

House Bill 3504

Sponsored by Representatives J SMITH, STIEGLER, Senator MORSE; Representatives C EDWARDS, NATHANSON, RILEY, Senators BONAMICI, HASS, ROSENBAUM, SCHRADER

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**.

Authorizes Oregon Progress Board to enter into agreement with state agency, public institution of higher education or nongovernmental entity to provide administrative or operational support for board.

Creates Oregon Progress Board Fund. Authorizes fund to accept contributions. Continuously appropriates moneys in fund to board.

Appropriates moneys to Oregon Progress Board Fund.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to the Oregon Progress Board; creating new provisions; amending ORS 284.612; appropriating money; and declaring an emergency.

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

5 **SECTION 1. (1) The Oregon Progress Board may accept contributions of moneys and**
6 **assistance from the United States Government or its agencies or from any other source,**
7 **public or private, and agree to conditions placed on the moneys not inconsistent with the**
8 **duties of the board.**

9 (2) **There is established in the State Treasury, separate and distinct from the General**
10 **Fund, the Oregon Progress Board Fund. The fund consists of moneys received by the board**
11 **under this section and such other moneys as may otherwise be made available by law. In-**
12 **terest earned on the fund shall be credited to the fund. Moneys in the fund are continuously**
13 **appropriated to the board and may be used only for the performance of the functions of the**
14 **board.**

15 **SECTION 2. (1) The Oregon Progress Board may enter into an agreement with:**

16 (a) **Any state agency for the provision of clerical, technical and management personnel**
17 **to the board to serve as the board's staff and for the provision of other administrative, op-**
18 **erational or overhead expenses necessary to accomplish the public purposes of the board.**

19 (b) **A nongovernmental entity for the provision of administrative, operational or overhead**
20 **expenses necessary to accomplish the public purposes of the board.**

21 (2) **As used in this section:**

22 (a) **"Public institution of higher education" means a community college or a state insti-**
23 **tution of higher education listed in ORS 352.002.**

24 (b) **"State agency" means any officer, board, commission, department, division or insti-**
25 **tution in the executive or administrative branch of state government or a public institution**
26 **of higher education.**

27 **SECTION 3. ORS 284.612 is amended to read:**

28 284.612. (1) The Governor shall serve as chair of the Oregon Progress Board and may appoint

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 an executive officer for the board for a term and with such duties and powers as the board deter-
2 mines to be necessary or appropriate.

3 (2) A majority of the voting members of the board constitutes a quorum for the transaction of
4 business.

5 (3) The board shall meet as the board determines necessary at times and places specified by call
6 of the chair or a majority of the members of the board.

7 *[(4) The Oregon Department of Administrative Services shall provide clerical, technical and man-
8 agement personnel to the board to serve as the board's staff.]*

9 **SECTION 4. (1) There is appropriated to the Oregon Progress Board Fund, for the
10 biennium beginning July 1, 2009, out of the General Fund, the amount of \$_____ for the
11 purposes of:**

12 (a) Paying the expenses of clerical, technical and management personnel of the board
13 that serve as the board's staff; and

14 (b) Carrying out section 2 of this 2009 Act.

15 (2) Moneys appropriated under subsection (1) of this section do not revert to the General
16 Fund as provided in ORS 293.190.

17 **SECTION 5. (1) If the Oregon Progress Board enters into an agreement with a state
18 agency other than the Oregon Department of Administrative Services under section 2 of this
19 2009 Act, the Director of the Oregon Department of Administrative Services shall:**

20 (a) Deliver to the state agency all records and property within the jurisdiction of the di-
21 rector that relate to the duties, functions and powers of the board; and

22 (b) Transfer to the state agency those employees engaged primarily in the exercise of the
23 duties, functions and powers of the board.

24 (2) The state agency shall take possession of the records and property, and shall take
25 charge of the employees and employ them in the exercise of the duties, functions and powers
26 of the board, without reduction of compensation but subject to change or termination of
27 employment or compensation as provided by law.

28 (3) The Governor shall resolve any dispute between the department and the state agency
29 relating to transfers of records, property and employees under this section, and the Gover-
30 nor's decision is final.

31 **SECTION 6. The unexpended balances of amounts authorized to be expended by the
32 Oregon Department of Administrative Services for the biennium ending June 30, 2009, from
33 revenues dedicated, continuously appropriated, appropriated or otherwise made available for
34 the purpose of administering and enforcing the duties, functions and powers of the Oregon
35 Progress Board are transferred to the Oregon Progress Board Fund established by section
36 1 of this 2009 Act.**

37 **SECTION 7. This 2009 Act being necessary for the immediate preservation of the public
38 peace, health and safety, an emergency is declared to exist, and this 2009 Act takes effect
39 on its passage.**

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