

REVENUE: No revenue impact

FISCAL: Fiscal statement issued

Action: Be Adopted and Be Referred to the Committee on Rules by prior reference

Vote: 5 - 0 - 0

Yeas: Bonamici, Kruse, Metsger, Morse, Hass

Nays: 0

Exc.: 0

Prepared By: Dana Richardson, Administrator

Meeting Dates: 2/25

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

ISSUES DISCUSSED:

- Qualifications to teach
- Separation of powers
- Applicability to federal court judges

EFFECT OF COMMITTEE AMENDMENT: No amendment.

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, 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.