

B-Engrossed
Senate Bill 755

Ordered by the House May 29
Including Senate Amendments dated April 27 and House Amendments
dated May 29

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.

Stagger terms of office of [*pilot*] **Northwest Regional Education Service District** board members. **Extends sunset on Northwest Regional Education Service District as pilot education service district.** Allows appointed **pilot education service district** 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; creating new provisions; amending ORS 260.432 and sections
3 10, 11, 13, 14 and 15, chapter 828, Oregon Laws 2005; and declaring an emergency.

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

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

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

8 [*(1) The Willamette Education Service District;*]

9 [*(2) The High Desert Education Service District; and*]

10 [*(3) the Northwest Regional Education Service District.*]

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

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

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

16 (a) Five directors shall represent zones established under ORS 334.032 and shall be elected by
17 the boards of the component school districts;

18 (b) Four directors shall be appointed by the directors described in paragraph (a) of this sub-
19 section, including one at-large director and a director representing each of the following:

20 (A) Public post-secondary institutions located within the pilot education service district;

21 (B) Social service providers; and

22 (C) The business community.

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

26 (3) The board of directors of a pilot education service district may readjust the boundaries of

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 the zones once each year and shall readjust the boundaries of the zones immediately upon any
2 change of the boundaries of the pilot education service district or a component school district.

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

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

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

16 *[(6)]* (5) Any vacancy on the board of directors of a pilot education service district that occurs
17 before the end of the term of office of a director of a pilot education service district shall be filled
18 following the process described in this section.

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

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

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

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

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

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

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

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

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

44 *[(4)]* (5)(a) The *[term]* **initial terms** of office of *[a director who was appointed or]* **two of the**
45 **directors who serve on the board of directors of the Northwest Regional Education Service**

1 **District who were** elected under section 11, **chapter 828, Oregon Laws 2005, terminate** [*of this*
2 *2005 Act terminates*] on June 30, [2010] **2008.**

3 **(b) The initial terms of office of three of the directors who serve on the board of direc-**
4 **tors of the Northwest Regional Education Service District who were elected under section**
5 **11, chapter 828, Oregon Laws 2005, terminate on June 30, 2010.**

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

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

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

14 **(6) The term of office of a director who serves on the board of directors for the North-**
15 **west Regional Education Service District who was elected or appointed under section 11,**
16 **chapter 828, Oregon Laws 2005, for a term beginning on or after July 1, 2008, terminates on**
17 **June 30, 2012.**

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

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

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

23 **SECTION 7.** ORS 260.432 is amended to read:

24 260.432. (1) No person shall attempt to, or actually, coerce, command or require a public em-
25 ployee to influence or give money, service or other thing of value to promote or oppose any political
26 committee or to promote or oppose the nomination or election of a candidate, the gathering of sig-
27 natures on an initiative, referendum or recall petition, the adoption of a measure or the recall of a
28 public office holder.

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

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

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40 **ATTENTION ALL PUBLIC EMPLOYEES:**

41 The restrictions imposed by the law of the State of Oregon on your political activities are that
42 "No public employee shall solicit any money, influence, service or other thing of value or otherwise
43 promote or oppose any political committee or promote or oppose the nomination or election of a
44 candidate, the gathering of signatures on an initiative, referendum or recall petition, the adoption
45 of a measure or the recall of a public office holder while on the job during working hours. However,

1 this section does not restrict the right of a public employee to express personal political views.”

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

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6 (4) As used in this section:

7 (a) “Public employee” does not include an elected official **or a person appointed as a director**
8 **to the board of a pilot education service district under section 11, chapter 828, Oregon Laws**
9 **2005.**

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

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

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

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

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

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31 **ATTENTION ALL PUBLIC EMPLOYEES:**

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

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

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42 (4) As used in this section:

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

45 (b) “Public employer” includes any board, commission, committee, department, division or insti-

1 tution in the executive, administrative, legislative or judicial branch of state government, and any
2 county, city, district or other municipal corporation or public corporation organized for a public
3 purpose, including a cooperative body formed between municipal or public corporations.

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

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