



OFFICE OF THE SECRETARY OF STATE

NEWS RELEASE

BILL BRADBURY

For Immediate Release:
January 13, 2005

Contact: Carla Corbin
Elections Division
(503) 986-1518

The Office of the Secretary of State received a draft ballot title from the Attorney General on January 12, 2005, for initiative petition #16, proposing a statutory amendment, for the General Election of November 7, 2006.

The draft ballot title is as follows:

**PROHIBITS PUBLIC EMPLOYER FROM RECOGNIZING EMPLOYEES' LABOR
UNION UNLESS MAJORITY OF CURRENT EMPLOYEES ELECTED
REPRESENTATION**

RESULT OF "YES" VOTE: "Yes" vote prohibits public employer from recognizing labor union for collective bargaining, grievance disputes unless a majority of current employees have voted for union representation.

RESULT OF "NO" VOTE: "No" vote retains existing law requiring public employers to negotiate with public employees' chosen labor organization until employees request an election to discontinue that representation.

SUMMARY: Currently, public employers must negotiate with employees' chosen labor organization in collective bargaining and grievance disputes. Unless a sufficient percentage of affected employees petition Employment Relations Board for an election to terminate union representation and a majority vote for change, union representation continues. No election may occur within 12 months of previous election. Measure bars public employer from recognizing employees' existing union representation unless it is known that a majority of current employees have voted for representation. Measure does not specify when an election is required. Bureau of Labor and Industries will conduct required elections. Provides no funding. Union representation terminates if majority of voting employees elect not to continue representation. No election may occur within 24 months of election discontinuing union representation. Other provisions.

Chief Petitioner(s): Bill Sizemore, PO Box 343, Beavercreek, OR 97004 and Grace I. Sizemore, PO Box 66921, Portland, OR 97290.

Copies of the text of this initiative are available at Room 141, State Capitol for \$.25. Written requests for copies with your remittance of \$1.00 prepaid, should be addressed to: Elections Division, Room 141 State Capitol, Salem, OR 97310-0722.

There now follows an appeal period of 10 business days during which any member of the public may submit written comments which address the specific legal standards a ballot title must meet to the Secretary of State's office. This period ends January 27, 2005. Comments must be addressed to: Elections Division, Room 141 State Capitol, Salem, OR 97310-0722; fax (503) 373-7414.

The Secretary of State will deliver all written comments to the Attorney General. If comments are received, the Attorney General shall issue the certified ballot title not later than the 10th business day after receiving the comments from the Secretary of State. If no comments are received, the Attorney General shall issue the certified ballot title not later than the fifth business day after the deadline for submitting comments.

In addition, during this ballot title comment period, the Secretary of State will also seek statements from interested persons regarding whether or not a proposed initiative petition complies with procedural constitutional requirements for submission of proposed initiative petitions. The Secretary will consider the information provided in the statements received from interested persons. If you wish to comment, this period ends January 27, 2005. Comments must be addressed to: Elections Division, Room 141 State Capitol, Salem, OR 97310-0722; fax (503) 373-7414.

Any elector who is dissatisfied with the ballot title certified by the Attorney General, and who timely submitted written comments which addressed the specific legal standards a ballot title must meet, may petition the Oregon Supreme Court seeking a different title. This appeal must be filed not later than the 10th business day after the Attorney General certifies a ballot title to the Secretary of State.

The required number of signatures for placement on the 2006 general election ballot is 75,630. These signatures must be filed in this office not later than July 7, 2006.



DEPARTMENT OF JUSTICE
APPELLATE DIVISION

January 12, 2005

John Lindback
Director, Elections Division
Office of the Secretary of State
141 State Capitol
Salem, OR 97310

Re: Proposed Initiative Petition — Prohibits Public Employer From Recognizing Employees' Labor Union Unless Majority Of Current Employees Elected Representation
DOJ File #BT-16-05; Elections Division #16

Dear Mr. Lindback:

We have prepared and hereby provide to you a draft ballot title for the above-referenced prospective initiative petition. The proposed measure relates to prohibiting public employers from negotiating with labor unions.

Written comments from the public are due to you within ten business days after your receipt of this draft title. A copy of all written comments provided to you should be forwarded to this office immediately thereafter.

A copy of the draft ballot title is enclosed.

Sincerely,


Misty Kintz
Legal Secretary

JCL:mlk/APP75531

Enclosure

c: Peter Shepherd, Deputy Attorney General
Don Arnold, General Counsel Division
Steve Wolf, General Counsel Division

Bill Sizemore
P.O. Box 343
Beavercreek, Oregon 97004

Grace I. Sizemore
P.O. Box 66921
Portland, Oregon 97290

CLERK OF THE STATE

2005 JAN 12 PM 2:52

RECEIVED

DRAFT BALLOT TITLE

**PROHIBITS PUBLIC EMPLOYER FROM RECOGNIZING
EMPLOYEES' LABOR UNION UNLESS MAJORITY OF CURRENT
EMPLOYEES ELECTED REPRESENTATION**

RESULT OF "YES" VOTE: "Yes" vote prohibits public employer from recognizing labor union for collective bargaining, grievance disputes unless a majority of current employees have voted for union representation.

RESULT OF "NO" VOTE: "No" vote retains existing law requiring public employers to negotiate with public employees' chosen labor organization until employees request an election to discontinue that representation.

SUMMARY: Currently, public employers must negotiate with employees' chosen labor organization in collective bargaining and grievance disputes. Unless a sufficient percentage of affected employees petition Employment Relations Board for an election to terminate union representation and a majority vote for change, union representation continues. No election may occur within 12 months of previous election. Measure bars public employer from recognizing employees' existing union representation unless it is known that a majority of current employees have voted for representation. Measure does not specify when an election is required. Bureau of Labor and Industries will conduct required elections. Provides no funding. Union representation terminates if majority of voting employees elect not to continue representation. No election may occur within 24 months of election discontinuing union representation. Other provisions.

SECRETARY OF THE STATE
STATE OF MICHIGAN

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RECEIVED