

Senate Joint Resolution 30

Sponsored by Senator THATCHER, Representatives DRAZAN, BREESE-IVERSON, Senators GELSER, JAMA; Senators FREDERICK, KNOPP, Representatives BONHAM, BOSHART DAVIS, CATE, LEVY, MEEK, MORGAN, WALLAN

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 Joint Committee on Respectful and Safe University Campuses. Directs joint committee to hold public hearings to study culture, policies, practices and procedures certain institutions utilize to prevent and respond to allegations of sexual and racial discrimination, harassment and misconduct. Authorizes joint committee to subpoena witnesses and documents. Permits joint committee to appoint one or more independent investigators to conduct audit of certain institutions and prepare, and submit to joint committee, report with findings and recommendations no later than December 31, 2021. Authorizes joint committee to request legislation for pre-session filing to be considered during 2022 regular session or 2023 regular session.

JOINT RESOLUTION

Be It Resolved by the Legislative Assembly of the State of Oregon:

(1) There is established the Joint Committee on Respectful and Safe University Campuses.

(2) The joint committee shall be composed of eight members, consisting of four members from the Senate and four members from the House of Representatives appointed as follows:

(a) An equal number of members of the majority party and minority party of the Senate appointed by the President of the Senate following consultation with caucus leaders of the majority party and minority party of the Senate; and

(b) An equal number of members of the majority party and minority party of the House of Representatives appointed by the Speaker of the House of Representatives following consultation with caucus leaders of the majority party and minority party of the House.

(3)(a) The President shall appoint one cochair for the joint committee, and the Speaker shall appoint one cochair for the joint committee, with the duties and powers necessary for the performance of the functions of the offices as the President and the Speaker determine.

(b) The appointing authorities shall appoint members to the joint committee no later than 15 days following adoption of this resolution by the second chamber of the 2021 regular session of the Eighty-first Legislative Assembly.

(4)(a) The joint committee has a continuing existence and may meet, act and conduct its business during sessions of the Legislative Assembly or any recess thereof and in the interim between sessions.

(b) The joint committee shall have its first meeting no later than 30 days following adoption of this resolution by the second chamber of the 2021 regular session of the Eighty-first Legislative Assembly.

(5)(a) The term of a member shall expire on December 31, 2022.

(b) When a vacancy occurs in the membership of the joint committee before the expiration date described in paragraph (a) of this subsection, until such vacancy is filled, the membership of the joint committee shall be considered not to include the vacant position for the purpose of determining

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 whether a quorum is present. A quorum is a majority of the remaining members.

2 (6) If there is a vacancy for any cause, the appointing authority shall make an appointment to
3 become immediately effective, ensuring an equal number of members from the majority party and
4 minority party of the appropriate house.

5 (7) Members of the joint committee shall receive an amount equal to that authorized under ORS
6 171.072 from funds appropriated to the Legislative Assembly for each day spent in the performance
7 of their duties as members of the joint committee or any subcommittee thereof in lieu of re-
8 imbursement for in-state travel expenses. However, when engaged in out-of-state travel, members
9 shall be entitled to receive their actual and necessary expenses therefor in lieu of the amount au-
10 thorized by this subsection. Payment shall be made from funds appropriated to the Legislative As-
11 sembly.

12 (8) The joint committee may not transact business unless a quorum is present. A quorum con-
13 sists of a majority of joint committee members from the House of Representatives and a majority
14 of joint committee members from the Senate.

15 (9) Action by the joint committee requires the affirmative vote of a majority of joint committee
16 members from the House of Representatives and a majority of joint committee members from the
17 Senate.

18 (10) The joint committee may adopt rules necessary for the operation of the joint committee.

19 (11) The Legislative Policy and Research Director may employ persons necessary for the per-
20 formance of the functions of the joint committee. The Legislative Policy and Research Director shall
21 fix the duties and amounts of compensation of the employees. The joint committee shall use the
22 services of continuing legislative staff, without employing additional persons, to the greatest extent
23 practicable.

24 (12) All agencies of state government, as defined in ORS 174.111, are directed to assist the joint
25 committee in the performance of the duties of the joint committee and, to the extent permitted by
26 laws relating to confidentiality, to furnish information and advice the members of the joint commit-
27 tee consider necessary to perform their duties.

28 (13) The joint committee:

29 (a) Shall hold public hearings and solicit testimony and information from one or more repre-
30 sentatives of the public corporation established in ORS 353.020 regarding the culture, policies,
31 practices and procedures the institution utilizes to prevent and respond to allegations of sexual and
32 racial discrimination, harassment and misconduct.

33 (b) May hold public hearings and solicit testimony and information from one or more represen-
34 tatives of public universities listed in ORS 352.002 regarding the culture, policies, practices and
35 procedures the institution utilizes to prevent and respond to allegations of sexual and racial dis-
36 crimination, harassment and misconduct.

37 (14) The joint committee may, pursuant to exercising its authority under ORS 171.510, subpoena
38 any witnesses or documents necessary to study and analyze the culture, policies, practices and
39 procedures the institution utilizes to prevent and respond to allegations of sexual and racial dis-
40 crimination, harassment and misconduct.

41 (15)(a) Within 45 days of the first public hearing held under subsection (13) of this resolution,
42 the joint committee may appoint one or more independent investigators, who meet the standards and
43 qualifications established by the joint committee, to conduct an audit and prepare a report as de-
44 scribed in subsection (16) of this resolution concerning one or more of the institutions described in
45 subsection (13) of this resolution.

1 (b) The joint committee shall have authority to provide ongoing direction and oversight over the
2 activities of any independent investigator appointed under paragraph (a) of this subsection.

3 (16) An audit and report at minimum must:

4 (a) Investigate, analyze and make findings concerning the culture, policies, practices and pro-
5 cedures utilized by the institution subject to the audit to prevent and respond to allegations of
6 sexual and racial discrimination, harassment and misconduct; and

7 (b) Identify recommendations for legislative or administrative changes to improve the culture,
8 policies, practices and procedures utilized by the institution subject to the audit to prevent and re-
9 spond to allegations of sexual and racial discrimination, harassment and misconduct.

10 (17) Pursuant to the direction of the joint committee, the Legislative Administrator shall:

11 (a) Oversee and facilitate the recruitment of independent investigators, including by soliciting
12 applicants, conducting interviews and making recommendations, to be considered for appointment
13 by the joint committee under subsection (15) of this resolution; and

14 (b) Contract with one or more independent investigators who meet the standards and qualifica-
15 tions established by the joint committee under subsection (15) of this resolution for purposes of
16 carrying out the audit and report described in subsection (16) of this resolution.

17 (18)(a) An independent investigator who is appointed under subsection (15) of this resolution to
18 conduct an audit and prepare a report shall submit to the joint committee a completed report with
19 the findings and recommendations described in subsection (16) of this resolution no later than De-
20 cember 31, 2021.

21 (b) To the extent authorized by Oregon law, including laws pertaining to privacy and
22 confidentiality, the joint committee shall make publicly available the report described in paragraph
23 (a) of this subsection.

24 (19) The joint committee may develop legislation for consideration during the 2022 regular ses-
25 sion of the Eighty-first Legislative Assembly or the 2023 regular session of the Eighty-second Leg-
26 islative Assembly. All legislation recommended by official action of the joint committee must
27 indicate that it is introduced at the request of the joint committee and shall be prepared in time for
28 pre-session filing pursuant to ORS 171.130.

29 (20) To the extent a conflict exists between the provisions of this resolution and ORS 171.605
30 to 171.635, the provisions of this resolution supersede ORS 171.605 to 171.635.

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