

SENATE AMENDMENTS TO RESOLVE CONFLICTS TO B-ENGROSSED HOUSE BILL 3120

By JOINT COMMITTEE ON WAYS AND MEANS

July 5

- 1 On page 1 of the printed B-engrossed bill, line 11, delete “348.611,”.
2 On page 51, line 36, restore the bracketed material.
3 On page 55, line 14, delete “commission” and insert “Executive Director of the Office of Student
4 Access and Completion”.
5 On page 69, delete lines 36 through 45.
6 On page 70, delete lines 1 through 42 and insert:
7 “**NOTE:** Section 123 was deleted by amendment. Subsequent sections were not renumbered.”.
8 On page 118, line 18, delete “and 29 to 201” and insert “, 29 to 201 and 205 to 208”.
9 After line 19, insert:

“CONFLICT AMENDMENTS

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13 **“SECTION 205. If Senate Bill 267 becomes law, section 33 of this 2013 Act (amending ORS**
14 **284.540) is repealed and ORS 284.540, as amended by section 3, chapter 230, Oregon Laws 2013**
15 **(Enrolled Senate Bill 267), is amended to read:**

16 “284.540. (1) There is established the Governor’s Council on Oregon’s Economy.

17 “(2) The members of the council are:

18 “(a) The presiding officer of the Oregon Business Development Commission;

19 “(b) The chairperson of the Oregon Transportation Commission;

20 “(c) The chairperson of the State Board of Agriculture;

21 “(d) The chairperson of the [*State Board of Higher Education*] **Higher Education Coordinating**
22 **Commission;** and

23 “(e) Other persons designated by the Governor.

24 “(3) The council shall meet quarterly to:

25 “(a) Discuss and coordinate the activities of each entity described in subsection (2) of this sec-
26 tion that relate to economic development and improving the economy in Oregon; and

27 “(b) Discuss and recommend to the Legislative Assembly methods for creating certainty for the
28 development process.

29 **“SECTION 206. If Senate Bill 267 becomes law, section 34 of this 2013 Act (amending ORS**
30 **284.706) is repealed and ORS 284.706, as amended by sections 21 and 31, chapter 90, Oregon**
31 **Laws 2012, and sections 4 and 5, chapter 230, Oregon Laws 2013 (Enrolled Senate Bill 267), is**
32 **amended to read:**

33 “284.706. (1) There is created the Oregon Innovation Council consisting of the following voting
34 members:

35 “(a) The Governor or the Governor’s designated representative, who shall be chairperson of the

1 council.

2 “(b) Five members appointed by the Governor who are engaged in the operations of Oregon
3 traded sector industries or Oregon growth businesses.

4 “(c) One member appointed by the Governor who is a representative of an Oregon-based, gen-
5 erally accredited, not-for-profit private institution of higher education.

6 “(d) A member of the Oregon Growth Account Board, appointed by the board, who has experi-
7 ence in the field of venture capital.

8 “(e) A member of the Engineering and Technology Industry Council, appointed by the Engi-
9 neering and Technology Industry Council.

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

11 “(g) The [*Chancellor of the Oregon University System*] **executive director of the Higher Edu-
12 cation Coordinating Commission.**

13 “[*h*] *The Commissioner for Community College Services.*]

14 “[*i*] **(h)** The State Treasurer.

15 “(2)(a) The Speaker of the House of Representatives shall appoint two members to the council
16 who are members of the House of Representatives.

17 “(b) The President of the Senate shall appoint two members to the council who are members of
18 the Senate.

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

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

23 “(a) The presiding officer of the Oregon Business Development Commission.

24 “(b) The chairperson of the [*State Board of Higher Education*] **Higher Education Coordinating
25 Commission.**

26 “[*c*] *The chairperson of the State Board of Education.*]

27 “[*d*] **(c)** An executive officer of an association representing Oregon-based, generally accredited,
28 not-for-profit private institutions of higher education, appointed by the Governor.

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

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

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

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

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

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

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

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

3 “(12) Members of the council who are not members of the Legislative Assembly are entitled to
4 compensation and expenses incurred by them in the performance of their official duties in the man-
5 ner and amounts provided for in ORS 292.495. Claims for compensation and expenses of members
6 of the council who are public officers shall be paid out of funds appropriated to the public agency
7 that employs the member. Claims for compensation and expenses of members of the council who are
8 not public officers shall be paid out of funds appropriated to the Oregon Business Development De-
9 partment for that purpose.

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

14 **“SECTION 207. If Senate Bill 270 becomes law, section 199 of this 2013 Act (amending**
15 **ORS 351.052) is repealed and ORS 351.052, as amended by section 7, chapter 104, Oregon Laws**
16 **2012, and section 42, chapter __, Oregon Laws 2013 (Enrolled Senate Bill 270), is amended**
17 **to read:**

18 “351.052. [(1) For the purposes of this section, ‘performance compact’ means an agreement between
19 the Higher Education Coordinating Commission and the State of Oregon to achieve certain performance
20 targets in order to enhance the success of Oregon university students in exchange for consideration of
21 the appropriations sought in a funding request submitted by the commission to the Governor.]

22 “[2)(a)] (1)(a) On or before April 1 of each even-numbered year, each public university listed in
23 ORS 352.002 must submit to an office designated by the Higher Education Coordinating Commission
24 as being responsible for university coordination a funding request applicable to the biennium be-
25 ginning on July 1 of the following year; and

26 “(b) On or before May 1 of each even-numbered year, the office designated under paragraph (a)
27 of this subsection shall consolidate the funding requests from public universities listed in ORS
28 352.002 and submit the consolidated funding requests to the Higher Education Coordinating Com-
29 mission.

30 “[3)] (2) On or before September 1 of each even-numbered year, the Higher Education Coordi-
31 nating Commission shall submit a funding request [and performance compact] to the Governor on
32 behalf of all the public universities listed in ORS 352.002.

33 “[4)] (3) The Governor’s biennial budget submitted to the Legislative Assembly may include the
34 Higher Education Coordinating Commission’s funding request for public universities listed in ORS
35 352.002.

36 “[5) The commission’s funding request must include, in addition to the performance compact, a
37 report on performance from the previous biennium’s performance compact.]

38 “[6) The Higher Education Coordinating Commission shall, by rule, establish a framework for the
39 development of a performance compact that must accompany the funding request to the Governor. The
40 framework must address, among other issues, the issue of tuition affordability for students.]

41 **“SECTION 208. If Senate Bill 270 becomes law, section 148 of this 2013 Act (amending**
42 **ORS 351.718) is repealed and ORS 351.718, as amended by section 81, chapter __, Oregon**
43 **Laws 2013 (Enrolled Senate Bill 270), is amended to read:**

44 “351.718. [(1)] The members of the Higher Education Coordinating Commission must be residents
45 of this state who are well informed on the principles of higher education.

1 “(2) *A member of the State Board of Higher Education, the Oregon Health and Science University*
2 *Board of Directors, the governing board of a public university with a governing board listed in section*
3 *3 of this 2013 Act or the governing board of a community college district may not serve as a member*
4 *of the Higher Education Coordinating Commission.]”.*

5 In line 23, delete “205” and insert “209”.

6 In line 29, delete “206” and insert “210”.

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