

House Joint Resolution 23

Sponsored by Representative GARRETT; Representatives DEMBROW, D EDWARDS, HARKER, READ, Senator BONAMICI

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 Constitution to modify scope of initiative amendments to Constitution. Provides that initiative amendment to Constitution may not dedicate revenues, make or repeal appropriations or otherwise limit Legislative Assembly's ability to raise revenue.

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

JOINT RESOLUTION

Be It Resolved by the Legislative Assembly of the State of Oregon:

PARAGRAPH 1. The Constitution of the State of Oregon is amended by creating a new section 1c to be added to and made a part of Article IV, and by amending section 1, Article IV, such sections to read:

Sec. 1. (1) The legislative power of the state, except for the initiative and referendum powers reserved to the people, is vested in a Legislative Assembly, consisting of a Senate and a House of Representatives.

(2)(a) The people reserve to themselves the initiative power, which is to propose laws and amendments to the Constitution and enact or reject them at an election independently of the Legislative Assembly.

(b) An initiative law may be proposed only by a petition signed by a number of qualified voters equal to six percent of the total number of votes cast for all candidates for Governor at the election at which a Governor was elected for a term of four years next preceding the filing of the petition.

(c) An initiative amendment to the Constitution may be proposed only by a petition signed by a number of qualified voters equal to eight percent of the total number of votes cast for all candidates for Governor at the election at which a Governor was elected for a term of four years next preceding the filing of the petition.

(d) An initiative petition shall include the full text of the proposed law or amendment to the Constitution. A proposed law or amendment to the Constitution shall embrace one subject only and matters properly connected therewith.

(e) An initiative petition shall be filed not less than four months before the election at which the proposed law or amendment to the Constitution is to be voted upon.

(f) An initiative amendment to the Constitution may not dedicate revenues, make or repeal appropriations or otherwise limit the Legislative Assembly's ability to raise revenue.

(3)(a) The people reserve to themselves the referendum power, which is to approve or reject at an election any Act, or part thereof, of the Legislative Assembly that does not become effective earlier than 90 days after the end of the session at which the Act is passed.

(b) A referendum on an Act or part thereof may be ordered by a petition signed by a number

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.

1 of qualified voters equal to four percent of the total number of votes cast for all candidates for
2 Governor at the election at which a Governor was elected for a term of four years next preceding
3 the filing of the petition. A referendum petition shall be filed not more than 90 days after the end
4 of the session at which the Act is passed.

5 (c) A referendum on an Act may be ordered by the Legislative Assembly by law.
6 Notwithstanding section 15b, Article V of this Constitution, bills ordering a referendum and bills
7 on which a referendum is ordered are not subject to veto by the Governor.

8 (4)(a) Petitions or orders for the initiative or referendum shall be filed with the Secretary of
9 State. The Legislative Assembly shall provide by law for the manner in which the Secretary of State
10 shall determine whether a petition contains the required number of signatures of qualified voters.
11 The Secretary of State shall complete the verification process within the 30-day period after the last
12 day on which the petition may be filed as provided in paragraph (e) of subsection (2) or paragraph
13 (b) of subsection (3) of this section.

14 (b) Initiative and referendum measures shall be submitted to the people as provided in this sec-
15 tion and by law not inconsistent therewith.

16 (c) All elections on initiative and referendum measures shall be held at the regular general
17 elections, unless otherwise ordered by the Legislative Assembly.

18 (d) Notwithstanding section 1, Article XVII of this Constitution, an initiative or referendum
19 measure becomes effective 30 days after the day on which it is enacted or approved by a majority
20 of the votes cast thereon. A referendum ordered by petition on a part of an Act does not delay the
21 remainder of the Act from becoming effective.

22 (5) The initiative and referendum powers reserved to the people by subsections (2) and (3) of this
23 section are further reserved to the qualified voters of each municipality and district as to all local,
24 special and municipal legislation of every character in or for their municipality or district. The
25 manner of exercising those powers shall be provided by general laws, but cities may provide the
26 manner of exercising those powers as to their municipal legislation. In a city, not more than 15
27 percent of the qualified voters may be required to propose legislation by the initiative, and not more
28 than 10 percent of the qualified voters may be required to order a referendum on legislation.

29 **SECTION 1c. (1) The amendment to section 1 of this Article by House Joint Resolution**
30 **23 (2009) does not apply to initiative petitions proposing an amendment to the Constitution**
31 **that are filed with the Secretary of State for verification of signatures on or before July 7,**
32 **2010.**

33 **(2) The amendment to section 1 of this Article by House Joint Resolution 23 (2009) applies**
34 **to initiative petitions proposing an amendment to the Constitution that are filed with the**
35 **Secretary of State for verification of signatures after July 7, 2010.**

36 **(3) This section is repealed January 2, 2014.**

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38 **PARAGRAPH 2. The amendment proposed by this resolution shall be submitted to the**
39 **people for their approval or rejection at the next regular general election held throughout**
40 **this state.**