

76th OREGON LEGISLATIVE ASSEMBLY – 2011 Regular Session
STAFF MEASURE SUMMARY
Senate Committee on Rules

MEASURE: SJR 14 A
CARRIER: Sen. Prozanski

REVENUE: No revenue impact
FISCAL: Fiscal statement issued

Action:	Do Adopt the A-Engrossed Measure
Vote:	4 - 0 - 1
Yeas:	Atkinson, Beyer, Ferrioli, Rosenbaum
Nays:	0
Exc.:	Burdick
Prepared By:	Erin Seiler, Administrator
Meeting Dates:	6/1, 6/2

WHAT THE MEASURE DOES: Proposes amendment to Oregon Constitution to permit serving judge to be employed by State Board of Higher Education or school board for purpose of teaching. Clarifies that teaching does not disqualify person from serving as judge. Refers proposed constitutional amendment to the people for approval or rejection at next regular general election.

ISSUES DISCUSSED:

- Separation of power between Executive and Judicial Branch
- Utilization of judges in private law school
- Parody between private and public law schools
- Educational benefit to students
- Scope of prohibition

EFFECT OF COMMITTEE AMENDMENT: No amendment.

BACKGROUND: A 1979 Oregon Supreme Court decision (In the Matter of Sawyer) 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 14-A, if approved by the people at a general election, would amend the Oregon Constitution and allow a person to be employed by the State Board of Higher Education or a local school board while also serving as a judge.

6/7/2011 9:17:00 AM

This summary has not been adopted or officially endorsed by action of the committee.

Committee Services Form – 2011 Regular Session