

REVENUE: No revenue impact

FISCAL: Fiscal statement issued

Action: Be Adopted as Amended and Be Printed Engrossed

Vote: 4 - 0 - 1

Yeas: Burdick, Ferrioli, Metsger, Devlin

Nays: -

Exc.: Atkinson

Prepared By: Erin Seiler, Administrator

Meeting Dates: 6/12, 6/18

WHAT THE MEASURE DOES: Authorizes person serving as judge to be employed by State Board of Higher Education or a school board for the purpose of teaching. Refers proposed amendment to people for approval or rejection at next regular general election.

ISSUES DISCUSSED:

- Separation of powers
- Scope of employment within institution of higher education
- Utilization of judges in private institutions of higher education
- Educational benefit to students
- Requirement for Teachers Standards and Practice Commission certification

EFFECT OF COMMITTEE AMENDMENT: Specifies judge can be employed for the purpose of teaching.

BACKGROUND: An Oregon State Supreme Court decision issued in 1979 found that a judge who was regularly employed as a part-time teacher by a state-funded school violated the separation of powers section of Article III of the Oregon Constitution. Senate Joint Resolution 4-A, if approved at a general election, would allow the State Board of Higher Education or a school board to employ a judge of any court in Oregon as a teacher.