

A-Engrossed
Senate Bill 755

Ordered by the Senate April 27
Including Senate Amendments dated April 27

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

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.

[Specifies quorum for transaction of business for board of pilot education service district. Allows members of board to be recalled.] Staggers terms of office of **pilot education service district** board members. Allows appointed board members to promote or oppose candidates or political measures in same manner as elected board members.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to education service districts; amending ORS 260.432 and sections 13, 14 and 15, chapter
3 828, Oregon Laws 2005; and declaring an emergency.

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

5 **SECTION 1.** Section 13, chapter 828, Oregon Laws 2005, is amended to read:

6 **Sec. 13.** Each pilot education service district shall report to the interim legislative committees
7 relating to education on the governance structure of the board of the pilot education service district
8 prior to October 1, 2006, *[and]* October 1, 2008, **and October 1, 2010.**

9 **SECTION 2.** Section 14, chapter 828, Oregon Laws 2005, is amended to read:

10 **Sec. 14.** (1) Prior to February 1, *[2010]* **2012**, the board of directors of a pilot education service
11 district shall divide the pilot education service district into as many zones as the board considers
12 necessary, but not fewer than seven or more than 11. The zones shall be as nearly equal in census
13 population as may be practicable. If possible, the board shall establish the zones so that each county
14 within the education service district, the majority of the land area of which lies within the bound-
15 aries of the education service district, has at least one member on the board.

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

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

21 (4)(a) The *[term]* **initial terms** of office of *[a director who was appointed or]* **two of the direc-**
22 **tors who were** elected under section 11, **chapter 828, Oregon Laws 2005, terminate** *[of this 2005*
23 *Act terminates]* on June 30, *[2010]* **2008.**

24 **(b) The initial terms of office of three of the directors who were elected under section**
25 **11, chapter 828, Oregon Laws 2005, terminate on June 30, 2010.**

26 **(c) The initial terms of office of two of the directors who were appointed under section**

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 **11, chapter 828, Oregon Laws 2005, terminate on June 30, 2008.**

2 (d) **The initial terms of office of two of the directors who were appointed under section**
3 **11, chapter 828, Oregon Laws 2005, terminate on June 30, 2010.**

4 (e) **The board of directors of a pilot education service district shall determine by lots the**
5 **length of office for each director.**

6 **SECTION 3.** Section 15, chapter 828, Oregon Laws 2005, is amended to read:

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

9 **(2) The amendments to ORS 260.432 by section 5 of this 2007 Act become operative on**
10 **June 30, 2012.**

11 **SECTION 4.** ORS 260.432 is amended to read:

12 260.432. (1) No person shall attempt to, or actually, coerce, command or require a public em-
13 ployee to influence or give money, service or other thing of value to promote or oppose any political
14 committee or to promote or oppose the nomination or election of a candidate, the gathering of sig-
15 natures on an initiative, referendum or recall petition, the adoption of a measure or the recall of a
16 public office holder.

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

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

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28 **ATTENTION ALL PUBLIC EMPLOYEES:**

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

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

37
38 (4) As used in this section:

39 (a) "Public employee" does not include an elected official **or a person appointed as a director**
40 **to the board of a pilot education service district under section 11, chapter 828, Oregon Laws**
41 **2005.**

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

2 **SECTION 5.** ORS 260.432, as amended by section 4 of this 2007 Act, is amended to read:

3 260.432. (1) No person shall attempt to, or actually, coerce, command or require a public em-
4 ployee to influence or give money, service or other thing of value to promote or oppose any political
5 committee or to promote or oppose the nomination or election of a candidate, the gathering of sig-
6 natures on an initiative, referendum or recall petition, the adoption of a measure or the recall of a
7 public office holder.

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

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

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19 **ATTENTION ALL PUBLIC EMPLOYEES:**

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

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

28
29 (4) As used in this section:

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

32 (b) “Public employer” includes any board, commission, committee, department, division or insti-
33 tution in the executive, administrative, legislative or judicial branch of state government, and any
34 county, city, district or other municipal corporation or public corporation organized for a public
35 purpose, including a cooperative body formed between municipal or public corporations.

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37 **SECTION 6. This 2007 Act being necessary for the immediate preservation of the public**
38 **peace, health and safety, an emergency is declared to exist, and this 2007 Act takes effect**
39 **on its passage.**