

# B-Engrossed Senate Bill 1014

Ordered by the House February 22  
Including Senate Amendments dated February 12 and House Amendments  
dated February 22

Sponsored by Senator COURTNEY, Representative HUNT (Pre-session filed.)

## SUMMARY

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

Clarifies that state board or commission may meet through telephone or other electronic means. Provides that member who attends meeting through telephone or other electronic means is not entitled to compensation or reimbursement for expenses.

Modifies terms of office, compensation and reimbursement for expenses for members appointed to certain public bodies.

Increases board membership of State Board of Pharmacy.

**Provides that Governor may appoint no more than two employees of school districts to State Board of Education.**

Repeals provisions relating to certain task forces and establishing Healthy Streams Partnership. Declares emergency, effective on passage.

## A BILL FOR AN ACT

1  
2 Relating to the operation of public bodies with appointed members; creating new provisions;  
3 amending ORS 171.857, 173.315, 173.500, 184.486, 192.549, 192.670, 284.706, 285A.091, 326.021,  
4 409.520, 417.845, 442.830, 468A.220, 507.050, 660.321 and 689.115 and section 8, chapter 802,  
5 Oregon Laws 2007, section 10, chapter 754, Oregon Laws 2009, section 1, chapter 782, Oregon  
6 Laws 2009, and section 1, chapter 881, Oregon Laws 2009; repealing ORS 171.865, 171.867 and  
7 541.407; and declaring an emergency.

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

9 **SECTION 1. (1) A state board or commission may meet through telephone or other**  
10 **electronic means in accordance with ORS 192.610 to 192.690.**

11 **(2)(a) Notwithstanding ORS 292.495, a member of a state board or commission who at-**  
12 **tends a meeting through telephone or other electronic means is not entitled to compensation**  
13 **or reimbursement for expenses for attending the meeting.**

14 **(b) A state board or commission may compensate or reimburse a member who attends**  
15 **a meeting through telephone or other electronic means as provided in ORS 292.495 at the**  
16 **discretion of the board or commission.**

17 **SECTION 2.** ORS 192.670 is amended to read:

18 192.670. (1) Any meeting, including an executive session, of a governing body of a public body  
19 which is held through the use of telephone or other electronic communication shall be conducted in  
20 accordance with ORS 192.610 to 192.690.

21 (2) When telephone or other electronic means of communication is used and the meeting is not  
22 an executive session, the governing body of the public body shall make available to the public at  
23 least one place where, **or at least one electronic means by which**, the public can listen to the

**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 communication at the time it occurs [*by means of speakers or other devices*]. [*The*] A place provided  
2 may be a place where no member of the governing body of the public body is present.

3 **SECTION 3.** ORS 442.830 is amended to read:

4 442.830. (1) There is established the Oregon Patient Safety Commission Board of Directors con-  
5 sisting of 17 members, including the Public Health Officer and 16 directors who shall be appointed  
6 by the Governor and who shall be confirmed by the Senate in the manner prescribed in ORS 171.562  
7 and 171.565.

8 (2) Membership on the board shall reflect the diversity of facilities, providers, insurers, pur-  
9 chasers and consumers that are involved in patient safety. Directors shall demonstrate interest,  
10 knowledge or experience in the area of patient safety.

11 (3) The membership of the board shall be as follows:

12 (a) The Public Health Officer or the officer's designee;

13 (b) One faculty member, who is not involved in the direct delivery of health care, of the Oregon  
14 University System or a private Oregon university;

15 (c) Two representatives of group purchasers of health care, one of whom shall be employed by  
16 a state or other governmental entity and neither of whom may provide direct health care services  
17 or have an immediate family member who is involved in the delivery of health care;

18 (d) Two representatives of health care consumers, neither of whom may provide direct health  
19 care services or have an immediate family member who is involved in the delivery of health care;

20 (e) Two representatives of health insurers, including a representative of a domestic not-for-profit  
21 health care service contractor, a representative of a domestic insurance company licensed to  
22 transact health insurance or a representative of a health maintenance organization;

23 (f) One representative of a statewide or national labor organization;

24 (g) Two physicians licensed under ORS chapter 677 who are in active practice;

25 (h) Two hospital administrators or their designees;

26 (i) One pharmacist licensed under ORS chapter 689;

27 (j) One representative of an ambulatory surgical center or an outpatient renal dialysis facility;

28 (k) One nurse licensed under ORS chapter 678 who is in active clinical practice; and

29 (L) One nursing home administrator licensed under ORS chapter 678 or one nursing home di-  
30 rector of nursing services.

31 (4) The term of office of each director appointed by the Governor is four years. Before the ex-  
32 piration of the term of a director, the Governor shall appoint a successor whose term begins on  
33 [*October 1*] **July 2** next following. A director is eligible for reappointment for an additional term. If  
34 there is a vacancy for any cause, the Governor shall make an appointment to become effective im-  
35 mediately for the unexpired term. The board shall nominate a slate of candidates whenever a va-  
36 cancy occurs or is announced and shall forward the recommended candidates to the Governor for  
37 consideration.

38 (5) The board shall select one of its members as chairperson and another as vice chairperson for  
39 the terms and with the duties and powers as the board considers necessary for performance of the  
40 functions of those offices. The board shall adopt bylaws as necessary for the efficient and effective  
41 operation of the commission.

42 (6) The Governor may remove any member of the board at any time at the pleasure of the  
43 Governor, but not more than eight directors shall be removed within a period of four years, unless  
44 it is for corrupt conduct in office. The board may remove a director as specified in the commission  
45 bylaws.

1 (7) The board may appoint subcommittees and advisory groups as needed to assist the board,  
2 including but not limited to one or more consumer advisory groups and technical advisory groups.  
3 The technical advisory groups shall include physicians, nurses and other licensed or certified pro-  
4 fessionals with specialty knowledge and experience as necessary to assist the board.

5 (8) No voting member of the board may be an employee of the commission.

6 **SECTION 4.** ORS 192.549 is amended to read:

7 192.549. (1) The Advisory Committee on Genetic Privacy and Research is established consisting  
8 of 15 members. The President of the Senate and the Speaker of the House of Representatives shall  
9 each appoint one member and one alternate. The Director of the Oregon Health Authority shall  
10 appoint one representative and one alternate from each of the following categories:

11 (a) Academic institutions involved in genetic research;

12 (b) Physicians licensed under ORS chapter 677;

13 (c) Voluntary organizations involved in the development of public policy on issues related to  
14 genetic privacy;

15 (d) Hospitals;

16 (e) The Department of Consumer and Business Services;

17 (f) The Oregon Health Authority;

18 (g) Health care service contractors involved in genetic and health services research;

19 (h) The biosciences industry;

20 (i) The pharmaceutical industry;

21 (j) Health care consumers;

22 (k) Organizations advocating for privacy of medical information;

23 (L) Public members of institutional review boards; and

24 (m) Organizations or individuals promoting public education about genetic research and genetic  
25 privacy and public involvement in policymaking related to genetic research and genetic privacy.

26 (2) Organizations and individuals representing the categories listed in subsection (1) of this  
27 section may recommend nominees for membership on the advisory committee to the President, the  
28 Speaker and the director.

29 (3) Members and alternate members of the advisory committee serve two-year terms and may  
30 be reappointed.

31 (4) Members and alternate members of the advisory committee serve at the pleasure of the ap-  
32 pointing entity.

33 **(5) Notwithstanding ORS 171.072, members and alternate members of the advisory com-  
34 mittee who are members of the Legislative Assembly are not entitled to mileage expenses  
35 or a per diem and serve as volunteers on the advisory committee. Other members and al-  
36 ternate members of the advisory committee are not entitled to compensation or reimburse-  
37 ment for expenses and serve as volunteers on the advisory committee.**

38 [(5)] (6) The Oregon Health Authority shall provide staff for the advisory committee.

39 [(6)] (7) The advisory committee shall report biennially to the Legislative Assembly in the  
40 manner provided by ORS 192.245. The report shall include the activities and the results of any  
41 studies conducted by the advisory committee. The advisory committee may make any recommen-  
42 dations for legislative changes deemed necessary by the advisory committee.

43 [(7)] (8) The advisory committee shall study the use and disclosure of genetic information and  
44 shall develop and refine a legal framework that defines the rights of individuals whose DNA samples  
45 and genetic information are collected, stored, analyzed and disclosed.

1        [(8)] (9) The advisory committee shall create opportunities for public education on the scientific,  
2 legal and ethical development within the fields of genetic privacy and research. The advisory com-  
3 mittee shall also elicit public input on these matters. The advisory committee shall make reasonable  
4 efforts to obtain public input that is representative of the diversity of opinion on this subject. The  
5 advisory committee's recommendations to the Legislative Assembly shall take into consideration  
6 public concerns and values related to these matters.

7        **SECTION 5.** ORS 285A.091 is amended to read:

8        285A.091. (1) The Oregon Infrastructure Finance Authority Board is created as a policy-making  
9 and advisory body within the Oregon Business Development Department. The board consists of nine  
10 members as follows:

11        (a) One nonvoting member appointed from members of the Senate by the President of the Senate;

12        (b) One nonvoting member appointed from members of the House of Representatives by the  
13 Speaker of the House of Representatives;

14        (c) One member appointed by the State Treasurer; and

15        (d) Six members appointed by the Governor.

16        (2) Persons appointed members of the board must be Oregon residents, well qualified by experi-  
17 ence to make policy and recommendations in areas of concern to the Oregon Infrastructure Finance  
18 Authority and to perform the duties of office. Members shall be appointed with consideration given  
19 to knowledge and experience:

20        (a) In the field of state and municipal finance;

21        (b) Of the infrastructure and public works needs in Oregon cities;

22        (c) Of the infrastructure and public works needs in Oregon counties;

23        (d) Of issues related to ports that affect the state;

24        (e) Of issues related to special service district services furnished across the state; and

25        (f) Of infrastructure and public works necessary to further Oregon's long term economic growth.

26        (3) The office of the State Treasurer may recommend persons with expertise in the field of state  
27 and municipal finance for membership on the board.

28        (4) The term of a member of the board appointed by the Governor, the State Treasurer or the  
29 President of the Senate is four years. The term of a member appointed by the Speaker of the House  
30 of Representatives is two years.

31        (5) In case of a vacancy on the board for any cause, the appointing authority shall appoint a  
32 successor to serve for the unexpired term.

33        (6) A member of the board may be appointed to serve two consecutive terms. A member who  
34 serves two consecutive terms is not eligible for reappointment within one year following the expi-  
35 ration of the second term.

36        (7) The board shall select one of its members to chair the board for such term and with duties  
37 and powers necessary to perform the functions of the office as the board determines.

38        (8) A majority of the voting members of the board constitutes a quorum for the transaction of  
39 business.

40        **(9) Notwithstanding ORS 171.072, members of the board who are members of the Legis-**  
41 **lative Assembly are not entitled to mileage expenses or a per diem and serve as volunteers**  
42 **on the board.**

43        **(10) Members of the board who are not members of the Legislative Assembly are entitled**  
44 **to compensation and reimbursement for expenses as provided in ORS 292.495.**

45        **SECTION 6.** ORS 409.520 is amended to read:

1 409.520. (1) The Pain Management Commission shall consist of 19 members as follows:

2 (a) Seventeen members shall be appointed by the Director of the Oregon Health Authority. Prior  
3 to making appointments, the director shall request and consider recommendations from individuals  
4 and public and private agencies and organizations with experience or a demonstrated interest in  
5 pain management issues, including but not limited to:

6 (A) Physicians licensed under ORS chapter 677 or organizations representing physicians;

7 (B) Nurses licensed under ORS chapter 678 or organizations representing nurses;

8 (C) Psychologists licensed under ORS 675.010 to 675.150 or organizations representing psychol-  
9 ogists;

10 (D) Physician assistants licensed under ORS chapter 677 or organizations representing physician  
11 assistants;

12 (E) Chiropractic physicians licensed under ORS chapter 684 or organizations representing  
13 chiropractic physicians;

14 (F) Naturopaths licensed under ORS chapter 685 or organizations representing naturopaths;

15 (G) Clinical social workers licensed under ORS 675.530 or organizations representing clinical  
16 social workers;

17 (H) Acupuncturists licensed under ORS 677.759;

18 (I) Pharmacists licensed under ORS chapter 689;

19 (J) Palliative care professionals or organizations representing palliative care professionals;

20 (K) Mental health professionals or organizations representing mental health professionals;

21 (L) Health care consumers or organizations representing health care consumers;

22 (M) Hospitals and health plans or organizations representing hospitals and health plans;

23 (N) Patients or advocacy groups representing patients;

24 (O) Dentists licensed under ORS chapter 679;

25 (P) Occupational therapists licensed under ORS 675.210 to 675.340;

26 (Q) Physical therapists licensed under ORS 688.010 to 688.201; and

27 (R) Members of the public.

28 (b) Two members shall be members of a legislative committee with jurisdiction over human  
29 services issues, one appointed by the President of the Senate and one appointed by the Speaker of  
30 the House of Representatives. Both members shall be nonvoting, ex officio members of the commis-  
31 sion.

32 (2) The term of office of each member is four years, but a member serves at the pleasure of the  
33 appointing authority. Before the expiration of the term of a member, the appointing authority shall  
34 appoint a successor whose term begins on July 1 next following. A member is eligible for reap-  
35 pointment. If there is a vacancy for any cause, the appointing authority shall make an appointment  
36 to become immediately effective for the unexpired term.

37 **(3) Members of the commission are not entitled to compensation or reimbursement for**  
38 **expenses and serve as volunteers on the commission.**

39 **SECTION 7.** ORS 417.845 is amended to read:

40 417.845. (1) The Juvenile Crime Prevention Advisory Committee is created within the State  
41 Commission on Children and Families.

42 (2) The committee shall have the following members:

43 (a) The Director of the Oregon Youth Authority or a designee of the director;

44 (b) The staff director of the State Commission on Children and Families or a designee of the staff  
45 director;

1 (c) The Director of the Oregon Health Authority or one or more designees of the director, one  
2 of whom has expertise in treatment and prevention of substance abuse;

3 (d) The executive director of the Oregon Criminal Justice Commission or a designee of the  
4 executive director;

5 (e) The Superintendent of Public Instruction or a designee of the superintendent;

6 (f) The Superintendent of State Police or a designee of the superintendent;

7 (g) The Director of the Department of Corrections or a designee of the director;

8 (h) One designee of the Governor;

9 (i) One member appointed by the President of the Senate, who shall be a member of the Senate  
10 and who shall be a nonvoting, advisory member;

11 (j) One member appointed by the Speaker of the House of Representatives, who shall be a  
12 member of the House of Representatives and who shall be a nonvoting, advisory member; and

13 (k) One designee of the Chief Justice of the Supreme Court from the Judicial Department who  
14 serves as a nonvoting member to provide information and support the partnership role of the courts  
15 in an effective comprehensive statewide approach to high-risk youth and their families.

16 (3) In addition to the members listed in subsection (2) of this section, the Governor shall appoint  
17 the following members who shall be representative of the geographic and cultural diversity of the  
18 state:

19 (a) To represent local public and private entities:

20 (A) A county commissioner;

21 (B) A local juvenile director;

22 (C) A director of a local commission on children and families;

23 (D) Two law enforcement officials;

24 (E) A county mental health director;

25 (F) An alcohol and drug abuse professional;

26 (G) A school superintendent;

27 (H) A private youth service provider; and

28 (I) An elected city official;

29 (b) A researcher;

30 (c) A citizen member; and

31 (d) Other members as determined by the Governor.

32 (4) Each member of the committee appointed by the Governor under subsection (3) of this sec-  
33 tion shall serve a term of four years. Members appointed by the Governor shall serve at the pleasure  
34 of the Governor. A vacancy in the office of any member appointed by the Governor under subsection  
35 (3) of this section shall be filled by the Governor by appointment for the unexpired term.

36 (5) The Governor shall select one of the members of the committee as chairperson and one of  
37 its members as vice chairperson.

38 (6) The committee shall meet at times, places and intervals deemed advisable by a majority of  
39 the members.

40 (7) The State Commission on Children and Families shall provide staff support to the committee.

41 **(8) Members of the committee who are members of the Legislative Assembly are entitled**  
42 **to compensation and reimbursement of expenses as provided in ORS 171.072.**

43 **(9) Members of the committee who are not members of the Legislative Assembly are not**  
44 **entitled to compensation, but may be reimbursed for actual and necessary travel and other**  
45 **expenses incurred by them in the performance of their official duties in the manner and**

1 **amounts provided for in ORS 292.495. Claims for expenses shall be paid out of funds appro-**  
2 **riated to the State Commission on Children and Families for purposes of the committee.**

3 **SECTION 8.** ORS 660.321 is amended to read:

4 660.321. (1) A State Workforce Investment Board shall be created under section 2821(b) and (c)  
5 of the Workforce Investment Act of 1998 to assist in the development of the State Unified Workforce  
6 Plan established under ORS 660.324 and to carry out the other functions described by the federal  
7 Act.

8 (2) The membership of the board [*shall*] **must** be in accordance with the requirements of section  
9 2821(b) of the federal Act.

10 (3) Representatives of business described in section 2821(b)(1)(C)(i) of the federal Act who are  
11 appointed to the board [*shall*] **must** be confirmed by the Senate in the manner prescribed under ORS  
12 171.562 and 171.565.

13 (4) The Governor shall select a chairperson in accordance with the requirements of section  
14 2821(c) of the federal Act.

15 (5) A majority of the board [*shall*] **must** be representatives of business, as described in section  
16 2821(b)(1)(C)(i) of the federal Act.

17 (6) Members of the Legislative Assembly appointed to the board are nonvoting members of the  
18 board and may act in an advisory capacity only.

19 (7) To transact business at a meeting of the board, a quorum of voting members must participate.  
20 A quorum [*shall consist*] **consists** of a majority of the voting members. At least 25 percent of the  
21 members participating [*shall*] **must** be representatives of business, as described in section  
22 2821(b)(1)(C)(i) of the federal Act.

23 **(8) Members of the board are not entitled to compensation, but may be reimbursed for**  
24 **actual and necessary travel and other expenses incurred by them in the performance of their**  
25 **official duties in the manner and amount provided for in ORS 292.495.**

26 **SECTION 9.** Section 1, chapter 782, Oregon Laws 2009, is amended to read:

27 **Sec. 1.** (1) The Oregon Broadband Advisory Council is established within the Oregon Business  
28 Development Department. The council shall consist of 14 members, of whom:

29 (a) The Governor shall appoint 12 members as follows:

30 (A) One member to represent the counties of this state.

31 (B) One member to represent the cities of this state.

32 (C) Three members to represent telecommunications service providers and Internet service pro-  
33 viders in this state. At least one member must represent rural telecommunications consortia.

34 (D) One member to represent Oregon tribes.

35 (E) One member to represent education.

36 (F) One member to represent economic development.

37 (G) One member to represent public safety.

38 (H) One member to represent health.

39 (I) One member to represent government's electronic interface with the public.

40 (J) One member from the Public Utility Commission.

41 (b) The Speaker of the House of Representatives shall appoint one nonvoting member who is a  
42 member of the House of Representatives.

43 (c) The President of the Senate shall appoint one nonvoting member who is a member of the  
44 Senate.

45 (2) The term of office of each voting member is four years, but a voting member serves at the

1 pleasure of the Governor. Before the expiration of the term of a voting member, the Governor shall  
2 appoint a successor whose term begins on January 1 next following. A voting member is eligible  
3 for reappointment. If there is a vacancy for any cause, the Governor shall make an appointment to  
4 become immediately effective for the unexpired term.

5 (3) The nonvoting legislative members shall serve two-year terms and are eligible for reap-  
6 pointment.

7 (4) Members of the council **who are not members of the Legislative Assembly** are not enti-  
8 tled to compensation, but voting members may be paid expenses if funding is available from contri-  
9 butions accepted under section 3 (2), **chapter 782, Oregon Laws 2009** [of this 2009 Act].

10 **(5) Members of the council who are members of the Legislative Assembly are entitled to**  
11 **compensation and expense reimbursement as provided in ORS 171.072.**

12 [(5)] (6) The council shall select one of its voting members as chairperson and another voting  
13 member as vice chairperson, for such terms and with duties and powers necessary for the perform-  
14 ance of the functions of such offices as the council determines.

15 [(6)] (7) A majority of the voting members of the council constitutes a quorum for the trans-  
16 action of business.

17 [(7)] (8) The council shall meet at least once every three months at a place, day and hour de-  
18 termined by the council. The council may also meet at other times and places specified by the call  
19 of the chairperson or of a majority of the members of the council.

20 [(8)] (9) Official action by the council requires the approval of a majority of the voting members.  
21 The council may recommend legislation, which must be prepared in time for pre-session filing at the  
22 next regular session of the Legislative Assembly.

23 [(9)] (10) The Oregon Business Development Department shall provide staff or facilities to the  
24 council.

25 [(10)] (11) The Oregon Department of Administrative Services, the Public Utility Commission  
26 and the Department of Education may provide staff or facilities to the council.

27 [(11)] (12) All agencies of state government, as defined in ORS 174.111, are directed to assist the  
28 council in the performance of its duties and, to the extent permitted by laws relating to  
29 confidentiality, to furnish such information and advice as the members of the council consider nec-  
30 essary to perform their duties.

31 **SECTION 10.** ORS 173.500 is amended to read:

32 173.500. (1) There is established within the legislative department the Oregon State Capitol  
33 Foundation. The foundation shall be composed of not fewer than nine and not more than 25 voting  
34 members, who shall each serve a term of four years. The President of the Senate shall appoint three  
35 voting members from members of the Senate. The Speaker of the House of Representatives shall  
36 appoint three voting members from members of the House of Representatives. The Legislative Ad-  
37 ministration Committee shall appoint the remaining voting members. A member is eligible for reap-  
38 pointment. At all times there shall be appointed to the foundation an odd number of voting members.  
39 The foundation may appoint honorary, nonvoting members to the foundation.

40 (2) The Oregon State Capitol Foundation shall:

41 (a) Advise the Legislative Administration Committee on the terms and conditions of contracts  
42 or agreements entered into under ORS 276.002.

43 (b) Recommend to the committee renovations, repairs and additions to the State Capitol.

44 (c) Recommend to the committee exhibits and events for the State Capitol.

45 (d) Deposit gifts, grants, donations and moneys converted from gifts or donations of other than



1 money into separate trust accounts reserved for the purposes of the gifts, grants and donations.

2 (e) Develop, maintain and implement plans to:

3 (A) Enhance and embellish the State Capitol in keeping with the design and purpose of the  
4 building and adjacent areas; and

5 (B) Preserve the history of activities of state government that have occurred in the State Capitol  
6 and of persons who have participated in state government in the State Capitol.

7 (f) Adopt rules to guide the foundation and implement the foundation's responsibilities under this  
8 subsection and the foundation's authority under subsections (3) to (5) of this section.

9 (g) Consult with any advisory committees the Legislative Administration Committee may desig-  
10 nate before the foundation makes a recommendation required by this subsection.

11 (3) The Oregon State Capitol Foundation may:

12 (a) Solicit and accept gifts, grants and donations from public and private sources in the name  
13 of the foundation.

14 (b) Under guidelines adopted by the Legislative Administration Committee, expend moneys from  
15 the Oregon State Capitol Foundation Fund for the purposes set out in subsection (2) of this section,  
16 including but not limited to the reasonable and necessary operating expenses of the foundation.

17 (c) Convert gifts or donations other than money into moneys.

18 (d) Become or create an organization under section 501(c)(3) of the Internal Revenue Code.

19 (4)(a) As used in this subsection, "community foundation" has the meaning given that term in  
20 ORS 348.580.

21 (b) The Oregon State Capitol Foundation may enter into agreements with a person, including a  
22 community foundation in Oregon, for the person to assume the management of the moneys in the  
23 Oregon State Capitol Foundation Fund. The Oregon State Capitol Foundation may transfer to the  
24 person any moneys in the fund.

25 (c) The Oregon State Capitol Foundation shall include in any agreement entered into under this  
26 subsection a requirement that:

27 (A) The person conduct a periodic independent financial audit of the moneys transferred to the  
28 person.

29 (B) The person prepare an annual financial report according to generally accepted accounting  
30 principles.

31 (C) The person submit an annual financial report to the Oregon State Capitol Foundation, the  
32 Legislative Administration Committee and the Oregon Investment Council.

33 (d) If a provision of an agreement entered into under this subsection would cause the person to  
34 be out of compliance with a federal law, the Oregon State Capitol Foundation may waive the pro-  
35 vision.

36 (5) The Oregon State Capitol Foundation may, through the Legislative Administrator, enter into  
37 contracts or agreements to implement the foundation's responsibilities and authority. ORS 279.835  
38 to 279.855 and ORS chapters 279A, 279B and 279C do not apply to a contract or agreement entered  
39 into by the foundation.

40 (6) The Oregon State Capitol Foundation may take action under this section upon a majority  
41 vote of a quorum of members. A majority of the voting members of the foundation constitutes a  
42 quorum for the transaction of business.

43 **(7) Notwithstanding ORS 171.072, members of the foundation who are members of the**  
44 **Legislative Assembly are not entitled to mileage expenses or a per diem and serve as volun-**  
45 **teers on the foundation.**

1       **SECTION 11.** Section 1, chapter 881, Oregon Laws 2009, is amended to read:

2       **Sec. 1.** (1) There is created the Task Force on Effective and Cost-Efficient Service Provision,  
3 consisting of 21 members appointed as follows:

4       (a)(A) The Governor shall appoint:

5       (i) Two members from among staff of the office of the Governor.

6       (ii) Seven members from state agencies and departments other than the Governor's office.

7       (iii) Three members who are county commissioners in this state. The Governor shall consider  
8 recommendations for these positions from the Association of Oregon Counties.

9       (iv) One member who is a mayor or city councilor in this state. The Governor shall consider a  
10 recommendation for this position from the League of Oregon Cities.

11       (v) One member who is a member of a special district board of directors.

12       (B) Of the members appointed by the Governor under subparagraph (A) of this paragraph, at  
13 least one shall have served as a member of the Governor's Task Force on Federal Forest Payments  
14 and County Services and at least one shall have served as a voting, nonvoting or adjunct member,  
15 an advisory council member or a staff member of the Task Force on Comprehensive Revenue Re-  
16 structuring.

17       (b) The President of the Senate shall appoint two members from among members of the Senate,  
18 including at least one member of the Joint Committee on Ways and Means.

19       (c) The Speaker of the House of Representatives shall appoint two members from among mem-  
20 bers of the House of Representatives, including at least one member from the Joint Committee on  
21 Ways and Means.

22       (d) The Secretary of State, the State Treasurer and the Chief Justice of the Supreme Court shall  
23 serve as *ex officio* members.

24       (2) The task force shall:

25       (a) Review opportunities to provide services in the most effective and cost-efficient manner;

26       (b) Consider the ability of intergovernmental agreements, existing or new service districts and  
27 technology to achieve cost savings;

28       (c) Encourage effective fiscal planning for counties managing the phaseout of federal forest  
29 safety net payments; and

30       (d) Recommend to the Governor and the Legislative Assembly an appropriate level of state fiscal  
31 support to counties.

32       (3) The task force shall analyze, at a minimum, the following categories of services under sub-  
33 section (2) of this section:

34       (a) Assessment and taxation;

35       (b) Elections;

36       (c) Human services; and

37       (d) Criminal justice.

38       (4) The task force may analyze additional services under subsection (2) of this section.

39       (5) A majority of the members of the task force constitutes a quorum for the transaction of  
40 business.

41       (6) Official action by the task force requires the approval of a majority of the members of the  
42 task force.

43       (7) The Governor shall appoint one of the members as chairperson.

44       (8) If there is a vacancy for any cause, the appointing authority shall make an appointment to  
45 become immediately effective.

1 (9) The task force shall meet at times and places specified by the call of the chairperson or of  
2 a majority of the members of the task force.

3 (10) The task force may adopt rules necessary for the operation of the task force.

4 (11) The task force shall submit an interim report to the Legislative Assembly no later than  
5 November 30, 2009, reporting progress of work and initial recommendations, and shall submit a final  
6 report to the Legislative Assembly no later than October 1, 2010.

7 (12) The task force shall use the services of permanent staff of the offices of the Governor,  
8 Secretary of State, State Treasurer, Judicial Department and Legislative Fiscal Officer. The task  
9 force shall also accept staff assistance from the Association of Oregon Counties if the association  
10 offers assistance.

11 (13) All agencies of state government, as defined in ORS 174.111, are directed to assist the task  
12 force in the performance of its duties and, to the extent permitted by laws relating to confidentiality,  
13 to furnish such information and advice as the members of the task force consider necessary to per-  
14 form their duties.

15 (14)(a) The task force shall establish a technical committee to aid and advise the task force in  
16 the performance of its functions. The task force shall determine the representation, membership,  
17 terms and organization of the committee and shall appoint its members. If the Executive Director  
18 of the Association of Oregon Counties or the Executive Director of the Special Districts Association  
19 of Oregon consents to serve on the technical committee, the task force shall appoint one or both  
20 directors to the committee.

21 (b) The task force shall establish subcommittees to work on the subject areas identified in sub-  
22 section (3) of this section in the priority order that the task force identifies at its initial meeting.

23 **(15) Members of the task force who are members of the Legislative Assembly are entitled**  
24 **to compensation and expense reimbursement as provided in ORS 171.072.**

25 **SECTION 12.** ORS 468A.220 is amended to read:

26 468A.220. (1) In addition to the members appointed under ORS 468A.215, the Oregon Global  
27 Warming Commission [*shall include*] **includes** the following ex officio **nonvoting** members:

28 (a) The Director of the State Department of Energy;

29 (b) The Director of Transportation;

30 (c) The chairperson of the Public Utility Commission of Oregon;

31 (d) The Director of the Department of Environmental Quality;

32 (e) The Director of Agriculture;

33 (f) The State Forester;

34 (g) The Water Resources Director; and

35 (h) Three additional ex officio nonvoting members, each from a state agency or an academic  
36 institution.

37 (2) The following representatives of the Legislative Assembly also shall serve as ex officio non-  
38 voting members:

39 (a) Two members of the Senate, not from the same political party, appointed by the President  
40 of the Senate; and

41 (b) Two members of the House of Representatives, not from the same political party, appointed  
42 by the Speaker of the House of Representatives.

43 (3) Each legislative member serves at the pleasure of the appointing authority and may serve  
44 so long as the member remains in the chamber of the Legislative Assembly from which the member  
45 was appointed.

1       **(4) Notwithstanding ORS 171.072, members of the commission who are members of the**  
2 **Legislative Assembly are not entitled to mileage expenses or a per diem and serve as volun-**  
3 **teers on the commission.**

4       **SECTION 13.** ORS 284.706 is amended to read:

5       284.706. (1) There is created the Oregon Innovation Council consisting of the following voting  
6 members:

7       (a) The Governor or the Governor's designated representative, who shall be chairperson of the  
8 council.

9       (b) Five members appointed by the Governor who are engaged in the operations of Oregon  
10 traded sector industries.

11       (c) One member appointed by the Governor who is a representative of an Oregon-based, gener-  
12 ally accredited, not-for-profit private institution of higher education.

13       (d) A member of the Oregon Growth Account Board, appointed by the board, who has experience  
14 in the field of venture capital.

15       (e) A member of the Engineering and Technology Industry Council, appointed by the Engineer-  
16 ing and Technology Industry Council.

17       (f) The Director of the Oregon Business Development Department.

18       (g) The Chancellor of the Oregon University System.

19       (h) The Commissioner for Community College Services.

20       (i) The State Treasurer.

21       (2)(a) The Speaker of the House of Representatives shall appoint two members to the council  
22 who are members of the House of Representatives.

23       (b) The President of the Senate shall appoint two members to the council who are members of  
24 the Senate.

25       (c) Members of the Legislative Assembly appointed to the council are nonvoting members and  
26 may act in an advisory capacity only.

27       (3) The following persons, or their representatives, shall serve as ex officio, nonvoting members  
28 of the council:

29       (a) The [*chairperson*] **presiding officer** of the Oregon Business Development Commission.

30       (b) The president of the State Board of Higher Education.

31       (c) The chairperson of the State Board of Education.

32       (d) An executive officer of an association representing Oregon-based, generally accredited, not-  
33 for-profit private institutions of higher education, appointed by the Governor.

34       (4) The term of office of each appointed voting member of the council is three years, but an  
35 appointed member serves at the pleasure of the appointing authority. Before the expiration of the  
36 term of an appointed voting member, the appointing authority shall appoint a successor whose term  
37 begins on July 1 next following. An appointed member is eligible for reappointment. If there is a  
38 vacancy for any cause, the appointing authority shall make an appointment to become immediately  
39 effective for the remainder of the unexpired term.

40       (5) A majority of the voting members of the council constitutes a quorum for the transaction  
41 of business.

42       (6) Official action by the council requires the approval of a majority of the voting members of  
43 the council.

44       (7) The council shall meet at least twice per fiscal year at a place, day and time determined by  
45 the chairperson. The council may also meet at other times and places specified by a call of the

1 chairperson or by written request of a majority of the voting members of the council.

2 (8) The council may adopt rules necessary for the operation of the council.

3 (9) The council may establish committees and delegate to the committees duties as the council  
4 considers desirable.

5 (10) The Oregon Business Development Department shall provide staff support to the council.

6 **(11) Members of the council who are members of the Legislative Assembly are entitled**  
7 **to compensation and expense reimbursement as provided in ORS 171.072.**

8 [(11)] (12) Members of the council who are not members of the Legislative Assembly are entitled  
9 to compensation and expenses incurred by them in the performance of their official duties in the  
10 manner and amounts provided for in ORS 292.495. Claims for compensation and expenses of members  
11 of the council who are public officers shall be paid out of funds appropriated to the public agency  
12 that employs the member. Claims for compensation and expenses of members of the council who are  
13 not public officers shall be paid out of funds appropriated to the Oregon Business Development De-  
14 partment for that purpose.

15 [(12)] (13) All agencies of state government, as defined in ORS 174.111, are directed to assist the  
16 council in the performance of its duties and, to the extent permitted by laws relating to  
17 confidentiality, to furnish such information and advice as the members of the council consider nec-  
18 essary to perform their duties.

19 **SECTION 14.** ORS 173.315 is amended to read:

20 173.315. (1) The Oregon Law Commission is established to conduct a continuous substantive law  
21 revision program as described in ORS 173.338.

22 (2) The Oregon Law Commission has 15 members, as follows:

23 (a) A person appointed by the President of the Senate who is a member of the Senate at the time  
24 of appointment;

25 (b) A person appointed by the President of the Senate who is a current or former member of the  
26 Senate at the time of appointment;

27 (c) A person appointed by the Speaker of the House of Representatives who is a member of the  
28 House of Representatives at the time of appointment;

29 (d) A person appointed by the Speaker of the House of the Representatives who is a current or  
30 former member of the House of Representatives at the time of appointment;

31 (e) The deans of Oregon's accredited law schools, or their designees;

32 (f) Three persons appointed by the Board of Governors of the Oregon State Bar;

33 (g) The Attorney General, or the Attorney General's designee;

34 (h) The Chief Justice of the Supreme Court, or the Chief Justice's designee;

35 (i) The Chief Judge of the Court of Appeals, or the Chief Judge's designee;

36 (j) A person appointed by the Chief Justice of the Supreme Court who is a circuit court judge,  
37 or a retired circuit court judge who has been designated as a senior judge under ORS 1.300, at the  
38 time of appointment; and

39 (k) One person appointed by the Governor.

40 (3) The Attorney General, the Chief Justice of the Supreme Court, the Chief Judge of the Court  
41 of Appeals and the deans of Oregon's accredited law schools are ex officio members of the commis-  
42 sion and have the same powers as appointed members.

43 (4)(a) Except as provided in paragraph (b) of this subsection, appointed members of the com-  
44 mission serve four-year terms. Terms commence on July 1 of even-numbered years. Before the expi-  
45 ration of the four-year term, the appointing authority shall appoint a successor. A person who has

1 served as a member is eligible for reappointment.

2 (b) A person appointed under subsection (2)(a) of this section serves a term of four years, or  
3 until the person ceases to be a member of the Senate, whichever occurs first. A person appointed  
4 under subsection (2)(c) of this section serves a term of four years, or until the person ceases to be  
5 a member of the House of Representatives, whichever occurs first.

6 (5) If there is a vacancy in the position of an appointed member:

7 (a) The appointing authority shall appoint a person as soon as possible to serve during the re-  
8 mainder of the unexpired term; and

9 (b) The appointing authority may specify that the person appointed to serve the remainder of  
10 the unexpired term is also appointed to the next following full term.

11 (6) If a member of the commission is authorized under subsection (2) of this section to name a  
12 designee, a person named as a designee has all of the powers and duties of the member until the  
13 designation expires or is revoked. The following persons may be designated:

14 (a) A dean of one of Oregon's accredited law schools may designate a member of the faculty of  
15 the law school.

16 (b) The Chief Justice may designate a Supreme Court judge.

17 (c) The Chief Judge of the Court of Appeals may designate another judge of the Court of Ap-  
18 peals.

19 (d) The Attorney General may designate an assistant attorney general or the Deputy Attorney  
20 General.

21 (7) The term of an appointed member of the commission shall cease if the member misses three  
22 consecutive meetings without prior approval of the chairperson, and the appointing authority for the  
23 position shall appoint a person to fill the vacancy in the manner provided by subsection (5) of this  
24 section.

25 (8) The Oregon Law Commission shall elect its chairperson and vice chairperson from among  
26 the members with such powers and duties as the commission shall determine.

27 (9) A majority of the members of the commission constitutes a quorum for the transaction of  
28 business. If a quorum is present at a meeting, the commission may take action by an affirmative vote  
29 by a majority of the members of the commission who are present.

30 **(10) Members of the commission who are members of the Legislative Assembly are enti-**  
31 **itled to compensation and expense reimbursement as provided in ORS 171.072.**

32 **SECTION 15.** Section 10, chapter 754, Oregon Laws 2009, is amended to read:

33 **Sec. 10.** (1) There is created the Metropolitan Planning Organization Greenhouse Gas Emissions  
34 Task Force consisting of 16 members appointed as follows:

35 (a) The President of the Senate shall appoint two members from among members of the Senate.

36 (b) The Speaker of the House of Representatives shall appoint two members from among mem-  
37 bers of the House of Representatives.

38 (c) The Governor shall appoint the following members:

39 (A) One representative from each of the six metropolitan planning organizations in this state,  
40 at least three of whom must be elected local government officials.

41 (B) Four members who are representatives of transportation and land use stakeholders.

42 (C) The chairperson of the Oregon Transportation Commission.

43 (D) The chairperson of the Land Conservation and Development Commission.

44 (2) The task force shall:

45 (a) Study and evaluate the development of alternative land use and transportation scenarios that

1 accommodate planned population and employment growth in those areas of the state that are served  
2 by metropolitan planning organizations while achieving a reduction in greenhouse gas emissions  
3 from motor vehicles with a gross vehicle weight rating of 10,000 pounds or less. The task force shall  
4 take into account the amount of greenhouse gas emissions caused by motor vehicles with a gross  
5 vehicle weight rating of 10,000 pounds or less that need to be reduced by 2035 in order to meet the  
6 goals stated in ORS 468A.205. The task force shall take into consideration the reductions in vehicle  
7 emissions that are likely to result by 2035 from the use of improved vehicle technologies and fuels.

8 (b) Evaluate potential fiscal and other resource needs to implement land use and transportation  
9 scenarios described in paragraph (a) of this subsection, including staffing and resources needed by  
10 state agencies, local governments and each metropolitan planning organization.

11 (c) Evaluate impediments to implementing land use and transportation scenarios that reduce  
12 greenhouse gas emissions.

13 (d) Recommend legislation to the interim Legislative Assembly committees related to transpor-  
14 tation and to the environment establishing a process for adoption and implementation of plans for  
15 reducing greenhouse gas emissions caused by motor vehicles with a gross vehicle weight rating of  
16 10,000 pounds or less by 2035, in an amount sufficient to meet the goals stated in ORS 468A.205, in  
17 each area of this state served by a metropolitan planning organization, including a schedule for the  
18 planning process and an estimate of funding required to complete the planning process.

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

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

23 (5)(a) The President of the Senate and the Speaker of the House of Representatives shall serve  
24 as cochairpersons of the task force.

25 (b) The chairperson of the Oregon Transportation Commission and the chairperson of the Land  
26 Conservation and Development Commission shall serve as vice chairpersons of the task force.

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

29 (7) The task force shall meet at times and places specified by the call of the chairpersons.

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

31 (9) The task force shall submit a report with recommendations for legislation to the interim  
32 legislative committees related to transportation and to the environment and natural resources prior  
33 to January 1, 2010.

34 (10) The Department of Transportation and the Department of Land Conservation and Develop-  
35 ment shall provide staff support to the task force. The Department of Transportation shall use  
36 available federal flexible funds for the staffing and support of the task force.

37 **(11) Members of the task force who are members of the Legislative Assembly are entitled**  
38 **to compensation and expense reimbursement as provided in ORS 171.072.**

39 [(11)] (12) Members of the task force who are not members of the Legislative Assembly are not  
40 entitled to compensation, but may be reimbursed for actual and necessary travel and other expenses  
41 incurred by them in the performance of their official duties in the manner and amounts provided for  
42 in ORS 292.495. Claims for expenses incurred in performing functions of the task force shall be paid  
43 out of funds appropriated to the Department of Transportation for purposes of the task force.

44 [(12)] (13) All agencies of state government, as defined in ORS 174.111, are directed to assist the  
45 task force in the performance of its duties and, to the extent permitted by laws relating to

1 confidentiality, to furnish such information and advice as the members of the task force consider  
2 necessary to perform their duties.

3 [(13)] (14) For the purposes of this section, “metropolitan planning organization” means an or-  
4 ganization located wholly within the State of Oregon and designated by the Governor to coordinate  
5 transportation planning in an urbanized area of the state pursuant to 49 U.S.C. 5303(c).

6 **SECTION 16.** ORS 507.050 is amended to read:

7 507.050. (1) The State Fish and Wildlife Director, one legislator appointed as provided in this  
8 section and one public member appointed by the Governor shall act as representatives of the State  
9 of Oregon on the Pacific States Marine Fisheries Commission in accordance with the provisions of  
10 and with the powers and duties in the compact set forth in ORS 507.040.

11 (2) The legislative member shall be appointed by the President of the Senate or the Speaker of  
12 the House of Representatives [*from among those legislators who, at the time of appointment, are*  
13 *servicing on the Pacific Fisheries Legislative Task Force*].

14 (3) The legislative member shall serve for a term of four years. The Speaker of the House of  
15 Representatives and the President of the Senate shall alternate in making the appointment of the  
16 legislative member.

17 (4) **Notwithstanding ORS 171.072, the legislative member is not entitled to mileage ex-**  
18 **penses or a per diem and serves as a volunteer on the commission.**

19 (5) **Members of the commission who are not members of the Legislative Assembly are**  
20 **not entitled to compensation or reimbursement of expenses and serve as volunteers on the**  
21 **commission.**

22 **SECTION 17.** ORS 171.857 is amended to read:

23 171.857. (1) The President of the Senate and the Speaker of the House of Representatives shall  
24 jointly appoint a special legislative committee to issue a report pursuant to section 8, Article VIII  
25 of the Oregon Constitution.

26 (2) The committee may not transact business unless a quorum is present. A quorum consists of  
27 a majority of committee members from the House of Representatives and a majority of committee  
28 members from the Senate.

29 (3) Action by the committee requires the affirmative vote of a majority of committee members  
30 from the House of Representatives and a majority of committee members from the Senate.

31 (4) **Members of the committee are entitled to compensation and expense reimbursement**  
32 **as provided in ORS 171.072.**

33 [(4)] (5) The Legislative Assembly in the report shall:

34 (a) Demonstrate that the amount within the budget appropriated for the state’s system of  
35 kindergarten through grade 12 public education is the amount of moneys as determined by the  
36 Quality Education Commission established by ORS 327.500 that is sufficient to meet the quality  
37 goals; or

38 (b) Identify the reasons that the amount appropriated for the state’s system of kindergarten  
39 through grade 12 public education is not sufficient, the extent of the insufficiency and the impact  
40 of the insufficiency on the ability of the state’s system of kindergarten through grade 12 public ed-  
41 ucation to meet the quality goals. In identifying the impact of the insufficiency, the Legislative As-  
42 sembly shall include in the report how the amount appropriated in the budget may affect both the  
43 current practices and student performance identified by the commission under ORS 327.506 (4)(a) and  
44 the best practices and student performance identified by the commission under ORS 327.506 (4)(b).

45 [(5)(a)] (6)(a) Notwithstanding subsection [(4)] (5) of this section, the Legislative Assembly may



1 make a determination that the report of the Quality Education Commission should not be used as  
2 the basis for carrying out the reporting requirements of section 8, Article VIII of the Oregon Con-  
3 stitution, and subsection [(4)] (5) of this section. If the report is not used, the Legislative Assembly  
4 shall identify the reasons for not using the report to meet the reporting requirements and shall  
5 outline an alternative methodology for making the findings required by section 8, Article VIII of the  
6 Oregon Constitution.

7 (b) The alternative methodology shall be based on:

8 (A) Research, data and public values; and

9 (B) The performance of successful schools, professional judgment or a combination of the per-  
10 formance of successful schools and professional judgment.

11 (c) The Legislative Assembly shall include in the report that uses the alternative methodology  
12 a determination of how the amount appropriated may affect the ability of the state's system of  
13 kindergarten through grade 12 public education to meet quality goals established by law, including  
14 expected student performance against those goals.

15 [(6)] (7) The Legislative Assembly shall identify in the report whether the state's system of  
16 post-secondary public education has quality goals established by law. If there are quality goals, the  
17 Legislative Assembly shall include in the report a determination that the amount appropriated in  
18 the budget is sufficient to meet those goals or an identification of the reasons the amount appro-  
19 priated is not sufficient, the extent of the insufficiency and the impact of the insufficiency on the  
20 ability of the state's system of post-secondary public education to meet those quality goals.

21 [(7)] (8) The report shall be issued within 180 days after the regular session of the Legislative  
22 Assembly adjourns sine die.

23 [(8)] (9) The Legislative Assembly shall provide public notice of the report's issuance, including  
24 posting the report on the Internet and providing a print version of the report upon request.

25 **SECTION 18.** Section 8, chapter 802, Oregon Laws 2007, is amended to read:

26 **Sec. 8.** (1) The Oregon Student Assistance Commission shall establish a Shared Responsibility  
27 Steering Committee to provide advice to the commission on the implementation of the changes to  
28 the Oregon Opportunity Grant program by the amendments to ORS 348.180, 348.183, 348.205 and  
29 348.260 by sections 1 to 4, **chapter 802, Oregon Laws 2007** [of this 2007 Act]. The committee shall  
30 consist of 12 members appointed as follows:

31 (a) The President of the Senate shall appoint one member from among the members of the Sen-  
32 ate.

33 (b) The Speaker of the House of Representatives shall appoint one member from among the  
34 members of the House of Representatives.

35 (c) The commission shall appoint representatives of the following:

36 (A) Oregon Independent Colleges Association;

37 (B) Oregon Student Association;

38 (C) A financial aid professional who is employed by a state institution of higher education within  
39 the Oregon University System;

40 (D) A financial aid professional who is employed by a community college; and

41 (E) A financial aid professional who is employed by a private institution of higher education.

42 (d) The Governor shall appoint a representative of the Office of the Governor.

43 (e) The Director of the Oregon Department of Administrative Services shall appoint a repre-  
44 sentative of the Budget and Management Division.

45 (f) The Chancellor of the Oregon University System shall appoint a representative.

1 (g) The Commissioner for Community College Services shall appoint a representative of the  
2 Department of Community Colleges and Workforce Development.

3 (h) The president of the Oregon Health and Science University shall appoint a representative  
4 of the university.

5 (2) The committee shall:

6 (a) Analyze the risks involved in implementing the amendments to ORS 348.180, 348.183, 348.205  
7 and 348.260 by sections 1 to 4, **chapter 802, Oregon Laws 2007** [*of this 2007 Act*];

8 (b) Make recommendations to the commission on strategies for prevention and mitigation of  
9 those risks;

10 (c) Make recommendations to the commission on the management of moneys available to be  
11 awarded as Oregon Opportunity Grants; and

12 (d) Review and make recommendations on the implementation methodology and timetable for:

13 (A) The system for awarding grants;

14 (B) The adoption of rules necessary for implementation of the changes; and

15 (C) Communication outreach about changes to the grant program.

16 (3) A majority of the members of the committee constitutes a quorum for the transaction of  
17 business.

18 (4) Official action by the committee requires the approval of a majority of the members of the  
19 committee.

20 (5) The committee shall elect one of its members to serve as chairperson.

21 (6) The term of office of each member is four years, but a member serves at the pleasure of the  
22 appointing authority. Before the expiration of the term of a member, the appointing authority shall  
23 appoint a successor whose term begins on July 1 next following. A member is eligible for reap-  
24 pointment. If there is a vacancy for any cause, the appointing authority shall make an appointment  
25 to become immediately effective for the unexpired term.

26 (7) The committee shall meet at times and places specified by the call of the chairperson or of  
27 a majority of the members of the task force.

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

29 (9) The commission shall provide staff support to the committee.

30 **(10) Members of the committee who are members of the Legislative Assembly are enti-**  
31 **itled to compensation and expense reimbursement as provided in ORS 171.072.**

32 [(10)] (11) Members of the committee who are not members of the Legislative Assembly are not  
33 entitled to compensation or reimbursement for actual and necessary travel and other expenses from  
34 the commission.

35 [(11)] (12) All agencies of state government, as defined in ORS 174.111, and the Oregon Health  
36 and Science University are directed to assist the committee in the performance of its duties and, to  
37 the extent permitted by laws relating to confidentiality, to furnish such information and advice as  
38 the members of the committee consider necessary to perform their duties.

39 **SECTION 19.** ORS 184.486 is amended to read:

40 184.486. (1) There is created the Transparency Oregon Advisory Commission consisting of nine  
41 members appointed as follows:

42 (a) The President of the Senate shall appoint two members from among members of the Senate,  
43 one from the majority party and one from the minority party.

44 (b) The Speaker of the House of Representatives shall appoint two members from among mem-  
45 bers of the House of Representatives, one from the majority party and one from the minority party.

1 (c) The Governor shall appoint one member from an executive branch agency.

2 (d) The Director of the Oregon Department of Administrative Services shall appoint one mem-  
3 ber.

4 (e) The Legislative Fiscal Officer shall appoint one member.

5 (f) The President of the Senate and the Speaker of the House of Representatives shall each ap-  
6 point one member of the public with experience or interest in public finance, public relations,  
7 measurement of performance outcomes or technology.

8 (2) The commission shall advise and make recommendations to the Oregon Department of Ad-  
9 ministrative Services regarding the creation, contents and operation of, and enhancements to, the  
10 Oregon transparency website.

11 (3) A majority of the members of the commission constitutes a quorum for the transaction of  
12 business.

13 (4) Official action by the commission requires the approval of a majority of the members of the  
14 commission.

15 (5) The commission shall elect one of its members to serve as chairperson. The chairperson shall  
16 be selected not later than October 1 of each odd-numbered year.

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

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

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

22 (9) The commission shall use the services of permanent staff of the Legislative Fiscal Office to  
23 the greatest extent practicable to staff the commission. The Oregon Department of Administrative  
24 Services may provide additional assistance.

25 **(10) Notwithstanding ORS 171.072, members of the commission who are members of the**  
26 **Legislative Assembly are not entitled to mileage expenses or a per diem and serve as volun-**  
27 **teers on the commission.**

28 ~~[(10)]~~ (11) Members of the commission who are not members of the Legislative Assembly are not  
29 entitled to compensation or reimbursement for expenses and serve as volunteers on the commission.

30 ~~[(11)]~~ (12) All agencies of state government, as defined in ORS 174.111, are directed to assist the  
31 commission in the performance of its duties and, to the extent permitted by laws relating to  
32 confidentiality, to furnish such information and advice as the members of the commission consider  
33 necessary to perform their duties.

34 ~~[(12)]~~ (13) The commission shall report to the Legislative Assembly not later than January 15  
35 of each odd-numbered year. The report shall describe:

36 (a) Enhancements made to the Oregon transparency website during the previous two calendar  
37 years;

38 (b) Possible future enhancements to the website, including but not limited to the inclusion of  
39 information relating to:

40 (A) Performance outcomes that measure the success of state agency programs in achieving  
41 goals;

42 (B) State agency bond debt;

43 (C) State agency expenses for capital improvements;

44 (D) Numbers and descriptions of jobs created through state agency contracts and subcontracts;

45 (E) Lists of businesses and individuals receiving tax credits, deductions, refunds, rebates and

1 other subsidies from a state agency;

2 (F) Lists of the names of contractors who received a contract from a state agency, including the  
3 number of contracts and compensation received; and

4 (G) Lists by contracting state agency of the number of contracts entered into during a biennium  
5 and the amount of moneys spent on the contracts; and

6 (c) The feasibility of including an interactive application where citizens can simulate balancing  
7 a biennial budget for the state.

8 ~~[(13)]~~ (14) The term of office of each member is four years, but a member serves at the pleasure  
9 of the appointing authority. Before the expiration of the term of a member, the appointing authority  
10 shall appoint a successor whose term begins on January 1 next following. A member is eligible for  
11 reappointment. If there is a vacancy for any cause, the appointing authority shall make an ap-  
12 pointment to become immediately effective for the unexpired term.

13 **SECTION 20.** ORS 689.115 is amended to read:

14 689.115. (1) The State Board of Pharmacy consists of ~~[seven]~~ **eight** members appointed by the  
15 Governor and subject to confirmation by the Senate in the manner provided in ORS 171.562 and  
16 171.565. All members of the board must be residents of this state. Of the members of the board:

17 (a) Five must be licensed pharmacists.

18 **(b) One must be a pharmacy technician licensed under ORS 689.486.**

19 ~~[(b)]~~ (c) Two must be members of the public who are not licensed pharmacists or a spouse, do-  
20 mestic partner, child, parent or sibling of a pharmacist.

21 (2)(a) Board members required to be licensed pharmacists may be selected by the Governor from  
22 a list of three to five nominees for each vacancy, submitted by a task force assembled by the Oregon  
23 State Pharmacy Association to represent all of the interested pharmacy groups.

24 (b) The public members of the State Board of Pharmacy must be individuals who:

25 (A) Have attained the age of majority;

26 (B) Are not former members of the profession of pharmacy;

27 (C) Do not have and have never had any material financial interest in the providing of pharmacy  
28 service; and

29 (D) Have not engaged in any activity directly related to the practice of pharmacy.

30 (c) The licensed pharmacist members of the board must at the time of their appointment:

31 (A) Be licensed and in good standing to engage in the practice of pharmacy in this state;

32 (B) Be engaged in the practice of pharmacy in this state; and

33 (C) Have five years of experience in the practice of pharmacy in this state after licensure.

34 (d) In selecting the members of the board, the Governor shall strive to balance the represen-  
35 tation on the board according to:

36 (A) Geographic areas of this state; and

37 (B) Ethnic group.

38 (3)(a) The term of office of each member is four years, but a member serves at the pleasure of  
39 the Governor. The terms must be staggered so that no more than three terms end each year. A  
40 member is eligible for reappointment. The Governor shall fill vacancies which occur by expiration  
41 of full terms within 90 days prior to each date of expiration, and shall fill vacancies which occur for  
42 any other reason within 60 days after each such vacancy occurs, for the unexpired term.

43 (b) A board member shall be removed immediately from the board if, during the member's term,  
44 the member:

45 (A) Is not a resident of this state;

1 (B) Has been absent from three consecutive board meetings, unless at least one absence is ex-  
2 cused; [or]

3 (C) Is not a licensed pharmacist or a retired pharmacist who was a licensed pharmacist in good  
4 standing at the time of retirement, if the board member was appointed to serve on the board as a  
5 pharmacist[.]; or

6 **(D) Is not a licensed pharmacy technician or a retired pharmacy technician who was a**  
7 **licensed pharmacy technician in good standing at the time of retirement, if the board mem-**  
8 **ber was appointed to serve on the board as a pharmacy technician.**

9 (4) Members of the board are entitled to compensation and expenses as provided in ORS 292.495.  
10 The board may provide by rule for compensation to board members for the performance of official  
11 duties at a rate that is greater than the rate provided in ORS 292.495.

12 **SECTION 21.** ORS 326.021 is amended to read:

13 326.021. (1) The State Board of Education shall consist of:

14 (a) The State Treasurer, or the designee of the State Treasurer;

15 (b) The Secretary of State, or the designee of the Secretary of State; and

16 (c) Seven members, appointed by the Governor for a term of four years beginning July 1 of the  
17 year of appointment, subject to confirmation by the Senate in the manner provided in ORS 171.562  
18 and 171.565. A person appointed under this paragraph may not be appointed to serve consecutively  
19 more than two full terms as a board member.

20 (2)(a) In making appointments under subsection (1) of this section, the Governor shall select  
21 from residents of Oregon one member from each congressional district and two members from the  
22 state at large. [*An appointed member may not be engaged in teaching or participate in the adminis-*  
23 *tration or operation of any school.*]

24 **(b) The Governor may not appoint more than two members under subsection (1) of this**  
25 **section who are employed by a school district.**

26 (3) The Governor may remove appointed members of the State Board of Education for cause at  
27 any time after notice and public hearing.

28 (4) The State Treasurer and the Secretary of State, or the designee of the State Treasurer or  
29 Secretary of State, are nonvoting, ex officio members of the board.

30 **SECTION 22.** ORS 171.865, 171.867 and 541.407 are repealed.

31 **SECTION 23.** The amendments to ORS 442.830 by section 3 of this 2010 Act apply to ap-  
32 pointments to the Oregon Patient Safety Commission Board of Directors made on or after  
33 the effective date of this 2010 Act.

34 **SECTION 24.** This 2010 Act being necessary for the immediate preservation of the public  
35 peace, health and safety, an emergency is declared to exist, and this 2010 Act takes effect  
36 on its passage.

37