

# Senate Joint Resolution 40

Sponsored by Senator EDWARDS

## 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 prohibit Legislative Assembly from transferring moneys from dedicated other funds accounts to General Fund, or to other funds or accounts, to be used for different purposes. Provides exceptions.

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 15 to be added to and made a part of Article IX, such section to read:

**SECTION 15. (1) The Legislative Assembly may not by law transfer moneys from an other funds account to another fund or account, including the General Fund, to be used for other purposes, including general governmental purposes.**

**(2) Notwithstanding subsection (1) of this section:**

**(a) The Legislative Assembly may transfer moneys from an other funds account to another fund or account if the transfer is approved by three-fifths of the members serving in each house of the Legislative Assembly;**

**(b) The Legislative Assembly may transfer moneys from an other funds account to another fund or account if the Governor declares an emergency;**

**(c) The Legislative Assembly may transfer moneys from an other funds account to another fund or account if the Legislative Assembly determines that the purposes for which the other funds account was established have been modified by law;**

**(d) The Legislative Assembly may transfer moneys from an other funds account to another fund or account in response to a savings that is realized in an equal proportion among other state funds or accounts and that results from a statewide action identified by the Legislative Assembly by law; and**

**(e) The Legislative Assembly may abolish an other funds account and transfer moneys from the other funds account to another fund or account.**

**(3) As used in this section:**

**(a) "Other funds account" means a statutory fund or account that includes fees, moneys or other revenues, including miscellaneous receipts, but excluding lottery funds and federal funds, collected or received by a state agency that are dedicated or continuously appropriated to the state agency by law for purposes prescribed by law.**

**(b) "State agency" means any elected or appointed officer, board, commission, department, division, institution, branch or other agency of the state government.**

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

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