

Enrolled

Senate Bill 511

Sponsored by Senators HARTUNG, NELSON; Senators ATKINSON, L BEYER, BROWN, BURDICK, CARTER, CASTILLO, CLARNO, CORCORAN, DECKERT, DUNCAN, FERRIOLI, GORDLY, SHIELDS, STARR, Representatives BATES, BUTLER, DEVLIN, HILL, JOHNSON, KAFOURY, KNOPP, KROPP, KRÜMMEL, MONNES ANDERSON, NELSON, PATRIDGE, SHETTERLY, G SMITH, STARR, TOMEI, C WALKER, WILLIAMS, WILSON, WITT

CHAPTER

AN ACT

Relating to Oregon Health Sciences University; creating new provisions; amending ORS 353.020, 353.030 and 353.040; and declaring an emergency.

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

SECTION 1. ORS 353.020 is amended to read:

353.020. Oregon Health [Sciences] **and Science** University is established as a public corporation and shall exercise and carry out all powers, rights and privileges that are expressly conferred upon it, are implied by law or are incident to such powers. The university shall be a governmental entity performing governmental functions and exercising governmental powers. The university shall be an independent public corporation with statewide purposes and missions and without territorial boundaries. The university shall be a governmental entity but shall not be considered a unit of local or municipal government or a state agency for purposes of state statutes or constitutional provisions.

SECTION 2. (1) The amendments to ORS 353.020 by section 1 of this 2001 Act are intended to change the name of the "Oregon Health Sciences University" to the "Oregon Health and Science University."

(2) For the purpose of harmonizing and clarifying statute sections published in Oregon Revised Statutes, the Legislative Counsel may substitute for words designating the "Oregon Health Sciences University," wherever they occur in Oregon Revised Statutes, other words designating the "Oregon Health and Science University."

SECTION 3. ORS 353.030 is amended to read:

353.030. (1) It shall be the public policy of the Oregon Health [Sciences] **and Science** University in carrying out its missions as a public corporation:

(a) To serve the people of the State of Oregon [*as the primary center for*] **by providing** education in [*the*] health [*professions*], **science, engineering and their management** for students of the state and region.

(b) To provide:

(A) An environment that stimulates the spirit of inquiry, initiative and cooperation between and among students, faculty and staff;

(B) Research [*into the prevention and cure of disease or disability*] **in health care, engineering, biomedical sciences and general sciences;** and

(C) The delivery of health care to contribute to the development and dissemination of new knowledge.

(2) The university will strive for excellence in education, research, clinical practice, scholarship and community service while maintaining compassion, personal and institutional integrity and leadership in carrying out its missions.

(3) The university is designated to carry out the following public purposes and missions on behalf of the State of Oregon:

(a) Provide high quality educational programs appropriate for a health [*sciences*] **and science** university;

(b) Conduct [*scientific and biomedical*] research **in health care, engineering, biomedical sciences and general sciences**;

(c) Engage in the provision of inpatient and outpatient clinical care and health care delivery systems throughout the state;

(d) Provide outreach programs in [*health care*] education, research and [*patient*] **health** care;

(e) Serve as a local, regional and statewide resource for health care providers; and

(f) Continue a commitment to provide health care to the underserved patient population of Oregon.

(4) The university shall carry out the public purposes and missions of this section in the manner that, in the determination of the Oregon Health [*Sciences*] **and Science** University Board of Directors, best promotes the public welfare of the people of the State of Oregon.

SECTION 4. ORS 353.040 is amended to read:

353.040. (1) There is established an Oregon Health [*Sciences*] **and Science** University Board of Directors consisting of [*seven*] **10** 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) Except for the president of the university, the term of office of each nonstudent member is four years. The term of office of the student member is two years. 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) One representative who is a nonstudent member of the State Board of Higher Education.

(b) [*Four*] **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 [*Sciences*] **and Science** University, including but not limited to higher education, health care, scientific research, **engineering and technology** and economic and business development.

(c) One representative who is a student enrolled at the university.

(d) 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 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) The board shall meet at least once every three months at Oregon Health [*Sciences*] **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) 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 5. Notwithstanding the term of office specified by ORS 353.040, of the additional members first appointed to the Oregon Health and Science University Board of Directors pursuant to ORS 353.040 as amended by section 4 of this 2001 Act:

(1) Two shall serve for terms ending September 30, 2004.

(2) One shall serve for a term ending September 30, 2005.

SECTION 6. The Governor shall appoint the additional members to the Oregon Health and Science University Board of Directors required under ORS 353.040 as amended by section 4 of this 2001 Act no later than October 1, 2001, or 60 days after the effective date of this 2001 Act, whichever is later. The term of office of the additional members appointed under ORS 353.040 as amended by section 4 of this 2001 Act shall begin October 1, 2001.

SECTION 7. (1) The amendments to ORS 353.040 by section 4 of this 2001 Act are intended to change the name of the "Oregon Health Sciences University Board of Directors" to the "Oregon Health and Science University Board of Directors."

(2) For the purpose of harmonizing and clarifying statute sections published in Oregon Revised Statutes, the Legislative Counsel may substitute for words designating the "Oregon Health Sciences University Board of Directors," wherever they occur in Oregon Revised Statutes, other words designating the "Oregon Health and Science University Board of Directors."

SECTION 8. This 2001 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2001 Act takes effect on its passage.

Passed by Senate March 5, 2001

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Secretary of Senate

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President of Senate

Passed by House April 9, 2001

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Speaker of House

Received by Governor:

.....M.,....., 2001

Approved:

.....M.,....., 2001

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Governor

Filed in Office of Secretary of State:

.....M.,....., 2001

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Secretary of State