

Senate Bill 421

Sponsored by Senator GORDLY

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Abolishes Oregon Advocacy Commissions Office. Allows Commission on Hispanic Affairs, Commission on Black Affairs, Commission for Women and Commission on Asian Affairs to hire executive directors and establishes dedicated accounts for those commissions. Appropriates moneys and establishes expenditure limitations for advocacy commissions.

Declares emergency, effective July 1, 2007.

A BILL FOR AN ACT

1
2 Relating to advocacy commissions; creating new provisions; amending ORS 185.320, 185.420, 185.550
3 and 185.610; repealing ORS 185.005, 185.010, 185.015, 185.020 and 185.025; appropriating money;
4 limiting expenditures; and declaring an emergency.

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

OREGON ADVOCACY COMMISSIONS OFFICE ABOLISHED

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9 **SECTION 1. ORS 185.005, 185.010, 185.015, 185.020 and 185.025 are repealed.**

EXECUTIVE DIRECTORS AND DEDICATED ACCOUNTS FOR ADVOCACY COMMISSIONS

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14 **SECTION 2. Sections 3 and 4 of this 2007 Act are added to and made a part of ORS 185.310
15 to 185.330.**

16 **SECTION 3. The Commission on Hispanic Affairs may employ an executive director and
17 other staff as may be necessary to carry out its functions. The commission may also estab-
18 lish special committees as it considers necessary.**

19 **SECTION 4. The Commission on Hispanic Affairs Account is established separate and
20 distinct from the General Fund. All moneys received by the Commission on Hispanic Affairs,
21 other than appropriations from the General Fund, shall be deposited into the account and
22 are continuously appropriated to the commission to carry out the duties, functions and
23 powers of the commission.**

24 **SECTION 5. Sections 6 and 7 of this 2007 Act are added to and made a part of ORS 185.410
25 to 185.430.**

26 **SECTION 6. The Commission on Black Affairs may employ an executive director and
27 other staff as may be necessary to carry out its functions. The commission may also estab-
28 lish special committees as it considers necessary.**

29 **SECTION 7. The Commission on Black Affairs Account is established separate and dis-
30 tinct from the General Fund. All moneys received by the Commission on Black Affairs, other**

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 than appropriations from the General Fund, shall be deposited into the account and are
 2 continuously appropriated to the commission to carry out the duties, functions and powers
 3 of the commission.

4 **SECTION 8.** Sections 9 and 10 of this 2007 Act are added to and made a part of ORS
 5 185.510 to 185.550.

6 **SECTION 9.** The Commission for Women may employ an executive director and other
 7 staff as may be necessary to carry out its functions.

8 **SECTION 10.** The Commission for Women Account is established separate and distinct
 9 from the General Fund. All moneys received by the Commission for Women, other than ap-
 10 propriations from the General Fund, shall be deposited into the account and are continuously
 11 appropriated to the commission to carry out the duties, functions and powers of the com-
 12 mission.

13 **SECTION 11.** The Commission on Asian Affairs may employ an executive director and
 14 other staff as may be necessary to carry out its functions. The commission may also estab-
 15 lish special committees as it considers necessary.

16 **SECTION 12.** The Commission on Asian Affairs Account is established separate and dis-
 17 tinct from the General Fund. All moneys received by the Commission on Asian Affairs, other
 18 than appropriations from the General Fund, shall be deposited into the account and are
 19 continuously appropriated to the commission to carry out the duties, functions and powers
 20 of the commission.

21 22 CONFORMING AMENDMENTS

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24 **SECTION 13.** ORS 185.320 is amended to read:

25 185.320. (1) The Commission on Hispanic Affairs shall be comprised of 11 members, to include
 26 two representatives from the Legislative Assembly, one appointed by the President of the Senate,
 27 one appointed by the Speaker of the House of Representatives. Nine members shall be appointed by
 28 the Governor and confirmed by the Senate pursuant to section 4, Article III, Oregon Constitution.
 29 To the extent possible, members appointed by the Governor shall provide for representation from
 30 all areas of the state. All of the members of the commission shall be residents of this state.

31 (2) Members appointed by the Governor shall serve three-year terms. Legislators shall serve
 32 two-year terms.

33 (3) The commission members shall elect a chairperson and vice chairperson.

34 (4) A majority of the members of the commission [*constitute*] **constitutes** a quorum for the
 35 transaction of business.

36 (5) Appointments to the commission shall be made to ensure representation of Hispanics in
 37 Oregon.

38 (6) Members of the commission who are not legislators shall be paid compensation and expenses
 39 as provided in ORS 292.495 from funds appropriated to the [*Oregon Advocacy Commissions Office*]
 40 **commission**.

41 (7) Members of the commission who are legislators shall be paid compensation and expense re-
 42 imbursement as provided in ORS 171.072, payable from funds appropriated to the Legislative As-
 43 sembly.

44 **SECTION 14.** ORS 185.420 is amended to read:

45 185.420. (1) The Commission on Black Affairs shall be comprised of 11 members, to include two

1 representatives from the Legislative Assembly, one appointed by the President of the Senate, one
 2 appointed by the Speaker of the House of Representatives. Nine members shall be appointed by the
 3 Governor and confirmed by the Senate pursuant to section 4, Article III, Oregon Constitution. To
 4 the extent possible, members appointed by the Governor shall provide for representation from all
 5 areas of the state. All of the members of the commission shall be residents of this state.

6 (2) Members appointed by the Governor shall serve three-year terms. Legislators shall serve
 7 two-year terms.

8 (3) The commission members shall elect a chairperson and vice chairperson.

9 (4) A majority of the members of the commission [*constitute*] **constitutes** a quorum for the
 10 transaction of business.

11 (5) Appointments to the commission shall be made to ensure representation of blacks in Oregon.

12 (6) Members of the commission who are not legislators shall be paid compensation and expenses
 13 as provided in ORS 292.495 from funds appropriated to the [*Oregon Advocacy Commissions Office*]
 14 **commission**.

15 (7) Members of the commission who are legislators shall be paid compensation and expense re-
 16 imbursement as provided in ORS 171.072, payable from funds appropriated to the Legislative As-
 17 sembly.

18 **SECTION 15.** ORS 185.550 is amended to read:

19 185.550. (1) Members of the Commission for Women who are not legislators shall be paid com-
 20 pensation and expenses as provided in ORS 292.495 from funds appropriated to the [*Oregon Advocacy*
 21 *Commissions Office*] **commission**.

22 (2) Members of the commission who are legislators shall be paid compensation and expense re-
 23 imbursement as provided in ORS 171.072, payable from funds appropriated to the Legislative As-
 24 sembly.

25 **SECTION 16.** ORS 185.610 is amended to read:

26 185.610. (1) The Commission on Asian Affairs is created. The commission has 11 members. Nine
 27 of the 11 members shall be appointed by the Governor, subject to confirmation by the Senate under
 28 ORS 171.562 and 171.565. The President of the Senate shall appoint one Senator as a member of the
 29 commission, and the Speaker of the House of Representatives shall appoint one Representative as
 30 a member of the commission. To the extent possible, members appointed by the Governor shall pro-
 31 vide for representation from all areas of the state. All of the members of the commission shall be
 32 residents of this state.

33 (2) The term of office is three years. Appointments to fill a vacancy for an unexpired term shall
 34 be made by the person who made the original appointment.

35 (3) The commission shall elect a chairperson and vice chairperson for a term of one year and
 36 shall determine the duties of the officers.

37 (4) A majority of the members of the commission constitutes a quorum for the transaction of
 38 business.

39 (5) Appointments to the commission shall be made to ensure ethnic representation of Asian
 40 Americans in Oregon.

41 (6) Members of the commission who are not legislators shall be paid compensation and expenses
 42 as provided in ORS 292.495 from funds appropriated to the [*Oregon Advocacy Commissions Office*]
 43 **commission**.

44 (7) Members of the commission who are legislators shall be paid compensation and expense re-
 45 imbursement as provided in ORS 171.072, payable from funds appropriated to the Legislative As-

1 sembly.

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3 **TRANSITIONAL PROVISIONS**
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5 **SECTION 17.** (1) Any amounts in the Oregon Advocacy Commissions Office Account that
6 are unexpended on the effective date of this 2007 Act are transferred to the Commission on
7 Hispanic Affairs Account, the Commission on Black Affairs Account, the Commission for
8 Women Account and the Commission on Asian Affairs Account in such amounts as may be
9 determined by the Director of the Oregon Department of Administrative Services. The deci-
10 sion of the director on the amounts to be transferred to each account is final and not subject
11 to review.

12 (2) Any amounts that are unexpended on the effective date of this 2007 Act and that were
13 authorized to be expended by the Oregon Advocacy Commissions Office from revenues dedi-
14 cated, continuously appropriated, appropriated or otherwise made available for the purpose
15 of administering and enforcing the duties, functions and powers of the office are appropriated
16 and shall be transferred to and are available for expenditure by the Commission on Hispanic
17 Affairs, the Commission on Black Affairs, the Commission for Women and the Commission
18 on Asian Affairs for the biennium beginning July 1, 2007, for the purpose of administering
19 and enforcing the duties, functions and powers of the commissions. The Director of the
20 Oregon Department of Administrative Services shall determine the amount to be transferred
21 to each commission. The decision of the director on the amounts to be transferred to each
22 commission is final and not subject to review.

23 **SECTION 18.** All rights and obligations of the Oregon Advocacy Commissions Office le-
24 gally incurred under contracts, leases and business transactions executed, entered into or
25 begun before the effective date of this 2007 Act are transferred to the Commission on
26 Hispanic Affairs, the Commission on Black Affairs, the Commission for Women and the
27 Commission on Asian Affairs. The Director of the Oregon Department of Administrative
28 Services shall determine the rights and obligations to be transferred to each commission.
29 The decision of the director on the transfer of rights and obligations is final and not subject
30 to review. For the purpose of succession to these rights and obligations, the Commission on
31 Hispanic Affairs, the Commission on Black Affairs, the Commission for Women and the
32 Commission on Asian Affairs are a continuation of the Oregon Advocacy Commissions Office
33 and not new authorities.
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35 **APPROPRIATIONS AND EXPENDITURE LIMITATIONS**
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37 **SECTION 19.** There is appropriated to the Commission on Hispanic Affairs, for the
38 biennium beginning July 1, 2007, out of the General Fund, the amount of \$_____ for the
39 purpose of carrying out the duties, functions and powers of the commission.

40 **SECTION 20.** Notwithstanding any other law limiting expenditures, the amount of
41 \$_____ is established for the biennium beginning July 1, 2007, as the maximum limit for
42 payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts,
43 but excluding lottery funds and federal funds, collected or received by the Commission on
44 Hispanic Affairs.

45 **SECTION 21.** There is appropriated to the Commission on Black Affairs, for the biennium

1 beginning July 1, 2007, out of the General Fund, the amount of \$_____ for the purpose of
2 carrying out the duties, functions and powers of the commission.

3 **SECTION 22.** Notwithstanding any other law limiting expenditures, the amount of
4 \$_____ is established for the biennium beginning July 1, 2007, as the maximum limit for
5 payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts,
6 but excluding lottery funds and federal funds, collected or received by the Commission on
7 Black Affairs.

8 **SECTION 23.** There is appropriated to the Commission for Women, for the biennium be-
9 ginning July 1, 2007, out of the General Fund, the amount of \$_____ for the purpose of
10 carrying out the duties, functions and powers of the commission.

11 **SECTION 24.** Notwithstanding any other law limiting expenditures, the amount of
12 \$_____ is established for the biennium beginning July 1, 2007, as the maximum limit for
13 payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts,
14 but excluding lottery funds and federal funds, collected or received by the Commission for
15 Women.

16 **SECTION 25.** There is appropriated to the Commission on Asian Affairs, for the biennium
17 beginning July 1, 2007, out of the General Fund, the amount of \$_____ for the purpose of
18 carrying out the duties, functions and powers of the commission.

19 **SECTION 26.** Notwithstanding any other law limiting expenditures, the amount of
20 \$_____ is established for the biennium beginning July 1, 2007, as the maximum limit for
21 payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts,
22 but excluding lottery funds and federal funds, collected or received by the Commission on
23 Asian Affairs.

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25 **UNIT CAPTIONS**

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27 **SECTION 27.** The unit captions used in this 2007 Act are provided only for the conven-
28 ience of the reader and do not become part of the statutory law of this state or express any
29 legislative intent in the enactment of this 2007 Act.

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31 **EMERGENCY CLAUSE**

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33 **SECTION 28.** This 2007 Act being necessary for the immediate preservation of the public
34 peace, health and safety, an emergency is declared to exist, and this 2007 Act takes effect
35 July 1, 2007.
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