

House Bill 2888

Sponsored by Representative EVANS (Pre-session filed.)

SUMMARY

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

Establishes Central Oregon University as separate public university, distinct from Oregon State University.

Takes effect on 91st day following adjournment sine die.

A BILL FOR AN ACT

1
2 Relating to the establishment of Central Oregon University; creating new provisions; amending ORS
3 352.002, 352.011 and 352.054; and prescribing an effective date.

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

5 **SECTION 1.** ORS 352.002 is amended to read:

6 352.002. The following are established as public universities in the State of Oregon:

7 (1) University of Oregon.

8 (2) Oregon State University.

9 (3) Portland State University.

10 (4) Oregon Institute of Technology.

11 (5) Western Oregon University.

12 (6) Southern Oregon University.

13 (7) Eastern Oregon University.

14 **(8) Central Oregon University.**

15 **SECTION 2.** ORS 352.011 is amended to read:

16 352.011. Western Oregon University, Southern Oregon University, *[and]* Eastern Oregon Uni-
17 versity **and Central Oregon University** are established as comprehensive universities that offer a
18 full range of baccalaureate programs and graduate programs through the master's degree.

19 **SECTION 3.** ORS 352.054 is amended to read:

20 352.054. (1) A governing board is established for each of the following public universities:

21 (a) University of Oregon;

22 (b) Portland State University;

23 (c) Oregon State University;

24 (d) Eastern Oregon University;

25 (e) Oregon Institute of Technology;

26 (f) Southern Oregon University; *[and]*

27 (g) Western Oregon University~~].~~; **and**

28 **(h) Central Oregon University.**

29 (2)(a) The University of Oregon governing board shall be known as the Board of Trustees of the
30 University of Oregon.

31 (b) The Portland State University governing board shall be known as the Board of Trustees 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 Portland State University.

2 (c) The Oregon State University governing board shall be known as the Board of Trustees of
3 Oregon State University.

4 (d) The Eastern Oregon University governing board shall be known as the Board of Trustees
5 of Eastern Oregon University.

6 (e) The Oregon Institute of Technology governing board shall be known as the Board of Trustees
7 of the Oregon Institute of Technology.

8 (f) The Southern Oregon University governing board shall be known as the Board of Trustees
9 of Southern Oregon University.

10 (g) The Western Oregon University governing board shall be known as the Board of Trustees
11 of Western Oregon University.

12 **(h) The Central Oregon University governing board shall be known as the Board of**
13 **Trustees of Central Oregon University.**

14 **SECTION 4. Notwithstanding the operative date set forth in section 7 of this 2021 Act,**
15 **not later than November 30, 2021, the Governor shall appoint all of the members of the Board**
16 **of Trustees of Central Oregon University in the manner set forth in ORS 352.076 so that the**
17 **appointees may be confirmed by the Senate in the manner provided in ORS 171.562 and**
18 **171.565 by March 1, 2022.**

19 **SECTION 5. The Board of Trustees of Oregon State University shall continue to have**
20 **jurisdiction over the operations of Oregon State University - Cascades through June 30, 2022.**
21 **However, the Board of Trustees of Central Oregon University shall propose funding requests**
22 **pursuant to ORS 350.090 and 352.089, and shall prepare budgets, in cooperation with the**
23 **Higher Education Coordinating Commission, for the biennium beginning July 1, 2023.**

24 **SECTION 6. (1) Except as otherwise expressly provided in this section, all persons em-**
25 **ployed by Oregon State University on the operative date specified in section 7 of this 2021**
26 **Act and whose job functions pertain to Oregon State University - Cascades shall continue**
27 **their employment with Central Oregon University and shall retain any seniority, contractual**
28 **rights or tenure granted prior to the operative date specified in section 7 of this 2021 Act.**
29 **Nothing in this section shall affect any term or condition of any collective bargaining**
30 **agreement in effect on the operative date specified in section 7 of this 2021 Act.**

31 **(2) All of the duties, functions, powers and lawfully incurred rights and obligations of the**
32 **Board of Trustees of Oregon State University that pertain to Oregon State University -Cas-**
33 **cadetes are transferred to and vested in the Board of Trustees of Central Oregon University.**
34 **The transfer shall include but not be limited to all applicable contractual rights and obli-**
35 **gations and title to all applicable records, property, supplies and materials, including equip-**
36 **ment, books and papers. For the purpose of succession to these rights and obligations, the**
37 **Board of Trustees of Central Oregon University is considered to be a continuation of the**
38 **Board of Trustees of Oregon State University and not a new authority, and the Board of**
39 **Trustees of Central Oregon University must exercise such rights and fulfill such obligations**
40 **as if they had not been assigned or transferred, except as otherwise provided by law.**

41 **(3) All unexpended moneys, including but not limited to General Fund appropriations,**
42 **gifts, bequests, other funds, assessments, liability and workers' compensation reserves and**
43 **premiums that are appropriated or allocated to, held, managed or invested by or on behalf**
44 **of or otherwise available to Oregon State University - Cascades, are appropriated, allocated**
45 **and transferred to Central Oregon University.**

1 (4) Central Oregon University shall conduct and complete any proceeding, prosecution
 2 or other matter that Oregon State University - Cascades commenced before the operative
 3 date specified in section 7 of this 2021 Act and that is pending on the operative date specified
 4 in section 7 of this 2021 Act.

5 (5) The transfer of duties, functions and powers to the Board of Trustees of Central
 6 Oregon University or to Central Oregon University does not affect any action, suit or pre-
 7 ceeding relating to Oregon State University - Cascades, except that Central Oregon University
 8 shall be substituted for Oregon State University in any such action, suit or proceeding.

9 (6) Any action, proceeding or other matter that pertains to Oregon State University -
 10 Cascades, was commenced by a state agency, a state officer, the Board of Trustees of Oregon
 11 State University or an officer or employee of Oregon State University before the operative
 12 date specified in section 7 of this 2021 Act and relates to the Board of Trustees of Oregon
 13 State University or to Oregon State University - Cascades and is still pending on the opera-
 14 tive date specified in section 7 of this 2021 Act shall be conducted and completed by the Board
 15 of Trustees of Central Oregon University or by Central Oregon University.

16 (7) Nothing in this 2021 Act relieves any person, public entity or private entity of any
 17 obligation with respect to a tax, fee, fine or other charge, interest, penalty, forfeiture, rule,
 18 policy, document, record or proceeding.

19 (8)(a) Notwithstanding any other provision of this section, the lawfully adopted standards
 20 and policies of Oregon State University pertaining to Oregon State University - Cascades that
 21 are in effect on the operative date specified in section 7 of this 2021 Act continue in effect
 22 until lawfully superseded or repealed by the standards or policies of the Board of Trustees
 23 of Central Oregon University.

24 (b) References in standards or policies described in paragraph (a) of this subsection to
 25 Oregon State University, the Board of Trustees of Oregon State University or an employee
 26 of Oregon State University are considered to be references to Central Oregon University, the
 27 Board of Trustees of Central Oregon University or an employee of Central Oregon Univer-
 28 sity.

29 **SECTION 7.** Section 6 of this 2021 Act and the amendments to ORS 352.002, 352.011 and
 30 352.054 by sections 1 to 3 of this 2021 Act become operative on July 1, 2022.

31 **SECTION 8.** The Board of Trustees of Oregon State University, the Board of Trustees
 32 of Central Oregon University and Central Oregon University may take any action before the
 33 operative date specified in section 7 of this 2021 Act that is necessary for the Board of
 34 Trustees of Oregon State University, the Board of Trustees of Central Oregon University and
 35 Central Oregon University to exercise, on and after the operative date specified in section 7
 36 of this 2021 Act, all of the duties, functions and powers conferred on the Board of Trustees
 37 of Oregon State University, the Board of Trustees of Central Oregon University and Central
 38 Oregon University by this 2021 Act.

39 **SECTION 9.** This 2021 Act takes effect on the 91st day after the date on which the 2021
 40 regular session of the Eighty-first Legislative Assembly adjourns sine die.