



DAVID CHILDERS
Chair Nominee

EILEEN BOERGER

JOSH BRATT

BRIAN CARTER

MIKE DONNELLY

DON HENDRICKSON

SOUNDHARYA
NAGASUBRAMANIAN

BECKY PAPE

MATT SMITS

CHERYL STEWART

LISA NISENFELD
*Director,
Employment Department*

Staff:
MARCIA FISCHER
MICHELE VITALI

Oregon Talent Council

September 1, 2015
12:30-3:00pm

Chemeketa Center for Business and Industry (CCBI)
Room 203
626 High Street NE
Salem, OR 97301

Dial-in: 888-204-5984
Access Code: 3799438

AGENDA

*Persons wishing to testify during the public comment period should sign up at the meeting.
Times are approximate and order of agenda may change.*

12:30	1.0	Call to Order	Lisa Nisenfeld
	1.2	Opening Remarks	
	1.3	Welcome and Introductions	
12:50	2.0	Council Overview	David Childers
	2.1	Transition from ETIC to OTC	
	2.2	Mission, Vision and Values	
	2.3	Legislative Overview	
1:30	3.0	Oregon Talent Plan	Pat Scruggs
1:50	4.0	Strategy Discussion	
2:15	5.0	Operational Items	Marcia Fischer
	5.1	Election of Chair	
	5.2	Draft Bylaws	
	5.3	Timeline/RFP	
2:30	6.0	Committee Formation	David Childers

All meetings of the Oregon Talent Council are open to the public and will conform to Oregon public meetings laws. A request for an interpreter for the hearing impaired or for accommodations for people with disabilities should be made to Michele Vitali at (503) 612-4268 or by email at michele.b.vitali@oregon.gov. Requests for accommodation should be made at least 72 hours in advance. Staff respectfully requests that you submit 15 collated copies of written materials at the time of your testimony. Persons making presentations including the use of video, DVD, PowerPoint or overhead projection equipment are asked to contact council staff 24 hours prior to the meeting.



DAVID CHILDERS
Chair Nominee

2:40

7.0

Public Comment

EILEEN BOERGER

2:50

8.0

Closing Comments/Next Steps

Lisa Nisenfeld

JOSH BRATT

BRIAN CARTER

3:00

9.0

Adjourn

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Oregon Talent Council – Nominees

Advanced Manufacturing

Mike Donnelly

Materials Manager

Care Stream Inc.

White City

Don Hendrickson

Senior Manager

Boeing

Gresham

Bioscience

Soundharya Nagasubramanian

Director, SW and Systems Architecture

Welch Allyn

Beaverton

Matt Smits

Director, Strategic Programs

Micro Systems Engineering

Lake Oswego

Energy

Josh Bratt

OESTRA

Brian Carter

Human Resources Director

Bonneville Power Administration

Portland

Healthcare

Becky Pape

Chief Operating Officer

Good Samaritan Regional Medical Ctr

Corvallis

Cheryl Stewart

Director, Human Resources

Bend Memorial Clinic

Bend

High Tech

Eileen Boerger

CEO and Director

CorSource Technology

Portland

David Childers

CCEP, CIPP, OCEG Fellow

Lisa Nisenfeld

Director, Employment Department

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Agenda Item 2.3

Legislative Overview

Purpose

Provide Council with background on enabling legislation from the 2015 Legislative Session.

Background

House Bill 2728 passed during the 2015 legislative session, establishing the Oregon Talent Council July 15, 2015 under the Employment Department. State general funds of \$6,112,818 were appropriated to OTC for the 2015-2017 biennium. Under the bill, the Engineering and Technology Investment Fund and Council is abolished.

Discussion

David Childers, Chair Nominee, and Representative Tobias Read (via phone) will update the Council on the 2015 legislation that established the Council.

**Enrolled
House Bill 2728**

Sponsored by Representatives JOHNSON, READ; Representatives DAVIS, HUFFMAN, WHISNANT,
Senator DEMBROW (Presession filed.)

CHAPTER

AN ACT

Relating to the Oregon Talent Council; creating new provisions; amending ORS 284.706 and 284.711 and section 10, chapter 519, Oregon Laws 2011, and sections 66 and 72, chapter ___, Oregon Laws 2015 (Enrolled Senate Bill 215); repealing ORS 351.663 and sections 3, 5, 7, 8, 9 and 10, chapter 85, Oregon Laws 2014, and sections 27, 36, 37 and 59, chapter ___, Oregon Laws 2015 (Enrolled Senate Bill 215); and declaring an emergency.

Whereas there is a critical gap in skilled talent and an urgent need to address talent gaps in Oregon; and

Whereas Oregon's economic competitiveness is dependent on having diverse, qualified and skilled talent to support the growth of Oregon's business and industry; and

Whereas a diverse, qualified and skilled talent base is a necessary resource for the implementation of state economic, education, workforce and other policy goals; and

Whereas access to public education and training resources by workers and employers throughout the entire state is critical to Oregon's economic prosperity; now, therefore,

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

SECTION 1. (1) The Oregon Talent Council is established. The Director of the Employment Department, in consultation with the Governor or the Governor's designated representative, may appoint the council members, the majority of whom must be senior executives of traded sector and high growth industries in Oregon.

(2) The council shall have no fewer than seven and no more than 21 members.

(3) One representative of each of the following entities may serve as an ex officio member of the council:

- (a) Higher Education Coordinating Commission;
- (b) State Workforce Investment Board;
- (c) Oregon Business Development Department;
- (d) Employment Department; and
- (e) STEM Investment Council.

(4) The council shall select one of its private sector members as a chairperson.

(5) A majority of the members of the council constitutes a quorum for the transaction of business.

(6) The council shall meet at least four times per fiscal year at a place, day and time determined by the chairperson. The council may also meet at other times and places specified by a call of the chairperson or by written request of a majority of the members of the council.

(7) The council may adopt rules necessary for the operation of the council.

(8) The council may establish committees and delegate to the committees duties the council considers desirable.

(9) The Employment Department, in consultation with the council, may use up to 10 percent of the amount appropriated by the Legislative Assembly for allocation to the council to employ staff and support the operations of the council.

SECTION 2. (1) The Oregon Talent Council shall advise and be a resource for state agencies and educational institutions on issues of talent development to promote the growth and competitiveness of Oregon's traded sector and high growth industries.

(2) The council shall work in cooperation with the Employment Department to provide industry-based information and data on talent needs and gaps.

(3) The council shall develop criteria and measurements that will be used for determining investments made from the fund established under section 4 of this 2015 Act. All investments in public and private institutions shall be:

(a) Contingent upon performance-based contracts with measurable outcomes; and

(b) Of limited duration.

(4) Each biennium, the council shall develop a talent plan under section 3 of this 2015 Act that the council will use to invest moneys from the fund established under section 4 of this 2015 Act. The talent plan and investments shall:

(a) Identify and prioritize the urgent talent gaps of Oregon's traded sector and high growth industries.

(b) Respond to immediate talent needs by creating additional opportunities for Oregonians to pursue education and training in disciplines critical to the advancement of Oregon's traded sector and high growth industries.

(c) Strengthen efforts to enhance student work experience and job preparedness in high demand and critical occupations.

(d) Create new means of delivering workforce training and proficiency-based education that can enhance program efficiency, upgrade and share resources and facilities and improve student outcomes and access to typically underrepresented populations while meeting talent needs of traded sector and high growth industries.

(e) Increase the skills of the existing professional and technical workforce, including through the issuance of certifications, badges and industry-based credentials.

(5) The council shall prioritize investments for which other public resources and private financial resources from Oregon companies or individuals are made available to augment council funds.

(6) The council shall submit an annual report to the Employment Department on investments made by the council and the performance of those investments.

(7) The Oregon Talent Council, the Oregon Business Development Commission, the Higher Education Coordinating Commission, the STEM Investment Council, state and local workforce boards and the Employment Department shall develop agreements to strategically align the policies and programs of the entities as they relate to the duties of the Oregon Talent Council.

SECTION 3. (1) The Oregon Talent Council shall develop a Talent Development Plan. The plan must include identification of talent issues and trends related to selected Oregon traded sector and high growth industries that are in strategic alignment with state and local workforce and economic priorities. The plan must include recommendations to the State Workforce Investment Board, the STEM Investment Council and the Higher Education Coordinating Commission on training and education enhancements based upon the identified talent issues and trends.

(2) The Oregon Talent Council shall update the plan and the council's recommendations every biennium.

(3) Each year, the council shall report to the Governor and the Legislative Assembly about the plan.

SECTION 4. (1) There is created within the State Treasury, separate and distinct from the General Fund, the Oregon Talent Council Fund. Interest earned by the Oregon Talent Council Fund shall be credited to the fund.

(2) Moneys in the fund shall consist of:

(a) Amounts donated to the fund;

(b) Amounts appropriated or otherwise transferred to the fund by the Legislative Assembly;

(c) Investment earnings received on moneys in the fund; and

(d) Other amounts deposited in the fund from any source.

(3) Moneys in the fund are continuously appropriated to the Employment Department for allocation to the Oregon Talent Council for the purpose of making investments using the criteria and measurements set forth in section 2 of this 2015 Act.

(4) The department may establish accounts and subaccounts within the fund when the department, in consultation with the council, determines that accounts or subaccounts are necessary or desirable and may credit any interest or income derived from moneys in the fund to any account or subaccount in the fund.

SECTION 5. ORS 351.663 and sections 3, 5, 7, 8, 9 and 10, chapter 85, Oregon Laws 2014, are repealed.

SECTION 6. (1) The account established under section 5, chapter 85, Oregon Laws 2014, for investments in engineering education, within the Oregon Education Investment Fund established under section 3, chapter 519, Oregon Laws 2011, is abolished.

(2) Any moneys remaining in the account on the effective date of this 2015 Act that are unexpended, unobligated and not subject to any conditions shall be transferred to the Oregon Talent Council Fund established under section 4 of this 2015 Act.

SECTION 7. (1) The Engineering and Technology Industry Fund, established under section 8, chapter 85, Oregon Laws 2014, for investments in engineering education, is abolished.

(2) Any moneys remaining in the fund on the effective date of this 2015 Act that are unexpended, unobligated and not subject to any conditions shall be transferred to the Oregon Talent Council Fund established under section 4 of this 2015 Act.

SECTION 8. ORS 284.711 is amended to read:

284.711. (1) The Oregon Innovation Council shall provide advice to the Governor, the Legislative Assembly, research institutions, public agencies that provide economic development and the private sector on issues related to:

(a) Promoting agreements between research institutions and private industry that increase technology transfer and the commercialization of research;

(b) Promoting investment in specialized research facilities and signature research centers where Oregon has a distinct or emerging advantage for creating new products and businesses;

(c) Stimulating seed and start-up capital investment and entrepreneurial capacity that will promote economic growth in Oregon traded sector industries or Oregon growth businesses;

(d) Developing the entrepreneurial and management capacity critical to the competitiveness of Oregon traded sector industries or Oregon growth businesses in rapidly growing global markets;

(e) Enhancing the international competitiveness of Oregon traded sector industries or Oregon growth businesses; and

(f) Identifying workforce issues for occupations critical to the competitiveness of Oregon traded sector industries or Oregon growth businesses, including but not limited to scientific, engineering, information technology, business management and innovation-based economic development occupations.

[(2) The Oregon Innovation Council shall advise the Engineering and Technology Industry Council established in ORS 351.663 on how to coordinate the Engineering and Technology Industry Council's goals and policies with the state plan developed under ORS 284.715.]

[3] (2) The council, the Oregon Business Development Commission, the State Board of Higher Education and the office of the State Treasurer shall coordinate policies and programs related to the duties of the council.

[4] (3) Based on the state plan developed under ORS 284.715 and subject to the approval of the Oregon Business Development Department, the council may distribute moneys in the Oregon Innovation Fund by grant or loan or pursuant to contracts with research institutions, the private sector and public entities.

[5] (4) The council may assess and charge fees for making grants or loans under ORS 284.742.

SECTION 9. ORS 284.706, as amended by section 1, chapter 196, Oregon Laws 2015 (Enrolled House Bill 2288), is amended to read:

284.706. (1) There is created the Oregon Innovation Council consisting of the following voting members:

(a) The Governor or the Governor's designated representative, who shall be chairperson of the council.

(b) Seven members appointed by the Governor who are experienced entrepreneurs or investors or are engaged in the operations of Oregon traded sector industries or Oregon growth businesses.

(c) One member appointed by the Governor who is a representative of an Oregon-based, generally accredited, not-for-profit private institution of higher education.

(d) One member appointed by the Governor who is a representative of an Oregon-based, generally accredited public institution of higher education as defined in ORS 284.633.

(e) A member of the Oregon Growth Board, appointed by the board, who is experienced in making direct investments in new growth-based companies.

(f) A private sector member of the [*Engineering and Technology Industry Council, appointed by the Engineering and Technology Industry Council*] **Oregon Talent Council.**

(g) The Director or an executive officer of the Oregon Business Development Department.

(h) The executive director of the Higher Education Coordinating Commission.

(i) The State Treasurer.

(2)(a) The Speaker of the House of Representatives shall appoint two members to the council who are members of the House of Representatives.

(b) The President of the Senate shall appoint two members to the council who are members of the Senate.

(c) Members of the Legislative Assembly appointed to the council are nonvoting members and may act in an advisory capacity only.

(3) The presiding officer of the Oregon Business Development Commission shall serve as an ex officio, nonvoting member of the council.

(4) The term of office of each appointed voting member of the council is two years, but an appointed member serves at the pleasure of the appointing authority. Before the expiration of the term of an appointed voting member, the appointing authority shall appoint a successor whose term begins on July 1 next following. An appointed member is eligible for reappointment for one additional term. If there is a vacancy for any cause, the appointing authority shall make an appointment to become immediately effective for the remainder of the unexpired term.

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

(6) Official action by the council requires the approval of a majority of the voting members of the council.

(7) The council shall meet at least four times per fiscal year at a place, day and time determined by the chairperson. The council may also meet at other times and places specified by a call of the chairperson or by written request of a majority of the voting members of the council.

(8) The council may adopt rules necessary for the operation of the council.

(9) The council shall establish an audit and accountability committee that shall monitor performance of council contracts and benchmark Oregon's performance against nationally accepted innovation metrics.

(10) The council may establish other committees and delegate to the committees duties as the council considers desirable.

(11) The Oregon Business Development Department shall provide staff support to the council.

(12) Members of the council who are members of the Legislative Assembly are entitled to compensation and expense reimbursement as provided in ORS 171.072.

(13) Members of the council who are not members of the Legislative Assembly are entitled to compensation and expenses incurred by them in the performance of their official duties in the manner and amounts provided for in ORS 292.495. Claims for compensation and expenses of members of the council who are public officers shall be paid out of funds appropriated to the public agency that employs the member. Claims for compensation and expenses of members of the council who are not public officers shall be paid out of funds appropriated to the Oregon Business Development Department for that purpose.

(14) All agencies of state government, as defined in ORS 174.111, are directed to assist the council in the performance of its duties and, to the extent permitted by laws relating to confidentiality, to furnish such information and advice as the members of the council consider necessary to perform their duties.

SECTION 10. There is appropriated to the Employment Department for allocation to the Oregon Talent Council, for the biennium beginning July 1, 2015, out of the General Fund, the amount of \$6,112,818 for the purpose of carrying out the provisions of sections 1 to 3 of this 2015 Act.

SECTION 11. If Senate Bill 215 becomes law, sections 27 (amending ORS 351.663), 36 (amending section 5, chapter 85, Oregon Laws 2014), 37 (amending section 9, chapter 85, Oregon Laws 2014) and 59 (amending ORS 351.663), chapter __, Oregon Laws 2015 (Enrolled Senate Bill 215), are repealed.

SECTION 12. If Senate Bill 215 becomes law, section 10, chapter 519, Oregon Laws 2011, as amended by section 1, chapter 37, Oregon Laws 2012, section 5, chapter 286, Oregon Laws 2013, section 89, chapter 624, Oregon Laws 2013, section 9, chapter 660, Oregon Laws 2013, section 3, chapter 661, Oregon Laws 2013, section 5, chapter 739, Oregon Laws 2013, section 194, chapter 747, Oregon Laws 2013, section 6, chapter 778, Oregon Laws 2013, and section 8, chapter __, Oregon Laws 2015 (Enrolled Senate Bill 215), is amended to read:

Sec. 10. (1) Sections 5, 6 and 7, chapter 519, Oregon Laws 2011, are repealed on the effective date of [this 2015 Act] chapter __, Oregon Laws 2015 (Enrolled Senate Bill 215).

(2) The amendments to ORS 342.208 by section 4, chapter 286, Oregon Laws 2013, become operative on the effective date of [this 2015 Act] chapter __, Oregon Laws 2015 (Enrolled Senate Bill 215).

(3) The amendments to ORS 326.021 by section 88, chapter 624, Oregon Laws 2013, become operative on the effective date of [this 2015 Act] chapter __, Oregon Laws 2015 (Enrolled Senate Bill 215).

(4) The amendments to ORS 327.800, 327.810, 327.815 and 327.820 by sections 5, 6, 7 and 8, chapter 660, Oregon Laws 2013, become operative on the effective date of [this 2015 Act] chapter __, Oregon Laws 2015 (Enrolled Senate Bill 215).

(5) The amendments to ORS 342.950 by section 2, chapter 661, Oregon Laws 2013, become operative on the effective date of [this 2015 Act] chapter __, Oregon Laws 2015 (Enrolled Senate Bill 215).

(6) The amendments to ORS 326.500 by sections 4 and 6, chapter 739, Oregon Laws 2013, become operative on the effective date of [this 2015 Act] chapter __, Oregon Laws 2015 (Enrolled Senate Bill 215).

(7) The amendments to ORS 342.443 by section 5, chapter 778, Oregon Laws 2013, become operative on the effective date of [this 2015 Act] chapter __, Oregon Laws 2015 (Enrolled Senate Bill 215).

(8) The amendments to ORS 326.300, 351.075, 351.725 and 351.762 (formerly 326.375) by sections 9 to 12, chapter 36, Oregon Laws 2012, become operative on the effective date of *[this 2015 Act]* **chapter __, Oregon Laws 2015 (Enrolled Senate Bill 215)**.

(9) The amendments to ORS 326.425 by section 22b, chapter 36, Oregon Laws 2012, become operative on the effective date of *[this 2015 Act]* **chapter __, Oregon Laws 2015 (Enrolled Senate Bill 215)**.

(10) The amendments to ORS 417.796 by section 8, chapter 37, Oregon Laws 2012, become operative on the effective date of *[this 2015 Act]* **chapter __, Oregon Laws 2015 (Enrolled Senate Bill 215)**.

(11) The amendments to ORS 417.847 by section 5, chapter 623, Oregon Laws 2013, become operative on the effective date of *[this 2015 Act]* **chapter __, Oregon Laws 2015 (Enrolled Senate Bill 215)**.

[(12) Section 9, chapter 85, Oregon Laws 2014, and the amendments to ORS 351.663 by section 2, chapter 85, Oregon Laws 2014, become operative on the effective date of this 2015 Act.]

[(13)] (12) The amendments to ORS 351.735 by section 2, chapter 113, Oregon Laws 2014, become operative on the effective date of *[this 2015 Act]* **chapter __, Oregon Laws 2015 (Enrolled Senate Bill 215)**.

SECTION 13. If Senate Bill 215 becomes law and Senate Bill 217 does not become law, section 66, chapter __, Oregon Laws 2015 (Enrolled Senate Bill 215), is amended to read:

Sec. 66. (1)(a) Section 1, chapter 519, Oregon Laws 2011, as amended by section 8, chapter 519, Oregon Laws 2011, sections 20 and 21, chapter 36, Oregon Laws 2012, and section 1 *[of this 2015 Act]*, **chapter __, Oregon Laws 2015 (Enrolled Senate Bill 215)**, is repealed on June 30, 2019.

(b) Section 2, chapter 519, Oregon Laws 2011, as amended by section 1, chapter 36, Oregon Laws 2012, section 29, chapter 747, Oregon Laws 2013, and section 4 *[of this 2015 Act]*, **chapter __, Oregon Laws 2015 (Enrolled Senate Bill 215)**, is repealed on June 30, 2019.

(c) Section 3, chapter 519, Oregon Laws 2011, as amended by section 5 *[of this 2015 Act]*, **chapter __, Oregon Laws 2015 (Enrolled Senate Bill 215)**, is repealed on June 30, 2019.

[(d) Section 5, chapter 85, Oregon Laws 2014, as amended by section 36 of this 2015 Act, is repealed on June 30, 2019.]

(2) The amendments to ORS 326.021 by section 42 *[of this 2015 Act]*, **chapter __, Oregon Laws 2015 (Enrolled Senate Bill 215)**, become operative on June 30, 2019.

(3) The amendments to ORS 326.300 by section 43 *[of this 2015 Act]*, **chapter __, Oregon Laws 2015 (Enrolled Senate Bill 215)**, become operative on June 30, 2019.

(4) The amendments to ORS 326.425 by section 44 *[of this 2015 Act]*, **chapter __, Oregon Laws 2015 (Enrolled Senate Bill 215)**, become operative on June 30, 2019.

(5) The amendments to ORS 326.430 by section 45 *[of this 2015 Act]*, **chapter __, Oregon Laws 2015 (Enrolled Senate Bill 215)**, become operative on June 30, 2019.

(6) The amendments to ORS 326.500 by section 46 *[of this 2015 Act]*, **chapter __, Oregon Laws 2015 (Enrolled Senate Bill 215)**, become operative on June 30, 2019.

(7) The amendments to ORS 327.380 by section 8, chapter 739, Oregon Laws 2013, become operative on June 30, 2019.

(8) The amendments to ORS 327.800 by section 49 *[of this 2015 Act]*, **chapter __, Oregon Laws 2015 (Enrolled Senate Bill 215)**, become operative on June 30, 2019.

(9) The amendments to ORS 327.810 by section 50 *[of this 2015 Act]*, **chapter __, Oregon Laws 2015 (Enrolled Senate Bill 215)**, become operative on June 30, 2019.

(10) The amendments to ORS 327.815 by section 51 *[of this 2015 Act]*, **chapter __, Oregon Laws 2015 (Enrolled Senate Bill 215)**, become operative on June 30, 2019.

(11) The amendments to ORS 327.820 by section 52 *[of this 2015 Act]*, **chapter __, Oregon Laws 2015 (Enrolled Senate Bill 215)**, become operative on June 30, 2019.

(12) The amendments to ORS 342.208 by section 53 *[of this 2015 Act]*, **chapter __, Oregon Laws 2015 (Enrolled Senate Bill 215)**, become operative on June 30, 2019.

(13) The amendments to ORS 342.350 by section 54 *[of this 2015 Act]*, **chapter __, Oregon Laws 2015 (Enrolled Senate Bill 215)**, become operative on June 30, 2019.

(14) The amendments to ORS 342.410 by section 55 *[of this 2015 Act]*, **chapter __, Oregon Laws 2015 (Enrolled Senate Bill 215)**, become operative on June 30, 2019.

(15) The amendments to ORS 342.443 by section 56 *[of this 2015 Act]*, **chapter __, Oregon Laws 2015 (Enrolled Senate Bill 215)**, become operative on June 30, 2019.

(16) The amendments to ORS 342.950 by section 57 *[of this 2015 Act]*, **chapter __, Oregon Laws 2015 (Enrolled Senate Bill 215)**, become operative on June 30, 2019.

(17) The amendments to ORS 351.077 by section 75a *[of this 2015 Act]*, **chapter __, Oregon Laws 2015 (Enrolled Senate Bill 215)**, become operative on June 30, 2019.

(18) The amendments to ORS 351.203 by section 58 *[of this 2015 Act]*, **chapter __, Oregon Laws 2015 (Enrolled Senate Bill 215)**, become operative on June 30, 2019.

[(19) The amendments to ORS 351.663 by section 59 of this 2015 Act become operative on June 30, 2019.]

[(20)] (19) The amendments to ORS 351.725 by section 60 *[of this 2015 Act]*, **chapter __, Oregon Laws 2015 (Enrolled Senate Bill 215)**, become operative on June 30, 2019.

[(21)] (20) The amendments to ORS 351.735 by section 61 *[of this 2015 Act]*, **chapter __, Oregon Laws 2015 (Enrolled Senate Bill 215)**, become operative on June 30, 2019.

[(22)] (21) The amendments to ORS 417.796 by section 62 *[of this 2015 Act]*, **chapter __, Oregon Laws 2015 (Enrolled Senate Bill 215)**, become operative on June 30, 2019.

[(23)] (22) The amendments to ORS 417.847 by section 63 *[of this 2015 Act]*, **chapter __, Oregon Laws 2015 (Enrolled Senate Bill 215)**, become operative on June 30, 2019.

[(24)] (23) The amendments to ORS 417.852 by section 64 *[of this 2015 Act]*, **chapter __, Oregon Laws 2015 (Enrolled Senate Bill 215)**, become operative on June 30, 2019.

[(25)] (24) The amendments to ORS 660.324 by section 65 *[of this 2015 Act]*, **chapter __, Oregon Laws 2015 (Enrolled Senate Bill 215)**, become operative on June 30, 2019.

[(26)] (25) The amendments to section 11, chapter 188, Oregon Laws 2015 (Enrolled House Bill 3375), by section 76a *[of this 2015 Act]*, **chapter __, Oregon Laws 2015 (Enrolled Senate Bill 215)**, become operative on June 30, 2019.

[(27)] (26) Section 8, chapter 85, Oregon Laws 2014, becomes operative on June 30, 2019.

SECTION 14. If both Senate Bill 215 and Senate Bill 217 become law, section 72, chapter __, Oregon Laws 2015 (Enrolled Senate Bill 215), is amended to read:

Sec. 72. (1)(a) Section 1, chapter 519, Oregon Laws 2011, as amended by section 8, chapter 519, Oregon Laws 2011, sections 20 and 21, chapter 36, Oregon Laws 2012, and section 1 *[of this 2015 Act]*, **chapter __, Oregon Laws 2015 (Enrolled Senate Bill 215)**, is repealed on June 30, 2019.

(b) Section 2, chapter 519, Oregon Laws 2011, as amended by section 1, chapter 36, Oregon Laws 2012, section 29, chapter 747, Oregon Laws 2013, and section 4 *[of this 2015 Act]*, **chapter __, Oregon Laws 2015 (Enrolled Senate Bill 215)**, is repealed on June 30, 2019.

(c) Section 3, chapter 519, Oregon Laws 2011, as amended by section 5 *[of this 2015 Act]*, **chapter __, Oregon Laws 2015 (Enrolled Senate Bill 215)**, is repealed on June 30, 2019.

[(d) Section 5, chapter 85, Oregon Laws 2014, as amended by section 36 of this 2015 Act, is repealed on June 30, 2019.]

(2) The amendments to ORS 326.021 by section 42 *[of this 2015 Act]*, **chapter __, Oregon Laws 2015 (Enrolled Senate Bill 215)**, become operative on June 30, 2019.

(3) The amendments to ORS 326.300 by section 43 *[of this 2015 Act]*, **chapter __, Oregon Laws 2015 (Enrolled Senate Bill 215)**, become operative on June 30, 2019.

(4) The amendments to ORS 326.425 by section 44 *[of this 2015 Act]*, **chapter __, Oregon Laws 2015 (Enrolled Senate Bill 215)**, become operative on June 30, 2019.

(5) The amendments to ORS 326.430 by section 45 *[of this 2015 Act]*, **chapter __, Oregon Laws 2015 (Enrolled Senate Bill 215)**, become operative on June 30, 2019.

(6) The amendments to ORS 326.500 by section 46 *[of this 2015 Act]*, **chapter __, Oregon Laws 2015 (Enrolled Senate Bill 215)**, become operative on June 30, 2019.

(7) The amendments to ORS 327.380 by section 8, chapter 739, Oregon Laws 2013, become operative on June 30, 2019.

(8) The amendments to ORS 327.800 by section 67a [of this 2015 Act], chapter ___, Oregon Laws 2015 (Enrolled Senate Bill 215), become operative on June 30, 2019.

(9) The amendments to ORS 327.810 by section 68a [of this 2015 Act], chapter ___, Oregon Laws 2015 (Enrolled Senate Bill 215), become operative on June 30, 2019.

(10) The amendments to ORS 327.815 by section 69a [of this 2015 Act], chapter ___, Oregon Laws 2015 (Enrolled Senate Bill 215), become operative on June 30, 2019.

(11) The amendments to ORS 327.820 by section 70a [of this 2015 Act], chapter ___, Oregon Laws 2015 (Enrolled Senate Bill 215), become operative on June 30, 2019.

(12) The amendments to ORS 342.208 by section 53 [of this 2015 Act], chapter ___, Oregon Laws 2015 (Enrolled Senate Bill 215), become operative on June 30, 2019.

(13) The amendments to ORS 342.350 by section 54 [of this 2015 Act], chapter ___, Oregon Laws 2015 (Enrolled Senate Bill 215), become operative on June 30, 2019.

(14) The amendments to ORS 342.410 by section 55 [of this 2015 Act], chapter ___, Oregon Laws 2015 (Enrolled Senate Bill 215), become operative on June 30, 2019.

(15) The amendments to ORS 342.443 by section 56 [of this 2015 Act], chapter ___, Oregon Laws 2015 (Enrolled Senate Bill 215), become operative on June 30, 2019.

(16) The amendments to ORS 342.950 by section 57 [of this 2015 Act], chapter ___, Oregon Laws 2015 (Enrolled Senate Bill 215), become operative on June 30, 2019.

(17) The amendments to ORS 351.077 by section 75a [of this 2015 Act], chapter ___, Oregon Laws 2015 (Enrolled Senate Bill 215), become operative on June 30, 2019.

(18) The amendments to ORS 351.203 by section 58 [of this 2015 Act], chapter ___, Oregon Laws 2015 (Enrolled Senate Bill 215), become operative on June 30, 2019.

[(19) The amendments to ORS 351.663 by section 59 of this 2015 Act become operative on June 30, 2019.]

[(20)] (19) The amendments to ORS 351.725 by section 60 [of this 2015 Act], chapter ___, Oregon Laws 2015 (Enrolled Senate Bill 215), become operative on June 30, 2019.

[(21)] (20) The amendments to ORS 351.735 by section 61 [of this 2015 Act], chapter ___, Oregon Laws 2015 (Enrolled Senate Bill 215), become operative on June 30, 2019.

[(22)] (21) The amendments to ORS 417.796 by section 62 [of this 2015 Act], chapter ___, Oregon Laws 2015 (Enrolled Senate Bill 215), become operative on June 30, 2019.

[(23)] (22) The amendments to ORS 417.847 by section 63 [of this 2015 Act], chapter ___, Oregon Laws 2015 (Enrolled Senate Bill 215), become operative on June 30, 2019.

[(24)] (23) The amendments to ORS 417.852 by section 64 [of this 2015 Act], chapter ___, Oregon Laws 2015 (Enrolled Senate Bill 215), become operative on June 30, 2019.

[(25)] (24) The amendments to ORS 660.324 by section 65 [of this 2015 Act], chapter ___, Oregon Laws 2015 (Enrolled Senate Bill 215), become operative on June 30, 2019.

[(26)] (25) The amendments to section 11, chapter 188, Oregon Laws 2015 (Enrolled House Bill 3375), by section 76a [of this 2015 Act], chapter ___, Oregon Laws 2015 (Enrolled Senate Bill 215), become operative on June 30, 2019.

[(27)] (26) Section 8, chapter 85, Oregon Laws 2014, becomes operative on June 30, 2019.

SECTION 15. This 2015 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2015 Act takes effect on its passage.

Passed by House June 26, 2015

Repassed by House July 3, 2015

.....
Timothy G. Sekerak, Chief Clerk of House

.....
Tina Kotek, Speaker of House

Passed by Senate July 2, 2015

.....
Peter Courtney, President of Senate

Received by Governor:

.....M,....., 2015

Approved:

.....M,....., 2015

.....
Kate Brown, Governor

Filed in Office of Secretary of State:

.....M,....., 2015

.....
Jeanne P. Atkins, Secretary of State

Agenda Item 5.2

Draft Bylaws

Purpose

Discuss and recommend draft bylaws be forwarded to DOJ for review.

Background

OTC operates under the auspices of the Oregon Employment Department. OED policies generally guide operations. Bylaws will guide specific council operations.

Recommendation

With consensus of this group, the draft bylaws will be forwarded to DOJ for review and then brought back to the Council for approval at the next meeting.

OREGON TALENT COUNCIL

BYLAWS Dated September 1, 2015

ARTICLE I -- NAME, ROLE AND SERVICE AREA

Section 1. *Name of the Council*

The name of the organization shall be the Oregon Talent Council, hereinafter referred to as OTC.

Section 2. *Role of the Council*

A. The role of the OTC is three-fold:

1. To provide industry-based information on critical occupations and skills that are essential for Oregon's competitiveness.
2. To act as a sounding board and advisor to state agencies and education and workforce organizations on matters of aligning degree and non-degree programs with industry needs.
3. To make strategic co-investments in education and training programs or systems that address critical occupations.

Per the legislation establishing the OTC, these roles will be further specified by written agreements with the Higher Education Coordinating Commission, the STEM Investment Council, state and local workforce boards, the Oregon Business Development Commission and the Oregon Employment Department.

Section 3. *Legal Authority for the Council*

The OTC is organized under Chapter 682, Oregon Laws 2015.

Section 4. *Area Served*

The area to be served by the OTC shall be the State of Oregon and the labor markets contained therein.

Section 5. *Council Address*

The OTC operates under the auspices of the Oregon Employment Department. The official location and mailing address is: Oregon Talent Council, 7995 SW Mohawk Street, Tualatin, Oregon 97062.

ARTICLE II -- MEMBERSHIP

Section 1. *Voting Members*

The OTC shall be comprised of no fewer than seven (7) and no more than twenty-one (21) members appointed in writing by the Director of the Employment Department (Director) in consultation with the Governor's office.

- A. At least three-quarters of voting members shall represent executive or senior positions within traded sector and high growth companies operating in Oregon.
- B. Up to one-quarter of voting members may represent other entities such as industry associations or professional organizations.
- C. To the extent possible, voting members shall include representatives of various geographic regions in Oregon, targeted industry sectors and company size.

Section 2. Non-voting Members and Advisory Group

- A. OTC may have non-voting ex-officio members from the Higher Education Coordinating Commission, the STEM Investment Council, the Oregon Workforce Investment Board, Business Oregon and the Employment Department.
- B. OTC may choose to form an advisory group of non-voting participants from industry and organizations that provide education and workforce development services in Oregon. The purpose of this advisory group will be to provide guidance to the OTC on matters regarding the implementation of the education and training priorities and recommendations of the OTC. The advisory group may include representatives from Oregon's public universities, community colleges, private colleges and universities, workforce development boards or organizations, and organizations providing apprenticeships or related work-based education.

Section 3. Membership Appointment Terms

Appointment terms for all voting members of the OTC shall be two years. Appointments may be renewed for up to six years total.

Section 4. Attendance

Regular attendance at meetings is expected of each voting member. A member shall notify the Chair or OTC staff at least 24 hours in advance of a meeting if the member is unable to attend. In an emergency, the member shall contact the Chair or staff as soon as is reasonably possible.

Section 5. Resignations of Membership

- A. Members who change employment, change their role at their current place of employment or leave Oregon may be asked to resign by the Director. The Director may appoint a person to fill out the remainder of the member's term according to the provisions of this Article.
- B. A member's seat may be declared vacant due to lack of participation. A member shall be removed following the lack of participation in three successive scheduled meetings of the OTC.

ARTICLE III -- OFFICERS

Section 1. Officers

The Officers of the OTC shall be the Chair and the Vice Chair(s). The Chair, or the Vice Chair per the Chair's request, shall preside at all meetings of the OTC.

Section 2. *Terms of Office*

The Chair and Vice Chair(s) may serve in their roles for no longer than four (4) years.

Section 3. *Election of Officers*

The Director shall appoint the Chair and Vice Chair(s) in accordance with Chapter 682, Oregon Laws 2015.

Section 4. *Resignation of Officers*

Resignations of the Chair or Vice Chair(s) should be made in writing to the Director. Appointment of a successor shall follow provisions of this Article.

ARTICLE IV -- MEETING PROCEDURES, VOTING RIGHTS AND QUORUM

Section 1. *Meeting Procedures*

- A. OTC shall hold regular meetings at least four times per fiscal year at a place, day and time determined by the Chair.
- B. The Chair may from time to time request a special or emergency meeting. Special meetings may also be requested by a written request submitted by a majority of the members of the council. The provisions of this Article shall govern the conduct of these meetings.
- C. OTC members may participate in meetings in person, or by phone or video conference.
- D. Public notice of all regular meetings of the OTC shall be given at least 48 hours prior to the meeting and all meetings shall be made held in accordance with Oregon's Public Meetings law, ORS 192.610 to 192.690 which includes an opportunity for the public to provide comment during each meeting. Notice shall be emailed to each member of the OTC.

Section 2. *Voting Rights*

- A. Each voting member of the OTC, who is physically present or participating by video or phone conference, shall cast one vote on any items being deliberated.
- B. Proxy and absentee voting is not permitted.

Section 3. *Conflict of Interest*

- A. OTC members are subject to the provisions of ORS 244 and Employment Department policies regarding conflict of interest. OTC staff shall provide written copies of these provisions to members.
- B. Members shall notify OTC staff in writing of actual or potential conflicts of interest that may arise. Members shall state for the record any conflict of interest during OTC meetings and refrain from discussion and voting on the matter.

Section 4. *Quorum*

- A. To transact business at an OTC meeting, a quorum of voting members must participate. Quorum requires a simple majority of the voting members.
- B. Participation may include members present or those participating by video or phone conference.

ARTICLE V -- OVERSIGHT OF OREGON TALENT COUNCIL FUND

Section 1. *Authority*

OTC shall have authority to make decisions with regards to the use of the Oregon Talent Council Fund as described in the legislation.

Section 2. *Criteria for OTC Investment Allocations*

OTC shall develop written criteria to guide its investments. The Council will be advised by the findings of the Oregon Talent Plan in developing its investment criteria.

Section 3. *Administration of Funds*

The Council's Request for Proposal (RFP) processes, disbursement of funds and other related activities shall follow operating and procurement policies of the Employment Department. The Council's investment recommendations shall be reviewed by the Director prior to release of funds. OTC shall prepare an annual report regarding its activities for the Director.

ARTICLE VI-- COMMITTEES

OTC may form committees or task forces to carry out the role of the Council. The Chair is responsible for appointing the members of the committee, which shall include OTC members and other interested stakeholders as appropriate. All OTC committees shall include an OTC voting member. All work or recommendations by committees will be subject to approval by the OTC.

ARTICLE VII -- GENERAL PROVISIONS

Section 1. *Council Operations*

The OTC shall operate within applicable state and federal laws.

Section 2. *Participation in Meetings*

- A. Participation in meetings shall be limited to OTC voting and ex-officio members, staff working with the OTC and also:
 - 1) Non-members presenting regularly scheduled agenda items that call for reports or participation by non-members.
 - 2) At the discretion of the Chair, comment or other participation by non-members which is relevant to material to the matter under consideration before the OTC.

Section 3. *Action Items*

OTC shall assure to the extent possible that action items before the Council have been discussed fully and openly prior to taking action. OTC may postpone any action on any particular item until the next meeting.

Section 4. *Staff Role*

OTC staff will be employees of the Employment Department. Staff shall work on implementation of the policies, goals and activities of the OTC and shall make regular reports to the OTC regarding implementation. OTC staff shall also be responsible for preparing and distributing meeting agendas and materials in keeping with these bylaws.

ARTICLE VIII -- BYLAW CHANGES

These bylaws may be amended, repealed or new bylaws may be enacted by an affirmative majority vote of the OTC.

Approved on _____ by the Oregon Talent Council.