

SENATE AMENDMENTS TO SENATE BILL 1014

By COMMITTEE ON RULES

February 12

1 On page 1 of the printed bill, delete lines 3 through 5 and insert “amending ORS 171.857,
2 173.315, 173.500, 184.486, 192.549, 192.670, 284.706, 285A.091, 409.520, 417.845, 442.830, 468A.220,
3 507.050, 660.321 and 689.115 and section 8, chapter 802, Oregon Laws 2007, section 10, chapter 754,
4 Oregon Laws 2009, section 1, chapter 782, Oregon Laws 2009, and section 1, chapter 881, Oregon
5 Laws 2009; repealing ORS 171.865, 171.867 and 541.407; and declaring an emergency.”.

6 In line 9, after “(2)” insert “(a)”.

7 After line 11, insert:

8 “(b) A state board or commission may compensate or reimburse a member who attends a meeting
9 through telephone or other electronic means as provided in ORS 292.495 at the discretion of the
10 board or commission.”.

11 Delete lines 21 through 28.

12 On page 2, delete lines 1 through 32.

13 In line 33, delete “7” and insert “3”.

14 On page 3, line 18, delete “July 1” and insert “July 2”.

15 Delete lines 36 through 44.

16 In line 45, delete “9” and insert “4”.

17 On page 5, line 1, delete “10” and insert “5”.

18 In line 39, delete “11” and insert “6”.

19 On page 6, line 33, delete “12” and insert “7”.

20 On page 7, after line 34, insert:

21 “(8) Members of the committee who are members of the Legislative Assembly are entitled to
22 compensation and reimbursement of expenses as provided in ORS 171.072.”.

23 In line 35, delete “(8)” and insert “(9)”.

24 In line 40, delete “13” and insert “8”.

25 On page 8, delete lines 18 through 45.

26 On page 9, delete lines 1 through 30.

27 After line 30, insert:

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

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

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

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

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

34 “(C) Three members to represent telecommunications service providers and Internet service
35 providers in this state. At least one member must represent rural telecommunications consortia.

1 “(D) One member to represent Oregon tribes.
2 “(E) One member to represent education.
3 “(F) One member to represent economic development.
4 “(G) One member to represent public safety.
5 “(H) One member to represent health.
6 “(I) One member to represent government’s electronic interface with the public.
7 “(J) One member from the Public Utility Commission.
8 “(b) The Speaker of the House of Representatives shall appoint one nonvoting member who is
9 a member of the House of Representatives.
10 “(c) The President of the Senate shall appoint one nonvoting member who is a member of the
11 Senate.
12 “(2) The term of office of each voting member is four years, but a voting member serves at the
13 pleasure of the Governor. Before the expiration of the term of a voting member, the Governor shall
14 appoint a successor whose term begins on January 1 next following. A voting member is eligible
15 for reappointment. If there is a vacancy for any cause, the Governor shall make an appointment to
16 become immediately effective for the unexpired term.
17 “(3) The nonvoting legislative members shall serve two-year terms and are eligible for reap-
18 pointment.
19 “(4) Members of the council **who are not members of the Legislative Assembly** are not en-
20 titled to compensation, but voting members may be paid expenses if funding is available from con-
21 tributions accepted under section 3 (2), **chapter 782, Oregon Laws 2009** [of this 2009 Act].
22 “**(5) Members of the council who are members of the Legislative Assembly are entitled**
23 **to compensation and expense reimbursement as provided in ORS 171.072.**
24 “[5] **(6)** The council shall select one of its voting members as chairperson and another voting
25 member as vice chairperson, for such terms and with duties and powers necessary for the perform-
26 ance of the functions of such offices as the council determines.
27 “[6] **(7)** A majority of the voting members of the council constitutes a quorum for the trans-
28 action of business.
29 “[7] **(8)** The council shall meet at least once every three months at a place, day and hour de-
30 termined by the council. The council may also meet at other times and places specified by the call
31 of the chairperson or of a majority of the members of the council.
32 “[8] **(9)** Official action by the council requires the approval of a majority of the voting mem-
33 bers. The council may recommend legislation, which must be prepared in time for pre-session filing
34 at the next regular session of the Legislative Assembly.
35 “[9] **(10)** The Oregon Business Development Department shall provide staff or facilities to the
36 council.
37 “[10] **(11)** The Oregon Department of Administrative Services, the Public Utility Commission
38 and the Department of Education may provide staff or facilities to the council.
39 “[11] **(12)** All agencies of state government, as defined in ORS 174.111, are directed to assist
40 the council in the performance of its duties and, to the extent permitted by laws relating to
41 confidentiality, to furnish such information and advice as the members of the council consider nec-
42 essary to perform their duties.
43 “**SECTION 10.** ORS 173.500 is amended to read:
44 “173.500. (1) There is established within the legislative department the Oregon State Capitol
45 Foundation. The foundation shall be composed of not fewer than nine and not more than 25 voting

1 members, who shall each serve a term of four years. The President of the Senate shall appoint three
2 voting members from members of the Senate. The Speaker of the House of Representatives shall
3 appoint three voting members from members of the House of Representatives. The Legislative Ad-
4 ministration Committee shall appoint the remaining voting members. A member is eligible for reap-
5 pointment. At all times there shall be appointed to the foundation an odd number of voting members.
6 The foundation may appoint honorary, nonvoting members to the foundation.

7 “(2) The Oregon State Capitol Foundation shall:

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

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

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

12 “(d) Deposit gifts, grants, donations and moneys converted from gifts or donations of other than
13 money into separate trust accounts reserved for the purposes of the gifts, grants and donations.

14 “(e) Develop, maintain and implement plans to:

15 “(A) Enhance and embellish the State Capitol in keeping with the design and purpose of the
16 building and adjacent areas; and

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

19 “(f) Adopt rules to guide the foundation and implement the foundation’s responsibilities under
20 this subsection and the foundation’s authority under subsections (3) to (5) of this section.

21 “(g) Consult with any advisory committees the Legislative Administration Committee may des-
22 ignate before the foundation makes a recommendation required by this subsection.

23 “(3) The Oregon State Capitol Foundation may:

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

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

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

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

31 “(4)(a) As used in this subsection, ‘community foundation’ has the meaning given that term in
32 ORS 348.580.

33 “(b) The Oregon State Capitol Foundation may enter into agreements with a person, including
34 a community foundation in Oregon, for the person to assume the management of the moneys in the
35 Oregon State Capitol Foundation Fund. The Oregon State Capitol Foundation may transfer to the
36 person any moneys in the fund.

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

39 “(A) The person conduct a periodic independent financial audit of the moneys transferred to the
40 person.

41 “(B) The person prepare an annual financial report according to generally accepted accounting
42 principles.

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

45 “(d) If a provision of an agreement entered into under this subsection would cause the person

1 to be out of compliance with a federal law, the Oregon State Capitol Foundation may waive the
2 provision.

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

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

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

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

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

16 “(a)(A) The Governor shall appoint:

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

18 “(ii) Seven members from state agencies and departments other than the Governor’s office.

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

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

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

24 “(B) Of the members appointed by the Governor under subparagraph (A) of this paragraph, at
25 least one shall have served as a member of the Governor’s Task Force on Federal Forest Payments
26 and County Services and at least one shall have served as a voting, nonvoting or adjunct member,
27 an advisory council member or a staff member of the Task Force on Comprehensive Revenue Re-
28 structuring.

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

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

34 “(d) The Secretary of State, the State Treasurer and the Chief Justice of the Supreme Court
35 shall serve as ex officio members.

36 “(2) The task force shall:

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

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

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

42 “(d) Recommend to the Governor and the Legislative Assembly an appropriate level of state
43 fiscal support to counties.

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

1 “(a) Assessment and taxation;
2 “(b) Elections;
3 “(c) Human services; and
4 “(d) Criminal justice.
5 “(4) The task force may analyze additional services under subsection (2) of this section.
6 “(5) A majority of the members of the task force constitutes a quorum for the transaction of
7 business.
8 “(6) Official action by the task force requires the approval of a majority of the members of the
9 task force.
10 “(7) The Governor shall appoint one of the members as chairperson.
11 “(8) If there is a vacancy for any cause, the appointing authority shall make an appointment to
12 become immediately effective.
13 “(9) The task force shall meet at times and places specified by the call of the chairperson or of
14 a majority of the members of the task force.
15 “(10) The task force may adopt rules necessary for the operation of the task force.
16 “(11) The task force shall submit an interim report to the Legislative Assembly no later than
17 November 30, 2009, reporting progress of work and initial recommendations, and shall submit a final
18 report to the Legislative Assembly no later than October 1, 2010.
19 “(12) The task force shall use the services of permanent staff of the offices of the Governor,
20 Secretary of State, State Treasurer, Judicial Department and Legislative Fiscal Officer. The task
21 force shall also accept staff assistance from the Association of Oregon Counties if the association
22 offers assistance.
23 “(13) All agencies of state government, as defined in ORS 174.111, are directed to assist the task
24 force in the performance of its duties and, to the extent permitted by laws relating to confidentiality,
25 to furnish such information and advice as the members of the task force consider necessary to per-
26 form their duties.
27 “(14)(a) The task force shall establish a technical committee to aid and advise the task force in
28 the performance of its functions. The task force shall determine the representation, membership,
29 terms and organization of the committee and shall appoint its members. If the Executive Director
30 of the Association of Oregon Counties or the Executive Director of the Special Districts Association
31 of Oregon consents to serve on the technical committee, the task force shall appoint one or both
32 directors to the committee.
33 “(b) The task force shall establish subcommittees to work on the subject areas identified in
34 subsection (3) of this section in the priority order that the task force identifies at its initial meeting.
35 **“(15) Members of the task force who are members of the Legislative Assembly are enti-**
36 **itled to compensation and expense reimbursement as provided in ORS 171.072.**
37 **“SECTION 12.** ORS 468A.220 is amended to read:
38 “468A.220. (1) In addition to the members appointed under ORS 468A.215, the Oregon Global
39 Warming Commission [*shall include*] **includes** the following ex officio **nonvoting** members:
40 “(a) The Director of the State Department of Energy;
41 “(b) The Director of Transportation;
42 “(c) The chairperson of the Public Utility Commission of Oregon;
43 “(d) The Director of the Department of Environmental Quality;
44 “(e) The Director of Agriculture;
45 “(f) The State Forester;

1 “(g) The Water Resources Director; and
2 “(h) Three additional ex officio nonvoting members, each from a state agency or an academic
3 institution.
4 “(2) The following representatives of the Legislative Assembly also shall serve as ex officio
5 nonvoting members:
6 “(a) Two members of the Senate, not from the same political party, appointed by the President
7 of the Senate; and
8 “(b) Two members of the House of Representatives, not from the same political party, appointed
9 by the Speaker of the House of Representatives.
10 “(3) Each legislative member serves at the pleasure of the appointing authority and may serve
11 so long as the member remains in the chamber of the Legislative Assembly from which the member
12 was appointed.
13 “(4) **Notwithstanding ORS 171.072, members of the commission who are members of the**
14 **Legislative Assembly are not entitled to mileage expenses or a per diem and serve as volun-**
15 **teers on the commission.**
16 “**SECTION 13.** ORS 284.706 is amended to read:
17 “284.706. (1) There is created the Oregon Innovation Council consisting of the following voting
18 members:
19 “(a) The Governor or the Governor’s designated representative, who shall be chairperson of the
20 council.
21 “(b) Five members appointed by the Governor who are engaged in the operations of Oregon
22 traded sector industries.
23 “(c) One member appointed by the Governor who is a representative of an Oregon-based, gen-
24 erally accredited, not-for-profit private institution of higher education.
25 “(d) A member of the Oregon Growth Account Board, appointed by the board, who has experi-
26 ence in the field of venture capital.
27 “(e) A member of the Engineering and Technology Industry Council, appointed by the Engi-
28 neering and Technology Industry Council.
29 “(f) The Director of the Oregon Business Development Department.
30 “(g) The Chancellor of the Oregon University System.
31 “(h) The Commissioner for Community College Services.
32 “(i) The State Treasurer.
33 “(2)(a) The Speaker of the House of Representatives shall appoint two members to the council
34 who are members of the House of Representatives.
35 “(b) The President of the Senate shall appoint two members to the council who are members of
36 the Senate.
37 “(c) Members of the Legislative Assembly appointed to the council are nonvoting members and
38 may act in an advisory capacity only.
39 “(3) The following persons, or their representatives, shall serve as ex officio, nonvoting members
40 of the council:
41 “(a) The [*chairperson*] **presiding officer** of the Oregon Business Development Commission.
42 “(b) The president of the State Board of Higher Education.
43 “(c) The chairperson of the State Board of Education.
44 “(d) An executive officer of an association representing Oregon-based, generally accredited,
45 not-for-profit private institutions of higher education, appointed by the Governor.

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

7 “(5) A majority of the voting members of the council constitutes a quorum for the transaction
8 of business.

9 “(6) Official action by the council requires the approval of a majority of the voting members of
10 the council.

11 “(7) The council shall meet at least twice per fiscal year at a place, day and time determined
12 by the chairperson. The council may also meet at other times and places specified by a call of the
13 chairperson or by written request of a majority of the voting members of the council.

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

15 “(9) The council may establish committees and delegate to the committees duties as the council
16 considers desirable.

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

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

20 “[11] (12) Members of the council who are not members of the Legislative Assembly are enti-
21 tled to compensation and expenses incurred by them in the performance of their official duties in
22 the manner and amounts provided for in ORS 292.495. Claims for compensation and expenses of
23 members of the council who are public officers shall be paid out of funds appropriated to the public
24 agency that employs the member. Claims for compensation and expenses of members of the council
25 who are not public officers shall be paid out of funds appropriated to the Oregon Business Devel-
26 opment Department for that purpose.

27 “[12] (13) All agencies of state government, as defined in ORS 174.111, are directed to assist
28 the 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 14.** ORS 173.315 is amended to read:

32 “173.315. (1) The Oregon Law Commission is established to conduct a continuous substantive
33 law revision program as described in ORS 173.338.

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

35 “(a) A person appointed by the President of the Senate who is a member of the Senate at the
36 time of appointment;

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

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

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

43 “(e) The deans of Oregon’s accredited law schools, or their designees;

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

45 “(g) The Attorney General, or the Attorney General’s designee;

1 “(h) The Chief Justice of the Supreme Court, or the Chief Justice’s designee;
2 “(i) The Chief Judge of the Court of Appeals, or the Chief Judge’s designee;
3 “(j) A person appointed by the Chief Justice of the Supreme Court who is a circuit court judge,
4 or a retired circuit court judge who has been designated as a senior judge under ORS 1.300, at the
5 time of appointment; and
6 “(k) One person appointed by the Governor.
7 “(3) The Attorney General, the Chief Justice of the Supreme Court, the Chief Judge of the Court
8 of Appeals and the deans of Oregon’s accredited law schools are ex officio members of the commis-
9 sion and have the same powers as appointed members.
10 “(4)(a) Except as provided in paragraph (b) of this subsection, appointed members of the com-
11 mission serve four-year terms. Terms commence on July 1 of even-numbered years. Before the expi-
12 ration of the four-year term, the appointing authority shall appoint a successor. A person who has
13 served as a member is eligible for reappointment.
14 “(b) A person appointed under subsection (2)(a) of this section serves a term of four years, or
15 until the person ceases to be a member of the Senate, whichever occurs first. A person appointed
16 under subsection (2)(c) of this section serves a term of four years, or until the person ceases to be
17 a member of the House of Representatives, whichever occurs first.
18 “(5) If there is a vacancy in the position of an appointed member:
19 “(a) The appointing authority shall appoint a person as soon as possible to serve during the
20 remainder of the unexpired term; and
21 “(b) The appointing authority may specify that the person appointed to serve the remainder of
22 the unexpired term is also appointed to the next following full term.
23 “(6) If a member of the commission is authorized under subsection (2) of this section to name a
24 designee, a person named as a designee has all of the powers and duties of the member until the
25 designation expires or is revoked. The following persons may be designated:
26 “(a) A dean of one of Oregon’s accredited law schools may designate a member of the faculty
27 of the law school.
28 “(b) The Chief Justice may designate a Supreme Court judge.
29 “(c) The Chief Judge of the Court of Appeals may designate another judge of the Court of Ap-
30 peals.
31 “(d) The Attorney General may designate an assistant attorney general or the Deputy Attorney
32 General.
33 “(7) The term of an appointed member of the commission shall cease if the member misses three
34 consecutive meetings without prior approval of the chairperson, and the appointing authority for the
35 position shall appoint a person to fill the vacancy in the manner provided by subsection (5) of this
36 section.
37 “(8) The Oregon Law Commission shall elect its chairperson and vice chairperson from among
38 the members with such powers and duties as the commission shall determine.
39 “(9) A majority of the members of the commission constitutes a quorum for the transaction of
40 business. If a quorum is present at a meeting, the commission may take action by an affirmative vote
41 by a majority of the members of the commission who are present.
42 “(10) **Members of the commission who are members of the Legislative Assembly are en-**
43 **titled to compensation and expense reimbursement as provided in ORS 171.072.**
44 “**SECTION 15.** Section 10, chapter 754, Oregon Laws 2009, is amended to read:
45 “**Sec. 10.** (1) There is created the Metropolitan Planning Organization Greenhouse Gas Emis-

1 sions Task Force consisting of 16 members appointed as follows:

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

3 “(b) The Speaker of the House of Representatives shall appoint two members from among mem-
4 bers of the House of Representatives.

5 “(c) The Governor shall appoint the following members:

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

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

9 “(C) The chairperson of the Oregon Transportation Commission.

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

11 “(2) The task force shall:

12 “(a) Study and evaluate the development of alternative land use and transportation scenarios
13 that accommodate planned population and employment growth in those areas of the state that are
14 served by metropolitan planning organizations while achieving a reduction in greenhouse gas emis-
15 sions from motor vehicles with a gross vehicle weight rating of 10,000 pounds or less. The task force
16 shall take into account the amount of greenhouse gas emissions caused by motor vehicles with a
17 gross vehicle weight rating of 10,000 pounds or less that need to be reduced by 2035 in order to meet
18 the goals stated in ORS 468A.205. The task force shall take into consideration the reductions in
19 vehicle emissions that are likely to result by 2035 from the use of improved vehicle technologies and
20 fuels.

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

24 “(c) Evaluate impediments to implementing land use and transportation scenarios that reduce
25 greenhouse gas emissions.

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

32 “(3) A majority of the members of the task force constitutes a quorum for the transaction of
33 business.

34 “(4) Official action by the task force requires the approval of a majority of the members of the
35 task force.

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

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

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

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

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

44 “(9) The task force shall submit a report with recommendations for legislation to the interim
45 legislative committees related to transportation and to the environment and natural resources prior

1 to January 1, 2010.

2 “(10) The Department of Transportation and the Department of Land Conservation and Devel-
3 opment shall provide staff support to the task force. The Department of Transportation shall use
4 available federal flexible funds for the staffing and support of the task force.

5 “(11) **Members of the task force who are members of the Legislative Assembly are enti-
6 tled to compensation and expense reimbursement as provided in ORS 171.072.**

7 “[11] (12) Members of the task force who are not members of the Legislative Assembly are not
8 entitled to compensation, but may be reimbursed for actual and necessary travel and other expenses
9 incurred by them in the performance of their official duties in the manner and amounts provided for
10 in ORS 292.495. Claims for expenses incurred in performing functions of the task force shall be paid
11 out of funds appropriated to the Department of Transportation for purposes of the task force.

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

16 “[13] (14) For the purposes of this section, ‘metropolitan planning organization’ means an or-
17 ganization located wholly within the State of Oregon and designated by the Governor to coordinate
18 transportation planning in an urbanized area of the state pursuant to 49 U.S.C. 5303(c).

19 “**SECTION 16.** ORS 507.050 is amended to read:

20 “507.050. (1) The State Fish and Wildlife Director, one legislator appointed as provided in this
21 section and one public member appointed by the Governor shall act as representatives of the State
22 of Oregon on the Pacific States Marine Fisheries Commission in accordance with the provisions of
23 and with the powers and duties in the compact set forth in ORS 507.040.

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

27 “(3) The legislative member shall serve for a term of four years. The Speaker of the House of
28 Representatives and the President of the Senate shall alternate in making the appointment of the
29 legislative member.

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

32 “(5) **Members of the commission who are not members of the Legislative Assembly are
33 not entitled to compensation or reimbursement of expenses and serve as volunteers on the
34 commission.**

35 “**SECTION 17.** ORS 171.857 is amended to read:

36 “171.857. (1) The President of the Senate and the Speaker of the House of Representatives shall
37 jointly appoint a special legislative committee to issue a report pursuant to section 8, Article VIII
38 of the Oregon Constitution.

39 “(2) The committee may not transact business unless a quorum is present. A quorum consists
40 of a majority of committee members from the House of Representatives and a majority of committee
41 members from the Senate.

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

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

1 “[(4)] (5) The Legislative Assembly in the report shall:

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

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

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

20 “(b) The alternative methodology shall be based on:

21 “(A) Research, data and public values; and

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

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

28 “[6)] (7) The Legislative Assembly shall identify in the report whether the state’s system of
29 post-secondary public education has quality goals established by law. If there are quality goals, the
30 Legislative Assembly shall include in the report a determination that the amount appropriated in
31 the budget is sufficient to meet those goals or an identification of the reasons the amount appro-
32 priated is not sufficient, the extent of the insufficiency and the impact of the insufficiency on the
33 ability of the state’s system of post-secondary public education to meet those quality goals.

34 “[7)] (8) The report shall be issued within 180 days after the regular session of the Legislative
35 Assembly adjourns sine die.

36 “[8)] (9) The Legislative Assembly shall provide public notice of the report’s issuance, including
37 posting the report on the Internet and providing a print version of the report upon request.

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

39 “**Sec. 8.** (1) The Oregon Student Assistance Commission shall establish a Shared Responsibility
40 Steering Committee to provide advice to the commission on the implementation of the changes to
41 the Oregon Opportunity Grant program by the amendments to ORS 348.180, 348.183, 348.205 and
42 348.260 by sections 1 to 4, **chapter 802, Oregon Laws 2007** [of this 2007 Act]. The committee shall
43 consist of 12 members appointed as follows:

44 “(a) The President of the Senate shall appoint one member from among the members of the
45 Senate.

1 “(b) The Speaker of the House of Representatives shall appoint one member from among the
2 members of the House of Representatives.

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

4 “(A) Oregon Independent Colleges Association;

5 “(B) Oregon Student Association;

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

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

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

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

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

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

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

16 “(h) The president of the Oregon Health and Science University shall appoint a representative
17 of the university.

18 “(2) The committee shall:

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

21 “(b) Make recommendations to the commission on strategies for prevention and mitigation of
22 those risks;

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

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

26 “(A) The system for awarding grants;

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

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

29 “(3) A majority of the members of the committee constitutes a quorum for the transaction of
30 business.

31 “(4) Official action by the committee requires the approval of a majority of the members of the
32 committee.

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

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

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

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

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

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

45 “[*10*] (11) Members of the committee who are not members of the Legislative Assembly are not

1 entitled to compensation or reimbursement for actual and necessary travel and other expenses from
2 the commission.

3 “[11] (12) All agencies of state government, as defined in ORS 174.111, and the Oregon Health
4 and Science University are directed to assist the committee in the performance of its duties and, to
5 the extent permitted by laws relating to confidentiality, to furnish such information and advice as
6 the members of the committee consider necessary to perform their duties.

7 **“SECTION 19.** ORS 184.486 is amended to read:

8 “184.486. (1) There is created the Transparency Oregon Advisory Commission consisting of nine
9 members appointed as follows:

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

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

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

15 “(d) The Director of the Oregon Department of Administrative Services shall appoint one mem-
16 ber.

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

18 “(f) The President of the Senate and the Speaker of the House of Representatives shall each
19 appoint one member of the public with experience or interest in public finance, public relations,
20 measurement of performance outcomes or technology.

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

24 “(3) A majority of the members of the commission constitutes a quorum for the transaction of
25 business.

26 “(4) Official action by the commission requires the approval of a majority of the members of the
27 commission.

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

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

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

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

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

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

41 “[10] (11) Members of the commission who are not members of the Legislative Assembly are
42 not entitled to compensation or reimbursement for expenses and serve as volunteers on the com-
43 mission.

44 “[11] (12) All agencies of state government, as defined in ORS 174.111, are directed to assist
45 the commission 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 commission consider
2 necessary to perform their duties.

3 “[(12)] (13) The commission shall report to the Legislative Assembly not later than January 15
4 of each odd-numbered year. The report shall describe:

5 “(a) Enhancements made to the Oregon transparency website during the previous two calendar
6 years;

7 “(b) Possible future enhancements to the website, including but not limited to the inclusion of
8 information relating to:

9 “(A) Performance outcomes that measure the success of state agency programs in achieving
10 goals;

11 “(B) State agency bond debt;

12 “(C) State agency expenses for capital improvements;

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

14 “(E) Lists of businesses and individuals receiving tax credits, deductions, refunds, rebates and
15 other subsidies from a state agency;

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

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

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

22 “[(13)] (14) The term of office of each member is four years, but a member serves at the pleasure
23 of the appointing authority. Before the expiration of the term of a member, the appointing authority
24 shall appoint a successor whose term begins on January 1 next following. A member is eligible for
25 reappointment. If there is a vacancy for any cause, the appointing authority shall make an ap-
26 pointment to become immediately effective for the unexpired term.”.

27 “**SECTION 20.** ORS 689.115 is amended to read:

28 “689.115. (1) The State Board of Pharmacy consists of [*seven*] **eight** members appointed by the
29 Governor and subject to confirmation by the Senate in the manner provided in ORS 171.562 and
30 171.565. All members of the board must be residents of this state. Of the members of the board:

31 “(a) Five must be licensed pharmacists.

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

33 “[(b)] (c) Two must be members of the public who are not licensed pharmacists or a spouse,
34 domestic partner, child, parent or sibling of a pharmacist.

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

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

39 “(A) Have attained the age of majority;

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

41 “(C) Do not have and have never had any material financial interest in the providing of phar-
42 macy service; and

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

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

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

1 “(B) Be engaged in the practice of pharmacy in this state; and
2 “(C) Have five years of experience in the practice of pharmacy in this state after licensure.
3 “(d) In selecting the members of the board, the Governor shall strive to balance the represen-
4 tation on the board according to:
5 “(A) Geographic areas of this state; and
6 “(B) Ethnic group.
7 “(3)(a) The term of office of each member is four years, but a member serves at the pleasure of
8 the Governor. The terms must be staggered so that no more than three terms end each year. A
9 member is eligible for reappointment. The Governor shall fill vacancies which occur by expiration
10 of full terms within 90 days prior to each date of expiration, and shall fill vacancies which occur for
11 any other reason within 60 days after each such vacancy occurs, for the unexpired term.
12 “(b) A board member shall be removed immediately from the board if, during the member’s term,
13 the member:
14 “(A) Is not a resident of this state;
15 “(B) Has been absent from three consecutive board meetings, unless at least one absence is ex-
16 cused; [or]
17 “(C) Is not a licensed pharmacist or a retired pharmacist who was a licensed pharmacist in good
18 standing at the time of retirement, if the board member was appointed to serve on the board as a
19 pharmacist[.]; or
20 **“(D) Is not a licensed pharmacy technician or a retired pharmacy technician who was a
21 licensed pharmacy technician in good standing at the time of retirement, if the board mem-
22 ber was appointed to serve on the board as a pharmacy technician.**
23 “(4) Members of the board are entitled to compensation and expenses as provided in ORS
24 292.495. The board may provide by rule for compensation to board members for the performance of
25 official duties at a rate that is greater than the rate provided in ORS 292.495.
26 **“SECTION 21. ORS 171.865, 171.867 and 541.407 are repealed.**
27 **“SECTION 22. The amendments to ORS 442.830 by section 3 of this 2010 Act apply to ap-
28 pointments to the Oregon Patient Safety Commission Board of Directors made on or after
29 the effective date of this 2010 Act.”.**
30 In line 31, delete “15” and insert “23”.
31
