

House Bill 2264

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of former Representative Chuck Riley)

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**.

Provides for constitutional convention in 2015. Establishes qualifications for delegates, number of delegates and manner of electing delegates. Requires that chairperson of convention certify proposed Constitution to Secretary of State no later than August 21, 2015. Requires that Secretary of State submit proposed Constitution to people for approval or rejection at special election to be held on November 3, 2015.

Creates Constitutional Commission to make recommendations to constitutional convention and serve as resource for advice and consultation to constitutional convention.

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

A BILL FOR AN ACT

1
2 Relating to a constitutional convention; and providing that this Act shall be referred to the people
3 for their approval or rejection.

4 Whereas the Oregon Constitutional Convention of 1857 met for the purpose of establishing the
5 limits of a new government and securing the rights of the people within the borders of the proposed
6 State of Oregon; and

7 Whereas it is a well-established principle that constitutions exist for the sole purpose of defining
8 and limiting the powers of government and securing the natural and positive rights of individuals;
9 and

10 Whereas since its inception the Oregon Constitution has been extended beyond the original in-
11 tent, becoming a cumbersome document regulating the minutiae of government and individual af-
12 fairs; and

13 Whereas amendments have lessened the Oregon Constitution's capacity to fulfill either the ori-
14 ginal intent of the drafters or contemporary needs; and

15 Whereas the people of Oregon now find it necessary and preferable to publicly debate once
16 again the purpose and provisions of their Constitution and to create a new Constitution consistent
17 with their present desires; now, therefore,

18 **Be It Enacted by the People of the State of Oregon:**

19 **SECTION 1. (1) On or before July 1, 2015, the delegates elected or otherwise chosen as**
20 **provided in this section shall convene at the State Capitol to study the laws and the Consti-**
21 **tution of this state and to draft a new Constitution for the State of Oregon. The Governor**
22 **shall determine the day on which the 2015 Constitutional Convention will convene and shall**
23 **give not less than 30 days' notice of the day to the delegates.**

24 **(2) There shall be 50 delegates to the 2015 Constitutional Convention, consisting of 10**
25 **delegates representing each of Oregon's five congressional districts. Each delegate must be**
26 **an elector of this state and have continuously resided in the congressional district the dele-**
27 **gate represents for at least three years before the delegate nominating election. The deleg-**

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.

ates shall be elected on a nonpartisan basis.

(3) The delegate nominating election shall be held at the same time as the primary election on May 20, 2014. The 20 candidates receiving the most votes in each congressional district, or all candidates if there are 20 or fewer candidates, shall run for election at the general election held on November 4, 2014. The 10 candidates receiving the most votes in each congressional district at the general election, or all candidates if there are 10 or fewer candidates, shall represent their congressional district as delegates to the 2015 Constitutional Convention. If there are fewer than 10 candidates from a congressional district at the general election, the candidates elected shall choose additional delegates as necessary. Persons currently serving in local or state elected offices, and candidates for local or state elected offices, may file for and serve as delegates to the convention.

(4) The Secretary of State shall adopt rules establishing procedures for candidates filing for the nomination and election of delegates at the 2014 primary and general elections. Any filing fees established by the Secretary of State may not exceed \$100.

(5) If a vacancy occurs in the position of a delegate, the remaining delegates from the congressional district shall choose a person who meets the qualifications specified by subsection (2) of this section to fill the vacancy.

(6) Upon convening, the delegates shall elect a chairperson, secretary and other officers and committees as the delegates deem advisable. The deliberations of the convention shall be subject to Mason's Manual of Legislative Procedure except to the extent provided by rules adopted by a majority vote of the delegates.

(7) When a new Constitution has been drafted, the chairperson of the convention shall certify the proposed Constitution to the Secretary of State. The certification must be made no later than August 21, 2015. The Secretary of State shall submit the proposed Constitution to the people for their approval or rejection at a special election to be held on November 3, 2015.

SECTION 2. (1) A Constitutional Commission is created to:

(a) Study the laws and Constitution of this state for the purpose of identifying potential corrections, improvements and additions to the Oregon Constitution for referral to the 2015 Constitutional Convention; and

(b) Make recommendations to and serve as a resource for the convention.

(2) The commission has 12 members, appointed as follows:

(a) Four members of the Senate, appointed by the President of the Senate;

(b) Four members of the House of Representatives, appointed by the Speaker of the House of Representatives;

(c) Two members, appointed by the Governor, who have a thorough knowledge of the history of the State of Oregon, the laws and Constitution of the State of Oregon and constitutional principles in general; and

(d) Two members, appointed by the Chief Justice of the Supreme Court, who have a thorough knowledge of the history of the State of Oregon, the laws and Constitution of the State of Oregon and constitutional principles in general.

(3) Appointments to the commission shall be made no later than March 14, 2014. The commission shall elect a chairperson, and shall meet at such times and places as the commission finds necessary.

SECTION 3. Section 2 of this 2011 Act is repealed January 2, 2016.

1 **SECTION 4.** This 2011 Act shall be submitted to the people for their approval or rejection
2 at the next regular general election held throughout this state.
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