

Senate Joint Resolution 11

Sponsored by Senator MORSE, Representative GALIZIO

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 specify that if proposed initiative law or proposed initiative amendment to Oregon Constitution qualifies for ballot, law or amendment is submitted to next regular session of Legislative Assembly for consideration.

Directs Legislative Assembly to consider proposed law or amendment, hold hearings, make legislative findings and conduct advisory vote on proposed law or amendment. Directs Secretary of State to make legislative findings and results of advisory votes available to electors in manner provided by law.

Directs Secretary of State to place proposed law or amendment on ballot at next general election following adjournment of regular session of Legislative Assembly.

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

JOINT RESOLUTION

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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 1c to be added to and made a part of Article IV, and by amending section 1, Article IV, such
5 sections to read:

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

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

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

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

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

22 (e) An initiative petition shall be filed not less than [*four months before the election at which the*
23 *proposed law or amendment to the Constitution is to be voted upon*] **six months before the first day**
24 **of the next regular session of the Legislative Assembly.**

25 (3)(a) The people reserve to themselves the referendum power, which is to approve or reject at
26 an election any Act, or part thereof, of the Legislative Assembly that does not become effective

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 earlier than 90 days after the end of the session at which the Act is passed.

2 (b) A referendum on an Act or part thereof may be ordered by a petition signed by a number
3 of qualified voters equal to four percent of the total number of votes cast for all candidates for
4 Governor at the election at which a Governor was elected for a term of four years next preceding
5 the filing of the petition. A referendum petition shall be filed not more than 90 days after the end
6 of the session at which the Act is passed.

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

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

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

18 (c) *[All]* **Subject to subsection (5) of this section, all** elections on initiative and referendum
19 measures shall be held at the regular general elections, unless otherwise ordered by the Legislative
20 Assembly.

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

25 **(5)(a) If the Secretary of State determines that a proposed initiative amendment to the**
26 **Constitution or a proposed initiative law contains the required number of signatures of**
27 **qualified voters, the secretary shall submit the proposed amendment or proposed law to the**
28 **Legislative Assembly on the first day of the next regular session of the Legislative Assembly.**
29 **The Legislative Assembly shall consider the proposed amendment or proposed law submitted**
30 **under this paragraph, without amendment, before the end of the regular session of the**
31 **Legislative Assembly. Each house of the Legislative Assembly shall hold hearings on the**
32 **proposed amendment or proposed law, make legislative findings and conduct an advisory vote**
33 **on the proposed amendment or proposed law. The Secretary of State shall make the findings**
34 **of each house and the results of the advisory votes available to electors in the manner pro-**
35 **vided by law.**

36 **(b) The Secretary of State shall place the proposed initiative amendment to the Consti-**
37 **tution or proposed initiative law on the ballot at the next general election following**
38 **adjournment of the regular session of the Legislative Assembly.**

39 [(5)] **(6)** The initiative and referendum powers reserved to the people by subsections (2) and (3)
40 of this section are further reserved to the qualified voters of each municipality and district as to
41 all local, special and municipal legislation of every character in or for their municipality or district.
42 The manner of exercising those powers shall be provided by general laws, but cities may provide the
43 manner of exercising those powers as to their municipal legislation. In a city, not more than 15
44 percent of the qualified voters may be required to propose legislation by the initiative, and not more
45 than 10 percent of the qualified voters may be required to order a referendum on legislation.

1 **SECTION 1c.** (1) The amendment to section 1 of this Article by Senate Joint Resolution
2 11 (2009) does not apply to initiative petitions proposing an amendment to the Constitution
3 or initiative petitions proposing a law that are filed with the Secretary of State for verifica-
4 tion of signatures on or before July 7, 2010.

5 (2) The amendment to section 1 of this Article by Senate Joint Resolution 11 (2009) ap-
6 plies to initiative petitions proposing an amendment to the Constitution or initiative petitions
7 proposing a law that are filed with the Secretary of State for verification of signatures after
8 July 7, 2010.

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

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