlled by*] **that** the Department of Transportation **con-**
13 **trols**;

14 “(d) Property [*controlled by*] **that** the Department of State Lands
15 **controls**;

16 “(e) Property [*controlled by*] **that** public universities listed in ORS 352.002
17 **control**;

18 “(f) **Property that the legislative branch of state government con-**
19 **trols**;

20 “[*f*] (g) Property [*controlled by the legislative or judicial branches*] **that**
21 **the judicial branch** of state government **controls**; and

22 “[*g*] (h) Property [*controlled by*] **that** the State Parks and Recreation
23 Department **controls**.

24 “(5) Notwithstanding the provisions of subsection (4) of this section, prior
25 approval by the Oregon Department of Administrative Services is required
26 for the terminal disposition of public land for less than the fair market value
27 of [*that*] **the public** land.

28 “(6) The provisions of ORS 184.634, 270.005 to 270.015, 270.100 to 270.190,
29 273.416, 273.426 to 273.436, 273.551 and 308A.709 (1) to (4) do not apply to:

30 “(a) A home or farm [*acquired or sold by*] **that** the Department of

1 Veterans' Affairs **acquires or sells** under ORS 88.720, 406.050, 407.135,
2 407.145, 407.375 [and] **or** 407.377.

3 “(b) Real property [*acquired or sold by*] **that** the Housing and Community
4 Services Department **acquires or sells** under the provisions of ORS 456.515
5 to 456.725 or ORS chapter 458.

6 “(c) **Real property that the Oregon Health Authority or the De-**
7 **partment of Human Services acquires or sells under ORS 410.075 or**
8 **416.340.**

9 “**SECTION 227.** If House Bill 3524 does not become law, ORS 270.100, as
10 amended by section 1, chapter 285, Oregon Laws 2015 (Enrolled Senate Bill
11 224), is amended to read:

12 “270.100. (1)(a) Before offering for sale any real property or equitable in-
13 terest in real property that the state owns, the state agency acting for the
14 state in the sales transaction shall report to the Oregon Department of Ad-
15 ministrative Services that the state agency intends to sell or transfer the
16 real property or the equitable interest. The department, or an agency the
17 department specifically designates, shall notify other state agencies author-
18 ized to own real property of the intended sale or transfer to determine
19 whether acquiring the real property or interest in the real property would
20 be advantageous to another state agency.

21 “(b) The department shall give political subdivisions, as defined in ORS
22 271.005, the first opportunity after other state agencies to acquire, purchase,
23 exchange or lease real property or an interest in real property that the State
24 of Oregon disposes of or sells. The state agency responsible for selling or
25 transferring the property or the equitable interest may require at the time
26 of the sale or transfer that a political subdivision must use state real prop-
27 erty or an equitable interest in real property sold or transferred to the pol-
28 itical subdivision for a public purpose or benefit, and that the political
29 subdivision may not resell the real property or the equitable interest to a
30 private purchaser.

1 “(c) If a state agency that intends to sell or transfer real property or an
2 equitable interest in real property has not disposed of the real property or
3 the equitable interest under paragraph (a) or (b) of this subsection, the state
4 agency shall cause the real property to be appraised by one or more compe-
5 tent and experienced appraisers in accordance with rules the department
6 adopts. Except as provided in ORS 273.825, if the property has an appraised
7 value exceeding \$5,000, the property or an equitable interest in the property
8 may not be sold to any private person except after notice calling for such
9 proposals as set forth in ORS 270.130.

10 “(d) The department shall adopt rules to carry out the provisions of this
11 section.

12 “(2) Before a state agency acquires any real property or interest in real
13 property, except for highway right of way that the Department of Transpor-
14 tation acquires, park properties that the State Parks and Recreation De-
15 partment acquires and property within the approved projected campus
16 boundaries for public universities [*of the Oregon University System or public*
17 *universities with governing boards listed in ORS 352.054*] **listed in ORS**
18 **352.002**, the state agency shall report to the Oregon Department of Admin-
19 istrative Services that the state agency intends to acquire the real property
20 or the interest in real property. The department shall notify other state
21 agencies that own land that the state agency intends to acquire real property
22 or an interest in real property to determine whether another state agency
23 desires to sell or transfer property that would meet the needs of the acquir-
24 ing agency. In accordance with rules the Oregon Department of Administra-
25 tive Services adopts, if no other state agency desires to sell or transfer
26 property that would meet the needs of the agency that intends to acquire real
27 property or an interest in real property, the agency may acquire the real
28 property or interest in real property, consistent with applicable provisions
29 of law.

30 “(3) Before any terminal disposition of real property or an interest in real

1 property, the state agency acting for the state in the transaction must secure
2 approval of the transaction from the Oregon Department of Administrative
3 Services.

4 “(4) Subsection (3) of this section does not apply to terminal disposition
5 of the following real property:

6 “(a) Property that the State Department of Fish and Wildlife controls;

7 “(b) State forestlands that the State Forestry Department controls;

8 “(c) Property that the Department of Transportation controls;

9 “(d) Property that the Department of State Lands controls;

10 “(e) Property that [*the Oregon University System controls or that*] public
11 universities [*with governing boards*] listed in ORS [352.054] **352.002** control;

12 “(f) Property that the legislative branch of state government controls;

13 “(g) Property that the judicial branch of state government controls; and

14 “(h) Property that the State Parks and Recreation Department controls.

15 “(5) Notwithstanding the provisions of subsection (4) of this section, prior
16 approval by the Oregon Department of Administrative Services is required
17 for the terminal disposition of public land for less than the fair market value
18 of the public land.

19 “(6) The provisions of ORS 184.634, 270.005 to 270.015, 270.100 to 270.190,
20 273.416, 273.426 to 273.436, 273.551 and 308A.709 (1) to (4) do not apply to:

21 “(a) A home or farm that the Department of Veterans’ Affairs acquires
22 or sells under ORS 88.720, 406.050, 407.135, 407.145, 407.375 or 407.377.

23 “(b) Real property that the Housing and Community Services Department
24 acquires or sells under the provisions of ORS 456.515 to 456.725 or ORS
25 chapter 458.

26 “(c) Real property that the Oregon Health Authority or the Department
27 of Human Services acquires or sells under ORS 410.075 or 416.340.

28 “**SECTION 228.** If House Bill 3524 becomes law, ORS 270.100, as amended
29 by section 72 of this 2015 Act, is amended to read:

30 “270.100. (1)(a) Before offering for sale any real property or equitable in-

1 terest [*therein owned by the state*] **in real property that the state owns,**
2 the state agency acting for the state in [*such*] **the sales** transaction shall
3 report [*its intent of sale or transfer*] to the Oregon Department of Adminis-
4 trative Services **that the state agency intends to sell or transfer the real**
5 **property or the equitable interest.** The department, or [*the*] **an agency the**
6 **department** specifically [*designated by the department*] **designates,** shall
7 notify other state agencies authorized to own real property of the intended
8 sale or transfer to determine whether [*acquisition of*] **acquiring** the real
9 property or interest [*therein*] **in the real property** would be advantageous
10 to another state agency.

11 “(b)(A) The department shall give [*political subdivisions, as defined in*
12 *ORS 271.005,*] the first opportunity after other state agencies to acquire,
13 purchase, exchange or lease real property **or an interest in real property**
14 [*to be sold or disposed of by*] **that** the State of Oregon **disposes of or sells**
15 **to:**

16 “(i) **The following entities, on the condition that the entities will**
17 **develop housing on the real property that will be occupied by families**
18 **and individuals with an income no greater than 80 percent of the me-**
19 **dian family income for the county in which the real property is lo-**
20 **cated:**

21 “(I) **Nonprofit organizations; and**

22 “(II) **Indian tribes, as defined in ORS 97.740; and**

23 “(ii) **Political subdivisions, as defined in ORS 271.005.**

24 “(B) The state agency responsible for selling or transferring the property
25 **or the equitable interest** may require at the time of the sale or transfer
26 that [*any state real property sold or transferred to*] a political subdivision[,
27 *as defined in ORS 271.005, shall be for use*] **must use state real property**
28 **or an equitable interest in real property sold or transferred to the**
29 **political subdivision** for a public purpose or benefit, and [*not be for resale*]
30 **that the political subdivision may not resell the real property or the**

1 **equitable interest** to a private purchaser.

2 “(c) If a state agency that intends to sell or transfer real property
3 or an equitable interest in real property has not disposed of the real
4 property or the equitable interest [*is not disposed of*] under paragraph (a)
5 or (b) of this subsection, [*in accordance with rules adopted by the*
6 *department,*] the state agency [*desiring to sell or transfer the property*] shall
7 cause [*it*] **the real property** to be appraised by one or more competent and
8 experienced appraisers **in accordance with rules the department adopts**.
9 Except as provided in ORS 273.825, if [*such*] **the** property has an appraised
10 value exceeding \$5,000, [*it shall*] **the property or an equitable interest in**
11 **the property may** not be sold to any private person except after notice
12 calling for such proposals as set forth in ORS 270.130.

13 “(d) The department shall adopt rules to carry out the provisions of this
14 section.

15 “(2) Before [*acquisition of*] a state agency acquires any real property
16 or interest [*therein by any state agency*] **in real property**, except for highway
17 right of way [*acquired by*] **that** the Department of Transportation **acquires**,
18 [*and*] park properties [*acquired by*] **that** the State Parks and Recreation De-
19 partment **acquires** and property within the approved projected campus
20 boundaries for public universities listed in ORS 352.002, the state agency
21 shall report [*its intent of acquisition*] to the Oregon Department of Adminis-
22 trative Services **that the state agency intends to acquire the real prop-**
23 **erty or the interest in real property**. The department shall notify other
24 state agencies [*owning land of the intended acquisition*] **that own land that**
25 **the state agency intends to acquire real property or an interest in real**
26 **property** to determine whether another state agency desires to sell or
27 transfer property that would meet the needs of the [*purchasing*] **acquiring**
28 agency. In accordance with rules [*adopted by*] the Oregon Department of
29 Administrative Services **adopts**, if no other state agency desires to sell or
30 transfer property that would meet the needs of the agency **that intends to**

1 **acquire real property or an interest in real property**, the agency may
2 acquire the real property or interest [*therein*] **in real property**, consistent
3 with applicable provisions of law.

4 “(3) Before any terminal disposition of real property or an interest in real
5 property, the state agency acting for the state in the transaction must secure
6 approval of the transaction from the Oregon Department of Administrative
7 Services.

8 “(4) Subsection (3) of this section does not apply to terminal disposition
9 of the following real property:

10 “(a) Property [*controlled by*] **that** the State Department of Fish and
11 Wildlife **controls**;

12 “(b) State forestlands [*controlled by*] **that** the State Forestry Department
13 **controls**;

14 “(c) Property [*controlled by*] **that** the Department of Transportation **con-**
15 **trols**;

16 “(d) Property [*controlled by*] **that** the Department of State Lands
17 **controls**;

18 “(e) Property [*controlled by*] **that** public universities listed in ORS 352.002
19 **control**;

20 “(f) **Property that the legislative branch of state government con-**
21 **trols**;

22 “[*f*] (g) Property [*controlled by the legislative or judicial branches*] **that**
23 **the judicial branch** of state government **controls**; and

24 “[*g*] (h) Property [*controlled by*] **that** the State Parks and Recreation
25 Department **controls**.

26 “(5) Notwithstanding the provisions of subsection (4) of this section, prior
27 approval by the Oregon Department of Administrative Services is required
28 for the terminal disposition of public land for less than the fair market value
29 of [*that*] **the public** land.

30 “(6) The provisions of ORS 184.634, 270.005 to 270.015, 270.100 to 270.190,

1 273.416, 273.426 to 273.436, 273.551 and 308A.709 (1) to (4) do not apply to:

2 “(a) A home or farm [*acquired or sold by*] **that** the Department of
3 Veterans’ Affairs **acquires or sells** under ORS 88.720, 406.050, 407.135,
4 407.145, 407.375 [*and*] **or** 407.377.

5 “(b) Real property [*acquired or sold by*] **that** the Housing and Community
6 Services Department **acquires or sells** under the provisions of ORS 456.515
7 to 456.725 or ORS chapter 458.

8 “(c) **Real property that the Oregon Health Authority or the De-**
9 **partment of Human Services acquires or sells under ORS 410.075 or**
10 **416.340.**

11 “**SECTION 229.** If House Bill 3524 becomes law, ORS 270.100, as amended
12 by section 1, chapter 285, Oregon Laws 2015 (Enrolled Senate Bill 224), and
13 section 1a, chapter ___, Oregon Laws 2015 (Enrolled House Bill 3524), is
14 amended to read:

15 “270.100. (1)(a) Before offering for sale any real property or equitable in-
16 terest in real property that the state owns, the state agency acting for the
17 state in the sales transaction shall report to the Oregon Department of Ad-
18 ministrative Services that the state agency intends to sell or transfer the
19 real property or the equitable interest. The department, or an agency the
20 department specifically designates, shall notify other state agencies author-
21 ized to own real property of the intended sale or transfer to determine
22 whether acquiring the real property or interest in the real property would
23 be advantageous to another state agency.

24 “(b)(A) The department shall give the first opportunity after other state
25 agencies to acquire, purchase, exchange or lease real property or an interest
26 in real property that the State of Oregon disposes of or sells to:

27 “(i) The following entities, on the condition that the entities will develop
28 housing on the real property that will be occupied by families and individ-
29 uals with an income no greater than 80 percent of the median family income
30 for the county in which the real property is located:

1 “(I) Nonprofit organizations; and

2 “(II) Indian tribes, as defined in ORS 97.740; and

3 “(ii) Political subdivisions, as defined in ORS 271.005.

4 “(B) The state agency responsible for selling or transferring the property
5 or the equitable interest may require at the time of the sale or transfer that
6 a political subdivision must use state real property or an equitable interest
7 in real property sold or transferred to the political subdivision for a public
8 purpose or benefit, and that the political subdivision may not resell the real
9 property or the equitable interest to a private purchaser.

10 “(c) If a state agency that intends to sell or transfer real property or an
11 equitable interest in real property has not disposed of the real property or
12 the equitable interest under paragraph (a) or (b) of this subsection, the state
13 agency shall cause the real property to be appraised by one or more compe-
14 tent and experienced appraisers in accordance with rules the department
15 adopts. Except as provided in ORS 273.825, if the property has an appraised
16 value exceeding \$5,000, the property or an equitable interest in the property
17 may not be sold to any private person except after notice calling for such
18 proposals as set forth in ORS 270.130.

19 “(d) The department shall adopt rules to carry out the provisions of this
20 section.

21 “(2) Before a state agency acquires any real property or interest in real
22 property, except for highway right of way that the Department of Transpor-
23 tation acquires, park properties that the State Parks and Recreation De-
24 partment acquires and property within the approved projected campus
25 boundaries for public universities [*of the Oregon University System or public*
26 *universities with governing boards listed in ORS 352.054*] **listed in ORS**
27 **352.002**, the state agency shall report to the Oregon Department of Admin-
28 istrative Services that the state agency intends to acquire the real property
29 or the interest in real property. The department shall notify other state
30 agencies that own land that the state agency intends to acquire real property

1 or an interest in real property to determine whether another state agency
2 desires to sell or transfer property that would meet the needs of the acquir-
3 ing agency. In accordance with rules the Oregon Department of Administra-
4 tive Services adopts, if no other state agency desires to sell or transfer
5 property that would meet the needs of the agency that intends to acquire real
6 property or an interest in real property, the agency may acquire the real
7 property or interest in real property, consistent with applicable provisions
8 of law.

9 “(3) Before any terminal disposition of real property or an interest in real
10 property, the state agency acting for the state in the transaction must secure
11 approval of the transaction from the Oregon Department of Administrative
12 Services.

13 “(4) Subsection (3) of this section does not apply to terminal disposition
14 of the following real property:

15 “(a) Property that the State Department of Fish and Wildlife controls;

16 “(b) State forestlands that the State Forestry Department controls;

17 “(c) Property that the Department of Transportation controls;

18 “(d) Property that the Department of State Lands controls;

19 “(e) Property that [*the Oregon University System controls or that*] public
20 universities [*with governing boards*] listed in ORS [*352.054*] **352.002** control;

21 “(f) Property that the legislative branch of state government controls;

22 “(g) Property that the judicial branch of state government controls; and

23 “(h) Property that the State Parks and Recreation Department controls.

24 “(5) Notwithstanding the provisions of subsection (4) of this section, prior
25 approval by the Oregon Department of Administrative Services is required
26 for the terminal disposition of public land for less than the fair market value
27 of the public land.

28 “(6) The provisions of ORS 184.634, 270.005 to 270.015, 270.100 to 270.190,
29 273.416, 273.426 to 273.436, 273.551 and 308A.709 (1) to (4) do not apply to:

30 “(a) A home or farm that the Department of Veterans’ Affairs acquires

1 or sells under ORS 88.720, 406.050, 407.135, 407.145, 407.375 or 407.377.

2 “(b) Real property that the Housing and Community Services Department
3 acquires or sells under the provisions of ORS 456.515 to 456.725 or ORS
4 chapter 458.

5 “(c) Real property that the Oregon Health Authority or the Department
6 of Human Services acquires or sells under ORS 410.075 or 416.340.

7 **“SECTION 230.** ORS 273.785, as amended by section 76 of this 2015 Act,
8 is amended to read:

9 “273.785. ORS 273.551 and 273.775 to 273.790 do not apply to:

10 “(1) Soil, clay, stone, sand and gravel [*acquired or used by*] **that** state
11 agencies **acquire or use** for the purpose of constructing or repairing roads
12 or other state facilities, or the proceeds from [*those materials*] **soil, clay,**
13 **stone, sand or gravel.**

14 “(2) Mineral or geothermal resource rights or **the** proceeds from [*those*
15 *rights acquired by*] **mineral or geothermal resource rights that** the State
16 Fish and Wildlife Commission [*pursuant to*] **acquires in** an agreement with
17 the federal government under 16 U.S.C. 669 to 669i (P.L. 75-415).

18 “(3) Mineral or geothermal resource rights or **the** proceeds from [*those*]
19 **mineral or geothermal resource** rights if [*other disposition is required*
20 *by*] federal rules or regulations or any agreement [*entered into at the time of*
21 *acquisition of*] **that the state enters into at the time the state acquires**
22 **the mineral or geothermal resource rights requires another disposition**
23 [*the mineral or geothermal resource rights by the state*].

24 “(4) Proceeds of mineral and geothermal resource rights [*acquired by*]
25 **that** the state **acquires** pursuant to ORS 530.010 and 530.030, other than
26 [*those*] **mineral and geothermal resource rights** distributed under ORS
27 530.110 (1)(c).

28 “(5) Mineral or geothermal resource rights or **the** proceeds from [*those*]
29 **mineral or geothermal resource** rights [*acquired after January 1, 1974, for*
30 *the state by*] **that** the Department of Veterans’ Affairs [*pursuant to*] **acquires**

1 **for the state after January 1, 1974 under** ORS 88.720, 406.050 (2), 407.135
2 or 407.145. After consultation, the Department of State Lands and the De-
3 partment of Veterans' Affairs shall enter into an interagency agreement
4 governing consultation between [*them*] **the departments** concerning mineral
5 and geothermal resource values on properties **the Department of Veterans'**
6 **Affairs acquires** [*acquired*] for the state [*by the Department of Veterans'*
7 *Affairs*]. The Department of Veterans' Affairs shall adopt rules relating to
8 the release of mineral and geothermal rights on [*such*] **the acquired** prop-
9 erties.

10 “(6) Mineral or geothermal resource rights or **the** proceeds from [*those*]
11 **mineral or geothermal resource** rights [*given by*] **that** a donor **gives** to
12 any public university or office, department or activity under the control of
13 the governing board of a public university listed in ORS 352.002 that [*are*
14 *acquired or held*] **the public university acquires or holds** for the state [*by*
15 *the public university pursuant to*] **under** ORS chapters 351 and 567. In man-
16 aging mineral or geothermal resource leases, the governing board shall con-
17 sult with the Department of State Lands in accordance with an interagency
18 agreement [*established by*] **that** the department and the governing board
19 [*governing*] **establish to govern** consultation between the department and
20 the public university and [*governing*] **to govern** management of the mineral
21 or geothermal resources.

22 “(7) Mineral or geothermal resource rights or proceeds from [*those*]
23 **mineral or geothermal resource** rights [*acquired and held by*] **that** the
24 Department of Transportation **acquires and holds**. In managing mineral or
25 geothermal resource leases, the Department of Transportation shall enter
26 into an intergovernmental agreement with the Department of State Lands
27 governing consultation between the departments and governing management
28 of the mineral or geothermal resources.

29 “(8) Mineral or geothermal resource rights or **the** proceeds from [*those*]
30 **mineral or geothermal resource** rights [*acquired and held by*] **that** the

1 Housing and Community Services Department **acquires and holds.**

2 **“(9) Mineral or geothermal resource rights or the proceeds from**
3 **mineral or geothermal resource rights that the Oregon Health Au-**
4 **thority or the Department of Human Services acquires and holds.**

5 **“SECTION 231.** ORS 273.785, as amended by section 2, chapter 285,
6 Oregon Laws 2015 (Enrolled Senate Bill 224), is amended to read:

7 “273.785. ORS 273.551 and 273.775 to 273.790 do not apply to:

8 “(1) Soil, clay, stone, sand and gravel that state agencies acquire or use
9 for the purpose of constructing or repairing roads or other state facilities,
10 or the proceeds from soil, clay, stone, sand or gravel.

11 “(2) Mineral or geothermal resource rights or the proceeds from mineral
12 or geothermal resource rights that the State Fish and Wildlife Commission
13 acquires in an agreement with the federal government under 16 U.S.C. 669
14 to 669i (P.L. 75-415).

15 “(3) Mineral or geothermal resource rights or the proceeds from mineral
16 or geothermal resource rights if federal rules or regulations or any agree-
17 ment that the state enters into at the time the state acquires the mineral
18 or geothermal resource rights requires another disposition.

19 “(4) Proceeds of mineral and geothermal resource rights that the state
20 acquires pursuant to ORS 530.010 and 530.030, other than mineral and
21 geothermal resource rights distributed under ORS 530.110 (1)(c).

22 “(5) Mineral or geothermal resource rights or the proceeds from mineral
23 or geothermal resource rights that the Department of Veterans’ Affairs ac-
24 quires for the state after January 1, 1974 under ORS 88.720, 406.050 (2),
25 407.135 or 407.145. After consultation, the Department of State Lands and the
26 Department of Veterans’ Affairs shall enter into an interagency agreement
27 governing consultation between the departments concerning mineral and
28 geothermal resource values on properties the Department of Veterans’ Af-
29 fairs acquires for the state. The Department of Veterans’ Affairs shall adopt
30 rules relating to the release of mineral and geothermal rights on the ac-

1 quired properties.

2 “(6) Mineral or geothermal resource rights or the proceeds from mineral
3 or geothermal resource rights that a donor gives to any public university or
4 office, department or activity under the control of the [*State Board of Higher*
5 *Education that the board acquires or holds*] **governing board of a public**
6 **university listed in ORS 352.002 that the public university acquires or**
7 **holds** for the state under ORS chapters 351 and 567. In managing mineral
8 or geothermal resource leases, the [*State Board of Higher Education*] **gov-**
9 **erning board** shall consult with the Department of State Lands in accord-
10 ance with an interagency agreement that the department and the **governing**
11 board establish to govern consultation between the department and the
12 [*board*] **public university** and to govern management of the mineral or
13 geothermal resources.

14 “(7) Mineral or geothermal resource rights or proceeds from mineral or
15 geothermal resource rights that the Department of Transportation acquires
16 and holds. In managing mineral or geothermal resource leases, the Depart-
17 ment of Transportation shall enter into an intergovernmental agreement
18 with the Department of State Lands governing consultation between the de-
19 partments and governing management of the mineral or geothermal re-
20 sources.

21 “(8) Mineral or geothermal resource rights or the proceeds from mineral
22 or geothermal resource rights that the Housing and Community Services
23 Department acquires and holds.

24 “(9) Mineral or geothermal resource rights or the proceeds from mineral
25 or geothermal resource rights that the Oregon Health Authority or the De-
26 partment of Human Services acquires and holds.

27 “**SECTION 232.** If House Bill 2412 becomes law and House Bill 2411 does
28 not become law, ORS 342.147, as amended by section 106 of this 2015 Act, is
29 amended to read:

30 “342.147. (1)(a) [*After considering recommendations of the State Board of*

1 *Education,*] The Teacher Standards and Practices Commission shall establish
2 by rule standards for approval of [*teacher education institutions and teacher*
3 *education programs*] **educator preparation providers and educator prep-**
4 **aration programs.** [*Public teacher education institutions shall be approved*
5 *for programs of more than four years' duration only if teacher education pro-*
6 *grams which are reasonably attainable in a four-year period are also available*
7 *in the system of higher education and are designed to culminate in a*
8 *baccalaureate degree that qualifies its graduates for entry-level teaching li-*
9 *censes.*]

10 “(b) **Standards for approval of an educator preparation program for**
11 **early childhood education, elementary education, special education or**
12 **reading must require that the program provide instruction on dyslexia**
13 **and that the instruction be consistent with the knowledge and practice**
14 **standards of an international organization on dyslexia.**

15 “(2) The **Teacher Standards and Practices** Commission shall establish
16 rules that allow [*teacher education*] **educator preparation** programs leading
17 to graduate degrees to commence prior to the [*student's*] **candidate's** com-
18 pletion of baccalaureate degree requirements and that allow the combined
19 use of undergraduate and graduate level course work in achieving program
20 completion.

21 “(3) Whenever any [*teacher education institution or program*] **educator**
22 **preparation provider or educator preparation program** is denied ap-
23 proved status or has such status withdrawn, [*such*] **the** denial or withdrawal
24 must be treated as a contested case [*within the meaning of*] **under** ORS
25 chapter 183.

26 “(4) Nothing in this section is intended to grant [*any authority*] to the
27 **Teacher Standards and Practices** Commission **any authority** relating to
28 granting degrees or establishing degree requirements that are within the
29 authority of **the Higher Education Coordinating Commission or any of**
30 **the** public universities listed in ORS 352.002, or that are within the authority

1 of the governing board of any private institution of higher education.

2 **“SECTION 233.** If House Bill 2412 becomes law and House Bill 2411 does
3 not become law, ORS 342.147, as amended by section 8, chapter 245, Oregon
4 Laws 2015 (Enrolled House Bill 2412), is amended to read:

5 “342.147. (1)(a) The Teacher Standards and Practices Commission shall
6 establish by rule standards for approval of educator preparation providers
7 and educator preparation programs.

8 “(b) Standards for approval of an educator preparation program for early
9 childhood education, elementary education, special education or reading
10 must require that the program provide instruction on dyslexia and that the
11 instruction be consistent with the knowledge and practice standards of an
12 international organization on dyslexia.

13 “(2) The Teacher Standards and Practices Commission shall establish
14 rules that allow educator preparation programs leading to graduate degrees
15 to commence prior to the candidate’s completion of baccalaureate degree re-
16 quirements and that allow the combined use of undergraduate and graduate
17 level course work in achieving program completion.

18 “(3) Whenever any educator preparation provider or educator preparation
19 program is denied approved status or has such status withdrawn, the denial
20 or withdrawal must be treated as a contested case under ORS chapter 183.

21 “(4) Nothing in this section is intended to grant to the Teacher Standards
22 and Practices Commission any authority relating to granting degrees or es-
23 tablishing degree requirements that are within the authority of [*the State*
24 *Board of Higher Education,*] the Higher Education Coordinating Commission
25 or any of the public universities listed in ORS 352.002, or that are within the
26 authority of the governing board of any private institution of higher educa-
27 tion.

28 **“SECTION 234.** If both House Bill 2412 and House Bill 3069 become law
29 and House Bill 2411 does not become law, ORS 342.147, as amended by sec-
30 tion 8, chapter 245, Oregon Laws 2015 (Enrolled House Bill 2412), and section

1 233 of this 2015 Act, is amended to read:

2 “342.147. (1)(a) The Teacher Standards and Practices Commission shall
3 establish by rule standards for approval of educator preparation providers
4 and educator preparation programs.

5 “(b) Standards for approval of an educator preparation program for early
6 childhood education, elementary education, special education or reading
7 must require that the program provide instruction on dyslexia and that the
8 instruction be consistent with the knowledge and practice standards of an
9 international organization on dyslexia.

10 **“(2) The commission shall adopt rules that:**

11 **“(a) Require educator preparation programs to demonstrate that**
12 **candidates enrolled in the programs receive training to provide in-**
13 **struction that enables students to meet or exceed third-grade reading**
14 **standards and become proficient readers by the end of the third grade,**
15 **as designated by the State Board of Education. For the purposes of**
16 **this paragraph:**

17 **“(A) An educator preparation program may make the demon-**
18 **stration through course curriculum, approved textbooks or other pro-**
19 **gram requirements.**

20 **“(B) An educator preparation program that is unable to make the**
21 **demonstration shall develop a plan to meet the requirement within**
22 **one year and shall report to the commission on the progress of im-**
23 **plementing that plan.**

24 “[~~(2)~~] (b) [*The Teacher Standards and Practices Commission shall estab-*
25 *lish rules that*] Allow educator preparation programs leading to graduate
26 degrees to commence prior to the candidate’s completion of baccalaureate
27 degree requirements and [*that allow the combined use of*] **to combine**
28 undergraduate and graduate level course work in achieving program com-
29 pletion.

30 “(3) Whenever any educator preparation provider or educator preparation

1 program is denied approved status or has such status withdrawn, the denial
2 or withdrawal must be treated as a contested case under ORS chapter 183.

3 “(4) Nothing in this section is intended to grant to the Teacher Standards
4 and Practices Commission any authority relating to granting degrees or es-
5 tablishing degree requirements that are within the authority of the Higher
6 Education Coordinating Commission or any of the public universities listed
7 in ORS 352.002, or that are within the authority of the governing board of
8 any private institution of higher education.

9 **“SECTION 235.** If both House Bill 2412 and House Bill 3069 become law
10 and House Bill 2411 does not become law, ORS 342.147, as amended by sec-
11 tion 8, chapter 245, Oregon Laws 2015 (Enrolled House Bill 2412), and section
12 2, chapter 427, Oregon Laws 2015 (Enrolled House Bill 3069), is amended to
13 read:

14 “342.147. (1)(a) The Teacher Standards and Practices Commission shall
15 establish by rule standards for approval of educator preparation providers
16 and educator preparation programs.

17 “(b) Standards for approval of an educator preparation program for early
18 childhood education, elementary education, special education or reading
19 must require that the program provide instruction on dyslexia and that the
20 instruction be consistent with the knowledge and practice standards of an
21 international organization on dyslexia.

22 “(2) The commission shall adopt rules that:

23 “(a) Require educator preparation programs to demonstrate that candi-
24 dates enrolled in the programs receive training to provide instruction that
25 enables students to meet or exceed third-grade reading standards and become
26 proficient readers by the end of the third grade, as designated by the State
27 Board of Education. For the purposes of this paragraph:

28 “(A) An educator preparation program may make the demonstration
29 through course curriculum, approved textbooks or other program require-
30 ments.

1 “(B) An educator preparation program that is unable to make the dem-
2 onstration shall develop a plan to meet the requirement within one year and
3 shall report to the commission on the progress of implementing that plan.

4 “(b) Allow educator preparation programs leading to graduate degrees to
5 commence prior to the candidate’s completion of baccalaureate degree re-
6 quirements and to combine undergraduate and graduate level course work in
7 achieving program completion.

8 “(3) Whenever any educator preparation provider or educator preparation
9 program is denied approved status or has such status withdrawn, the denial
10 or withdrawal must be treated as a contested case under ORS chapter 183.

11 “(4) Nothing in this section is intended to grant to the Teacher Standards
12 and Practices Commission any authority relating to granting degrees or es-
13 tablishing degree requirements that are within the authority of [*the State*
14 *Board of Higher Education,*] the Higher Education Coordinating Commission
15 or any of the public universities listed in ORS 352.002, or that are within the
16 authority of the governing board of any private institution of higher educa-
17 tion.

18 “**SECTION 236.** If both House Bill 2411 and House Bill 2412 become law,
19 ORS 342.147, as amended by section 106 of this 2015 Act, is amended to read:

20 “342.147. (1)(a) [*After considering recommendations of the State Board of*
21 *Education,*] The Teacher Standards and Practices Commission shall establish
22 by rule standards for approval of [*teacher education institutions and teacher*
23 *education*] **educator preparation providers and educator preparation**
24 **programs.** [*Public teacher education institutions shall be approved for pro-*
25 *grams of more than four years’ duration only if teacher education programs*
26 *which are reasonably attainable in a four-year period are also available in the*
27 *system of higher education and are designed to culminate in a baccalaureate*
28 *degree that qualifies its graduates for entry-level teaching licenses.*]

29 “(b) **Standards for approval of an educator preparation program for**
30 **early childhood education, elementary education, special education or**

1 **reading must require that the program provide instruction on dyslexia**
2 **and that the instruction be consistent with the knowledge and practice**
3 **standards of an international organization on dyslexia.**

4 “(2) The **Teacher Standards and Practices** Commission shall establish
5 rules that allow [*teacher education*] **approved educator preparation** pro-
6 grams leading to graduate degrees to commence prior to the [*student’s*]
7 **candidate’s** completion of baccalaureate degree requirements and that allow
8 the combined use of undergraduate and graduate level course work in
9 achieving program completion.

10 “(3) Whenever any [*teacher education institution or*] **educator prepara-**
11 **tion provider or educator preparation** program is denied approved status
12 or has such status withdrawn, [*such*] **the** denial or withdrawal must be
13 treated as a contested case [*within the meaning of*] **under** ORS chapter 183.

14 “(4) Nothing in this section is intended to grant [*any authority*] to the
15 **Teacher Standards and Practices** Commission **any authority** relating to
16 granting degrees or establishing degree requirements that are within the
17 authority of **the Higher Education Coordinating Commission or any of**
18 **the** public universities listed in ORS 352.002, or that are within the authority
19 of the governing board of any private institution of higher education.

20 “**SECTION 237.** If both House Bill 2411 and House Bill 2412 become law,
21 ORS 342.147, as amended by sections 14 and 41, chapter ___, Oregon Laws
22 2015 (Enrolled House Bill 2411), is amended to read:

23 “342.147. (1)(a) The Teacher Standards and Practices Commission shall
24 establish by rule standards for approval of educator preparation providers
25 and educator preparation programs.

26 “(b) Standards for approval of an educator preparation program for early
27 childhood education, elementary education, special education or reading
28 must require that the program provide instruction on dyslexia and that the
29 instruction be consistent with the knowledge and practice standards of an
30 international organization on dyslexia.

1 “(2) The Teacher Standards and Practices Commission shall establish
2 rules that allow approved educator preparation programs leading to graduate
3 degrees to commence prior to the candidate’s completion of baccalaureate
4 degree requirements and that allow the combined use of undergraduate and
5 graduate level course work in achieving program completion.

6 “(3) Whenever any educator preparation provider or educator preparation
7 program is denied approved status or has such status withdrawn, the denial
8 or withdrawal must be treated as a contested case under ORS chapter 183.

9 “(4) Nothing in this section is intended to grant to the Teacher Standards
10 and Practices Commission any authority relating to granting degrees or es-
11 tablishing degree requirements that are within the authority of [*the State*
12 *Board of Higher Education,*] the Higher Education Coordinating Commission
13 or any of the public universities listed in ORS 352.002, or that are within the
14 authority of the governing board of any private institution of higher educa-
15 tion.

16 **“SECTION 238.** If House Bill 2411 and House Bill 2412 and House Bill
17 3069 become law, ORS 342.147, as amended by sections 106 and 236 of this
18 2015 Act, is amended to read:

19 “342.147. (1)(a) The Teacher Standards and Practices Commission shall
20 establish by rule standards for approval of educator preparation providers
21 and educator preparation programs.

22 “(b) Standards for approval of an educator preparation program for early
23 childhood education, elementary education, special education or reading
24 must require that the program provide instruction on dyslexia and that the
25 instruction be consistent with the knowledge and practice standards of an
26 international organization on dyslexia.

27 **“(2) The commission shall adopt rules that:**

28 **“(a) Require approved educator preparation programs to demon-**
29 **strate that candidates enrolled in the programs receive training to**
30 **provide instruction that enables students to meet or exceed third-**

1 **grade reading standards and become proficient readers by the end of**
2 **the third grade, as designated by the State Board of Education. For**
3 **the purposes of this paragraph:**

4 **“(A) An approved educator preparation program may make the**
5 **demonstration through course curriculum, approved textbooks or**
6 **other program requirements.**

7 **“(B) An approved educator preparation program that is unable to**
8 **make the demonstration shall develop a plan to meet the requirement**
9 **within one year and shall report to the commission on the progress**
10 **of implementing that plan.**

11 **“[(2)] (b) [The Teacher Standards and Practices Commission shall estab-**
12 **lish rules that] Allow approved educator preparation programs leading to**
13 **graduate degrees to commence prior to the candidate’s completion of**
14 **baccalaureate degree requirements and [that allow the combined use of] to**
15 **combine** undergraduate and graduate level course work in achieving pro-
16 gram completion.

17 **“(3) Whenever any educator preparation provider or educator preparation**
18 **program is denied approved status or has such status withdrawn, the denial**
19 **or withdrawal must be treated as a contested case under ORS chapter 183.**

20 **“(4) Nothing in this section is intended to grant to the Teacher Standards**
21 **and Practices Commission any authority relating to granting degrees or es-**
22 **tablishing degree requirements that are within the authority of the Higher**
23 **Education Coordinating Commission or any of the public universities listed**
24 **in ORS 352.002, or that are within the authority of the governing board of**
25 **any private institution of higher education.**

26 **“SECTION 239. If House Bill 2411 and House Bill 2412 and House Bill**
27 **3069 become law, ORS 342.147, as amended by sections 14, 41 and 42, chapter**
28 **___, Oregon Laws 2015 (Enrolled House Bill 2411), is amended to read:**

29 **“342.147. (1)(a) The Teacher Standards and Practices Commission shall**
30 **establish by rule standards for approval of educator preparation providers**

1 and educator preparation programs.

2 “(b) Standards for approval of an educator preparation program for early
3 childhood education, elementary education, special education or reading
4 must require that the program provide instruction on dyslexia and that the
5 instruction be consistent with the knowledge and practice standards of an
6 international organization on dyslexia.

7 “(2) The commission shall adopt rules that:

8 “(a) Require approved educator preparation programs to demonstrate that
9 candidates enrolled in the programs receive training to provide instruction
10 that enables students to meet or exceed third-grade reading standards and
11 become proficient readers by the end of the third grade, as designated by the
12 State Board of Education. For the purposes of this paragraph:

13 “(A) An approved educator preparation program may make the demon-
14 stration through course curriculum, approved textbooks or other program
15 requirements.

16 “(B) An approved educator preparation program that is unable to make
17 the demonstration shall develop a plan to meet the requirement within one
18 year and shall report to the commission on the progress of implementing that
19 plan.

20 “(b) Allow approved educator preparation programs leading to graduate
21 degrees to commence prior to the candidate’s completion of baccalaureate
22 degree requirements and to combine undergraduate and graduate level course
23 work in achieving program completion.

24 “(3) Whenever any educator preparation provider or educator preparation
25 program is denied approved status or has such status withdrawn, the denial
26 or withdrawal must be treated as a contested case under ORS chapter 183.

27 “(4) Nothing in this section is intended to grant to the Teacher Standards
28 and Practices Commission any authority relating to granting degrees or es-
29 tablishing degree requirements that are within the authority of [*the State*
30 *Board of Higher Education,*] the Higher Education Coordinating Commission

1 or any of the public universities listed in ORS 352.002, or that are within the
2 authority of the governing board of any private institution of higher educa-
3 tion.

4 **“SECTION 240. If House Bill 3303 becomes law, section 20, chapter**
5 **565, Oregon Laws 2015 (Enrolled House Bill 3303) (amending ORS**
6 **351.070), is repealed.**

7 **“SECTION 241. If House Bill 3303 becomes law, section 29, chapter 565,**
8 **Oregon Laws 2015 (Enrolled House Bill 3303), is amended to read:**

9 **“Sec. 29.** The amendments to ORS 184.404, 200.005, 200.025, 200.035,
10 200.045, 200.055, 200.065, 200.075, 200.090, 200.110, 200.120, 279A.105, 279A.110,
11 279A.142, 279C.110, 279C.836, 285B.740, 286A.615, 293.796, [351.070,] 353.130
12 and 470.560 and section 18, chapter 4, Oregon Laws 2013, by sections 1 to **19**
13 **and 21 to 23, chapter 565, Oregon Laws 2015 (Enrolled House Bill 3303),**
14 **[of this 2015 Act]** and the repeal of ORS 200.100 by section 24, **chapter 565,**
15 **Oregon Laws 2015 (Enrolled House Bill 3303), [of this 2015 Act]** apply to:

16 “(1) Public contracts that a contracting agency advertises or otherwise
17 solicits or, if the contracting agency does not advertise or solicit the public
18 contract, to public contracts into which the contracting agency enters on or
19 after the operative date specified in section 30, **chapter 565, Oregon Laws**
20 **2015 (Enrolled House Bill 3303) [of this 2015 Act];**

21 “(2) Decisions that the Oregon Business Development Department makes
22 on and after the operative date specified in section 30, **chapter 565, Oregon**
23 **Laws 2015 (Enrolled House Bill 3303), [of this 2015 Act]** to approve, deny,
24 revoke or refuse to renew a certification as a disadvantaged business enter-
25 prise, a minority-owned business, a woman-owned business, a business that
26 a service-disabled veteran owns or an emerging small business;

27 “(3) Investigations that the department or a contracting agency conducts
28 on or after the operative date specified in section 30, **chapter 565, Oregon**
29 **Laws 2015 (Enrolled House Bill 3303) [of this 2015 Act];** and

30 “(4) A contracting agency’s decision on or after the operative date speci-

1 fied in section 30, **chapter 565, Oregon Laws 2015 (Enrolled House Bill**
2 **3303)**, [*of this 2015 Act*] to suspend an enterprise's or business's right to
3 submit a bid or proposal for a public contract.

4 **"SECTION 242.** If House Bill 3303 becomes law, section 30, chapter 565,
5 Oregon Laws 2015 (Enrolled House Bill 3303), is amended to read:

6 **"Sec. 30.** (1) The amendments to ORS 184.404, 200.005, 200.025, 200.035,
7 200.045, 200.055, 200.065, 200.075, 200.090, 200.110, 200.120, 279A.105, 279A.110,
8 279A.142, 279C.110, 279C.836, 285B.740, 286A.615, 293.796, [351.070,] 353.130
9 and 470.560 and section 18, chapter 4, Oregon Laws 2013, by sections 1 to **19**
10 **and 21 to 23, chapter 565, Oregon Laws 2015 (Enrolled House Bill 3303)**,
11 [*of this 2015 Act*] and the repeal of ORS 200.100 by section 24, **chapter 565,**
12 **Oregon Laws 2015 (Enrolled House Bill 3303)**, [*of this 2015 Act*] become
13 operative on January 1, 2016.

14 "(2) The Attorney General, the Director of the Oregon Department of
15 Administrative Services, the Director of Transportation, the Director of the
16 Oregon Business Development Department and a contracting agency that
17 adopts rules under ORS 279A.065 may adopt rules and take any other action
18 before the operative date specified in subsection (1) of this section that is
19 necessary to enable the Attorney General, the director or the contracting
20 agency to exercise, on or after the operative date specified in subsection (1)
21 of this section, all of the duties, functions and powers conferred on the At-
22 torney General, the director or the contracting agency by the amendments
23 to ORS 184.404, 200.005, 200.025, 200.035, 200.045, 200.055, 200.065, 200.075,
24 200.090, 200.110, 200.120, 279A.105, 279A.110, 279A.142, 279C.110, 279C.836,
25 285B.740, 286A.615, 293.796, [351.070,] 353.130 and 470.560 and section 18,
26 chapter 4, Oregon Laws 2013, by sections 1 to **19 and 21 to 23, chapter 565,**
27 **Oregon Laws 2015 (Enrolled House Bill 3303)** [*of this 2015 Act*].

28 **"SECTION 243.** If House Bill 2411 becomes law, section **32, chapter**
29 **___, Oregon Laws 2015 (Enrolled House Bill 2411) (amending ORS**
30 **351.115), is repealed.**

1 “**SECTION 244.** If House Bill 2412 becomes law, section 51, chapter
2 **245, Oregon Laws 2015 (Enrolled House Bill 2412) (amending ORS**
3 **351.115), is repealed.**

4 “**SECTION 245.** If Senate Bill 215 becomes law, sections 98 and 99
5 **of this 2015 Act (both amending ORS 326.500) are repealed and ORS**
6 **326.500, as amended by sections 4 and 6, chapter 739, Oregon Laws 2013,**
7 **and section 16, chapter __, Oregon Laws 2015 (Enrolled Senate Bill**
8 **215), is amended to read:**

9 “326.500. (1) The STEM Investment Council is established. The council
10 shall function under the direction and control of the Chief Education Office.

11 “(2)(a) The council is established for the purpose of assisting the Super-
12 intendent of Public Instruction, the Commissioner for Community College
13 Services and the [*Chancellor of the Oregon University System*] **executive di-**
14 **rector of the Higher Education Coordinating Commission** in jointly de-
15 veloping and overseeing a long-term strategy that advances the following
16 educational goals related to science, technology, engineering and mathemat-
17 ics:

18 “(A) Double the percentage of students in 4th and 8th grades who are
19 proficient or advanced in mathematics and science, as determined using a
20 nationally representative assessment of students’ knowledge in mathematics
21 and science; and

22 “(B) Double the number of students who earn a post-secondary degree
23 requiring proficiency in science, technology, engineering or mathematics.

24 “(b) Achievement of the goals described in paragraph (a) of this sub-
25 section shall be determined based on a comparison between the 2014-2015
26 school year or academic year and the 2024-2025 school year or academic year.

27 “(3) To advance the educational goals described in subsection (2) of this
28 section, the council shall make recommendations to:

29 “(a) The Superintendent of Public Instruction regarding the adminis-
30 tration of the STEM Investment Grant Program established in ORS 327.380;

1 and

2 “(b) The Superintendent of Public Instruction, the Commissioner for
3 Community College Services and the [*Chancellor of the Oregon University*
4 *System*] **executive director of the Higher Education Coordinating Com-**
5 **mission** regarding other investments in science, technology, engineering and
6 mathematics that are made or overseen by the Chief Education Office.

7 “(4) The council consists of nine members from the private sector who are
8 jointly appointed by the Superintendent of Public Instruction, the Commis-
9 sioner for Community College Services and the [*Chancellor of the Oregon*
10 *University System*] **executive director of the Higher Education Coordi-**
11 **nating Commission** and serve at the pleasure of the superintendent, com-
12 missioner and [*chancellor*] **executive director**.

13 “(5) To aid and advise the council in the performance of the council’s
14 duties, the council:

15 “(a) Shall recruit educators and administrators from kindergarten through
16 grade 12 and from post-secondary education to be nonvoting advisory mem-
17 bers of the council;

18 “(b) May recruit nonvoting advisory members to the council who are in
19 addition to the members identified in paragraph (a) of this subsection; and

20 “(c) May establish advisory and technical committees that the council
21 considers necessary.

22 “(6)(a) The Superintendent of Public Instruction, the Commissioner for
23 Community College Services and the [*Chancellor of the Oregon University*
24 *System*] **executive director of the Higher Education Coordinating Com-**
25 **mission** shall jointly appoint a council director. The council director shall
26 serve at the pleasure of the superintendent, commissioner and [*chancellor*]
27 **executive director**.

28 “(b) Except as otherwise directed by the Superintendent of Public In-
29 struction, the Commissioner for Community College Services and the
30 [*Chancellor of the Oregon University System*] **executive director of the**

1 **Higher Education Coordinating Commission**, the activities of the council
2 shall be directed and supervised by the council director.

3 “(7) Members of the council are not entitled to compensation or re-
4 imbursement for expenses and serve as volunteers of the council.

5 “(8) The council shall submit an annual report to the Chief Education
6 Office and the Legislative Assembly on the progress made toward achieving
7 the goals described in subsection (2) of this section and the distribution of
8 funds under the STEM Investment Grant Program.

9 **“SECTION 246. If Senate Bill 777 becomes law, section 114 of this**
10 **2015 Act (amending ORS 348.849) is repealed.**

11 **“SECTION 246a. If Senate Bill 215 becomes law, section 222 of this**
12 **2015 Act (amending section 11, chapter 519, Oregon Laws 2011) is re-**
13 **pealed.**

14

15 “OPERATIVE DATES

16

17 **“SECTION 247. Sections 2, 3, 5 to 7, 220 and 221 of this 2015 Act, the**
18 **amendments to statutes and session laws by sections 1, 8 to 161, 164**
19 **to 219, 222 and 223 of this 2015 Act and the repeal of statutes and ses-**
20 **sion laws by section 4 of this 2015 Act become operative on July 1, 2015.**

21 **“SECTION 248. If Senate Bill 215 becomes law, section 247 of this 2015**
22 **Act is amended to read:**

23 **“Sec. 247. Sections 2, 3, 5 to 7, 220 and 221 of this 2015 Act, the amend-**
24 **ments to statutes and session laws by sections 1, 8 to 161, 164 to 219[, 222]**
25 **and 223 of this 2015 Act and the repeal of statutes and session laws by sec-**
26 **tion 4 of this 2015 Act become operative on July 1, 2015.**

27 **“SECTION 249. If House Bill 3303 becomes law, the amendments to**
28 **ORS 200.025 by section 224 of this 2015 Act become operative January**
29 **1, 2016.**

30 **“SECTION 250. If House Bill 3524 does not become law, the amend-**

1 **ments to ORS 270.100 by section 226 of this 2015 Act become operative**
2 **January 1, 2016.**

3 **“SECTION 251. If House Bill 3524 becomes law, the amendments to**
4 **ORS 270.100 by section 228 of this 2015 Act become operative January**
5 **1, 2016.**

6 **“SECTION 252. The amendments to ORS 273.785 by section 230 of**
7 **this 2015 Act become operative January 1, 2016.**

8 **“SECTION 253. If House Bill 2412 becomes law and House Bill 2411**
9 **does not become law, the amendments to ORS 342.147 by sections 232**
10 **and 233 of this 2015 Act become operative January 1, 2016.**

11 **“SECTION 254. If both House Bill 2411 and House Bill 2412 become**
12 **law, the amendments to ORS 342.147 by section 236 of this 2015 Act**
13 **become operative January 1, 2016.**

14 **“SECTION 255. If both House Bill 2412 and House Bill 3069 become**
15 **law and House Bill 2411 does not become law, the amendments to ORS**
16 **342.147 by section 234 of this 2015 Act become operative July 1, 2016.**

17 **“SECTION 256. If House Bill 2411 and House Bill 2412 and House Bill**
18 **3069 become law, the amendments to ORS 342.147 by section 238 of this**
19 **2015 Act become operative July 1, 2016.**

20

21 **“UNIT CAPTIONS**

22

23 **“SECTION 257. The unit captions used in this 2015 Act are provided**
24 **only for the convenience of the reader and do not become part of the**
25 **statutory law of this state or express any legislative intent in the**
26 **enactment of this 2015 Act.**

27

28 **“EMERGENCY CLAUSE**

29

30 **“SECTION 258. This 2015 Act being necessary for the immediate**

1 **preservation of the public peace, health and safety, an emergency is**
2 **declared to exist, and this 2015 Act takes effect on its passage.”.**

3
