

Enrolled Senate Bill 423

Sponsored by Senator DEMBROW; Senators CAMPOS, FREDERICK, JAMA, Representatives GRAYBER, NELSON (Pre-session filed.)

CHAPTER

AN ACT

Relating to composition of governing boards at post-secondary institutions of education; creating new provisions; and amending ORS 353.040.

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

SECTION 1. ORS 353.040 is amended to read:

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

(2)(a) The term of office of each person described in subsection (3)(a) of this section is four years.

(b) Except for the president of the university, the term of office of each member other than a person described in subsection (3)(a) of this section [*nonstudent member is four years. The term of office of the student member*] is two years.

(c) Before the expiration of the term of a member, the Governor shall appoint a successor whose term begins on October 1 next following. A member is eligible for reappointment for one additional term. If there is a vacancy for any cause, the Governor shall make an appointment to become effective immediately for the unexpired term. The board shall nominate a slate of candidates whenever a vacancy occurs or is announced and shall forward the recommended candidates to the Governor for consideration. To assist the Governor in appointing the student member, the duly organized and recognized entity of student government shall submit a list of nominees to the Governor for consideration.

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

(a) Seven representatives who, in the discretion of the Governor, have experience in areas related to the university missions or that are important to the success of Oregon Health and Science University, including but not limited to higher education, health care, scientific research, engineering and technology and economic and business development. Representatives appointed under this paragraph shall be voting members of the board.

(b) One representative who is a student enrolled at the university. The student shall be a voting member of the board.

(c) One representative who is a member of the faculty of the university. The faculty member shall be a voting member of the board.

(d) One representative who is a member of the nonfaculty staff of the university. The nonfaculty staff member shall be a voting member of the board.

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

(4) Directors must be citizens of the United States. [Except for the president of the university, no voting member may be an employee of the university.]

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

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

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

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

SECTION 2. The amendments to ORS 353.040 by section 1 of this 2023 Act apply to appointments made on or after the effective date of this 2023 Act.

Passed by Senate March 9, 2023

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Lori L. Brocker, Secretary of Senate

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Rob Wagner, President of Senate

Passed by House May 24, 2023

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Dan Rayfield, Speaker of House

Received by Governor:

.....M.,....., 2023

Approved:

.....M.,....., 2023

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Tina Kotek, Governor

Filed in Office of Secretary of State:

.....M.,....., 2023

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Secretary of State