

A-Engrossed
Senate Bill 529

Ordered by the Senate February 25
Including Senate Amendments dated February 25

Sponsored by COMMITTEE ON EDUCATION AND WORKFORCE DEVELOPMENT

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.

Allows school districts from all education service districts to withdraw from education service district.

Removes sunset for pilot education service districts.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to education service districts; amending ORS 260.432 and 334.015 and section 15, chapter
3 828, Oregon Laws 2005; repealing section 14, chapter 828, Oregon Laws 2005, and section 5,
4 chapter 59, Oregon Laws 2010; and declaring an emergency.

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

6 **SECTION 1.** ORS 334.015 is amended to read:

7 334.015. (1) Notwithstanding ORS 334.010 and 334.013, one or more component school districts
8 of an education service district may withdraw from the education service district [*if the component*
9 *school district is located in:*]

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

11 [*(b) Baker County.*]

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

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

19 (b) A school district board that submitted a notice of intent to withdraw as provided by para-
20 graph (a) of this subsection must submit a notice of withdrawal to the board of directors of the ed-
21 ucation service district no later than March 1 of the year in which the school district plans to
22 withdraw from the education service district.

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

26 (4) The withdrawal of a school district from an education service district becomes effective on
27 July 1 after the board of directors of the education service district issues the order described in

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 subsection (3) of this section.

2 **SECTION 2.** ORS 260.432, as amended by section 8, chapter 589, Oregon Laws 2007, and section
3 16, chapter 9, Oregon Laws 2010, is amended to read:

4 260.432. (1) No person shall attempt to, or actually, coerce, command or require a public em-
5 ployee to influence or give money, service or other thing of value to promote or oppose any political
6 committee or to promote or oppose the nomination or election of a candidate, the gathering of sig-
7 natures on an initiative, referendum or recall petition, the adoption of a measure or the recall of a
8 public office holder.

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

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

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19 **ATTENTION ALL PUBLIC EMPLOYEES:**

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

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

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

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

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

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

37 (5) As used in this section:

38 (a) “Public employee” does not include an elected official **or a person appointed as a director**
39 **to the board of a pilot education service district under section 11, chapter 828, Oregon Laws**
40 **2005.**

41 (b) “Public employer” includes any board, commission, committee, department, division or insti-
42 tution in the executive, administrative, legislative or judicial branch of state government, and any
43 county, city, district or other municipal corporation or public corporation organized for a public
44 purpose, including a cooperative body formed between municipal or public corporations.

45 **SECTION 3.** Section 15, chapter 828, Oregon Laws 2005, as amended by section 6, chapter 589,

1 Oregon Laws 2007, and section 6, chapter 59, Oregon Laws 2010, is amended to read:

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

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

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

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

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

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