

**Enrolled**  
**House Bill 2033**

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of Governor John A. Kitzhaber, M.D., for Department of State Lands)

CHAPTER .....

AN ACT

Relating to public university finances; creating new provisions; amending ORS 351.070; and repealing ORS 352.510, 352.520, 352.530, 352.560, 352.570 and 352.580.

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

**SECTION 1. ORS 352.510, 352.520, 352.530, 352.560, 352.570 and 352.580 are repealed.**

**SECTION 2. (1) The account established under ORS 352.510 for the maintenance, use and support of the University of Oregon, within the Oregon University System Fund established under ORS 351.506, is abolished.**

**(2) Any moneys remaining in the account on the effective date of this 2013 Act that are unexpended, unobligated and not subject to any conditions shall be transferred to the Oregon University System Fund established by ORS 351.506 to be used for the purpose of the maintenance, use and support of the University of Oregon.**

**SECTION 3. (1) The account established under ORS 352.560 for the endowment, maintenance and support of Oregon State University, within the Oregon University System Fund established under ORS 351.506, is abolished.**

**(2) Any moneys remaining in the account on the effective date of this 2013 Act that are unexpended, unobligated and not subject to any conditions shall be transferred to the Oregon University System Fund established by ORS 351.506 to be used for the purpose of the endowment, maintenance and support of Oregon State University.**

**SECTION 4. ORS 351.070 is amended to read:**

**351.070. (1) The State Board of Higher Education shall, by rule, implement a personnel system for the Oregon University System and may engage in collective bargaining with the employees. All collective bargaining with any certified or recognized exclusive employee representative shall be under the direction and supervision of the Chancellor of the Oregon University System. The board and the Oregon University System shall have payroll authority.**

**(2)(a) The board shall establish competitive procedures for the purchasing, procurement and contracting of goods, services and information technology, for the benefit of the Oregon University System and all the public universities and offices, departments and activities under the control of the board. The board may also establish exemptions from the competitive procedures when appropriate.**

**(b) The board shall ensure that the hourly rate of wage paid by any contractor upon all public improvements contracts undertaken for the board shall not be less than the same rate of wage as determined by the Bureau of Labor and Industries for an hour's work in the same trade or occupa-**

tion in the locality where such labor is performed. Claims or disputes arising under this subsection shall be decided by the Commissioner of the Bureau of Labor and Industries.

(c) The board shall adopt policies and procedures that achieve results equal to or better than the standards existing on July 17, 1995, regarding affirmative action, pay equity for comparable work, recycling, the provision of workers' compensation insurance to workers on contract and the participation of emerging small businesses and businesses owned by minorities and women.

(3) The board may, for each public university listed in ORS 352.002:

(a) Appoint and employ a president and the requisite number of employees and prescribe their compensation and tenure of office or employment.

(b) Demand and receive [*the interest mentioned in ORS 352.510 and*] all sums due and accruing for admission and tuition, and apply the same, or so much thereof as is necessary, to the payment of the compensation referred to in paragraph (a) of this subsection and the other current expenses.

(c) Prescribe incidental fees for programs under the supervision or control of the board found by the board, upon its own motion or upon recommendation of the recognized student government, to be advantageous to the cultural or physical development of students. Fees realized in excess of amounts allocated and exceeding required reserves shall be considered surplus incidental fees and shall be allocated for programs under the control of the board and found to be advantageous to the cultural or physical development of students by the president upon the recommendation of the recognized student government.

(d) Upon recommendation of the recognized student government, collect optional fees for student activities not included in paragraph (c) of this subsection or ORS 351.063 as authorized by the president. The payment of such optional fees is at the option and selection of the student and is not a prerequisite of enrollment.

(e) Confer, consistent with the mission and programs of each public university and on the recommendation of the faculty of the public university, such degrees as usually are conferred by public universities, or as the faculty deems appropriate.

(f) Prescribe the qualifications for admission.

(4) Subject to such delegation as the board may decide to make to the public universities and offices, departments and activities under its control, the board, for each public university, office, department or activity under its control:

(a) Shall supervise the general course of instruction therein, and the research, extension, educational and other activities thereof.

(b) Shall adopt rules and bylaws for the government thereof, including the faculty, teachers, students and employees therein.

(c) Shall maintain cultural and physical development services and facilities therefor and, in connection therewith, may cooperate and enter into agreements with any person or governmental agency.

(d) May contract to provide health services at student health centers.

(e) Shall provide health services at student health centers to students.

(f) May provide health services at student health centers to any of the following:

(A) Dependents of students.

(B) Staff.

(C) Faculty.

(g) Shall prescribe and collect charges.

(h) Shall adopt rules relating to the creation, use, custody and disclosure, including access, of student education records that are consistent with the requirements of applicable state and federal law. Whenever a student has attained 18 years of age or is attending a public university listed in ORS 352.002, the permission or consent required of and the rights accorded to a parent of the student regarding education records shall thereafter be required of and accorded to only the student.

(5) For each public university listed in ORS 352.002, the board shall provide opportunities for part-time students to obtain complete undergraduate degrees at unconventional times, which include but are not limited to early morning and noon hours, evenings and weekends. In administering these

degree programs, the public university may use any educational facility available for the use of the public university.

(6) For all public universities listed in ORS 352.002, the board shall, to the extent feasible and cost beneficial, develop and implement a common admissions process that permits applicants to be considered for admission to more than one public university.

**Passed by House February 13, 2013**

**Received by Governor:**

**Repassed by House May 8, 2013**

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**Approved:**

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Ramona J. Line, Chief Clerk of House

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Tina Kotek, Speaker of House

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John Kitzhaber, Governor

**Passed by Senate May 6, 2013**

**Filed in Office of Secretary of State:**

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Peter Courtney, President of Senate

.....M,....., 2013

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Kate Brown, Secretary of State