

Senate Bill 879

Sponsored by Senator DEMBROW, Representative GREENLICK

SUMMARY

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

Increases membership on Oregon Health and Science University Board of Directors by adding one faculty member and one nonfaculty staff member.

Prevents faculty and nonfaculty staff members of board from participating in collective bargaining issues affecting faculty and nonfaculty staff at university.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to Oregon Health and Science University Board of Directors; creating new provisions;
3 amending ORS 353.040; and declaring an emergency.

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

5 **SECTION 1.** ORS 353.040 is amended to read:

6 353.040. (1) There is established an Oregon Health and Science University Board of Directors
7 consisting of [10] **12** members. The directors, except for the president of the university, shall be ap-
8 pointed by the Governor and shall be confirmed by the Senate in the manner prescribed in ORS
9 171.562 and 171.565.

10 (2) Except for the president of the university, the term of office of each nonstudent member is
11 four years. The term of office of the student member is two years. Before the expiration of the term
12 of a member, the Governor shall appoint a successor whose term begins on October 1 next following.
13 A member is eligible for reappointment for one additional term. If there is a vacancy for any cause,
14 the Governor shall make an appointment to become effective immediately for the unexpired term.
15 The board shall nominate a slate of candidates whenever a vacancy occurs or is announced and
16 shall forward the recommended candidates to the Governor for consideration. To assist the Gover-
17 nor in appointing the student member, the duly organized and recognized entity of student govern-
18 ment shall submit a list of nominees to the Governor for consideration.

19 (3) The membership of the board shall be as follows:

20 (a) One representative who is a nonstudent member of the State Board of Higher Education.

21 (b) Seven representatives who, in the discretion of the Governor, have experience in areas re-
22 lated to the university missions or that are important to the success of Oregon Health and Science
23 University, including but not limited to higher education, health care, scientific research, engineer-
24 ing and technology and economic and business development.

25 (c) One representative who is a student enrolled at the university.

26 **(d) One representative who is a member of the faculty of the university.**

27 **(e) One representative who is a member of the nonfaculty staff of the university.**

28 [(d)] **(f)** The president of the university, who shall be an ex officio voting member.

29 (4) Directors must be citizens of the United States. Except [for the president of the university]
30 **as provided in subsection (3)(d) to (f) of this section**, no voting member may be an employee of

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 the university.

2 **(5) The faculty and nonfaculty staff members of the board may not participate in any**
 3 **discussions or action by the board or attend any executive session of the board involving**
 4 **collective bargaining issues that affect faculty or nonfaculty staff at the university.**

5 [(5)] (6) The board shall select one of its members as chairperson and another as vice chair-
 6 person for such terms and with such duties and powers as the board considers necessary for per-
 7 formance of the functions of those offices. The board shall adopt bylaws concerning how a quorum
 8 shall be constituted and when a quorum shall be necessary.

9 [(6)] (7) The board shall meet at least once every three months at Oregon Health and Science
 10 University. The board shall meet at such other times and places specified by the chairperson or by
 11 a majority of the members of the board.

12 [(7)] (8) The Governor may remove any member of the board at any time for cause, after notice
 13 and public hearing, but not more than three members shall be removed within a period of four years,
 14 unless it is for corrupt conduct in office.

15 **SECTION 2.** ORS 353.040, as amended by section 162, chapter 767, Oregon Laws 2015, is
 16 amended to read:

17 353.040. (1) There is established an Oregon Health and Science University Board of Directors
 18 consisting of [*nine*] **11** members. The directors, except for the president of the university, shall be
 19 appointed by the Governor and shall be confirmed by the Senate in the manner prescribed in ORS
 20 171.562 and 171.565.

21 (2) Except for the president of the university, the term of office of each nonstudent member is
 22 four years. The term of office of the student member is two years. Before the expiration of the term
 23 of a member, the Governor shall appoint a successor whose term begins on October 1 next following.
 24 A member is eligible for reappointment for one additional term. If there is a vacancy for any cause,
 25 the Governor shall make an appointment to become effective immediately for the unexpired term.
 26 The board shall nominate a slate of candidates whenever a vacancy occurs or is announced and
 27 shall forward the recommended candidates to the Governor for consideration. To assist the Gover-
 28 nor in appointing the student member, the duly organized and recognized entity of student govern-
 29 ment shall submit a list of nominees to the Governor for consideration.

30 (3) The membership of the board shall be as follows:

31 (a) Seven representatives who, in the discretion of the Governor, have experience in areas re-
 32 lated to the university missions or that are important to the success of Oregon Health and Science
 33 University, including but not limited to higher education, health care, scientific research, engineer-
 34 ing and technology and economic and business development.

35 (b) One representative who is a student enrolled at the university.

36 (c) **One representative who is a member of the faculty of the university.**

37 (d) **One representative who is a member of the nonfaculty staff of the university.**

38 [(c)] (e) The president of the university, who shall be an ex officio voting member.

39 (4) Directors must be citizens of the United States. Except [*for the president of the university*]
 40 **as provided in subsection (3)(c) to (e) of this section**, no voting member may be an employee of
 41 the university.

42 **(5) The faculty and nonfaculty staff members of the board may not participate in any**
 43 **discussions or action by the board or attend any executive session of the board involving**
 44 **collective bargaining issues that affect faculty or nonfaculty staff at the university.**

45 [(5)] (6) The board shall select one of its members as chairperson and another as vice chair-

1 person for such terms and with such duties and powers as the board considers necessary for per-
 2 formance of the functions of those offices. The board shall adopt bylaws concerning how a quorum
 3 shall be constituted and when a quorum shall be necessary.

4 [(6)] (7) The board shall meet at least once every three months at Oregon Health and Science
 5 University. The board shall meet at such other times and places specified by the chairperson or by
 6 a majority of the members of the board.

7 [(7)] (8) The Governor may remove any member of the board at any time for cause, after notice
 8 and public hearing, but not more than three members shall be removed within a period of four years,
 9 unless it is for corrupt conduct in office.

10 **SECTION 3. The amendments to ORS 353.040 by sections 1 and 2 of this 2017 Act become**
 11 **operative on October 1, 2017.**

12 **SECTION 4. Notwithstanding the operative date set forth in section 3 of this 2017 Act:**

13 (1) **The Governor shall appoint the faculty and nonfaculty staff representatives of the**
 14 **Oregon Health and Science University Board of Directors by August 19, 2017, so that these**
 15 **appointees may be confirmed by the Senate in the manner provided in ORS 171.562 and**
 16 **171.565 by September 30, 2017.**

17 (2) **Prior to appointing the faculty staff representative of the board, the Governor shall**
 18 **consult with the Faculty Senate of Oregon Health and Science University regarding the**
 19 **Faculty Senate's recommended candidates.**

20 (3) **Prior to appointing the nonfaculty staff representative of the board, the Governor**
 21 **shall consult with the appropriate bargaining representatives who represent nonfaculty staff**
 22 **at the university regarding the bargaining representatives' recommended candidates.**

23 **SECTION 5. This 2017 Act being necessary for the immediate preservation of the public**
 24 **peace, health and safety, an emergency is declared to exist, and this 2017 Act takes effect**
 25 **on its passage.**

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