

Senate Bill 1095

Sponsored by COMMITTEE ON RULES

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**.

Provides transitional guidance and adjusts membership of boards and commissions whose governing body membership is based in whole or part on congressional districts, to account for increase in congressional districts.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to congressional districts; creating new provisions; amending ORS 188.016, 284.883, 326.021,
3 326.425, 350.050, 377.835, 390.114, 390.977, 471.705, 496.090, 672.240 and 677.235; and declaring an
4 emergency.

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

6 **SECTION 1. (1) If a state board or commission has governing body membership that is**
7 **comprised in whole or part by members who represent the congressional districts of this**
8 **state and if, as a result of the reapportionment of congressional districts set forth in chapter**
9 **1, Oregon Laws 2021 (first special session), two members now represent a single congress-**
10 **sional district, then notwithstanding any other provision of law, the member with the**
11 **greatest service time as a member of the board or commission shall be deemed to represent**
12 **a congressional district that is not represented on the board or commission for the duration**
13 **of the member's term, but may not thereafter be reappointed unless the member establishes**
14 **residency or other qualification under law to represent the congressional district.**

15 **(2) If, after application of subsection (1) of this section, a position on a board or com-**
16 **mission that by law is to be filled based on congressional district remains unfilled, the posi-**
17 **tion shall be considered vacant and may be filled by appointment.**

18 **(3) Notwithstanding subsections (1) and (2) of this section, a position on a board or**
19 **commission that by law is to represent a congressional district and that was filled by ap-**
20 **pointment on or after January 1, 2023, and before the effective date of this 2023 Act, is rat-**
21 **ified and approved.**

22 **SECTION 2. Section 1 of this 2023 Act is repealed on January 2, 2027.**

23 **SECTION 3. ORS 188.016 is amended to read:**

24 188.016. (1) When apportioning the state into congressional or legislative districts, the Legisla-
25 tive Assembly shall hold at least 10 public hearings at locations throughout the state prior to pro-
26 posing a reapportionment plan.

27 (2) In addition to the hearings required under subsection (1) of this section, the Legislative As-
28 sembly or the Secretary of State, whichever is applicable, shall:

29 (a) To the extent practicable, hold [*five*] **six** public hearings after a reapportionment plan is
30 proposed, but before the plan is adopted. The adoption of a reapportionment plan may not be delayed

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 by the impracticability of holding one or more of the hearings required under this subsection.

2 (b) Conduct the hearings required under this subsection either in *[five]* **six** different congres-
3 sional districts of this state or with the use of videoconferencing technologies that permit active
4 citizen participation throughout the state.

5 (3) In holding the hearings required under subsections (1) and (2) of this section, the Legislative
6 Assembly or the Secretary of State, whichever is applicable, must:

7 (a) Provide appropriate public notice of the time and location of each hearing;

8 (b) Hold at least one hearing required under subsection (1) of this section in each congressional
9 district of this state;

10 (c) Hold at least one hearing required under subsection (1) of this section and one hearing re-
11 quired under subsection (2) of this section in areas that have experienced the largest shifts in pop-
12 ulation since the previous reapportionment, and prioritize holding additional public hearings in these
13 areas; and

14 (d) Permit and make provision for individuals at remote sites throughout the state to provide
15 public testimony at the hearings through the use of video equipment.

16 **SECTION 4.** ORS 284.883 is amended to read:

17 284.883. (1) The Oregon Growth Board is established to formulate and implement policies and
18 procedures to administer ORS 284.881 to 284.890, and to make recommendations for the investment,
19 reinvestment, management and coordination of funds in the Oregon Growth Account established
20 under ORS 348.702 and the Oregon Growth Fund established under ORS 284.890.

21 (2) The board shall consist of *[nine]* **11** voting members and one to three nonvoting members as
22 follows:

23 (a) The State Treasurer shall be an ex officio voting member of the board.

24 (b) The Director of the Oregon Business Development Department, or the director's designee,
25 shall be an ex officio nonvoting member of the board.

26 (c) The Governor shall appoint *[eight]* **nine** voting members, subject to Senate confirmation un-
27 der ORS 171.562 and 171.565 and the following:

28 (A) Two of the members shall be persons who do not belong to the same political party, who
29 reflect the identity of the Legislative Assembly by political party affiliation at the time the persons
30 are appointed and who are selected from a list of four candidates, each candidate recommended by
31 the President of the Senate, the Minority Leader of the Senate, the Speaker of the House of Repre-
32 sentatives or the Minority Leader of the House of Representatives, respectively.

33 (B) Members shall include at least one representative of each of the *[five]* **six** congressional
34 districts in this state.

35 (C) *[Six]* **Seven** members shall be appointed as follows:

36 (i) One member with experience in banking;

37 (ii) One member with experience in credit union operations;

38 (iii) One member with experience managing investments;

39 (iv) One member with experience as a small business employer in this state; and

40 (v) *[Two]* **Three** at-large members.

41 (d) Two members of the Legislative Assembly that belong to different political parties as deter-
42 mined by the appropriate entry on official election registration cards, who are appointed by agree-
43 ment of the President of the Senate, the Minority Leader of the Senate, the Speaker of the House
44 of Representatives and the Minority Leader of the House of Representatives, shall serve as nonvot-
45 ing members of the board. If an agreement cannot be reached on both members of the Legislative

1 Assembly to serve on the board, no appointment shall be made under this paragraph.

2 (3) The term of office of each member who is not an ex officio member is four years. A member
3 appointed by the Governor serves at the pleasure of the Governor. Before the expiration of the term
4 of a member who is not an ex officio member, the appointing authority shall appoint a successor
5 whose term begins on January 1 next following. A member is eligible for reappointment. If there is
6 a vacancy for any cause, including but not limited to the end of a term of membership in the Leg-
7 islative Assembly, the appointing authority shall make an appointment to become immediately ef-
8 fective for the unexpired term.

9 (4) The board shall select one of its members as chairperson and another to serve as a liaison
10 with local governments for such terms and with duties and powers necessary for the performance
11 of the functions of these offices as the board determines, consistent with this section.

12 (5) A majority of the voting members of the board constitutes a quorum for the transaction of
13 business.

14 (6) A member of the board may receive compensation and reimbursement for expenses as follows:

15 (a) Members of the Legislative Assembly as provided in ORS 171.072.

16 (b) Nonlegislative members in the manner and amounts provided in ORS 292.495. Claims for
17 compensation and expenses incurred in performing the functions of the board shall be paid out of
18 funds appropriated to the board for that purpose.

19 (7) The Oregon Business Development Department shall provide staff to the board as necessary
20 to allow the board to carry out its responsibilities under ORS 284.881 to 284.890.

21 **SECTION 5.** ORS 326.021 is amended to read:

22 326.021. (1) The State Board of Education shall consist of:

23 (a) The State Treasurer, or the designee of the State Treasurer;

24 (b) The Secretary of State, or the designee of the Secretary of State; and

25 (c) [*Seven*] **Nine** members, appointed by the Governor for a term of four years beginning July 1
26 of the year of appointment, subject to confirmation by the Senate in the manner provided in ORS
27 171.562 and 171.565. A person appointed under this paragraph may not be appointed to serve con-
28 secutively more than two full terms as a board member.

29 (2) In making appointments under subsection (1) of this section, the Governor shall select from
30 residents of Oregon one member from each congressional district and [*two*] **three** members from the
31 state at large. One appointed member from the state at large must be engaged in teaching as a li-
32 censed teacher in this state.

33 (3) The Governor may remove appointed members of the State Board of Education for cause at
34 any time after notice and public hearing.

35 (4) The State Treasurer and the Secretary of State, or the designee of the State Treasurer or
36 Secretary of State, are nonvoting, ex officio members of the board.

37 **SECTION 6.** ORS 326.425 is amended to read:

38 326.425. (1) The Early Learning Council is established.

39 (2) The council is established to coordinate a unified and aligned system of early learning ser-
40 vices for the purposes of ensuring that:

41 (a) Children enter school ready to learn; and

42 (b) Families are healthy, stable and attached.

43 (3) The Early Learning Council shall accomplish the purposes described in subsection (2) of this
44 section by:

45 (a) Designating a committee to serve as the state advisory council for purposes of the federal

1 Head Start Act, as provided by ORS 417.796.

2 (b) Coordinating an integrated system that aligns the delivery of early learning services.

3 (c) Coordinating the Oregon Early Learning System created by ORS 417.727.

4 (4) The council consists of members appointed as provided by subsections (5) and (6) of this
5 section.

6 (5)(a) The Governor shall appoint [*nine*] 11 voting members who are appointed for a term of four
7 years and serve at the pleasure of the Governor. A person appointed under this subsection may not
8 be appointed to serve more than two consecutive full terms as a council member.

9 (b) When determining whom to appoint to the council under this subsection, the Governor shall:

10 (A) Ensure that each congressional district of this state is represented;

11 (B) Ensure that at least one member represents the tribes of this state;

12 (C) Ensure that at least one member represents the workforces for child care and early learning;

13 (D) Ensure that each member meets the following qualifications:

14 (i) Demonstrates leadership skills in civics or the member's profession;

15 (ii) To the greatest extent practicable, contributes to the council's representation of the ge-
16 ographic, ethnic, gender, racial and economic diversity of this state; and

17 (iii) Contributes to the council's expertise, knowledge and experience in early childhood devel-
18 opment, early childhood care, early childhood education, family financial stability, populations dis-
19 proportionately burdened by poor education outcomes and outcome-based best practices; and

20 (E) Solicit recommendations from the Speaker of the House of Representatives for at least two
21 members and from the President of the Senate for at least two members.

22 (6) In addition to the members appointed under subsection (5) of this section, the Governor shall
23 appoint nonvoting, ex officio members who represent relevant state agencies.

24 (7) The activities of the council shall be directed and supervised by the Early Learning System
25 Director who is appointed by the Governor and serves at the pleasure of the Governor.

26 (8) In accordance with applicable provisions of ORS chapter 183, the council may adopt rules
27 necessary for the administration of the laws that the council is charged with administering.

28 **SECTION 7.** ORS 326.425, as amended by section 18, chapter 631, Oregon Laws 2021, is
29 amended to read:

30 326.425. (1) The Early Learning Council is established.

31 (2) The council is established to coordinate a unified and aligned system of early learning ser-
32 vices for the purposes of ensuring that:

33 (a) Children enter school ready to learn; and

34 (b) Families are healthy, stable and attached.

35 (3) The Early Learning Council shall accomplish the purposes described in subsection (2) of this
36 section by:

37 (a) Designating a committee to serve as the state advisory council for purposes of:

38 (A) The federal Head Start Act, as provided by ORS 417.796.

39 (B) Providing advice on matters related to the Oregon prekindergarten program.

40 (b) Coordinating an integrated system that aligns the delivery of early learning services.

41 (c) Coordinating the Oregon Early Learning System created by ORS 417.727.

42 (4) The council consists of members appointed as provided by subsections (5) and (6) of this
43 section.

44 (5)(a) The Governor shall appoint [*nine*] 11 voting members who are appointed for a term of four
45 years and serve at the pleasure of the Governor. A person appointed under this subsection may not

1 be appointed to serve more than two consecutive full terms as a council member.

2 (b) When determining whom to appoint to the council under this subsection, the Governor shall:

3 (A) Ensure that each congressional district of this state is represented;

4 (B) Ensure that at least one member represents the tribes of this state;

5 (C) Ensure that at least one member represents the workforces for child care and early learning;

6 (D) Ensure that each member meets the following qualifications:

7 (i) Demonstrates leadership skills in civics or the member's profession;

8 (ii) To the greatest extent practicable, contributes to the council's representation of the ge-
9 ographic, ethnic, gender, racial and economic diversity of this state; and

10 (iii) Contributes to the council's expertise, knowledge and experience in early childhood devel-
11 opment, early childhood care, early childhood education, family financial stability, populations dis-
12 proportionately burdened by poor education outcomes and outcome-based best practices; and

13 (E) Solicit recommendations from the Speaker of the House of Representatives for at least two
14 members and from the President of the Senate for at least two members.

15 (6) In addition to the members appointed under subsection (5) of this section, the Governor shall
16 appoint nonvoting, ex officio members who represent relevant state agencies.

17 (7) The activities of the council shall be directed and supervised by the Early Learning System
18 Director.

19 (8) In accordance with applicable provisions of ORS chapter 183, the council may adopt rules
20 necessary for the administration of the laws that the council is charged with administering. When
21 adopting rules related to child care, the council must appoint an advisory committee in accordance
22 with ORS 183.333 that includes representatives of child care providers that are licensed or not li-
23 censed, as appropriate.

24 **SECTION 8.** ORS 350.050 is amended to read:

25 350.050. (1) There is established a Higher Education Coordinating Commission, consisting of
26 [15] **17** voting members appointed by the Governor.

27 (2) The Governor shall appoint:

28 (a) One undergraduate student at a public university listed in ORS 352.002;

29 (b) One graduate student at a public university listed in ORS 352.002;

30 (c) One faculty member at a public university listed in ORS 352.002;

31 (d) One student at a community college in this state;

32 (e) One faculty member at a community college in this state;

33 (f) One nonfaculty member of the staff from either a public university listed in ORS 352.002 or
34 a community college;

35 (g) One member from each of the [five] **six** congressional districts in this state; and

36 (h) [Four] **Five** members of the general public.

37 (3) The Governor shall elicit recommendations for appointments made under subsection (2)(a) to
38 (f) of this section from official student, faculty and nonfaculty staff organizations at community col-
39 leges and public universities listed in ORS 352.002.

40 (4) The term of office of each member appointed under subsection (2)(g) and (h) of this section
41 is four years and the term of office for each member appointed under subsection (2)(a) to (f) of this
42 section is two years. A member serves at the pleasure of the Governor. Before the expiration of the
43 term of a member, the Governor shall appoint a successor whose term begins on July 1 next fol-
44 lowing. A member is eligible for reappointment. If there is a vacancy for any cause, the Governor
45 shall make an appointment to become immediately effective for the unexpired term.

1 (5) The Governor may at any time, for cause, remove any member of the board that the Govern-
2 nor has appointed, after notice and public hearing, but not more than three members shall be re-
3 moved within a period of four years, unless it is for corrupt conduct in office.

4 (6) The appointment of members of the commission is subject to confirmation by the Senate in
5 the manner prescribed in ORS 171.562 and 171.565.

6 (7) A member of the commission is entitled to compensation and expenses as provided in ORS
7 292.495.

8 **SECTION 9.** ORS 377.835 is amended to read:

9 377.835. (1) The Travel Information Council is created as a semi-independent state agency.

10 (2) The Travel Information Council shall consist of [*nine*] **11** members. One shall be the chair-
11 person of the Oregon Transportation Commission or a person designated by the chairperson. The
12 Governor shall appoint the other [*eight*] **10** members from the public at large. The Governor shall
13 appoint at least one member from each congressional district. The Governor shall select members
14 for their knowledge of, experience with or interest in economic development, travel within Oregon,
15 recreational opportunities in Oregon, Oregon history or Oregon natural history.

16 (3) The term of office of each appointed member is four years, but each appointed member serves
17 at the pleasure of the Governor. Before the expiration of the term of an appointed member, the
18 Governor shall appoint a successor whose term begins on July 1 next following. An appointed
19 member is eligible for reappointment. If there is a vacancy for any cause, the Governor shall make
20 an appointment to become effective immediately for the unexpired term.

21 (4) The council shall select one of its members as chairperson, another as vice chairperson and
22 a third as secretary. A majority of the members serving on the council shall constitute a quorum
23 for the transaction of business. The council shall meet quarterly at a time and place to be deter-
24 mined by the chairperson. The chairperson or any three members of the council may call a special
25 meeting upon not less than one week's written notice to the other members. All members are enti-
26 tled to expenses as provided by ORS 292.495.

27 (5) The council may, in accordance with ORS chapter 183 and consistent with ORS 377.700 to
28 377.844, adopt, amend and repeal rules relating to tourist oriented directional signs, logo signs and
29 motorist informational signs and all other matters necessary and appropriate to carry out its re-
30 sponsibilities under ORS 377.700 to 377.844. The sign rules for protected areas in effect on July 2,
31 1971, shall be continued in effect unless modified by the commission. All rules adopted under this
32 subsection shall be consistent with federal laws and regulations relating to highways. The Director
33 of Transportation shall take appropriate action for the administration and enforcement of orders
34 issued and rules adopted under ORS 377.700 to 377.844, except rules adopted by the council under
35 ORS 377.842.

36 (6) The commission may continue or amend any existing agreements and may enter into new
37 agreements with the United States or any agency thereof authorized to make agreements under
38 section 131, title 23, United States Code relating to the regulation, control and removal of signs
39 within or adjacent to the Interstate and Federal Aid Systems.

40 (7) The council shall hire, define the duties of and fix the salary of an executive director. Subject
41 to the supervision of the council, the executive director has the authority to direct the affairs of the
42 agency. The executive director may appoint all subordinate officers and employees of the agency and
43 may prescribe their duties, provide supervision and evaluation and fix their compensation. The
44 executive director may delegate to any subordinate officer or employee any administrative duty,
45 function or power imposed upon the council by or pursuant to law. The executive director is not a

1 member of the council.

2 **SECTION 10.** ORS 390.114 is amended to read:

3 390.114. (1) There is established a State Parks and Recreation Commission consisting of [*seven*]
4 **nine** members appointed by the Governor.

5 (2) The term of office of each member is four years, but a member serves at the pleasure of the
6 Governor. Before the expiration of the term of a member, the Governor shall appoint a successor.
7 A member is eligible for reappointment. If there is a vacancy for any cause, the Governor shall make
8 an appointment to become immediately effective for the unexpired term.

9 (3) All appointments of members of the commission by the Governor are subject to confirmation
10 by the Senate pursuant to ORS 171.562 and 171.565.

11 (4) The Governor shall appoint one member of the commission from each of the congressional
12 districts of this state, one member from among individuals who reside west of the summit of the
13 Coast Mountain Range [*and*], one member from among individuals who reside east of the summit of
14 the Cascade Mountain Range **and one member representing the public at large.**

15 (5) A member of the commission is entitled to compensation and expenses as provided in ORS
16 292.495.

17 **SECTION 11.** ORS 390.977 is amended to read:

18 390.977. (1) There is established an Oregon Recreation Trails Advisory Council consisting of
19 [*seven*] **nine** members, at least one from each congressional district in the state. However, not less
20 than two of such members shall be from separate counties bordering upon the ocean shore. Members
21 of the council shall be appointed by the State Parks and Recreation Commission and shall serve at
22 the pleasure of the commission for terms of four years. Before the expiration of the term of a
23 member, the commission shall appoint a successor. A member shall be eligible for reappointment. If
24 there is a vacancy for any cause, the commission shall make an appointment to become immediately
25 effective for the unexpired term.

26 (2) The commission and the State Parks and Recreation Department shall consult with the
27 council from time to time with respect to matters relating to Oregon recreation trails, including the
28 designation and establishment of Oregon recreation trails, the selection of rights of way, the se-
29 lection, erection and maintenance of markers along the trail routes and the administration of the
30 trails.

31 (3) Members of the council shall serve without compensation, but the department may pay ex-
32 penses as provided in ORS 292.495.

33 (4) The council shall select one of its members as chairperson.

34 (5) A majority of the members of the council constitutes a quorum for the transaction of busi-
35 ness.

36 (6) The council shall meet at times and places specified by the call of the chairperson or a ma-
37 jority of the members of the council.

38 **SECTION 12.** ORS 471.705 is amended to read:

39 471.705. (1) There is created the Oregon Liquor and Cannabis Commission, consisting of [*seven*]
40 **nine** commissioners appointed by the Governor. One commissioner must be from among the residents
41 of each congressional district of this state. One additional commissioner must be from eastern
42 Oregon. One additional commissioner must be from western Oregon. **One additional commissioner**
43 **must represent the public at large.** One commissioner must be from the food and alcoholic
44 beverage retail industry. Not more than four commissioners may be of the same political party. The
45 Governor shall designate one commissioner to be chairperson of the commission. The commissioners

1 are entitled to compensation and expenses as provided in ORS 292.495.

2 (2) Each commissioner at the time of appointment must be a resident of this state and must have
3 resided in this state for at least five years next preceding appointment and qualification. Each
4 commissioner must be an elector in this state and may not be less than 30 years of age. The term
5 of office of a commissioner terminates if the commissioner ceases to possess the residency or in-
6 dustry qualification for appointment. If the term of office of a commissioner terminates under this
7 subsection, the Governor shall appoint a qualified individual to complete the unexpired term of the
8 commissioner.

9 (3) The term of office of a commissioner is four years from the time of appointment and quali-
10 fication and until a successor qualifies for appointment. The terms of the commissioners commence
11 April 1. If a commissioner is allowed to hold office after the expiration of a term, the Governor shall
12 appoint the successor for the remainder of the unexpired term. If a vacancy occurs in the commis-
13 sion, the Governor shall appoint the successor for the remainder of the unexpired term. Each com-
14 missioner is eligible for reappointment, but an individual is not eligible to serve for more than two
15 full terms.

16 (4) Appointments of commissioners by the Governor under this section are subject to confirma-
17 tion by the Senate pursuant to section 4, Article III, Oregon Constitution.

18 **SECTION 13.** ORS 496.090 is amended to read:

19 496.090. (1) There is established a State Fish and Wildlife Commission that shall consist of
20 [*seven*] **nine** members appointed by the Governor.

21 (2) The term of office of each member is four years, but a member serves at the pleasure of the
22 Governor. Before the expiration of the term of a member, the Governor shall appoint a successor.
23 A member is eligible for reappointment. If there is a vacancy for any cause, the Governor shall make
24 an appointment to become immediately effective for the unexpired term.

25 (3) All appointments of members of the commission by the Governor are subject to confirmation
26 by the Senate pursuant to section 4, Article III, Oregon Constitution.

27 (4) One member of the commission shall be appointed from each of the congressional districts
28 of this state, one member from that portion of the state lying west of the Cascade Mountains
29 [*and*], one member from that portion of the state lying east of the Cascade Mountains **and one**
30 **member representing the public at large.**

31 (5) Members appointed to the commission shall be residents of this state, as defined in ORS
32 497.002.

33 (6) All members of the commission shall represent the public interest of the state and make de-
34 cisions affecting the wildlife resources of the state for the benefit of those resources. Consistent
35 with the requirements of this subsection, the commission shall provide for the productive and
36 sustainable utilization of wildlife resources for all groups of users.

37 (7) All members of the commission shall have a general knowledge of fish and wildlife issues and
38 an understanding of the operation and functions of public policy boards and commissions. In making
39 appointments to the commission, the Governor shall consider appointing members who possess na-
40 tural resource backgrounds such as backgrounds in commercial fishing, recreational fishing, hunting,
41 agriculture, forestry and conservation.

42 (8) Failure of a member to maintain compliance with the eligibility requirements of subsections
43 (4) and (5) of this section shall vacate membership. Members of the commission may otherwise be
44 removed only by the Governor.

45 (9) A member of the commission is entitled to compensation and expenses as provided in ORS

1 292.495.

2 **SECTION 14.** ORS 672.240 is amended to read:

3 672.240. (1) The State Board of Examiners for Engineering and Land Surveying shall operate as
 4 a semi-independent state agency subject to ORS 182.456 to 182.472 for the purpose of carrying out
 5 ORS 672.002 to 672.325. The board shall consist of [11] **13** members appointed by the Governor as
 6 follows:

7 (a) Two members shall be members of the general public.

8 (b) Two members shall be registered professional land surveyors.

9 (c) [Five] **Seven** members shall be registered professional engineers.

10 (d) One member shall be registered both as a professional engineer and as a professional land
 11 surveyor. However, if a qualified individual is not available, the Governor may appoint either a
 12 registered professional engineer or a registered professional land surveyor.

13 (e) One member shall be a registered photogrammetrist. However, if a qualified individual is
 14 not available, the Governor may appoint either a registered professional engineer or a registered
 15 professional land surveyor.

16 (2) The Governor shall appoint members to the board so that there is at least one member of
 17 the board from each congressional district in this state.

18 (3) Each engineer, land surveyor or photogrammetrist member of the board shall have been:

19 (a) A resident of this state for at least three years immediately preceding appointment; and

20 (b) Practicing as a registered professional engineer, registered professional land surveyor or
 21 registered photogrammetrist for at least five years since the date of the individual's initial regis-
 22 tration.

23 (4) The board shall elect biennially from among its members a president and vice president for
 24 the ensuing biennial term.

25 **SECTION 15.** ORS 677.235 is amended to read:

26 677.235. (1) The Oregon Medical Board consists of [14] **15** members appointed by the Governor
 27 and subject to confirmation by the Senate in the manner provided in ORS 171.562 and 171.565. All
 28 members of the board must be residents of this state. Of the members of the board:

29 (a) Seven must have the degree of Doctor of Medicine;

30 (b) Two must have the degree of Doctor of Osteopathic Medicine;

31 (c) One must have the degree of Doctor of Podiatric Medicine;

32 (d) One must be a physician assistant licensed under ORS 677.512 or a retired physician assist-
 33 ant; [and]

34 (e) **One must hold at least one of the degrees or licenses described in paragraphs (a) to**
 35 **(d) of this subsection and satisfy the applicable criteria described in subsection (2) of this**
 36 **section; and**

37 [(e)] (f) Three must be members of the public who represent health consumers.

38 (2)(a)(A) Board members required to possess the degree of Doctor of Medicine may be selected
 39 by the Governor from a list of three to five candidates for each member described in subsection
 40 (1)(a) of this section whose term expires in that year, submitted by the Oregon Medical Association
 41 not later than February 1.

42 (B) Board members required to possess the degree of Doctor of Osteopathic Medicine may be
 43 selected by the Governor from a list of three to five candidates for each member described in sub-
 44 section (1)(b) of this section whose term expires in that year, submitted by the Osteopathic Physi-
 45 cians and Surgeons of Oregon, Inc., not later than February 1.

1 (C) The board member required to possess the degree of Doctor of Podiatric Medicine may be
2 selected by the Governor from a list of three to five candidates for the member described in sub-
3 section (1)(c) of this section whose term expires in that year, submitted by the Oregon Podiatric
4 Medical Association not later than February 1.

5 (D) The board member required to be a physician assistant licensed under ORS 677.512 or a
6 retired physician assistant may be selected by the Governor from a list of three to five candidates
7 for the member described in subsection (1)(d) of this section whose term expires in that year, sub-
8 mitted by the Oregon Society of Physician Assistants not later than February 1.

9 (b) Members who are physicians and the member who is a physician assistant or a retired phy-
10 sician assistant must have been in the active practice of their profession for at least five years im-
11 mediately preceding their appointment.

12 (c)(A) A public member may not be otherwise eligible for appointment to the board.

13 (B) A public member, or the spouse, domestic partner, child, parent or sibling of a public mem-
14 ber, may not be a licensed health care professional in this state.

15 (d)(A) In selecting the members of the board, the Governor shall strive to balance the repre-
16 sentation on the board according to geographic areas of this state and ethnicity.

17 (B) Of the members described in subsection (1)(a) to [(d)] (e) of this section, at least one member
18 must be appointed from each federal congressional district.

19 (3)(a) The term of office of each board member is three years, but a member serves at the
20 pleasure of the Governor. The terms must be staggered so that no more than five terms end each
21 year. A term begins on March 1 of the year the member is appointed and ends on the last day of
22 February of the third year after the member is appointed. A member may not serve more than two
23 consecutive terms.

24 (b) If a vacancy occurs on the board, another qualifying member possessing the same profes-
25 sional degree, license or retired status or fulfilling the same public capacity as the person whose
26 position has been vacated shall be appointed as provided in this section to fill the unexpired term.

27 (c) A board member shall be removed immediately from the board if, during the member's term,
28 the member:

29 (A) Is not a resident of this state;

30 (B) Has been absent from three consecutive board meetings, unless at least one absence is ex-
31 cused; or

32 (C) Is not a current licensee or a retired licensee whose license was in good standing at the time
33 of retirement, if the board member was appointed to serve on the board as a licensee.

34 (4) Members of the board are entitled to compensation and expenses as provided in ORS 292.495.
35 The board may provide by rule for compensation to board members for the performance of official
36 duties at a rate that is greater than the rate provided in ORS 292.495.

37 (5)(a) The chairperson shall select at least one but no more than three former board members
38 to serve as emeritus board members. A person selected to serve as an emeritus board member is
39 subject to approval by the Governor.

40 (b) A person may serve as an emeritus board member for up to three years after the date on
41 which the person's term as a board member ended.

42 (c) An emeritus board member serves at the pleasure of the Governor.

43 (d) The board shall publish a list of emeritus board members on a website maintained by the
44 board.

45 (e) If a board member will be absent from a meeting of the board and has provided notice to the

1 chairperson or executive director of the board in advance of the member's absence, an emeritus
2 board member who holds the same degree or professional license, or who fulfills the same public
3 capacity, as the absent member may take the place of the absent member during the absence.

4 **SECTION 16. This 2023 Act being necessary for the immediate preservation of the public**
5 **peace, health and safety, an emergency is declared to exist, and this 2023 Act takes effect**
6 **on its passage.**

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