

Enrolled Senate Bill 530

Sponsored by Senator DINGFELDER; Senator MONROE, Representatives CANNON, FREDERICK
(Presession filed.)

CHAPTER

AN ACT

Relating to the Commission on Asian Affairs; creating new provisions; and amending ORS 182.538, 185.005, 185.610, 185.620, 185.625 and 409.619.

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

SECTION 1. ORS 185.610 is amended to read:

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

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

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

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

(5)(a) Appointments to the commission shall be made to ensure ethnic representation of Asian **and Pacific Islander** Americans in Oregon.

(b) **For the purpose of this subsection, "Asian and Pacific Islander Americans" has the meaning given that term in ORS 185.620.**

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

(7) Members of the commission who are legislators shall be paid compensation and expense reimbursement as provided in ORS 171.072, payable from funds appropriated to the Legislative Assembly.

SECTION 2. (1) The amendments to ORS 185.610 by section 1 of this 2011 Act are intended to change the name of the "Commission on Asian Affairs" to the "Commission on Asian and Pacific Islander Affairs."

(2) For the purpose of harmonizing and clarifying statutory law, the Legislative Counsel may substitute for words designating the "Commission on Asian Affairs," wherever they occur in statutory law, other words designating the "Commission on Asian and Pacific Islander Affairs."

SECTION 3. ORS 185.620 is amended to read:

185.620. (1) The Commission on Asian **and Pacific Islander** Affairs shall:

(a) [*Encourage*] **Identify barriers to the economic development and trade opportunities of Asian and Pacific Islander Americans within this state, and advise state agencies and officials on issues related to those barriers.**

(b) Establish an Asian **and Pacific Islander** Affairs Network to facilitate the work of the commission.

(c) Identify and examine the needs of Asian **and Pacific Islander** American residents of this state.

(d) Compile information relating to services available to Asian **and Pacific Islander** American residents of this state, including but not limited to education and training programs, work programs, dispute resolution programs, trade opportunities, housing programs, health programs, mental health programs including alcohol and drug services, and welfare programs from local, state and federal sources and through private agencies.

(e) Develop and sponsor programs in cooperation with Asian **and Pacific Islander** American groups and organizations to inform Asian **and Pacific Islander** American residents of this state of services available to them.

(f) Assess all programs of state agencies operating for the benefit of Asian **and Pacific Islander** American residents of this state and make recommendations to the appropriate agencies for the improvement of those programs.

(g) Serve as liaison to other state boards and commissions as required by law.

[*(g)*] **(h)** Submit to the Governor at the beginning of each biennium a report that describes the needs of Asian **and Pacific Islander** Americans identified under paragraph (c) of this subsection and that specifies the programs, projects and activities that the commission will undertake regarding those needs.

(2) As used in this section, “Asian **and Pacific Islander** American” means a resident of the United States who is of Asian **or Pacific Islander** ancestry.

SECTION 4. ORS 185.625 is amended to read:

185.625. The Legislative Assembly declares that the Commission on Asian **and Pacific Islander** Affairs shall work for the implementation and establishment of economic, social, legal and political equality for Asian **and Pacific Islander** Americans in this state and to maintain a continuing assessment of the issues and needs confronting Asian **and Pacific Islander** Americans in this state.

SECTION 5. ORS 182.538 is amended to read:

182.538. (1) There is established the Environmental Justice Task Force consisting of 12 members appointed by the Governor. The members shall be persons who are well-informed on the principles of environmental justice and who, to the greatest extent practicable, represent minority communities, low-income communities, environmental interests, industry groups and geographically diverse areas of the state. Of the 12 members, the Governor shall appoint one member of the task force from each of the following commissions:

(a) The Commission on Asian **and Pacific Islander** Affairs;

(b) The Commission on Black Affairs;

(c) The Commission on Hispanic Affairs; and

(d) The Commission on Indian Services.

(2) The task force shall submit an annual report to the Governor setting forth its view of the progress of natural resource agencies toward achieving the goals established pursuant to ORS 182.542 and identifying any other environmental issues that the task force determines need attention.

(3) The term of office of each member is four years, but a member serves at the pleasure of the Governor. Before the expiration of the term of a member, the Governor shall appoint a successor whose term begins on January 1 of the following year. A member may be reappointed. If there is a vacancy for any cause, the Governor shall make an appointment to become immediately effective for the unexpired term.

(4) A member of the task force who is not a member of the Legislative Assembly is entitled to compensation and expenses in the manner and amounts provided for in ORS 292.495. Claims for compensation and expenses incurred in performing functions of the task force shall be paid out of funds appropriated to the Governor for that purpose.

(5) The task force shall elect one of its members as a chairperson and another as vice chairperson, for the terms and with the duties and powers necessary for the performance of the functions of such offices as the task force determines.

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

(7) The task force shall meet at least once every three months at times and places specified by the chairperson. The task force also shall meet at other times and places specified by the call of the chairperson or of a majority of the members of the task force.

(8) The Governor shall provide the task force with the necessary clerical and administrative staff support.

(9) Natural resource agencies are directed to assist the task force in the performance of its duties and, to the extent permitted by laws relating to confidentiality, to furnish such information and advice as the members of the task force consider necessary to perform their duties.

(10) A member of the task force who is a member of the Legislative Assembly may serve in an advisory capacity only.

SECTION 6. ORS 185.005 is amended to read:

185.005. The Oregon Advocacy Commissions Office is established to provide administrative support to:

- (1) The Commission on Hispanic Affairs;
- (2) The Commission on Black Affairs;
- (3) The Commission for Women; and
- (4) The Commission on Asian **and Pacific Islander** Affairs.

SECTION 7. ORS 409.619 is amended to read:

409.619. (1) The Oregon Council on Health Care Interpreters is created in the Oregon Health Authority. The council shall consist of 25 members appointed as follows:

(a) The Governor shall appoint two members from each of the following groups:

(A) Consumers of medical services who are persons with limited English proficiency and who use health care interpreters;

(B) Educators who either teach interpreters or persons in related educational fields, or who train recent immigrants and persons with limited English proficiency;

(C) Persons with expertise and experience in administration or policymaking related to the development and operation of policies, programs or services related to interpreters, and who have familiarity with the rulings of the federal Office for Civil Rights concerning interpreter services for various institutions;

(D) Health care providers, consisting of one physician and one registered nurse, who utilize interpreter services regularly in their practice;

(E) Representatives of safety net clinics that predominantly serve persons with limited English proficiency; and

(F) Representatives of hospitals, health systems and health plans predominantly serving persons with limited English proficiency.

(b) The Governor shall appoint one representative from each of the following agencies and organizations after consideration of nominations by the executive authority of each:

- (A) The Commission on Asian **and Pacific Islander** Affairs;
- (B) The Commission on Black Affairs;
- (C) The Commission on Hispanic Affairs;
- (D) The Commission on Indian Services;
- (E) The International Refugee Center of Oregon;
- (F) The Oregon Judicial Department's Certified Court Interpreter program;

- (G) The Commission for Women; and
 - (H) The Institute for Health Professionals of Portland Community College.
 - (c) The Director of the Oregon Health Authority shall appoint three members including:
 - (A) One member with responsibility for administering mental health programs;
 - (B) One member with responsibility for administering medical assistance programs; and
 - (C) One member with responsibility for administering public health programs.
 - (d) The Director of Human Services shall appoint:
 - (A) One member with responsibility for administering developmental disabilities programs; and
 - (B) One member with responsibility for administering programs for seniors and persons with disabilities.
 - (e) The membership of the council shall be appointed so as to be representative of the racial, ethnic, cultural, social and economic diversity of the people of this state.
 - (2) The term of a member shall be three years. A member may be reappointed.
 - (3) If there is a vacancy for any cause, the appointing authority shall make an appointment to become immediately effective for the unexpired term. The appointing authority may appoint a replacement for any member of the council who misses more than two consecutive meetings of the council. The newly appointed member shall represent the same group as the vacating member.
 - (4) The council shall select one member as chairperson and one member as vice chairperson, for such terms and with duties and powers as the council determines necessary for the performance of the functions of such offices.
 - (5) The council may establish such advisory and technical committees as it considers necessary to aid and advise the council in the performance of its functions. The committees may be continuing or temporary committees. The council shall determine the representation, membership, terms and organization of the committees and shall appoint committee members.
 - (6) A majority of the members of the council shall constitute a quorum for the transaction of business.
 - (7) Members of the council are not entitled to compensation, but at the discretion of the Director of the Oregon Health Authority may be reimbursed for actual and necessary travel and other expenses incurred by them in the performance of their official duties, subject to ORS 292.495.
 - (8) The council may accept contributions of funds and assistance from the United States Government or its agencies or from any other source, public or private, for purposes consistent with the purposes of the council.
 - (9) The Oregon Health Authority shall provide the council with such services and employees as the council requires to carry out its duties.
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Passed by Senate April 12, 2011

Repassed by Senate May 25, 2011

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Robert Taylor, Secretary of Senate

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Peter Courtney, President of Senate

Passed by House May 18, 2011

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Bruce Hanna, Speaker of House

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Arnie Roblan, Speaker of House

Received by Governor:

.....M,....., 2011

Approved:

.....M,....., 2011

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John Kitzhaber, Governor

Filed in Office of Secretary of State:

.....M,....., 2011

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Kate Brown, Secretary of State