

House Bill 4147

Sponsored by Representative BUCKLEY; Representative UNGER (at the request of Oregon Student Association)
(Pre-session filed.)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Requires Governor to appoint to Higher Education Coordinating Commission as voting members one student from community college, one student from Eastern Oregon University, Oregon Institute of Technology, Southern Oregon University or Western Oregon University and one student from University of Oregon, Oregon State University or Portland State University.

Requires each university with governing board that has graduate program to include both graduate student and undergraduate student as voting members of governing board.

Requires Governor to conduct formal review on whether to remove member of governing board whose ability to serve is questioned by two-thirds vote of university's student senate and faculty senate.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to higher education; creating new provisions; amending ORS 351.715 and 352.076; and de-
3 claring an emergency.

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

5 **SECTION 1.** ORS 351.715 is amended to read:

6 351.715. (1) There is established a Higher Education Coordinating Commission, consisting of
7 *[nine]* **12** voting members appointed by the Governor.

8 (2) The Governor shall appoint:

9 (a) One member from each of the five congressional districts in this state; *[and]*

10 (b) Four members of the general public;

11 (c) **One student attending a community college in this state;**

12 (d) **One student attending Eastern Oregon University, Oregon Institute of Technology,**
13 **Southern Oregon University or Western Oregon University; and**

14 (e) **One student attending the University of Oregon, Oregon State University or Portland**
15 **State University.**

16 (3) The Governor shall also appoint *[five]* **three** nonvoting members to the commission. The
17 Governor shall elicit recommendations for appointments made under this subsection from official
18 *[student,]* faculty and nonfaculty staff organizations at community colleges and public universities
19 listed in ORS 352.002. The *[five]* **three** nonvoting members of the commission shall consist of:

20 *[(a) One student at a public university listed in ORS 352.002;]*

21 *[(b)]* (a) One faculty member at a public university listed in ORS 352.002;

22 *[(c) One student at a community college in this state;]*

23 *[(d)]* (b) One faculty member at a community college in this state; and

24 *[(e)]* (c) One nonfaculty member of the staff from either a public university listed in ORS 352.002
25 or a community college.

26 (4) The term of office of each voting member is four years, **except that the term for a student**

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted.
New sections are in **boldfaced** type.

1 **member is two years.** [*and*] The term of office for each nonvoting member is two years. A member
 2 serves at the pleasure of the Governor. Before the expiration of the term of a member, the Governor
 3 shall appoint a successor whose term begins on July 1 next following. A member is eligible for re-
 4 appointment. If there is a vacancy for any cause, the Governor shall make an appointment to become
 5 immediately effective for the unexpired term.

6 (5) The Governor may at any time, for cause, remove any member of the board that the Gover-
 7 nor has appointed, after notice and public hearing, but not more than three members shall be re-
 8 moved within a period of four years, unless it is for corrupt conduct in office.

9 (6) The appointment of voting members of the commission is subject to confirmation by the
 10 Senate in the manner prescribed in ORS 171.562 and 171.565.

11 (7) A member of the commission is entitled to compensation and expenses as provided in ORS
 12 292.495.

13 **SECTION 2.** ORS 352.076 is amended to read:

14 352.076. (1) A governing board for a public university must be formed and maintained as pro-
 15 vided in this section.

16 (2)(a) Except as provided in subsection (3) of this section, the Governor shall appoint all of the
 17 11 to 15 members of the governing board, subject to confirmation by the Senate in the manner pro-
 18 vided in ORS 171.562 and 171.565.

19 (b) The governing board must include one person who is [*a*] **an undergraduate** student enrolled
 20 at the university. The **undergraduate** student shall be a voting member of the board.

21 **(c) If the university with a governing board has one or more graduate programs, the**
 22 **governing board must include one person who is a graduate student enrolled at the univer-**
 23 **sity. The graduate student shall be a voting member of the board.**

24 [*c*] (d) The governing board must include one person who is a member of the faculty of the
 25 university and one person who is a member of the nonfaculty staff of the university. For each ap-
 26 pointment made under this paragraph, the Governor may appoint the person as either a voting or
 27 nonvoting member of the governing board.

28 (3) The president of the university shall be an ex officio nonvoting member of the governing
 29 board.

30 (4)(a) Except as provided in paragraph (b) of this subsection, the term of office for each ap-
 31 pointed member of the governing board is four years.

32 (b) The term of office of each student, faculty and nonfaculty staff member of the governing
 33 board is two years.

34 (c) A member of the governing board may not be appointed to serve more than two consecutive
 35 full terms.

36 (d) The Governor may remove any appointed member of the governing board at any time for
 37 cause, after notice and public hearing, but may not remove more than three members within a period
 38 of four years, unless it is for corrupt conduct in office.

39 **(e) The Governor shall conduct a formal review to determine whether to remove an ap-**
 40 **pointed member of the governing board for cause when the ability of a member to serve on**
 41 **the board has been called into question by a two-thirds vote of both the university's officially**
 42 **recognized student senate and the university's faculty senate.**

43 [*e*] (f) Vacancies shall be filled by appointment by the Governor for the remainder of the un-
 44 expired term.

45 (5) The governing board shall select one of its members as chairperson and another as vice

1 chairperson for such terms and with duties and powers as the board considers necessary for the
2 performance of the functions of those offices. The governing board shall adopt bylaws concerning
3 how a quorum is constituted and when a quorum is necessary.

4 (6) The governing board shall meet at least once quarterly, and may meet at the call of the
5 chairperson or a majority of the voting members of the board.

6 **SECTION 3. Notwithstanding the operative date set forth in section 4 of this 2014 Act,**
7 **the Governor shall appoint all additional members of the Higher Education Coordinating**
8 **Commission and governing boards at universities with a governing board that are required**
9 **by the amendments to ORS 351.715 and 352.076 by sections 1 and 2 of this 2014 Act by May**
10 **1, 2014, so that these appointees may be confirmed by the Senate in the manner provided in**
11 **ORS 171.562 and 171.565 by May 30, 2014.**

12 **SECTION 4. The amendments to ORS 351.715 and 352.076 by sections 1 and 2 of this 2014**
13 **Act become operative on July 1, 2014.**

14 **SECTION 5. This 2014 Act being necessary for the immediate preservation of the public**
15 **peace, health and safety, an emergency is declared to exist, and this 2014 Act takes effect**
16 **on its passage.**

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