

**Docket Item:**

Approve Permanent Chapter 589: Community College Service District Boundary Elections

**Summary:**

The current rules governing community college district boundary changes specify when the Commission may order an election on the question of a boundary change.

In light of the open question regarding the petition for a change in north Lake County, staff has conducted a review of the Commission's authorities and responsibilities in this area. Staff determined that the drafting of the current rules unnecessarily restricts the Commission's ability to call for an election on the question of a boundary change to only one circumstance: when the commission has received a remonstrance petition on the question of a proposed change within 20 days of the conclusion of the public hearing on such a change.

ORS 341.565 provides that "the Commission may submit the question of a boundary change to a vote of the electors of the territories affected by the boundary change." This authority is broader in scope than the current rule. Although ORS 341.569 requires the Commission to hold an election if a remonstrance petition is received, the rule eliminates a permissive authority provided under ORS 341.565 to hold an election in any circumstance. The Commission may find the conduct of an election to be a desirable course of action to take to resolve current or future boundary change questions.

The proposed rule restores the permissive authority to the Commission provided by statute to hold an election in any circumstance, and makes other technical and conforming changes.

**Staff Recommendation:**

Staff recommends approval of the rule.