

House Bill 2261

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of Governor Kate Brown for Chief Education Office)

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**.

Expands scope of levels of education considered by Quality Education Commission. Modifies membership of commission.

Directs State Chief Information Officer to ensure state maintains data system related to education.

Changes name of Deputy Superintendent of Public Instruction to executive director of Department of Education.

Declares emergency, effective June 30, 2019.

A BILL FOR AN ACT

1
2 Relating to the public education system; creating new provisions; amending ORS 171.735, 171.857,
3 240.205, 244.050, 326.300, 327.497, 327.500, 327.502, 327.506, 357.021 and 458.558 and sections 2
4 and 11, chapter 519, Oregon Laws 2011, and section 72, chapter 774, Oregon Laws 2015; and
5 declaring an emergency.

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

7 **SECTION 1.** ORS 327.500 is amended to read:

8 327.500. (1) There is established a Quality Education Commission consisting of [11] **13**
9 members. [*appointed by the Governor. The Governor may not appoint more than five members of the*
10 *commission who are employed by a school district at the time of appointment.*] **The members shall**
11 **be:**

12 (a) **The following voting, ex officio members of the commission:**

13 (A) **The Early Learning System Director, or a designee of the director;**

14 (B) **The executive director of the Department of Education, or a designee of the executive**
15 **director; and**

16 (C) **The executive director of the Higher Education Coordinating Commission, or a**
17 **designee of the executive director; and**

18 (b) **Ten voting members appointed by the Governor.**

19 (2) **When appointing members of the commission, the Governor:**

20 (a) **Shall appoint one representative from each of the following:**

21 (A) **The Early Learning Council;**

22 (B) **The State Board of Education; and**

23 (C) **The Higher Education Coordinating Commission.**

24 (b) **May not appoint more than five members who are employed at the time of appoint-**
25 **ment as a provider of early childhood education, by a school district or by a community**
26 **college.**

27 [(2)] (3) The term of office of each member **appointed to the commission** is four years, but a
28 member **appointed to the commission** serves at the pleasure of the Governor. Before the expira-

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.

tion of the term of a member, the Governor shall appoint a successor whose term begins on August 1 next following. A member is eligible for reappointment. If there is a vacancy for any cause, the Governor shall make an appointment to become immediately effective for the remainder of the unexpired term.

(3) (4) The appointment of members of the commission is subject to confirmation by the Senate in the manner prescribed in ORS 171.562 and 171.565.

(4) (5) A member of the commission is entitled to compensation and expenses as provided in ORS 292.495.

(5) *The Department of Education shall provide staff to the commission.*

SECTION 2. ORS 327.502 is amended to read:

327.502. (1) The Governor shall select one of the members of the Quality Education Commission as chairperson and another as vice chairperson, for such terms and with duties and powers necessary for the performance of the functions of those offices as the Governor determines.

(2) A majority of the members of the commission constitutes a quorum for the transaction of business.

(3) The commission shall meet at times and places specified by the call of the chairperson, **the Governor** or *[of]* a majority of the members of the commission.

SECTION 3. ORS 327.506 is amended to read:

327.506. (1) The quality goals for the state’s system of *[kindergarten]* **prekindergarten** through *[grade 12]* **post-secondary** public education include those established under ORS 329.007, 329.015, 329.025, 329.045 and 329.065.

(2) Each biennium the Quality Education Commission shall determine the amount of moneys sufficient to ensure that the state’s system of *[kindergarten]* **prekindergarten** through *[grade 12]* **post-secondary** public education meets the quality goals.

(3) In determining the amount of moneys sufficient to meet the quality goals, the commission shall identify best practices that lead to high student performance and the costs of implementing those best practices in the state’s *[kindergarten]* **prekindergarten** through *[grade 12]* **post-secondary** public schools. Those best practices shall be based on research, data, **analytics, longitudinal data studies**, professional judgment and public values.

(4) Prior to August 1 of each even-numbered year, the commission shall issue a report to the Governor and the Legislative Assembly that identifies:

(a) Current practices in the state’s system of *[kindergarten]* **prekindergarten** through *[grade 12]* **post-secondary** public education, the costs of continuing those practices and the expected student performance under those practices; *[and]*

(b) The best practices for meeting the quality goals, the costs of implementing the best practices and the expected student performance under the best practices*.[.]*; **and**

(c) **Longitudinal data studies undertaken at the direction of the commission for purposes of preparing the report.**

(5) In addition, the commission shall provide in the report issued under subsection (4) of this section at least two alternatives for meeting the quality goals. The alternatives may use different approaches for meeting the quality goals or use a phased implementation of best practices for meeting the quality goals.

SECTION 4. ORS 171.857 is amended to read:

171.857. (1) For each odd-numbered year regular session of the Legislative Assembly, the President of the Senate and the Speaker of the House of Representatives shall jointly appoint a special

1 legislative committee to issue a report pursuant to section 8, Article VIII of the Oregon Constitu-
2 tion.

3 (2) The committee may not transact business unless a quorum is present. A quorum consists of
4 a majority of committee members from the House of Representatives and a majority of committee
5 members from the Senate.

6 (3) Action by the committee requires the affirmative vote of a majority of committee members
7 from the House of Representatives and a majority of committee members from the Senate.

8 (4) Members of the committee are entitled to compensation and expense reimbursement as pro-
9 vided in ORS 171.072.

10 (5) The Legislative Assembly in the report shall:

11 (a) Demonstrate that the amount within the budget appropriated for the state's system of
12 *[kindergarten]* **prekindergarten** through *[grade 12]* **post-secondary** public education is the amount
13 of moneys as determined by the Quality Education Commission established by ORS 327.500 that is
14 sufficient to meet the quality goals; or

15 (b) Identify the reasons that the amount appropriated for the state's system of *[kindergarten]*
16 **prekindergarten** through *[grade 12]* **post-secondary** public education is not sufficient, the extent
17 of the insufficiency and the impact of the insufficiency on the ability of the state's system of
18 *[kindergarten]* **prekindergarten** through *[grade 12]* **post-secondary** public education to meet the
19 quality goals. In identifying the impact of the insufficiency, the Legislative Assembly shall include
20 in the report how the amount appropriated in the budget may affect both the current practices and
21 student performance identified by the commission under ORS 327.506 (4)(a) and the best practices
22 and student performance identified by the commission under ORS 327.506 (4)(b).

23 (6)(a) Notwithstanding subsection (5) of this section, the Legislative Assembly may make a de-
24 termination that the report of the Quality Education Commission should not be used as the basis for
25 carrying out the reporting requirements of section 8, Article VIII of the Oregon Constitution, and
26 subsection (5) of this section. If the report is not used, the Legislative Assembly shall identify the
27 reasons for not using the report to meet the reporting requirements and shall outline an alternative
28 methodology for making the findings required by section 8, Article VIII of the Oregon Constitution.

29 (b) The alternative methodology shall be based on:

30 (A) Research, data and public values; and

31 (B) The performance of successful schools, professional judgment or a combination of the per-
32 formance of successful schools and professional judgment.

33 (c) The Legislative Assembly shall include in the report that uses the alternative methodology
34 a determination of how the amount appropriated may affect the ability of the state's system of
35 *[kindergarten]* **prekindergarten** through *[grade 12]* **post-secondary** public education to meet quality
36 goals established by law, including expected student performance against those goals.

37 *[(7) The Legislative Assembly shall identify in the report whether the state's system of post-*
38 *secondary public education has quality goals established by law. If there are quality goals, the Legis-*
39 *lative Assembly shall include in the report a determination that the amount appropriated in the budget*
40 *is sufficient to meet those goals or an identification of the reasons the amount appropriated is not suf-*
41 *ficient, the extent of the insufficiency and the impact of the insufficiency on the ability of the state's*
42 *system of post-secondary public education to meet those quality goals.]*

43 [(8)] (7) The report shall be issued within 180 days after the Legislative Assembly adjourns sine
44 die.

45 [(9)] (8) The Legislative Assembly shall provide public notice of the report's issuance, including

1 posting the report on the Internet and providing a print version of the report upon request.

2 **SECTION 5.** ORS 327.497 is amended to read:

3 327.497. The Legislative Assembly finds that:

4 (1) Within the Oregon Educational Act for the 21st Century in ORS chapter 329 there are es-
5 tablished goals for high academic excellence, the application of knowledge and skills to demonstrate
6 achievement and the development of lifelong learning skills to prepare students for the ever-
7 changing world.

8 (2) Education is increasingly linked to economic and social issues.

9 (3) The people of Oregon, through section 8, Article VIII of the Oregon Constitution, have es-
10 tablished that the Legislative Assembly shall appropriate in each biennium a sum of money sufficient
11 to ensure that the state's system of public education meets the quality goals established by law.
12 Furthermore, the people of Oregon require that the Legislative Assembly publish a report that ei-
13 ther demonstrates that the appropriation is sufficient or identifies the reasons for the insufficiency,
14 its extent and its impact on the ability of the state's system of public education to meet those goals.

15 (4) The Quality Education Commission should be established to define the costs sufficient to
16 meet the established quality goals for [*kindergarten*] **prekindergarten** through [*grade 12*] **post-**
17 **secondary** public education.

18 **SECTION 6.** (1) **The amendments to ORS 171.857, 327.497, 327.500, 327.502 and 327.506 by**
19 **sections 1 to 5 of this 2019 Act become operative on July 1, 2020.**

20 (2) **Notwithstanding the term of office specified by ORS 327.500 (3):**

21 (a) **The term of office of the members of the Quality Education Commission who are**
22 **servicing on the effective date of this 2019 Act expires on the operative date specified in sub-**
23 **section (1) of this section.**

24 (b) **Of the members first appointed to the Quality Education Commission after the oper-**
25 **ative date specified in subsection (1) of this section:**

26 (A) **Five members appointed by the Governor shall serve for an initial term ending July**
27 **31, 2022.**

28 (B) **Five members appointed by the Governor shall serve for an initial term ending De-**
29 **cember 31, 2024.**

30 **SECTION 7.** **The State Chief Information Officer shall ensure that this state maintains**
31 **an integrated, statewide data system that contains student-level outcomes for all public ed-**
32 **ucation institutions in order to allow for longitudinal analysis and research.**

33 **SECTION 8.** Section 11, chapter 519, Oregon Laws 2011, as amended by section 2, chapter 37,
34 Oregon Laws 2012, and section 6, chapter 774, Oregon Laws 2015, is amended to read:

35 **Sec. 11.** (1) On June 30, 2019, the Chief Education Officer shall deliver to the Early Learning
36 System Director all records and property within the jurisdiction of the Chief Education Officer that
37 relate to the duties, functions and powers of the Early Learning Council. The Early Learning System
38 Director shall take possession of the records and property.

39 (2) On June 30, 2019, the Chief Education Officer shall deliver to the Superintendent of Public
40 Instruction all records and property within the jurisdiction of the Chief Education Officer that relate
41 to the duties, functions and powers of the State Board of Education. The superintendent shall take
42 possession of the records and property.

43 (3) On June 30, 2019, the Chief Education Officer shall deliver to the executive director of the
44 Higher Education Coordinating Commission all records and property within the jurisdiction of the
45 Chief Education Officer that relate to the duties, functions and powers of the Higher Education

1 Coordinating Commission. The executive director shall take possession of the records and property.

2 (4) On June 30, 2019, the Chief Education Officer shall deliver to the executive director of the
3 Teacher Standards and Practices Commission all records and property within the jurisdiction of the
4 Chief Education Officer that relate to the duties, functions and powers of the Teacher Standards and
5 Practices Commission. The executive director shall take possession of the records and property.

6 (5) On June 30, 2019, the Chief Education Officer shall deliver to the Youth Development Di-
7 rector all records and property within the jurisdiction of the Chief Education Officer that relate to
8 the duties, functions and powers of the Youth Development Council. The Youth Development Di-
9 rector shall take possession of the records and property.

10 **(6) On June 30, 2019, the Chief Education Officer shall deliver to the State Chief Infor-**
11 **mation Officer all records and property within the jurisdiction of the Chief Education Officer**
12 **that relate to the duties, functions and powers of the State Chief Information Officer. The**
13 **State Chief Information Officer shall take possession of the records and property.**

14 [(6)] (7) The Governor shall resolve any disputes relating to transfers of records and property
15 under this section, and the Governor's decision is final.

16 **SECTION 9.** Section 72, chapter 774, Oregon Laws 2015, as amended by section 14, chapter 682,
17 Oregon Laws 2015, section 20, chapter 763, Oregon Laws 2015, section 27, chapter 639, Oregon Laws
18 2017, and section 4, chapter 113, Oregon Laws 2018, is amended to read:

19 **Sec. 72.** (1)(a) Section 1, chapter 519, Oregon Laws 2011, as amended by section 8, chapter 519,
20 Oregon Laws 2011, sections 20 and 21, chapter 36, Oregon Laws 2012, and section 1, chapter 774,
21 Oregon Laws 2015, is repealed on June 30, 2019.

22 (b) Section 2, chapter 519, Oregon Laws 2011, as amended by section 1, chapter 36, Oregon Laws
23 2012, section 29, chapter 747, Oregon Laws 2013, and section 4, chapter 774, Oregon Laws 2015, is
24 repealed on June 30, 2019.

25 (c) Section 3, chapter 519, Oregon Laws 2011, as amended by section 5, chapter 774, Oregon
26 Laws 2015, is repealed on June 30, 2019.

27 (2) The amendments to ORS 326.021 by section 42, chapter 774, Oregon Laws 2015, become op-
28 erative on June 30, 2019.

29 (3) The amendments to ORS 326.300 by section 43, chapter 774, Oregon Laws 2015, become op-
30 erative on June 30, 2019.

31 (4) The amendments to ORS 326.425 by section 44, chapter 774, Oregon Laws 2015, become op-
32 erative on June 30, 2019.

33 (5) The amendments to ORS 326.430 by section 45, chapter 774, Oregon Laws 2015, become op-
34 erative on June 30, 2019.

35 (6) The amendments to ORS 326.500 by section 46, chapter 774, Oregon Laws 2015, become op-
36 erative on June 30, 2019.

37 (7) The amendments to ORS 327.380 by section 8, chapter 739, Oregon Laws 2013, become op-
38 erative on June 30, 2019.

39 (8) The amendments to ORS 327.800 by section 67a, chapter 774, Oregon Laws 2015, become
40 operative on June 30, 2019.

41 (9) The amendments to ORS 327.810 by section 68a, chapter 774, Oregon Laws 2015, become
42 operative on June 30, 2019.

43 (10) The amendments to ORS 327.815 by section 69a, chapter 774, Oregon Laws 2015, become
44 operative on June 30, 2019.

45 (11) The amendments to ORS 327.820 by section 70a, chapter 774, Oregon Laws 2015, become

1 operative on June 30, 2019.

2 (12) The amendments to ORS 342.208 by section 53, chapter 774, Oregon Laws 2015, become
3 operative on June 30, 2019.

4 (13) The amendments to ORS 342.350 by section 54, chapter 774, Oregon Laws 2015, become
5 operative on June 30, 2019.

6 (14) The amendments to ORS 342.410 by section 55, chapter 774, Oregon Laws 2015, become
7 operative on June 30, 2019.

8 (15) The amendments to ORS 342.443 by section 56, chapter 774, Oregon Laws 2015, become
9 operative on June 30, 2019.

10 (16) The amendments to ORS 342.448 by section 76a, chapter 774, Oregon Laws 2015, become
11 operative on June 30, 2019.

12 (17) The amendments to ORS 344.059 and 344.141 by sections 13 and 14, chapter 763, Oregon
13 Laws 2015, become operative on June 30, 2019.

14 (18) The amendments to ORS 350.065 by section 60, chapter 774, Oregon Laws 2015, become
15 operative on June 30, 2019.

16 (19) The amendments to ORS 350.075 by section 61, chapter 774, Oregon Laws 2015, become
17 operative on June 30, 2019.

18 (20) The amendments to ORS 350.100 by section 75a, chapter 774, Oregon Laws 2015, become
19 operative on June 30, 2019.

20 (21) The amendments to ORS 352.018 by section 58, chapter 774, Oregon Laws 2015, become
21 operative on June 30, 2019.

22 (22) The amendments to ORS 417.796 by section 62, chapter 774, Oregon Laws 2015, become
23 operative on June 30, 2019.

24 (23) The amendments to ORS 417.847 by section 63, chapter 774, Oregon Laws 2015, become
25 operative on June 30, 2019.

26 (24) The amendments to ORS 417.852 by section 64, chapter 774, Oregon Laws 2015, become
27 operative on June 30, 2019.

28 (25) The amendments to ORS 660.324 by section 65, chapter 774, Oregon Laws 2015, become
29 operative on June 30, 2019.

30 (26) The amendments to ORS 342.940 by section 25, chapter 639, Oregon Laws 2017, become
31 operative on June 30, 2019.

32 (27) The amendments to ORS 348.295 by section 26, chapter 639, Oregon Laws 2017, become
33 operative on June 30, 2019.

34 (28) The amendments to section 1 [*of this 2018 Act*], **chapter 113, Oregon Laws 2018**, by section
35 3 [*of this 2018 Act*], **chapter 113, Oregon Laws 2018**, become operative on June 30, 2019.

36 (29) Section 8, chapter 85, Oregon Laws 2014, becomes operative on June 30, 2019.

37 **(30) Section 7 of this 2019 Act becomes operative on June 30, 2019.**

38 **SECTION 10.** ORS 326.300 is amended to read:

39 326.300. (1) As provided by section 1, Article VIII of the Oregon Constitution, the Governor is
40 the Superintendent of Public Instruction.

41 (2)(a) The Governor, acting as Superintendent of Public Instruction, shall appoint [*a Deputy Su-*
42 *perintendent of Public Instruction*] **an executive director of the Department of Education**. The
43 [*deputy superintendent*] **executive director** must have at least five years of experience in the ad-
44 ministration of an elementary school or a secondary school. The appointment of the [*deputy super-*
45 *intendent*] **executive director** shall be subject to confirmation by the Senate as provided by ORS

1 171.562 and 171.565.

2 (b) The *[deputy superintendent]* **executive director** shall:

3 (A) Perform any act or duty of the office of Superintendent of Public Instruction that is desig-
 4 nated by the Governor, and the Governor is responsible for any acts of the *[deputy superintendent]*
 5 **executive director**.

6 (B) Coordinate with the Chief Education Officer as provided by section 2, chapter 519, Oregon
 7 Laws 2011.

8 (3) The *[deputy superintendent]* **executive director** may be removed from office by the Governor
 9 following consultation with the State Board of Education.

10 (4) The *[deputy superintendent]* **executive director** shall receive a salary set by the Governor,
 11 and shall be reimbursed for all expenses actually and necessarily incurred by the *[deputy super-
 12 intendent]* **executive director** in the performance of official duties.

13 **SECTION 11.** ORS 326.300, as amended by section 43, chapter 774, Oregon Laws 2015, is
 14 amended to read:

15 326.300. (1) As provided by section 1, Article VIII of the Oregon Constitution, the Governor is
 16 the Superintendent of Public Instruction.

17 (2)(a) The Governor, acting as Superintendent of Public Instruction, shall appoint [*a Deputy Su-
 18 perintendent of Public Instruction]* **an executive director of the Department of Education**. The
 19 *[deputy superintendent]* **executive director** must have at least five years of experience in the ad-
 20 ministration of an elementary school or a secondary school. The appointment of the *[deputy super-
 21 intendent]* **executive director** shall be subject to confirmation by the Senate as provided by ORS
 22 171.562 and 171.565.

23 (b) The *[deputy superintendent]* **executive director** shall perform any act or duty of the office
 24 of Superintendent of Public Instruction that is designated by the Governor, and the Governor is re-
 25 sponsible for any acts of the *[deputy superintendent]* **executive director**.

26 (3) The *[deputy superintendent]* **executive director** may be removed from office by the Governor
 27 following consultation with the State Board of Education.

28 (4) The *[deputy superintendent]* **executive director** shall receive a salary set by the Governor,
 29 and shall be reimbursed for all expenses actually and necessarily incurred by the *[deputy super-
 30 intendent]* **executive director** in the performance of official duties.

31 **SECTION 12.** (1) **The amendments to ORS 326.300 by sections 10 and 11 of this 2019 Act**
 32 **are intended to change the name of the “Deputy Superintendent of Public Instruction” to the**
 33 **“executive director of the Department of Education.”**

34 (2) **For the purpose of harmonizing and clarifying statutory law, the Legislative Counsel**
 35 **may substitute for words designating the “Deputy Superintendent of Public Instruction,”**
 36 **wherever they occur in statutory law, other words designating the “executive director of the**
 37 **Department of Education.”**

38 **SECTION 13.** ORS 171.735 is amended to read:

39 171.735. ORS 171.740 and 171.745 do not apply to the following persons:

40 (1) News media, or their employees or agents, that in the ordinary course of business directly
 41 or indirectly urge legislative action but that engage in no other activities in connection with the
 42 legislative action.

43 (2) Any legislative official acting in an official capacity.

44 (3) Any individual who does not receive compensation or reimbursement of expenses for lobby-
 45 ing, who limits lobbying activities solely to formal appearances to give testimony before public ses-

1 sions of committees of the Legislative Assembly, or public hearings of state agencies, and who, when
 2 testifying, registers an appearance in the records of the committees or agencies.

3 (4) A person who does not:

4 (a) Agree to provide personal services for money or any other consideration for the purpose of
 5 lobbying;

6 (b) Spend more than an aggregate amount of 24 hours during any calendar quarter lobbying; and

7 (c) Spend an aggregate amount in excess of \$100 lobbying during any calendar quarter.

8 (5) The Governor, chief of staff for the Governor, deputy chief of staff for the Governor, legal
 9 counsel to the Governor, deputy legal counsel to the Governor, Secretary of State, Deputy Secretary
 10 of State appointed pursuant to ORS 177.040, State Treasurer, Deputy State Treasurer appointed
 11 pursuant to ORS 178.060, chief of staff for the office of the State Treasurer, Attorney General,
 12 Deputy Attorney General appointed pursuant to ORS 180.130, [*Deputy Superintendent of Public In-*
 13 *struction*] **executive director of the Department of Education** appointed pursuant to ORS 326.300,
 14 Commissioner of the Bureau of Labor and Industries, deputy commissioner of the Bureau of Labor
 15 and Industries appointed pursuant to ORS 651.060, members and staff of the Oregon Law Commission
 16 who conduct the law revision program of the commission or any judge.

17 **SECTION 14.** ORS 240.205 is amended to read:

18 240.205. The unclassified service shall comprise:

19 (1) One executive officer and one secretary for each board or commission, the members of which
 20 are elected officers or are appointed by the Governor.

21 (2) The director of each department of state government, each full-time salaried head of a state
 22 agency required by law to be appointed by the Governor and each full-time salaried member of a
 23 board or commission required by law to be appointed by the Governor.

24 (3) The administrator of each division within a department of state government required by law
 25 to be appointed by the director of the department with the approval of the Governor.

26 (4) Principal assistants and deputies and one private secretary for each executive or adminis-
 27 trative officer specified in ORS 240.200 (1) and in subsections (1) to (3) of this section. "Deputy"
 28 means the deputy or deputies to an executive or administrative officer listed in subsections (1) to
 29 (3) of this section who is authorized to exercise that officer's authority upon absence of the officer.
 30 "Principal assistant" means a manager of a major agency organizational component who reports
 31 directly to an executive or administrative officer listed in subsections (1) to (3) of this section or
 32 deputy and who is designated as such by that executive or administrative officer with the approval
 33 of the Director of the Oregon Department of Administrative Services.

34 (5) Employees in the Governor's office and the principal assistant and private secretary in the
 35 Secretary of State's division.

36 (6) The director, principals, instructors and teachers in the school operated under ORS 346.010.

37 (7) Apprentice trainees only during the prescribed length of their course of training.

38 (8) Licensed physicians and dentists employed in their professional capacities and student
 39 nurses, interns, and patient or inmate help in state institutions.

40 (9) Lawyers employed in their professional capacities.

41 (10) All members of the Oregon State Police appointed under ORS 181A.050.

42 (11) The [*Deputy Superintendent of Public Instruction*] **executive director of the Department**
 43 **of Education** appointed under ORS 326.300 and associate superintendents in the Department of
 44 Education.

45 (12) Temporary seasonal farm laborers engaged in single phases of agricultural production or

1 harvesting.

2 (13) Any individual employed and paid from federal funds received under a federal program in-
3 tended primarily to alleviate unemployment. However, persons employed under this subsection shall
4 be treated as classified employees for purposes of ORS 243.650 to 243.782.

5 (14) Managers, department heads, directors, producers and announcers of the state radio and
6 television network.

7 (15) Employees, including managers, of the foreign trade offices of the Oregon Business Devel-
8 opment Department located outside the country.

9 (16) Any other position designated by law as unclassified.

10 **SECTION 15.** ORS 244.050 is amended to read:

11 244.050. (1) On or before April 15 of each year the following persons shall file with the Oregon
12 Government Ethics Commission a verified statement of economic interest as required under this
13 chapter:

14 (a) The Governor, Secretary of State, State Treasurer, Attorney General, Commissioner of the
15 Bureau of Labor and Industries, district attorneys and members of the Legislative Assembly.

16 (b) Any judicial officer, including justices of the peace and municipal judges, except any pro tem
17 judicial officer who does not otherwise serve as a judicial officer.

18 (c) Any candidate for a public office designated in paragraph (a) or (b) of this subsection.

19 (d) The Deputy Attorney General.

20 (e) The Deputy Secretary of State.

21 (f) The Legislative Administrator, the Legislative Counsel, the Legislative Fiscal Officer, the
22 Legislative Policy and Research Director, the Secretary of the Senate and the Chief Clerk of the
23 House of Representatives.

24 (g) The president and vice presidents, or their administrative equivalents, in each public uni-
25 versity listed in ORS 352.002.

26 (h) The following state officers:

27 (A) Adjutant General.

28 (B) Director of Agriculture.

29 (C) Manager of State Accident Insurance Fund Corporation.

30 (D) Water Resources Director.

31 (E) Director of Department of Environmental Quality.

32 (F) Director of Oregon Department of Administrative Services.

33 (G) State Fish and Wildlife Director.

34 (H) State Forester.

35 (I) State Geologist.

36 (J) Director of Human Services.

37 (K) Director of the Department of Consumer and Business Services.

38 (L) Director of the Department of State Lands.

39 (M) State Librarian.

40 (N) Administrator of Oregon Liquor Control Commission.

41 (O) Superintendent of State Police.

42 (P) Director of the Public Employees Retirement System.

43 (Q) Director of Department of Revenue.

44 (R) Director of Transportation.

45 (S) Public Utility Commissioner.

- 1 (T) Director of Veterans' Affairs.
- 2 (U) Executive director of Oregon Government Ethics Commission.
- 3 (V) Director of the State Department of Energy.
- 4 (W) Director and each assistant director of the Oregon State Lottery.
- 5 (X) Director of the Department of Corrections.
- 6 (Y) Director of the Oregon Department of Aviation.
- 7 (Z) Executive director of the Oregon Criminal Justice Commission.
- 8 (AA) Director of the Oregon Business Development Department.
- 9 (BB) Director of the Office of Emergency Management.
- 10 (CC) Director of the Employment Department.
- 11 (DD) Chief of staff for the Governor.
- 12 (EE) Director of the Housing and Community Services Department.
- 13 (FF) State Court Administrator.
- 14 (GG) Director of the Department of Land Conservation and Development.
- 15 (HH) Board chairperson of the Land Use Board of Appeals.
- 16 (II) State Marine Director.
- 17 (JJ) Executive director of the Oregon Racing Commission.
- 18 (KK) State Parks and Recreation Director.
- 19 (LL) Public defense services executive director.
- 20 (MM) Chairperson of the Public Employees' Benefit Board.
- 21 (NN) Director of the Department of Public Safety Standards and Training.
- 22 (OO) Executive director of the Higher Education Coordinating Commission.
- 23 (PP) Executive director of the Oregon Watershed Enhancement Board.
- 24 (QQ) Director of the Oregon Youth Authority.
- 25 (RR) Director of the Oregon Health Authority.
- 26 [(SS) *Deputy Superintendent of Public Instruction.*]
- 27 **(SS) Executive director of the Department of Education.**
- 28 (i) The First Partner, the legal counsel, the deputy legal counsel and all policy advisors within
- 29 the Governor's office.
- 30 (j) Every elected city or county official.
- 31 (k) Every member of a city or county planning, zoning or development commission.
- 32 (L) The chief executive officer of a city or county who performs the duties of manager or prin-
- 33 cipal administrator of the city or county.
- 34 (m) Members of local government boundary commissions formed under ORS 199.410 to 199.519.
- 35 (n) Every member of a governing body of a metropolitan service district and the auditor and
- 36 executive officer thereof.
- 37 (o) Each member of the board of directors of the State Accident Insurance Fund Corporation.
- 38 (p) The chief administrative officer and the financial officer of each common and union high
- 39 school district, education service district and community college district.
- 40 (q) Every member of the following state boards and commissions:
- 41 (A) Governing board of the State Department of Geology and Mineral Industries.
- 42 (B) Oregon Business Development Commission.
- 43 (C) State Board of Education.
- 44 (D) Environmental Quality Commission.
- 45 (E) Fish and Wildlife Commission of the State of Oregon.

- 1 (F) State Board of Forestry.
- 2 (G) Oregon Government Ethics Commission.
- 3 (H) Oregon Health Policy Board.
- 4 (I) Oregon Investment Council.
- 5 (J) Land Conservation and Development Commission.
- 6 (K) Oregon Liquor Control Commission.
- 7 (L) Oregon Short Term Fund Board.
- 8 (M) State Marine Board.
- 9 (N) Mass transit district boards.
- 10 (O) Energy Facility Siting Council.
- 11 (P) Board of Commissioners of the Port of Portland.
- 12 (Q) Employment Relations Board.
- 13 (R) Public Employees Retirement Board.
- 14 (S) Oregon Racing Commission.
- 15 (T) Oregon Transportation Commission.
- 16 (U) Water Resources Commission.
- 17 (V) Workers' Compensation Board.
- 18 (W) Oregon Facilities Authority.
- 19 (X) Oregon State Lottery Commission.
- 20 (Y) Pacific Northwest Electric Power and Conservation Planning Council.
- 21 (Z) Columbia River Gorge Commission.
- 22 (AA) Oregon Health and Science University Board of Directors.
- 23 (BB) Capitol Planning Commission.
- 24 (CC) Higher Education Coordinating Commission.
- 25 (DD) Oregon Growth Board.
- 26 (EE) Early Learning Council.
- 27 (r) The following officers of the State Treasurer:
- 28 (A) Deputy State Treasurer.
- 29 (B) Chief of staff for the office of the State Treasurer.
- 30 (C) Director of the Investment Division.
- 31 (s) Every member of the board of commissioners of a port governed by ORS 777.005 to 777.725
- 32 or 777.915 to 777.953.
- 33 (t) Every member of the board of directors of an authority created under ORS 441.525 to 441.595.
- 34 (u) Every member of a governing board of a public university listed in ORS 352.002.
- 35 (v) Every member of the board of directors of an authority created under ORS 465.600 to
- 36 465.621.
- 37 (2) By April 15 next after the date an appointment takes effect, every appointed public official
- 38 on a board or commission listed in subsection (1) of this section shall file with the Oregon Govern-
- 39 ment Ethics Commission a statement of economic interest as required under ORS 244.060, 244.070
- 40 and 244.090.
- 41 (3) By April 15 next after the filing deadline for the primary election, each candidate described
- 42 in subsection (1) of this section shall file with the commission a statement of economic interest as
- 43 required under ORS 244.060, 244.070 and 244.090.
- 44 (4) Not later than the 40th day before the date of the statewide general election, each candidate
- 45 described in subsection (1) of this section who will appear on the statewide general election ballot

1 and who was not required to file a statement of economic interest under subsections (1) to (3) of this
 2 section shall file with the commission a statement of economic interest as required under ORS
 3 244.060, 244.070 and 244.090.

4 (5) Subsections (1) to (3) of this section apply only to persons who are incumbent, elected or
 5 appointed public officials as of April 15 and to persons who are candidates on April 15.

6 (6) If a statement required to be filed under this section has not been received by the commis-
 7 sion within five days after the date the statement is due, the commission shall notify the public of-
 8 ficial or candidate and give the public official or candidate not less than 15 days to comply with the
 9 requirements of this section. If the public official or candidate fails to comply by the date set by the
 10 commission, the commission may impose a civil penalty as provided in ORS 244.350.

11 **SECTION 16.** Section 2, chapter 519, Oregon Laws 2011, as amended by section 1, chapter 36,
 12 Oregon Laws 2012, section 29 chapter 747, Oregon Laws 2013, and section 4, chapter 774, Oregon
 13 Laws 2015, is amended to read:

14 **Sec. 2.** (1) The Governor shall appoint a Chief Education Officer who shall serve at the pleasure
 15 of the Governor.

16 (2) The Chief Education Officer shall serve as the administrative head of the Chief Education
 17 Office.

18 (3) The Chief Education Officer shall be a person who, by training and experience, is well
 19 qualified to:

20 (a) Perform the duties of the office, as determined by the Governor; and

21 (b) Assist in carrying out the purposes of the Chief Education Office.

22 (4) The Chief Education Officer shall:

23 (a) Have direction and control over the positions identified in paragraph (b) of this subsection
 24 for matters related to the design and organization of multiagency planning.

25 (b) Coordinate with the following persons for matters related to the other duties of the Chief
 26 Education Office:

27 (A) The Early Learning System Director.

28 *[(B) The Deputy Superintendent of Public Instruction.]*

29 **(B) The executive director of the Department of Education.**

30 (C) The executive director of the Higher Education Coordinating Commission.

31 (D) The executive director of the Teacher Standards and Practices Commission.

32 (E) The Youth Development Director.

33 **SECTION 17.** ORS 357.021 is amended to read:

34 357.021. (1) The State Library Board is established, consisting of nine voting members.

35 (2) The Governor, after consultation with the Oregon Library Association, shall appoint seven
 36 voting members as follows:

37 (a) Two members from two different state agencies;

38 (b) One member representing a public library in eastern Oregon;

39 (c) One member representing a public library in western Oregon;

40 (d) One public member from eastern Oregon;

41 (e) One public member from western Oregon; and

42 (f) One member representing a community college library or a public university library in this
 43 state.

44 (3) The *[Deputy Superintendent of Public Instruction]* **executive director of the Department**
 45 **of Education**, or a designee of the *[deputy superintendent]* **executive director**, shall be a voting

1 member of the board.

2 (4) The administrator of the Commission for the Blind, or a designee of the administrator, shall
3 be a voting member of the board.

4 (5) The State Librarian shall serve ex officio as a nonvoting member of the board.

5 (6) A board member described in subsection (2) of this section shall serve a four-year term, but
6 a member described in subsection (2) of this section serves at the pleasure of the Governor. Before
7 the expiration of the term of a member, the Governor shall appoint a successor whose term begins
8 on July 1 next following. A member is eligible for reappointment. If there is a vacancy for any cause,
9 the Governor shall make an appointment to become immediately effective for the unexpired term.

10 (7) A board member described in subsection (2) of this section shall be eligible for reappointment
11 for only one additional term, but any person may be reappointed to the board after an interval of
12 one year.

13 (8) The appointment of a board member described in subsection (2) of this section is subject to
14 confirmation by the Senate in the manner prescribed in ORS 171.562 and 171.565.

15 (9) A member of the State Library Board is entitled to compensation and expenses as provided
16 in ORS 292.495.

17 **SECTION 18.** ORS 458.558 is amended to read:

18 458.558. (1) The members of the Oregon Volunteers Commission for Voluntary Action and Ser-
19 vice must be citizens of this state who have a proven commitment to community service and who
20 have a demonstrated interest in fostering and nurturing citizen involvement as a strategy for
21 strengthening communities and promoting the ethic of service in all sectors of this state.

22 (2) The Governor shall appoint as members of the commission at least one of each of the fol-
23 lowing:

24 (a) An individual with experience in educational, training and development needs of youth, par-
25 ticularly disadvantaged youth.

26 (b) An individual with experience in promoting involvement of older adults in service and
27 volunteerism.

28 (c) A representative of community-based agencies or organizations within this state.

29 (d) The *[Deputy Superintendent of Public Instruction]* **executive director of the Department**
30 **of Education** or designee.

31 (e) A representative of local governments in this state.

32 (f) A representative of local labor unions in this state.

33 (g) A representative of business.

34 (h) A person at least 16, but not more than 25, years of age who is a participant or supervisor
35 in a national service program.

36 (i) A representative of a national service program described in 42 U.S.C. 12572(a).

37 (3) In addition to appointing members under subsection (2) of this section, the Governor may
38 appoint as members individuals from the following groups:

39 (a) Educators.

40 (b) Experts in the delivery of human, educational, environmental or public safety services to
41 communities and individuals.

42 (c) Members of Native American tribes.

43 (d) At-risk youths who are out of school.

44 (e) Entities that receive assistance under the Domestic Volunteer Service Act of 1973 (42 U.S.C.
45 4950 et seq.).

1 (4) In making appointments of members described in subsections (2) and (3) of this section, the
2 Governor shall ensure that:

3 (a) No more than 50 percent of the appointed members are from the same political party; and

4 (b) No more than 25 percent of the appointed members are state employees.

5 **SECTION 19. This 2019 Act being necessary for the immediate preservation of the public**
6 **peace, health and safety, an emergency is declared to exist, and this 2019 Act takes effect**
7 **June 30, 2019.**

8
