

Enrolled
Senate Bill 987

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CHAPTER

AN ACT

Relating to education service districts; creating new provisions; amending sections 10, 11, 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, as amended by section 1, chapter 589, Oregon Laws 2007, is amended to read:

Sec. 10. As used in sections 11 to 14, chapter 828, Oregon Laws 2005, “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. Section 11, chapter 828, Oregon Laws 2005, as amended by section 3, chapter 589, Oregon Laws 2007, 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 the end of the term of office of any elected director of [*the Northwest Regional Education Service District*] **a pilot education service district**, the boards of the component school districts within the zone the director represented shall elect a 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*] **a pilot 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) 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 3. Section 14, chapter 828, Oregon Laws 2005, as amended by section 5, chapter 589, Oregon Laws 2007, is amended to read:

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

[(b)] **(1)(a)** Prior to February 1, [2012] **2013**, the board of directors of [*the Northwest Regional Education Service District*] **each pilot 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)] **(b)** 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. **The election shall be held on a date specified in ORS 255.345.**

(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.*]

[(5)(a) *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 elected under section 11, chapter 828, Oregon Laws 2005, terminate on June 30, 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 4. Section 5 of this 2010 Act is added to and made a part of sections 11 to 14, chapter 828, Oregon Laws 2005.

SECTION 5. (1) **The term of office of a director who serves on the board of directors of the Northwest Regional Education Service District terminates on June 30, 2013, if:**

(a) The director was elected or appointed under section 11, chapter 828, Oregon Laws 2005; and

(b) The director's term of office has not been completed by June 30, 2013.

(2)(a) The term of office of a director who serves on the board of directors of the Willamette Education Service District or the High Desert Education Service District and who was elected or appointed under section 11, chapter 828, Oregon Laws 2005, for a term beginning prior to or on June 30, 2010, terminates on June 30, 2010. Vacancies on the board of directors shall be filled following the process described in section 11, chapter 828, Oregon Laws 2005.

(b) The term of office of a director who serves on the board of directors of the Willamette Education Service District or the High Desert Education Service District and who was elected or appointed under section 11, chapter 828, Oregon Laws 2005, for a term beginning after June 30, 2010, shall be determined by lot. The boards of directors of the Willamette Education Service District and the High Desert Education Service District shall draw lots to ensure that the term of office of:

(A) Two of the directors who were elected under section 11, chapter 828, Oregon Laws 2005, terminate on June 30, 2012;

(B) Two of the directors who were appointed under section 11, chapter 828, Oregon Laws 2005, terminate on June 30, 2012;

(C) Three of the directors who were elected under section 11, chapter 828, Oregon Laws 2005, terminate on June 30, 2013; and

(D) Two of the directors who were appointed under section 11, chapter 828, Oregon Laws 2005, terminate on June 30, 2013.

(c) Except as provided in paragraph (b) of this subsection, the term of office of a director who serves on the board of directors of the Willamette Education Service District or the High Desert Education Service District terminates on June 30, 2013.

SECTION 6. Section 15, chapter 828, Oregon Laws 2005, as amended by section 6, chapter 589, Oregon Laws 2007, is amended to read:

Sec. 15. (1) Sections 11 to 14, chapter 828, Oregon Laws 2005, are repealed on June 30, [2012] 2013.

(2) The amendments to ORS 260.432 by section 8, **chapter 589, Oregon Laws 2007**, [of this 2007 Act] become operative on June 30, [2012] 2013.

SECTION 7. Section 8 of this 2010 Act is added to and made a part of ORS chapter 334.

SECTION 8. (1) As used in this section:

(a) "Obligations" means all contractual obligations, employment and service contracts and collective bargaining agreements.

(b) "Reorganized" means a change in the boundaries of an education service district, including a merger, or a change in the governance structure of an education service district.

(2) Employees who are employed by an education service district that is reorganized and who are employed in duties that, after the reorganization, are to be performed by the new education service district shall be considered employees of the new education service district. The new education service district shall succeed the previous education service district as party to any employment contracts.

(3) Employees in the new education service district shall retain any seniority and accumulated sick leave and vacation leave from the previous education service district.

(4) All real and personal property belonging to an education service district that is reorganized is considered property of the new education service district.

(5) All obligations of an education service district that is reorganized are considered obligations of the new education service district.

SECTION 9. This 2010 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2010 Act takes effect on its passage.

Passed by Senate February 8, 2010

Repassed by Senate February 24, 2010

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Secretary of Senate

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President of Senate

Passed by House February 23, 2010

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Speaker of House

Received by Governor:

.....M,....., 2010

Approved:

.....M,....., 2010

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Governor

Filed in Office of Secretary of State:

.....M,....., 2010

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Secretary of State