

REVENUE: No revenue impact

FISCAL: Fiscal statement issued

Action: Be Adopted
Vote: 5 - 0 - 0
Yeas: Avakian, Ferrioli, Kruse, Monnes Anderson, Brown
Nays: 0
Exc.: 0
Prepared By: Marjorie Taylor, Administrator
Meeting Dates: 6/16

WHAT THE MEASURE DOES: Proposes amendment to Oregon Constitution to remove provision relating to qualifications of electors for school district elections. Refers proposed amendment to people for their approval or rejection at next regular general election.

ISSUES DISCUSSED:

- Research of Grant High School Constitution Team
- Unconstitutional provisions of law

EFFECT OF COMMITTEE AMENDMENT: No amendment.

BACKGROUND: Article VIII, section 6 of the Oregon Constitution was created by initiative petition when approved by voters in November 1948. A 1972 Oregon Attorney General opinion 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 Attorney General opinion 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. HJR 4 proposes to delete obsolete provisions in the Oregon Constitution relating to qualifications of electors for school district elections.