

# House Bill 2444

Sponsored by Representative SCHARF (Presession filed.)

## 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**.

Establishes Superintendent of Public Instruction as nonpartisan statewide elected office. Directs Superintendent of Public Instruction to convene Oregon Parents Advisory Group to advise superintendent on operations of public elementary and secondary schools.

## A BILL FOR AN ACT

1  
2 Relating to the Superintendent of Public Instruction; creating new provisions; amending ORS  
3 171.130, 171.133, 171.735, 173.130, 240.205, 244.042, 244.050, 249.002, 249.056, 249.215, 251.170,  
4 254.005, 258.036, 258.055, 258.150, 260.005, 260.076, 292.311, 292.430, 292.930, 326.555, 327.506,  
5 329.837, 339.331, 343.465, 343.499, 357.021 and 660.505 and section 1, chapter 113, Oregon Laws  
6 2018; and repealing ORS 326.300.

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

8 **SECTION 1. (1) The Department of Education shall be under the control of the Super-**  
9 **intendent of Public Instruction.**

10 **(2) The Superintendent of Public Instruction shall be elected by the electors of this state**  
11 **at the regular general election in the same manner as other state officers are elected. The**  
12 **term of office for the Superintendent of Public Instruction shall commence on the first**  
13 **Monday in January of the year succeeding the election. The Superintendent of Public In-**  
14 **struction shall hold office for the term of four years, and until a successor is elected and**  
15 **qualified.**

16 **(3) At any time when a vacancy may by any cause occur in the office of Superintendent**  
17 **of Public Instruction, the Governor shall appoint a suitable person to be Superintendent of**  
18 **Public Instruction. The person appointed shall hold office until the next general election.**  
19 **When a vacancy occurs in the office of Superintendent of Public Instruction before the 61st**  
20 **day before the first general election to be held during that term of office, the remaining two**  
21 **years of the term of office shall be filled by the electors at the first general election.**

22 **SECTION 2. (1) Section 1 of this 2023 Act becomes operative on January 6, 2025.**

23 **(2) The term of office prescribed by section 1 of this 2023 Act applies to any Superinten-**  
24 **dent of Public Instruction who takes office on or after January 6, 2025.**

25 **SECTION 3. ORS 326.300 is repealed and section 4 of this 2023 Act is enacted in lieu**  
26 **thereof.**

27 **SECTION 4. (1) The Superintendent of Public Instruction may appoint deputy super-**  
28 **intendents of public instruction, for whose acts the superintendent shall be responsible. A**  
29 **deputy may perform any act or duty of the office of Superintendent of Public Instruction as**  
30 **designated by the superintendent.**

31 **(2) Notice of the appointment of a deputy and the duties designated for the deputy shall**

**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 **be filed with the Secretary of State.**

2 **SECTION 5. Section 4 of this 2023 Act and the repeal of ORS 326.300 by section 3 of this**  
 3 **2023 Act become operative on January 6, 2025.**

4 **SECTION 6. (1) The Superintendent of Public Instruction shall convene the Oregon Par-**  
 5 **ents Advisory Group. The purpose of the advisory group is to advise the Superintendent of**  
 6 **Public Instruction on the operations of public elementary and secondary schools in this**  
 7 **state.**

8 **(2) The advisory group convened under this section shall include the following nine**  
 9 **members:**

10 **(a) A representative from the region including Douglas, Jackson, Josephine and Klamath**  
 11 **Counties.**

12 **(b) A representative from the region including Baker, Grant, Harney, Lake, Malheur,**  
 13 **Morrow, Umatilla, Union and Wallowa Counties.**

14 **(c) A representative from Multnomah County.**

15 **(d) A representative from Washington County.**

16 **(e) A representative from Clackamas County.**

17 **(f) A representative from the region including Clatsop, Columbia, Coos, Curry, Lincoln**  
 18 **and Tillamook Counties.**

19 **(g) A representative from the region including Crook, Deschutes, Jefferson and Wheeler**  
 20 **Counties.**

21 **(h) A representative from the region including Benton, Lane, Linn, Marion, Polk and**  
 22 **Yamhill Counties.**

23 **(i) A representative from the region including Gilliam, Hood River, Sherman and Wasco**  
 24 **Counties.**

25 **(3) The advisory group shall meet at least six times each year.**

26 **SECTION 7. ORS 171.130 is amended to read:**

27 171.130. (1) At any time in advance of any regular or special session of the Legislative Assembly  
 28 fixed by the Legislative Counsel Committee, or at any time in advance of a special session as may  
 29 be fixed by joint rules of both houses of the Legislative Assembly, the following may file a proposed  
 30 legislative measure with the Legislative Counsel:

31 **(a) Members who will serve in the session and members-elect.**

32 **(b) Interim and statutory committees of the Legislative Assembly.**

33 **(2) On or before December 15 of an even-numbered year, or at any time in advance of a special**  
 34 **session as may be fixed by joint rules of both houses of the Legislative Assembly, the following may**  
 35 **file a proposed legislative measure with the Legislative Counsel:**

36 **(a) The Oregon Department of Administrative Services, to implement the fiscal recommendations**  
 37 **of the Governor contained in the Governor's budget.**

38 **(b) The person who will serve as Governor during the session.**

39 **(c) The Secretary of State, the State Treasurer, the Attorney General, [and] the Commissioner**  
 40 **of the Bureau of Labor and Industries and the Superintendent of Public Instruction.**

41 **(d) The Judicial Department.**

42 **(3) Notwithstanding subsection (2) of this section, a statewide elected official who initially as-**  
 43 **sumes office in January of an odd-numbered year may submit proposed measures for introduction**  
 44 **by members or committees of the Legislative Assembly until the calendar day designated by rules**  
 45 **of either house of the Legislative Assembly. The exemption granted by this subsection to a newly**

1 elected Governor does not apply to state agencies in the executive branch.

2 (4) On or before December 15 of an even-numbered year, a state agency may file a proposed  
3 legislative measure with the Legislative Counsel through a member or committee of the Legislative  
4 Assembly.

5 (5) The Legislative Counsel shall order each measure filed pursuant to subsections (1) to (4) of  
6 this section prepared for printing and may order the measure printed. If the person filing a measure  
7 specifically requests in writing that the measure be made available for distribution, the Legislative  
8 Counsel shall order the measure printed and shall make copies of the printed measure available for  
9 distribution before the beginning of the session to members and members-elect and to others upon  
10 request.

11 (6) Copies of all measures filed and prepared for printing or printed pursuant to this section  
12 shall be forwarded by the Legislative Counsel to the chief clerk of the house designated by the  
13 person filing the measure for introduction.

14 (7) The costs of carrying out this section shall be paid out of the money appropriated for the  
15 expenses of that session of the Legislative Assembly for which the measure is to be printed.

16 (8) The Legislative Counsel Committee may adopt rules or policies to accomplish the purpose  
17 of this section.

18 (9) This section does not affect any law or any rule of the Legislative Assembly or either house  
19 thereof relating to the introduction of legislative measures.

20 **SECTION 8.** ORS 171.133 is amended to read:

21 171.133. (1) A state agency shall not cause a bill or measure to be introduced before the Legis-  
22 lative Assembly if the bill or measure has not been approved by the Governor.

23 (2) As used in ORS 171.130 and this section, “state agency” means every state agency whose  
24 costs are paid wholly or in part from funds held in the State Treasury, except:

25 (a) The Legislative Assembly, the courts and their officers and committees;

26 (b) The Public Defense Services Commission; and

27 (c) The Secretary of State, the State Treasurer, the Attorney General, [and] the Commissioner  
28 of the Bureau of Labor and Industries **and the Superintendent of Public Instruction.**

29 **SECTION 9.** ORS 171.735 is amended to read:

30 171.735. ORS 171.740 and 171.745 do not apply to the following persons:

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

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

35 (3) Any individual who does not receive compensation or reimbursement of expenses for lobby-  
36 ing, who limits lobbying activities solely to formal appearances to give testimony before public ses-  
37 sions of committees of the Legislative Assembly, or public hearings of state agencies, and who, when  
38 testifying, registers an appearance in the records of the committees or agencies.

39 (4) A person who does not:

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

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

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

44 (5) The Governor, chief of staff for the Governor, deputy chief of staff for the Governor, legal  
45 counsel to the Governor, deputy legal counsel to the Governor, Secretary of State, Deputy Secretary

1 of State appointed pursuant to ORS 177.040, State Treasurer, Deputy State Treasurer appointed  
 2 pursuant to ORS 178.060, chief of staff for the office of the State Treasurer, Attorney General,  
 3 Deputy Attorney General appointed pursuant to ORS 180.130, [*Deputy Superintendent of Public In-*  
 4 *struction appointed pursuant to ORS 326.300,*] **Superintendent of Public Instruction, deputy su-**  
 5 **perintendents of public instruction appointed pursuant to section 4 of this 2023 Act,**  
 6 Commissioner of the Bureau of Labor and Industries, deputy commissioner of the Bureau of Labor  
 7 and Industries appointed pursuant to ORS 651.060, members and staff of the Oregon Law Commission  
 8 who conduct the law revision program of the commission or any judge.

9 **SECTION 10.** ORS 173.130 is amended to read:

10 173.130. (1) The Legislative Counsel shall prepare or assist in the preparation of legislative  
 11 measures when requested to do so by a member or committee of the Legislative Assembly.

12 (2) Upon the written request of a state agency, the Legislative Counsel may prepare or assist  
 13 in the preparation of legislative measures that have been approved for preparation in writing by the  
 14 Governor or the Governor’s designated representative. The Legislative Counsel may also prepare  
 15 or assist in the preparation of legislative measures that are requested in writing by the Judicial  
 16 Department, the Governor, the Secretary of State, the State Treasurer, the Attorney General, [*or*]  
 17 the Commissioner of the Bureau of Labor and Industries **or the Superintendent of Public In-**  
 18 **struction.** In accordance with ORS 283.110, the Legislative Counsel may charge the agency or offi-  
 19 cer for the services performed.

20 (3) The Legislative Counsel shall give such consideration to and service concerning any measure  
 21 or other legislative matter before the Legislative Assembly as is requested by the House of Repre-  
 22 sentatives, the Senate or any committee of the Legislative Assembly that has the measure or other  
 23 matter under consideration.

24 (4) The Legislative Counsel, pursuant to the policies and directions of the Legislative Counsel  
 25 Committee and in conformity with any applicable rules of the House of Representatives or Senate,  
 26 shall perform or cause to be performed research service requested by any member or committee of  
 27 the Legislative Assembly in connection with the performance of legislative functions. Research as-  
 28 signments made by joint or concurrent resolution of the Legislative Assembly shall be given priority  
 29 over other research requests received by the Legislative Counsel. The research service to be per-  
 30 formed includes the administrative services incident to the accomplishment of the research requests  
 31 or assignments.

32 (5) The Legislative Counsel shall give an opinion in writing upon any question of law in which  
 33 the Legislative Assembly or any member or committee of the Legislative Assembly may have an  
 34 interest when the Legislative Assembly or any member or committee of the Legislative Assembly  
 35 requests the opinion. Except as provided in subsection (2) of this section and ORS 173.135, the  
 36 Legislative Counsel shall not give opinions or provide other legal services to persons or agencies  
 37 other than the Legislative Assembly and members and committees of the Legislative Assembly.

38 (6) The Legislative Counsel may enter into contracts to carry out the functions of the Legisla-  
 39 tive Counsel.

40 **SECTION 11.** ORS 240.205 is amended to read:

41 240.205. The unclassified service shall comprise:

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

44 (2) The director of each department of state government, each full-time salaried head of a state  
 45 agency required by law to be appointed by the Governor and each full-time salaried member of a

1 board or commission required by law to be appointed by the Governor.

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

4 (4) Principal assistants and deputies and one private secretary for each executive or adminis-  
5 trative officer specified in ORS 240.200 (1) and in subsections (1) to (3) of this section. “Deputy”  
6 means the deputy or deputies to an executive or administrative officer listed in subsections (1) to  
7 (3) of this section who is authorized to exercise that officer’s authority upon absence of the officer.  
8 “Principal assistant” means a manager of a major agency organizational component who reports  
9 directly to an executive or administrative officer listed in subsections (1) to (3) of this section or  
10 deputy and who is designated as such by that executive or administrative officer with the approval  
11 of the Director of the Oregon Department of Administrative Services.

12 (5) Employees in the Governor’s office and the principal assistant and private secretary in the  
13 Secretary of State’s division.

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

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

16 (8) Licensed physicians and dentists employed in their professional capacities and student  
17 nurses, interns, and patient or adult in custody help in state institutions.

18 (9) Lawyers employed in their professional capacities.

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

20 (11) [*The Deputy Superintendent of Public Instruction*] **Deputy superintendents of public in-**  
21 **struction** appointed under [*ORS 326.300*] **section 4 of this 2023 Act** and [*associate*] **assistant su-**  
22 **perintendents** in the Department of Education.

23 (12) Temporary seasonal farm laborers engaged in single phases of agricultural production or  
24 harvesting.

25 (13) Any individual employed and paid from federal funds received under a federal program in-  
26 tended primarily to alleviate unemployment. However, persons employed under this subsection shall  
27 be treated as classified employees for purposes of ORS 243.650 to 243.809.

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

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

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

33 **SECTION 12.** ORS 244.042 is amended to read:

34 244.042. (1) Except as provided in subsections (3) and (4) of this section, a public official may  
35 not solicit or receive, whether directly or indirectly, honoraria for the public official or any member  
36 of the household of the public official if the honoraria are solicited or received in connection with  
37 the official duties of the public official.

38 (2) Except as provided in subsection (3) of this section, a candidate may not solicit or receive,  
39 whether directly or indirectly, honoraria for the candidate or any member of the household of the  
40 candidate if the honoraria are solicited or received in connection with the official duties of the  
41 public office for which the person is a candidate.

42 (3) Except as provided in subsection (4) of this section, this section does not prohibit:

43 (a) The solicitation or receipt of an honorarium or a certificate, plaque, commemorative token  
44 or other item with a value of \$50 or less; or

45 (b) The solicitation or receipt of an honorarium for services performed in relation to the private

1 profession, occupation, avocation or expertise of the public official or candidate.

2 (4)(a) The Governor, First Partner, Secretary of State, State Treasurer, Attorney General,  
 3 [and] Commissioner of the Bureau of Labor and Industries **and Superintendent of Public In-**  
 4 **struction** may not solicit or receive an honorarium, money or any other consideration, as defined  
 5 in ORS 171.725, for any speaking engagement or presentation.

6 (b) This subsection does not prevent a public official listed in paragraph (a) of this subsection  
 7 from receiving any food, beverage, travel or lodging expenses otherwise authorized by this chapter  
 8 for a speaking engagement or presentation.

9 **SECTION 13.** ORS 244.050, as amended by section 1, chapter 66, Oregon Laws 2022, is amended  
 10 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, **Superintendent of Public Instruction**, district attorneys and  
 16 members of the Legislative Assembly.

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

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

20 (d) The Deputy Attorney General.

21 (e) The Deputy Secretary of State.

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

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

27 (h) The following state officers:

28 (A) Adjutant General.

29 (B) Director of Agriculture.

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

31 (D) Water Resources Director.

32 (E) Director of the Department of Environmental Quality.

33 (F) Director of the Oregon Department of Administrative Services.

34 (G) State Fish and Wildlife Director.

35 (H) State Forester.

36 (I) State Geologist.

37 (J) Director of Human Services.

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

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

40 (M) State Librarian.

41 (N) Administrator of the Oregon Liquor and Cannabis Commission.

42 (O) Superintendent of State Police.

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

44 (Q) Director of Department of Revenue.

45 (R) Director of Transportation.

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

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



1 in subsection (1) of this section shall file with the commission a statement of economic interest as  
 2 required under ORS 244.060, 244.070 and 244.090.

3 (4) Not later than the 40th day before the date of the statewide general election, each candidate  
 4 described in subsection (1) of this section who will appear on the statewide general election ballot  
 5 and who was not required to file a statement of economic interest under subsections (1) to (3) of this  
 6 section shall file with the commission a statement of economic interest as required under ORS  
 7 244.060, 244.070 and 244.090.

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

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

15 **SECTION 14.** ORS 249.002 is amended to read:

16 249.002. As used in this chapter:

17 (1) "Candidate" means an individual whose name is or is expected to be printed on the official  
 18 ballot or a write-in candidate.

19 (2) "County clerk" means the county clerk or the county official in charge of elections.

20 (3) "Elector" means an individual qualified to vote under section 2, Article II, Oregon Consti-  
 21 tution.

22 (4) "Judge" means judge of the Supreme Court, Court of Appeals, circuit court or the Oregon  
 23 Tax Court, or any county judge who exercises judicial functions.

24 (5) "Member" means an individual who is registered as being affiliated with the political party.

25 (6) "Minor political party" means a political party that has qualified as a minor political party  
 26 under ORS 248.008.

27 (7) "Nonpartisan office" means the office of judge, Commissioner of the Bureau of Labor and  
 28 Industries, **Superintendent of Public Instruction**, any elected office of a metropolitan service  
 29 district under ORS chapter 268, justice of the peace, county clerk, county assessor, county surveyor,  
 30 county treasurer, sheriff, district attorney or any office designated nonpartisan by a home rule  
 31 charter.

32 (8) "Prospective petition" means the information, except signatures and other identification of  
 33 petition signers, required to be contained in a completed petition.

34 (9) "Public office" means any national, state, county, city or district office or position, except  
 35 a political party office, filled by the electors.

36 (10) "State office" means Governor, Secretary of State, State Treasurer, Attorney General,  
 37 Commissioner of the Bureau of Labor and Industries, **Superintendent of Public Instruction**, judge,  
 38 state Senator, state Representative or district attorney.

39 **SECTION 15.** ORS 249.056 is amended to read:

40 249.056. (1) At the time of filing a declaration of candidacy, a candidate for the following offices  
 41 shall pay to the officer with whom the declaration is filed the following fee:

42 (a) United States Senator, \$150.

43 (b) Governor, Secretary of State, State Treasurer, Attorney General, Commissioner of the Bu-  
 44 reau of Labor and Industries, **Superintendent of Public Instruction**, Representative in Congress,  
 45 judge of the Supreme Court, Court of Appeals or Oregon Tax Court, or executive officer or auditor

1 of a metropolitan service district, \$100.

2 (c) County officer, district attorney, county judge who exercises judicial functions or circuit  
3 court judge, \$50.

4 (d) State Senator or Representative or councilor of a metropolitan service district under ORS  
5 chapter 268, \$25.

6 (2) No filing fee shall be required of persons filing a declaration of candidacy for precinct com-  
7 mitteeperson or justice of the peace.

8 **SECTION 16.** ORS 249.215 is amended to read:

9 249.215. (1) If a vacancy occurs in a state office before the 61st day before the first general  
10 election to be held during that term of office, the remaining two years of the term of the state office  
11 shall be filled by the electors at that general election.

12 (2) The remaining two years of the term of the state office shall commence on the second  
13 Monday in January following the general election. Any appointment made to fill the vacancy shall  
14 expire when a successor to the office is elected and qualified.

15 (3) Candidates for the remaining two years of the term of the state office under this section shall  
16 be nominated as provided in this chapter, with major political parties following the procedure set  
17 forth in ORS 249.200, except as follows:

18 (a) A minor political party, by party rule, or an assembly of electors or individual electors, may  
19 select a nominee; and

20 (b) The Secretary of State shall accept certificates of nomination and notifications of nominees  
21 filed with the secretary pursuant to a schedule for filing set by the secretary, but in any case not  
22 later than the 62nd day before the first general election.

23 (4) As used in this section, "state office" means the office of Governor, Secretary of State, State  
24 Treasurer, Attorney General, [and] Commissioner of the Bureau of Labor and Industries **and Su-  
25 perintendent of Public Instruction.**

26 **SECTION 17.** ORS 251.170 is amended to read:

27 251.170. (1) The translation of a state voters' pamphlet or county voters' pamphlet required un-  
28 der ORS 251.167 shall be made in the manner described in this section.

29 (2) For each state voters' pamphlet and county voters' pamphlet mailed to residents of a county,  
30 the Secretary of State shall have the following portions of the voters' pamphlet professionally  
31 translated into each language for which a translation is required under ORS 251.167:

32 (a) Any official statement or communication made by the Secretary of State, county clerk, filing  
33 office or other public elections official, including any information described in ORS 251.026 or  
34 251.315 (1)(a) to (d) and (g) and any other information regarding services offered by elections offices,  
35 how to cast a ballot and key dates for the election;

36 (b) The ballot title for each measure;

37 (c) The explanatory statement for each measure;

38 (d) The financial estimate for each measure and any statement prepared for a measure under  
39 ORS 250.125;

40 (e) Any racial and ethnic impact statement prepared for a measure under ORS 137.685;

41 (f) Any statement submitted for a measure by a citizen panel under ORS 250.141; and

42 (g) Except an argument for a measure prepared by the Legislative Assembly under ORS 251.245,  
43 any other statement for a measure created by a public body as defined in ORS 174.109.

44 (3) In addition to the materials that the Secretary of State is required to have professionally  
45 translated under subsection (2) of this section, the Secretary of State shall allow to be included in

1 the translated version of each state voters' pamphlet that is made available on the website of the  
 2 Secretary of State or of a county under ORS 251.167:

3 (a) Translations of a candidate statement submitted under ORS 251.065, provided that:

4 (A) The candidate is a candidate for federal or statewide office;

5 (B) The translation is filed by a candidate or the principal campaign committee of a candidate  
 6 described in subparagraph (A) of this paragraph;

7 (C) Neither the translation nor the candidate statement submitted under ORS 251.065 is rejected  
 8 under ORS 251.055;

9 (D) The candidate statement meets the requirements of a candidate statement set forth in this  
 10 chapter; and

11 (E) Any translation filed under this paragraph is in one of the five most commonly spoken lan-  
 12 guages in this state, other than English, as listed by the Secretary of State under ORS 251.167.

13 (b) Translations of an argument in support of or in opposition to a state measure filed under  
 14 ORS 251.255, provided that:

15 (A) The translation is filed by the person who filed the argument in support of or in opposition  
 16 to a state measure under ORS 251.255;

17 (B) Neither the translation nor the argument in support of or in opposition to a state measure  
 18 filed under ORS 251.255 is rejected under ORS 251.055;

19 (C) The statement in support of or in opposition to a state measure meets the requirements of  
 20 a statement in support of or in opposition to a state measure set forth in this chapter; and

21 (D) Any translation filed under this paragraph is in one of the five most commonly spoken lan-  
 22 guages in this state, other than English, as listed by the Secretary of State under ORS 251.167.

23 (c) Translations of any argument for a measure prepared by the Legislative Assembly under ORS  
 24 251.245 submitted by the Legislative Assembly, provided that any translation filed under this para-  
 25 graph is in one of the five most commonly spoken languages in this state, other than English, as  
 26 listed by the Secretary of State under ORS 251.167.

27 (4)(a) A translation that is permitted or required under this section is not required to be iden-  
 28 tical in words to the original version but must be consistent with the meaning of the original ver-  
 29 sion.

30 (b) A translation is not subject to any limitations on the number of words allowed set forth in  
 31 this chapter.

32 (5) A county may at its own expense make or accept for publication on the county's website,  
 33 as part of a translated voters' pamphlet required under ORS 251.167, any portion of a state or  
 34 county voters' pamphlet that is not described in this section.

35 (6) The Secretary of State:

36 (a) May adopt any rules necessary to implement this section; and

37 (b) Except as provided in subsection (5) of this section, is responsible for all costs necessary to  
 38 comply with this section.

39 (7) As used in this section, "statewide office" means Governor, Secretary of State, State Treas-  
 40 urer, Attorney General, Commissioner of the Bureau of Labor and Industries, **Superintendent of**  
 41 **Public Instruction**, or judge on the Oregon Supreme Court, the Oregon Court of Appeals or the  
 42 Oregon Tax Court.

43 **SECTION 18.** ORS 254.005 is amended to read:

44 254.005. As used in this chapter:

45 (1) "Ballot" means any material on which votes may be cast for candidates or measures. In the

1 case of a recall election, “ballot” includes material posted in a voting compartment or delivered to  
 2 an elector by mail.

3 (2) “Chief elections officer” means the:

4 (a) Secretary of State, regarding a candidate for a state office or an office to be voted on in the  
 5 state at large or in a congressional district, or a measure to be voted on in the state at large.

6 (b) County clerk, regarding a candidate for a county office, or a measure to be voted on in a  
 7 county only.

8 (c) City clerk, auditor or recorder, regarding a candidate for a city office, or a measure to be  
 9 voted on in a city only.

10 (3) “County clerk” means the county clerk or the county official in charge of elections.

11 (4) “Elector” means an individual qualified to vote under section 2, Article II, Oregon Consti-  
 12 tution.

13 (5) “Major political party” means a political party that has qualified as a major political party  
 14 under ORS 248.006.

15 (6) “Measure” includes any of the following submitted to the people for their approval or re-  
 16 jection at an election:

17 (a) A proposed law.

18 (b) An Act or part of an Act of the Legislative Assembly.

19 (c) A revision of or amendment to the Oregon Constitution.

20 (d) Local, special or municipal legislation.

21 (e) A proposition or question.

22 (7) “Minor political party” means a political party that has qualified as a minor political party  
 23 under ORS 248.008.

24 (8) “Nonpartisan office” means the office of judge of the Supreme Court, Court of Appeals, cir-  
 25 cuit court or the Oregon Tax Court, Commissioner of the Bureau of Labor and Industries, **Super-**  
 26 **intendent of Public Instruction**, any elected office of a metropolitan service district under ORS  
 27 chapter 268, justice of the peace, county clerk, county assessor, county surveyor, county treasurer,  
 28 county judge who exercises judicial functions, sheriff, district attorney or any office designated  
 29 nonpartisan by a home rule charter.

30 (9) “Prospective petition” means the information, except signatures and other identification of  
 31 petition signers, required to be contained in a completed petition.

32 (10) “Regular district election” means the election held each year for the purpose of electing  
 33 members of a district board as defined in ORS 255.005 (2).

34 (11) “Vote tally system” means one or more pieces of equipment necessary to examine and tally  
 35 automatically the marked ballots.

36 (12) “Voting machine” means any device that will record every vote cast on candidates and  
 37 measures and that will either internally or externally total all votes cast on that device.

38 **SECTION 19.** ORS 258.036 is amended to read:

39 258.036. (1) Not later than the 40th day after the election or the seventh day after completion  
 40 of a recount of votes cast in connection with the election, any person authorized to contest a result  
 41 of the election may file a petition of contest. The petition shall be filed with:

42 (a) The Circuit Court for Marion County if the petition involves a state measure, a candidate  
 43 for election to the office of elector of President and Vice President of the United States or a can-  
 44 didate for nomination or election to the office of United States Senator, United States Represen-  
 45 tative in Congress, Governor, Secretary of State, State Treasurer, Attorney General, Commissioner

1 of the Bureau of Labor and Industries, **Superintendent of Public Instruction** or a position of judge  
 2 on the Oregon Supreme Court, the Oregon Court of Appeals or the Oregon Tax Court.

3 (b) The circuit court for the county where a majority of the electors in the electoral district  
 4 reside if the petition involves a candidate for nomination or election to the office of state Senator,  
 5 state Representative, circuit court judge or district attorney.

6 (c) The circuit court for the county in which the filing officer is located if the petition involves  
 7 a candidate for nomination or election to county, city or district office or a county, city or district  
 8 measure. If a district is located in more than one county, the petition shall be filed with the circuit  
 9 court for the county in which the administrative office of the district is located.

10 (d) The circuit court for the county in which the filing officer authorized to order the recall  
 11 election is located if the petition involves the recall of a public officer.

12 (2) The petition shall be verified in the manner required for verification of complaints in civil  
 13 cases and shall specify:

14 (a) The cause of the contest; and

15 (b) The names of all contestees.

16 **SECTION 20.** ORS 258.055 is amended to read:

17 258.055. (1) Except as provided in subsection (2) of this section, when a contestant files a peti-  
 18 tion of contest with the circuit court described under ORS 258.036, the contestant shall, within three  
 19 business days of filing the petition, publish a notice stating that the petition has been filed and  
 20 identifying the date of the deadline described in this subsection for filing a motion to intervene. The  
 21 notice must be published at least once in the next available issue of a newspaper of general circu-  
 22 lation published in the county where the proceeding is pending. Jurisdiction over the election con-  
 23 test shall be complete within 10 days after the notice is published as provided in this subsection.  
 24 Any person interested may at any time before the expiration of the 10 days appear and contest the  
 25 validity of the proceeding, or of any of the acts or things enumerated in the proceeding.

26 (2) Subsection (1) of this section does not apply if the contest involves:

27 (a) A state measure.

28 (b) The election of a candidate to the office of elector of President and Vice President of the  
 29 United States.

30 (c) The nomination or election of a candidate to the office of United States Senator, United  
 31 States Representative in Congress, Governor, Secretary of State, State Treasurer, Attorney General,  
 32 Commissioner of the Bureau of Labor and Industries, **Superintendent of Public Instruction** or a  
 33 position of judge on the Oregon Supreme Court, the Oregon Court of Appeals or the Oregon Tax  
 34 Court.

35 (d) The recall of a person from the office of Governor, Secretary of State, State Treasurer, At-  
 36 torney General, Commissioner of the Bureau of Labor and Industries, **Superintendent of Public**  
 37 **Instruction** or a position of judge on the Oregon Supreme Court, the Oregon Court of Appeals or  
 38 the Oregon Tax Court.

39 (3) Not later than two business days after the contestant files a petition of contest with the  
 40 circuit court, the contestant shall serve a copy of the petition by certified mail on each contestee.  
 41 If the Secretary of State or county clerk is not a contestee, not later than one business day after  
 42 the contestant files a petition of contest with the circuit court, the contestant shall file a copy of  
 43 the petition with:

44 (a) The Secretary of State if the petition involves a candidate for state office, the recall of a  
 45 person from state office or a state measure; or

1 (b) The county clerk if the petition involves a candidate for county, city or district office, the  
 2 recall of a person from county, city or district office or a county, city or district measure. As used  
 3 in this paragraph, “county clerk” includes the county clerk of the county in which the administra-  
 4 tive office of a city or district is located regarding a measure, a recall or a candidate for an office  
 5 to be voted on in a city or district located in more than one county.

6 (4) The circuit court shall fix a time for the hearing by the circuit court of the contest pro-  
 7 ceeding, and not later than the fifth day before the hearing shall give written notice of the hearing  
 8 to each party to the proceeding. In fixing the time for the hearing, the court shall consider the dates  
 9 set in any notice published under subsection (1) of this section and the dates of service on the  
 10 contestees. The contest proceeding shall take precedence over all other business on the circuit court  
 11 docket.

12 (5) The circuit court shall hear and determine the proceeding without a jury and shall issue  
 13 written findings of law and fact. The practice and procedure otherwise applicable to civil cases  
 14 shall govern the proceeding, except that the contestant has the burden of proof by clear and con-  
 15 vincing evidence.

16 **SECTION 21.** ORS 258.150, as amended by section 9, chapter 84, Oregon Laws 2022, is amended  
 17 to read:

18 258.150. (1) The Secretary of State shall be responsible for ensuring that the procedures to be  
 19 used in conducting election recounts assure an accurate recount in the shortest time at the least  
 20 expense. Whenever demands are filed for a recount of a vote for both a measure and a nomination  
 21 or office, or for more than one measure, nomination or office, the Secretary of State may determine  
 22 the most appropriate procedure to be used in conducting the recounts simultaneously.

23 (2)(a) In all election recounts for the office of President and Vice President of the United States,  
 24 United States Senate, United States House of Representatives, Governor, Secretary of State, State  
 25 Treasurer, Attorney General, Commissioner of the Bureau of Labor and Industries, **Superintendent**  
 26 **of Public Instruction**, Supreme Court, Court of Appeals, Oregon Tax Court, Circuit Court, Oregon  
 27 Senate, Oregon House of Representatives and statewide measures, the Secretary of State shall en-  
 28 sure that county elections officials conduct the recount in a manner that is consistent, transparent,  
 29 accurate and in accordance with all applicable laws.

30 (b) The county clerk in each county involved in a recount described in paragraph (a) of this  
 31 subsection shall provide notice to the Secretary of State of the date, time and location of the re-  
 32 count and information regarding all aspects of the recount process, including:

- 33 (A) The appointment of counting boards;
- 34 (B) The conditions for recount observers;
- 35 (C) The manner in which voter intent is determined; and
- 36 (D) The counting of ballots.

37 (c) The Secretary of State shall review the notices and actual recount processes described in  
 38 paragraph (b) of this subsection to ensure consistency across counties involved in the recount to the  
 39 degree reasonably practicable. The Secretary of State shall be responsible for the certification of the  
 40 results of the election or nomination as reported by the county clerks in the counties involved in  
 41 the recount.

42 (d) The Secretary of State may adopt rules necessary to implement this subsection.

43 **SECTION 22.** ORS 260.005 is amended to read:

44 260.005. As used in this chapter:

45 (1)(a) “Candidate” means:

1 (A) An individual whose name is printed on a ballot, for whom a declaration of candidacy,  
 2 nominating petition or certificate of nomination to public office has been filed or whose name is  
 3 expected to be or has been presented, with the individual's consent, for nomination or election to  
 4 public office;

5 (B) An individual who has solicited or received and accepted a contribution, made an expendi-  
 6 ture, or given consent to an individual, organization, political party or political committee to solicit  
 7 or receive and accept a contribution or make an expenditure on the individual's behalf to secure  
 8 nomination or election to any public office at any time, whether or not the office for which the in-  
 9 dividual will seek nomination or election is known when the solicitation is made, the contribution  
 10 is received and retained or the expenditure is made, and whether or not the name of the individual  
 11 is printed on a ballot; or

12 (C) A public office holder against whom a recall petition has been completed and filed.

13 (b) For purposes of this section and ORS 260.035 to 260.156, "candidate" does not include a  
 14 candidate for the office of precinct committeeperson.

15 (2) "Committee director" means any person who directly and substantially participates in  
 16 decision-making on behalf of a political committee concerning the solicitation or expenditure of  
 17 funds and the support of or opposition to candidates or measures. The officers of a political party  
 18 shall be considered the directors of any political party committee of that party, unless otherwise  
 19 provided in the party's bylaws.

20 (3) Except as provided in ORS 260.007, "contribute" or "contribution" includes:

21 (a) The payment, loan, gift, forgiving of indebtedness, or furnishing without equivalent compen-  
 22 sation or consideration, of money, services other than personal services for which no compensation  
 23 is asked or given, supplies, equipment or any other thing of value:

24 (A) For the purpose of influencing an election for public office or an election on a measure, or  
 25 of reducing the debt of a candidate for nomination or election to public office or the debt of a pol-  
 26 itical committee; or

27 (B) To or on behalf of a candidate, political committee or measure; and

28 (b) The excess value of a contribution made for compensation or consideration of less than  
 29 equivalent value.

30 (4) "Controlled committee" means a political committee that, in connection with the making of  
 31 contributions or expenditures:

32 (a) Is controlled directly or indirectly by a candidate or a controlled committee; or

33 (b) Acts jointly with a candidate or controlled committee.

34 (5) "Controlled directly or indirectly by a candidate" means:

35 (a) The candidate, the candidate's agent, a member of the candidate's immediate family or any  
 36 other political committee that the candidate controls has a significant influence on the actions or  
 37 decisions of the political committee; or

38 (b) The candidate's principal campaign committee and the political committee both have the  
 39 candidate or a member of the candidate's immediate family as a treasurer or director.

40 (6) "County clerk" means the county clerk or the county official in charge of elections.

41 (7) "Elector" means an individual qualified to vote under Article II, section 2, of the Oregon  
 42 Constitution.

43 (8) Except as provided in ORS 260.007, "expend" or "expenditure" includes the payment or fur-  
 44 nishing of money or anything of value or the incurring or repayment of indebtedness or obligation  
 45 by or on behalf of a candidate, political committee or person in consideration for any services,

1 supplies, equipment or other thing of value performed or furnished for any reason, including support  
 2 of or opposition to a candidate, political committee or measure, or for reducing the debt of a candi-  
 3 dicate for nomination or election to public office. "Expenditure" also includes contributions made  
 4 by a candidate or political committee to or on behalf of any other candidate or political committee.

5 (9) "Filing officer" means:

6 (a) The Secretary of State:

7 (A) Regarding a candidate for public office;

8 (B) Regarding a statement required to be filed under ORS 260.118;

9 (C) Regarding any measure; or

10 (D) Regarding any political committee.

11 (b) In the case of an irrigation district formed under ORS chapter 545, "filing officer" means:

12 (A) The county clerk, regarding any candidate for office or any measure at an irrigation district  
 13 formation election where the proposed district is situated wholly in one county;

14 (B) The county clerk of the county in which the office of the secretary of the proposed irrigation  
 15 district will be located, regarding any candidate for office or any measure at an irrigation district  
 16 formation election where the proposed district is situated in more than one county; or

17 (C) The secretary of the irrigation district for any election other than an irrigation district  
 18 formation election.

19 (10) "Independent expenditure" means an expenditure by a person for a communication in sup-  
 20 port of or in opposition to a clearly identified candidate or measure that is not made with the co-  
 21 operation or with the prior consent of, or in consultation with, or at the request or suggestion of,  
 22 a candidate or any agent or authorized committee of the candidate, or any political committee or  
 23 agent of a political committee supporting or opposing a measure. For purposes of this subsection:

24 (a) "Agent" means any person who has:

25 (A) Actual oral or written authority, either express or implied, to make or to authorize the  
 26 making of expenditures on behalf of a candidate or on behalf of a political committee supporting or  
 27 opposing a measure; or

28 (B) Been placed in a position within the campaign organization where it would reasonably ap-  
 29 pear that in the ordinary course of campaign-related activities the person may authorize expen-  
 30 ditures.

31 (b)(A) "Clearly identified" means, with respect to candidates:

32 (i) The name of the candidate involved appears;

33 (ii) A photograph or drawing of the candidate appears; or

34 (iii) The identity of the candidate is apparent by unambiguous reference.

35 (B) "Clearly identified" means, with respect to measures:

36 (i) The ballot number of the measure appears;

37 (ii) A description of the measure's subject or effect appears; or

38 (iii) The identity of the measure is apparent by unambiguous reference.

39 (c) "Communication in support of or in opposition to a clearly identified candidate or measure"  
 40 means:

41 (A)(i) The communication, when taken as a whole and with limited reference to external events,  
 42 such as the proximity to the election, could only be interpreted by a reasonable person as containing  
 43 advocacy for the election or defeat of a clearly identified candidate for nomination or election to  
 44 public office, or the passage or defeat of a clearly identified measure; and

45 (ii) The electoral portion of the communication is unmistakable, unambiguous and suggestive of



- 1 only one meaning; or
- 2 (B)(i) The communication involves aggregate expenditures of more than \$250 by a person;
- 3 (ii) The communication refers to a clearly identified candidate or measure that will appear on
- 4 the ballot or to a political party; and
- 5 (iii) The communication is published and disseminated to the relevant electorate within 60 cal-
- 6 endar days before a primary election, 120 calendar days before a general election or 90 calendar
- 7 days before an election other than a primary election or a general election.
- 8 (d) “Made with the cooperation or with the prior consent of, or in consultation with, or at the
- 9 request or suggestion of, a candidate or any agent or authorized committee of the candidate, or any
- 10 political committee or agent of a political committee supporting or opposing a measure”:
- 11 (A) Means any arrangement, coordination or direction by the candidate or the candidate’s agent,
- 12 or by any political committee or agent of a political committee supporting or opposing a measure,
- 13 prior to the publication, distribution, display or broadcast of the communication. An expenditure
- 14 shall be presumed to be so made when it is:
- 15 (i) Based on information about the plans, projects or needs of the candidate, or of the political
- 16 committee supporting or opposing a measure, and provided to the expending person by the candidate
- 17 or by the candidate’s agent, or by any political committee or agent of a political committee sup-
- 18 porting or opposing a measure, with a view toward having an expenditure made; or
- 19 (ii) Made by or through any person who is or has been authorized to raise or expend funds, who
- 20 is or has been an officer of a political committee authorized by the candidate or by a political
- 21 committee or agent of a political committee supporting or opposing a measure, or who is or has been
- 22 receiving any form of compensation or reimbursement from the candidate, the candidate’s principal
- 23 campaign committee or agent or from any political committee or agent of a political committee
- 24 supporting or opposing a measure.
- 25 (B) Does not mean providing to the expending person upon request a copy of this chapter or any
- 26 rules adopted by the Secretary of State relating to independent expenditures.
- 27 (11) “Initiative petition” means a petition to initiate a measure for which a prospective petition
- 28 has been filed but that is not yet a measure.
- 29 (12) “Judge” means judge of the Supreme Court, Court of Appeals, circuit court or the Oregon
- 30 Tax Court.
- 31 (13) “Mass mailing” means more than 200 substantially similar pieces of mail, but does not in-
- 32 clude a form letter or other mail that is sent in response to an unsolicited request, letter or other
- 33 inquiry.
- 34 (14) “Measure” includes any of the following submitted to the people for their approval or re-
- 35 jection at an election:
- 36 (a) A proposed law.
- 37 (b) An Act or part of an Act of the Legislative Assembly.
- 38 (c) A revision of or amendment to the Oregon Constitution.
- 39 (d) Local, special or municipal legislation.
- 40 (e) A proposition or question.
- 41 (15) “Occupation” means:
- 42 (a) The nature of an individual’s principal business; and
- 43 (b) If the individual is employed by another person, the business name and address, by city and
- 44 state, of the employer.
- 45 (16) “Person” means an individual, corporation, limited liability company, labor organization,

1 association, firm, partnership, joint stock company, club, organization or other combination of indi-  
 2 viduals having collective capacity.

3 (17) "Petition committee" means an initiative, referendum or recall petition committee organized  
 4 under ORS 260.118.

5 (18) "Political committee" means a combination of two or more individuals, or a person other  
 6 than an individual, that has:

7 (a) Received a contribution for the purpose of supporting or opposing a candidate, measure or  
 8 political party; or

9 (b) Made an expenditure for the purpose of supporting or opposing a candidate, measure or  
 10 political party. For purposes of this paragraph, an expenditure does not include:

11 (A) A contribution to a candidate or political committee that is required to report the contri-  
 12 bution on a statement filed under ORS 260.057 or 260.076 or a certificate filed under ORS 260.112;  
 13 or

14 (B) An independent expenditure for which a statement is required to be filed by a person under  
 15 ORS 260.044.

16 (19) "Public office" means any national, state, county, district, city office or position, except a  
 17 political party office, that is filled by the electors.

18 (20) "Recall petition" means a petition to recall a public officer for which a prospective petition  
 19 has been filed but that is not yet a measure.

20 (21) "Referendum petition" means a petition to refer a measure for which a prospective petition  
 21 has been filed but that is not yet a measure.

22 (22) "Regular district election" means the regular district election described in ORS 255.335.

23 (23) "State office" means the office of Governor, Secretary of State, State Treasurer, Attorney  
 24 General, Commissioner of the Bureau of Labor and Industries, **Superintendent of Public Instruc-**  
 25 **tion**, state Senator, state Representative, judge or district attorney.

26 **SECTION 23.** ORS 260.076 is amended to read:

27 260.076. (1) A legislative official, statewide official or candidate therefor, or the official's or  
 28 candidate's principal campaign committee, shall file statements showing contributions received by  
 29 or on behalf of the official, candidate or committee during the period beginning January 1 and end-  
 30 ing upon adjournment of the regular session of the Legislative Assembly, or during any special  
 31 session of the Legislative Assembly.

32 (2) The Governor, Governor-elect or a candidate for Governor, or the principal campaign com-  
 33 mittee of the Governor, Governor-elect or candidate, shall file statements showing contributions re-  
 34 ceived by or on behalf of the Governor, Governor-elect, candidate or committee during the period  
 35 beginning January 1 and ending 30 business days following adjournment of the regular session of the  
 36 Legislative Assembly, or during any special session of the Legislative Assembly.

37 (3) A person or political committee affiliated with a political party, caucus of either house of the  
 38 Legislative Assembly, legislative official, statewide official or the Governor, Governor-elect or can-  
 39 didate for Governor shall file statements showing contributions received by the person or committee  
 40 on behalf of a legislative official, statewide official or candidate therefor, during the period begin-  
 41 ning January 1 and ending upon adjournment of the regular session of the Legislative Assembly, or  
 42 during any special session of the Legislative Assembly.

43 (4) A person or political committee affiliated with a political party, caucus of either house of the  
 44 Legislative Assembly, legislative official, statewide official or the Governor, Governor-elect or can-  
 45 didate for Governor shall file statements showing contributions received by the person or committee

1 on behalf of the Governor, Governor-elect or candidate for Governor, during the period beginning  
 2 January 1 and ending 30 business days following adjournment of the regular session of the Legisla-  
 3 tive Assembly, or during any special session of the Legislative Assembly.

4 (5) A statement described in subsections (1) to (4) of this section shall be filed with the Secretary  
 5 of State on a form prescribed by the secretary. For contributions received during the period begin-  
 6 ning on January 1 and ending on the first day of the regular session, a statement shall be filed not  
 7 later than two business days after the first day of the regular session. For contributions received  
 8 on or after the first day of the regular session, a statement shall be filed not later than two business  
 9 days after the date a contribution is received. For contributions received during any special session  
 10 of the Legislative Assembly, a statement shall be filed not later than two business days after the  
 11 date a contribution is received.

12 (6) As used in this section:

13 (a) "Legislative official" means any member or member-elect of the Legislative Assembly.

14 (b) "Statewide official" means the Secretary of State or Secretary of State-elect, State Treasurer  
 15 or State Treasurer-elect, Attorney General or Attorney General-elect, [*and the*] Commissioner of the  
 16 Bureau of Labor and Industries or [*the*] Commissioner-elect of the Bureau of Labor and Industries  
 17 **and Superintendent of Public Instruction or Superintendent-elect of Public Instruction.**

18 **SECTION 24.** ORS 292.311 is amended to read:

19 292.311. The incumbents of each of the following offices shall be paid an annual salary on a  
 20 monthly basis, as follows:

21 (1) Governor, \$98,600 for the year beginning January 1, 2014, and for each year thereafter. The  
 22 Governor shall also be paid \$1,000 per month regularly for expenses necessarily incurred but not  
 23 otherwise provided for.

24 (2) Secretary of State, \$77,000 for the year beginning January 1, 2014, and for each year there-  
 25 after. The Secretary of State shall also be paid \$250 per month regularly for expenses necessarily  
 26 incurred but not otherwise provided for.

27 (3) State Treasurer, \$77,000 for the year beginning January 1, 2014, and for each year thereafter.  
 28 The State Treasurer shall also be paid \$250 per month regularly for expenses necessarily incurred  
 29 but not otherwise provided for.

30 (4) Attorney General, \$82,200 for the year beginning January 1, 2014, and for each year there-  
 31 after. The Attorney General shall also be paid \$250 per month regularly for expenses necessarily  
 32 incurred but not otherwise provided for.

33 (5) Commissioner of the Bureau of Labor and Industries, \$77,000 for the year beginning January  
 34 1, 2014, and for each year thereafter. The commissioner shall also be paid \$250 per month regularly  
 35 for expenses necessarily incurred but not otherwise provided for.

36 **(6) Superintendent of Public Instruction, \$77,000 for the year beginning January 1, 2025,**  
 37 **and for each year thereafter. The superintendent shall also be paid \$250 per month regularly**  
 38 **for expenses necessarily incurred but not otherwise provided for.**

39 **SECTION 25.** ORS 292.430 is amended to read:

40 292.430. (1) In addition to the annual salaries established as provided in ORS 292.930, the Oregon  
 41 Department of Administrative Services may "pick-up," assume and pay to the Public Employees Re-  
 42 tirement Fund any employee contributions, otherwise required by ORS 238.200, for the Governor,  
 43 Secretary of State, State Treasurer, Attorney General, Commissioner of the Bureau of Labor and  
 44 Industries, **Superintendent of Public Instruction** and members of the Legislative Assembly.

45 (2) The department may provide health, dental, life and long-term disability insurance without

1 cost to the officers referred to in subsection (1) of this section and to judges of the Supreme Court,  
 2 Court of Appeals, Oregon Tax Court and circuit courts in such amounts as are provided from time  
 3 to time to employees in the unclassified service of the state.

4 **SECTION 26.** ORS 292.930 is amended to read:

5 292.930. Each of the following elective officers shall be paid an annual salary on a monthly basis  
 6 as determined by the Legislative Assembly each biennium:

- 7 (1) Governor.
- 8 (2) Secretary of State.
- 9 (3) State Treasurer.
- 10 (4) Attorney General.
- 11 (5) Commissioner of the Bureau of Labor and Industries.

12 **(6) Superintendent of Public Instruction.**

13 [(6)] (7) Chief Judge of the Court of Appeals.

14 [(7)] (8) Court of Appeals Judge.

15 [(8)] (9) Chief Justice of the Supreme Court.

16 [(9)] (10) Supreme Court Judge.

17 [(10)] (11) Circuit Court Judge.

18 [(11)] (12) Tax Court Judge.

19 **SECTION 27.** ORS 326.555 is amended to read:

20 326.555. There is established a State Council for Educational Opportunity for Military Children,  
 21 as described in Article VIII of the Interstate Compact on Educational Opportunity for Military  
 22 Children under ORS 326.552, consisting of the [Deputy] Superintendent of Public Instruction, the  
 23 members of the State Board of Education, the military family education liaison and the compact  
 24 commissioner. The Governor may appoint other individuals to the state council and shall make a  
 25 good faith effort to ensure that other individuals appointed are individuals who are described in  
 26 Article VIII of the Interstate Compact on Educational Opportunity for Military Children under ORS  
 27 326.552 and who are well informed on the principles of education of military children.

28 **SECTION 28.** ORS 327.506 is amended to read:

29 327.506. (1) The quality goals for the state's system of kindergarten through grade 12 public  
 30 education include those established under ORS 329.007, 329.015, 329.025, 329.045 and 329.065.

31 (2) Each biennium the Quality Education Commission shall determine the amount of moneys  
 32 sufficient to ensure that the state's system of kindergarten through grade 12 public education meets  
 33 the quality goals.

34 (3) In determining the amount of moneys sufficient to meet the quality goals, the commission  
 35 shall identify best practices that lead to high student performance and the costs of implementing  
 36 those best practices in the state's kindergarten through grade 12 public schools. Those best prac-  
 37 tices shall be based on research, data, professional judgment and public values.

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

40 (a) Current practices in the state's system of kindergarten through grade 12 public education,  
 41 the costs of continuing those practices and the expected student performance under those practices;  
 42 and

43 (b) The best practices for meeting the quality goals, the costs of implementing the best practices  
 44 and the expected student performance under the best practices.

45 (5) In addition, the commission shall provide in the report issued under subsection (4) of this

1 section at least two alternatives for meeting the quality goals. The alternatives may use different  
 2 approaches for meeting the quality goals or use a phased implementation of best practices for  
 3 meeting the quality goals.

4 **SECTION 29.** ORS 329.837 is amended to read:

5 329.837. The University of Oregon shall report annually on the implementation, longitudinal  
 6 progress and results of the Early Success Reading Initiative to the Governor, **the Superintendent**  
 7 **of Public Instruction** and the appropriate legislative committees.

8 **SECTION 30.** ORS 339.331 is amended to read:

9 339.331. (1) There is created the Center for School Safety within the University of Oregon. The  
 10 mission of the center shall be to:

- 11 (a) Serve as the central point for data analysis;
- 12 (b) Conduct research;
- 13 (c) Disseminate information about successful school safety programs, research results and new  
 14 programs; and
- 15 (d) Provide technical assistance for improving the safety of schools in collaboration with the  
 16 Department of Education and others.

17 (2) To fulfill its mission, the Center for School Safety shall:

18 (a) Establish a clearinghouse for information and materials concerning school violence pre-  
 19 vention and intervention services. As used in this paragraph, “intervention services” means any  
 20 preventive, developmental, corrective or supportive service or treatment provided to a student who  
 21 is at risk of school failure, is at risk of participation in violent behavior or juvenile crime or has  
 22 been expelled from the school district. “Intervention services” may include, but is not limited to:

- 23 (A) Screening to identify students at risk for emotional disabilities or antisocial behavior;
- 24 (B) Direct instruction in academic, social, problem-solving and conflict resolution skills;
- 25 (C) Alternative education programs;
- 26 (D) Psychological services;
- 27 (E) Identification and assessment of abilities;
- 28 (F) Counseling services;
- 29 (G) Medical services;
- 30 (H) Day treatment;
- 31 (I) Family services; and
- 32 (J) Work and community service programs.

33 (b) Provide program development and implementation expertise and technical support to schools,  
 34 law enforcement agencies and communities. The expertise and support may include coordinating  
 35 training for administrators, teachers, students, parents and other community representatives.

36 (c) Analyze the data collected in compliance with section 5, chapter 618, Oregon Laws 2001.

37 (d) Research and evaluate school safety programs so schools and communities are better able  
 38 to address their specific needs.

39 (e) Promote interagency efforts to address discipline and safety issues within communities  
 40 throughout the state.

41 (f) Prepare and disseminate information regarding the best practices in creating safe and effec-  
 42 tive schools.

43 (g) Advise the State Board of Education on rules and policies.

44 (h) Provide an annual report on the status of school safety in Oregon by July 1 of each year to:

- 45 (A) The Governor;

- 1 (B) The Attorney General;
- 2 (C) The State Board of Education; *[and]*
- 3 **(D) The Superintendent of Public Instruction; and**
- 4 *[(D)] (E) All relevant legislative committees.*

5 (3) The University of Oregon Institute on Violence and Destructive Behavior shall provide staff  
6 support to the Center for School Safety board of directors and shall manage the center.

7 (4) The Center for School Safety board of directors may seek and accept public and private funds  
8 for the center.

9 **SECTION 31.** Section 1, chapter 113, Oregon Laws 2018, as amended by section 3, chapter 113,  
10 Oregon Laws 2018, is amended to read:

11 **Sec. 1.** (1) As used in this section:

12 (a) “Accelerated college credit program” has the meaning given that term in *[section 6 of this*  
13 *2018 Act]* **ORS 350.420.**

14 (b) “Credit toward general education” has the meaning given that term in *[section 6 of this 2018*  
15 *Act]* **ORS 350.420.**

16 (2) The Higher Education Coordinating Commission shall prepare an annual report on acceler-  
17 ated college credit programs in the manner provided by this section.

18 (3) For the purpose of the report required by this section, the commission shall collaborate with  
19 public post-secondary institutions of education in this state to determine the method for providing  
20 a representative sampling of:

21 (a) Students from each institution who are:

22 (A) Graduates of a high school in this state;

23 (B) Enrolled in the first year at a post-secondary institution of education for the first time, ex-  
24 cept for any enrollment related to an accelerated college credit program; and

25 (C) Seeking a post-secondary certificate or degree.

26 (b) The number of credits from an accelerated college credit program that a student attempted  
27 to transfer to the post-secondary institution of education.

28 (4) The report required by this section must include the following information from the repre-  
29 sentative sampling based on the previous school year:

30 (a) The number and percentage of students who attempted to transfer a credit from an acceler-  
31 ated college credit program to a public post-secondary institution of education in this state.

32 (b) Of the students identified under paragraph (a) of this subsection, the number and percentage  
33 of students whose credits were accepted.

34 (c) Of the credits accepted, the number and percentage that were accepted as credit toward  
35 general education.

36 (d) Of the students identified under paragraph (a) of this subsection, the number and percentage  
37 of students whose credits were not accepted.

38 (e) Of the students identified under paragraph (a) of this subsection, the high schools from which  
39 the students graduated, if available.

40 (5) To the extent practicable, and in addition to the information described in subsection (4) of  
41 this section, the report must include, from all students in this state described in subsection (3)(a)  
42 of this section, the number of students who attempted to transfer a credit from an accelerated col-  
43 lege credit program to a public post-secondary institution of education in this state.

44 (6) To the extent practicable, the information collected under subsections (4) and (5) of this  
45 section must be disaggregated by:

1 (a) The student's characteristics, including race, ethnicity and gender;

2 (b) The post-secondary institution of education that accepted or did not accept a transfer of a  
3 credit from an accelerated college credit program;

4 (c) The type of accelerated college credit program in which the student participated; and

5 (d) The class of the accelerated college credit program in which the student participated.

6 (7) No later than September 1 of each year, each public post-secondary institution of education  
7 must provide to the Higher Education Coordinating Commission the information required under this  
8 section.

9 (8) No later than December 1 of each year, the report required under this section must be:

10 (a) Submitted to the Governor, **the Superintendent of Public Instruction**, the Department of  
11 Education, the interim committees of the Legislative Assembly related to education, the board of  
12 education of each community college district in this state and the governing board of each public  
13 university listed in ORS 352.002; and

14 (b) Made available to each school district in this state.

15 (9) Nothing in this section is intended to supersede the authority of a post-secondary institution  
16 of education, or the faculty of an institution, to prescribe an educational program or a course of  
17 study as provided by ORS 341.290 (3) or 352.146.

18 **SECTION 32.** ORS 343.465 is amended to read:

19 343.465. (1) It is the policy of this state to respect the unique nature of each child, family and  
20 community with particular attention to cultural and linguistic diversity, and to support a system of  
21 services for preschool children with disabilities and their families that:

22 (a) Recognizes the importance of the child's family, supports and builds on each family's  
23 strengths and respects family decision-making and input regarding service options and public policy.

24 (b) Identifies, evaluates and refers services for preschool children with disabilities at the earliest  
25 possible time.

26 (c) Uses specialized services and all other community services and programs for children, in-  
27 cluding community preschools, Head Start programs, community health clinics, family support pro-  
28 grams and other child-oriented agencies.

29 (d) Uses a variety of funding sources for preschool children with disabilities and their families,  
30 including public and private funding, insurance and family resources.

31 (e) Assists families in utilizing necessary services in the most cost-effective and efficient manner  
32 possible by using a coordinated planning and implementation process.

33 (f) Insures that all children and their families, regardless of disability, risk factors or cultural  
34 or linguistic differences, are able to utilize services for which they would otherwise be qualified.

35 (g) Encourages services and supports for preschool children with disabilities and their families  
36 in their home communities and in settings with children without disabilities.

37 (h) Recognizes the importance of developing and supporting well-trained and competent person-  
38 nel to provide services to preschool children with disabilities, and their families.

39 (i) Evaluates the system's impact on the child and family, including child progress, service  
40 quality, family satisfaction, transition into public schooling, longitudinal and cumulative reporting  
41 over several biennia and interagency coordination at both the state and local level.

42 (j) Reports information described in paragraph (i) of this subsection to the State Interagency  
43 Coordinating Council, the Governor, **the Superintendent of Public Instruction**, the State Board  
44 of Education, the public universities listed in ORS 352.002 and the Legislative Assembly each  
45 biennium.

1 (2) In carrying out the provisions of subsection (1) of this section, the Department of Education,  
 2 the Department of Human Services and the public universities listed in ORS 352.002 shall coordinate  
 3 services to preschool children with disabilities, or who are at risk of developing disabling conditions,  
 4 and their families. All program planning, standards for service, policies regarding services delivery  
 5 and budget development for services for preschool children with disabilities, and their families shall  
 6 reflect the policy outlined in subsection (1) of this section and elaborated through rules and agree-  
 7 ments.

8 **SECTION 33.** ORS 343.465, as amended by section 45, chapter 631, Oregon Laws 2021, is  
 9 amended to read:

10 343.465. (1) It is the policy of this state to respect the unique nature of each child, family and  
 11 community with particular attention to cultural and linguistic diversity, and to support a system of  
 12 services for preschool children with a disability and their families that:

13 (a) Recognizes the importance of the preschool child's family, supports and builds on each  
 14 family's strengths and respects family decision-making and input regarding service options and pub-  
 15 lic policy.

16 (b) Identifies, evaluates and refers services for preschool children with a disability at the earli-  
 17 est possible time.

18 (c) Uses specialized services and all other community services and programs for children, in-  
 19 cluding community preschools, Head Start programs, community health clinics, family support pro-  
 20 grams and other child-oriented agencies.

21 (d) Uses a variety of funding sources for preschool children with a disability and their families,  
 22 including public and private funding, insurance and family resources.

23 (e) Assists families in utilizing necessary services in the most cost-effective and efficient manner  
 24 possible by using a coordinated planning and implementation process.

25 (f) Insures that all children and their families, regardless of disability, risk factors or cultural  
 26 or linguistic differences, are able to utilize services for which they would otherwise be qualified.

27 (g) Encourages services and supports for preschool children with a disability and their families  
 28 in their home communities and in settings with children without a disability.

29 (h) Recognizes the importance of developing and supporting well-trained and competent person-  
 30 nel to provide services to preschool children with a disability, and their families.

31 (i) Evaluates the system's impact on the child and family, including child progress, service  
 32 quality, family satisfaction, transition into public schooling, longitudinal and cumulative reporting  
 33 over several biennia and interagency coordination at both the state and local level.

34 (j) Reports information described in paragraph (i) of this subsection to the State Interagency  
 35 Coordinating Council, the Governor, **the Superintendent of Public Instruction**, the Department  
 36 of Early Learning and Care, the State Board of Education, the public universities listed in ORS  
 37 352.002 and the Legislative Assembly each biennium.

38 (2) In carrying out the provisions of subsection (1) of this section, the Department of Education,  
 39 the Department of Early Learning and Care, the Department of Human Services and the public  
 40 universities listed in ORS 352.002 shall coordinate the provision of services to preschool children  
 41 with a disability with other services that are provided to children with a disability, or who are at  
 42 risk of developing disabling conditions, and their families. All program planning, standards for ser-  
 43 vice, policies regarding services delivery and budget development for services for preschool children  
 44 with a disability, children with a disability, and the families of those children shall reflect the policy  
 45 outlined in subsection (1) of this section and elaborated through rules and agreements.



1       **SECTION 34.** ORS 343.499 is amended to read:

2       343.499. (1)(a) There is created the State Interagency Coordinating Council.

3       (b) The Governor shall appoint members of the council from a list of eligible appointees from  
4 this state that is provided by the council and agencies described in subsection (2) of this section and  
5 shall ensure that the membership of the council reasonably represents the racial, ethnic, linguistic  
6 and geographic population of this state.

7       (c) The Governor shall designate one member of the council to serve as the chairperson, or if  
8 the Governor chooses not to name a chairperson, the council may elect one of its members to serve  
9 as chairperson.

10       (d) Notwithstanding paragraph (c) of this subsection, any member of the council who represents  
11 the Department of Education may not serve as the chairperson of the council.

12       (2) The membership of the council shall be composed as follows:

13       (a) At least 20 percent of the council members shall be parents of children with a disability who  
14 are 12 years of age or younger at the time the council member is appointed. When appointing  
15 council members under this paragraph, the Governor shall ensure that:

16       (A) At least 50 percent of the council members are parents of a child with a disability who is  
17 five years of age or younger at the time the council member is appointed;

18       (B) At least 20 percent of the council members:

19       (i) Are parents of a child with a disability who is three years of age or younger at the time the  
20 council member is appointed; and

21       (ii) Have knowledge of, or experience with, programs or services for infants or toddlers with a  
22 disability; and

23       (C) The council members represent the racial, ethnic and linguistic diversity of children in this  
24 state who are five years of age or younger.

25       (b) At least 20 percent of the council members shall be public or private providers of early  
26 intervention and early childhood special education services.

27       (c) At least one council member shall be from a program responsible for preparing early inter-  
28 vention and early childhood special education educators.

29       (d) At least one council member shall be from a Head Start or Early Head Start program.

30       (e) At least one council member shall be from a home-based child care program.

31       (f) At least one council member shall be from a center-based child care program.

32       (g) At least one council member shall be from the committee that serves as the state advisory  
33 council, as described in ORS 326.425 (3).

34       (h) At least one council member shall be a member of the State Advisory Council for Special  
35 Education created under ORS 343.287.

36       (i) At least one council member shall be from each state agency involved in the provision of,  
37 or payment for, early intervention and early childhood special education services to infants and  
38 toddlers with a disability and their families.

39       (j) At least one council member shall be from each state agency responsible for providing pre-  
40 school services to children with a disability.

41       (k) At least one council member shall be from each state agency responsible for children's  
42 mental health.

43       (L) At least two council members shall be from the Department of Human Services with exper-  
44 tise in foster care or self-sufficiency programs.

45       (m) At least one council member shall be from the Office of Child Care with expertise in the

1 Child Care and Development Fund.

2 (n) At least one council member shall be a representative of the Department of Education with  
3 expertise in the coordination of education of homeless children and youth.

4 (o) At least one council member shall be from the Department of Consumer and Business Ser-  
5 vices with expertise in state regulation of private health insurance.

6 (p) At least one council member shall be from the Oregon Health Authority with expertise in  
7 Medicaid and the Children's Health Insurance Program.

8 (q) At least one council member shall be a representative from a tribal agency responsible for  
9 supporting young children with developmental delays and disabilities, from a tribal council or oth-  
10 erwise representing one or more tribes.

11 (3) An individual appointed to represent a state agency under subsection (2) of this section must  
12 have sufficient authority to engage in making and implementing policy on behalf of the agency. The  
13 Governor may appoint a council member to represent more than one program or specialty listed in  
14 subsection (2) of this section.

15 (4) In addition to the council members appointed under subsection (2) of this section:

16 (a) The Governor may appoint any other council members not listed in subsection (2) of this  
17 section.

18 (b) The President of the Senate shall appoint one member from among members of the Senate  
19 to serve as a nonvoting council member.

20 (c) The Speaker of the House of Representatives shall appoint one member from among members  
21 of the House of Representatives to serve as a nonvoting council member.

22 (5) The State Interagency Coordinating Council shall:

23 (a) Advise the Superintendent of Public Instruction, the State Board of Education, the Early  
24 Learning System Director and the Early Learning Council on unmet needs in the early childhood  
25 special education and early intervention programs for children with a disability, review and com-  
26 ment publicly on any rules proposed by the State Board of Education and the distribution of funds  
27 for the programs and assist the state in developing and reporting data on and evaluations of the  
28 programs and services.

29 (b) Advise and assist the represented public agencies regarding the services and programs they  
30 provide to children with a disability and their families, including public comments on any proposed  
31 rules affecting the target population and the distribution of funds for such services, and assist each  
32 agency in developing services that reflect the overall goals for the target population as adopted by  
33 the council.

34 (c) Advise the Department of Education, the Early Learning Division and other state agencies  
35 on the development and implementation of the policies that constitute the statewide system.

36 (d) Advise all appropriate public agencies on achieving the full participation, coordination and  
37 cooperation for implementation of a statewide system that includes but is not limited to:

38 (A) Seeking information from service providers, service coordinators, parents and others about  
39 any federal, state or local policies that impede timely service delivery; and

40 (B) Taking steps to ensure that any policy problems identified under subparagraph (A) of this  
41 paragraph are resolved.

42 (e) Advise the Superintendent of Public Instruction and the Early Learning System Director on  
43 identifying the sources of fiscal and other support for early intervention and early childhood special  
44 education services, assigning financial responsibility to the appropriate agencies and ensuring that  
45 the provisions of interagency agreements under ORS 343.511 are carried out.

1 (f) Review and comment on each agency's services and policies regarding services for infants,  
 2 toddlers and preschool children with a disability, or infants, toddlers and preschool children who  
 3 are at risk of developing disabling conditions, and their families to the maximum extent possible to  
 4 assure cost-effective and efficient use of resources.

5 (g) Advise the Department of Education and the Early Learning Division on the preparation of  
 6 applications and amendments thereto.

7 (h) Advise the Superintendent of Public Instruction and the Early Learning System Director  
 8 regarding transitions of children with a disability, including transitions to kindergarten.

9 (i) Prepare and submit an annual report to the Governor, the [Deputy] Superintendent of Public  
 10 Instruction, the Early Learning System Director, the Early Learning Council, the State Board of  
 11 Education, the Legislative Assembly and the United States Secretary of Education on the status of  
 12 early intervention and early childhood special education services provided within this state.

13 (6) The council may advise appropriate agencies about integration of services for preschool  
 14 children with a disability and at-risk preschool children.

15 (7) Terms of office for council members shall be three years, except that:

16 (a) The representative from the State Advisory Council for Special Education shall serve a  
 17 one-year term; and

18 (b) The representatives from other state agencies and the representatives from the Legislative  
 19 Assembly shall serve indefinite terms.

20 (8) Subject to approval by the Governor, the council may use federal funds appropriated for this  
 21 purpose and available to the council to:

22 (a) Conduct hearings and forums;

23 (b) Reimburse nonagency council members under ORS 292.495 for attending council meetings, for  
 24 performing council duties, and for necessary expenses, including child care for parent members;

25 (c) Pay compensation to a council member if the member is not employed or if the member must  
 26 forfeit wages from other employment when performing official council business;

27 (d) Hire staff; and

28 (e) Obtain the services of such professional, technical and clerical personnel as may be neces-  
 29 sary to carry out its functions.

30 (9) Except as provided in subsection (8) of this section, council members shall serve without  
 31 compensation.

32 (10) The Department of Education shall provide clerical and administrative support, including  
 33 staff, to the council to carry out the performance of the council's function as described in this sec-  
 34 tion.

35 (11) The council shall meet at least quarterly. The meetings shall be announced publicly and,  
 36 to the extent appropriate, be open and accessible to the general public.

37 (12) No member of the council shall cast a vote on any matter that would provide direct finan-  
 38 cial benefit to that member or otherwise give the appearance of a conflict of interest under state  
 39 law.

40 **SECTION 35.** ORS 343.499, as amended by section 47, chapter 631, Oregon Laws 2021, is  
 41 amended to read:

42 343.499. (1)(a) There is created the State Interagency Coordinating Council.

43 (b) The Governor shall appoint members of the council from a list of eligible appointees from  
 44 this state that is provided by the council and agencies described in subsection (2) of this section and  
 45 shall ensure that the membership of the council reasonably represents the racial, ethnic, linguistic

1 and geographic population of this state.

2 (c) The Governor shall designate one member of the council to serve as the chairperson, or if  
 3 the Governor chooses not to name a chairperson, the council may elect one of its members to serve  
 4 as chairperson.

5 (d) Notwithstanding paragraph (c) of this subsection, any member of the council who represents  
 6 the Department of Education may not serve as the chairperson of the council.

7 (2) The membership of the council shall be composed as follows:

8 (a) At least 20 percent of the council members shall be parents of children with a disability who  
 9 are 12 years of age or younger at the time the council member is appointed. When appointing  
 10 council members under this paragraph, the Governor shall ensure that:

11 (A) At least 50 percent of the council members are parents of a child with a disability who is  
 12 five years of age or younger at the time the council member is appointed;

13 (B) At least 20 percent of the council members:

14 (i) Are parents of a child with a disability who is three years of age or younger at the time the  
 15 council member is appointed; and

16 (ii) Have knowledge of, or experience with, programs or services for infants or toddlers with a  
 17 disability; and

18 (C) The council members represent the racial, ethnic and linguistic diversity of children in this  
 19 state who are five years of age or younger.

20 (b) At least 20 percent of the council members shall be public or private providers of early  
 21 intervention and early childhood special education services.

22 (c) At least one council member shall be from a program responsible for preparing early inter-  
 23 vention and early childhood special education educators.

24 (d) At least one council member shall be from a Head Start or Early Head Start program.

25 (e) At least one council member shall be from a home-based child care program.

26 (f) At least one council member shall be from a center-based child care program.

27 (g) At least one council member shall be from the committee that serves as the state advisory  
 28 council, as described in ORS 326.425 (3).

29 (h) At least one council member shall be a member of the State Advisory Council for Special  
 30 Education created under ORS 343.287.

31 (i) At least one council member shall be from each state agency involved in the provision of,  
 32 or payment for, early intervention and early childhood special education services to infants and  
 33 toddlers with a disability and their families.

34 (j) At least one council member shall be from each state agency responsible for providing pre-  
 35 school services to children with a disability.

36 (k) At least one council member shall be from each state agency responsible for children's  
 37 mental health.

38 (L) At least two council members shall be from the Department of Human Services with exper-  
 39 tise in foster care or self-sufficiency programs.

40 (m) At least one council member shall be from the Department of Early Learning and Care with  
 41 expertise in the Child Care and Development Fund.

42 (n) At least one council member shall be a representative of the Department of Education with  
 43 expertise in the coordination of education of homeless children and youth.

44 (o) At least one council member shall be from the Department of Consumer and Business Ser-  
 45 vices with expertise in state regulation of private health insurance.

1 (p) At least one council member shall be from the Oregon Health Authority with expertise in  
 2 Medicaid and the Children’s Health Insurance Program.

3 (q) At least one council member shall be a representative from a tribal agency responsible for  
 4 supporting young children with developmental delays and disabilities, from a tribal council or oth-  
 5 erwise representing one or more tribes.

6 (3) An individual appointed to represent a state agency under subsection (2) of this section must  
 7 have sufficient authority to engage in making and implementing policy on behalf of the agency. The  
 8 Governor may appoint a council member to represent more than one program or specialty listed in  
 9 subsection (2) of this section.

10 (4) In addition to the council members appointed under subsection (2) of this section:

11 (a) The Governor may appoint any other council members not listed in subsection (2) of this  
 12 section.

13 (b) The President of the Senate shall appoint one member from among members of the Senate  
 14 to serve as a nonvoting council member.

15 (c) The Speaker of the House of Representatives shall appoint one member from among members  
 16 of the House of Representatives to serve as a nonvoting council member.

17 (5) The State Interagency Coordinating Council shall:

18 (a) Advise the Superintendent of Public Instruction, the State Board of Education, the Early  
 19 Learning System Director and the Early Learning Council on unmet needs in the early childhood  
 20 special education and early intervention programs for children with a disability, review and com-  
 21 ment publicly on any rules proposed by the State Board of Education and the distribution of funds  
 22 for the programs and assist the state in developing and reporting data on and evaluations of the  
 23 programs and services.

24 (b) Advise and assist the represented public agencies regarding the services and programs they  
 25 provide to children with a disability and their families, including public comments on any proposed  
 26 rules affecting the target population and the distribution of funds for such services, and assist each  
 27 agency in developing services that reflect the overall goals for the target population as adopted by  
 28 the council.

29 (c) Advise the Department of Education, the Department of Early Learning and Care and other  
 30 state agencies on the development and implementation of the policies that constitute the statewide  
 31 system.

32 (d) Advise all appropriate public agencies on achieving the full participation, coordination and  
 33 cooperation for implementation of a statewide system that includes but is not limited to:

34 (A) Seeking information from service providers, service coordinators, parents and others about  
 35 any federal, state or local policies that impede timely service delivery; and

36 (B) Taking steps to ensure that any policy problems identified under subparagraph (A) of this  
 37 paragraph are resolved.

38 (e) Advise the Superintendent of Public Instruction and the Early Learning System Director on  
 39 identifying the sources of fiscal and other support for early intervention and early childhood special  
 40 education services, assigning financial responsibility to the appropriate agencies and ensuring that  
 41 the provisions of interagency agreements under ORS 343.511 are carried out.

42 (f) Review and comment on each agency’s services and policies regarding services for infants,  
 43 toddlers and preschool children with a disability, or infants, toddlers and preschool children who  
 44 are at risk of developing disabling conditions, and their families to the maximum extent possible to  
 45 assure cost-effective and efficient use of resources.

1 (g) Advise the Department of Education and the Department of Early Learning and Care on the  
2 preparation of applications and amendments thereto.

3 (h) Advise the Superintendent of Public Instruction and the Early Learning System Director  
4 regarding transitions of children with a disability, including transitions to kindergarten.

5 (i) Prepare and submit an annual report to the Governor, the [Deputy] Superintendent of Public  
6 Instruction, the Early Learning System Director, the Early Learning Council, the State Board of  
7 Education, the Legislative Assembly and the United States Secretary of Education on the status of  
8 early intervention and early childhood special education services provided within this state.

9 (6) The council may advise appropriate agencies about integration of services for preschool  
10 children with a disability and at-risk preschool children.

11 (7) Terms of office for council members shall be three years, except that:

12 (a) The representative from the State Advisory Council for Special Education shall serve a  
13 one-year term; and

14 (b) The representatives from other state agencies and the representatives from the Legislative  
15 Assembly shall serve indefinite terms.

16 (8) Subject to approval by the Governor, the council may use federal funds appropriated for this  
17 purpose and available to the council to:

18 (a) Conduct hearings and forums;

19 (b) Reimburse nonagency council members under ORS 292.495 for attending council meetings, for  
20 performing council duties, and for necessary expenses, including child care for parent members;

21 (c) Pay compensation to a council member if the member is not employed or if the member must  
22 forfeit wages from other employment when performing official council business;

23 (d) Hire staff; and

24 (e) Obtain the services of such professional, technical and clerical personnel as may be neces-  
25 sary to carry out its functions.

26 (9) Except as provided in subsection (8) of this section, council members shall serve without  
27 compensation.

28 (10) The Department of Education shall provide clerical and administrative support, including  
29 staff, to the council to carry out the performance of the council's function as described in this sec-  
30 tion.

31 (11) The council shall meet at least quarterly. The meetings shall be announced publicly and,  
32 to the extent appropriate, be open and accessible to the general public.

33 (12) No member of the council shall cast a vote on any matter that would provide direct finan-  
34 cial benefit to that member or otherwise give the appearance of a conflict of interest under state  
35 law.

36 **SECTION 36.** ORS 357.021 is amended to read:

37 357.021. (1) The State Library Board is established, consisting of nine voting members.

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

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

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

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

43 (d) One public member from eastern Oregon;

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

45 (f) One member representing a community college library or a public university library in this

1 state.

2 (3) The [Deputy] Superintendent of Public Instruction, or a designee of the [deputy] superinten-  
3 dent, shall be a voting member of the board.

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

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

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

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

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

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

19 **SECTION 37.** ORS 660.505 is amended to read:

20 660.505. (1) The members of the OregonServes Commission appointed under ORS 660.500 (2)(a)  
21 must be residents of this state who have a proven commitment to community service and who have  
22 a demonstrated interest in fostering and nurturing civic engagement as a strategy for strengthening  
23 communities and promoting the ethic of service in all sectors of this state.

24 (2)(a) The Governor shall appoint as members of the commission:

25 (A) An individual with experience in educational, training and development needs of youth,  
26 particularly disadvantaged youth.

27 (B) An individual with experience in promoting involvement of adults 55 years of age or older  
28 in service and volunteerism.

29 (C) A representative of community-based agencies or organizations within this state.

30 (D) The [Deputy] Superintendent of Public Instruction 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) An individual between 16 and 25 years of age who is a participant in or supervisor of a  
35 service program for school-age youth, or a campus-based or national service program.

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

37 (J) A representative of the volunteer sector.

38 (b) An individual member of the commission may represent more than one of the entities or or-  
39 ganizations required to be represented under this subsection.

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

42 (a) Educators, including representatives of post-secondary institutions of education and local  
43 education agencies.

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

1 (c) Members or representatives of Native American tribes.

2 (d) At-risk or out-of-school youths.

3 (e) Entities that receive assistance under the Domestic Volunteer Service Act of 1973 (42 U.S.C.  
4 4950 et seq.).

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

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

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

9 (5) To the extent practicable, the Governor shall ensure that the membership of the commission  
10 is diverse with respect to race, ethnicity, age, gender and disability characteristics.

11 **SECTION 38. The amendments to 171.130, 171.133, 171.735, 173.130, 240.205, 244.042, 244.050,**  
12 **249.002, 249.056, 249.215, 251.170, 254.005, 258.036, 258.055, 258.150, 260.005, 260.076, 292.311,**  
13 **292.430, 292.930, 326.555, 327.506, 329.837, 339.331, 343.465, 343.499, 357.021 and 660.505 and sec-**  
14 **tion 1, chapter 113, Oregon Laws 2018, by sections 7 to 37 of this 2023 Act apply only to the**  
15 **Superintendent of Public Instruction who takes office on or after January 6, 2025.**

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