Introduced

House Joint Resolution 2

Sponsored by Representative HARVEY; Representative SAJAK, Senator DAWSON (Presession filed.)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not subject to consideration by the Legislative Assembly. It is a brief statement of the essential features of the measure. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: Provides for lorem ipsum dolor sit amet, consectetur adipiscing elit, sed do eiusmod tempor incididunt ut labore et dolore magna aliqua. (Flesch Readability Score: 81.5).

Proposes amendment to Oregon Constitution to the Oregon Constitution relating to redistricting and lorem ipsum dolor sit amet, consectetur adipiscing elit, sed do eiusmod tempor incididunt ut labore et dolore magna aliqua.

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. Section 6, Article IV of the Constitution of the State of Oregon, is amended to read:

Sec. 6. (1) At the odd-numbered year regular session of the Legislative Assembly next following an enumeration of the inhabitants by the United States Government, the number of Senators and Representatives shall be fixed by law and apportioned among legislative districts according to population. A senatorial district shall consist of two representative districts. Any Senator whose term continues through the next odd-numbered year regular legislative session after the operative date of the reapportionment shall be specifically assigned to a senatorial district. The ratio of Senators and Representatives, respectively, to population shall be determined by dividing the total population of the state by the number of Senators and by the number of Representatives. A reapportionment by the Legislative Assembly becomes operative as described in subsection (6) of this section.

(2) This subsection governs judicial review and correction of a reapportionment enacted by the Legislative Assembly.

(a) Original jurisdiction is vested in the Supreme Court, upon the petition of any elector of the state filed with the Supreme Court on or before August 1 of the year in which the Legislative Assembly enacts a reapportionment, to review any reapportionment so enacted.

(b) If the Supreme Court determines that the reapportionment thus reviewed complies with subsection (1) of this section and all law applicable thereto, it shall dismiss the petition by written opinion on or before September 1 of the same year and the reapportionment becomes operative as described in subsection (6) of this section.

(c) If the Supreme Court determines that the reapportionment does not comply with subsection (1) of this section and all law applicable thereto, the reapportionment shall be void. In its written opinion, the Supreme Court shall specify with particularity wherein the reapportionment fails to comply. The opinion shall further direct the Secretary of State to draft a reapportionment of the Senators and Representatives in accordance with the provisions of subsection (1) of this section and all law applicable thereto. The Supreme Court shall file its order with the Secretary of State on or before September 15. The Secretary of State shall conduct a hearing on the reapportionment at which the public may submit evidence, views and argument. The Secretary of State shall cause a transcription of the hearing to be prepared which, with the evidence, shall become part of the record. The Secretary of State shall file the corrected reapportionment with the Supreme Court on or before November 1 of the same year.

(d) On or before November 15, the Supreme Court shall review the corrected reapportionment to assure its compliance with subsection (1) of this section and all law applicable thereto and may further correct the reapportionment if the court considers correction to be necessary.

(e) The corrected reapportionment becomes operative as described in subsection (6) of this section.

(3) This subsection governs enactment, judicial review and correction of a reapportionment if the Legislative Assembly fails to enact any reapportionment by July 1 of the year of the odd-numbered year regular session of the Legislative Assembly next following an enumeration of the inhabitants by the United States Government.

(a) The Secretary of State shall make a reapportionment of the Senators and Representatives in accordance with the provisions of subsection (1) of this section and all law applicable thereto. The Secretary of State shall conduct a hearing on the reapportionment at which the public may submit evidence, views and argument. The Secretary of State shall cause a transcription of the hearing to be prepared which, with the evidence, shall become part of the record. The reapportionment so made shall be filed with the Supreme Court by August 15 of the same year. The reapportionment becomes operative as described in subsection (6) of this section.

(b) Original jurisdiction is vested in the Supreme Court upon the petition of any elector of the state filed with the Supreme Court on or before September 15 of the same year to review any reapportionment and the record made by the Secretary of State.

(c) If the Supreme Court determines that the reapportionment thus reviewed complies with subsection (1) of this section and all law applicable thereto, it shall dismiss the petition by written opinion on or before October 15 of the same year and the reapportionment becomes operative as described in subsection (6) of this section.

(d) If the Supreme Court determines that the reapportionment does not comply with subsection (1) of this section and all law applicable thereto, the reapportionment shall be void. The Supreme Court shall return the reapportionment by November 1 to the Secretary of State accompanied by a written opinion specifying with particularity wherein the reapportionment fails to comply. The opinion shall further direct the Secretary of State to correct the reapportionment in those particulars, and in no others, and file the corrected reapportionment with the Supreme Court on or before December 1 of the same year.

(e) On or before December 15, the Supreme Court shall review the corrected reapportionment to assure its compliance with subsection (1) of this section and all law applicable thereto and may further correct the reapportionment if the court considers correction to be necessary.

(f) The reapportionment becomes operative as described in subsection (6) of this section.

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(4) Any reapportionment that becomes operative as provided in this section is a law of the state except for purposes of initiative and referendum.

(5) Notwithstanding section 18, Article II of this Constitution, after the convening of the next odd-numbered year regular legislative session following the reapportionment, a Senator whose term continues through that legislative session is subject to recall by the electors of the district to which the Senator is assigned and not by the electors of the district existing before the latest reapportionment. The number of signatures required on the recall petition is 15 percent of the total votes cast for all candidates for Governor at the most recent election at which a candidate for Governor was elected to a full term in the two representative districts comprising the senatorial district to which the Senator was assigned.

(6)(a) Except as provided in paragraph (b) of this subsection, a reapportionment made under this section becomes operative on the second Monday in January of the next odd-numbered year after the applicable deadline for making a final reapportionment under this section.

(b) For purposes of electing Senators and Representatives to the next term of office that commences after the applicable deadline for making a final reapportionment under this section, a reapportionment made under this section becomes operative on January 1 of the calendar year next following the applicable deadline for making a final reapportionment under this

section.

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