

Senate Bill 462

Sponsored by Senator KRUSE

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**.

Directs district boundary board to accept petition to divide South Umpqua School District No. 19 into two districts. Specifies conditions of division.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to South Umpqua School District No. 19; and declaring an emergency.

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

4 **SECTION 1. Section 2 of this 2007 Act is added to and made a part of ORS 330.092 to**
5 **330.101.**

6 **SECTION 2. (1) Notwithstanding any other provision of law, a district boundary board**
7 **shall approve a petition to divide the South Umpqua School District No. 19 into two districts**
8 **if:**

9 **(a) The petition is filed prior to April 15, 2007, and meets the requirements of this section**
10 **and ORS 330.095; and**

11 **(b) The petition contains the signatures of at least five percent of the electors or 500**
12 **electors of the district, whichever is less.**

13 **(2) The two districts shall be South Umpqua School District No. 19 and a district desig-**
14 **ned as the Canyonville School District. Each district shall offer educational programs in**
15 **kindergarten through grade 12.**

16 **(3) The petition submitted to the district boundary board shall contain a proposal for**
17 **distribution of all real and personal school property of the former district that is located in**
18 **the proposed Canyonville School District to the Canyonville School District, together with a**
19 **proportionate share of the assets of the former district.**

20 **(4) After the district boundary board receives the petition, the board shall appoint three**
21 **chief sponsors of the petition or their designees from the residents of the attendance area**
22 **of the Canyonville School, and the board of the South Umpqua School District No. 19 shall**
23 **appoint three members of the school district board, to negotiate and decide the distribution**
24 **of assets and liabilities of the South Umpqua School District No. 19. The assets and liabilities**
25 **of the South Umpqua School District No. 19 that exist on June 30, 2007, shall be divided so**
26 **that 20.7 percent of the assets and liabilities go to the Canyonville School District. If the**
27 **persons appointed under this subsection are unable to agree unanimously upon the distrib-**
28 **ution of assets and liabilities within 30 days of the appointment of the last person, the deci-**
29 **sion on the distribution of assets and liabilities shall be made by the Superintendent of Public**
30 **Instruction or a designee of the superintendent.**

31 **(5) After the decision on the division of assets and liabilities has been issued, the district**

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 boundary board shall issue an order that divides the South Umpqua School District No. 19
 2 and specifies the new boundaries of the South Umpqua School District No. 19 and the
 3 Canyonville School District.

4 (6) The district boundary board shall appoint by order five electors of the Canyonville
 5 School District as the initial board of directors of the district. Three of the members shall
 6 be appointed to serve until June 30 following the election of their successors at the next
 7 district election. Two of the members shall be appointed to serve until June 30 following the
 8 election of their successors at the next succeeding district election.

9 (7) A remonstrance petition or election may not be allowed on any petition for a bound-
 10 ary change submitted to the district boundary board under this section.

11 (8) The employees of the former school district who have been employed at a school that
 12 is within the new Canyonville School District may elect to transfer to the Canyonville School
 13 District upon the creation of the district. A school district employee of the former district
 14 may not be deprived of seniority or accumulated sick leave solely because the duties of the
 15 employee have been assumed or acquired by the new school district.

16 (9)(a) Notwithstanding ORS 330.103 (1), if, prior to July 1, 2007, the district boundary
 17 board files with the county assessor and the Department of Revenue the legal description
 18 of the division of the South Umpqua School District No. 19 pursuant to ORS 308.225, the di-
 19 vision of the school district shall become effective on July 1, 2008.

20 (b) Notwithstanding paragraph (a) of this subsection, for purposes of levying taxes, the
 21 division of the South Umpqua School District No. 19 shall become effective on May 31, 2007,
 22 and the South Umpqua School District No. 19 shall continue to levy taxes for both school
 23 districts for the 2007-2008 fiscal year.

24 **SECTION 3.** This 2007 Act being necessary for the immediate preservation of the public
 25 peace, health and safety, an emergency is declared to exist, and this 2007 Act takes effect
 26 on its passage.

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