

Enrolled Senate Bill 267

Printed pursuant to Senate Interim Rule 213.28 by order of the President of the Senate in conformance with pre-session filing rules, indicating neither advocacy nor opposition on the part of the President (at the request of Senate Interim Committee on Education and Workforce Development for Oregon University System)

CHAPTER

AN ACT

Relating to the State Board of Higher Education; amending ORS 284.540, 284.706, 351.045 and 351.150.

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

SECTION 1. ORS 351.045 is amended to read:

351.045. The **State Board of Higher Education** shall elect one of its members as [*president*] **chairperson**, who shall serve for the fiscal year for which the [*president*] **chairperson** is elected. The board shall meet at least four times each fiscal year at such times and places as the [*president*] **chairperson** may determine. Eight members shall constitute a quorum for the transaction of business.

SECTION 2. ORS 351.150 is amended to read:

351.150. (1) As used in this section, "university lands" means lands granted to this state under the Act of February 14, 1859 (11 Stat. 383), for the support and maintenance of the University of Oregon.

(2) Legal title to all real property acquired by any of the public universities under the control of the State Board of Higher Education shall be taken and held in the name of the State of Oregon. Legal title to all real property heretofore or hereafter conveyed to any of the public universities is deemed to be conveyed to and vested in the State of Oregon. Authorized conveyances of all real property, other than university lands, acquired by or vested in the State of Oregon for the use or benefit of any of the public universities shall be executed in the name of the State of Oregon by the [*president*] **chairperson** and secretary of the board. Nothing in this section or in ORS 351.060 shall be considered as exempting such property from taxation.

(3) The Oregon University System shall have custody and control of and shall care for all real property used for public university purposes. Management, maintenance and preservation of all real property used for public university purposes is the responsibility of the Oregon University System.

SECTION 3. ORS 284.540 is amended to read:

284.540. (1) There is established the Governor's Council on Oregon's Economy.

(2) The members of the council are:

- (a) The presiding officer of the Oregon Business Development Commission;
- (b) The chairperson of the Oregon Transportation Commission;
- (c) The chairperson of the State Board of Agriculture;
- (d) The [*president*] **chairperson** of the State Board of Higher Education; and

- (e) Other persons designated by the Governor.
- (3) The council shall meet quarterly to:
 - (a) Discuss and coordinate the activities of each entity described in subsection (2) of this section that relate to economic development and improving the economy in Oregon; and
 - (b) Discuss and recommend to the Legislative Assembly methods for creating certainty for the development process.

SECTION 4. ORS 284.706 is amended to read:

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

- (a) The Governor or the Governor's designated representative, who shall be chairperson of the council.
- (b) Five members appointed by the Governor who are engaged in the operations of Oregon traded sector industries or Oregon growth businesses.
- (c) One member appointed by the Governor who is a representative of an Oregon-based, generally accredited, not-for-profit private institution of higher education.
- (d) A member of the Oregon Growth Account Board, appointed by the board, who has experience in the field of venture capital.
- (e) A member of the Engineering and Technology Industry Council, appointed by the Engineering and Technology Industry Council.
- (f) The Director of the Oregon Business Development Department.
- (g) The Chancellor of the Oregon University System.
- (h) The Commissioner for Community College Services.
- (i) The State Treasurer.

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

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

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

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

- (a) The presiding officer of the Oregon Business Development Commission.
- (b) The [*president*] **chairperson** of the State Board of Higher Education.
- (c) The chairperson of the State Board of Education.
- (d) An executive officer of an association representing Oregon-based, generally accredited, not-for-profit private institutions of higher education, appointed by the Governor.

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

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

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

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

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

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

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

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

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

(13) All agencies of state government, as defined in ORS 174.111, are directed to assist the council 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 council consider necessary to perform their duties.

SECTION 5. ORS 284.706, as amended by sections 21 and 31, chapter 90, Oregon Laws 2012, is amended to read:

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

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

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

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

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

(e) A member of the Engineering and Technology Industry Council, appointed by the Engineering and Technology Industry Council.

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

(g) The Chancellor of the Oregon University System.

(h) The Commissioner for Community College Services.

(i) The State Treasurer.

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

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

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

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

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

(b) The [*president*] **chairperson** of the State Board of Higher Education.

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

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

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

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

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

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

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

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

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Passed by Senate March 14, 2013

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Robert Taylor, Secretary of Senate

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Peter Courtney, President of Senate

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Tina Kotek, Speaker of House

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

Approved:

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

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John Kitzhaber, Governor

Filed in Office of Secretary of State:

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

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Kate Brown, Secretary of State