

# House Joint Resolution 3

Sponsored by Representative LEVY B; Representatives RESCHKE, WRIGHT, Senators NASH, WEBER (Pre-session 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**. The statement includes a measure digest written in compliance with applicable readability standards.

**Digest:** The measure would put in the constitution that signers must come from all counties in specified amounts for proposed law to be voted on. Requires funders for these proposed laws to be voters. (Flesch Readability Score: 67.0).

Proposes an amendment to the Oregon Constitution to require petitions for proposed initiative laws to be signed by qualified voters in each county in this state in numbers that equal six percent of the total votes cast in the county for all candidates for Governor at the preceding gubernatorial election. Requires petitions for proposed initiative amendments to the Oregon Constitution to be signed by qualified voters in each county in numbers that equal eight percent of the total votes cast in the county for all candidates for Governor at the preceding gubernatorial election. Prohibits persons who are not qualified voters from making contributions in connection with initiatives or to influence elections on initiatives to the extent limitations on contributions are permitted under the Constitution of the United States.

Refers the proposed amendment to the people for their approval or rejection at the next regular general election.

## JOINT RESOLUTION

**Be It Resolved by the Legislative Assembly of the State of Oregon:**

**PARAGRAPH 1.** Section 1, Article IV of the Constitution of the State of Oregon, is amended to read:

**Sec. 1.** (1) The legislative power of the state, except for the initiative and referendum powers reserved to the people, is vested in a Legislative Assembly, consisting of a Senate and a House of Representatives.

(2)(a) The people reserve to themselves the initiative power, which is to propose laws and amendments to the Constitution and enact or reject them at an election independently of the Legislative Assembly.

(b)(A) An initiative law may be proposed only by a petition signed by a number of qualified voters equal to six percent of the total number of votes cast for all candidates for Governor at the election at which a Governor was elected for a term of four years next preceding the filing of the petition.

**(B) The petition for a proposed initiative law must be signed by a number of qualified voters from each county of this state that equals six percent of the total number of votes cast in the county for all candidates for Governor at the election at which a Governor was elected for a term of four years next preceding the filing of the petition.**

(c)(A) An initiative amendment to the Constitution may be proposed only by a petition signed by a number of qualified voters equal to eight percent of the total number of votes cast for all candidates for Governor at the election at which a Governor was elected for a term of four years next preceding the filing of the petition.

**(B) The petition for a proposed initiative amendment to the Constitution must be signed**

**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 **by a number of qualified voters from each county of this state that equals eight percent of**  
2 **the total number of votes cast in the county for all candidates for Governor at the election**  
3 **at which a Governor was elected for a term of four years next preceding the filing of the**  
4 **petition.**

5 (d) An initiative petition shall include the full text of the proposed law or amendment to the  
6 Constitution. A proposed law or amendment to the Constitution shall embrace one subject only and  
7 matters properly connected therewith.

8 (e) An initiative petition shall be filed not less than four months before the election at which  
9 the proposed law or amendment to the Constitution is to be voted upon.

10 (3)(a) The people reserve to themselves the referendum power, which is to approve or reject at  
11 an election any Act, or part thereof, of the Legislative Assembly that does not become effective  
12 earlier than 90 days after the end of the session at which the Act is passed.

13 (b) A referendum on an Act or part thereof may be ordered by a petition signed by a number  
14 of qualified voters equal to four percent of the total number of votes cast for all candidates for  
15 Governor at the election at which a Governor was elected for a term of four years next preceding  
16 the filing of the petition. A referendum petition shall be filed not more than 90 days after the end  
17 of the session at which the Act is passed.

18 (c) A referendum on an Act may be ordered by the Legislative Assembly by law.  
19 Notwithstanding section 15b, Article V of this Constitution, bills ordering a referendum and bills  
20 on which a referendum is ordered are not subject to veto by the Governor.

21 (4)(a) Petitions or orders for the initiative or referendum shall be filed with the Secretary of  
22 State. The Legislative Assembly shall provide by law for the manner in which the Secretary of State  
23 shall determine whether a petition contains the required number of signatures of qualified voters.  
24 The Secretary of State shall complete the verification process within the 30-day period after the last  
25 day on which the petition may be filed as provided in paragraph (e) of subsection (2) or paragraph  
26 (b) of subsection (3) of this section.

27 (b) Initiative and referendum measures shall be submitted to the people as provided in this sec-  
28 tion and by law not inconsistent therewith.

29 (c) All elections on initiative and referendum measures shall be held at the regular general  
30 elections, unless otherwise ordered by the Legislative Assembly.

31 (d) Notwithstanding section 1, Article XVII of this Constitution, an initiative or referendum  
32 measure becomes effective 30 days after the day on which it is enacted or approved by a majority  
33 of the votes cast thereon. A referendum ordered by petition on a part of an Act does not delay the  
34 remainder of the Act from becoming effective.

35 (5) The initiative and referendum powers reserved to the people by subsections (2) and (3) of this  
36 section are further reserved to the qualified voters of each municipality and district as to all local,  
37 special and municipal legislation of every character in or for their municipality or district. The  
38 manner of exercising those powers shall be provided by general laws, but cities may provide the  
39 manner of exercising those powers as to their municipal legislation. In a city, not more than 15  
40 percent of the qualified voters may be required to propose legislation by the initiative, and not more  
41 than 10 percent of the qualified voters may be required to order a referendum on legislation.

42 **(6) Persons who are not qualified voters in this state may not directly or indirectly make**  
43 **contributions in connection with an initiative measure or to influence the outcome of an**  
44 **election on an initiative measure to the extent limitations on contributions described in this**  
45 **subsection are permitted under the Constitution of the United States.**

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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