

Requested by Senator LIEBER

**PROPOSED AMENDMENTS TO
SENATE BILL 1095**

1 On page 1 of the printed bill, line 2, delete “326.021,”.

2 Delete line 3 and insert “326.425 and 471.705; and declaring an”.

3 Delete lines 6 through 30 and delete pages 2 through 11 and insert:

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

16 **“(2) If, after application of subsection (1) of this section, a position**
17 **on a board or commission that by law is to be filled based on con-**
18 **gressional district remains unfilled, the position shall be considered**
19 **vacant and may be filled by appointment.**

20 **“(3) Notwithstanding subsections (1) and (2) of this section, a posi-**
21 **tion on a board or commission that by law is to represent a congres-**

1 **sional district and that was filled by appointment on or after January**
2 **1, 2023, and before the effective date of this 2023 Act, is ratified and**
3 **approved.**

4 **“SECTION 2. Section 1 of this 2023 Act is repealed on January 2,**
5 **2027.**

6 **“SECTION 3. ORS 188.016 is amended to read:**

7 “188.016. (1) When apportioning the state into congressional or legislative
8 districts, the Legislative Assembly shall hold at least 10 public hearings at
9 locations throughout the state prior to proposing a reapportionment plan.

10 “(2) In addition to the hearings required under subsection (1) of this sec-
11 tion, the Legislative Assembly or the Secretary of State, whichever is appli-
12 cable, shall:

13 “(a) To the extent practicable, hold [*five*] **six** public hearings after a re-
14 apportionment plan is proposed, but before the plan is adopted. The adoption
15 of a reapportionment plan may not be delayed by the impracticability of
16 holding one or more of the hearings required under this subsection.

17 “(b) Conduct the hearings required under this subsection either in [*five*]
18 **six** different congressional districts of this state or with the use of
19 videoconferencing technologies that permit active citizen participation
20 throughout the state.

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

24 “(a) Provide appropriate public notice of the time and location of each
25 hearing;

26 “(b) Hold at least one hearing required under subsection (1) of this sec-
27 tion in each congressional district of this state;

28 “(c) Hold at least one hearing required under subsection (1) of this section
29 and one hearing required under subsection (2) of this section in areas that
30 have experienced the largest shifts in population since the previous reap-

1 portionment, and prioritize holding additional public hearings in these areas;
2 and

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

6 **“SECTION 4.** ORS 284.883 is amended to read:

7 “284.883. (1) The Oregon Growth Board is established to formulate and
8 implement policies and procedures to administer ORS 284.881 to 284.890, and
9 to make recommendations for the investment, reinvestment, management and
10 coordination of funds in the Oregon Growth Account established under ORS
11 348.702 and the Oregon Growth Fund established under ORS 284.890.

12 “(2) The board shall consist of nine voting members and one to three
13 nonvoting members as follows:

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

16 “(b) The Director of the Oregon Business Development Department, or the
17 director’s designee, shall be an ex officio nonvoting member of the board.

18 “(c) The Governor shall appoint eight voting members, subject to Senate
19 confirmation under ORS 171.562 and 171.565 and the following:

20 “(A) Two of the members shall be persons who do not belong to the same
21 political party, who reflect the identity of the Legislative Assembly by poli-
22 tical party affiliation at the time the persons are appointed and who are se-
23 lected from a list of four candidates, each candidate recommended by the
24 President of the Senate, the Minority Leader of the Senate, the Speaker of
25 the House of Representatives or the Minority Leader of the House of Rep-
26 resentatives, respectively.

27 “(B) Members shall include at least one representative [*of each of the five*
28 *congressional districts*] **from each congressional district** in this state.

29 “(C) Six members shall be appointed as follows:

30 “(i) One member with experience in banking;

1 “(ii) One member with experience in credit union operations;
2 “(iii) One member with experience managing investments;
3 “(iv) One member with experience as a small business employer in this
4 state; and

5 “(v) Two at-large members.

6 “(d) Two members of the Legislative Assembly that belong to different
7 political parties as determined by the appropriate entry on official election
8 registration cards, who are appointed by agreement of the President of the
9 Senate, the Minority Leader of the Senate, the Speaker of the House of
10 Representatives and the Minority Leader of the House of Representatives,
11 shall serve as nonvoting members of the board. If an agreement cannot be
12 reached on both members of the Legislative Assembly to serve on the board,
13 no appointment shall be made under this paragraph.

14 “(3) The term of office of each member who is not an ex officio member
15 is four years. A member appointed by the Governor serves at the pleasure
16 of the Governor. Before the expiration of the term of a member who is not
17 an ex officio member, the appointing authority shall appoint a successor
18 whose term begins on January 1 next following. A member is eligible for
19 reappointment. If there is a vacancy for any cause, including but not limited
20 to the end of a term of membership in the Legislative Assembly, the ap-
21 pointing authority shall make an appointment to become immediately effec-
22 tive for the unexpired term.

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

27 “(5) A majority of the voting members of the board constitutes a quorum
28 for the transaction of business.

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

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

2 “(b) Nonlegislative members in the manner and amounts provided in ORS
3 292.495. Claims for compensation and expenses incurred in performing the
4 functions of the board shall be paid out of funds appropriated to the board
5 for that purpose.

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

9 **“SECTION 5.** ORS 326.425 is amended to read:

10 “326.425. (1) The Early Learning Council is established.

11 “(2) The council is established to coordinate a unified and aligned system
12 of early learning services for the purposes of ensuring that:

13 “(a) Children enter school ready to learn; and

14 “(b) Families are healthy, stable and attached.

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

17 “(a) Designating a committee to serve as the state advisory council for
18 purposes of the federal Head Start Act, as provided by ORS 417.796.

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

21 “(c) Coordinating the Oregon Early Learning System created by ORS
22 417.727.

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

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

29 “(b) When determining whom to appoint to the council under this sub-
30 section, the Governor shall:

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

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

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

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

6 “(i) Demonstrates leadership skills in civics or the member’s profession;

7 “(ii) To the greatest extent practicable, contributes to the council’s rep-
8 resentation of the geographic, ethnic, gender, racial and economic diversity
9 of this state; and

10 “(iii) Contributes to the council’s expertise, knowledge and experience in
11 early childhood development, early childhood care, early childhood educa-
12 tion, family financial stability, populations disproportionately burdened by
13 poor education outcomes and outcome-based best practices; and

14 “(E) Solicit recommendations from the Speaker of the House of Repre-
15 sentatives for at least two members and from the President of the Senate for
16 at least two members.

17 “(6) In addition to the members appointed under subsection (5) of this
18 section, the Governor shall appoint nonvoting, ex officio members who rep-
19 resent relevant state agencies.

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

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

26 **“SECTION 6.** ORS 326.425, as amended by section 18, chapter 631, Oregon
27 Laws 2021, is amended to read:

28 “326.425. (1) The Early Learning Council is established.

29 “(2) The council is established to coordinate a unified and aligned system
30 of early learning services for the purposes of ensuring that:

1 “(a) Children enter school ready to learn; and

2 “(b) Families are healthy, stable and attached.

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

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

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

8 “(B) Providing advice on matters related to the Oregon prekindergarten
9 program.

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

12 “(c) Coordinating the Oregon Early Learning System created by ORS
13 417.727.

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

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

20 “(b) When determining whom to appoint to the council under this sub-
21 section, the Governor shall:

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

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

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

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

27 “(i) Demonstrates leadership skills in civics or the member’s profession;

28 “(ii) To the greatest extent practicable, contributes to the council’s rep-
29 resentation of the geographic, ethnic, gender, racial and economic diversity
30 of this state; and

1 “(iii) Contributes to the council’s expertise, knowledge and experience in
2 early childhood development, early childhood care, early childhood educa-
3 tion, family financial stability, populations disproportionately burdened by
4 poor education outcomes and outcome-based best practices; and

5 “(E) Solicit recommendations from the Speaker of the House of Repre-
6 sentatives for at least two members and from the President of the Senate for
7 at least two members.

8 “(6) In addition to the members appointed under subsection (5) of this
9 section, the Governor shall appoint nonvoting, ex officio members who rep-
10 resent relevant state agencies.

11 “(7) The activities of the council shall be directed and supervised by the
12 Early Learning System Director.

13 “(8) In accordance with applicable provisions of ORS chapter 183, the
14 council may adopt rules necessary for the administration of the laws that the
15 council is charged with administering. When adopting rules related to child
16 care, the council must appoint an advisory committee in accordance with
17 ORS 183.333 that includes representatives of child care providers that are
18 licensed or not licensed, as appropriate.

19 **“SECTION 7.** ORS 471.705 is amended to read:

20 “471.705. (1) There is created the Oregon Liquor and Cannabis Commis-
21 sion, consisting of [*seven*] **nine** commissioners appointed by the Governor.
22 One commissioner must be from among the residents of each congressional
23 district of this state. One additional commissioner must be from eastern
24 Oregon. One additional commissioner must be from western Oregon. **One**
25 **additional commissioner must represent the public at large.** One com-
26 missioner must be from the food and alcoholic beverage retail industry. Not
27 more than [*four*] **five** commissioners may be of the same political party. The
28 Governor shall designate one commissioner to be chairperson of the com-
29 mission. The commissioners are entitled to compensation and expenses as
30 provided in ORS 292.495.

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

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

18 “(4) Appointments of commissioners by the Governor under this section
19 are subject to confirmation by the Senate pursuant to section 4, Article III,
20 Oregon Constitution.

21 **“SECTION 8. This 2023 Act being necessary for the immediate**
22 **preservation of the public peace, health and safety, an emergency is**
23 **declared to exist, and this 2023 Act takes effect on its passage.”.**

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