

Enrolled
Senate Bill 755

Sponsored by Senator JOHNSON (at the request of NW Education Service District)

CHAPTER

AN ACT

Relating to education service districts; creating new provisions; amending ORS 260.432 and sections 10, 11, 13, 14 and 15, chapter 828, Oregon Laws 2005; and declaring an emergency.

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

SECTION 1. Section 10, chapter 828, Oregon Laws 2005, is amended to read:

Sec. 10. As used in sections 11 to 14, **chapter 828, Oregon Laws 2005** [*of this 2005 Act*], “pilot education service district” means[:]

- [(1) *The Willamette Education Service District;*
- [(2) *The High Desert Education Service District; and*
- [(3)] the Northwest Regional Education Service District.

SECTION 2. The amendments to section 10, chapter 828, Oregon Laws 2005, by section 1 of this 2007 Act become operative on June 30, 2010.

SECTION 3. Section 11, chapter 828, Oregon Laws 2005, is amended to read:

Sec. 11. (1) Notwithstanding ORS chapter 334, the board of directors of a pilot education service district shall consist of nine members as follows:

- (a) Five directors shall represent zones established under ORS 334.032 and shall be elected by the boards of the component school districts;
- (b) Four directors shall be appointed by the directors described in paragraph (a) of this subsection, including one at-large director and a director representing each of the following:
 - (A) Public post-secondary institutions located within the pilot education service district;
 - (B) Social service providers; and
 - (C) The business community.

(2) Prior to April 1, 2006, the board of directors of a pilot education service district shall divide the pilot education service district into five zones as nearly equal in census population as may be practicable, measured along common school district boundary lines.

(3) The board of directors of a pilot education service district may readjust the boundaries of the zones once each year and shall readjust the boundaries of the zones immediately upon any change of the boundaries of the pilot education service district or a component school district.

(4)(a) Prior to [July 1, 2006] **the end of the term of office of any elected director of the Northwest Regional Education Service District**, the boards of the component school districts within [each] **the zone the director represented** shall elect a [*representative to serve on the board of directors of the pilot education service district*] **successor whose term begins on July 1 next following**. Each component school district board shall have one vote. **A director is eligible for reelection.**

(b) Prior to the end of the term of office of any appointed director of the Northwest Regional Education Service District, the directors described in subsection (1)(a) of this section shall appoint a successor whose term begins on July 1 next following. A director who was appointed under subsection (1)(b) of this section is eligible for reappointment.

[(5) Notwithstanding ORS 334.090, the terms of office of directors serving on the board of a pilot education service district who were not elected or appointed pursuant to this section shall terminate on June 30, 2006.]

[(6)] **(5)** Any vacancy on the board of directors of a pilot education service district that occurs before the end of the term of office of a director of a pilot education service district shall be filled following the process described in this section.

SECTION 4. Section 13, chapter 828, Oregon Laws 2005, is amended to read:

Sec. 13. Each pilot education service district shall **biennially** report to the interim legislative committees relating to education on the governance structure of the board of the pilot education service district prior to October 1~~], 2006, and October 1, 2008]~~ **of each even-numbered year.**

SECTION 5. Section 14, chapter 828, Oregon Laws 2005, is amended to read:

Sec. 14. (1)(a) Prior to February 1, 2010, the board of directors of ~~[a pilot]~~ **the Willamette Education Service District and the High Desert Education Service District** shall divide ~~[the pilot]~~ **each** education service district into as many zones as the board considers necessary, but not fewer than seven or more than 11.

(b) Prior to February 1, 2012, the board of directors of the Northwest Regional Education Service District shall divide the education service district into as many zones as the board considers necessary, but not fewer than seven or more than 11.

(c) The zones shall be as nearly equal in census population as may be practicable. If possible, the board shall establish the zones so that each county within the education service district, the majority of the land area of which lies within the boundaries of the education service district, has at least one member on the board.

(2) Within 90 days after the zones required in subsection (1) of this section are established, the board shall call a special election in the education service district for the purpose of electing directors, one of whom shall be elected by the electors of each zone established under subsection (1) of this section.

(3) ORS 334.750 applies to a board of directors elected under this section.

(4) The term of office of a director who serves on the board of directors for the Willamette Education Service District or the High Desert Education Service District who was elected or appointed under section 11, chapter 828, Oregon Laws 2005, terminates on June 30, 2010.

[(4)] **(5)(a)** The ~~[term]~~ **initial terms** of office of ~~[a director who was appointed or]~~ **two of the directors who serve on the board of directors of the Northwest Regional Education Service District who were elected under section 11, chapter 828, Oregon Laws 2005, terminate** ~~[of this 2005 Act terminates]~~ on June 30, ~~[2010]~~ **2008.**

(b) The initial terms of office of three of the directors who serve on the board of directors of the Northwest Regional Education Service District who were elected under section 11, chapter 828, Oregon Laws 2005, terminate on June 30, 2010.

(c) The initial terms of office of two of the directors who serve on the board of directors of the Northwest Regional Education Service District who were appointed under section 11, chapter 828, Oregon Laws 2005, terminate on June 30, 2008.

(d) The initial terms of office of two of the directors who serve on the board of directors of the Northwest Regional Education Service District who were appointed under section 11, chapter 828, Oregon Laws 2005, terminate on June 30, 2010.

(e) The board of directors of the Northwest Regional Education Service District shall determine by lot the length of office for each director.

(6) The term of office of a director who serves on the board of directors for the Northwest Regional Education Service District who was elected or appointed under section 11,

chapter 828, Oregon Laws 2005, for a term beginning on or after July 1, 2008, terminates on June 30, 2012.

SECTION 6. Section 15, chapter 828, Oregon Laws 2005, is amended to read:

Sec. 15. (1) Sections 11 to 14, **chapter 828, Oregon Laws 2005**, [of this 2005 Act] are repealed on June 30, [2010] **2012**.

(2) The amendments to ORS 260.432 by section 8 of this 2007 Act become operative on June 30, 2012.

SECTION 7. ORS 260.432 is amended to read:

260.432. (1) No person shall attempt to, or actually, coerce, command or require a public employee to influence or give money, service or other thing of value to promote or oppose any political committee or to promote or oppose the nomination or election of a candidate, the gathering of signatures on an initiative, referendum or recall petition, the adoption of a measure or the recall of a public office holder.

(2) No public employee shall solicit any money, influence, service or other thing of value or otherwise promote or oppose any political committee or promote or oppose the nomination or election of a candidate, the gathering of signatures on an initiative, referendum or recall petition, the adoption of a measure or the recall of a public office holder while on the job during working hours. However, this section does not restrict the right of a public employee to express personal political views.

(3) Each public employer shall have posted in a conspicuous place likely to be seen by its employees the following notice in printed or typewritten form:

ATTENTION ALL PUBLIC EMPLOYEES:

The restrictions imposed by the law of the State of Oregon on your political activities are that "No public employee shall solicit any money, influence, service or other thing of value or otherwise promote or oppose any political committee or promote or oppose the nomination or election of a candidate, the gathering of signatures on an initiative, referendum or recall petition, the adoption of a measure or the recall of a public office holder while on the job during working hours. However, this section does not restrict the right of a public employee to express personal political views."

It is therefore the policy of the state and of your public employer that you may engage in political activity except to the extent prohibited by state law when on the job during working hours.

(4) As used in this section:

(a) "Public employee" does not include an elected official **or a person appointed as a director to the board of a pilot education service district under section 11, chapter 828, Oregon Laws 2005.**

(b) "Public employer" includes any board, commission, committee, department, division or institution in the executive, administrative, legislative or judicial branch of state government, and any county, city, district or other municipal corporation or public corporation organized for a public purpose, including a cooperative body formed between municipal or public corporations.

SECTION 8. ORS 260.432, as amended by section 7 of this 2007 Act, is amended to read:

260.432. (1) No person shall attempt to, or actually, coerce, command or require a public employee to influence or give money, service or other thing of value to promote or oppose any political committee or to promote or oppose the nomination or election of a candidate, the gathering of signatures on an initiative, referendum or recall petition, the adoption of a measure or the recall of a public office holder.

(2) No public employee shall solicit any money, influence, service or other thing of value or otherwise promote or oppose any political committee or promote or oppose the nomination or election of a candidate, the gathering of signatures on an initiative, referendum or recall petition,

the adoption of a measure or the recall of a public office holder while on the job during working hours. However, this section does not restrict the right of a public employee to express personal political views.

(3) Each public employer shall have posted in a conspicuous place likely to be seen by its employees the following notice in printed or typewritten form:

ATTENTION ALL PUBLIC EMPLOYEES:

The restrictions imposed by the law of the State of Oregon on your political activities are that "No public employee shall solicit any money, influence, service or other thing of value or otherwise promote or oppose any political committee or promote or oppose the nomination or election of a candidate, the gathering of signatures on an initiative, referendum or recall petition, the adoption of a measure or the recall of a public office holder while on the job during working hours. However, this section does not restrict the right of a public employee to express personal political views."

It is therefore the policy of the state and of your public employer that you may engage in political activity except to the extent prohibited by state law when on the job during working hours.

(4) As used in this section:

(a) "Public employee" does not include an elected official [*or a person appointed as a director to the board of a pilot education service district under section 11, chapter 828, Oregon Laws 2005*].

(b) "Public employer" includes any board, commission, committee, department, division or institution in the executive, administrative, legislative or judicial branch of state government, and any county, city, district or other municipal corporation or public corporation organized for a public purpose, including a cooperative body formed between municipal or public corporations.

SECTION 9. This 2007 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2007 Act takes effect on its passage.

Passed by Senate May 3, 2007

Received by Governor:

Repassed by Senate June 13, 2007

.....M.,....., 2007

Approved:

.....
Secretary of Senate

.....M.,....., 2007

.....
President of Senate

.....
Governor

Passed by House June 8, 2007

Filed in Office of Secretary of State:

.....M.,....., 2007

.....
Speaker of House

.....
Secretary of State