

Senate Bill 911

Sponsored by Senators CAMPOS, JAMA, Representatives VALDERRAMA, HARTMAN; Senators MANNING JR, PATTERSON, Representative PHAM K

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**.

Creates Commission for Original Peoples from South America, Central America and Mexico. Prescribes duties of commission. Directs Oregon Advocacy Commissions Office to provide administrative oversight to commission. Allows Governor to assign member of Racial Justice Council as liaison with commission. Allows commission to provide nominee for appointment to Environmental Justice Council. Requires Department of Education to consult with commission in development of certain academic content.

Takes effect on 91st day following adjournment sine die.

A BILL FOR AN ACT

1
2 Relating to advocacy commissions; creating new provisions; amending ORS 176.350, 182.538, 185.005
3 and 329.492; and prescribing an effective date.

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

5 **SECTION 1. (1) It is declared to be the policy and intent of the Legislative Assembly that**
6 **the Commission for Original Peoples from South America, Central America and Mexico is**
7 **created to work for the implementation and establishment of economic, social, legal and**
8 **political equity for individuals in Oregon who identify as Indigenous or Original Peoples, and**
9 **speakers of Indigenous or Original languages, from South America, Central America and**
10 **Mexico.**

11 **(2) The commission shall make recommendations to the Governor and shall report to**
12 **each odd-numbered year regular session of the Legislative Assembly.**

13 **SECTION 2. (1) The Commission for Original Peoples from South America, Central**
14 **America and Mexico is established. The commission consists of 11 members, appointed as**
15 **follows:**

16 **(a) The Governor shall appoint nine of the members, who are subject to confirmation by**
17 **the Senate under ORS 171.562 and 171.565;**

18 **(b) The President of the Senate shall appoint one Senator; and**

19 **(c) The Speaker of the House of Representatives shall appoint one Representative.**

20 **(2)(a) To the extent possible, the members appointed by the Governor shall provide for**
21 **representation from all areas of the state.**

22 **(b) The members shall each have lived experience as individuals who identify as**
23 **Indigenous or Original Peoples from South America, Central America or Mexico.**

24 **(3) Members appointed by the Governor shall serve four-year terms. Legislators shall**
25 **serve two-year terms. Appointments to fill a vacancy for an unexpired term shall be made**
26 **by the appointing authority.**

27 **(4) Commission members shall elect a chairperson and vice chairperson for terms of one**
28 **year and shall determine the duties of the officers.**

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 **(5) Members shall meet at the call of the chairperson and shall meet at least three times**
 2 **annually.**

3 **(6) A majority of the members of the commission constitutes a quorum for the trans-**
 4 **action of business.**

5 **(7)(a) Members who are not legislators shall be paid compensation and expenses as pro-**
 6 **vided in ORS 292.495, payable from funds appropriated to the Oregon Advocacy Commissions**
 7 **Office.**

8 **(b) Members who are legislators shall be paid compensation and expense reimbursement**
 9 **as provided in ORS 171.072, payable from funds appropriated to the Legislative Assembly.**

10 **SECTION 3. The Commission for Original Peoples from South America, Central America**
 11 **and Mexico shall, with a focus on communities of individuals who identify as Indigenous or**
 12 **Original Peoples, or who are speakers of Indigenous or Original languages, from South**
 13 **America, Central America and Mexico:**

14 **(1) Advocate for equitable policies to ensure success at the state level for Oregonians**
 15 **who identify as Indigenous or Original Peoples, or who are speakers of Indigenous or Original**
 16 **languages, from South America, Central America and Mexico;**

17 **(2) Engage community and state partners to promote equity statewide for Oregonians**
 18 **who identify as Indigenous or Original Peoples, or who are speakers of Indigenous or Original**
 19 **languages, from South America, Central America and Mexico;**

20 **(3) Study issues affecting communities of individuals who identify as Indigenous or Ori-**
 21 **ginal Peoples, or who are speakers of Indigenous or Original languages, from South America,**
 22 **Central America and Mexico, statewide and recommend policies to address those issues;**

23 **(4) Develop leaders in all branches of state government who are Oregonians who identify**
 24 **as Indigenous or Original Peoples, or who are speakers of Indigenous or Original languages,**
 25 **from South America, Central America and Mexico; and**

26 **(5) Increase the viability and visibility of contributions and achievements statewide of**
 27 **individuals who identify as Indigenous or Original Peoples, or who are speakers of Indigenous**
 28 **or Original languages, from South America, Central America and Mexico.**

29 **SECTION 4. ORS 176.350 is amended to read:**

30 176.350. (1) The Racial Justice Council is created within the Office of the Governor.

31 (2) The membership of the council consists of the Governor, as chairperson, and no more than
 32 40 additional members appointed by and serving at the pleasure of the Governor, subject to the
 33 following requirements:

34 (a) Each member must have a demonstrated commitment to racial equity, social and economic
 35 justice and diversity and inclusion;

36 (b) Each member must have connections to, or experience working with, historically underserved
 37 communities, particularly tribal communities, immigrants, refugees and communities of Black or
 38 Indigenous people or other people of color;

39 (c) Each member must have personal or professional experience and knowledge in public policy,
 40 criminal justice reform, police accountability, economic opportunity, housing, homelessness, health
 41 equity, behavioral health, education or research; and

42 (d) Appointments to the council must be made to ensure representation of the racial, gender and
 43 geographical diversity of Oregon.

44 (3) The Governor may assign one or more members to serve as a liaison between the council
 45 and the advocacy commissions.

1 (4)(a) The Governor shall establish committees to address policies of interest to the council. A
2 committee may address multiple policy areas.

3 (b) The Governor shall appoint each council member to at least one committee. The Governor
4 may appoint additional individuals who are not members of the council to serve as voting or non-
5 voting members of a committee, provided that:

6 (A) Public officials who serve in the legislative or judicial branch may serve only as nonvoting
7 members of a committee; and

8 (B) Members of the Legislative Assembly may serve on a committee only if the committee in-
9 cludes an equal number of members from each chamber of the Legislative Assembly.

10 (c) Committees shall report to the council. The council shall approve or disapprove recommen-
11 dations of a committee.

12 (d) Appointments to each committee must be made to ensure representation of the racial, gender
13 and geographical diversity of Oregon.

14 (5) The term of a member of the council is two years. Members are eligible for reappointment.
15 If there is a vacancy for any cause, the Governor shall make an appointment to become immediately
16 effective for the unexpired term.

17 (6) Members of the council are not entitled to compensation under ORS 292.495. The chair, in
18 the chair's discretion, may reimburse members of the council as provided in ORS 292.495 for actual
19 and necessary travel or other expenses incurred in the performance of their duties as members of
20 the council.

21 (7) Official action by the council requires modified consensus of the members of the council.

22 (8) The council shall meet at times and places specified by the call of the chairperson.

23 (9) All agencies of state government, as defined in ORS 174.111, are directed to assist the
24 council in the performance of its duties and, to the extent permitted by laws relating to
25 confidentiality, to furnish such information and advice as the council considers necessary to perform
26 its duties.

27 (10) At least once per year, the council shall report to the Legislative Assembly, the Secretary
28 of State, the Bureau of Labor and Industries, the State Treasurer and the Attorney General. The
29 report must describe strategies designed to institutionalize racial justice into the conduct of state
30 business and may include other matters pertinent to dismantling systemic and institutional racism.

31 (11) As used in this section:

32 (a) "Advocacy commission" means the Commission on Asian and Pacific Islander Affairs, the
33 Commission on Black Affairs [*and*], the Commission on Hispanic Affairs **and the Commission for**
34 **Original Peoples from South America, Central America and Mexico.**

35 (b) "Racial justice" means systematic fair treatment of people of all races that results in equi-
36 table opportunities and outcomes for all people.

37 **SECTION 5.** ORS 182.538, as amended by section 2, chapter 58, Oregon Laws 2022, is amended
38 to read:

39 182.538. (1) The Environmental Justice Council is established within the office of the Governor.
40 The council consists of [13] **14** members appointed by the Governor. The members must be persons
41 who, to the greatest extent practicable, represent minority communities, low-income communities,
42 environmental interests, industry groups and geographically diverse areas of this state. The mem-
43 bers shall be appointed as follows:

44 (a) Eight members shall be persons who have expertise and knowledge in environmental justice,
45 as well as expertise in at least one of the following areas:

- 1 (A) Climate change, climate resilience or climate justice;
- 2 (B) Environmental laws, regulations and standards;
- 3 (C) Natural resources management;
- 4 (D) Land use planning and development;
- 5 (E) Sustainability;
- 6 (F) Community organizing;
- 7 (G) Civil rights and disability rights;
- 8 (H) Environmental health;
- 9 (I) Energy;
- 10 (J) Agricultural operations and food systems;
- 11 (K) Water planning and management; or
- 12 (L) Forest management.

13 (b) Of the members appointed under paragraph (a) of this subsection, at least one shall represent
 14 remote communities, at least one shall represent rural communities and at least one shall represent
 15 coastal communities. The Governor may solicit nominations for members described in this paragraph
 16 from community-supported natural resource collaboratives.

17 (c) One member shall be appointed from among persons nominated by the Commission on Asian
 18 and Pacific Islander Affairs.

19 (d) One member shall be appointed from among persons nominated by the Commission on Black
 20 Affairs.

21 (e) One member shall be appointed from among persons nominated by the Commission on
 22 Hispanic Affairs.

23 (f) One member shall be appointed from among persons nominated by the Commission on Indian
 24 Services.

25 **(g) One member shall be appointed from among persons nominated by the Commission**
 26 **for Original Peoples from South America, Central America and Mexico.**

27 [(g)] (h) One member shall be appointed as a youth representative, who must be at least 16 but
 28 no more than 24 years of age when appointed.

29 (2) The council shall submit an annual report to the Governor and the interim committees of the
 30 Legislative Assembly related to the environment, in the manner provided under ORS 192.245, setting
 31 forth its view of the progress of natural resource agencies toward achieving the goals established
 32 pursuant to ORS 182.542 and identifying any other environmental issues that the council determines
 33 need attention.

34 (3) The term of office of each member is four years, except that the term of office of the member
 35 appointed as youth representative is two years. A member serves at the pleasure of the Governor.
 36 Before the expiration of the term of a member, the Governor shall appoint a successor whose term
 37 begins on January 1 of the following year. A member may be reappointed. If there is a vacancy for
 38 any cause, the Governor shall make an appointment to become immediately effective for the unex-
 39 pired term.

40 (4) A member of the council is entitled to compensation and expenses in the manner and
 41 amounts provided for in ORS 292.495. Claims for compensation and expenses incurred in performing
 42 functions of the council shall be paid out of funds appropriated to the Governor for that purpose.

43 (5) The council shall elect one of its members as a chairperson and another as vice chairperson,
 44 for the terms and with the duties and powers necessary for the performance of the functions of such
 45 offices as the council determines.

1 (6) A majority of the members of the council constitutes a quorum for the transaction of busi-
2 ness.

3 (7) The council shall meet at least once every three months at times and places specified by the
4 chairperson. The council also shall meet at other times and places specified by the call of the
5 chairperson or of a majority of the members of the council.

6 (8) The office of the Governor may enter into an interagency agreement under ORS 190.110 with
7 the Department of Environmental Quality for purposes of providing clerical and administrative staff
8 support to the council and for sharing in the administrative or other expenses of the council.

9 (9) Natural resource agencies and other state agencies as requested by the council are directed
10 to assist the council in the performance of its duties and, to the extent permitted by laws relating
11 to confidentiality, to furnish such information and advice as the members of the council consider
12 necessary to perform their duties.

13 **SECTION 6.** ORS 185.005 is amended to read:

14 185.005. The Oregon Advocacy Commissions Office is established to provide administrative sup-
15 port to:

16 (1) The Commission on Hispanic Affairs;

17 (2) The Commission on Black Affairs;

18 (3) The Commission for Women; *[and]*

19 (4) The Commission on Asian and Pacific Islander Affairs[.]; **and**

20 (5) **The Commission for Original Peoples from South America, Central America and**
21 **Mexico.**

22 **SECTION 7.** ORS 329.492 is amended to read:

23 329.492. (1) The Department of Education shall develop academic content standards for Oregon
24 Studies and shall prepare materials to support teacher training and classroom instruction in Oregon
25 Studies.

26 (2) In the development of the academic content standards in Oregon Studies and in the prepa-
27 ration of materials to support teacher training and classroom instruction in Oregon Studies, the
28 department shall consult with:

29 (a) The Oregon Historical Society;

30 (b) The Commission on Black Affairs;

31 (c) The Commission on Hispanic Affairs;

32 (d) The Commission on Indian Services;

33 (e) The Commission on Asian and Pacific Islander Affairs; *[and]*

34 (f) **The Commission for Original Peoples from South America, Central America and**
35 **Mexico; and**

36 *[(f)]* (g) Any other organization identified by the Superintendent of Public Instruction.

37 (3) The materials prepared as provided by subsection (2) of this section shall include a balanced
38 presentation of the relevant contributions to society by men and women of African-American,
39 Hispanic, Native American, **Indigenous or Original Peoples from South America, Central**
40 **America and Mexico**, Asian-American and other racial groups in Oregon.

41 (4) The Oregon Historical Society or any commission identified in subsection (2) of this section
42 may use any public funds allocated to the society or commission for the purposes of this section. In
43 addition, the Oregon Historical Society or any commission identified in subsection (2) of this section
44 may raise additional funds from private sources for the purposes of this section.

45 **SECTION 8. Notwithstanding the term of office specified in section 2 of this 2023 Act, of**

1 the members first appointed by the Governor to the Commission for Original Peoples from
2 South America, Central America and Mexico:

3 (1) Three shall serve for terms ending January 1, 2026.

4 (2) Three shall serve for terms ending January 1, 2027.

5 (3) Three shall serve for terms ending January 1, 2028.

6 **SECTION 9.** There is appropriated to the Oregon Advocacy Commissions Office, for the
7 biennium beginning July 1, 2023, out of the General Fund, the amount of \$1,000,000 for the
8 purpose of carrying out the provisions of sections 1 to 3 of this 2023 Act.

9 **SECTION 10.** (1) Sections 1 to 3 of this 2023 Act and the amendments to ORS 176.350,
10 182.538, 185.005 and 329.492 by sections 4 to 7 of this 2023 Act become operative on January
11 1, 2024.

12 (2) The Governor, the Racial Justice Council, the Environmental Justice Council, the
13 Oregon Advocacy Commissions Office and the Department of Education may take any action
14 before the operative date specified in subsection (1) of this section that is necessary to enable
15 the Governor, the councils, the department and the office to exercise, on and after the op-
16 erative date specified in subsection (1) of this section, all of the duties, functions and powers
17 conferred on the Governor, the councils, the department and the office by sections 1 to 3 of
18 this 2023 Act and the amendments to ORS 176.350, 182.538, 185.005 and 329.492 by sections 4
19 to 7 of this 2023 Act.

20 **SECTION 11.** This 2023 Act takes effect on the 91st day after the date on which the 2023
21 regular session of the Eighty-second Legislative Assembly adjourns sine die.

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