

Senate Joint Resolution 28

Sponsored by Senator STARR; Senators BEYER, FERRIOLI, G GEORGE, KRUSE, WHITSETT

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Proposes amendment to Oregon Constitution to change manner of nominating and electing judges. Provides that when single candidate is listed on ballot for nomination or election to position of judge, and candidate is incumbent, ballot shall be designed to give elector opportunity to designate elector's choice of "Yes" or "No." Provides that candidate shall be nominated or elected to position only if number of "Yes" votes exceeds number of "No" votes.

Refers proposed amendment to people for their approval or rejection at next regular general election.

JOINT RESOLUTION

1
2 **Be It Resolved by the Legislative Assembly of the State of Oregon:**

3 **PARAGRAPH 1.** The Constitution of the State of Oregon is amended by creating a new section
4 1b to be added to and made a part of Article VII (Amended), and by amending section 1, Article
5 VII (Amended), such sections to read:

6 **Sec. 1. (1)** The judicial power of the state shall be vested in one supreme court and in such
7 other courts as may from time to time be created by law. [*The*] **Subject to subsection (2) of this**
8 **section, the** judges of the supreme and other courts shall be elected by the legal voters of the state
9 or of their respective districts for a term of six years, and shall receive such compensation as may
10 be provided by law, which compensation shall not be diminished during the term for which they are
11 elected.

12 **(2)** In any election at which the name of a single candidate is listed on a ballot for nom-
13 ination or election to the position of judge, and the candidate is the incumbent, the ballot
14 shall be designed to give the elector an opportunity to designate the elector's choice of
15 "Yes" or "No." The "Yes" votes and "No" votes shall be counted and recorded in the same
16 manner as votes cast for other candidates. Notwithstanding section 16, Article II of this
17 Constitution, the candidate shall be nominated or elected to the position only if the number
18 of "Yes" votes exceeds the number of "No" votes. If no person is elected to a judge position
19 by reason of the provisions of this subsection, the position becomes vacant on the first
20 Monday in January following the election.

21 **SECTION 1b. (1)** The amendment to section 1 of this Article by Senate Joint Resolution
22 **28 (2007) is first operative July 1, 2009.**

23 **(2)** This section is repealed July 2, 2009.
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25 **PARAGRAPH 2.** The amendment proposed by this resolution shall be submitted to the
26 people for their approval or rejection at the next regular general election held throughout
27 this state.
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NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.