

House Joint Resolution 39

Sponsored by Representatives DEMBROW, CANNON

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 establish minimum amounts that must be appropriated by Legislative Assembly for kindergarten through grade 12 system, community college system and higher education system. Authorizes Legislative Assembly to appropriate amount that is less than required minimum amount if approved by three-fifths of members in each house.

Provides for phase-in of requirement.

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 new sections 8a and 8b to be added to and made a part of Article VIII, and by amending section 8, Article VIII, such sections to read:

Sec. 8. Adequate and Equitable Funding. (1) *[The]* **Except as provided in subsection (2) of this section, the** Legislative Assembly shall appropriate in each biennium *[a sum of money sufficient to ensure that the state's system of public education meets quality goals established by law, and publish a report that either demonstrates the appropriation is sufficient, or identifies the reasons for the insufficiency, its extent, and its impact on the ability of the state's system of public education to meet those goals.]* **an amount of money for each segment of the state's system of public education as follows:**

(a) **For the kindergarten through grade 12 public education system, an amount not less than 100 percent of the projected cost of meeting the quality goals established by law for all students in kindergarten through grade 12.**

(b) **For the public community college system, an amount not less than 50 percent of the projected cost of providing an education for all students in the public community college system, as determined by a commission established by law. The commission, in determining the projected cost of providing an education, shall consider projected changes in enrollment and in the cost of providing an education in the public community college system.**

(c) **For the public higher education system, an amount not less than 70 percent of the projected cost of providing an education for all students in the public higher education system, as determined by a commission established by law. The commission, in determining the projected cost of providing an education, shall consider projected changes in enrollment and in the cost of providing an education in the public higher education system.**

(2) **For any segment of the state's system of public education described in subsection (1) of this section, the Legislative Assembly may appropriate an amount of money for a biennium that is less than the amount required for that segment by paragraph (a), (b) or (c)**

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 subsection (1) of this section if the amount is approved by three-fifths of the members**
2 **servicing in each house of the Legislative Assembly.**

3 [(2)] (3) Consistent with [such] **the** legal obligation [as it may have] to maintain substantial eq-
4 uity in state funding, the Legislative Assembly shall establish a system of Equalization Grants to
5 eligible **school** districts for each year in which the voters of [such] **the school** districts approve
6 local option taxes as described in Article XI, section 11 (4)(a)(B) of this Constitution. The amount
7 of [such] **the Equalization** Grants and eligibility criteria shall be determined by the Legislative
8 Assembly.

9 (4) **As used in this section:**

10 (a) **“Cost of providing an education” means operational costs and capital costs.**

11 (b) **“Public higher education system” does not include the Oregon Health and Science**
12 **University.**

13 **SECTION 8a. (1) The amendment to section 8 of this Article by House Joint Resolution**
14 **39 (2009) applies to biennia beginning on or after July 1, 2013.**

15 (2) **This section is repealed on January 2, 2014.**

16 **SECTION 8b. (1) Notwithstanding subsection (2) of section 8 of this Article and only for**
17 **the 2013-2015, 2015-2017, 2017-2019, 2019-2021 and 2021-2023 biennia, the Legislative Assembly,**
18 **without the approval of three-fifths of the members servicing in each house of the Legislative**
19 **Assembly, may appropriate for any segment of the state’s system of public education de-**
20 **scribed in subsection (1) of section 8 of this Article an amount of money that is less than the**
21 **amount required for that segment by paragraph (a), (b) or (c) of subsection (1) of section 8**
22 **of this Article.**

23 (2) **The Legislative Assembly may make an appropriation for a biennium as described in**
24 **subsection (1) of this section only if, in comparison to the previous biennium, the appropri-**
25 **ation for a segment of the state’s system of public education is a greater percentage of the**
26 **amount required for that segment by paragraph (a), (b) or (c) of subsection (1) of section 8**
27 **of this Article.**

28 (3) **This section is repealed on July 1, 2023.**

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