

Enrolled Senate Bill 1501

Sponsored by Senator COURTNEY; Senator MANNING JR, Representative NEARMAN (Pre-session filed.)

CHAPTER

AN ACT

Relating to the State Fair Council; creating new provisions; amending ORS 565.460; and prescribing an effective date.

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

SECTION 1. ORS 565.460 is amended to read:

565.460. (1) The State Fair Council shall consist of no fewer than [11] **nine** and no more than [15] **13** members appointed by the Governor. [A council member holds office for a term of four years, but may be removed at any time during the term at the pleasure of the Governor.]

(2) The term of office for a member is four years, but a member holds office at the pleasure of the Governor. The term of office for a member described in subsection (3)(b) or (c) of this section ceases immediately if the person ceases to hold a qualifying office. Council members are eligible for reappointment, **but a person may not serve on the council for more than three full or partial consecutive terms.** Prior to the expiration of the term of a member, the Governor shall **reappoint the member or** appoint a successor. If a member position becomes vacant for any reason, the Governor shall appoint a successor to fill the unexpired term.

[2] **(3)** The council shall consist of:

(a) No fewer than [nine] **seven** and no more than [13] **11** members who have experience in, and are representatives of, industries and interests traditionally represented in Oregon State Fair activities, and who have backgrounds in industries and interests pertinent to carrying out the duties, functions and powers of the council, including but not limited to:

- (A) Private sector business;
 - (B) The nonprofit sector;
 - (C) Economic development interests;
 - (D) The finance industry; and
 - (E) The events and facility management industry.
- (b) One member who is an elected official of a city.
- (c) One member who is an elected official of a county.

[3] **(4)** The President of the Senate shall select a member of the Senate to act as a nonvoting observer of and advisor to the council.

[4] **(5)** The Speaker of the House of Representatives shall select a member of the House of Representatives to act as a nonvoting observer of and advisor to the council.

[5] **(6)** The members of the Legislative Assembly selected under subsections [(3) and] (4) **and (5)** of this section may not exercise any power, right or privilege of a council member.

[6] (7) The Salem city manager may act as a nonvoting observer of and advisor to the council. The Salem city manager may not exercise any power, right or privilege of a council member.

[7] (8) A majority of the council is required for the conducting of business.

[8] (9) The council shall elect one member as a chairperson and one member as a vice chairperson, with duties and powers as determined by the council. The council shall meet at the call of the chairperson or of a majority of the members.

[9] (10) A member of the council is not entitled to compensation, but may be reimbursed as provided by council policies and procedures for any actual and necessary travel and other expenses incurred by the member in the performance of the member's official duties.

SECTION 2. (1) Notwithstanding ORS 565.460, the Governor shall adjust the terms of office of State Fair Council members serving on the effective date of this 2018 Act so that the terms of office for:

(a) Three members terminate December 31, 2018;

(b) Three members terminate December 31, 2019;

(c) Three members terminate December 31, 2020; and

(d) Any members whose terms the Governor does not terminate under paragraphs (a) to (c) of this subsection terminate December 31, 2021.

(2) For each term of office that terminates under subsection (1) of this section, the Governor shall make a reappointment or appointment to the office for a succeeding four-year term ending on December 31.

(3) The Governor shall consult with the members of the State Fair Council holding office on the effective date of this 2018 Act prior to selecting any term of office termination dates under this section for specific council members.

(4) Notwithstanding subsections (1) and (2) of this section, the Governor may make any additional or alternative terminations of office and appointments under this section as the Governor deems necessary to achieve the purposes of subsections (1) and (2) of this section in a manner that is consistent with Article XV, section 2, of the Oregon Constitution.

SECTION 3. The amendments to ORS 565.460 by section 1 of this 2018 Act apply to State Fair Council service that occurs on or after the effective date of this 2018 Act.

SECTION 4. This 2018 Act takes effect on the 91st day after the date on which the 2018 regular session of the Seventy-ninth Legislative Assembly adjourns sine die.

Passed by Senate February 16, 2018

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Lori L. Brocker, Secretary of Senate

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Peter Courtney, President of Senate

Passed by House February 27, 2018

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Tina Kotek, Speaker of House

Received by Governor:

.....M,....., 2018

Approved:

.....M,....., 2018

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Kate Brown, Governor

Filed in Office of Secretary of State:

.....M,....., 2018

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Dennis Richardson, Secretary of State