

# Senate Joint Resolution 4

Sponsored by Senator KRUSE (Presession filed.)

## 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 creating State Board of Education. Directs State Board of Education to appoint Superintendent of Public Instruction.

Provides for termination of elected office of Superintendent of Public Instruction on January 4, 2015, and beginning of office of appointed Superintendent of Public Instruction on January 5, 2015.

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 a new section 1a to be added to and made a part of Article VIII, and by amending section 1, Article VIII, section 1, Article XI-M, and section 8, Article XV, such sections to read:

**Sec. 1.** *[The Governor shall be superintendent of public instruction, and his powers, and duties in that capacity shall be such as may be prescribed by law; but after the term of five years from the adoption of this Constitution, it shall be competent for the Legislative Assembly to provide by law for the election of a superintendent, to provide for his compensation, and prescribe his powers and duties. — ]* **The State Board of Education is created for the purpose of establishing policies for the administration and operation of the public elementary and secondary schools, community colleges and public institutions of higher education in this state. In addition to any powers or duties assigned to the State Board of Education by the Legislative Assembly by law, the State Board of Education shall appoint the Superintendent of Public Instruction.**

**SECTION 1a. (1) The term of office of the Superintendent of Public Instruction who is holding office on July 1, 2014, terminates on January 4, 2015.**

**(2) The Superintendent of Public Instruction who is first appointed by the State Board of Education under section 1 of this Article shall take office on January 5, 2015.**

**(3) This section is repealed on July 1, 2020.**

**Sec. 1. (1)** In the manner provided by law and notwithstanding the limitations contained in section 7, Article XI of this Constitution, the credit of the State of Oregon may be loaned and indebtedness incurred, in an aggregate outstanding principal amount not to exceed, at any one time, one-fifth of one percent of the real market value of all property in the state, to provide funds for the planning and implementation of seismic rehabilitation of public education buildings, including surveying and conducting engineering evaluations of the need for seismic rehabilitation.

**(2)** Any indebtedness incurred under this section must be in the form of general obligation bonds of the State of Oregon containing a direct promise on behalf of the State of Oregon to pay the principal, premium, if any, interest and other amounts payable with respect to the bonds, in an aggregate outstanding principal amount not to exceed the amount authorized in subsection (1) of this

**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 section. The bonds are the direct obligation of the State of Oregon and must be in a form, run for  
2 a period of time, have terms and bear rates of interest as may be provided by statute. The full faith  
3 and credit and taxing power of the State of Oregon must be pledged to the payment of the principal,  
4 premium, if any, and interest on the general obligation bonds; however, the ad valorem taxing power  
5 of the State of Oregon may not be pledged to the payment of the bonds issued under this section.

6 (3) As used in this section, "public education building" means a building owned by the State  
7 Board of *[Higher]* Education, a school district, an education service district, a community college  
8 district or a community college service district.

9 **Sec. 8.** Notwithstanding the provisions of section 1 article III and section 10 article II of the  
10 Constitution of the State of Oregon, a person employed by the State Board of *[Higher]* Education,  
11 a member of any school board or employee thereof, shall be eligible to a seat in the Legislative  
12 Assembly and such membership in the Legislative Assembly shall not prevent such person from be-  
13 ing employed by the State Board of *[Higher]* Education or from being a member or employee of a  
14 school board.

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

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