

FILED
YAMHILL COUNTY, OREGON

IN THE BOARD OF COMMISSIONERS FOR THE STATE OF OREGON

FOR THE COUNTY OF YAMHILL 97 AUG 28 PM 3:51

SITTING FOR THE TRANSACTION OF COUNTY BUSINESS

CHARLES STEIN
COUNTY CLERK

In the Matter of an Ordinance Limiting Yamhill)
County Involvement in Facilitating Abortions;) **ORDINANCE 634**
and Declaring an Emergency.)

THE BOARD OF COMMISSIONERS OF YAMHILL COUNTY, OREGON ("the Board") sat for the transaction of county business in formal session on Thursday, August 28, 1997, Commissioners Thomas E.E. Bunn and Robert Johnstone being present.

THE YAMHILL COUNTY BOARD OF COMMISSIONERS ORDAINS AS FOLLOWS:

Section 1.

- a. No person shall, while serving as an agent of Yamhill County, facilitate by any means the performance of an abortion, other than to the extent required by federal and state law.
- b. No person shall be required to perform, assist, or facilitate the performance of an abortion. The refusal to perform, assist, or facilitate the performance of, or provide abortion services, shall not constitute grounds for civil or criminal liability, disciplinary action or discriminatory treatment.
- c. This ordinance shall in no way be construed as limiting a person's choice to participate in facilitating an abortion when that person is not acting as an agent of Yamhill County. However, under no circumstances shall county resources be used.
- d. None of the provisions of this ordinance, with the exception of Section 1(b) shall apply to cases where the abortion is necessary to prevent the death of the mother.

Section 2. Definitions. For the purpose of this ordinance:

- a. **"Agent"** means any county employee or representative, whether paid or serving as an unpaid volunteer, while acting within the scope of his or her employment or representation.
- b. **"Facilitate"** means to assist in any manner, whether by means of staff time, physical transport, accompanying, or in any way to use county funds or other county resources.

Section 3. Severability. If any part of this ordinance shall be invalid, such holding shall not affect the validity of the remaining parts of this act. If a part of this act is invalid in one or more of its applications, the remaining parts of this act shall remain in effect in all valid applications that are severable from the invalid application.

Section 4. Effective Date. This ordinance being necessary for the health, safety, and well-being of the citizens of Yamhill County and an emergency having been declared to exist, shall become effective this 28th day of August, 1997.

ATTEST

YAMHILL COUNTY BOARD OF COMMISSIONERS

CHARLES STERN
County Clerk

By: *[Signature]*
Deputy Board Clerks

APPROVED AS TO FORM BY:

[Signature]
JOHN C. PINKSTAFF
Yamhill County Interim Co-Counsel



Thomas E. E. Bunn
Chairman THOMAS E.E. BUNN

Ted Lopuszynski
Commissioner TED LOPUSZYNSKI

Robert Johnstone
Commissioner ROBERT JOHNSTONE

Accepted by Yamhill County
Board of Commissioners on
8-28-97 by Board Order
97-636.