SB 731 -1 STAFF MEASURE SUMMARY

Senate Committee On Education

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Meeting Dates: 3/11, 4/3

WHAT THE MEASURE DOES:

Permits student governments of Oregon community colleges and public universities to issue statements or resolutions to promote or oppose the adoption of a measure or signature gathering on initiatives or referendums. Permits public employees and board members of community colleges and public universities to take action to allow student governments to engage in permitted activities. Permits student governments to use student fees or public funds to issue statements or resolutions. Prohibits the use of student fees or public funds for other political activities. Effective 91 days after adjournment of 2019 legislative session.

ISSUES DISCUSSED:

- Student government's ability to issue resolutions to support or oppose a ballot measure
- Conflicting interpretation of law among Oregon public universities
- Student government's role in protecting welfare of their student body
- Desire to focus on ballot measures that directly impact students
- 2015 Attorney General opinion related to student organizations and ballot measures
- History of student-government resolutions at Oregon State University
- Concern with using mandatory student fees to support political positions not held by all students
- Current prohibitions against using student fees for political activities
- Intent to narrowly construe the bill language to permit political speech, while maintaining current prohibitions

EFFECT OF AMENDMENT:

-1 Establishes a sunset date of January 2, 2024 for bill provisions.

BACKGROUND:

Oregon has 17 community colleges and seven public universities, serving over 450,000 students each year. Each institution has an associated student government. Under current law, public employees may not engage in political activities while on the job during work hours. In addition, a person may not require a public employee to engage in political activities. Public institutions have interpreted these prohibitions to include student governments' issuing statements or resolutions supporting measures or the signature gathering for initiatives and referendums. Senate Bill 731 clarifies that student governments may issue eligible statements and resolutions with any necessary assistance from public employees or board members.

PRELIMINARY