

# Senate Joint Resolution 32

Sponsored by Senator STARR

## 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 allow Governor to declare state of financial emergency under certain conditions, suspend pay increases to state government and school district employees, suspend certain terms of collective bargaining agreements and service contracts and take other actions. Does not apply to elected officials whose salaries are fixed by law.

Refers proposed amendment to people for their approval or rejection at special election held on same date as next primary 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 15 to be added to and made a part of Article IX, such section to read:

**SECTION 15. (1) As used in this section:**

(a) **"Legislatively adopted budget"** means the budget enacted by the Legislative Assembly during a regular session.

(b) **"School district"** means a common or union high school district.

(c) **"State government"** means the executive department, the judicial department and the legislative department.

(2) **The Governor may declare a state of financial emergency when the Governor finds one of the following:**

(a) **That the last quarterly economic and revenue forecast for a biennium indicates that moneys available to the General Fund for the next biennium will be at least three percent less than appropriations from the General Fund for the current biennium;**

(b) **That there has been a decline for two or more consecutive quarters in the last 12 months in seasonally adjusted nonfarm payroll employment; or**

(c) **That a quarterly economic and revenue forecast projects that revenues in the General Fund in the current biennium will be at least two percent below what the revenues were projected to be in the revenue forecast on which the legislatively adopted budget for the current biennium was based.**

(3) **When the Governor has declared a state of financial emergency, the Governor may by executive order:**

(a) **Suspend any cost of living increase to salaries of state government employees or school district employees;**

(b) **Suspend any step increase within the salary range of each state government employee or school district employee;**

(c) **Suspend any upward reclassification of state government employees or school district employees;**

**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 (d) Prohibit filling vacant positions within state government or within a school district,  
2 while permitting the Governor or a district school board to grant exceptions to protect es-  
3 sential services of state government or of a school district;

4 (e) Notwithstanding any other law, suspend the terms of any collective bargaining  
5 agreement or services contract entered into by state government or by a school district  
6 concerning cost of living increases, salary step increases, reclassifications and the filling of  
7 vacant positions;

8 (f) Suspend provisions of any order or rule of any state agency, if the Governor deter-  
9 mines and declares that strict compliance with the provisions of the order or rule would in  
10 any way prevent, hinder or delay mitigation of the effects of the financial emergency; and

11 (g) Direct any agencies in the state government to utilize and employ state personnel,  
12 equipment and facilities for the performance of any activities designed to prevent or alleviate  
13 actual or threatened damage due to the financial emergency.

14 (4) When a salary increase suspended under this section is no longer suspended, the  
15 salary increase applies only prospectively. State government or a school district may not  
16 retroactively pay a salary increase suspended under this section for any period during which  
17 the salary increase was suspended.

18 (5) Every collective bargaining agreement or services contract entered into by state  
19 government or by a school district shall contain provisions consistent with this section.

20 (6) This section does not apply to state officers elected by popular vote, or appointed to  
21 fill vacancies in elective offices, whose salaries are fixed by law.

22 (7) This section applies to collective bargaining agreements or services contracts entered  
23 into on or after the effective date of this section.

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25 **PARAGRAPH 2.** The amendment proposed by this resolution shall be submitted to the  
26 people for their approval or rejection at a special election held throughout this state on the  
27 same date as the next primary election.