

A-Engrossed
Senate Bill 365

Ordered by the Senate May 17
Including Senate Amendments dated May 17

Printed pursuant to Senate Interim Rule 213.28 by order of the President of the Senate in conformance with pre-session filing rules, indicating neither advocacy nor opposition on the part of the President (at the request of Governor John A. Kitzhaber, M.D., for Department of Public Safety Standards and Training)

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.

Authorizes Department of Public Safety Standards and Training to take title to real property **needed for training academy.**
Modifies purposes for which Director of Oregon Department of Administrative Services may enter into financing agreement.

A BILL FOR AN ACT

1
2 Relating to Department of Public Safety Standards and Training; creating new provisions; and
3 amending ORS 283.085.

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

5 **SECTION 1. Section 2 of this 2001 Act is added to and made a part of ORS 181.610 to**
6 **181.712.**

7 **SECTION 2. In carrying out its duties, the Department of Public Safety Standards and**
8 **Training may take title to real property needed for a training academy.**

9 **SECTION 3. ORS 283.085 is amended to read:**

10 283.085. As used in ORS 283.085 to 283.092, 286.515 and 286.525:

11 (1) "Available funds" means funds appropriated or otherwise made available by the Legislative
12 Assembly to pay amounts due under a financing agreement for the fiscal period in which the pay-
13 ments are due, together with any unexpended proceeds of the financing agreement, and any reserves
14 or other amounts which have been deposited in trust to pay amounts due under the financing
15 agreement.

16 (2) "Credit enhancement agreement" means any agreement or contractual relationship between
17 the state and any bank, trust company, insurance company, surety bonding company, pension fund
18 or other financial institution providing additional credit on or security for a financing agreement
19 or certificates of participation authorized by ORS 283.085 to 283.092, 286.515 and 286.525.

20 (3) "Director" means the Director of the Oregon Department of Administrative Services.

21 (4)(a) "Financing agreement" means a lease purchase agreement, an installment sale agreement,
22 a loan agreement or any other agreement:

23 (A) To finance real or personal property that is or will be owned and operated by the state or
24 any of its agencies;

25 (B) To finance infrastructure related to a facility that is owned and operated by the state;

26 (C) To finance infrastructure components that are owned or operated by a local government

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 agency of this state if the director determines that financing the infrastructure will facilitate the
2 construction or operation of an adult or juvenile corrections facility **or a public safety training**
3 **facility** owned and operated by the state or any of its agencies; or

4 (D) To refinance previously executed financing agreements.

5 (b) As used in this subsection, "infrastructure" includes, but is not limited to, sewer and water
6 systems and road improvements.

7 (5) "Personal property" means tangible personal property, software and fixtures.

8 (6) "Property rights" means, with respect to personal property, the rights of a secured party
9 under ORS chapter 79, and, with respect to real property, the rights of a trustee or lender under a
10 lease authorized by ORS 283.089 (5).

11 (7) "Software" means software and training and maintenance contracts related to the operation
12 of computing equipment.

13 (8) "Treasurer" means the State Treasurer.

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