

**74th OREGON LEGISLATIVE ASSEMBLY - 2007 Regular Session**  
**STAFF MEASURE SUMMARY**  
**House Committee on Elections, Ethics and Rules**

**MEASURE: HJR 4**  
**CARRIER: Rep. Roblan**

**REVENUE: No revenue impact**

**FISCAL: Fiscal statement issued**

---

<b>Action:</b>	Be Adopted
<b>Vote:</b>	7 - 0 - 0
<b>Yeas:</b>	Berger, Buckley, Esquivel, Hunt, Roblan, Thatcher, Rosenbaum
<b>Nays:</b>	-
<b>Exc.:</b>	-
<b>Prepared By:</b>	Jim Stembridge, Administrator
<b>Meeting Dates:</b>	1/24, 2/7

---

**WHAT THE MEASURE DOES:** Upon approval by voters at the November 2008 general election, amends the Oregon Constitution by removing provision on elector (voter) qualifications—six-month residency, twenty-one year minimum age, and ability to read and write English—for voting on school measures.

**ISSUES DISCUSSED:**

- Grant High School constitution team class project
- School district elector exception not currently enforced
- Age discrimination and violation of due process
- Wisdom of keeping un-enforced and/or un-enforceable provisions in the constitution

**EFFECT OF COMMITTEE AMENDMENT:** No amendment.

**BACKGROUND:** Article VIII, Section 6 of the Oregon Constitution was created through initiative petition adopted by the people on November 2, 1948. A 1972 Oregon Attorney General (AG) opinion (Vol 35 page 1149) held that the six-month residency requirements in Article II Section 2 (1)(b) and Article VIII Section 6 are unenforceable, based on the U.S. Supreme Court decision in *Dunn v. Blumstein*, 405 U.S. 330 (1972), which held a Tennessee one-year voter residency requirement unconstitutional. The 1972 AG opinion (page 1159) also addressed the 21-year-old age and ability to read and write English criteria for school district election voters, concluding that they are invalid, as well .

2/7/2007 11:37:00 AM

*This summary has not been adopted or officially endorsed by action of the committee.*

Committee Services Form – 2007 Regular Session