

Enrolled
Senate Bill 529

Sponsored by COMMITTEE ON EDUCATION AND WORKFORCE DEVELOPMENT

CHAPTER

AN ACT

Relating to education service districts; amending ORS 260.432 and 334.015 and section 15, chapter 828, Oregon Laws 2005; repealing section 14, chapter 828, Oregon Laws 2005, and section 5, chapter 59, Oregon Laws 2010; and declaring an emergency.

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

SECTION 1. ORS 334.015 is amended to read:

334.015. (1) Notwithstanding ORS 334.010 and 334.013, one or more component school districts of an education service district may withdraw from the education service district [*if the component school district is located in:*]

[(a) *A region described in ORS 334.013 (1)(a), (b), (c) or (p); or*

[(b) *Baker County*].

(2) A school district board may choose to withdraw a school district from an education service district [*as provided in subsection (1) of this section*] by an affirmative vote of two-thirds of the members of the school district board.

(3)(a) A school district board that chooses to withdraw a school district from the education service district must submit a notice of intent to withdraw to the board of directors of the education service district no later than November 1 of the year prior to the year in which the school district plans to withdraw from the education service district.

(b) A school district board that submitted a notice of intent to withdraw as provided by paragraph (a) of this subsection must submit a notice of withdrawal to the board of directors of the education service district no later than March 1 of the year in which the school district plans to withdraw from the education service district.

(c) Within 60 days of receiving the notice of withdrawal under paragraph (b) of this subsection, the board of directors of the education service district shall issue an order that recognizes the withdrawal of the school district from the education service district.

(4) The withdrawal of a school district from an education service district becomes effective on July 1 after the board of directors of the education service district issues the order described in subsection (3) of this section.

SECTION 2. ORS 260.432, as amended by section 8, chapter 589, Oregon Laws 2007, and section 16, chapter 9, Oregon Laws 2010, is amended to read:

260.432. (1) No person shall attempt to, or actually, coerce, command or require a public employee to influence or give money, service or other thing of value to promote or oppose any political committee or to promote or oppose the nomination or election of a candidate, the gathering of signatures on an initiative, referendum or recall petition, the adoption of a measure or the recall of a public office holder.

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

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

ATTENTION ALL PUBLIC EMPLOYEES:

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

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

(4) Nothing in this section prohibits an employee of the legislative branch from explaining the vote of a member of the Legislative Assembly on:

(a) An Act that has been referred to the people by law or petition under section 1 (3), Article IV of the Oregon Constitution;

(b) An Act for which a prospective referendum petition has been filed under ORS 250.045; or

(c) A constitutional amendment or revision proposed under section 1 or 2, Article XVII of the Oregon Constitution.

(5) As used in this section:

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

(b) "Public employer" includes any board, commission, committee, department, division or institution in the executive, administrative, legislative or judicial branch of state government, and any county, city, district or other municipal corporation or public corporation organized for a public purpose, including a cooperative body formed between municipal or public corporations.

SECTION 3. Section 15, chapter 828, Oregon Laws 2005, as amended by section 6, chapter 589, Oregon Laws 2007, and section 6, chapter 59, Oregon Laws 2010, is amended to read:

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

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

SECTION 4. (1) Section 14, chapter 828, Oregon Laws 2005, as amended by section 5, chapter 589, Oregon Laws 2007, and section 3, chapter 59, Oregon Laws 2010, is repealed.

(2) Section 5, chapter 59, Oregon Laws 2010, is repealed.

SECTION 5. This 2013 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2013 Act takes effect on its passage.

Passed by Senate February 28, 2013

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Robert Taylor, Secretary of Senate

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Peter Courtney, President of Senate

Passed by House March 18, 2013

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Tina Kotek, Speaker of House

Received by Governor:

.....M,....., 2013

Approved:

.....M,....., 2013

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John Kitzhaber, Governor

Filed in Office of Secretary of State:

.....M,....., 2013

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Kate Brown, Secretary of State