

B-Engrossed
House Bill 2408

Ordered by the Senate May 26
Including House Amendments dated February 24 and Senate Amendments
dated May 26

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of Governor John A. Kitzhaber, M.D., for Higher Education Coordinating Commission)

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.

Changes name of Department of Community Colleges and Workforce Development to Office of Community Colleges and Workforce Development. Retains office within Higher Education Coordinating Commission.

Changes name of Commissioner for Community College Services to Director of the Office of Community Colleges and Workforce Development.

Changes name of Department of Community Colleges and Workforce Development Account to Office of Community Colleges and Workforce Development Account.

Transfers rulemaking authority and recipient of appropriations from Department of Community Colleges and Workforce Development to Office of Community Colleges and Workforce Development or Higher Education Coordinating Commission.

Transfers certain responsibilities from Commissioner for Community College Services or Chancellor of the Oregon University System to executive director of Higher Education Coordinating Commission.

Transfers from Department of Community Colleges and Workforce Development to Higher Education Coordinating Commission authority to spend unexpended balances of certain bond proceeds.

Declares emergency, effective July 1, 2015.

A BILL FOR AN ACT

1
2 Relating to administration of community colleges; creating new provisions; amending ORS 285A.516,
3 285A.519, 285A.522, 294.393, 294.456, 326.500, 327.380, 327.815, 329.850, 341.005, 341.019, 341.021,
4 341.039, 341.102, 341.105, 341.440, 341.446, 341.455, 341.487, 341.551, 341.626, 341.655, 341.665,
5 341.721, 341.725, 341.728, 341.731, 341.735, 341.751, 341.753, 341.755, 341.757, 341.759, 341.762,
6 341.764, 341.766, 341.768, 341.771, 341.773, 341.775, 341.777, 341.779, 341.782, 341.784, 341.787,
7 344.070, 344.080, 344.090, 344.125, 351.657, 351.708, 351.751, 351.755, 351.758, 351.762, 351.764,
8 351.766, 351.768, 353.606, 408.506, 413.600, 417.799, 418.653, 418.657, 418.658, 418.660, 421.084,
9 458.525, 576.768, 657.350, 657.734, 660.300, 660.312, 660.318, 660.339, 660.340, 660.341, 660.343,
10 660.346, 660.349, 660.352, 660.353, 660.354 and 759.445 and sections 11, 12, 13, 14 and 15, chapter
11 2, Oregon Laws 2009, section 26, chapter 904, Oregon Laws 2009, section 1, chapter 90, Oregon
12 Laws 2010, section 1, chapter 51, Oregon Laws 2014, and section 14a, chapter 121, Oregon Laws
13 2014; repealing ORS 341.739 and 348.890; and declaring an emergency.

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

15 **SECTION 1.** ORS 351.755 is amended to read:

16 351.755. (1) The [*Department*] **Office** of Community Colleges and Workforce Development shall
17 function under the direction and control of the Higher Education Coordinating Commission with the
18 [*Commissioner for Community College Services*] **Director of the Office of Community Colleges and**

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 **Workforce Development** serving as an administrative officer for community college matters.

2 (2) **Except as provided in subsection (3) of this section, the commission may adopt any**
3 **rules necessary for the effective and efficient administration of the office or for the admin-**
4 **istration of laws that the office is charged with administering.**

5 [(2)] (3) The [*Department of Community Colleges and Workforce Development*] **commission**, in
6 consultation with the **office and the** Education and Workforce Policy Advisor and pursuant to ORS
7 chapter 183, may adopt any rules necessary for the administration of laws related to the federal
8 Workforce Investment Act that the [*department*] **office** is charged with administering.

9 **SECTION 2.** ORS 351.755, as amended by section 3, chapter 83, Oregon Laws 2014, is amended
10 to read:

11 351.755. (1) The [*Department*] **Office** of Community Colleges and Workforce Development is es-
12 tablished within the Higher Education Coordinating Commission. The [*department*] **office** shall
13 function under the direction and control of the commission, with the [*Commissioner for Community*
14 *College Services*] **Director of the Office of Community Colleges and Workforce Development**
15 serving as an administrative officer for community college matters.

16 (2) **Except as provided in subsection (3) of this section, the commission may adopt any**
17 **rules necessary for the effective and efficient administration of the office or for the admin-**
18 **istration of laws that the office is charged with administering.**

19 [(2)] (3) The [*Department of Community Colleges and Workforce Development*] **commission**, in
20 consultation with the **office and the** Education and Workforce Policy Advisor and pursuant to ORS
21 chapter 183, may adopt any rules necessary for the administration of laws related to the federal
22 Workforce Investment Act that the [*department*] **office** is charged with administering.

23 **SECTION 3.** ORS 351.762 is amended to read:

24 351.762. (1) The executive director of the Higher Education Coordinating Commission shall ap-
25 point a [*Commissioner for Community College Services*] **Director of the Office of Community Col-**
26 **leges and Workforce Development** who shall[:]

27 [(a)] serve at the pleasure of the executive director.

28 [(b) *Serve under the direction and control of the Chief Education Officer appointed under section*
29 *2, chapter 519, Oregon Laws 2011, for matters related to the design and organization of the state's*
30 *education system.*]

31 (2) The [*commissioner*] **director** shall be a person who by training and experience is well quali-
32 fied to perform the duties of the office and to assist in carrying out the functions of the Higher
33 Education Coordinating Commission under this section and ORS 341.015, 341.440, 341.455, 341.626,
34 341.655 and 341.933.

35 (3) The [*commissioner*] **director** shall:

36 (a) Be the executive head of the [*Department*] **Office** of Community Colleges and Workforce
37 Development.

38 (b) Direct and supervise all activities of the [*Department*] **Office** of Community Colleges and
39 Workforce Development.

40 (c) Hire staff, as authorized by the executive director of the Higher Education Coordinating
41 Commission to assist in carrying out the duties of the [*commissioner*] **director**. The staff shall be
42 considered employees of the [*Department*] **Office** of Community Colleges and Workforce Development
43 for purposes of ORS chapters 240 and 243.

44 (d) Be responsible directly to[:]

45 [(A)] the executive director of the Higher Education Coordinating Commission for those duties

1 enumerated in ORS chapter 341.

2 *[(B) The Chief Education Officer for matters related to the design and organization of the state's*
3 *education system.]*

4 (4) The *[commissioner]* **director**, with approval of the executive director of the Higher Education
5 Coordinating Commission, shall be responsible for the representation of community college interests
6 to the Governor, the Legislative Assembly, state agencies and others.

7 (5) *[The commissioner, with the approval of]* The executive director[,] **of the Higher Education**
8 **Coordinating Commission** shall be responsible for submitting community college budget requests
9 and budget reports for the *[Department]* **Office** of Community Colleges and Workforce Development
10 to the Legislative Assembly. The **Higher Education Coordinating** Commission shall ensure that
11 the budget request for community colleges and for the *[Department]* **Office** of Community Colleges
12 and Workforce Development are separate and distinct from *[its]* **the commission's** other requests
13 to the Legislative Assembly.

14 **SECTION 4.** ORS 351.762, as amended by section 9, chapter 36, Oregon Laws 2012, and section
15 186, chapter 747, Oregon Laws 2013, is amended to read:

16 351.762. (1) The executive director of the Higher Education Coordinating Commission shall ap-
17 point a *[Commissioner for Community College Services]* **Director of the Office of Community Col-**
18 **leges and Workforce Development** who shall serve at the pleasure of the executive director.

19 (2) The *[commissioner]* **director** shall be a person who by training and experience is well quali-
20 fied to perform the duties of the office and to assist in carrying out the functions of the Higher
21 Education Coordinating Commission under this section and ORS 341.015, 341.440, 341.455, 341.626,
22 341.655 and 341.933.

23 (3) The *[commissioner]* **director** shall:

24 (a) Be the executive head of the *[Department]* **Office** of Community Colleges and Workforce
25 Development.

26 (b) Direct and supervise all activities of the *[Department]* **Office** of Community Colleges and
27 Workforce Development.

28 (c) Hire staff, as authorized by the executive director of the Higher Education Coordinating
29 Commission to assist in carrying out the duties of the *[commissioner]* **director**. The staff shall be
30 considered employees of the *[Department]* **Office** of Community Colleges and Workforce Development
31 for purposes of ORS chapters 240 and 243.

32 (d) Be responsible directly to the executive director of the Higher Education Coordinating
33 Commission for those duties enumerated in ORS chapter 341.

34 (4) The *[commissioner]* **director**, with approval of the executive director of the Higher Education
35 Coordinating Commission, shall be responsible for the representation of community college interests
36 to the Governor, the Legislative Assembly, state agencies and others.

37 (5) *[The commissioner, with the approval of]* The executive director[,] **of the Higher Education**
38 **Coordinating Commission** shall be responsible for submitting community college budget requests
39 and budget reports for the *[Department]* **Office** of Community Colleges and Workforce Development
40 to the Legislative Assembly. The **Higher Education Coordinating** Commission shall ensure that
41 the budget request for community colleges and for the *[Department]* **Office** of Community Colleges
42 and Workforce Development are separate and distinct from *[its]* **the commission's** other requests
43 to the Legislative Assembly.

44 **SECTION 5.** ORS 351.758 is amended to read:

45 351.758. (1) The *[Department]* **Office** of Community Colleges and Workforce Development Ac-

1 count is established **in the State Treasury**, separate and distinct from the General Fund. Except
2 for moneys otherwise designated by statute, all fees, assessments and other moneys received by the
3 *[Department]* **Office** of Community Colleges and Workforce Development shall be deposited into the
4 State Treasury and credited to the account. All moneys in the account are continuously appropri-
5 ated to the *[department]* **Higher Education Coordinating Commission** for purposes authorized by
6 law.

7 (2) The *[department]* **office** may accept gifts, grants and donations from any source to carry out
8 the duties imposed upon the *[department]* **office**. Moneys received under this subsection shall be paid
9 into the account.

10 (3) The *[department]* **office** shall keep a record of all moneys deposited into the account. The
11 record shall indicate by separate cumulative subaccounts the sources from which the moneys are
12 derived and the individual activity or program against which each withdrawal is charged.

13 (4) Disbursements from the account shall be made as directed by the *[department]* **Higher Edu-
14 cation Coordinating Commission**.

15 **SECTION 6.** ORS 351.758, as amended by section 4, chapter 83, Oregon Laws 2014, is amended
16 to read:

17 351.758. (1) The *[Department]* **Office** of Community Colleges and Workforce Development Ac-
18 count is established **in the State Treasury**, separate and distinct from the General Fund. Except
19 for moneys otherwise designated by statute, all fees, assessments and other moneys received by the
20 *[Department]* **Office** of Community Colleges and Workforce Development shall be deposited into the
21 State Treasury and credited to the account. All moneys in the account are continuously appropri-
22 ated to the Higher Education Coordinating Commission for purposes authorized by law.

23 (2) The *[department]* **office** may accept gifts, grants and donations from any source to carry out
24 the duties imposed upon the *[department]* **office**. Moneys received under this subsection shall be paid
25 into the account.

26 (3) The *[department]* **office** shall keep a record of all moneys deposited into the account. The
27 record shall indicate by separate cumulative subaccounts the sources from which the moneys are
28 derived and the individual activity or program against which each withdrawal is charged.

29 (4) Disbursements from the account shall be made as directed by the Higher Education Coordi-
30 nating Commission.

31
32 **HIGHER EDUCATION STATUTES**

33
34 **SECTION 6a.** ORS 351.657 is amended to read:

35 351.657. The *[State Board of Education and the State Board of Higher Education]* **Higher Edu-
36 cation Coordinating Commission** shall report annually on or before February 1 to committees of
37 the Legislative Assembly related to veterans and military affairs and to higher education regarding
38 students who have received tuition relief and assistance under ORS 351.656 and 352.375 including
39 but not limited to the following:

40 (1) The number of nonresident veterans who were assessed reduced tuition rates under ORS
41 352.375 and the amount of nonresident tuition moneys not assessed as a result of receiving the re-
42 duced tuition rates under ORS 352.375;

43 (2) The number of qualified students receiving tuition waivers under ORS 351.656, the amount
44 of tuition waived and the relationship of the qualified student to a service member or Purple Heart
45 recipient under ORS 351.656; and

1 (3) Any other relevant information.

2 **SECTION 7.** ORS 351.708 is amended to read:

3 351.708. (1) As used in this section, “employee group” means each category of employee em-
4 ployed by a public institution of higher education, including at least categories for:

- 5 (a) Administrative or management employees;
- 6 (b) Faculty employees; and
- 7 (c) Classified or professional nonfaculty employees.

8 (2) The State Board of Higher Education shall establish baselines and conduct an annual review
9 of each public university listed in ORS 352.002 with respect to the employment of all employee
10 groups. Each public university shall provide the necessary data for the board’s report prior to Sep-
11 tember 1 of each year. The board shall use data available from a national post-secondary data col-
12 lection system within the United States Department of Education. The board shall report the results
13 of the reviews to the Legislative Assembly and the Governor’s office prior to December 1 of each
14 year.

15 (3) The [*Department*] **Office** of Community Colleges and Workforce Development shall determine
16 definitions and data that will be used for annual reviews and conduct an annual review of each
17 community college district with respect to the employment of all employee groups. The
18 [*department*] **office** shall use data available from a national post-secondary data collection system
19 within the United States Department of Education. The [*department*] **office** shall report the results
20 of the reviews to the Legislative Assembly and the Governor before December 1 of each year.

21 (4) An annual review under this section must include:

22 (a) Examination of data related to the ratio of instruction provided by the following faculty
23 categories:

- 24 (A) Full-time faculty;
- 25 (B) Part-time faculty; and
- 26 (C) Graduate assistants.
- 27 (b) The pay differential for the faculty categories.
- 28 (c) The average contracted wages for each employee group.

29 (d) The number of employees in each employee group within a public university or community
30 college district, and a ratio of the number of employees in each employee group to the number of
31 students enrolled in the university or district, both full-time and part-time.

32 (e) The health care and other benefits provided for each faculty category.

33 (f) A recommendation on whether a different method of data tracking would improve the ability
34 of the Legislative Assembly to obtain the most precise and relevant data on staffing ratios without
35 placing undue financial burdens on public universities and community colleges.

36 **SECTION 8.** ORS 351.751 is amended to read:

37 351.751. (1) The Higher Education Coordinating Commission shall work with the State Board of
38 Higher Education, community college districts and independent for-profit and not-for-profit insti-
39 tutions of higher education to carry out the following goals:

40 (a) Increase the number of students who receive academic credit for prior learning and the
41 number of students who receive academic credit for prior learning that counts toward their major
42 or toward earning their degree, certificate or credential, while ensuring that credit is awarded only
43 for high quality course-level competencies;

44 (b) Increase the number and type of academic credits accepted for prior learning in institutions
45 of higher education, while ensuring that credit is awarded only for high quality course-level com-

1 petencies;

2 (c) Develop transparent policies and practices in awarding academic credit for prior learning to
3 be adopted by the governing boards of public universities, community colleges and independent in-
4 stitutions of higher education;

5 (d) Improve prior learning assessment practices across all institutions of higher education;

6 (e) Create tools to develop faculty and staff knowledge and expertise in awarding academic
7 credit for prior learning and to share exemplary policies and practices among institutions of higher
8 education;

9 (f) Develop articulation agreements when patterns of academic credit for prior learning are
10 identified for particular programs and pathways; and

11 (g) Develop outcome measures to track progress on the goals outlined in this section.

12 (2) The Higher Education Coordinating Commission shall appoint an advisory committee to co-
13 ordinate implementation of the goals in subsection (1) of this section. The committee shall include:

14 (a) A member recommended for appointment by the State Board of Higher Education repre-
15 senting public universities in this state.

16 (b) A member recommended for appointment by the [*Commissioner for Community College Ser-*
17 *vices*] **Director of the Office of Community Colleges and Workforce Development** representing
18 community colleges in this state.

19 (c) A member representing independent not-for-profit institutions of higher education located in
20 this state.

21 (d) A member representing for-profit institutions of higher education offering degree programs
22 to students in this state.

23 (e) A member representing the business community.

24 (f) A member representing the labor community.

25 (g) A member who is a student at a two-year or four-year institution of higher education located
26 in this state.

27 (h) Other members appointed by the Higher Education Coordinating Commission based upon a
28 demonstrated interest in and knowledge of prior learning programs.

29 (3) The Higher Education Coordinating Commission shall submit an annual report to the Legis-
30 lative Assembly no later than December 31 of each calendar year, in the manner prescribed by ORS
31 192.245, reporting on progress toward meeting the goals set forth in subsection (1) of this section.

32 (4) For the purposes of this section, “prior learning” means the knowledge and skills gained
33 through work and life experience, through military training and experience and through formal and
34 informal education and training from institutions of higher education in the United States and in
35 other nations.

36 **SECTION 9.** ORS 351.764 is amended to read:

37 351.764. [*There is created within*] **The Advanced Technology Education and Training Fund**
38 **is established in** the State Treasury, separate and distinct from the General Fund[, *the Advanced*
39 *Technology Education and Training Fund*]. Moneys in the **Advanced Technology Education and**
40 **Training Fund** are continuously appropriated to the [*Department of Community Colleges and*
41 *Workforce Development*] **Higher Education Coordinating Commission** for the purpose of making
42 grants and loans for the provision of advanced technology education and training opportunities un-
43 der ORS 351.766.

44 **SECTION 10.** ORS 351.766 is amended to read:

45 351.766. (1) The [*Department of Community Colleges and Workforce Development*] **Higher Edu-**

1 **ation Coordinating Commission** shall establish by rule a process for making grants or loans to
2 public-private partnerships to provide advanced technology education and training opportunities.
3 The purpose of the grants and loans is to support the development and implementation of public-
4 private partnerships to provide advanced technology education and training opportunities in all
5 business and industry sectors for individuals in communities throughout Oregon. The partnerships
6 shall be between public and private entities and may include joint ventures among business and in-
7 dustry, school districts, education service districts, eligible post-secondary institutions as defined in
8 ORS 348.180 and public bodies as defined in ORS 174.109.

9 (2) A public-private partnership that receives a grant or loan under this section must provide
10 advanced technology education and training opportunities that:

11 (a) Address current and future workforce development needs dictated by Oregon's rapidly
12 changing economy;

13 (b) Facilitate sustainable and dynamic economic development in communities by creating flexible
14 opportunities for workforce development;

15 (c) Establish results oriented, collaborative investments of public and private resources in com-
16 munities throughout Oregon;

17 (d) Ensure that Oregon's capacity for economic growth and vitality is not limited by a lack of
18 opportunities for workforce development; and

19 (e) Provide support to existing community efforts to establish innovative strategies for delivering
20 advanced technology education and training.

21 (3) The process established by the *[department]* **commission** for making grants and loans shall
22 ensure that:

23 (a) Local communities are informed about the availability of the grants and loans;

24 (b) Advanced technology education and training projects are geographically distributed
25 throughout Oregon;

26 (c) There is equal opportunity for urban and rural access to quality education and training op-
27 portunities;

28 (d) Representatives of related, ongoing community efforts assist in the implementation of ad-
29 vanced technology education and training projects; and

30 (e) Procedures and timelines are designed to minimize barriers to receiving funds.

31 (4) When considering applications for grants and loans, the *[department]* **Office of Community**
32 **Colleges and Workforce Development** shall give priority to advanced technology education and
33 training projects that:

34 (a) Provide or increase access for individuals to advanced technology education and training
35 through the efforts of local and regional career centers and partnerships and distance education
36 technology available locally and regionally;

37 (b) In combination with other projects receiving funds, contribute to advanced technology edu-
38 cation and training opportunities in every part of the state;

39 (c) Use federal funds;

40 (d) Have widespread community support as evidenced by a memorandum of agreement or similar
41 documentation;

42 (e) Represent an effective sharing of resources through public-private partnerships among busi-
43 ness and industry, school districts, education service districts, eligible post-secondary institutions
44 as defined in ORS 348.180 and public bodies as defined in ORS 174.109;

45 (f) Have a long-term strategic plan and lack only the necessary financial resources;

1 (g) Provide state-of-the-art technology that meets current standards of business and industry and
2 addresses local and regional economic development priorities;

3 (h) Help individuals connect education and training with career planning and job opportunities
4 through local and regional career centers as implemented under the federal Workforce Investment
5 Act;

6 (i) Provide articulated education programs that lead to a degree or an industry-specific skills
7 certification; and

8 (j) Establish short-term training programs that meet the immediate needs of local employers in
9 their communities.

10 (5)(a) A public-private partnership awarded a grant or loan under this section shall use the grant
11 or loan for any of the following:

12 (A) Infrastructure construction or reconstruction.

13 (B) Equipment or technology purchases.

14 (C) Curriculum development.

15 (D) Expansion or revision of a current project to increase the capacity of the project, alter the
16 project plan, change the members of the partnership or address education or employment deficien-
17 cies in the community served by the public-private partnership.

18 (b) A grant or loan awarded under this section for the purpose described in paragraph (a)(D)
19 of this subsection may not exceed \$25,000.

20 (6) The application for a grant or loan under this section shall include:

21 (a) The names of the members of the public-private partnership;

22 (b) A description of standards used to assess the performance of the project;

23 (c) An estimate of the number of individuals who will be served by the project;

24 (d) The name of the fiscal agent of the public-private partnership;

25 (e) A project plan covering at least the first two years after receipt of a grant or loan; and

26 (f) The name of the person who will be responsible for convening the public-private partnership
27 on a regular basis.

28 (7) The *[department]* **commission** may accept contributions of funds and assistance from the
29 United States Government or its agencies or from any other source, public or private, and agree to
30 conditions placed on the funds not inconsistent with the purposes of this section.

31 (8) Any moneys received by the *[department]* **commission** through repayment of a loan awarded
32 under this section, or received by the *[department]* **commission** under subsection (7) of this section,
33 shall be deposited by the *[department]* **commission** in the Advanced Technology Education and
34 Training Fund **established under ORS 351.764**.

35 **SECTION 11.** ORS 351.768 is amended to read:

36 351.768. (1) The *[Commissioner for Community College Services]* **Director of the Office of**
37 **Community Colleges and Workforce Development** may issue General Educational Development
38 (GED) certificates to persons who demonstrate satisfactory performance in tests prescribed under
39 subsection (2) of this section or meet the requirements of any prescribed evaluative procedure.

40 (2) The Higher Education Coordinating Commission by rule may prescribe tests and other ap-
41 propriate evaluation procedures for the purposes of subsection (1) of this section and may establish
42 age, residence and other relevant qualifications for applicants.

43 (3) The *[Department]* **Office** of Community Colleges and Workforce Development may utilize its
44 personnel and facilities for the administration of this section, and the commission may establish by
45 rule a nonrefundable application fee. The fee may be waived by the commission in case of hardship.

1 (4) Subject to prior approval of the Oregon Department of Administrative Services and a report
2 to the Emergency Board prior to adopting the fee, the fee established under subsection (3) of this
3 section shall not exceed the cost of administering the program, as authorized by the Legislative
4 Assembly within the [commission's] office's budget, as the budget may be modified by the Emergency
5 Board.

6 (5) All moneys received under this section shall be deposited in the State Treasury to the credit
7 of the [Department] Office of Community Colleges and Workforce Development and shall be used
8 exclusively for administration of this section. The [Department] Office of Community Colleges and
9 Workforce Development shall keep a record of all moneys deposited in such account. The record
10 shall indicate by separate cumulative accounts the source from which the moneys are derived and
11 the individual activity against which each withdrawal is charged.

12 (6) The [Commissioner for Community College Services] Director of the Office of Colleges and
13 Workforce Development shall consult with the Superintendent of Public Instruction on all matters
14 related to evaluation procedures used to measure equivalent achievement under this section. The
15 superintendent is authorized to make independent recommendations on evaluation procedures to the
16 [commission] office in those cases where the superintendent's judgment differs from that of the
17 [commissioner] director.

18
19 **COMMUNITY COLLEGE STATUTES**
20

21 **SECTION 12.** ORS 341.005 is amended to read:

22 341.005. As used in this chapter, unless the context otherwise requires:

23 (1) "Academic year" means the year beginning July 1 of each year and ending June 30 of the
24 following year running concurrently with the fiscal year.

25 (2) "Board" means the board of education of a community college district.

26 (3) "Board member" means a member of the board of education of a community college district.

27 [(4) "Commissioner" means the Commissioner for Community College Services appointed under
28 ORS 351.762 by the executive director of the Higher Education Coordinating Commission.]

29 [(5)] (4) "Community college" means a public institution operated by a community college dis-
30 trict for the purposes of providing courses of study limited to not more than two years' full-time
31 attendance, with the exception of technical programs in which the curriculum may require more
32 than two years of attendance but less than four years, and designed to meet the needs of a ge-
33 ographical area by providing educational services, including but not limited to career and technical
34 education programs or lower division collegiate programs.

35 [(6)] (5) "Community college district" or "district" means a district formed under this chapter
36 to operate one or more community colleges or to secure educational services available at a com-
37 munity college. "Community college district" includes a community college service district.

38 (6) "Director" means the Director of the Office of Community Colleges and Workforce
39 Development appointed under ORS 351.762 by the executive director of the Higher Education
40 Coordinating Commission.

41 (7) "Full-time equivalent student" means a student or combination of several students who car-
42 ries or carry among them, within a single academic year, a minimum number of clock hours of in-
43 struction, in any program, to be specified by rule by the Higher Education Coordinating Commission.

44 (8) "Paying agent and registrar" means the county treasurer or county fiscal officer of the
45 county in which the chief administrative officer of the community college district maintains the ad-

1 ministrative office.

2 (9) "Petitioning territory" means a community college district petitioning to have an area out-
3 side the district included in the district or to have an area inside the district excluded from the
4 district, or an area outside the district petitioning to be included within the district.

5 (10) "Principal county" means the county in which the chief administrative officer of the com-
6 munity college district maintains the administrative office.

7 **SECTION 13.** ORS 341.019 is amended to read:

8 341.019. (1) All areas within this state shall be served by a community college district. Such
9 services may be provided either:

10 (a) Directly by formation of a community college district; or

11 (b) Indirectly by contract with an existing community college district.

12 (2) The *[Department]* **Office** of Community Colleges and Workforce Development shall fix re-
13 sponsibility for serving each area that is not within a community college district. Where feasible,
14 each area shall be a whole county or a group of counties or that part of a county not already in a
15 community college district.

16 (3) In order to obtain the services described in subsection (1)(b) of this section, residents of a
17 nondistrict area must indicate their interest in receiving services by requesting formation of a local
18 advisory committee and seeking the advice and counsel of the *[Department]* **Office** of Community
19 Colleges and Workforce Development.

20 (4) The Higher Education Coordinating Commission by rule shall establish standards for **the**
21 **Office of Community Colleges and Workforce Development to use** determining when there is
22 sufficient interest among the residents of a nondistrict area to warrant appointment of a local ad-
23 visory committee.

24 (5) When the *[Department]* **Office** of Community Colleges and Workforce Development has made
25 the determination under subsection (4) of this section, the *[department]* **office** and the interested
26 residents of the nondistrict area shall apply jointly to the governing body of the county for the ap-
27 pointment of a local advisory committee.

28 (6) Upon application, the governing body of the county shall appoint a local advisory committee
29 and shall *[insure]* **ensure** that the committee is broadly representative of the nondistrict area.

30 (7) If the nondistrict area involves two or more counties, the governing body of each county
31 shall appoint members to the local advisory committee in proportion to the number of county resi-
32 dents within the nondistrict area.

33 (8) The governing body of a county making appointments under subsection (6) or (7) of this
34 section shall not be obligated to fund any part of the budget described in ORS 341.021 (3).

35 (9) The duties of the local advisory committee shall include, but need not be limited to, advising
36 the officials of the community college district serving the nondistrict area on the educational needs
37 of the area.

38 (10) As used in ORS 341.019 to 341.022, "community college district" includes a community col-
39 lege service district.

40 **SECTION 14.** ORS 341.021 is amended to read:

41 341.021. (1) The *[Department]* **Office** of Community Colleges and Workforce Development shall
42 invite existing community college districts to submit proposals for the provision of service to an
43 area that has officially indicated its interest in receiving service.

44 (2) The responsibilities of the host community college district shall include:

45 (a) Preparing a written agreement for services to be provided to nondistrict areas using a format

1 specified by the [*Department of Community Colleges and Workforce Development*] **office**; and

2 (b) Acting as the fiscal agent for agreements including establishing tuition and fees for services
3 offered under terms of an agreement.

4 (3) Agreements between the community college district and nondistrict entities as listed in ORS
5 341.315 shall include an annual budget setting forth both revenue and expenditures. The budget shall
6 be based upon the following conditions:

7 (a) Subject to ORS 341.022, eligible full-time equivalent student enrollment produced under the
8 agreement may be claimed for state reimbursement purposes by the community college district.
9 Such reimbursement shall come from the Community College Support Fund established in ORS
10 341.620 and shall be distributed as directed in ORS 341.626 and the rules of the Higher Education
11 Coordinating Commission.

12 (b) A share of the budget shall be provided by those individuals or agencies receiving service
13 under this agreement as specified by rule of the commission adopted under ORS 341.024 (3).

14 (4) Agreements developed under this section shall be wholly supported by Community College
15 Support Fund reimbursement, nondistrict student tuition and nondistrict resources.

16 **SECTION 15.** ORS 341.039 is amended to read:

17 341.039. (1) A petition submitted pursuant to ORS 341.025 may specify that the proposed district
18 be organized as a community college service district. The formation of a community college service
19 district shall comply with the provisions of ORS 341.025 to 341.125. A petition affecting a territory
20 that, in the judgment of the [*Commissioner for Community College Services*] **Director of the Office**
21 **of Community Colleges and Workforce Development**, will not generate an annual enrollment in
22 excess of 1,000 full-time equivalent students after three years of operation shall be considered to be
23 a petition for the formation of a community college service district.

24 (2) If formed, a community college service district shall in all respects be governed by the laws
25 applicable to community college districts with the following exceptions:

26 (a) Notwithstanding ORS 341.675, community college service districts formed **on or** after July
27 1, 1997, may not incur bonded indebtedness for any purpose. This limitation shall not be construed
28 to prohibit lease-purchase arrangements or other lawful forms of capital financing. A community
29 college service district may hold and own buildings and grounds acquired through gifts or financing
30 methods authorized by this section.

31 (b) The board of education for a community college service district shall annually review the
32 programs and services of the service district. This review shall have as its purpose a determination
33 of which services can most effectively and economically be delivered directly and which services can
34 best be delivered through contracting arrangements. The direct hiring of faculty and staff is ex-
35 pressly permitted.

36 (3) After having been in operation for at least three years, a community college service district
37 may submit to the electors of the district the question of whether the district shall operate as a
38 community college district.

39 (4) Prior to submitting the question to the electors, the community college service district must
40 have been in operation for three years, and must have secured the approval of the Higher Education
41 Coordinating Commission to hold the election. Before granting approval, the commission must find:

42 (a) The service district has acquired stability as demonstrated by a continuity of management,
43 regularly adopted policies and procedures and adequate financial resources; and

44 (b) The service district has adopted a sound comprehensive plan that sets out the district's in-
45 structional and capital plans for five years.

1 **SECTION 16.** ORS 341.102 is amended to read:

2 341.102. If the Legislative Assembly approves the recommendation submitted under ORS 341.076,
3 341.565 or 341.579, the Legislative Assembly shall appropriate [*or allocate*] to the **Higher Education**
4 **Coordinating Commission for the purpose of allocation to the Office** [*Department*] of Community
5 Colleges and Workforce Development moneys necessary to pay the expenses of the election under
6 ORS 341.085, 341.565, 341.569 or 341.579 (1) if the election is to occur within 24 months of the ap-
7 propriation or allocation. If the election does not occur within the biennium immediately following
8 the appropriation or allocation, the question shall be brought before the next Legislative Assembly.
9 The state shall fund the election without regard to the outcome of the election.

10 **SECTION 17.** ORS 341.105 is amended to read:

11 341.105. When at the request of the Higher Education Coordinating Commission the county clerk
12 of the principal county, in consultation with county clerks of the affected counties, prepares a list
13 or lists of names and addresses of the electors registered in the proposed district, the [*Department*]
14 **Office** of Community Colleges and Workforce Development is authorized to pay the charge as de-
15 termined under ORS 255.305.

16 **SECTION 18.** ORS 341.440 is amended to read:

17 341.440. (1) A community college district may contract with another community college district,
18 a common or union high school district, an education service district, a public university listed in
19 ORS 352.002, the Oregon Health and Science University, a private educational institution accredited
20 by the Northwest Commission on Colleges and Universities or its successor or a career school as
21 defined in ORS 345.010 to obtain educational services for students enrolled in the community college
22 of the district. However, the educational services so obtained must meet the standards for educa-
23 tional services provided by the college and the contract price to the college for such services must
24 not exceed the costs that would otherwise be incurred by the college to provide its students the
25 same or similar services.

26 (2) Educational services for which a district operating a community college may contract include
27 services offered by correspondence and services offered electronically or through telecommuni-
28 cations if such services are accredited by a nationally recognized accrediting association.

29 (3) For purposes of ORS 341.626, costs incurred under subsection (1) of this section shall be
30 considered operating expenses of the district if the contract is approved by the [*Commissioner for*
31 *Community College Services*] **Director of the Office of Community Colleges and Workforce De-**
32 **velopment.**

33 **SECTION 19.** ORS 341.446 is amended to read:

34 341.446. (1) At the beginning of each school year, the [*Department*] **Office** of Community Colleges
35 and Workforce Development shall make the following information available for distribution to public
36 school students who are in grades 11 and 12:

- 37 (a) The academic programs and services provided by community colleges;
38 (b) Recommendations for successful completion of community college programs; and
39 (c) Any other information identified by the [*department*] **office** as being necessary to assist stu-
40 dents in preparing to succeed in community colleges.

41 (2) Representatives of the State Board of Education and the Higher Education Coordinating
42 Commission shall regularly meet for the purpose of improving coordination between public second-
43 ary schools and community colleges.

44 **SECTION 20.** ORS 341.455 is amended to read:

45 341.455. (1) A community college may give credit for courses or programs taken in a career

1 school. The courses or programs for which credit may be given must meet the standards adopted
2 by the Higher Education Coordinating Commission under ORS 345.325, must be taken at a career
3 school domiciled in this state and must be approved for credit by the [*Commissioner for Community*
4 *College Services*] **Director of the Office of Community Colleges and Workforce Development**.

5 (2) A community college **board** may charge a transcribing fee to a student for courses taken
6 at a career school and accepted by the community college under subsection (1) of this section. Such
7 a fee is to be set by the [*commission*] **board** and is to be consistent with other student fees.

8 (3) Time spent by students on such courses shall not be considered as clock hours of instruction
9 in determining full-time equivalency for purposes of ORS 341.626.

10 **SECTION 21.** ORS 341.487 is amended to read:

11 341.487. (1) Community colleges in Oregon shall admit students from other states at the same
12 tuition rate assessed against Oregon residents who are residents of the community college district
13 if:

14 (a) The state in which the student resides agrees to pay and pays its per capita state aid for
15 comparable students in the state to the community college;

16 (b) The state in which the students reside agrees to permit and permits one-for-one full-time
17 enrollment exchange arrangements that allow an equal number of Oregon residents to be admitted
18 to community colleges or comparable institutions in the state at the same tuition rate assessed
19 against residents of the state and community colleges or comparable institutions in the state in
20 which the students reside agree to admit and admit approved Oregon residents without assessing
21 nonresident tuition; or

22 (c) The board of the community college determines out-of-state residents are essential to pro-
23 viding the critical mass to offer programs that would otherwise be unavailable to Oregon residents.

24 (2) The [*Department of Community Colleges and Workforce Development*] **Higher Education Co-**
25 **ordinating Commission** shall enter into agreements with such other states as are willing to agree
26 to the provisions of this section to establish reimbursement procedures or one-for-one exchange
27 procedures.

28 (3) In cases described in subsection (1)(a) of this section, the [*Department*] **Office** of Community
29 Colleges and Workforce Development shall pay from funds available therefor to the state that agrees
30 to pay and does pay its per capita state aid to eligible Oregon community colleges to the credit of
31 the community college or comparable institution educating the Oregon resident an amount equal to
32 the amount that would be available under ORS 341.626 if the Oregon resident were enrolled in a
33 community college in this state. From these same funds, the [*Department*] **Office** of Community
34 Colleges and Workforce Development shall pay to the Oregon community colleges admitting ap-
35 proved one-for-one exchange students as provided by subsection (1)(b) of this section, from other
36 states, an amount equal to the amount that would be available under ORS 341.626 as if the enrolled
37 one-for-one students were Oregon residents. The [*Department*] **Office** of Community Colleges and
38 Workforce Development shall not reimburse Oregon community colleges [*who*] **that** admit students
39 from other states under subsection (1)(c) of this section.

40 (4) If a state that has entered into the agreement to pay the per capita state aid to eligible
41 Oregon community colleges as described in subsections (1) and (2) of this section does not make any
42 payment agreed to, the agreement terminates after the affected community college notifies the
43 Higher Education Coordinating Commission of the lack of payment. The termination is effective 30
44 days after the commission notifies the appropriate agency of the other state that the agreement is
45 terminated if no payment is received by the end of the academic period for which tuition is assessed

1 and no payment is received at that time. The agreement may be reinstated by mutual consent of the
2 parties.

3 (5) The Higher Education Coordinating Commission shall adopt rules governing attendance in
4 community colleges or comparable institutions in other states for purposes of the reimbursement
5 authorized under subsections (1) and (2) of this section to *[assure]* **ensure** that Oregon residents
6 shall not be the object of such reimbursement if they can obtain the same education within the state
7 without undue hardship.

8 **SECTION 22.** Section 1, chapter 51, Oregon Laws 2014, is amended to read:

9 **Sec. 1.** (1) The *[Department]* **Office** of Community Colleges and Workforce Development and the
10 Higher Education Coordinating Commission shall jointly establish a grant program for the purpose
11 of distributing moneys to community colleges to increase the number of underserved, low-income and
12 first-generation college-bound students who enroll in community college and make progress toward
13 a degree or a certificate.

14 (2) Moneys distributed under subsection (1) of this section may be used by a community college
15 for services that are designed to increase student enrollment, retention and degree and certificate
16 completion, including counseling programs, college initiatives, advising services and assistance in
17 obtaining financial aid.

18 (3) The Higher Education Coordinating Commission may adopt rules necessary for the adminis-
19 tration of this section, including rules that set standards for awarding grants. The standards shall
20 give priority to community colleges that have student enrollment, retention and degree and certifi-
21 cate completion programs with demonstrated support from the private sector, the community and
22 local government.

23 **SECTION 23.** ORS 341.551 is amended to read:

24 341.551. (1) Notwithstanding any provision of ORS chapter 238 or 238A, the *[Department]* **Office**
25 of Community Colleges and Workforce Development may establish and administer an optional re-
26 tirement plan for administrative employees of community college districts who are eligible for
27 membership in the Public Employees Retirement System. Any community college district may par-
28 ticipate in the plan by giving written notice to the *[department]* **office**.

29 (2) An administrative employee may make an election to participate in the optional retirement
30 plan if the community college district that employs the employee is participating in the plan. The
31 election must be made in the following manner:

32 (a) An administrative employee who is an active member of the Public Employees Retirement
33 System may make an election to participate in the plan within 180 days after the community college
34 district commences participation in the plan, effective on the first day of the month following the
35 election.

36 (b) An administrative employee who is hired after the community college district commences
37 participation in the plan may make an election to participate in the plan within the first six months
38 of employment, effective on the first day of the month following six full months of employment.

39 (3) An administrative employee who does not elect to participate in the optional retirement plan
40 remains or becomes a member of the Public Employees Retirement System in accordance with ORS
41 chapters 238 and 238A.

42 (4) An administrative employee may elect to participate in the optional retirement plan only if
43 at the time the election becomes effective the employee is not concurrently employed in a position
44 with any participating public employer other than the community college district in a position that
45 entitles the employee to membership in the Public Employees Retirement System. Except as pro-

1 vided in subsection (9) of this section, employees who elect to participate in the optional retirement
2 plan are ineligible for active membership in the Public Employees Retirement System for as long as
3 those employees are employed by a community college district that participates in the plan, whether
4 by reason of employment by the district or any other participating public employer.

5 (5)(a) An administrative employee who elects to participate in the optional retirement plan, who
6 has creditable service under ORS chapter 238 as defined by ORS 238.005 and who is not vested shall
7 be considered by the Public Employees Retirement Board to be a terminated member under the
8 provisions of ORS 238.095 as of the effective date of the election, and the amount credited to the
9 member account of the member shall be transferred directly to the optional retirement plan by the
10 Public Employees Retirement Board in the manner provided by subsection (6) of this section.

11 (b) An administrative employee who elects to participate in the optional retirement plan, who
12 has creditable service under ORS chapter 238 as defined by ORS 238.005 and who is vested shall
13 be considered to be an inactive member by the Public Employees Retirement Board and shall retain
14 all the rights, privileges and options under ORS chapter 238 unless the employee makes a written
15 request to the Public Employees Retirement Board for a transfer of the amounts credited to the
16 member account of the member to the optional retirement plan. A request for a transfer must be
17 made at the time the member elects to participate in the optional retirement plan. Upon receiving
18 the request, the Public Employees Retirement Board shall transfer all amounts credited to the
19 member account of the member directly to the optional retirement plan and shall terminate all
20 rights, privileges and options of the employee under ORS chapter 238.

21 (c) An administrative employee who elects to participate in the optional retirement plan and
22 who is not a vested member of the pension program of the Oregon Public Service Retirement Plan
23 as described in ORS 238A.115 on the date that the election becomes effective shall be considered to
24 be a terminated member of the pension program by the Public Employees Retirement Board as of
25 the effective date of the election.

26 (d) An administrative employee who elects to participate in the optional retirement plan and
27 who is a vested member of the pension program of the Oregon Public Service Retirement Plan as
28 described in ORS 238A.115 on the date that the election becomes effective shall be considered an
29 inactive member of the pension program by the Public Employees Retirement Board as of the ef-
30 fective date of the election. An employee who is subject to the provisions of this paragraph retains
31 all the rights, privileges and options of an inactive member of the pension program. If the actuarial
32 equivalent of the employee's benefit under the pension program at the time that the election be-
33 comes effective is \$5,000 or less, the employee may make a written request to the Public Employees
34 Retirement Board for a transfer of the employee's interest under the pension program to the optional
35 retirement plan. The request must be made at the time the member elects to participate in the op-
36 tional retirement plan. Upon receiving the request, the Public Employees Retirement Board shall
37 transfer the amount determined to be the actuarial equivalent of the employee's benefit under the
38 pension program directly to the optional retirement plan and shall terminate the membership of the
39 employee in the pension program.

40 (e) An administrative employee who elects to participate in the optional retirement plan and
41 who is a vested member of the individual account program of the Oregon Public Service Retirement
42 Plan as described in ORS 238A.320 on the date that the election becomes effective shall be consid-
43 ered an inactive member of the individual account program by the Public Employees Retirement
44 Board as of the effective date of the election. An employee who is subject to the provisions of this
45 paragraph retains all the rights, privileges and options of an inactive member of the individual ac-

1 count program. An administrative employee who elects to participate in the optional retirement plan
2 and who is a member of the individual account program of the Oregon Public Service Retirement
3 Plan may make a written request to the Public Employees Retirement Board that all amounts in the
4 member's employee account, rollover account and employer account, to the extent the member is
5 vested in those accounts under ORS 238A.320, be transferred to the optional retirement plan. The
6 request must be made at the time the member elects to participate in the optional retirement plan.
7 Upon receiving the request, the Public Employees Retirement Board shall transfer the amounts di-
8 rectly to the optional retirement plan and shall terminate the membership of the employee in the
9 individual account program.

10 (f) Notwithstanding paragraphs (b), (d) and (e) of this subsection, the Public Employees Retire-
11 ment Board shall not treat any employee as an inactive member under the provisions of this sub-
12 section for the purpose of receiving any benefit under ORS chapter 238 or 238A that requires that
13 the employee be separated from all service with participating public employers and with employers
14 who are treated as part of a participating public employer's controlled group under the federal laws
15 and rules governing the status of the Public Employees Retirement System and the Public Employees
16 Retirement Fund as a qualified governmental retirement plan and trust.

17 (6) Any amounts transferred from the Public Employees Retirement Fund under subsection (5)
18 of this section shall be transferred directly to the optional retirement plan by the Public Employees
19 Retirement Board and shall not be made available to the employee.

20 (7) An employee participating in the optional retirement plan shall contribute monthly an
21 amount equal to the percentage of the employee's salary that the employee would otherwise have
22 contributed as an employee contribution to the Public Employees Retirement System if the employee
23 had not elected to participate in the optional retirement plan.

24 (8) A participating community college district shall contribute monthly to the optional retire-
25 ment plan the percentage of salary for each employee participating in the plan that is equal to the
26 percentage of salary that is required to be made as the employer contribution under ORS 238A.220,
27 less any contributions made by reason of unfunded liabilities. The district may make contributions
28 under this subsection only during periods of time in which the employee would be eligible for
29 membership in the Public Employees Retirement System if the employee had not elected to partic-
30 ipate in the optional retirement plan.

31 (9) An administrative employee who elects to participate in the optional retirement plan may
32 make an election to withdraw from the plan. An employee may make an election under this sub-
33 section only once. Upon withdrawing from the plan:

34 (a) All contributions made to the plan before the effective date of the withdrawal remain cred-
35 ited to the employee;

36 (b) The employee becomes a member of the Public Employees Retirement System under ORS
37 chapter 238A if the member meets all requirements for membership under ORS chapter 238A; and

38 (c) The employee is barred from ever again electing to participate in the optional retirement
39 plan.

40 (10) For the purposes of this section, "administrative employee" means a president, vice presi-
41 dent or dean, or a person holding a position that is the equivalent of a president, vice president or
42 dean.

43 **SECTION 24.** ORS 341.626 is amended to read:

44 341.626. (1) Subject to rules adopted by the Higher Education Coordinating Commission and to
45 ORS 291.232 to 291.260, the [*Commissioner for Community College Services*] **Director of the Office**

1 **of Community Colleges and Workforce Development** shall distribute state aid to each community
2 college district and community college service district.

3 (2) The rules adopted by the commission shall provide:

4 (a) No state aid for hobby and recreation classes;

5 (b) Procedures for proper and accurate record keeping;

6 (c) Procedures that will [*insure*] **ensure** reasonable [*year to year*] **year-to-year** stability in the
7 delivery of appropriated moneys to the colleges; and

8 (d) Procedures to [*insure*] **ensure** that the full state appropriation is [*delivered*] **distributed** to
9 the colleges.

10 (3) Upon compliance with the rules adopted by the commission, the [*commissioner*] **director**
11 shall, as soon as practicable following the receipt of required reports from the districts, prepare,
12 certify and transmit to the Oregon Department of Administrative Services the names and the
13 amounts due each district. The Oregon Department of Administrative Services shall audit the
14 amounts certified by the [*commissioner*] **director** and draw its warrants on the State Treasury pay-
15 able out of the General Fund to the districts.

16 **SECTION 25.** ORS 341.655 is amended to read:

17 341.655. (1) As used in this section, “approved expenses” means the operating expenses of com-
18 munity college districts for career and technical education programs that have been approved by the
19 [*Commissioner for Community College Services*] **Director of the Office of Community Colleges and**
20 **Workforce Development.**

21 (2) Federal moneys received for purposes of reimbursing community college districts for career
22 and technical education programs may be used by the districts to pay approved expenses.

23 **SECTION 26.** ORS 341.665 is amended to read:

24 341.665. (1) The receiving community college shall be awarded funds from the contracted out-
25 of-district funds [*appropriated*] **allocated** to the [*Department*] **Office** of Community Colleges and
26 Workforce Development if the college operates the program under a contract with an apprenticeship
27 training committee and the contract is approved by the [*Department of Community Colleges and*
28 *Workforce Development*] **office.**

29 (2) A community college district may submit full-time equivalencies generated by apprenticeship
30 programs to the [*Department of Community Colleges and Workforce Development*] **office** for re-
31 imbursement from the Community College Support Fund for purposes of ORS 341.626 but may not
32 submit for reimbursement those full-time equivalencies generated through contracts under sub-
33 section (1) of this section.

34 **SECTION 27.** ORS 341.721 is amended to read:

35 341.721. (1) To provide funds to community college districts for the purposes specified in Article
36 XI-G of the Oregon Constitution, the State Treasurer may issue bonds at the request of the Higher
37 Education Coordinating Commission in accordance with the provisions of ORS chapter 286A.

38 (2) The State Treasurer may not issue bonds pursuant to Article XI-G of the Oregon Constitution
39 under subsection (1) of this section for a community college project unless a grant agreement has
40 been entered into pursuant to ORS 341.735 between the [*Department*] **Office** of Community Colleges
41 and Workforce Development and the community college district that is receiving the bond proceeds.

42 **SECTION 28.** Section 11, chapter 2, Oregon Laws 2009, as amended by section 39, chapter 2,
43 Oregon Laws 2011, is amended to read:

44 **Sec. 11.** (1) There is established in the General Fund an account to be known as the Chemeketa
45 Community College Deferred Maintenance Account. Moneys in the account shall be used for de-

1 ferred maintenance, capital renewal, code compliance and safety projects for the Chemeketa Com-
2 munity College District.

3 (2) The account may consist of the following moneys that have been deposited in the account
4 by the [Department] **Office** of Community Colleges and Workforce Development at the request of the
5 Chemeketa Community College District for the purposes listed in subsection (1) of this section:

6 (a) Moneys from federal and local governments;

7 (b) Donations;

8 (c) Community College Support Fund moneys transferred to the account by the [department] **of-**
9 **ficie** at the request of the community college district;

10 (d) Building reserve funds of the community college district transferred to the [department] **of-**
11 **ficie** from the community college district; and

12 (e) Proceeds from the sale of bonds issued by the community college district.

13 (3) Interest earned on moneys in the account shall be credited to the account.

14 (4) The account may not be credited with more than \$5,082,500 in donations, Community College
15 Support Fund moneys, proceeds from the sale of bonds, building reserve funds, federal and local
16 government funds and interest.

17 (5) Moneys in the account are continuously appropriated to the [department] **Higher Education**
18 **Coordinating Commission** and may be transferred to the Community College Capital Construction
19 Fund for the purpose of making distributions to the Chemeketa Community College District for the
20 purposes listed in subsection (1) of this section.

21 **SECTION 29.** Section 12, chapter 2, Oregon Laws 2009, as amended by section 40, chapter 2,
22 Oregon Laws 2011, is amended to read:

23 **Sec. 12.** (1) There is established in the General Fund an account to be known as the Clackamas
24 Community College Deferred Maintenance Account. Moneys in the account shall be used for de-
25 ferred maintenance, capital renewal, code compliance and safety projects for the Clackamas Com-
26 munity College District.

27 (2) The account may consist of the following moneys that have been deposited in the account
28 by the [Department] **Office** of Community Colleges and Workforce Development at the request of the
29 Clackamas Community College District for the purposes listed in subsection (1) of this section:

30 (a) Moneys from federal and local governments;

31 (b) Donations;

32 (c) Community College Support Fund moneys transferred to the account by the [department] **of-**
33 **ficie** at the request of the community college district;

34 (d) Building reserve funds of the community college district transferred to the [department] **of-**
35 **ficie** from the community college district; and

36 (e) Proceeds from the sale of bonds issued by the community college district.

37 (3) Interest earned on moneys in the account shall be credited to the account.

38 (4) The account may not be credited with more than \$1,293,750 in donations, Community College
39 Support Fund moneys, proceeds from the sale of bonds, building reserve funds, federal and local
40 government funds and interest.

41 (5) Moneys in the account are continuously appropriated to the [department] **Higher Education**
42 **Coordinating Commission** and may be transferred to the Community College Capital Construction
43 Fund for the purpose of making distributions to the Clackamas Community College District for the
44 purposes listed in subsection (1) of this section.

45 **SECTION 30.** Section 13, chapter 2, Oregon Laws 2009, as amended by section 41, chapter 2,

1 Oregon Laws 2011, is amended to read:

2 **Sec. 13.** (1) There is established in the General Fund an account to be known as the Portland
3 Community College Deferred Maintenance Account. Moneys in the account shall be used for de-
4 ferred maintenance, capital renewal, code compliance and safety projects for the Portland Commu-
5 nity College District.

6 (2) The account may consist of the following moneys that have been deposited in the account
7 by the [Department] **Office** of Community Colleges and Workforce Development at the request of the
8 Portland Community College District for the purposes listed in subsection (1) of this section:

9 (a) Moneys from federal and local governments;

10 (b) Donations;

11 (c) Community College Support Fund moneys transferred to the account by the [department] **of-**
12 **fice** at the request of the community college district;

13 (d) Building reserve funds of the community college district transferred to the [department] **of-**
14 **fice** from the community college district; and

15 (e) Proceeds from the sale of bonds issued by the community college district.

16 (3) Interest earned on moneys in the account shall be credited to the account.

17 (4) The account may not be credited with more than \$3,327,500 in donations, Community College
18 Support Fund moneys, proceeds from the sale of bonds, building reserve funds, federal and local
19 government funds and interest.

20 (5) Moneys in the account are continuously appropriated to the [department] **Higher Education**
21 **Coordinating Commission** and may be transferred to the Community College Capital Construction
22 Fund for the purpose of making distributions to the Portland Community College District for the
23 purposes listed in subsection (1) of this section.

24 **SECTION 31.** Section 14, chapter 2, Oregon Laws 2009, as amended by section 11, chapter 906,
25 Oregon Laws 2009, is amended to read:

26 **Sec. 14.** (1) Pursuant to ORS 286A.560 to 286A.585, at the request of the Oregon Department
27 of Administrative Services, after the department consults with the [Department] **Office** of Community
28 Colleges and Workforce Development, the State Treasurer is authorized to issue lottery bonds for
29 community college capital construction, deferred maintenance, capital renewal, code compliance and
30 safety projects.

31 (2) The use of lottery bond proceeds is authorized based on the following findings:

32 (a) New buildings and facilities are needed in order that community colleges have adequate fa-
33 cilities for teaching.

34 (b) Having adequate community college buildings and facilities is essential to Oregon's healthy
35 economic growth.

36 (c) Subsystems within community college buildings are wearing out and must be replaced so that
37 community colleges have adequate facilities for teaching.

38 (d) Having safe and fully functioning community college facilities is essential to Oregon's
39 healthy economic growth.

40 (3) The aggregate principal amount of lottery bonds issued pursuant to subsection (1) of this
41 section for:

42 (a) Capital construction may not exceed the amount of \$8,600,000 and an additional amount es-
43 timated by the State Treasurer to be necessary to pay bond-related costs as defined in ORS
44 286A.560.

45 (b) Deferred maintenance, capital renewal, code compliance and safety projects may not exceed

1 the amount of \$48,962,850 and an additional amount estimated by the State Treasurer to be neces-
2 sary to pay bond-related costs as defined in ORS 286A.560.

3 (4) Of the net proceeds of lottery bonds issued pursuant to this section for the biennium begin-
4 ning July 1, 2009, an amount not to exceed \$13,700,000 shall be deposited in the [Department] **Office**
5 of Community Colleges and Workforce Development Capital Construction, Deferred Maintenance
6 and Capital Repair Project Fund established by section 15, chapter 2, Oregon Laws 2009.

7 **SECTION 32.** Section 15, chapter 2, Oregon Laws 2009, as amended by section 12, chapter 906,
8 Oregon Laws 2009, and section 3, chapter 78, Oregon Laws 2012, is amended to read:

9 **Sec. 15.** (1) The [Department] **Office** of Community Colleges and Workforce Development Capital
10 Construction, Deferred Maintenance and Capital Repair Project Fund is established separate and
11 distinct from the General Fund. Interest earned by the [Department] **Office** of Community Colleges
12 and Workforce Development Capital Construction, Deferred Maintenance and Capital Repair Project
13 Fund shall be credited to the fund.

14 (2) Net proceeds of lottery bonds issued pursuant to section 14, chapter 2, Oregon Laws 2009,
15 and section 2, **chapter 78, Oregon Laws 2012**, [of this 2012 Act] shall be deposited into the [De-
16 partment] **Office** of Community Colleges and Workforce Development Capital Construction, Deferred
17 Maintenance and Capital Repair Project Fund. Moneys in the fund are continuously appropriated
18 to the [Department of Community Colleges and Workforce Development] **Higher Education Coordi-**
19 **nating Commission** for the purpose of making grants to community college districts for capital
20 construction, deferred maintenance, capital renewal, code compliance and safety projects.

21 **SECTION 33.** Section 26, chapter 904, Oregon Laws 2009, as amended by section 73, chapter
22 747, Oregon Laws 2013, is amended to read:

23 **Sec. 26.** Notwithstanding section 7, chapter 904, Oregon Laws 2009, at the request of the Higher
24 Education Coordinating Commission, the State Treasurer may issue bonds for a project listed in
25 section 7, chapter 904, Oregon Laws 2009:

26 (1) If the total amount from other revenues, including federal funds, identified for the project in
27 the expenditure limitation in section 7, chapter 904, Oregon Laws 2009, has been received by the
28 [Department] **Office** of Community Colleges and Workforce Development; or

29 (2) After the [department] **office** reports to the Emergency Board or the Joint Committee on
30 Ways and Means, if the total amount from other revenues, including federal funds, identified for the
31 project in the expenditure limitation in section 7, chapter 904, Oregon Laws 2009, has not been re-
32 ceived by the [department] **office**.

33 **SECTION 34.** ORS 341.725 is amended to read:

34 341.725. (1) The Community College Capital Construction Fund is established **in the State**
35 **Treasury**, separate and distinct from the General Fund. Interest earned on moneys in the Commu-
36 nity College Capital Construction Fund shall be credited to the fund.

37 (2) Moneys in the Community College Capital Construction Fund are **continuously** appropriated
38 [continuously] to the [Department of Community Colleges and Workforce Development] **Higher Edu-**
39 **cation Coordinating Commission** and may be [disbursed] **distributed** by the [department] **com-**
40 **mission** for the purposes described in [section 1 (2),] Article XI-G, **section 1 (2)**, of the Oregon
41 Constitution, pursuant to grant agreements entered into between the [department] **Office of Com-**
42 **munity Colleges and Workforce Development** and community college districts under ORS 341.735.

43 **SECTION 35.** ORS 341.728 is amended to read:

44 341.728. (1) The Community College Bond Building Fund is established **in the State Treasury**,
45 separate and distinct from the General Fund.

1 (2) The Community College Bond Building Fund shall consist of moneys realized from the sale
2 of bonds issued pursuant to Article XI-G of the Oregon Constitution for the benefit of community
3 college districts under ORS 341.721.

4 (3) Moneys in the Community College Bond Building Fund are **continuously** appropriated [*con-*
5 *tinuously*] to the [*Department of Community Colleges and Workforce Development*] **Higher Education**
6 **Coordinating Commission** and may be [*disbursed*] **distributed** by the [*department*] **commission** for
7 the purposes described in [*section 1 (2),*] Article XI-G, **section 1 (2)**, of the Oregon Constitution,
8 including payment of costs related to issuing bonds and payment of debt service on bonds, pursuant
9 to grant agreements entered into between the [*department*] **Office of Community Colleges and**
10 **Workforce Development** and community college districts under ORS 341.735.

11 (4) Moneys in the Community College Bond Building Fund may be invested as provided in ORS
12 286A.025 until needed for [*disbursement*] **distribution** under subsection (3) of this section. If a sur-
13 plus remains in the fund after disbursement, the surplus and earnings from temporary investments
14 shall be credited to the Community College Bond Sinking Fund.

15 **SECTION 36.** ORS 341.731 is amended to read:

16 341.731. (1) The Community College Bond Sinking Fund is established **in the State Treasury**,
17 separate and distinct from the General Fund. The Community College Bond Sinking Fund shall be
18 used to provide for payment of the principal and the interest upon bonds issued under the authority
19 of Article XI-G of the Oregon Constitution for the benefit of community college districts under ORS
20 341.721.

21 (2) Moneys in the fund are **continuously** appropriated [*continuously*] to the [*Department of*
22 *Community Colleges and Workforce Development*] **Higher Education Coordinating Commission**.

23 (3) The fund may be invested by the State Treasurer, and earnings on the investments shall be
24 credited to the fund.

25 (4) The fund shall consist of all moneys received from ad valorem taxes levied pursuant to ORS
26 291.445, all moneys that the Legislative Assembly may provide in lieu of such taxes, all moneys re-
27 ceived as accrued interest upon bonds sold, all earnings from investments of the fund and the pro-
28 ceeds of the sale of refunding bonds.

29 (5) The [*department*] **commission** may credit the fund with moneys received from either a sale
30 or interfund transfer of land, buildings or facilities.

31 (6)(a) The [*department*] **commission** may not use the fund for any purpose other than the pur-
32 poses for which the fund was [*created*] **established**.

33 (b) Notwithstanding paragraph (a) of this subsection, the [*department*] **commission** may transfer
34 any surplus in the fund to other funds designated by the [*department*] **commission** if a balance re-
35 mains in the fund and:

36 (A) The purposes for which the fund was [*created*] **established** have been fulfilled; and

37 (B) A reserve sufficient to meet all existing and future obligations and liabilities of the fund has
38 been set aside.

39 **SECTION 37.** ORS 341.735 is amended to read:

40 341.735. (1) For the purposes of distributing moneys held in the Community College Capital
41 Construction Fund and the Community College Bond Building Fund, the [*Department*] **Office** of
42 Community Colleges and Workforce Development shall enter into grant agreements with each com-
43 munity college district for whose projects moneys have been appropriated from the General Fund
44 and are held pending [*disbursement*] **distribution** of the moneys. The grant agreements shall obligate
45 the [*department*] **office** to distribute to each community college district any funds the district pro-

1 vides to the state to provide a General Fund match as required by Article XI-G of the Oregon
2 Constitution and shall also obligate the department to distribute to each community college district
3 any amounts that are credited to the Community College Bond Building Fund for a project of the
4 district. The [department] **office** may impose reasonable conditions and reporting and accounting
5 requirements in a grant agreement described in this section that are intended to ensure that the
6 amounts distributed from the funds listed in this subsection will be used for the projects for which
7 the amounts were distributed.

8 (2) The grant agreements shall also require that each community college district that receives
9 amounts from the funds listed in subsection (1) of this section shall:

10 (a) Return to the state any amounts distributed from the Community College Bond Building Fund
11 that are not required to complete the project of that district. Except as provided in this paragraph,
12 the [department] **office** shall credit the returned amounts to the Community College Bond Sinking
13 Fund. If the [department] **office**, with the approval of the State Treasurer, determines that the state's
14 costs may be reduced by applying the returned amounts to other projects in lieu of issuing addi-
15 tional bonds for those projects, the returned amounts may be credited to the Community College
16 Bond Building Fund.

17 (b) Take any action as determined by the state's bond counsel that is necessary to maintain the
18 excludability of the interest paid by the state on the general obligation bonds that the state issues
19 pursuant to Article XI-G of the Oregon Constitution to fund the Community College Bond Building
20 Fund, that is necessary to obtain or maintain the ability of the state to receive federal interest
21 subsidies on those bonds or that is necessary to obtain or maintain any other tax-advantaged
22 treatment under the Internal Revenue Code.

23 (3) The [department] **office** may collect fees from community college districts that receive mon-
24 eys under a grant agreement entered into under this section to cover the costs relating to the ad-
25 ministration of the distribution of proceeds from general obligation bonds issued pursuant to Article
26 XI-G of the Oregon Constitution to finance community college district projects and for executing the
27 responsibilities of the department under the grant agreement. The [department] **office** shall deposit
28 any moneys collected under this subsection in the [Department] **Office** of Community Colleges and
29 Workforce Development Account.

30 **NOTE:** Section 38 was deleted by amendment. Subsequent sections were not renumbered.

31 **SECTION 39.** ORS 341.751 is amended to read:

32 341.751. (1) There is established in the General Fund an account to be known as the Blue
33 Mountain Community College Facilities Account. Moneys in the account shall be used for the pur-
34 poses described in Article XI-G of the Oregon Constitution for the Blue Mountain Community Col-
35 lege District.

36 (2) The account may consist of the following moneys that have been deposited in the account
37 by the [Department] **Office** of Community Colleges and Workforce Development at the request of the
38 Blue Mountain Community College District for the purposes listed in subsection (1) of this section:

39 (a) Moneys from federal and local governments;

40 (b) Donations;

41 (c) Community College Support Fund moneys transferred to the account by the [department] **of-**
42 **fice** at the request of the community college district;

43 (d) Building reserve funds of the community college district transferred to the [department] **of-**
44 **fice** from the community college district; and

45 (e) Proceeds from the sale of bonds issued by the community college district.

1 (3) Interest earned on moneys in the account shall be credited to the account.

2 (4) The account may not be credited with more than \$1 in donations, Community College Sup-
3 port Fund moneys, proceeds from the sale of bonds, building reserve funds, federal and local gov-
4 ernment funds and interest.

5 (5) Moneys in the account are continuously appropriated to the [department] **Higher Education**
6 **Coordinating Commission** and may be transferred to the Community College Capital Construction
7 Fund for the purpose of making distributions to the Blue Mountain Community College District for
8 the purposes listed in subsection (1) of this section.

9 **SECTION 40.** ORS 341.753 is amended to read:

10 341.753. (1) There is established in the General Fund an account to be known as the Central
11 Oregon Community College Facilities Account. Moneys in the account shall be used for the purposes
12 described in Article XI-G of the Oregon Constitution for the Central Oregon Community College
13 District.

14 (2) The account may consist of the following moneys that have been deposited in the account
15 by the [Department] **Office** of Community Colleges and Workforce Development at the request of the
16 Central Oregon Community College District for the purposes listed in subsection (1) of this section:

17 (a) Moneys from federal and local governments;

18 (b) Donations;

19 (c) Community College Support Fund moneys transferred to the account by the [department] **of-**
20 **fice** at the request of the community college district;

21 (d) Building reserve funds of the community college district transferred to the [department] **of-**
22 **fice** from the community college district; and

23 (e) Proceeds from the sale of bonds issued by the community college district.

24 (3) Interest earned on moneys in the account shall be credited to the account.

25 (4) The account may not be credited with more than \$11,478,000 in donations, Community Col-
26 lege Support Fund moneys, proceeds from the sale of bonds, building reserve funds, federal and local
27 government funds and interest.

28 (5) Moneys in the account are continuously appropriated to the [department] **Higher Education**
29 **Coordinating Commission** and may be transferred to the Community College Capital Construction
30 Fund for the purpose of making distributions to the Central Oregon Community College District for
31 the purposes listed in subsection (1) of this section.

32 **SECTION 41.** ORS 341.755 is amended to read:

33 341.755. (1) There is established in the General Fund an account to be known as the Chemeketa
34 Community College Facility Account. Moneys in the account shall be used for the purposes de-
35 scribed in Article XI-G of the Oregon Constitution for the Chemeketa Community College District.

36 (2) The account may consist of the following moneys that have been deposited in the account
37 by the [Department] **Office** of Community Colleges and Workforce Development at the request of the
38 Chemeketa Community College District for the purposes listed in subsection (1) of this section:

39 (a) Moneys from federal and local governments;

40 (b) Donations;

41 (c) Community College Support Fund moneys transferred to the account by the [department] **of-**
42 **fice** at the request of the community college district;

43 (d) Building reserve funds of the community college district transferred to the [department] **of-**
44 **fice** from the community college district; and

45 (e) Proceeds from the sale of bonds issued by the community college district.

1 (3) Interest earned on moneys in the account shall be credited to the account.

2 (4) The account may not be credited with more than \$11,880,000 in donations, Community Col-
3 lege Support Fund moneys, proceeds from the sale of bonds, building reserve funds, federal and local
4 government funds and interest.

5 (5) Moneys in the account are continuously appropriated to the [department] **Higher Education**
6 **Coordinating Commission** and may be transferred to the Community College Capital Construction
7 Fund for the purpose of making distributions to the Chemeketa Community College District for the
8 purposes listed in subsection (1) of this section.

9 **SECTION 42.** ORS 341.757 is amended to read:

10 341.757. (1) There is established in the General Fund an account to be known as the Clackamas
11 Community College Facilities Account. Moneys in the account shall be used for the purposes de-
12 scribed in Article XI-G of the Oregon Constitution for the Clackamas Community College District.

13 (2) The account may consist of the following moneys that have been deposited in the account
14 by the [Department] **Office** of Community Colleges and Workforce Development at the request of the
15 Clackamas Community College District for the purposes listed in subsection (1) of this section:

16 (a) Moneys from federal and local governments;

17 (b) Donations;

18 (c) Community College Support Fund moneys transferred to the account by the [department] **of-**
19 **fice** at the request of the community college district;

20 (d) Building reserve funds of the community college district transferred to the [department] **of-**
21 **fice** from the community college district; and

22 (e) Proceeds from the sale of bonds issued by the community college district.

23 (3) Interest earned on moneys in the account shall be credited to the account.

24 (4) The account may not be credited with more than \$13,156,250 in donations, Community Col-
25 lege Support Fund moneys, proceeds from the sale of bonds, building reserve funds, federal and local
26 government funds and interest.

27 (5) Moneys in the account are continuously appropriated to the [department] **Higher Education**
28 **Coordinating Commission** and may be transferred to the Community College Capital Construction
29 Fund for the purpose of making distributions to the Clackamas Community College District for the
30 purposes listed in subsection (1) of this section.

31 **SECTION 43.** ORS 341.759 is amended to read:

32 341.759. (1) There is established in the General Fund an account to be known as the Clatsop
33 Community College Facilities Account. Moneys in the account shall be used for the purposes de-
34 scribed in Article XI-G of the Oregon Constitution for the Clatsop Community College District.

35 (2) The account may consist of the following moneys that have been deposited in the account
36 by the [Department] **Office** of Community Colleges and Workforce Development at the request of the
37 Clatsop Community College District for the purposes listed in subsection (1) of this section:

38 (a) Moneys from federal and local governments;

39 (b) Donations;

40 (c) Community College Support Fund moneys transferred to the account by the [department] **of-**
41 **fice** at the request of the community college district;

42 (d) Building reserve funds of the community college district transferred to the [department] **of-**
43 **fice** from the community college district; and

44 (e) Proceeds from the sale of bonds issued by the community college district.

45 (3) Interest earned on moneys in the account shall be credited to the account.

1 (4) The account may not be credited with more than \$11,500,000 in donations, Community Col-
2 lege Support Fund moneys, proceeds from the sale of bonds, building reserve funds, federal and local
3 government funds and interest.

4 (5) Moneys in the account are continuously appropriated to the [department] **Higher Education**
5 **Coordinating Commission** and may be transferred to the Community College Capital Construction
6 Fund for the purpose of making distributions to the Clatsop Community College District for the
7 purposes listed in subsection (1) of this section.

8 **SECTION 44.** ORS 341.762 is amended to read:

9 341.762. (1) There is established in the General Fund an account to be known as the Columbia
10 Gorge Community College Facilities Account. Moneys in the account shall be used for the purposes
11 described in Article XI-G of the Oregon Constitution for the Columbia Gorge Community College
12 District.

13 (2) The account may consist of the following moneys that have been deposited in the account
14 by the [Department] **Office** of Community Colleges and Workforce Development at the request of the
15 Columbia Gorge Community College District for the purposes listed in subsection (1) of this section:

16 (a) Moneys from federal and local governments;

17 (b) Donations;

18 (c) Community College Support Fund moneys transferred to the account by the [department] **of-**
19 **fice** at the request of the community college district;

20 (d) Building reserve funds of the community college district transferred to the [department] **of-**
21 **fice** from the community college district; and

22 (e) Proceeds from the sale of bonds issued by the community college district.

23 (3) Interest earned on moneys in the account shall be credited to the account.

24 (4) The account may not be credited with more than \$15,500,000 in donations, Community Col-
25 lege Support Fund moneys, proceeds from the sale of bonds, building reserve funds, federal and local
26 government funds and interest.

27 (5) Moneys in the account are continuously appropriated to the [department] **Higher Education**
28 **Coordinating Commission** and may be transferred to the Community College Capital Construction
29 Fund for the purpose of making distributions to the Columbia Gorge Community College District for
30 the purposes listed in subsection (1) of this section.

31 **SECTION 45.** ORS 341.764 is amended to read:

32 341.764. (1) There is established in the General Fund an account to be known as the Klamath
33 Community College Facilities Account. Moneys in the account shall be used for the purposes de-
34 scribed in Article XI-G of the Oregon Constitution for the Klamath Community College District.

35 (2) The account may consist of the following moneys that have been deposited in the account
36 by the [Department] **Office** of Community Colleges and Workforce Development at the request of the
37 Klamath Community College District for the purposes listed in subsection (1) of this section:

38 (a) Moneys from federal and local governments;

39 (b) Donations;

40 (c) Community College Support Fund moneys transferred to the account by the [department] **of-**
41 **fice** at the request of the community college district;

42 (d) Building reserve funds of the community college district transferred to the [department] **of-**
43 **fice** from the community college district; and

44 (e) Proceeds from the sale of bonds issued by the community college district.

45 (3) Interest earned on moneys in the account shall be credited to the account.

1 (4) The account may not be credited with more than \$7,700,000 in donations, Community College
2 Support Fund moneys, proceeds from the sale of bonds, building reserve funds, federal and local
3 government funds and interest.

4 (5) Moneys in the account are continuously appropriated to the [department] **Higher Education**
5 **Coordinating Commission** and may be transferred to the Community College Capital Construction
6 Fund for the purpose of making distributions to the Klamath Community College District for the
7 purposes listed in subsection (1) of this section.

8 **SECTION 46.** ORS 341.766 is amended to read:

9 341.766. (1) There is established in the General Fund an account to be known as the Lane
10 Community College Facilities Account. Moneys in the account shall be used for the purposes de-
11 scribed in Article XI-G of the Oregon Constitution for the Lane Community College District.

12 (2) The account may consist of the following moneys that have been deposited in the account
13 by the [Department] **Office** of Community Colleges and Workforce Development at the request of the
14 Lane Community College District for the purposes listed in subsection (1) of this section:

15 (a) Moneys from federal and local governments;

16 (b) Donations;

17 (c) Community College Support Fund moneys transferred to the account by the [department] **of-**
18 **fice** at the request of the community college district;

19 (d) Building reserve funds of the community college district transferred to the [department] **of-**
20 **fice** from the community college district; and

21 (e) Proceeds from the sale of bonds issued by the community college district.

22 (3) Interest earned on moneys in the account shall be credited to the account.

23 (4) The account may not be credited with more than \$14,750,000 in donations, Community Col-
24 lege Support Fund moneys, proceeds from the sale of bonds, building reserve funds, federal and local
25 government funds and interest.

26 (5) Moneys in the account are continuously appropriated to the [department] **Higher Education**
27 **Coordinating Commission** and may be transferred to the Community College Capital Construction
28 Fund for the purpose of making distributions to the Lane Community College District for the pur-
29 poses listed in subsection (1) of this section.

30 **SECTION 47.** ORS 341.768 is amended to read:

31 341.768. (1) There is established in the General Fund an account to be known as the Linn-Benton
32 Community College Facilities Account. Moneys in the account shall be used for the purposes de-
33 scribed in Article XI-G of the Oregon Constitution for the Linn-Benton Community College District.

34 (2) The account may consist of the following moneys that have been deposited in the account
35 by the [Department] **Office** of Community Colleges and Workforce Development at the request of the
36 Linn-Benton Community College District for the purposes listed in subsection (1) of this section:

37 (a) Moneys from federal and local governments;

38 (b) Donations;

39 (c) Community College Support Fund moneys transferred to the account by the [department] **of-**
40 **fice** at the request of the community college district;

41 (d) Building reserve funds of the community college district transferred to the [department] **of-**
42 **fice** from the community college district; and

43 (e) Proceeds from the sale of bonds issued by the community college district.

44 (3) Interest earned on moneys in the account shall be credited to the account.

45 (4) The account may not be credited with more than \$3,731,250 in donations, Community College

1 Support Fund moneys, proceeds from the sale of bonds, building reserve funds, federal and local
2 government funds and interest.

3 (5) Moneys in the account are continuously appropriated to the [department] **Higher Education**
4 **Coordinating Commission** and may be transferred to the Community College Capital Construction
5 Fund for the purpose of making distributions to the Linn-Benton Community College District for the
6 purposes listed in subsection (1) of this section.

7 **SECTION 48.** ORS 341.771 is amended to read:

8 341.771. (1) There is established in the General Fund an account to be known as the Mt. Hood
9 Community College Facilities Account. Moneys in the account shall be used for the purposes de-
10 scribed in Article XI-G of the Oregon Constitution for the Mt. Hood Community College District.

11 (2) The account may consist of the following moneys that have been deposited in the account
12 by the [Department] **Office** of Community Colleges and Workforce Development at the request of the
13 Mt. Hood Community College District for the purposes listed in subsection (1) of this section:

14 (a) Moneys from federal and local governments;

15 (b) Donations;

16 (c) Community College Support Fund moneys transferred to the account by the [department] **of-**
17 **fice** at the request of the community college district;

18 (d) Building reserve funds of the community college district transferred to the [department] **of-**
19 **fice** from the community college district; and

20 (e) Proceeds from the sale of bonds issued by the community college district.

21 (3) Interest earned on moneys in the account shall be credited to the account.

22 (4) The account may not be credited with more than \$2,500,000 in donations, Community College
23 Support Fund moneys, proceeds from the sale of bonds, building reserve funds, federal and local
24 government funds and interest.

25 (5) Moneys in the account are continuously appropriated to the [department] **Higher Education**
26 **Coordinating Commission** and may be transferred to the Community College Capital Construction
27 Fund for the purpose of making distributions to the Mt. Hood Community College District for the
28 purposes listed in subsection (1) of this section.

29 **SECTION 49.** ORS 341.773 is amended to read:

30 341.773. (1) There is established in the General Fund an account to be known as the Oregon
31 Coast Community College Facilities Account. Moneys in the account shall be used for the purposes
32 described in Article XI-G of the Oregon Constitution for the Oregon Coast Community College Dis-
33 trict.

34 (2) The account may consist of the following moneys that have been deposited in the account
35 by the [Department] **Office** of Community Colleges and Workforce Development at the request of the
36 Oregon Coast Community College District for the purposes listed in subsection (1) of this section:

37 (a) Moneys from federal and local governments;

38 (b) Donations;

39 (c) Community College Support Fund moneys transferred to the account by the [department] **of-**
40 **fice** at the request of the community college district;

41 (d) Building reserve funds of the community college district transferred to the [department] **of-**
42 **fice** from the community college district; and

43 (e) Proceeds from the sale of bonds issued by the community college district.

44 (3) Interest earned on moneys in the account shall be credited to the account.

45 (4) The account may not be credited with more than \$9,500,000 in donations, Community College

1 Support Fund moneys, proceeds from the sale of bonds, building reserve funds, federal and local
2 government funds and interest.

3 (5) Moneys in the account are continuously appropriated to the [department] **Higher Education**
4 **Coordinating Commission** and may be transferred to the Community College Capital Construction
5 Fund for the purpose of making distributions to the Oregon Coast Community College District for
6 the purposes listed in subsection (1) of this section.

7 **SECTION 50.** ORS 341.775 is amended to read:

8 341.775. (1) There is established in the General Fund an account to be known as the Portland
9 Community College Facilities Account. Moneys in the account shall be used for the purposes de-
10 scribed in Article XI-G of the Oregon Constitution for the Portland Community College District.

11 (2) The account may consist of the following moneys that have been deposited in the account
12 by the [Department] **Office** of Community Colleges and Workforce Development at the request of the
13 Portland Community College District for the purposes listed in subsection (1) of this section:

14 (a) Moneys from federal and local governments;

15 (b) Donations;

16 (c) Community College Support Fund moneys transferred to the account by the [department] **of-**
17 **fice** at the request of the community college district;

18 (d) Building reserve funds of the community college district transferred to the [department] **of-**
19 **fice** from the community college district; and

20 (e) Proceeds from the sale of bonds issued by the community college district.

21 (3) Interest earned on moneys in the account shall be credited to the account.

22 (4) The account may not be credited with more than \$15,500,000 in donations, Community Col-
23 lege Support Fund moneys, proceeds from the sale of bonds, building reserve funds, federal and local
24 government funds and interest.

25 (5) Moneys in the account are continuously appropriated to the [department] **Higher Education**
26 **Coordinating Commission** and may be transferred to the Community College Capital Construction
27 Fund for the purpose of making distributions to the Portland Community College District for the
28 purposes listed in subsection (1) of this section.

29 **SECTION 51.** ORS 341.777 is amended to read:

30 341.777. (1) There is established in the General Fund an account to be known as the Rogue
31 Community College Medford Instructional Facility Account. Moneys in the account shall be used for
32 the purposes described in Article XI-G of the Oregon Constitution for a joint instructional facility
33 in Medford for Southern Oregon University and the Rogue Community College District.

34 (2) The account may consist of the following moneys that have been deposited in the account
35 by the [Department] **Office** of Community Colleges and Workforce Development at the request of the
36 Rogue Community College District for the purposes listed in subsection (1) of this section:

37 (a) Moneys from federal and local governments;

38 (b) Donations;

39 (c) Community College Support Fund moneys transferred to the account by the [department] **of-**
40 **fice** at the request of the community college district;

41 (d) Building reserve funds of the community college district transferred to the [department] **of-**
42 **fice** from the community college district; and

43 (e) Proceeds from the sale of bonds issued by the community college district.

44 (3) Interest earned on moneys in the account shall be credited to the account.

45 (4) The account may not be credited with more than \$4,100,000 in donations, Community College

1 Support Fund moneys, proceeds from the sale of bonds, building reserve funds, federal and local
2 government funds and interest.

3 (5) Moneys in the account are continuously appropriated to the [department] **Higher Education**
4 **Coordinating Commission** and may be transferred to the Community College Capital Construction
5 Fund for the purpose of making distributions to the Rogue Community College District for the pur-
6 poses listed in subsection (1) of this section.

7 **SECTION 52.** ORS 341.779 is amended to read:

8 341.779. (1) There is established in the General Fund an account to be known as the South-
9 western Oregon Community College Curry County Facilities Account. Moneys in the account shall
10 be used for the purposes described in Article XI-G of the Oregon Constitution for the Southwestern
11 Oregon Community College District.

12 (2) The account may consist of the following moneys that have been deposited in the account
13 by the [Department] **Office** of Community Colleges and Workforce Development at the request of the
14 Southwestern Oregon Community College District for the purposes listed in subsection (1) of this
15 section:

16 (a) Moneys from federal and local governments;

17 (b) Donations;

18 (c) Community College Support Fund moneys transferred to the account by the [department] **of-**
19 **fice** at the request of the community college district;

20 (d) Building reserve funds of the community college district transferred to the [department] **of-**
21 **fice** from the community college district; and

22 (e) Proceeds from the sale of bonds issued by the community college district.

23 (3) Interest earned on moneys in the account shall be credited to the account.

24 (4) The account may not be credited with more than \$2,300,000 in donations, Community College
25 Support Fund moneys, proceeds from the sale of bonds, building reserve funds, federal and local
26 government funds and interest.

27 (5) Moneys in the account are continuously appropriated to the [department] **Higher Education**
28 **Coordinating Commission** and may be transferred to the Community College Capital Construction
29 Fund for the purpose of making distributions to the Southwestern Oregon Community College Dis-
30 trict for the purposes listed in subsection (1) of this section.

31 **SECTION 53.** ORS 341.782 is amended to read:

32 341.782. (1) There is established in the General Fund an account to be known as the Tillamook
33 Bay Community College Facilities Account. Moneys in the account shall be used for the purposes
34 described in Article XI-G of the Oregon Constitution for the Tillamook Bay Community College
35 District.

36 (2) The account may consist of the following moneys that have been deposited in the account
37 by the [Department] **Office** of Community Colleges and Workforce Development at the request of the
38 Tillamook Bay Community College District for the purposes listed in subsection (1) of this section:

39 (a) Moneys from federal and local governments;

40 (b) Donations;

41 (c) Community College Support Fund moneys transferred to the account by the [department] **of-**
42 **fice** at the request of the community college district;

43 (d) Building reserve funds of the community college district transferred to the [department] **of-**
44 **fice** from the community college district; and

45 (e) Proceeds from the sale of bonds issued by the community college district.

1 (3) Interest earned on moneys in the account shall be credited to the account.

2 (4) The account may not be credited with more than \$4,900,000 in donations, Community College
3 Support Fund moneys, proceeds from the sale of bonds, building reserve funds, federal and local
4 government funds and interest.

5 (5) Moneys in the account are continuously appropriated to the [department] **Higher Education**
6 **Coordinating Commission** and may be transferred to the Community College Capital Construction
7 Fund for the purpose of making distributions to the Tillamook Bay Community College District for
8 the purposes listed in subsection (1) of this section.

9 **SECTION 54.** ORS 341.784 is amended to read:

10 341.784. (1) There is established in the General Fund an account to be known as the Treasure
11 Valley Community College Facilities Account. Moneys in the account shall be used for the purposes
12 described in Article XI-G of the Oregon Constitution for the Treasure Valley Community College
13 District.

14 (2) The account may consist of the following moneys that have been deposited in the account
15 by the [Department] **Office** of Community Colleges and Workforce Development at the request of the
16 Treasure Valley Community College District for the purposes listed in subsection (1) of this section:

17 (a) Moneys from federal and local governments;

18 (b) Donations;

19 (c) Community College Support Fund moneys transferred to the account by the [department] **of-**
20 **fice** at the request of the community college district;

21 (d) Building reserve funds of the community college district transferred to the [department] **of-**
22 **fice** from the community college district; and

23 (e) Proceeds from the sale of bonds issued by the community college district.

24 (3) Interest earned on moneys in the account shall be credited to the account.

25 (4) The account may not be credited with more than \$3,000,000 in donations, Community College
26 Support Fund moneys, proceeds from the sale of bonds, building reserve funds, federal and local
27 government funds and interest.

28 (5) Moneys in the account are continuously appropriated to the [department] **Higher Education**
29 **Coordinating Commission** and may be transferred to the Community College Capital Construction
30 Fund for the purpose of making distributions to the Treasure Valley Community College District for
31 the purposes listed in subsection (1) of this section.

32 **SECTION 55.** ORS 341.787 is amended to read:

33 341.787. (1) There is established in the General Fund an account to be known as the Umpqua
34 Community College Facilities Account. Moneys in the account shall be used for the purposes de-
35 scribed in Article XI-G of the Oregon Constitution for the Umpqua Community College District.

36 (2) The account may consist of the following moneys that have been deposited in the account
37 by the [Department] **Office** of Community Colleges and Workforce Development at the request of the
38 Umpqua Community College District for the purposes listed in subsection (1) of this section:

39 (a) Moneys from federal and local governments;

40 (b) Donations;

41 (c) Community College Support Fund moneys transferred to the account by the [department] **of-**
42 **fice** at the request of the community college district;

43 (d) Building reserve funds of the community college district transferred to the [department] **of-**
44 **fice** from the community college district; and

45 (e) Proceeds from the sale of bonds issued by the community college district.

1 (3) Interest earned on moneys in the account shall be credited to the account.

2 (4) The account may not be credited with more than \$8,500,000 in donations, Community College
3 Support Fund moneys, proceeds from the sale of bonds, building reserve funds, federal and local
4 government funds and interest.

5 (5) Moneys in the account are continuously appropriated to the [*department*] **Higher Education**
6 **Coordinating Commission** and may be transferred to the Community College Capital Construction
7 Fund for the purpose of making distributions to the Umpqua Community College District for the
8 purposes listed in subsection (1) of this section.

9 **SECTION 56.** Section 14a, chapter 121, Oregon Laws 2014, is amended to read:

10 **Sec. 14a.** (1) The Cascades Hall Reacquisition Fund is established in the State Treasury, sepa-
11 rate and distinct from the General Fund. Amounts in the Cascades Hall Reacquisition Fund may be
12 invested as provided in ORS 293.701 to 293.857, and interest earned on the fund must be credited to
13 the fund.

14 (2) Amounts credited to the fund are continuously appropriated to the [*Department of Community*
15 *Colleges and Workforce Development*] **Higher Education Coordinating Commission** for the purpose
16 of terminating the leasehold on, and remodeling, Cascades Hall on the campus of the Central Oregon
17 Community College and for the purpose of paying bond-related costs. The [*department*] **commission**
18 shall deposit in the fund:

19 (a) The net proceeds and interest earnings of lottery bonds issued pursuant to section 14,
20 **chapter 121, Oregon Laws 2014** [*of this 2014 Act*];

21 (b) Amounts appropriated or otherwise provided by the Legislative Assembly for deposit in the
22 fund; and

23 (c) Gifts, grants or contributions received by the [*department*] **commission** for the purpose de-
24 scribed in this section.

25 (3) The [*department*] **commission** may create separate accounts in the fund as appropriate for
26 the management of moneys in the fund.

27
28 **WORKFORCE DEVELOPMENT STATUTES**

29
30 **SECTION 57.** ORS 660.300, as amended by section 2, chapter 49, Oregon Laws 2014, is amended
31 to read:

32 660.300. As used in ORS 660.300 to 660.364:

33 (1) “Chief elected official” means a county commissioner, a county judge or the mayor of the
34 City of Portland.

35 [(2) “*Department*” means the *Department of Community Colleges and Workforce Development.*]

36 [(3)] (2) “Federal Act” or “federal Workforce Investment Act” means the federal Workforce In-
37 vestment Act of 1998 (enacted as P.L. 105-220 and codified as 29 U.S.C. 2801 et seq.).

38 [(4)] (3) “Local workforce investment area” means the City of Portland or a county when the
39 city or county has been designated as a local workforce investment area under ORS 660.324. “Local
40 workforce investment area” may include two or more counties that have joined together to form a
41 local workforce investment area and that have been designated as a local workforce investment area
42 under ORS 660.324.

43 [(5)] (4) “Local workforce investment board” means a board established pursuant to section 2832
44 of the federal Workforce Investment Act of 1998.

45 (5) “Office” means the **Office of Community Colleges and Workforce Development.**

1 (6) "Participant" means a person receiving services under Title I-B of the federal Workforce
2 Investment Act of 1998 (29 U.S.C. 2801 et seq.).

3 (7) "Participant records" means records relating to matters such as grades, conduct, personal
4 and academic evaluations, results of psychometric testing, counseling, disciplinary actions, if any,
5 and other personal matters.

6 (8) "State workforce agencies" means state agencies that administer workforce programs.

7 (9) "Title I-B" means the adult, dislocated worker and youth programs delivered under the fed-
8 eral Workforce Investment Act of 1998 (29 U.S.C. 2801 et seq.).

9 (10) "Workforce development" means services designed to help individuals attain employment
10 and progress along career pathways and to help businesses better achieve business goals by more
11 easily finding skilled employees. "Workforce development" includes:

12 (a) Education, training and apprenticeship services;

13 (b) Labor market analysis;

14 (c) Employment and reemployment services;

15 (d) Employee recruitment and retention services; and

16 (e) Convening, coordinating, oversight and evaluation services for business and state workforce
17 agencies.

18 (11) "Workforce programs" means programs that have a primary mission of helping individuals
19 become employed, retain employment, increase wages and progress along career pathways and that
20 are responsible for outcomes related to the primary mission.

21 **SECTION 58.** ORS 660.312, as amended by section 4, chapter 49, Oregon Laws 2014, is amended
22 to read:

23 660.312. (1) The Governor shall be responsible for a coordinated and comprehensive response to
24 education and workforce issues. The Governor shall appoint an Education and Workforce Policy
25 Advisor, who serves at the pleasure of the Governor. The advisor shall, with the advice of such
26 advisory committees as may be appointed or assigned, advise the Governor on policy, planning and
27 coordination for education and workforce development in Oregon.

28 (2) The duties of the advisor shall include:

29 (a) Guiding the development of state-level policy related to education and workforce issues;

30 (b) Providing general direction and serving as a liaison between state and local efforts in edu-
31 cation, training and workforce development;

32 (c) Ensuring, through collaboration with the leadership of local workforce investment boards,
33 the alignment of statewide and local strategic plans, and the periodic reporting of performance in
34 the implementation of such plans; and

35 (d) Consulting with local workforce investment boards on the development and implementation
36 of a workforce performance measurement system.

37 (3) In the performance of duties, the advisor shall collectively involve state agencies, including
38 but not limited to:

39 (a) The Department of Education;

40 (b) The Higher Education Coordinating Commission;

41 (c) The Oregon Business Development Department;

42 (d) The [Department] **Office** of Community Colleges and Workforce Development;

43 (e) The Employment Department;

44 (f) The Department of Human Services;

45 (g) The Bureau of Labor and Industries;

1 (h) The Department of Corrections; and

2 (i) The public universities with governing boards listed in ORS 352.054.

3 (4) The advisor shall seek input from key interested parties to help guide policy development,
4 including but not limited to representatives of:

5 (a) Businesses and industry organizations;

6 (b) Labor and labor organizations;

7 (c) Local education providers, community colleges and other public and private post-secondary
8 institutions of education and their governing boards;

9 (d) Local government;

10 (e) Student, teacher, parent and faculty organizations;

11 (f) Community-based organizations;

12 (g) Public-private partnership organizations;

13 (h) Independent nonprofit and proprietary post-secondary colleges and schools; and

14 (i) The State Workforce Investment Board and local workforce investment boards.

15 (5) The advisor shall meet, on a regularly scheduled basis, with the local workforce investment
16 boards and such others as necessary to ensure that local interests are represented. The advisor shall
17 seek input, advice and feedback on policy issues affecting state and local education and workforce
18 development from interested parties and any advisory committees appointed or assigned under this
19 section.

20 (6) Pursuant to ORS chapter 183, the advisor may adopt rules necessary to carry out the duties
21 of the advisor.

22 **SECTION 59.** ORS 660.318 is amended to read:

23 660.318. (1) To implement and oversee state implementation of Title I-B, the [*Department*] **Office**
24 of Community Colleges and Workforce Development may:

25 (a) Receive federal youth activities funds allotted to this state by the Secretary of Labor pur-
26 suant to Title I-B and allocate those funds that are not reserved according to an allocation formula
27 recommended by the State Workforce Investment Board and approved by the Governor.

28 (b) Receive federal adult employment and training activities funds allotted to this state by the
29 Secretary of Labor pursuant to Title I-B and allocate those funds that are not reserved according
30 to an allocation formula recommended by the State Workforce Investment Board and approved by
31 the Governor.

32 (c) Receive federal dislocated worker funds allotted to this state by the Secretary of Labor
33 pursuant to Title I-B and allocate those funds that are not reserved according to an allocation for-
34 mula recommended by the State Workforce Investment Board and approved by the Governor.

35 (d) Establish a procedure for use by local workforce investment boards to identify eligible pro-
36 viders of training services according to section 2864 of the federal Act and to maintain the list of
37 providers identified as eligible by the boards in all local workforce investment areas in this state.

38 (e) Receive the comprehensive strategic plan developed and implemented by each local
39 workforce investment board and review the plan, with input from representatives of state and local
40 workforce programs, to determine if the plan meets the requirements of section 2833 of the federal
41 Act and state policy.

42 (f) Approve the plans, after review by the State Workforce Investment Board, that are found to
43 meet the requirements of Title I-B and review and approve any amendments to the plans.

44 (g) Carry out the required and allowable activities described in section 2864 of the federal Act
45 with the advice of the Education and Workforce Policy Advisor.

1 (h) Pursuant to ORS 660.339, establish procedures to maintain the confidentiality of the names
2 and records of participants in workforce programs for which the [*department*] **office** is responsible,
3 including circumstances under which the names and records may be disclosed.

4 (i) Establish a method to set performance standards for the Secretary of Labor as required under
5 section 2871 of the federal Act.

6 (j) Perform planning functions related to Title I-B programs and performance reporting.

7 (2)(a) Subject to the availability of funds from the federal Workforce Investment Act, the [*De-*
8 *partment*] **Office** of Community Colleges and Workforce Development shall create and operate a
9 summer youth employment program that reestablishes meaningful summer work experience for per-
10 sons between the ages of 14 and 24 and that meets the requirements for funding under the federal
11 Act.

12 (b) Programs funded under this subsection:

13 (A) Must include representatives of the business community in the planning, implementation and
14 evaluation of the program.

15 (B) May provide for private and public sector employment opportunities.

16 (C) Shall be managed by local workforce investment boards in a manner that coordinates re-
17 gional state-sponsored youth work experience programs.

18 (c) Local workforce investment boards responsible for managing programs created under this
19 subsection shall provide training for business, labor and education leaders in use of best practices
20 that [*assure*] **ensure** positive summer work experiences for participants.

21 (3) The [*Department*] **Office** of Community Colleges and Workforce Development shall collab-
22 orate with the State Workforce Investment Board and local workforce investment boards to collect
23 data on summer work experience programs that identify successful summer work experiences and
24 allow for the identification and dissemination of promising practices.

25 (4) The Higher Education Coordinating Commission, in consultation with the State Workforce
26 Investment Board, may adopt rules pursuant to ORS chapter 183 to implement this section.

27 **SECTION 60.** ORS 660.339 is amended to read:

28 660.339. (1) All participant records maintained by the local workforce investment boards or any
29 public or private agency involved in Title I-B programs shall be confidential and except as provided
30 in ORS 660.300 to 660.364 shall be open for inspection only in accordance with [*such rules as the*
31 *Department of Community Colleges and Workforce Development shall adopt*] **rules adopted by the**
32 **Office of Community Colleges and Workforce Development.**

33 (2) A participant may provide written consent for the examination or release of any record
34 pertaining to the participant.

35 (3) All information contained in participant files shall be available for inspection by the
36 participant[,] and **by** the participant's parent or legal guardian if the participant is under 18 years
37 of age. Participant behavioral records shall be released only in the presence of an individual quali-
38 fied to explain or interpret the records.

39 (4) The [*department*] **office** may adopt rules to provide the circumstances under which partic-
40 ipant names or records may be made available for inspection when:

41 (a) Ordered by a court of competent jurisdiction.

42 (b) Necessary to protect the health or safety of a participant or another.

43 (c) Necessary to provide information to state and local agencies administering ORS 412.001 to
44 412.161 and 412.991 and ORS chapters 418 and 657, other programs under the federal Workforce
45 Investment Act of 1998 and other mandatory programs under this state's one-stop service delivery

1 system.

2 (d) Necessary for program staff work or studies of a statistical or demographic nature.

3 (e) Necessary to carry out the planning and coordinating functions between state and local
4 agencies under Title I-B of the federal Workforce Investment Act, other applicable state laws or
5 those functions assigned by the Education and Workforce Policy Advisor.

6 **SECTION 61.** ORS 660.340 is amended to read:

7 660.340. (1) There is created in the [*Department*] **Office** of Community Colleges and Workforce
8 Development the Oregon Employer Workforce Training Program. Subject to the availability of
9 funding, the [*department*] **office** shall create and operate, and local workforce investment boards
10 shall manage, the program for the purpose of:

11 (a) Assisting businesses and consortia of businesses in implementing projects that identify and
12 provide cost-effective solutions to the issues of employee training, retention and advancement;

13 (b) Maximizing the utilization of public and private resources for providing training to employed
14 persons in skills that are responsive to the need of businesses and industries in Oregon to become
15 and to remain competitive on the national and international level; and

16 (c) Responding to the need of workers in Oregon to develop current job skills necessary to meet
17 the current and future needs of employers.

18 (2)(a) Businesses in industries identified in the plans developed by local workforce investment
19 boards as required by ORS 660.327 are eligible to participate in projects selected for participation
20 in the program.

21 (b) Priority for approval of projects submitted under this subsection shall be given to businesses
22 in industries that have the greatest impact on the local economy and emerging green jobs.

23 (3) Local workforce investment boards shall:

24 (a) Identify businesses and consortia of businesses for potential participation in the program;

25 (b) Develop and implement an application process for projects proposed for the program;

26 (c) Notwithstanding the provisions of the Public Contracting Code, use an open and competitive
27 procurement process for agreements entered into with participants in the program;

28 (d) Require that businesses participating in a project provide private sector funding equal to the
29 amount of state funding provided for the project; and

30 (e) Track and report to the [*department*] **office** the outcomes of projects implemented in the local
31 workforce investment area, including, but not limited to:

32 (A) The number of businesses participating in approved projects;

33 (B) The number and types of projects completed;

34 (C) The number of employees receiving training;

35 (D) The number of jobs retained or created by the businesses participating in the project; and

36 (E) The value of the private sector funding provided.

37 (4) The Higher Education Coordinating Commission shall adopt rules necessary for the imple-
38 mentation and operation of the program created under subsection (1) of this section. The rules shall
39 include, but are not limited to, a process by which moneys may be appropriated and allocated to the
40 local workforce investment boards to support projects identified by the local workforce investment
41 boards under subsection (3) of this section.

42 **SECTION 62.** ORS 660.341 is amended to read:

43 660.341. The Oregon Employer Workforce Training Fund is established in the State Treasury,
44 separate and distinct from the General Fund. Interest earned by the Oregon Employer Workforce
45 Training Fund shall be credited to the fund. Moneys in the fund are continuously appropriated to

1 the [Department of Community Colleges and Workforce Development] **Higher Education Coordinat-**
2 **ing Commission** for the purposes of ORS 660.340.

3 **SECTION 63.** ORS 660.343 is amended to read:

4 660.343. (1) There is created in the [Department] **Office** of Community Colleges and Workforce
5 Development the Oregon National Career Readiness Certification Program to certify the workplace
6 and college readiness skills of Oregonians and to better prepare Oregonians for continued education
7 and workforce training, successful employment and career advancement in a demand-driven, skills-
8 based economy.

9 (2) Program services may be offered through public high schools, community colleges, local and
10 regional career centers and any other institutions determined to be appropriate by the
11 [department] **office** to residents of Oregon and to employees of businesses located in Oregon.

12 (3) Services provided by the program shall include, but are not limited to:

13 (a) An assessment process that identifies the proficiency level of program participants in work-
14 ready skills including, but not limited to, reading, applied mathematics, locating information and any
15 additional skills determined by the [department] **office** to be necessary to meet business and industry
16 skill demands;

17 (b) Targeted instruction and remedial skills training to provide work-ready skills in which pro-
18 gram participants are not proficient, as determined by the assessment process described in para-
19 graph (a) of this subsection, and that have been identified by the [department] **office** as work-ready
20 skills required by local employers;

21 (c) Issuance of a National Career Readiness Certificate to program participants who demon-
22 strate proficiency in work-ready skills, as determined by the assessment process described in para-
23 graph (a) of this subsection, and who satisfy any other requirements for certification adopted by the
24 [department] **office** by rule;

25 (d) Providing information to school districts, community colleges and community college service
26 districts about the National Career Readiness Certificate and the assessments, targeted instruction
27 and remedial skills training available through the program; and

28 (e) An online database that:

29 (A) Serves as the repository for National Career Readiness Certificate attainment data.

30 (B) Provides online access to program data that enables employers to determine the work skill
31 proficiency level of individual program participants and to locate certified individuals on a statewide
32 or regional basis.

33 (C) Provides individual program participants the opportunity for career exploration, continuing
34 education, job readiness practice and job searches.

35 (D) Provides individual program participants the opportunity to opt out of the database in ac-
36 cordance with rules adopted by the [department] **office**.

37 (4) The [Department] **Office** of Community Colleges and Workforce Development, after consul-
38 tation with the **Higher Education Coordinating Commission**, the State Workforce Investment
39 Board[,] **and** the Department of Education [and the *Higher Education Coordinating Commission*],
40 shall adopt rules for the implementation and administration of the program created under subsection
41 (1) of this section.

42 (5) By September 1 of each year, school districts, community colleges and community college
43 service districts shall report to the [Department] **Office** of Community Colleges and Workforce De-
44 velopment the rate of participation in and the total number of students enrolled in the district or
45 community college who utilized the services provided by the program in the most recently concluded

1 school year.

2 (6) The *[Department]* **Office** of Community Colleges and Workforce Development shall submit a
3 report on program outcomes and recommendations for improving and funding the program to the
4 appropriate interim legislative committees and to the Governor by December 1 of each year. The
5 report shall include a summary of the information required under subsection (5) of this section.

6 **SECTION 64.** ORS 660.346 is amended to read:

7 660.346. (1)(a) The *[Department]* **Office** of Community Colleges and Workforce Development, in
8 collaboration with the Employment Department and the State Workforce Investment Board, shall
9 develop and implement a demand-driven, skills-based integrated workforce delivery system focused
10 on skills and talent development.

11 (b) The integrated workforce delivery system implemented under paragraph (a) of this subsection
12 must include, and the *[Department of Community Colleges and Workforce Development]* **office** shall
13 maintain, a workforce training inventory of prioritized occupations.

14 (c) The *[Department of Community Colleges and Workforce Development]* **office** shall prioritize
15 recommendations for the allocation of workforce training resources by the integrated workforce
16 delivery system based on occupational prioritization data developed by the Employment Department.

17 (2) The *[Department of Community Colleges and Workforce Development]* **office** shall adopt rules
18 necessary for the implementation and administration of the integrated workforce delivery system
19 developed under subsection (1) of this section.

20 **SECTION 65.** ORS 660.349 is amended to read:

21 660.349. (1)(a) There is created in the *[Department]* **Office** of Community Colleges and Workforce
22 Development a program to make grants to pilot projects to promote hands-on experience and edu-
23 cation in the fundamentals and core competencies in architecture, construction trades and engi-
24 neering for high school juniors and seniors.

25 (b) Pilot projects funded by the program created under this subsection shall be based on
26 collaborative efforts between local school districts, community colleges, business organizations and
27 labor organizations that provide participants the opportunity for education and training in skills
28 required to meet the workforce development needs of local, regional and statewide employers.

29 (c) The *[department]* **office** may apply for and receive grants and gifts from public and private
30 sources to fund grants provided under this section.

31 (2) The program created under subsection (1) of this section for making grants to pilot projects
32 shall ensure that:

33 (a) Local communities are informed about the availability of the grants;

34 (b) The pilot projects are geographically distributed throughout Oregon;

35 (c) Urban and rural participants have equal opportunity to access quality educational opportu-
36 nities;

37 (d) Representatives of related, ongoing community efforts assist in the implementation of archi-
38 tecture, construction trades and engineering education and training; and

39 (e) The program and timelines are designed to minimize barriers to receiving funds.

40 (3) When considering applications for grants, the program shall give priority to pilot projects
41 that:

42 (a) Provide access for high school juniors and seniors to architecture, construction trades and
43 engineering education and training through the efforts of local and regional career centers and
44 public-private consortia;

45 (b) In combination with other projects receiving funds, contribute to architecture, construction

1 trades and engineering education and training opportunities in every part of the state;

2 (c) Use private and federal funds;

3 (d) Facilitate sharing of resources through public-private partnerships including collaboration
4 among local school districts, community colleges, business organizations and labor organizations;

5 (e) Have a long-term strategic plan and lack only the necessary financial resources;

6 (f) Help students connect education and training with career planning and job opportunities
7 through local and regional career centers implemented under the federal Workforce Investment Act;

8 (g) Provide articulated secondary and post-secondary education programs that are designed to
9 lead to a degree or industry-specific skills certification; and

10 (h) Establish short-term training programs that meet the immediate needs of local and regional
11 employers.

12 (4)(a) The *[department]* **office** shall include in the program created under subsection (1) of this
13 section a process for the certification of instructors for the program to provide education and
14 practical experience in architecture, construction trades and engineering.

15 (b) The *[department]* **office** shall adopt by rule requirements for the certification of instructors
16 described in paragraph (a) of this subsection.

17 (c) Notwithstanding the requirements adopted under paragraph (b) of this subsection, a person
18 qualified to serve as an instructor in a state-recognized apprenticeship program is qualified for cer-
19 tification as an instructor for projects implemented under this section.

20 **SECTION 66.** ORS 660.352 is amended to read:

21 660.352. *[There]* **The Youth Employment Enhancement Fund** is established in the State
22 Treasury, separate and distinct from the General Fund~~, *the Youth Employment Enhancement Fund*~~.
23 Moneys in the **Youth Employment Enhancement Fund** are **continuously** appropriated ~~*[contin-*~~
24 ~~*uously]*~~ to the *[Department of Community Colleges and Workforce Development]* **Higher Education**
25 **Coordinating Commission** for the purposes of ORS 660.349.

26 **SECTION 67.** ORS 660.353 is amended to read:

27 660.353. (1) There is created in the *[Department]* **Office** of Community Colleges and Workforce
28 Development the Oregon Youth Employment Program. Subject to the availability of funding, the
29 *[department]* **office** shall create and operate, and local workforce investment boards shall manage,
30 the program to provide meaningful work experience and workforce training for persons between the
31 ages of 14 and 24.

32 (2) The program shall provide to participants in the program case management and support
33 services that include, but are not limited to:

34 (a) Developing an individual development plan for the participant that outlines work readiness,
35 career and educational goals;

36 (b) Work readiness instruction;

37 (c) At least 12 weeks of paid internships or other work experience; and

38 (d) Academic support for earning high school graduation credit, completion of a General Edu-
39 cational Development (GED) certificate program or earning college credit for work experience or
40 internships provided through the program.

41 (3) The program:

42 (a) Plan, implementation procedures and evaluation criteria shall be described in the local plan
43 developed by a local workforce investment board under ORS 660.327.

44 (b) May provide for public and private sector employment opportunities.

45 (4) Local workforce investment boards responsible for managing the program shall ensure ap-

1 appropriate training and positive work experiences for participants.

2 (5) The [department] **office** shall collaborate with the local workforce investment boards to col-
3 lect data on youth work experience programs that identify successful work experiences and allow
4 for the identification and dissemination of the most promising practices. The data collected shall
5 also include the number of participants in the program, the number of participants that complete the
6 program, the cost of internships and other work experiences provided, the academic credit earned
7 by participants and the number of General Educational Development (GED) certificates earned by
8 participants.

9 (6) The [department] **office** shall adopt rules necessary for the implementation and operation of
10 the program created under subsection (1) of this section. The rules shall include, but are not limited
11 to, establishing eligibility criteria for persons participating in the program.

12 **SECTION 68.** ORS 660.354 is amended to read:

13 660.354. The Oregon Youth Employment Fund is established in the State Treasury, separate and
14 distinct from the General Fund. Interest earned by the Oregon Youth Employment Fund shall be
15 credited to the fund. Moneys in the fund are continuously appropriated to the [Department of Com-
16 munity Colleges and Workforce Development] **Higher Education Coordinating Commission** for the
17 purposes of ORS 660.353.

18
19 **ECONOMIC DISLOCATION NOTIFICATION STATUTES**

20
21 **SECTION 69.** ORS 285A.516 is amended to read:

22 285A.516. The [Department] **Office** of Community Colleges and Workforce Development is the
23 state agency that shall be notified when an employer is required to provide written notice of a plant
24 closing or mass layoff under section 3 of the Worker Adjustment and Retraining Notification Act
25 (P.L. 100-379).

26 **SECTION 70.** ORS 285A.519 is amended to read:

27 285A.519. (1) The [Department] **Office** of Community Colleges and Workforce Development shall
28 notify employers subject to the Worker Adjustment and Retraining Notification Act (P.L. 100-379)
29 that the [Department] **Office** of Community Colleges and Workforce Development is the state agency
30 that must be notified when [they] **the employers** are required to provide notice of a plant closing
31 or mass layoff under the Worker Adjustment and Retraining Notification Act (P.L. 100-379).

32 (2) When notifying employers as provided in subsection (1) of this section, the [department] **office**
33 shall provide employers with a statement of the programs, projects, expenditures and other forms
34 of assistance the [department] **office** and other state agencies can provide to communities, employers
35 and workers affected by a plant closing or mass layoff.

36 **SECTION 71.** ORS 285A.522 is amended to read:

37 285A.522. (1) The [Department] **Office** of Community Colleges and Workforce Development shall
38 prepare an annual report concerning plant closings and mass layoffs in this state. The report shall
39 describe in detail each plant closing or mass layoff during the period covered by the report and the
40 assistance and services provided to the affected employers, workers and communities. The report
41 shall also contain the most recent information available relating to the current status of the em-
42 ployer, workers and community affected by each plant closing or mass layoff.

43 (2) The report prepared under this section shall be presented to the Governor, the President of
44 the Senate, the Speaker of the House of Representatives and appropriate legislative committees.

45

PUBLIC FINANCIAL ADMINISTRATION STATUTES

SECTION 72. ORS 294.393 is amended to read:

294.393. (1) Each school district and each education service district shall prepare the estimates of expenditures required under ORS 294.388 in accordance with the classification of revenue and expenditure accounts prescribed by the Department of Education in consultation with the Department of Revenue. The Department of Revenue is responsible for determining the district's compliance with this subsection.

(2) Each community college district shall prepare the estimates of expenditures required under ORS 294.388 in accordance with the classification of revenue and expenditure accounts prescribed by the [Department] Office of Community Colleges and Workforce Development in consultation with the Department of Revenue. The Department of Revenue is responsible for determining the district's compliance with this subsection.

(3) Notwithstanding ORS 294.388 (2), each municipal corporation that operates a public utility or hospital shall prepare estimates for the operations of each public utility or hospital in accordance with:

(a) The applicable generally accepted system of accounts for the operations; or

(b) The general system of accounts in ORS 294.305 to 294.565.

SECTION 73. ORS 294.456 is amended to read:

294.456. (1)(a) After the public hearing required under ORS 294.453 (1) and consideration of matters discussed at the public hearing, the governing body of a municipal corporation shall enact the ordinances or resolutions necessary to adopt the budget, to make the appropriations, to determine, make and declare the ad valorem property tax amount or rate to be certified to the assessor for either the ensuing year or each of the years of the ensuing budget period and to itemize and categorize the ad valorem property tax amount or rate as required under ORS 310.060.

(b) The governing body may amend the budget estimates and proposed ad valorem property tax amount or rate in the budget document before adoption under paragraph (a) of this subsection and after adoption if the post-adoption amendments are adopted prior to the commencement of the fiscal year or budget period to which the budget relates.

(c) Notwithstanding paragraph (b) of this subsection, unless the amended budget document is republished pursuant to ORS 294.438 or 294.448 in the same manner as the original budget and another public hearing is held pursuant to ORS 294.453 (1), or except to the extent ad valorem property taxes may be increased under ORS 294.476:

(A) The amount of estimated expenditures for each fund in an annual budget may not be increased by more than \$5,000 or 10 percent of the estimated expenditures, whichever is greater;

(B) The amount of estimated expenditures for each fund in a biennial budget may not be increased by more than \$10,000 or 10 percent of the estimated expenditures, whichever is greater; and

(C) The amount or rate of the total ad valorem property taxes to be certified by the municipal corporation to the assessor may not exceed the amount approved by the budget committee.

(2)(a) After a public hearing under ORS 294.453 (2) or (3), receipt of the certification of the tax supervising and conservation commission, if required, and consideration of any orders, recommendations or objections made by the tax supervising and conservation commission in accordance with law, the governing body of a municipal corporation shall enact the ordinances or resolutions necessary to adopt the budget, to make the appropriations, to determine, make and declare the ad valorem property tax amount or rate for either the ensuing fiscal year or each of the fiscal years

1 of the ensuing budget period and to itemize and categorize the ad valorem property tax amount or
2 rate as required under ORS 310.060.

3 (b) The action taken by the governing body under paragraph (a) of this subsection on each order,
4 recommendation or objection made by the commission, with the reasons for the action, must be in-
5 cluded in the ordinance or resolution adopting the budget.

6 (c) The governing body shall send a certified copy of the ordinance or resolution to the com-
7 mission within 15 days after the date the ordinance or resolution is adopted.

8 (d) The governing body may amend the budget estimates, appropriations and ad valorem prop-
9 erty tax amount or rate in the budget document before adoption under paragraph (a) of this sub-
10 section and after adoption if the post-adoption amendments are adopted prior to the commencement
11 of the fiscal year or budget period to which the budget relates.

12 (e) Notwithstanding paragraph (d) of this subsection, unless the amended budget document is
13 resubmitted to the tax supervising and conservation commission for another public hearing and for
14 recommendations or objections of the commission, or except to the extent ad valorem property taxes
15 may be increased under ORS 294.476:

16 (A) The amount of estimated expenditures for each fund in an annual budget may not be in-
17 creased by more than \$5,000 or 10 percent of the estimated expenditures, whichever is greater;

18 (B) The amount of estimated expenditures for each fund in a biennial budget may not be in-
19 creased by more than \$10,000 or 10 percent of the estimated expenditures, whichever is greater; and

20 (C) The amount or rate of the total ad valorem property taxes to be certified by the municipal
21 corporation to the assessor may not exceed the amount approved by the budget committee.

22 (3)(a) Except as provided in subsections (4) and (5) of this section, the appropriations required
23 under subsections (1) and (2) of this section must contain:

24 (A) One amount for each organizational unit or program of each fund that is the total of all
25 amounts for personnel services, materials and services and capital outlay attributable to the organ-
26 izational unit or program; and

27 (B) Separate amounts in each fund for operating expenses for personnel services, materials and
28 services and capital outlay that cannot be allocated to a particular organizational unit or program
29 and for debt service, special payments, interfund revenue transfers and operating contingencies.

30 (b) Separate amounts for activities within an organizational unit or program may be appropri-
31 ated separately.

32 (c) For a municipal corporation to which the terms “organizational unit” and “program” do not
33 apply, the appropriations must contain separate amounts for personnel services, materials and ser-
34 vices, capital outlay, debt service, special payments, interfund revenue transfers and operating con-
35 tingencies for each fund.

36 (4) For a school district or an education service district, the appropriations required under
37 subsections (1) and (2) of this section must contain separate amounts in each major fund for each
38 major function, as prescribed by the Department of Education in consultation with the Department
39 of Revenue, including instruction, support services, enterprise and community services, facilities
40 acquisition and construction, interfund revenue transfers, debt service and operating contingencies.

41 (5) For a community college district, the appropriations required under subsections (1) and (2)
42 of this section must contain separate amounts in each fund for:

43 (a) Each major function, as prescribed by the [Department] **Office** of Community Colleges and
44 Workforce Development in consultation with the Department of Revenue, including instruction, in-
45 structional support, student services, community services, college support services, interfund trans-

1 fers, debt service and operating contingencies;

2 (b) Each major function as required under subsection (4) of this section; or

3 (c) Each program or each object classification required under subsection (3) of this section.

4 (6) Except as provided in ORS 294.338, 294.463, 294.466, 294.471, 294.473 and 294.478, after the
5 governing body has enacted the ordinances or resolutions necessary to adopt the budget as required
6 under this section, an expenditure, or encumbrance if encumbrance accounting is used, of public
7 money may not be made for any purpose in an amount greater than the amount appropriated.

8 (7) The governing body of a municipal corporation shall record the amount or rate of ad valorem
9 property taxes to be certified and the purposes for which the taxes will be used. Except as provided
10 in ORS 294.476, the municipal corporation may not certify ad valorem property taxes in an amount
11 or rate greater than the amount or rate recorded for the purposes indicated.

12 (8)(a) The governing body of a municipal corporation shall determine, make and declare ad
13 valorem property taxes under subsections (1) and (2) of this section as a rate per \$1,000 of assessed
14 value if the taxes are operating taxes as defined in ORS 310.055 (1) or rate-based local option taxes.

15 (b) The governing body shall determine, make and declare ad valorem property taxes under
16 subsections (1) and (2) of this section as an amount if the taxes are certified as amount-based local
17 option taxes, to pay principal and interest on exempt bonded indebtedness or to pay other govern-
18 ment obligations described in section 11 (5), Article XI of the Oregon Constitution.

19 (c) Notwithstanding paragraph (a) of this subsection, the governing body may certify operating
20 taxes as defined in ORS 310.055 (1) as a rate or an amount if less than the full authority is needed
21 to balance the fund that will receive the taxes.

22
23 **EDUCATION STATUTES**
24 **(STEM Investment Council)**
25

26 **SECTION 74.** ORS 326.500, as amended by section 4, chapter 739, Oregon Laws 2013, is
27 amended to read:

28 326.500. (1) The STEM Investment Council is established. The council shall function under the
29 joint direction and control of the State Board of Education and the State Board of Higher Education.

30 (2)(a) The council is established for the purpose of assisting the Superintendent of Public
31 Instruction[, *the Commissioner for Community College Services and the Chancellor of the Oregon*
32 *University System*] **and the executive director of the Higher Education Coordinating Commis-**
33 **sion** in jointly developing and overseeing a long-term strategy that advances the following educa-
34 tional goals related to science, technology, engineering and mathematics:

35 (A) Double the percentage of students in 4th and 8th grades who are proficient or advanced in
36 mathematics and science, as determined using a nationally representative assessment of students'
37 knowledge in mathematics and science; and

38 (B) Double the number of students who earn a post-secondary degree requiring proficiency in
39 science, technology, engineering or mathematics.

40 (b) Achievement of the goals described in paragraph (a) of this subsection shall be determined
41 based on a comparison between the 2014-2015 school year or academic year and the 2024-2025 school
42 year or academic year.

43 (3) To advance the educational goals described in subsection (2) of this section, the council shall
44 make recommendations to:

45 (a) The Superintendent of Public Instruction regarding the administration of the STEM Invest-

1 ment Grant Program established in ORS 327.380; and

2 (b) The Superintendent of Public Instruction[, *the Commissioner for Community College Services*
3 *and the Chancellor of the Oregon University System*] **and the executive director of the Higher**
4 **Education Coordinating Commission** regarding other investments in science, technology, engi-
5 neering and mathematics that are made or overseen by the State Board of Education or the State
6 Board of Higher Education.

7 (4) The council consists of nine members from the private sector who are jointly appointed by
8 the Superintendent of Public Instruction[, *the Commissioner for Community College Services and the*
9 *Chancellor of the Oregon University System*] **and the executive director of the Higher Education**
10 **Coordinating Commission** and serve at the pleasure of the superintendent[, *commissioner and*
11 *chancellor*] **and the executive director**.

12 (5) To aid and advise the council in the performance of the council's duties, the council:

13 (a) Shall recruit educators and administrators from kindergarten through grade 12 and from
14 post-secondary education to be nonvoting advisory members of the council;

15 (b) May recruit nonvoting advisory members to the council who are in addition to the members
16 identified in paragraph (a) of this subsection; and

17 (c) May establish advisory and technical committees that the council considers necessary.

18 (6)(a) The Superintendent of Public Instruction[, *the Commissioner for Community College Ser-*
19 *vices and the Chancellor of the Oregon University System*] **and the executive director of the Higher**
20 **Education Coordinating Commission** shall jointly appoint a council director. The council director
21 shall serve at the pleasure of the superintendent[, *commissioner and chancellor*] **and executive di-**
22 **rector**.

23 (b) Except as otherwise directed by the Superintendent of Public Instruction[, *the Commissioner*
24 *for Community College Services and the Chancellor of the Oregon University System*] **and the exec-**
25 **utive director of the Higher Education Coordinating Commission**, the activities of the council
26 shall be directed and supervised by the council director.

27 (7) Members of the council are not entitled to compensation or reimbursement for expenses and
28 serve as volunteers of the council.

29 (8) The council shall submit an annual report to the State Board of Education, the State Board
30 of Higher Education and the Legislative Assembly on the progress made toward achieving the goals
31 described in subsection (2) of this section and the distribution of funds under the STEM Investment
32 Grant Program.

33 **SECTION 75.** ORS 326.500, as amended by sections 4 and 6, chapter 739, Oregon Laws 2013, is
34 amended to read:

35 326.500. (1) The STEM Investment Council is established. The council shall function under the
36 joint direction and control of the State Board of Education and the State Board of Higher Education.

37 (2)(a) The council is established for the purpose of assisting the Superintendent of Public
38 Instruction[, *the Commissioner for Community College Services and the Chancellor of the Oregon*
39 *University System*] **and the executive director of the Higher Education Coordinating Commis-**
40 **sion** in jointly developing and overseeing a long-term strategy that advances the following educa-
41 tional goals related to science, technology, engineering and mathematics:

42 (A) Having a specified percentage of students in 4th and 8th grades who are proficient or ad-
43 vanced in mathematics and science, as determined using a nationally representative assessment of
44 students' knowledge in mathematics and science; and

45 (B) Having a specified number of students who earn a post-secondary degree requiring profi-

1 ciency in science, technology, engineering or mathematics.

2 (b) Achievement of the goals described in paragraph (a) of this subsection shall be determined
3 based on percentages and numbers determined by the council.

4 (3) To advance the educational goals described in subsection (2) of this section, the council shall
5 make recommendations to:

6 (a) The Superintendent of Public Instruction regarding the administration of the STEM Invest-
7 ment Grant Program established in ORS 327.380; and

8 (b) The Superintendent of Public Instruction[, *the Commissioner for Community College Services*
9 *and the Chancellor of the Oregon University System*] **and the executive director of the Higher**
10 **Education Coordinating Commission** regarding other investments in science, technology, engi-
11 neering and mathematics that are made or overseen by the State Board of Education or the State
12 Board of Higher Education.

13 (4) The council consists of nine members from the private sector who are jointly appointed by
14 the Superintendent of Public Instruction[, *the Commissioner for Community College Services and the*
15 *Chancellor of the Oregon University System*] **and the executive director of the Higher Education**
16 **Coordinating Commission** and serve at the pleasure of the superintendent[, *commissioner and*
17 *chancellor*] **and the executive director.**

18 (5) To aid and advise the council in the performance of the council's duties, the council:

19 (a) Shall recruit educators and administrators from kindergarten through grade 12 and from
20 post-secondary education to be nonvoting advisory members of the council;

21 (b) May recruit nonvoting advisory members to the council who are in addition to the members
22 identified in paragraph (a) of this subsection; and

23 (c) May establish advisory and technical committees that the council considers necessary.

24 (6)(a) The Superintendent of Public Instruction[, *the Commissioner for Community College Ser-*
25 *vices and the Chancellor of the Oregon University System*] **and the executive director of the Higher**
26 **Education Coordinating Commission** shall jointly appoint a council director. The council director
27 shall serve at the pleasure of the superintendent[, *commissioner and chancellor*] **and the executive**
28 **director.**

29 (b) Except as otherwise directed by the Superintendent of Public Instruction[, *the Commissioner*
30 *for Community College Services and the Chancellor of the Oregon University System*] **and the exec-**
31 **utive director of the Higher Education Coordinating Commission**, the activities of the council
32 shall be directed and supervised by the council director.

33 (7) Members of the council are not entitled to compensation or reimbursement for expenses and
34 serve as volunteers of the council.

35 (8) The council shall submit an annual report to the State Board of Education, the State Board
36 of Higher Education and the Legislative Assembly on the progress made toward achieving the goals
37 described in subsection (2) of this section and the distribution of funds under the STEM Investment
38 Grant Program.

39
40 **(STEM Investment Grant Program)**

41
42 **SECTION 76.** ORS 327.380 is amended to read:

43 327.380. (1) The STEM Investment Grant Program is established to provide funding to school
44 districts, community colleges and public universities listed in ORS 352.002 to advance the goals de-
45 scribed in ORS 326.500 (2).

1 (2) The STEM Investment Council shall evaluate grant applications and make recommendations
2 on the applications to the Chief Education Officer. Under the direction of the Chief Education Of-
3 ficer, the Department of Education shall distribute moneys for the grant program and otherwise
4 administer the grant program.

5 (3)(a) An application for a grant awarded under this section may be submitted by:

6 (A) A school district;

7 (B) A community college district;

8 (C) A public university;

9 (D) The Department of Education;

10 [(E) *The Department of Community Colleges and Workforce Development;*]

11 [(F) *The Oregon University System;*]

12 **(E) The Higher Education Coordinating Commission;**

13 [(G)] (F) Any other state agency; or

14 [(H)] (G) Any combination of entities identified in this paragraph that are organized as a part-
15 nership or a regional effort to improve student achievement in science, technology, engineering or
16 mathematics.

17 (b) A grant awarded under this section may be used for:

18 (A) Classroom or extracurricular activities that further the development of skills related to
19 science, technology, engineering or mathematics; or

20 (B) A project that is related to science, technology, engineering or mathematics and that in-
21 volves collaboration with a private entity.

22 (4) When evaluating applications for a grant, the council:

23 (a) Shall give priority to applications for activities or projects that produce the largest impact
24 at the lowest cost or for the greatest number of students throughout this state, including grants for
25 activities or projects that:

26 (A) Are determined by the council to be likely to become self-supporting within three years;

27 (B) Expand evidence-based, effective practices in science, technology, engineering or mathemat-
28 ics;

29 (C) Can be replicated by other entities in this state;

30 (D) Show evidence of attracting matching funds;

31 (E) If the applicant is an entity identified in subsection (3)(a)(A) to (C) of this section, have de-
32 monstrable support from the governing body of the entity;

33 (F) Help improve access by underrepresented groups to activities that involve science, technol-
34 ogy, engineering or mathematics; or

35 (G) Are elements of a partnership or a regional effort to improve student achievement in sci-
36 ence, technology, engineering or mathematics;

37 (b) May give priority to applications for activities or projects that benefit students in more than
38 one student group among students in kindergarten through grade 12, students in community colleges
39 and students in universities;

40 (c) Shall attempt to achieve a balance, as determined by the council, among grants that are
41 awarded for the sole benefit of students in kindergarten through grade 12, students in community
42 colleges and students in universities; and

43 (d) Shall take into consideration geographic and demographic diversity.

44 **SECTION 77.** ORS 327.380, as amended by section 8, chapter 739, Oregon Laws 2013, is
45 amended to read:

1 327.380. (1) The STEM Investment Grant Program is established to provide funding to school
2 districts, community colleges and public universities listed in ORS 352.002 to advance the goals de-
3 scribed in ORS 326.500 (2).

4 (2) The STEM Investment Council shall evaluate grant applications and make recommendations
5 on the applications to the Superintendent of Public Instruction. Under the direction of the Super-
6 intendent of Public Instruction, the Department of Education shall distribute moneys for the grant
7 program and otherwise administer the grant program.

8 (3)(a) An application for a grant awarded under this section may be submitted by:

9 (A) A school district;

10 (B) A community college district;

11 (C) A public university;

12 (D) The Department of Education;

13 *[(E) The Department of Community Colleges and Workforce Development;]*

14 *[(F) The Oregon University System;]*

15 **(E) The Higher Education Coordinating Commission;**

16 *[(G)] (F)* Any other state agency; or

17 *[(H)] (G)* Any combination of entities identified in this paragraph that are organized as a part-
18 nership or a regional effort to improve student achievement in science, technology, engineering or
19 mathematics.

20 (b) A grant awarded under this section may be used for:

21 (A) Classroom or extracurricular activities that further the development of skills related to
22 science, technology, engineering or mathematics; or

23 (B) A project that is related to science, technology, engineering or mathematics and that in-
24 volves collaboration with a private entity.

25 (4) When evaluating applications for a grant, the council:

26 (a) Shall give priority to applications for activities or projects that produce the largest impact
27 at the lowest cost or for the greatest number of students throughout this state, including grants for
28 activities or projects that:

29 (A) Are determined by the council to be likely to become self-supporting within three years;

30 (B) Expand evidence-based, effective practices in science, technology, engineering or mathemat-
31 ics;

32 (C) Can be replicated by other entities in this state;

33 (D) Show evidence of attracting matching funds;

34 (E) If the applicant is an entity identified in subsection (3)(a)(A) to (C) of this section, have de-
35 monstrable support from the governing body of the entity;

36 (F) Help improve access by underrepresented groups to activities that involve science, technol-
37 ogy, engineering or mathematics; or

38 (G) Are elements of a partnership or a regional effort to improve student achievement in sci-
39 ence, technology, engineering or mathematics;

40 (b) May give priority to applications for activities or projects that benefit students in more than
41 one student group among students in kindergarten through grade 12, students in community colleges
42 and students in universities;

43 (c) Shall attempt to achieve a balance, as determined by the council, among grants that are
44 awarded for the sole benefit of students in kindergarten through grade 12, students in community
45 colleges and students in universities; and

1 (d) Shall take into consideration geographic and demographic diversity.

2
3 **(Guidance and Support for Post-Secondary Aspirations Program)**

4
5 **SECTION 78.** ORS 327.815 is amended to read:

6 327.815. (1) The Oregon Education Investment Board shall establish the Guidance and Support
7 for Post-Secondary Aspirations Program to:

8 (a) Increase the number of students in the ninth grade who are making satisfactory progress
9 toward a high school diploma, a modified diploma or an extended diploma; and

10 (b) Increase the number of students who earn a high school diploma, a modified diploma or an
11 extended diploma and who enroll in a post-secondary institution of higher education.

12 (2) To accomplish the purposes of the Guidance and Support for Post-Secondary Aspirations
13 Program, moneys shall be distributed for strategic investments that advance at least one of the fol-
14 lowing missions:

15 (a) Supporting comprehensive systems of monitoring and support for struggling students.

16 (b) Ensuring that middle and high school students who had not considered enrolling in post-
17 secondary education are directed toward, and able to access, post-secondary education opportunities
18 that match their interests and abilities.

19 (3) Strategic investment moneys distributed as provided by this section shall be as follows:

20 (a) To the Oregon Student Access Commission for the purposes of supporting an expansion of
21 Access to Student Assistance Programs in Reach of Everyone (ASPIRE) in public middle schools,
22 public high schools and community-based sites across this state.

23 (b) To the Department of Education for the purposes of:

24 (A) Distributing moneys to school districts and nonprofit organizations to implement compre-
25 hensive systems for monitoring progress and providing individualized planning, mentoring, tutoring
26 or other support services to students in grades 6 through 10 who are not making satisfactory
27 progress toward a high school diploma, a modified diploma or an extended diploma.

28 (B) Creating a scholarship fund aimed at increasing access for underserved students to post-
29 secondary institutions by paying for first-year college courses or accelerated college credit pro-
30 grams.

31 (c) To the [Department] **Office** of Community Colleges and Workforce Development for the pur-
32 pose of distributing moneys to school districts, public schools, post-secondary institutions and
33 nonprofit organizations to educate and engage underserved or first-generation college-bound stu-
34 dents and their families through counseling programs, parent advocacy, parent education, college
35 visits, college initiatives and assistance with obtaining financial aid.

36 **SECTION 79.** ORS 327.815, as amended by section 7, chapter 660, Oregon Laws 2013, is
37 amended to read:

38 327.815. (1) The State Board of Education shall establish the Guidance and Support for Post-
39 Secondary Aspirations Program to:

40 (a) Increase the number of students in the ninth grade who are making satisfactory progress
41 toward a high school diploma, a modified diploma or an extended diploma; and

42 (b) Increase the number of students who earn a high school diploma, a modified diploma or an
43 extended diploma and who enroll in a post-secondary institution of higher education.

44 (2) To accomplish the purposes of the Guidance and Support for Post-Secondary Aspirations
45 Program, moneys shall be distributed for strategic investments that advance at least one of the fol-

1 lowing missions:

2 (a) Supporting comprehensive systems of monitoring and support for struggling students.

3 (b) Ensuring that middle and high school students who had not considered enrolling in post-
4 secondary education are directed toward, and able to access, post-secondary education opportunities
5 that match their interests and abilities.

6 (3) Strategic investment moneys distributed as provided by this section shall be as follows:

7 (a) To the Oregon Student Access Commission for the purposes of supporting an expansion of
8 Access to Student Assistance Programs in Reach of Everyone (ASPIRE) in public middle schools,
9 public high schools and community-based sites across this state.

10 (b) To the Department of Education for the purposes of:

11 (A) Distributing moneys to school districts and nonprofit organizations to implement compre-
12 hensive systems for monitoring progress and providing individualized planning, mentoring, tutoring
13 or other support services to students in grades 6 through 10 who are not making satisfactory
14 progress toward a high school diploma, a modified diploma or an extended diploma.

15 (B) Creating a scholarship fund aimed at increasing access for underserved students to post-
16 secondary institutions by paying for first-year college courses or accelerated college credit pro-
17 grams.

18 (c) To the [Department] Office of Community Colleges and Workforce Development for the pur-
19 pose of distributing moneys to school districts, public schools, post-secondary institutions and
20 nonprofit organizations to educate and engage underserved or first-generation college-bound stu-
21 dents and their families through counseling programs, parent advocacy, parent education, college
22 visits, college initiatives and assistance with obtaining financial aid.

23
24 **(Education and Workforce Policy Advisor)**
25

26 **SECTION 80.** ORS 329.850 is amended to read:

27 329.850. (1) The Education and Workforce Policy Advisor, in consultation with the Department
28 of Education, the [Department] Office of Community Colleges and Workforce Development, the Bu-
29 reau of Labor and Industries, the Oregon Business Development Department and the Department
30 of Human Services, shall propose policies and strategies consistent with this chapter.

31 (2) The Education and Workforce Policy Advisor's policies and strategies must take into account
32 that:

33 (a) The state must promote innovative thinking with respect to the curriculum and educational
34 delivery system of Oregon public schools;

35 (b) The state must require of all youth a level of achievement that prepares them to pursue
36 college, career and technical education programs, apprenticeships, work-based training and school-
37 to-work programs;

38 (c) Greater employer investment is essential in the ongoing training of all workers to meet
39 workforce needs;

40 (d) The state must encourage Oregon businesses to improve productivity by creating high per-
41 formance work organizations that provide high skills and high wage opportunities for youth and
42 adults; and

43 (e) All employment-related training, education and job placement services and sources of funds
44 must be coordinated among state agencies and boards and must complement the state's overall ef-
45 forts on behalf of youth and adults.

(Career and Technical Education)

SECTION 81. ORS 344.070 is amended to read:

344.070. (1) The Oregon Department of Administrative Services may draw warrants upon any state fund to which federal funds for training or education have been credited, in payment of vouchers approved by the Superintendent of Public Instruction or the [Commissioner for Community College Services] **Director of the Office of Community Colleges and Workforce Development** pursuant to rules of the Higher Education Coordinating Commission, in favor of school districts, education service districts and community college districts, for such sums, not exceeding \$100,000 for a single district in the aggregate, as the commission, by rule, shall determine. The warrants, upon delivery to the districts, shall constitute advances from state funds to enable the districts more readily to effectuate the purposes set forth in any federal law or regulation pertaining to career and technical education or other education or training sponsored by the federal government.

(2) The districts to which moneys are advanced shall be responsible for the full repayment to the state of all sums advanced. The advances are not within any limitation upon indebtedness prescribed by law for districts. The moneys advanced to districts may not exceed in the aggregate the moneys to the credit of the state fund from which they are paid, and shall constitute advances to the recipient district in anticipation of verified vouchers to be supplied therefor. The advances are to be used as revolving funds for the payment of the costs of career and technical education programs, including but not limited to job training, skill development and academic programs offered by youth job development organizations as defined in ORS 344.415. The advances shall be made only in those cases in which the federal government defrays all or part of the cost of such programs.

SECTION 82. ORS 344.080 is amended to read:

344.080. (1) All reimbursement vouchers for claims paid from the revolving funds [mentioned] **described** in ORS 344.070 shall be approved by the Superintendent of Public Instruction or the [Commissioner for Community College Services] **Director of the Office of Community Colleges and Workforce Development** pursuant to rules of the Higher Education Coordinating Commission. When vouchers are so approved, warrants covering the same shall be drawn by the Oregon Department of Administrative Services, payable from the appropriate fund, and be used to reimburse the revolving funds.

(2) The districts receiving the advances shall maintain their accounts and records so as to disclose at all times the true status of the unpaid vouchers issued for the reimbursement of the funds, the district warrants drawn against the funds advanced and the balances to the credit of the funds.

(3) The revolving funds and accounts shall be subject to examination and audit by the state in the manner provided by law for other state funds and accounts. The commission may require an audit of the revolving accounts and shall take proper precautions as to the safety of, and accountability for, all funds advanced.

(4) The commission may require the filing with it of a bond of a corporate surety duly licensed to transact business in this state to [insure] **ensure** the proper handling of and responsibility for any funds advanced. The bond shall be cumulative and supplemental to fidelity insurance coverage already held by the district concerned. The state may have recourse to any and all fidelity bonds of clerks or other financial officers of the district to protect such advances.

SECTION 83. ORS 344.090 is amended to read:

344.090. When it appears to the Superintendent of Public Instruction or the [Commissioner for Community College Services] **Director of the Office of the Colleges and Workforce Development**

1 that the training and educational programs for which funds are advanced under ORS 344.070 have
2 been completed, or that the need for the advances or revolving funds no longer exists, or that the
3 sums advanced are not being properly handled or accounted for, the superintendent or
4 [commissioner] **director** may require that all or part of the amounts advanced to any district shall
5 be returned, with any interest earned, to the state funds or accounts from which the amounts ori-
6 ginally were withdrawn. Upon receipt of notification from the superintendent or [commissioner] **di-**
7 **rector** that funds advanced are to be returned, the district concerned shall immediately repay the
8 same to the State Treasurer, for credit to the proper fund or account. To the extent that funds ad-
9 vanced are so repaid, security or protection theretofore required by the Higher Education Coordi-
10 nating Commission under ORS 344.080 (4) to [insure] **ensure** the safety of such funds may be
11 released.

12 **SECTION 84.** ORS 344.125 is amended to read:

13 344.125. (1) Representatives from the Department of Education, the [Department] **Office** of
14 Community Colleges and Workforce Development and the Bureau of Labor and Industries shall meet
15 at least four times each year for the purpose of promoting collaboration [between] **among** the
16 agencies on issues related to career and technical education.

17 (2) Issues to be addressed by the agencies shall include the development and implementation of
18 long-term goals that:

19 (a) Ensure that career and technical education programs are available at the public schools of
20 this state and through youth job development organizations as defined in ORS 344.415, are founded
21 on partnerships with business and industry and receive appropriate investments of time, money and
22 other resources.

23 (b) Develop regional centers that establish any appropriate partnerships between public schools,
24 community colleges, public universities, businesses, unions and other entities and that ensure that
25 every student of this state has access to a regional center in person or online.

26 (c) Encourage the establishment of joint high school and community college advisory committees
27 that may include representatives of public schools, community colleges, public universities, busi-
28 nesses and unions to:

29 (A) Make more effective use of resources;

30 (B) Promote articulation and pathways between high school programs and post-secondary school
31 programs;

32 (C) Ensure that current industry workforce needs are considered and that curriculum is kept
33 current with state standards; and

34 (D) Increase opportunities for internships, apprenticeships and other opportunities that may lead
35 to employment in the region.

36 (d) Address academic requirements and regulatory barriers that inhibit successful movement of
37 students in career and technical education from high schools to post-secondary school programs and
38 the workforce.

39 (e) Implement accelerated college credit programs that allow students to move seamlessly from
40 public schools to post-secondary education or training to the workforce.

41 (f) Increase professional development opportunities for teachers and learning opportunities for
42 students through industry mentorships, internships, summer programs, after-school programs and
43 career-based student leadership opportunities.

44 (g) Establish partnerships between public and private entities for the purpose of educating stu-
45 dents, parents, teachers, school advisors, policymakers and the general public about the benefits and

1 opportunities related to career and technical education.

2 (3) The agencies identified in subsection (1) of this section shall make a joint report by Decem-
3 ber 31 of each year to the appropriate legislative committees concerning progress on the develop-
4 ment and implementation of the goals described in subsection (2) of this section and may submit
5 recommendations for legislation that will promote opportunities related to career and technical ed-
6 ucation.

7
8 **(Oregon Nursing Shortage Coalition Committee)**
9

10 **SECTION 85.** ORS 353.606 is amended to read:

11 353.606. (1) There is created the Oregon Nursing Shortage Coalition Committee.

12 (2) The committee consists of 10 members, as follows:

13 (a) Two members who represent the Oregon State Board of Nursing appointed by the board.

14 (b) Two members who represent the Northwest Organization of Nurse Executives appointed by
15 the Oregon State Board of Nursing from a list of persons submitted to the board by the Northwest
16 Organization of Nurse Executives.

17 (c) Two members who represent the Oregon Nurses Association appointed by the Oregon State
18 Board of Nursing from a list of persons submitted to the board by the Oregon Nurses Association.

19 (d) One member appointed by the Oregon State Board of Nursing who represents Oregon-based,
20 generally accredited, not-for-profit private institutions of higher education from a list of persons
21 submitted to the board by the Oregon Independent Colleges Association.

22 (e) Two members appointed by the [*Commissioner for Community College Services*] **Director of**
23 **the Office of Community Colleges and Workforce Development** from a list of persons submitted
24 to the [*commissioner*] **director** by the Oregon Community College Association.

25 (f) One member who represents Oregon Health and Science University appointed by the uni-
26 versity.

27 (3) When appointing members to the committee, the Oregon State Board of Nursing, the [*Com-*
28 *missioner for Community College Services*] **Director of the Office of Community Colleges and**
29 **Workforce Development** and Oregon Health and Science University shall ensure that there is at
30 least one member from each of the following areas of the state:

31 (a) Rural western Oregon.

32 (b) Coastal Oregon.

33 (c) Eastern Oregon.

34 (d) Urban areas.

35 (4) The term of office of each member is four years, but a member serves at the pleasure of the
36 appointing authority. Before the expiration of the term of a member, the appointing authority shall
37 appoint a successor whose term begins on July 1 next following. A member is eligible for reap-
38 pointment. If there is a vacancy for any cause, the appointing authority shall make an appointment
39 to become immediately effective for the unexpired term.

40 (5) The committee shall elect one of its members to serve as chairperson and another to serve
41 as vice chairperson, for the terms and with the duties and powers necessary for the performance
42 of the functions of such offices as the committee determines.

43 (6) The committee shall meet at times and places specified by the call of the chairperson or of
44 a majority of the members of the committee.

45 (7) A majority of the members of the committee constitutes a quorum for the transaction of

1 business.

2 (8) Members of the committee are entitled to actual and necessary travel expenses in the man-
3 ner and amounts provided for in ORS 292.495. Claims for expenses incurred in performing functions
4 of the committee shall be paid out of funds received by Oregon Health and Science University for
5 that purpose.

6 (9) Oregon Health and Science University shall provide staff support to the committee.
7

8 **CONFORMING AMENDMENTS**
9

10 **SECTION 86.** ORS 408.506 is amended to read:

11 408.506. The Department of Human Services, the Department of Transportation, the Housing and
12 Community Services Department, the Employment Department, the Department of Justice, the Ju-
13 dicial Department, the Oregon University System, public universities with governing boards listed
14 in ORS 352.054, the Bureau of Labor and Industries, the [Department] **Office** of Community Colleges
15 and Workforce Development and the Department of Veterans' Affairs shall partner with the Oregon
16 Military Department to provide reintegration services for veterans throughout this state through
17 regional strategies.

18 **SECTION 87.** ORS 413.600 is amended to read:

19 413.600. (1) There is established within the Oregon Health Authority the Traditional Health
20 Workers Commission.

21 (2) The Director of the Oregon Health Authority shall appoint the following 19 members to serve
22 on the commission:

23 (a) Ten members, at least six of whom must be appointed from nominees provided by the Oregon
24 Community Health Workers Association, who represent traditional health workers, including at
25 least one member to represent each of the following:

- 26 (A) Community health workers;
- 27 (B) Personal health navigators;
- 28 (C) Peer wellness specialists; and
- 29 (D) Doulas;

30 (b) One member who represents the [Department] **Office** of Community Colleges and Workforce
31 Development;

32 (c) One member who is a community health nurse who represents the Oregon Nurses Associ-
33 ation;

34 (d) One member who is a physician who represents the Oregon Medical Association;

35 (e) One member selected from nominees provided by the Home Care Commission;

36 (f) One member who represents coordinated care organizations;

37 (g) One member who represents a labor organization;

38 (h) One member who supervises traditional health workers at a community-based organization,
39 local health department, as defined in ORS 433.235, or agency, as defined in ORS 183.310;

40 (i) One member who represents community-based organizations or agencies, as defined in ORS
41 183.310, that provide for the training of traditional health workers; and

42 (j) One member who represents a consumer of services provided by health workers who are not
43 licensed by this state.

44 (3) In appointing members under subsection (2) of this section, the director shall consider
45 whether the composition of the Traditional Health Workers Commission represents the geographic,

1 ethnic, gender, racial, disability status, gender identity, sexual orientation and economic diversity
2 of traditional health workers.

3 (4) The term of office of each member of the commission is three years, but a member serves
4 at the pleasure of the director. Before the expiration of the term of a member, the director shall
5 appoint a successor whose term begins on January 1 next following. A member is eligible for re-
6 appointment. If there is a vacancy for any cause, the director shall make an appointment to become
7 immediately effective for the unexpired term.

8 (5) A majority of the members of the commission constitutes a quorum for the transaction of
9 business.

10 (6) Official action by the commission requires the approval of a majority of the members of the
11 commission.

12 (7) The commission shall elect one of its members to serve as chairperson.

13 (8) The commission shall meet at times and places specified by the call of the chairperson or
14 of a majority of the members of the commission.

15 (9) The commission may adopt rules necessary for the operation of the commission.

16 (10) A member of the commission is entitled to compensation and expenses as provided in ORS
17 292.495.

18 **SECTION 88.** ORS 417.799 is amended to read:

19 417.799. (1) The Department of Human Services is responsible for coordinating statewide plan-
20 ning for delivery of services to runaway and homeless youth and their families.

21 (2) The department shall recommend policies that integrate a system of services and support for
22 runaway and homeless youth into the state's continuum of care for children who are 0 through 17
23 years of age. The department shall recommend policies for a system of services and support for
24 youth who are 18 through 20 years of age and who continue to be or who become homeless.

25 (3) The department may work with the Youth Development Division, the Employment Depart-
26 ment, the Housing and Community Services Department, the [Department] **Office** of Community
27 Colleges and Workforce Development, the Department of Education and the Oregon Youth Authority
28 to develop a comprehensive and coordinated approach for services and support for runaway and
29 homeless youth and their families, including youth who are 18 through 20 years of age and who
30 continue to be or who become homeless.

31 (4) In addition to the entities listed in subsection (3) of this section, the department shall include
32 representatives of youth, nonprofit organizations and statewide coalitions related to runaway and
33 homeless youth services and supports, including services and supports for youth who are 18 through
34 20 years of age and who continue to be or who become homeless, in the joint process described in
35 subsection (3) of this section.

36 (5) The department may enter into and renew contracts with providers for the provision of ser-
37 vices to runaway and homeless youth and their families, including services to youth who are 18
38 through 20 years of age and who continue to be or who become homeless.

39 **SECTION 89.** ORS 418.653 is amended to read:

40 418.653. (1) Subject to the availability of funds therefor, there is created an Oregon Youth
41 Conservation Corps that shall provide emergency services, public conservation, rehabilitation and
42 improvement programs. The corps shall be headed by a program director, and shall be administered
43 through the [Department] **Office** of Community Colleges and Workforce Development.

44 (2) Upon implementation of subsection (1) of this section, there shall be created an Oregon
45 Youth Conservation Corps Advisory Committee to consist of nine members, three to be appointed

1 by the President of the Senate, three to be appointed by the Speaker of the House of Representatives
2 and three public members to be appointed by the Governor. No more than one Senator and one
3 Representative shall be appointed.

4 (3) Committee members may receive reimbursement of necessary and actual expenses under ORS
5 292.495 (2), but may not receive compensation under ORS 292.495 (1) or otherwise for participation
6 as a committee member.

7 (4) Committee members may be removed by the appointing authority. Vacancies shall be filled
8 by the appointing authority. Committee members shall serve for a term of three years and may be
9 reappointed for an additional consecutive term.

10 (5) The advisory committee established under subsection (2) of this section shall advise the
11 program director on the implementation of ORS 418.650 to 418.663.

12 **SECTION 90.** ORS 418.657 is amended to read:

13 418.657. (1) In consultation with the Oregon Youth Conservation Corps Advisory Committee and
14 the [*Commissioner for Community College Services*] **Director of the Office of Community Colleges**
15 **and Workforce Development**, the program director of the Oregon Youth Conservation Corps shall:

16 (a) Establish eligibility criteria for participants. Such criteria shall not render the program in-
17 eligible for federal funds. Participants shall be lawful permanent residents of [*the*] **this** state.

18 (b) Establish criteria in order to make the required determination that enrollment in the corps
19 was not the reason that an individual ceased attendance at a secondary school.

20 (c) Assume that application of the eligibility and participation criteria results in enrollment of
21 at least 75 percent disadvantaged and at-risk youth among the total number of participants.

22 (2) The program director, in consultation with the [*Commissioner for Community College*
23 *Services*] **Director of the Office of Community Colleges and Workforce Development**, may take
24 the following actions, including but not limited to:

25 (a) Applying for and accepting grants or contributions of funds from any public or private
26 source;

27 (b) Making agreements with any local, state or federal agency to utilize any service, material
28 or property of any such agency, where such agreements are considered reasonable and necessary;
29 and

30 (c) Purchasing or contracting for necessary private services, equipment, materials and property
31 where such are needed to carry out the projects approved for and undertaken by the corps.

32 (3) The Higher Education Coordinating Commission may adopt all necessary rules to carry out
33 the purposes and objectives of the program and to regulate the standards of conduct and other op-
34 erating guidelines for corps members and other personnel.

35 (4) Corps members are exempt from:

36 (a) State Personnel Relations Law; and

37 (b) ORS 279C.800 to 279C.870.

38 **SECTION 91.** ORS 418.658 is amended to read:

39 418.658. (1) The program director of the Oregon Youth Conservation Corps shall establish a
40 separate program known as the Oregon Community Stewardship Corps. In addition to the estab-
41 lished purposes of the Oregon Youth Conservation Corps, the purpose of the Oregon Community
42 Stewardship Corps is to promote community service activities throughout the state for a broad cross
43 section of Oregon disadvantaged and at-risk youth through programs that also include appropriate
44 educational and job training opportunities for participants.

45 (2) In addition to projects submitted under ORS 418.660 (1), projects of the Oregon Community

1 Stewardship Corps may include, but shall not be limited to:

- 2 (a) Child care services.
- 3 (b) Elderly and disabled care services.
- 4 (c) Literacy education programs.
- 5 (d) Recycling and other waste reduction services.

6 (3) The Oregon Community Stewardship Corps shall offer employment and educational opportu-
7 nities of at least three but not more than 12 months' duration for selected participants.

8 (4) Under rules adopted by the Higher Education Coordinating Commission, participants who
9 successfully complete any 12-month program under this section shall be eligible for \$1,500 in tuition
10 vouchers that can be used at any career school or post-secondary educational institution that is
11 qualified to receive assistance through the Executive Director of the Office of Student Access and
12 Completion.

13 (5) All Oregonians who are at least 13 years of age and under 25 years of age are eligible to
14 participate in the program. To ensure that Oregon Community Stewardship Corps participants rep-
15 resent a broad cross section of Oregonians, special emphasis shall be given to recruiting school
16 dropouts and other disadvantaged and at-risk youth, according to criteria established by the Oregon
17 Youth Conservation Corps Advisory Committee.

18 (6) To the extent practicable, the program director shall enlist state and federal agencies, local
19 government, nonprofit organizations and private businesses, and any combination of such entities,
20 to act as sponsors for programs administered under this section. Selection of sponsors shall be based
21 on criteria that include the following:

22 (a) The availability of other resources on a matching basis, including contributions from private
23 sources, other federal, state and local agencies, and moneys available through the federal Workforce
24 Investment Act of 1998 (29 U.S.C. 2801 et seq.);

25 (b) The provision of related educational and job training programs to participants, including but
26 not limited to school and college coursework, General Educational Development (GED) tests equiv-
27 alency training, project-related education and professional training;

28 (c) Assurances that proposed projects will not displace existing employees or duplicate existing
29 private or government programs; and

30 (d) Assurances that proposed projects are devoted to the enhancement of the community and are
31 not based in maintenance activities and that these projects meet an identified need.

32 (7) In consultation with the advisory committee and the [*Commissioner for Community College*
33 *Services*] **Director of the Office of Community Colleges and Workforce Development**, the pro-
34 gram director shall make grants for programs administered under this section.

35 **SECTION 92.** ORS 418.660 is amended to read:

36 418.660. (1) The programs established under ORS 418.650 to 418.663 may include, but shall not
37 be limited to, projects such as:

- 38 (a) Rangeland conservation, rehabilitation and improvement;
- 39 (b) Endangered species and other wildlife habitat conservation, rehabilitation and improvement;
- 40 (c) Urban revitalization;
- 41 (d) Historical and cultural site preservation and maintenance;
- 42 (e) Recreational area development, maintenance, improvement and beautification;
- 43 (f) Road and trail maintenance and improvement;
- 44 (g) Soil conservation work, including erosion control;
- 45 (h) Flood, drought and storm damage assistance and relief;

- 1 (i) Stream, lake, waterfront harbor and port improvement and pollution control;
- 2 (j) Fish culture and habitat maintenance and improvement;
- 3 (k) Insect, disease, rodent and other pestilence control;
- 4 (L) Improvement of abandoned railroad land and right of way;
- 5 (m) Land reclamation and improvement, including strip-mined lands, public landscape work and
- 6 tree planting programs;
- 7 (n) Energy conservation projects including assistance in the performance of energy efficiency
- 8 audits, weatherization and renewable resource enhancement;
- 9 (o) Emergency assistance in times of natural or other disaster; and
- 10 (p) Recycling projects.

11 (2) In consultation with the Oregon Youth Conservation Corps Advisory Committee and the
12 [Commissioner for Community College Services] **Director of the Office of Community Colleges and**
13 **Workforce Development**, the program director of the Oregon Youth Conservation Corps shall en-
14 sure that projects selected under ORS 418.650 to 418.663 shall be consistent with all other provisions
15 of applicable state and federal law relating to the management, oversight and administration of af-
16 fected public lands.

17 **SECTION 93.** ORS 421.084 is amended to read:

18 421.084. (1) The Administrator of Correctional Education shall administer an adult basic skills
19 development program for all individuals in the custody of the Department of Corrections. The pro-
20 gram shall:

21 (a) Test individuals for basic reading and mathematics skills or, for individuals with limited
22 English language proficiency, English speaking skills. Testing for basic intelligence, learning disa-
23 bilities, developmental disabilities and adaptive behavior skills shall be administered as needed ex-
24 cept that the administrator may accept equivalent test results from other sources.

25 (b) Except as provided in subsection (2) of this section, be mandatory for all individuals testing
26 below a 8.0 grade equivalency on a standardized reading test approved by the National Reporting
27 System for Adult Education of the United States Department of Education and by the Adult Basic
28 Skills Program of the [Department] **Office** of Community Colleges and Workforce Development.

29 (c) Provide progress testing and certification.

30 (d) Provide strong incentives for entering the program and for achieving the minimum reading
31 level and, for those individuals with demonstrated ability, provide incentives for making progress
32 toward earning a General Educational Development (GED) certificate.

33 (e) Maintain records of an individual's achievement in the program and make those records
34 available to the State Board of Parole and Post-Prison Supervision.

35 (2) Testing for basic skills and participation in the adult basic skills development program are
36 not required for inmates:

37 (a) Sentenced to or otherwise confined by the department for less than one year;

38 (b) Sentenced to life imprisonment without parole;

39 (c) Sentenced to death;

40 (d) With developmental disabilities; or

41 (e) Who are specifically exempted by the Department of Corrections for security or health rea-
42 sons.

43 **SECTION 94.** ORS 458.525 is amended to read:

44 458.525. (1) The Interagency Council on Hunger and Homelessness is established. The Director
45 of the Housing and Community Services Department shall chair the council. In addition to the di-

1 rector, the council shall consist of 15 members as follows:

2 (a) One member representing each of the following:

3 (A) The Housing and Community Services Department.

4 (B) The Department of Corrections.

5 (C) The Oregon Business Development Department.

6 (D) The Early Learning Division.

7 (E) The Department of Education.

8 (F) The State Department of Agriculture.

9 (G) The Employment Department.

10 (H) The Department of Veterans' Affairs.

11 (I) The Department of Transportation.

12 (J) The Oregon Youth Authority.

13 (K) The [Department] **Office** of Community Colleges and Workforce Development.

14 (L) The Department of Justice.

15 (M) The Oregon Health Authority.

16 (b) Two members representing the Department of Human Services. Of the two members repre-
17 senting that department:

18 (A) One shall have expertise on issues affecting services to adults and families.

19 (B) One shall have expertise on issues affecting services to seniors and to persons with disabil-
20 ities.

21 (2) Each council member must be the administrative head of the listed agency or an employee
22 of that agency who is designated by the administrative head and who has an agency policy-making
23 role affecting hunger, food programs, nutrition, homelessness or related issues.

24 (3) The Hunger Relief Task Force shall adopt recommendations and proposals as the task force
25 deems appropriate. The council shall be responsible for receiving the recommendations and pro-
26 posals adopted by the task force and the recommendations of any state body relating to the issue
27 of homelessness, and for forwarding the recommendations and proposals to state agencies or other
28 public or private organizations for action that the council deems appropriate:

29 (a) To ensure the coordination of state agency hunger relief efforts and homelessness relief ef-
30 forts;

31 (b) To ensure that food and nutrition programs, other hunger relief efforts and homelessness
32 relief efforts operate efficiently and effectively;

33 (c) To monitor the utilization of federal hunger relief efforts and homelessness relief efforts and
34 provide outreach to expand underutilized programs; and

35 (d) To encourage the coordination of state and local programs, public and private antipoverty
36 programs affecting food distribution and programs for assisting the homeless.

37 (4) The Director of the Housing and Community Services Department, in collaboration with the
38 Director of Human Services, shall convene council meetings at least quarterly.

39 (5) The Director of the Housing and Community Services Department shall provide the council
40 with staff support the director deems appropriate, by using Housing and Community Services De-
41 partment employees or by contract. The director shall also provide the council with supplies as the
42 director deems appropriate.

43 **SECTION 95.** ORS 576.768 is amended to read:

44 576.768. (1) The report submitted by the Oregon Wine Board under ORS 182.472 must include a
45 description of the long term strategic plan created by the board and a description of the progress

1 made in implementing the statewide strategic objectives of the board during the most recent
2 biennium.

3 (2) Notwithstanding ORS 182.462:

4 (a) The board shall prepare and submit annual plans and a budget recommended by the board
5 for promotion and for research during the next fiscal year.

6 (b) The board shall adopt rules specifying the procedures, criteria and timelines for the prepa-
7 ration and approval of the annual plans and budget for promotion and for research.

8 (c) The Director of the Oregon Business Development Department shall review the budget and
9 plans submitted under this section. In reviewing the annual plans and budget, the director shall
10 consider whether the information supplied by the board is factual and consistent with ORS 576.750
11 to 576.775 and the positive development of the Oregon wine grape growing and wine making indus-
12 tries. The director shall either approve the budget and plans prior to the commencement of the next
13 fiscal year or disapprove and return the budget and plans to the board with conditions necessary
14 for approval prior to the commencement of the next fiscal year. In reviewing the budget and plans,
15 the director may consult with and receive coordinated support from:

16 (A) The State Department of Agriculture;

17 (B) The Oregon Tourism Commission;

18 (C) [*The Oregon University System, or if Oregon State University establishes a governing board,*]
19 Oregon State University;

20 (D) The [*Department*] **Office** of Community Colleges and Workforce Development; and

21 (E) The Oregon Liquor Control Commission.

22 **SECTION 96.** ORS 657.350 is amended to read:

23 657.350. The Director of the Employment Department, in consultation with the [*Department*]
24 **Office** of Community Colleges and Workforce Development, shall promulgate rules as necessary for
25 the administration of ORS 657.335 to 657.360, including but not limited to procedures for approval,
26 undertaking periodic reviews for continued approval, or for disapproval of career and technical
27 training for an individual.

28 **SECTION 97.** ORS 657.734 is amended to read:

29 657.734. (1) As used in this section:

30 (a) "Public body" has the meaning given that term in ORS 192.410.

31 (b) "System participant" means:

32 (A) Mandatory partners under the federal Workforce Investment Act of 1998 (enacted as P.L.
33 105-220 and codified as 29 U.S.C. 2801 et seq.) and other one-stop system partners, which may in-
34 clude public bodies and private organizations; and

35 (B) Public bodies and private organizations that have been approved by the Director of the
36 Employment Department, in consultation with the Education and Workforce Policy Advisor, to par-
37 ticipate in the Performance Reporting Information System.

38 (2) There is established the Performance Reporting Information System for the purpose of col-
39 lecting, analyzing and sharing statistical and demographic data for the development and reporting
40 of workforce system performance measures.

41 (3) The Performance Reporting Information System is intended to share the data described in
42 subsection (2) of this section, by agreement, with all system participants.

43 (4) The Director of the Employment Department shall administer and, in consultation with the
44 Education and Workforce Policy Advisor, oversee the development of the Performance Reporting
45 Information System. System participants shall be designated as participants in the system by rule

1 of the Employment Department, in consultation with the Education and Workforce Policy Advisor.
2 A system participant shall enter into an interagency or other applicable agreement with the director
3 that:

- 4 (a) Establishes protocols for the collection and sharing of data in the system;
- 5 (b) Establishes safeguards for protecting the confidentiality of data in the system;
- 6 (c) Includes provisions regarding informed consent for sharing information obtained from indi-
7 viduals; and
- 8 (d) Provides for the sharing of costs for developing and maintaining the system.

9 (5)(a) All individual record information in the Performance Reporting Information System is
10 confidential and may not be disclosed as a public record under the provisions of ORS 192.410 to
11 192.505. As administrator of the system, the director may view all data or individual record infor-
12 mation in the system. System participants may not allow public access to information received from
13 the system that identifies a particular individual unless required by law. System participants shall
14 limit the disclosure of, or refuse to disclose, aggregate or summary level information when a small
15 number of aggregated records or some other factor creates a reasonable risk that the identity of
16 individuals may be discovered or disclosed.

17 (b) System participants shall provide information in a format that encodes identifying data, in-
18 cluding the client's Social Security number, using a formula unique to the system participant. In
19 disclosing Social Security numbers to the system, system participants shall comply with any state
20 and federal laws that govern the collection and use of Social Security numbers by the system par-
21 ticipant and any additional requirements specified by the director, in consultation with the Educa-
22 tion and Workforce Policy Advisor, that are included in the agreement entered into under subsection
23 (4) of this section.

24 (6) The information in the Performance Reporting Information System is not a public record for
25 purposes of ORS 192.410 to 192.505. For purposes of ORS 192.410 to 192.505, the information sub-
26 mitted to the system and the information received from the system is a public record, and the
27 custodian of such information is the system participant that submits or receives the information. If
28 the system participant receiving the information is not a public body, the department shall keep a
29 copy of the system information sent to that system participant and shall be the custodian of that
30 copy for purposes of ORS 192.410 to 192.505. As custodian, the department shall limit the disclosure
31 of, or refuse to disclose, aggregate or summary level information when a small number of aggregated
32 records or some other factor creates a reasonable risk that the identity of individuals may be dis-
33 covered or disclosed. The department shall refer all other requests for disclosure of system infor-
34 mation to the public body that is the custodian of the information.

35 (7) The department may charge a reasonable fee under ORS 192.440 for the disclosure of reports
36 containing only aggregate data to individuals, public bodies or private organizations.

37 (8) If a system participant prepares or acquires a record that is confidential under federal or
38 state law, including ORS 192.502 (2), the system participant does not violate state confidentiality
39 laws by providing the information described in this section to the Performance Reporting Informa-
40 tion System. Notwithstanding the provisions of ORS 279C.815 (4), 279C.850 (3), 657.665 and 660.339,
41 the Bureau of Labor and Industries, the [Department] **Office** of Community Colleges and Workforce
42 Development and the Employment Department are authorized to provide information to the system.

43 (9) Any individual who, without proper authority, discloses confidential information under this
44 section may be disqualified from holding any appointment or employment with the State of Oregon.
45 The department shall adopt by rule procedures to prevent disclosure of confidential information

1 submitted to the Performance Reporting Information System.

2 **SECTION 98.** ORS 759.445 is amended to read:

3 759.445. (1) There is established in the State Treasury, separate and distinct from the General
4 Fund, the Connecting Oregon Communities Fund. Moneys in the fund shall consist of amounts de-
5 posited in the fund under ORS 759.405 and any other moneys deposited by a telecommunications
6 carrier that elects to be subject to ORS 759.405 and 759.410, including amounts deposited pursuant
7 to a performance assurance plan implemented by a telecommunications carrier in connection with
8 an application under 47 U.S.C. 271, as in effect on January 1, 2002. Interest earned on moneys in the
9 fund shall accrue to the fund. Moneys in the fund may be invested as provided in ORS 293.701 to
10 293.857. Moneys in the fund shall be used to provide access to advanced telecommunications tech-
11 nology in elementary schools and high schools, colleges and universities, community colleges, public
12 television corporations, rural health care providers, public libraries and other eligible persons.

13 (2) Two dedicated accounts shall be established within the Connecting Oregon Communities
14 Fund for purposes of supporting education and public access to advanced telecommunications ser-
15 vices. The first \$25 million of the moneys deposited in the Connecting Oregon Communities Fund in
16 both 2000 and 2001 shall be appropriated to the School Technology Account established under sub-
17 section (3) of this section. Except as provided in subsection (8) of this section, any additional moneys
18 available in the fund shall be appropriated to the Public Access Account established under sub-
19 section (4) of this section.

20 (3) There is established the School Technology Account within the Connecting Oregon Commu-
21 nities Fund. The purpose of the School Technology Account is to improve access to advanced tele-
22 communications services for students attending public school in kindergarten through grade 12.
23 Moneys in the account shall be expended as provided in section 34, chapter 1093, Oregon Laws 1999.

24 (4)(a) There is established the Public Access Account within the Connecting Oregon Communi-
25 ties Fund. The purpose of the Public Access Account is to improve access to advanced telecommu-
26 nications services for community colleges, universities, public libraries and rural health care
27 providers.

28 (b) If funding has not been provided from other sources, the first \$3 million available in the
29 Public Access Account shall be transferred to the Oregon University System for the purpose of
30 funding the Oregon Wide Area Network project to provide and expand Internet access for the
31 Oregon University System. The Oregon University System shall complete an audit of bandwidth
32 utilization and report to the Joint Legislative Committee on Information Management and Technol-
33 ogy during the Seventy-first Legislative Assembly in the manner provided in ORS 192.245.

34 (c) Following the transfer of funds described in paragraph (b) of this subsection, the next \$1
35 million available in the Public Access Account shall be transferred to the Oregon University System
36 for Oregon State University for the purpose of providing virtual access to persons with disabilities.

37 (d) Following the transfer of funds as described in paragraphs (b) and (c) of this subsection, the
38 next \$2 million available in the Public Access Account shall be transferred to the [*Department of*
39 *Community Colleges and Workforce Development*] **Higher Education Coordinating Commission** for
40 distribution to community colleges for the purpose of developing connectivity and distance education
41 programs.

42 (e) Following the transfer of funds described in paragraphs (b) to (d) of this subsection, the next
43 \$4 million available in the Public Access Account shall be transferred to the Oregon University
44 System for video transport and network management services for the Oregon University System.

45 (f) Following the transfer of funds described in paragraphs (b) to (e) of this subsection, the next

1 \$5.5 million available in the Public Access Account shall be transferred to the Oregon Public
2 Broadcasting Corporation for the purpose of digitizing the state television network, using the
3 Oregon Enterprise Network when possible.

4 (g) Following the transfer of funds described in paragraphs (b) to (f) of this subsection, the next
5 \$500,000 available in the Public Access Account shall be transferred to the Southern Oregon Public
6 Television Corporation for the purpose of digitizing the state television network, using the Oregon
7 Enterprise Network when possible.

8 (h) Following the transfer of funds described in paragraphs (b) to (g) of this subsection, a public
9 university listed in ORS 352.002 or the Oregon Health and Science University may apply for one-
10 time matching funds up to \$1 million from the Public Access Account to endow a telecommuni-
11 cations chair for the purpose of increasing research and development of advanced
12 telecommunications services applications. Only one chair may be endowed under this paragraph.

13 (5)(a) The Oregon Business Development Commission shall approve expenditure of any remaining
14 moneys in the Public Access Account consistent with this section and ORS 759.430.

15 (b) Community colleges, public universities listed in ORS 352.002, public libraries, public tele-
16 vision corporations and rural health care providers may apply to the Oregon Business Development
17 Commission for funding from the Public Access Account under this subsection.

18 (c) Funds received from the account shall be used for the purchase of advanced telecommuni-
19 cations services, equipment or recurring costs of telecommunications connectivity. Priority shall be
20 given to collaborative projects that improve access to advanced telecommunications services.

21 (d) Funds available in the Public Access Account under this subsection are continuously ap-
22 propriated to the Oregon Business Development Department for the purposes described in this sub-
23 section.

24 (6) Public libraries and rural health care providers must apply for federal universal service
25 support in order to be eligible for a grant from the Public Access Account.

26 (7) The video transport and network management services purchased with funds made available
27 under this section shall be purchased through the Oregon Department of Administrative Services.

28 (8) Any moneys deposited in the Connecting Oregon Communities Fund under subsection (1) of
29 this section pursuant to a performance assurance plan implemented by a telecommunications carrier
30 in connection with an application under 47 U.S.C. 271, as in effect on January 1, 2002, shall be
31 placed in the School Technology Account to be expended as provided in section 34, chapter 1093,
32 Oregon Laws 1999.

33 **SECTION 99.** Section 1, chapter 90, Oregon Laws 2010, as amended by section 1, chapter 373,
34 Oregon Laws 2011, is amended to read:

35 **Sec. 1.** (1) There is created the Grow Oregon Council, consisting of 19 members appointed as
36 follows:

37 (a) The President of the Senate shall appoint:

38 (A) Two members from among members of the Senate who shall be from different political par-
39 ties.

40 (B) Two members representing municipal or regional economic development organizations.

41 (C) One member who shall be a current or former business leader with fast-growth business
42 experience.

43 (b) The Speaker of the House of Representatives shall appoint:

44 (A) Two members from among members of the House of Representatives who shall be from dif-
45 ferent political parties.

1 (B) Two members representing municipal or regional economic development organizations.

2 (C) One member who shall be a current or former business leader with fast-growth business
3 experience.

4 (D) One member representing a nonprofit business development organization.

5 (c) The [*Chancellor of the Oregon University System*] **executive director of the Higher Educa-**
6 **tion Coordinating Commission** shall appoint:

7 (A) One member representing the **Oregon University** System who shall be a current or former
8 business leader.

9 (B) **One member representing the community colleges in this state.**

10 (d) The Director of the Oregon Business Development Department shall appoint:

11 (A) One member representing the department.

12 (B) One member representing a small business development center who shall be a current or
13 former business leader.

14 [*e) The Department of Community Colleges and Workforce Development shall appoint one member*
15 *representing the community colleges in this state.*]

16 [(f)] (e) The Governor shall appoint:

17 (A) Two members who are currently principals of Oregon-based companies, or have been prin-
18 cipals of Oregon-based companies within the past five years; and

19 (B) Two members who represent trade associations.

20 [(g)] (f) At least two of the nonlegislative members appointed should have knowledge of ad-
21 vanced market research tools and their application.

22 (2) The council shall:

23 (a) Identify and assess Oregon's continuum of business development services with particular at-
24 tention to the needs of stage two, high-growth businesses, advanced market research, including but
25 not limited to connectivity among business service providers, and infrastructure to support
26 entrepreneurship and growth company capacity building.

27 (b) Collaborate with state and local governments and their departments, community colleges,
28 institutions of higher education and business and economic development organizations to identify
29 areas for program modification, enhancement, coordination and creation to deliver a more robust
30 continuum of services for stage two, high-growth businesses consistent with the principles of eco-
31 nomic gardening.

32 (c) Make recommendations to the Seventy-seventh Legislative Assembly for program modifica-
33 tion, enhancement, coordination and creation to deliver a more robust continuum of services for
34 stage two, high-growth businesses consistent with the principles of economic gardening.

35 (d) Recommend program areas in which Oregon University System graduate programs and com-
36 munity colleges may choose to participate in order to assist in providing a more robust continuum
37 of services for stage two, high-growth businesses consistent with the principles of economic gar-
38 dening, including but not limited to courses of study and internships.

39 (e) Make recommendations for criteria for stage two, high-growth businesses as the criteria re-
40 late to recommended strategies for fast-growth stage-two business development.

41 (f) Make recommendations for key metrics and outcomes to be measured should the state create
42 an economic gardening program.

43 (g) Make recommendations for how an economic gardening program may fit within efforts under
44 way to support the development of the state's minority, women and emerging small business enter-
45 prises.

1 (h) Explore opportunities for connecting market research and economic gardening services to
2 capital access programs, including but not limited to the Building Opportunities for Oregon Small
3 Business Today (BOOST) Account.

4 (i) Explore opportunities for facilitating the access of stage two, high-growth businesses to
5 international markets.

6 (j) Advise the Oregon Business Development Department or other administering entity on a pilot
7 program providing economic gardening services, if such a pilot program is authorized.

8 (3) A majority of the members of the council constitutes a quorum for the transaction of busi-
9 ness.

10 (4) Official action by the council requires the approval of a majority of the members of the
11 council.

12 (5) The council shall elect one of its members to serve as chairperson.

13 (6) If there is a vacancy for any cause, the appointing authority shall make an appointment to
14 become immediately effective.

15 (7)(a) The council shall meet at least once every three months, at times and places specified by
16 the call of the chairperson or of a majority of the members of the council.

17 (b) The Grow Oregon Council shall cease meeting once the council:

18 (A) Completes its evaluation of the implementation of the pilot program providing economic
19 gardening services, if such a program is authorized; or

20 (B) Recommends against implementation of a pilot program.

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

22 (9) Notwithstanding ORS 171.072, members of the council who are members of the Legislative
23 Assembly are not entitled to mileage expenses or a per diem and serve as volunteers on the council.
24 Other members of the council are not entitled to compensation or reimbursement for expenses and
25 serve as volunteers on the council.

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

30
31 **REPEAL**

32
33 **SECTION 100. ORS 341.739 and 348.890 are repealed.**

34
35 **NAME CHANGE PROVISIONS**

36
37 **SECTION 101. (1)(a) The amendments to ORS 351.755 by sections 1 and 2 of this 2015 Act**
38 **are intended to change the name of the “Department of Community Colleges and Workforce**
39 **Development” to the “Office of Community Colleges and Workforce Development.”**

40 **(b) For the purpose of harmonizing and clarifying statutory law, the Legislative Council**
41 **may substitute for words designating the “Department of Community Colleges and**
42 **Workforce Development,” wherever they occur in statutory law, other words designating the**
43 **“Office of Community Colleges and Workforce Development.”**

44 **(2)(a) The amendments to ORS 351.762 by sections 3 and 4 of this 2015 Act are intended**
45 **to change the name of the “Commissioner for Community College Services” to the “Director**

1 of the Office of Community Colleges and Workforce Development.”

2 (b) For the purpose of harmonizing and clarifying statutory law, the Legislative Counsel
3 may substitute for words designating the “Commissioner for Community College Services,”
4 wherever they occur in statutory law, other words designating the “Director of the Office
5 of Community Colleges and Workforce Development.”

6 (3)(a) The amendments to ORS 351.758 by sections 5 and 6 of this 2015 Act are intended
7 to change the name of the “Department of Community Colleges and Workforce Development
8 Account” to the “Office of Community Colleges and Workforce Development Account.”

9 (b) For the purpose of harmonizing and clarifying statutory law, the Legislative Counsel
10 may substitute for words designating the “Department of Community Colleges and
11 Workforce Development Account,” wherever they occur in statutory law, other words des-
12 ignating the “Office of Community Colleges and Workforce Development Account.”

13
14 **TRANSFER OF UNEXPENDED BALANCES**

15
16 **SECTION 102.** (1) The unexpended balances authorized to be expended by the Department
17 of Community Colleges and Workforce Development for a one-year period beginning July 1,
18 2015, from revenues dedicated, continuously appropriated, appropriated or otherwise made
19 available for the purpose of administering and enforcing the duties, functions and powers
20 transferred from the Department of Community Colleges and Workforce Development to the
21 Higher Education Coordinating Commission by the amendments to statutes by sections 1 to
22 99 of this 2015 Act by acquiring, constructing, improving, repairing, equipping and furnishing
23 buildings, structures, land and other projects at community colleges pursuant to section 7
24 (1) and (7), chapter 904, Oregon Laws 2009, and section 4 (3), chapter _____, Oregon Laws
25 2015 (Enrolled House Bill 5006), are transferred to and are available for expenditure by the
26 Higher Education Coordinating Commission for the one-year period specified for the purpose
27 of administering and enforcing the duties, functions and powers transferred by the amend-
28 ments to statutes by sections 1 to 99 of this 2015 Act.

29 (2) The unexpended balances authorized to be expended by the Department of Community
30 Colleges and Workforce Development for a two-year period beginning July 1, 2015, from re-
31 venues dedicated, continuously appropriated, appropriated or otherwise made available for
32 the purpose of administering and enforcing the duties, functions and powers transferred
33 from the Department of Community Colleges and Workforce Development to the Higher
34 Education Coordinating Commission by the amendments to statutes by sections 1 to 99 of
35 this 2015 Act for community college districts for capital construction, deferred maintenance
36 capital renewal, code compliance and safety projects pursuant to section 2, chapter 78,
37 Oregon Laws 2012, and section 11 (1), (3), (4) to (6), (8), (10), (11), (13), (14) and (17), chapter
38 79, Oregon Laws 2012, are transferred to and are available for expenditure by the Higher
39 Education Coordinating Commission for the two-year period specified for the purpose of ad-
40 ministering and enforcing the duties, functions and powers transferred by the amendments
41 to statutes by sections 1 to 99 of this 2015 Act.

42 (3) The unexpended balances authorized to be expended by the Department of Community
43 Colleges and Workforce Development for a period ending July 1, 2015, from revenues dedi-
44 cated, continuously appropriated, appropriated or otherwise made available for the purpose
45 of administering and enforcing the duties, functions and powers transferred from the De-

1 department of Community Colleges and Workforce Development to the Higher Education Co-
2 ordinating Commission by the amendments to statutes by sections 1 to 99 of this 2015 Act
3 by acquiring, constructing, improving, repairing, equipping and furnishing buildings, struc-
4 tures, land and other projects at community colleges pursuant to section 7 (9), chapter 904,
5 Oregon Laws 2009, are transferred to and are available for expenditure by the Higher Edu-
6 cation Coordinating Commission for the six-year period specified for the purpose of admin-
7 istering and enforcing the duties, functions and powers transferred by the amendments to
8 statutes by sections 1 to 99 of this 2015 Act.

9 (4) The unexpended balances authorized to be expended by the Department of Community
10 Colleges and Workforce Development for a four-year period beginning July 1, 2015, from re-
11 venues dedicated, continuously appropriated, appropriated or otherwise made available for
12 the purpose of administering and enforcing the duties, functions and powers transferred
13 from the Department of Community Colleges and Workforce Development to the Higher
14 Education Coordinating Commission by the amendments to statutes by sections 1 to 99 of
15 this 2015 Act by acquiring, constructing, improving, repairing, equipping and furnishing
16 buildings, structures, land and other projects at community colleges pursuant to section 6
17 (2) to (5), (8), (9), (11) and (14), chapter 727, Oregon Laws 2013, and sections 3 (1) and 4,
18 chapter 120, Oregon Laws 2014, are transferred to and are available for expenditure by the
19 Higher Education Coordinating Commission for the four-year period specified for the purpose
20 of administering and enforcing the duties, functions and powers transferred by the amend-
21 ments to statutes by sections 1 to 99 of this 2015 Act.

22
23 **CAPTIONS**

24
25 **SECTION 103.** The unit captions used in this 2015 Act are provided only for the conven-
26 ience of the reader and do not become part of the statutory law of this state or express any
27 legislative intent in the enactment of this 2015 Act.

28
29 **EMERGENCY CLAUSE**

30
31 **SECTION 104.** This 2015 Act being necessary for the immediate preservation of the public
32 peace, health and safety, an emergency is declared to exist, and this 2015 Act takes effect
33 July 1, 2015.