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OREGON LEGISLATIVE ASSEMBLY



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FORM AND STYLE  
MANUAL FOR  
LEGISLATIVE  
MEASURES

2023-2024 Edition

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## PREFACE

The Oregon Legislative Assembly follows a uniform system of form and style for legislative measures. This system is not set forth in full in the rules of either chamber; rather, it is set forth in this *Form and Style Manual for Legislative Measures*, which has been adopted by reference in the rules of both chambers. Because this manual is incorporated into the chamber rules, it is sometimes subject to rule interpretation by the chamber parliamentarians.\*

The Oregon Rules of Civil Procedure, as promulgated by the Council on Court Procedures, and adopted by the Legislative Assembly in 1979 and 1981 and subsequently amended, do not conform to this uniform system of form and style.

This *Form and Style Manual for Legislative Measures* obviously cannot cover every situation. For form and style questions not covered by this manual, contact the Office of the Legislative Counsel at (503) 986-1243.

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**\*SENATE RULE 13.01.** (3) Immediately after presentation to the Secretary of the Senate, the measure shall be sent to Legislative Counsel for examination and compliance with the “Form and Style Manual for Legislative Measures” and preparation of a copy for the State Printer. No corrections that might affect the substance of the measure shall be made without the consent of the sponsor of the measure.

**SENATE RULE 8.50.** (3) All committee reports shall be filed in a manner prescribed by the Secretary of the Senate. Reports which are not in the proper form and style may be returned to the committee or corrected by the Secretary of the Senate and the President or their designees. Any substantive changes must be approved by the committee.

**HOUSE RULE 12.20.** (2) Immediately after presentation to the Desk, the measure shall be assigned a measure number and sent by the Chief Clerk to the Publication Services unit of the Legislative Counsel for examination and any corrections as to accuracy of form and style to conform substantially to the *Form and Style Manual for Legislative Measures* and preparation of a copy for the State Printer. No corrections that might affect the substance of the measure shall be made without the consent of the sponsor of the measure.

**HOUSE RULE 9.05.** After it is submitted to the Desk, every committee report recommending amendments to a measure shall be sent by the Chief Clerk to the Publication Services unit of the Legislative Counsel for examination in the same manner as bills are examined by the unit.

The shaded text in this 2023-2024 edition of the *Form and Style Manual for Legislative Measures* is explanatory material that is of particular interest to the staff of the Office of the Legislative Counsel. It is technical in nature and includes specific guidelines for legislative drafting and copyediting.

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## CHAPTER 1: LEGISLATIVE STYLE

### PART I: SPELLING, PUNCTUATION, FIGURES AND OTHER FORM AND STYLE CONVENTIONS

#### TYPOGRAPHY

Lightfaced, roman type in the body of a bill or joint resolution indicates existing statutory or constitutional law. Sections of new law are in **boldfaced** type. In a section of existing law that is being amended, [*brackets and italic*] type indicate material being deleted and **boldfaced** type indicates material being inserted. Do not italicize foreign or Latin words; reserve italics for deletions from existing law.

#### GRAMMAR AND SENTENCE STRUCTURE

Follow the recognized rules of English grammar and sentence structure. Article IV, section 21, of the Oregon Constitution, requires that legislative measures be “plainly worded, avoiding as far as practicable the use of technical terms.” Short, simple sentences are most effective.

#### SPELLING

Refer questions about spelling, usage and the compounding or dividing of words to *Merriam-Webster’s Collegiate Dictionary* (10th Edition); *Webster’s Third New International Dictionary, Unabridged* and the online *Merriam-Webster Unabridged Dictionary*. Use the first spelling listed unless this manual prescribes a required spelling or another exception results from statutory usage.

**Required Spellings.** Extensive usage in Oregon’s statutes requires these spellings:

attorney fees	right of way
boldfaced (adj)	rights of way
driver license	rulemaking
ground water (n, adj)	up to date (adv)
hotline	up-to-date (adj)
insanitary	X-ray (n, v, adj)
rescission	

**Spelling in Cyberspace.** Use these spellings for computing and telecommunications terms in Oregon statutes:

bandwidth	facsimile
cellular telephone ( <b>not</b> cell phone)	( <b>not</b> fax or FAX)
database	file name
disc (for compact discs, etc.)	home page
disk (for hard drives)	Internet
electronic commerce ( <b>not</b> e-commerce)	online (adj, adv)
electronic mail ( <b>not</b> e-mail)	voice mail
	webpage
	website
	World Wide Web

**Plurals.** For nouns with both English and foreign endings, the English ending is preferred. However, the following nouns use Latin endings in Oregon statutes:

<b>Singular</b>	<b>Latin Plural</b>
biennium	biennia
curriculum	curricula
memorandum	memoranda
referendum	referenda

**Words With Similar Spellings.** The meanings of certain words with similar spellings are frequently confused:

- **Affect** and **effect** are each used as nouns and verbs. **Affect** is commonly used as a verb that means to act upon, to change or to influence a person or thing. **Effect** is commonly used as a noun that means a consequence, outcome or result. The noun **affect** is rarely used outside the field of psychology. The verb **effect** means to accomplish or to bring about.
- **Appellant** means the party who is appealing a decision by a lower court, while **appellate** describes the court having jurisdiction to review decisions of a lower court.
- **Biennially** means once every two years, while **biannually** means twice a year.

- **Capitol** means the statehouse, while **capital** means the city that serves as the seat of government.
- **Compose** means to form; **comprise** means to consist of. The parts **compose** the whole; the whole **comprises** the parts.
- **Continually** connotes frequent recurrence during a period; **continuously** means without interruption.
- **Disburse** means to pay out, while **disperse** means to cause to break up or spread out.
- **Endorse**, in Oregon’s statutory law, means to approve, to add a notation to a document or to publicly express support, while **indorse** means to sign or to place a signature on a negotiable instrument or to amend an insurance policy by adding or subtracting a type of coverage.
- **Ensure** means to guarantee, while **assure** means to offer a guarantee to a person. Use **insure** only when referring to insurance.
- **Farther** indicates distance; **further** indicates time, quantity or degree.
- **Forego** means to precede, while **forgo** means to do without.
- **Moneys** means sums of money, while **money** means currency.
- **Payer** and **payor** mean the individual or entity that pays a bill or note. The secondary spelling, **payor**, is used in the Uniform Commercial Code (ORS chapters 71, 72, 72A, 73, 74, 74A, 75, 77, 78 and 79) and the Bank Act (ORS chapters 706 to 716). The primary spelling, **payer**, is used in the remaining ORS chapters.
- **Practicable** means feasible or possible to practice or perform, while **practical** means can be actively put to use.

- **Prescribe** means to establish authoritative rules, while **proscribe** means to prohibit or forbid.
- **Stationery** means paper and envelopes used for letter writing, while **stationary** means immobile.
- **Therefore** indicates a conclusion, while **therefor** indicates in place of, in return for or because of.

### SPECIAL CONNOTATIONS

“To” means “to and including” when used in a series of statutory sections or subunits, such as “ORS 431.705 to 431.760,” “sections 5 to 7 of this 2023 Act” or “subsections (1) to (8) of this section.”

“Person” includes individuals, corporations, associations, firms, partnerships, limited liability companies and joint stock companies.

See ORS 174.100 for definitions generally applicable to Oregon statutes.

### HYPHENATION

**Use of Hyphens.** Do not use hyphens after the prefixes *co*, *de*, *inter*, *intra*, *multi*, *non*, *pre*, *pro*, *re*, *semi*, *sub* or *un* (copayment, decentralize, interagency, intrastate, multistate, nonzoned, preempt, proactive, reclassification, semiannual, subparagraph, undocumented), unless the prefix precedes a capitalized word or a number (inter-American, pre-2015) or creates a double voiced vowel (co-owner).

Use a hyphen to prevent misinterpretation (re-mark, meaning to mark again; remark, meaning to comment).

Always use a hyphen after the prefixes *ex*, *post*, *quasi* and *self* (ex-offender, post-conviction, quasi-judicial, self-propelled). Hyphenate “post office” only when it is used as an adjective (post-office address).

Do not hyphenate foreign phrases that are used as adjectives (prima facie evidence).



**Compound Modifiers.** Hyphenate a compound modifier if necessary to avoid misinterpretation or when the modifier is a compound word (such as “cost-effective”) that is hyphenated in *Merriam-Webster’s Collegiate Dictionary* (10th Edition) or the online *Merriam-Webster Unabridged Dictionary*. Always check definitions and existing usage in ORS for exceptions, such as “first class mail,” “long term care facility” and “third party administrator.”

Also hyphenate a compound modifier when a number is part of the modifier, such as “three-year plan” and “10-year projections.” “10 percent reduction” and “\$10 million shortfall” are exceptions.

Do not hyphenate adjective forms of compound modifiers that include the adverb “very” or an adverb that ends in “-ly,” such as “privately owned.”

#### **ABBREVIATIONS AND ACRONYMS**

Use abbreviations and acronyms sparingly and only if they are defined. Acronyms that are defined in ORS include “HIV” (human immunodeficiency virus) and “DNA” (deoxyribonucleic acid). Exceptions include acronyms such as “radar” and “laser” that have passed into common usage.

“ORS” is the official citation for *Oregon Revised Statutes* (see ORS 174.510) and “ORCP” is the official citation for Oregon Rules of Civil Procedure (see ORCP 1 G); they do not require definition.

To avoid confusion between a section of law being amended and the section of the bill that is amending it, abbreviate the word “**SECTION**” to “**Sec.**” when an uncodified section of session law is set forth, as in:

**SECTION 49.** Section 4, chapter 1190, Oregon Laws 2021, is amended to read:

**Sec. 4.** Sections 2 and 3, **chapter 1190, Oregon Laws 2021**, [of this 2021 Act] are repealed on January 2, [2024] **2026**.

When a section of the Oregon Constitution is set forth in a joint resolution, abbreviate the word “**Section**” to “**Sec.**” For example:

**PARAGRAPH 1.** Section 4, Article IX of the Constitution of the State of Oregon, is amended to read:

**Sec. 4.** No money shall be drawn from the treasury, but in pursuance of appropriations **and lottery allocations** made by law.

#### **CAPITALIZATION**

##### **Capitalize:**

(1) The first word in a sentence, the first word following a colon and the first word in an enumeration or a schedule that is paragraphed after a colon.

(2) Proper names.

(3) Months and days of the week.

(4) Common nouns and adjectives forming part of a proper name, such as “Marion County,” “Linn and Benton Counties,” “Circuit Court for Multnomah County,” “City of Salem,” “Columbia River,” “State of Oregon,” “State Capitol” and “United States Government.”

(5) “Governor” in all references to the state’s chief executive.

(6) “President of the Senate” and “Speaker of the House of Representatives” in first references and “President” and “Speaker” in second and subsequent references. “Senate President” and “Speaker of the House” are capitalized but rarely used.

(7) The full official title of a state officer or state agency: “Eighty-second Legislative Assembly,” “Legislative Assembly,” “Senate,” “Senator,” “House of Representatives,” “Representative,” “House Committee on Education,” “Joint Committee on Ways and Means,” “Oregon Adopt-a-Park Program,” “Supreme Court,” “Secretary of State,” “Water Resources Director,” “Department of Revenue” and “State Fish and Wildlife Commission.” Consult the ORS section that created the officer or agency to confirm the official title.

(8) “Act” when it means a legislative Act.

(9) Popular names of Acts, such as “Uniform Commercial Code” and “State Personnel Relations Law.” Do not capitalize a general reference to the law on a particular subject, such as “insurance statutes” and “public records law.”

(10) The full official title of an interstate compact or other formal agreement such as the “Columbia River Gorge Compact” and the “Master Settlement Agreement.”

(11)(a) References to “Oregon Constitution,” “Constitution of the State of Oregon,” “United States Constitution” and “Constitution of the United States.” Also capitalize references that do not include “Oregon” or “United States,” such as “the Constitution,” “the Constitution of this state,” “Constitution and laws of Oregon” and “the state and federal Constitutions.”

(b) References to clauses and amendments to the United States Constitution, such as “Sixth Amendment to the United States Constitution” and “Establishment Clause of the First Amendment to the United States Constitution.”

(12) “Law Enforcement Data System,” “Oregon Benchmarks” and “Social Security number” in all references.

(13) The proper name of a state fund or account in first references, such as “Arts Trust Account” and “General Fund.”

(14) “Miscellaneous Receipts” in appropriation bills.

(15) Names of historic events, such as “World War II” and “Vietnam War.”

(16) “Class” when describing a felony, misdemeanor or violation, such as “Class B felony,” “Class C misdemeanor” and “Class D violation,” or when describing a license, certificate or registration, such as “Class A dispenser license.”

(17) All nouns, pronouns and verbs, as well as all other words of four or more letters, e.g., “With,” in unit caption subheadings.

## **Do Not Capitalize:**

(1) Generic words that are used for second and subsequent references within a section, such as “the director,” “the court,” “the department” or “the commission.”

(2) The word “state,” except when it is part of a proper name, such as “State of Oregon,” “State Department of Energy” and “State Land Board.” Do not capitalize “state” in such uses as “state Senator,” “state Representative,” “this state,” “state highway” and “the state is not liable.”

(3) The word “federal,” except when it is part of an official title, such as “Federal Deposit Insurance Corporation” or “Federal Emergency Management Agency.”

(4) Words indicating geographic position, such as “central Oregon.”

(5) The words “chapter” and “section” in a sentence, as in “as provided in ORS chapter 12” or “under section 36 of this 2023 Act.”

(6) The words “administrative law judge” when referring to an administrative law judge assigned from the Office of Administrative Hearings established under ORS 183.605; however, in ORS chapters 654 and 656, capitalize references to an “Administrative Law Judge” employed by the Workers’ Compensation Board.

(7) General references to a constitution of a governing body or nongovernmental organization, as in “... any instrument, constitution, statute, charter, ordinance, rule or regulation...” or “... under the constitution, bylaws, rules or regulations of the club or organization...”

(8) In unit caption subheadings, such words as “and,” “but,” “for,” “in,” “of” and “or” unless they appear at the beginning of the caption, are connected with the preceding word (e.g., “Inmates Cared For by Prison Guards”) or would otherwise be visually or mentally jolting if left lowercase (e.g., “Forestry Practices On or After 1999”).

## PUNCTUATION

Write legislative measures so that their meaning does not depend on punctuation. Follow these rules governing punctuation:

**Apostrophes.** (1) Do not use apostrophes to form contractions, which reflect informal expression. Legislative drafting requires formal expression.

(2) Apostrophes indicate the measure of time and space in the genitive case (one year's time, two years' time, five days' grace, 24 hours' notice). If "of" cannot be used in place of the apostrophe, the apostrophe is misplaced. Do not use an apostrophe if there is no genitive relation between the time or quantity and the noun (three-day seminar, 10-month period).

(3)(a) To form the possessive of a singular word ending in "s," add apostrophe and "s" unless the next word begins in "s," in which case add just the apostrophe: witness's testimony, witness' story.

(b) To form the possessive of a proper name ending in "s," add an apostrophe: President Adams' term, Xerxes' armies.

(c) To form the possessive of a plural word ending in "s," add an apostrophe in most cases: families' homes, departments' funds, companies' policies.

(d) Use the "of" form instead of an apostrophe to avoid awkwardness in some cases: convention of attorneys general; decisions of the courts of appeals.

**Colons.** Use colons only to express time in hours and minutes or to introduce a series of subunits.

**Commas.** Generally, omit serial commas before the conjunction in a series of words, phrases or clauses, as in "men, women and children" rather than "men, women, and children." Use a serial comma, however, if necessary for clarity in a complex sentence.

**Periods.** (1) In a series of subunits following a colon, use a period at the end of a subunit only if it is clear that each subunit stands alone.

(2) When writing amendments, end each amendment instruction with a period. *See* chapter 6, Amendments to Measures.

### Punctuation Within Quotation Marks.

(1) Place periods and commas inside quotation marks. Place other punctuation marks inside quotation marks only if the punctuation is part of the quoted material.

(2) In amendments, place punctuation inside quotation marks only if the punctuation is part of the amendment text. *See* chapter 6, Amendments to Measures.

**Semicolons.** In a series of subunits following a colon, use a semicolon at the end of each subunit if the grammatical structure or the sense of the provision requires the use of either "and" or "or" preceding the last subunit.

### "SHALL," "MAY," "SHALL NOT" AND "MAY NOT"

To impose an obligation to act, use "shall." To confer a right, power or privilege, use "may." Do not use "shall" to grant permission or "may" to impose a duty. To prohibit an action, use "may not." *See* ORS 174.100 (6). Do not use "shall not" to prohibit an action. Although ORS 174.100 (6) makes "shall not" and "may not" equivalent expressions of prohibition, modern English usage makes "may not" the preferred expression.

**(NOTE:** When amending an existing statute in which "shall not" is extensively used to express a prohibition, a drafter may continue to use "shall not" in order to avoid extensive changes to the statute.

Note that some instances of "shall not" in ORS are not actually prohibitions. For example, a sentence that says "The provisions of subsection (2) of this section shall not apply in the case of records..." means that the provisions "do not" apply. Examine the function of each "shall not" to determine whether and how it should be changed.)

## “THIS STATE”

When referring to Oregon in a geographic sense, use “this state” rather than “the state,” as in “doing business in this state” or “on the waterways of this state.”

## OFFICIAL TITLES

Set out the official title for a public officer or agency in full in the first reference in each section of a measure. This clearly identifies the agency or officer when the section is set forth outside its statutory context. Subsequent references in the same section may use a short form. Official titles ordinarily are designated in the constitutional or statutory section that establishes the positions or agencies.

Exercise caution when setting out a full official title. Check the definitions that apply to an amended section or to a section of new material to determine how the short form of the title for a public officer or agency is defined. For example, chapter definitions may not apply to a section if the section falls within a series that has separate definitions or if the section falls outside the chapter.

Exercise the same caution when shortening second and subsequent references of an official title, because the short form of the title may be defined to mean something else. For example, do not shorten a second or subsequent reference to “Employment Department” to “department” if the definitions for that section define “department” as “Department of Revenue.”

Refer to administrative subunits of state agencies only if the administrative subunits are established or created in statute. Thus, a reference to the Division of Child Support of the Department of Justice, which is established in ORS 180.340, is permissible. A reference to the Energy Siting Division of the State Department of Energy is impermissible because it was established (and can be changed) administratively, not statutorily.

**(NOTE:** Line items in appropriation (budget) bills may refer to units of state agencies that are not established in statute.)

In ORS, members of the Oregon Supreme Court are “judges” except that the “Chief Justice” presides over the Supreme Court and is the administrative head of the judicial department. Members of the Court of Appeals, Oregon Tax Court and circuit courts are “judges.”

## FORMS, NOTICES AND TABLES

Use beginning and ending hairline rules to set off forms, notices and tables from other text. Text set forth between hairline rules does not require quotation marks:

---

### NOTICE

The (removing authority) has in its physical possession the unclaimed personal property described below. If you have any ownership interest in any of that unclaimed property, you must fill out a claim with the (removing authority) within 30 days from the date of publication of this notice, or you will lose your interest in that property.

---

Use underscoring (not dashes) for blanks:

In the \_\_\_\_\_ Court for \_\_\_\_\_ District, \_\_\_\_\_ County, Oregon, \_\_\_\_\_, Plaintiff, vs. \_\_\_\_\_, Defendant. Comes now \_\_\_\_\_, a resident of \_\_\_\_\_ County, Oregon, and appeals from the decision of the small claims department of the justice court for \_\_\_\_\_ District, \_\_\_\_\_ County, Oregon, wherein a judgment for \_\_\_\_\_ dollars was awarded against the appellant on the \_\_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_. \_\_\_\_\_, Appellant

---

**(NOTE:** In new material, publication specialists standardize short and long blanks as :HR3B and :HR6B. Blanks in existing ORS are already standardized.)

Text of forms, notices and tables generally follows legislative form and style. Keep capitalization and punctuation consistent within each form, but do not try to standardize forms in ORS with each other.

Forms, notices and tables usually follow phrases such as “substantially the following form” or “the following notice” and a colon. Use of these phrases facilitates online text searches.

Although type size is generally consistent within a form, notice or table, type sizes may vary in order to accommodate tab stops within a form and the varying column widths of legislative publications.

For short passages of legislatively prescribed text, use quotation marks to set off prescribed text instead of hairline rules. For example:

(7) If the information listed in subsection (4) of this section cannot fit on the package label, a package insert is required. In this event, the label must contain a statement to refer to the package insert, such as “CAUTION: See package insert before use.”

## UNIFORM ACTS, MODEL ACTS AND INTERSTATE COMPACTS

**Uniform Acts.** The National Conference of Commissioners on Uniform State Laws prepares Uniform Acts, which are generally intended to be followed exactly. Minimize form and style changes to Uniform Acts to ensure uniformity.

**Model Acts.** Model or “suggested” Acts are prepared by the Drafting Committee of the Council of State Governments and by other organizations and are intended as guides for legislation in which uniformity is not necessary. Conform Model Acts to Oregon’s legislative form and style.

**Interstate Compacts.** Interstate compacts are voluntary agreements between two or more states that address mutual concerns. Interstate compacts must receive congressional consent, which is usually granted before a state adopts a compact.

An interstate compact adopted by the state is considered federal law and usually does **not** follow legislative form and style. See the Pacific Ocean Resources Compact in ORS 196.180.

Insert hairline rules at the beginning and ending of compact text to separate the compact’s provisions from text of the section that sets it forth. For example:

**SECTION 2.** The provisions of the Klamath River Basin Compact are as follows:

---

### ARTICLE I PURPOSES

The major purposes of this compact are, with respect to the water resources of the Klamath River Basin:

...

### ARTICLE XIV TERMINATION

This compact may be terminated at any time by legislative consent of both states, but despite such termination, all rights established or recognized under the provisions of this compact shall continue to be recognized by the states.

---

## TERMINOLOGY

**Gender.** ORS 174.129 requires that statutes “be written in sex-neutral terms unless it is necessary for the purpose of the statute . . . that it be expressed in terms of a particular gender.”

In addition, section 1 (1), chapter 578, Oregon Laws 1985, authorizes Legislative Counsel to “substitute sex neutral nouns or articles for nouns or pronouns that are not sex neutral or delete pronouns that are not sex neutral except in cases where the substitutions or deletions would alter the meaning or substance of the section.”

The Office of the Legislative Counsel will change submitted copy that is not sex neutral unless it is necessary for the purpose of the bill “that it be expressed in terms of a particular gender.”

**Persons With Disabilities.** It is the policy of the Legislative Assembly to use “person with a disability” and similar terminology that places the person before the disability, to the extent consistent with state and federal law and as described in ORS 182.109.

## NUMBERS OR FIGURES

**Cardinal and Ordinal Numbers.** Use words (six, sixth) to express cardinal and ordinal numbers less than 10, but use figures when listing a series of like objects (grades 9 through 12; position numbers 3, 7, 9, 12 and 15; the 3rd, 4th and 12th judicial districts) if any number in the series, standing alone, would be in figures.

Express numbers larger than 999,999 in text the same way as monetary sums (see below), e.g., “The department shall reintroduce 3 million fish.”

**Monetary Sums.** Express monetary sums as:

One cent	\$2,000 (comma)
10 cents	\$160,000
\$0.14	\$3 million
\$3 (no decimal)	\$3,504,282
\$3.65	\$3.5 million
\$115	

In text, use “\$3 million.” In tables, use “\$3,000,000.” In text and tables of an appropriation section, use “\$3,000,000.”

Do not combine words and figures. Use “\$100” rather than “\$100 (one hundred dollars).”

**Roman Numerals.** Use Roman numerals when drafting or citing articles of interstate compacts or the Oregon or United States Constitutions:

- “... as provided in Article III of this compact....”
- “... as required by Article V, section 15b, of the Oregon Constitution, and....”
- “... under Article I, section 3, United States Constitution, a....”

**Beginning a Sentence.** Generally, use words to express numbers that begin a sentence. For example:

- ...
- (f) Be mailed at least:
- (A) Twenty days before the evidentiary hearing; or
- (B) If two or more evidentiary hearings are allowed, 10 days before the first evidentiary hearing.

**Tables.** Use figures to express all numbers used in the text of a table. For example:

---

If taxable income is:	The tax is:
Not over \$2,000.....	5% of taxable income
Over \$2,000 but not over \$5,000.....	\$100 plus 7% of the excess over \$2,000
Over \$5,000 but not over \$125,000.....	\$310 plus 9% of the excess over \$5,000
Over \$125,000	\$11,110 plus 9.9% of the excess over \$125,000

---

### OR

---

Distance in feet between the first and last axles of any vehicle or combination of vehicles:	Maximum loaded weight, in pounds, of axles of any vehicle or combination of vehicles:
6	34,000
7	34,000
8	34,000
9	39,000
10	40,000
11	40,000
12	40,000

---

**Tabular Lists.** Express cardinal numbers in a tabular list in figures. For example:

- (1) A public contract for asbestos removal, abatement or demolition shall require the use of a certified inmate workforce, if available, of:
- (a) 30 percent, not to exceed 30 inmates the first year.
- (b) 25 percent, not to exceed 50 inmates the second year.
- (c) 20 percent, not to exceed 100 inmates the third year.

### OR

- Of the amount allocated to the Oregon Department of Administrative Services for certificates of participation:
- (1) \$30 million is dedicated to financing the construction of state correctional facilities.
- (2) \$30 million is dedicated to financing the construction of area correctional facilities.

**Fractions.** Spell out fractions for amounts less than one, using a hyphen (one-half, three-fifths, two-thirds).

Use figures to express amounts greater than one, with a hyphen between the whole number and the fraction (2-2/5, 33-1/3).

**Decimal Fractions.** Set forth decimal fractions of less than 1.0 with a zero before the decimal point (0.25, 0.5, 0.8055).

**Percentages.** Use the word “percent” to express percentages: three percent, 10 percent, 0.02 percent. Use the symbol “%” only in tables. Percentages should add up to 100 percent. A modifier as in “10 percent reduction” is not hyphenated.

**Time.** Express time as follows:

4:30 p.m.

10 p.m.

1:00 p.m. (use colon and double “00” only with the hour “1”)

12 noon

12 midnight

**Dates.** Express dates as follows:

the June 2023 report (no comma)

the months of June and July 2023 when combined (no comma)

June 6, 2023, and (**not** June 6th, 2023,) (commas)

June 29 to July 18, 2023, and (commas)

January 15 (**not** the 15th day of January)

sixth day of June, 2023, (commas) (use this expression only in the text of statutory forms and in memorials and resolutions)

2023-2024 fiscal year (**not** 2023-24 fiscal year)

2023-2024 biennium (**not** 2023-24 biennium)

21st century

## PART II: CITATION

### CITATION OF OREGON RULES OF CIVIL PROCEDURE (ORCP)

The Oregon Rules of Civil Procedure (ORCP), promulgated by the Council on Court Procedures and adopted by the Legislative Assembly in 1979 and 1981, govern procedure and practice in all courts of this state. *See* ORS 174.580 and ORCP 1 G.

Cite Rule 7, section D, subsection (3), paragraph (a), subparagraph (iv), part (A) as:

ORCP 7 D(3)(a)(iv)(A)

ORCP generally does not follow legislative form and style. *See* Appendix K for a detailed discussion about ORCP.

### NUMBERING AND CITATION OF OREGON REVISED STATUTES

*Oregon Revised Statutes*, the codified laws of the State of Oregon, are referred to as “ORS.” *See* ORS 174.510. Laws codified in ORS are set out in separate sections. Sections relating to the same general topic are grouped into a chapter.

ORS numbering uses a decimal system. The number to the left of the decimal point is the chapter number. The number to the right of the decimal point locates the section within the chapter.

- Use “ORS chapter 92” to refer to a chapter.
- Cite a section as “ORS 92.100” (the word “section” is unnecessary).

Sections may consist of more than one primary paragraph. These primary paragraphs are referred to as subsections. Each subsection is numbered with an Arabic numeral in parentheses.

- Cite subsections as “ORS 92.100 (3),” “ORS 92.100 (3) and (4)” or “ORS 92.100 (3) to (5).”

Secondary paragraphs within a primary paragraph are referred to as paragraphs. Each paragraph is designated by a lowercase letter in parentheses. Use a capital letter “(L)” to designate the paragraph between “(k)” and “(m)” to avoid confusion between the number “1” and the lowercase letter “l.”

- Cite paragraphs as “ORS 92.100 (1)(e)” or “ORS 92.100 (1)(e) or (f).”

Subparagraphs and sub-subparagraphs are subdivisions of secondary paragraphs. Capital letters in parentheses designate subparagraphs; lowercase Roman numerals in parentheses indicate sub-subparagraphs.

- Cite subparagraphs as “ORS 92.100 (1)(e)(B).”
- Cite sub-subparagraphs as “ORS 92.100 (1)(e)(B)(iii).”
- Cite a number of ORS sections by listing the sections in numerical order, as in “ORS 92.016, 92.046 and 92.100.”

Do not adjust commas and conjunctions when adding a reference to a new section to the end of a list of existing references. Simply repeat the conjunction and add the reference, as in:

**SECTION 3.** ORS 190.118 is amended to read:

190.118. (1) The Oregon Department of Administrative Services shall keep an index of summaries of agreements into which state agencies enter under ORS 190.110, 190.420 or 190.485 **or section 1 of this 2023 Act.** . . .

Commas and conjunctions will be adjusted during ORS compilation.

- Cite ORS sections with subsections by listing the sections with subsections in numerical order, as in “ORS 92.010 (7), 92.040 and 92.337 (1) to (4).”
- Cite a number of ORS sections and series by listing the sections and series in numerical order, as in “ORS 92.010 to 92.192, 92.225 and 92.305 to 92.495.”

- Cite ORS sections, series and chapters together by listing the sections and series, then listing the chapters, each in numerical order, as in “ORS 107.095, 108.010 to 108.550 or 109.155 or ORS chapter 110.”
- Citations to a series of ORS sections require plural verbs, as in: “ORS 33.015 to 33.155 apply....”
- Citations to one ORS section or to several subsections of one ORS section require singular verbs, as in: “ORS 123.456 prohibits...” or “ORS 123.456 (7) and (8) prohibits....”
- Citations to one ORS chapter also require singular verbs, as in: “ORS chapter 123 establishes....”

## CITATION OF OREGON LAWS (SESSION LAWS)

Session laws, which are officially known as *Oregon Laws*, are the compilation of the laws enacted by a single session of the Legislative Assembly.

**Citing Laws of Regular Sessions.** Use “Oregon Laws 20xx,” to cite a session law that has not been codified. Use commas to separate the elements of a session law citation and to separate the session year from other text. For example, “... a site identified under section 12, chapter 800, Oregon Laws 2009, and located ....”

### Citation forms:

- “... chapter 975, Oregon Laws 2009, ...” (entire chapter).
- “... section 1, chapter 975, Oregon Laws 2009, ...” (specific section).
- “... section 1 (2), chapter 975, Oregon Laws 2009, ...” (specific subsection).
- “... section 1 (2)(a), chapter 975, Oregon Laws 2009, ...” (specific paragraph).
- “... section 1 (2)(a)(B), chapter 975, Oregon Laws 2009, ...” (specific subparagraph).
- “... section 1 (2)(a)(B)(ii), chapter 975, Oregon Laws 2009, ...” (specific sub-subparagraph).

See Appendix B, Special Session Adjustments, for special session law citations.



## SERIES CITATIONS

A series is a group of statutes cited as a range of sections or as an entire ORS chapter for the purpose of applying definitions, penalties or other provisions to the sections within the series or applying the substance of the series to other statutes or bill provisions.

A reference to a range of sections includes both the beginning and ending section and each intervening section that has been made a part of that series by legislative action. Note that some intervening sections (although numerically sequential) may not be part of the series and thus are not a part of any reference to the series. Notes following statutes in ORS indicate those sections that numerically fall within a series but are not a part of the series.

An ORS chapter reference includes only those sections in the chapter that have been made a part of that chapter by legislative action.

- Cite an ORS series as “ORS 183.605 to 183.690” or “this chapter” or “ORS chapter 260.”
- Cite a session law series as “sections 2 to 8, chapter 542, Oregon Laws 2009.”
- Cite a series of new sections within a bill as “sections 15 to 23 of this 2023 Act.”

String citations – lists of consecutively numbered ORS sections or bill sections – may be used to avoid creating an unnecessary series. Do not create a series by reducing the string citation to a series. Similarly, do not change a citation that combines a series citation with a string citation, such as “sections 1 to 8, 9 and 10 of this 2023 Act.” Use plural nouns with “and” and singular ones with “or” in string citations, as in “ORS chapters 107, 108 and 109” and “ORS chapter 107, 108 or 109.” *See also* Appendix G, Series and Adding.

## CITATION OF THE OREGON CONSTITUTION

**Citations in Statutory Law.** In statutory law, cite the Oregon Constitution either as “Article III, sections 2 and 3, of the Oregon Constitution, provide...” or “Article III, sections 2 and 3, Oregon Constitution, provide....” Insert a comma after “Constitution” when a citation refers to specific sections or subsections. Omit the comma in citations that refer only to Articles. For example, “Bonds issued under Article XI-G of the Oregon Constitution may not....”

To cite subsections or paragraphs of sections of the Oregon Constitution in statutory law, follow the “short” forms used in citations of ORS and session laws. For example, “... Article XI, section 11 (3), of the Oregon Constitution, ....” or “... Article III, section 3 (1)(d), of the Oregon Constitution, provides....”

Distinguish references to Article VII (Amended) from references to Article VII (Original), as in “. . . the provisions of Article VII (Amended), section 1, of the Oregon Constitution,....”

In the series of Article XIs, each is identified by an uppercase letter and, in some cases, a numeric parenthetical. Include the letter and, if necessary, the numeric parenthetical in the citation, as in “. . . Article XI-A, section 1, of the Oregon Constitution, ...” or “. . . Article XI-I(1) of the Oregon Constitution....”

**Citations Within the Oregon Constitution.** Use the following forms for internal references within a section or an Article of the Oregon Constitution:

- “... by this paragraph....”
- “... under this section....”
- “... pursuant to this Article....”
- “... provided in this Constitution....”

Use these “long” citation forms to cite one part of the Oregon Constitution in another part of the Constitution:

- “... paragraph (d) of subsection (1) of this section....”
- “... paragraph (d) of subsection (1) of section 3 of this Article....”
- “... paragraph (d) of subsection (1) of section 3, Article III of this Constitution, ....”
- “... subsection (2) of section 5 of this Article....”
- “... section 24 of this Article....”
- “... section 6, Article XI of this Constitution, ....”
- “...sections 11b to 11e of this Article....”
- “... sections 11 and 15, Article IV of this Constitution, ....”
- “... section 1, Article VII (Original) of this Constitution, ....”
- “... section 20, Article I, section 10, Article VI, and sections 2 and 9, Article XI of this Constitution, ....”

**Amending Clause of a Joint Resolution.**  
In the amending clause of a joint resolution that proposes a constitutional amendment, use “Constitution of the State of Oregon.” For example:

**PARAGRAPH 1.** Section 25, Article IV of the Constitution of the State of Oregon, is amended to read:

**Sec. 25.** (Insert text)

### INDEFINITE REFERENCES

Refer to specific sections or subunits. Because indefinite references may refer to the section, chapter or entire bill, avoid the following words (“such” is sometimes used):

above	herein
afore-mentioned	hereinafter
aforesaid	hereinbefore
before-mentioned	hereunder
below	none whatever
following	preceding
foregoing	said

### THIS (SESSION YEAR) ACT

Always include the session year when an Act (bill) refers to itself. For example:

- “... this 2023 Act....”
- “... section 1 of this 2023 Act....”
- “... sections 2 to 10 of this 2023 Act....”

See Appendices B and C for examples of how to cite “this (year) Act” in a special session enactment and in an initiative measure, respectively.

### INTERNAL REFERENCES

Internal references are references from one part of a bill to another part of the same bill.

#### Internal references from one section to another section:

- “... section 6 of this 2023 Act....” (Entire section.) If “section 6 of this 2023 Act” amends an ORS section or a section of Oregon Laws, cite the ORS section or the section of Oregon Laws being amended, **not** “section 6 of this 2023 Act.”
- “... section 6 (4) of this 2023 Act provides....” or “... sections 6 (4) and 8 (1) of this 2023 Act provide....” or “... section 7 (3) or 9 (2) of this 2023 Act provides....” (Specific subsections.)
- “... section 6 (4)(c) of this 2023 Act establishes....” or “... sections 6 (4)(c) and 8 (1)(a) of this 2023 Act establish....” or “... section 7 (3)(e) or 9 (2)(b) of this 2023 Act establishes....” (Specific paragraphs.)
- “... sections 6 (4)(c)(A) and 8 (1)(a)(D) of this 2023 Act require....” or “section 7 (3)(e)(F) or 9 (2)(b)(A) of this 2023 Act requires....” (Specific subparagraphs.)
- “... sections 6 (4)(c)(A)(iv) and 8 (1)(a)(D)(iii) of this 2023 Act apply to....” or “section 7 (3)(e)(F)(v) or 9 (2)(b)(A)(vi) of this 2023 Act applies to....” (Specific sub-subparagraphs.)

#### Internal references within a section:

- “... this section....”
- “... subsection (3) of this section....”
- “... subsection (3)(b) of this section....”
- “... subsection (3)(b)(A) of this section....”

- “...subsection (1)(a) to (e) of this section is...”
- “... subsections (3)(b) and (4) of this section are...” or “subsection (2)(a) or (3)(e) to (i) of this section is...”

**Internal references within a subunit:**

- “... this subsection...”
- “... this paragraph...”
- “... this subparagraph...”
- “... paragraph (c) of this subsection...”
- “... paragraph (b)(A) of this subsection...”
- “... paragraph (a)(A) and (B) of this subsection...”
- “... subparagraph (B) of this paragraph...”

**Converting internal references to Oregon Laws citations.** When amending an uncodified section of session law that refers to “this (year) Act,” convert internal references to the appropriate Oregon Laws citation. For example:

**SECTION 10.** Section 3, chapter 819, Oregon Laws 2017, is amended to read:

**Sec. 3.** Every transient lodging provider responsible for collecting the tax imposed by section 2, **chapter 819, Oregon Laws 2017**, [of this 2017 Act] shall keep records, render statements and comply with rules adopted by the Department of Revenue with respect to the tax. . . .

Also convert internal references to Oregon Laws citations when a bill amends a new section of another current session bill. For example:

**SECTION 14.** Section 2, chapter \_\_\_\_, Oregon Laws 2023 (Enrolled House Bill 3676), is amended to read:

**Sec. 2.** The bond reserves established by the State Treasurer under section 4, **chapter \_\_\_\_, Oregon Laws 2023 (Enrolled House Bill 3676)**, [of this 2023 Act] for Oregon Appropriation Bonds must be credited to an account in the Oregon Appropriation Bond Fund **designated by the State Treasurer.**

**OTHER FORMS FOR INTERNAL REFERENCES**

**Citing ORS Section Number and Bill Section Number.** Normally, an amended ORS section is cited by its ORS section number, not by the number of the section that amends it. Occasionally, a drafter will use **both** the ORS section number **and** the bill section number to cite the ORS section being amended. Limit use of this form to temporary provisions that clarify the timing and application of the amendments. For example:

**SECTION 3.** Scholarships created by **ORS 348.270, as amended by section 1 of this 2023 Act, shall first be available to former foster children for use during the 2024-2025 school year.**

**Citing Oregon Constitution Section and Joint Resolution.** Citing the Oregon Constitution and the joint resolution that proposes an amendment to it is very rare but may be necessary in some contexts:

**SECTION 1. (1)** The School Stabilization Fund is established in the State Treasury, separate and distinct from the General Fund. The School Stabilization Fund shall consist of the following:

(a) Net proceeds from the state lottery that would otherwise be deposited in an education stability fund, as provided in the amendment to Article XV, section 4 (4), of the Oregon Constitution, by House Joint Resolution 99 (2023). . . .

**“Amendments” v. “Amendment.”**

**In a bill,** use the phrase “The amendments to ORS xxx.yyy by section zz of this 2023 Act” even when the amendatory section makes only one change to existing law. Use the same phrase to refer to a section that amends an uncodified session law section. For example:

**SECTION 7.** The amendments to **ORS 314.772 by section 5 of this 2023 Act apply to tax years beginning on or after January 1, 2023.**

**SECTION 8.** The amendments to section 15, chapter 993, Oregon Laws 2017, by section 6 of this 2023 Act apply to petitions filed on or after July 1, 2024.

If the cited section is a repealing clause, use the phrase “The repeal of ORS xxx.yyy by section zz of this 2023 Act,” as in:

**SECTION 2.** The repeal of ORS 112.017 by section 1 of this 2023 Act applies to the estates of all decedents who die on or after the effective date of this 2023 Act.

**In a joint resolution that proposes a constitutional amendment,** use the phrase “The amendment to section x of this Article by \_\_\_ Joint Resolution \_\_ (2023)” when referring to another section of the proposed amendment. For example:

**SECTION 2a. (1)** The amendment to section 2 of this Article by Senate Joint Resolution 88 (2023) does not apply to a revision of this Constitution that is referred to the people for approval at the general election held on the first Tuesday after the first Monday in November 2024.

**(2)** This section is repealed on December 31, 2024.

**Lengthy Bills.** In a lengthy bill, it is acceptable to use the phrase “the amendments to statutes by sections \_\_ to \_\_ of this 2023 Act” to avoid a long list of ORS numbers. For example:

**SECTION 78.** The amendments to statutes by sections 1 to 77 of this 2023 Act apply to cigarette tax reporting periods beginning on or after January 1, 2024.

Check that all of the sections listed in the phrase “the amendments to statutes by sections \_\_ to \_\_ of this 2023 Act” are amendatory sections and adjust the internal references as necessary.

It is also correct to use the phrases “amendments to statutes and session law by sections \_\_ to \_\_ of this 2023 Act” and “the repeal of statutes by section \_\_ of this 2023 Act. . . .” to avoid long lists of numbers. For example:

**SECTION 115.** Sections 1 to 14 of this 2023 Act, the amendments to statutes and session law by sections 21 to 113 of this 2023 Act and the repeal of statutes by section 114 of this 2023 Act become operative on October 1, 2024.

## CITATION OF CURRENT SESSION BILLS

Use the citation form for Oregon Laws to refer to House and Senate bills, which are also referred to as “current session laws.” When a bill refers to a section of another bill that has not become law, use:

- “... section 1, chapter \_\_\_\_, Oregon Laws 2023 (Enrolled Senate Bill 3), ....”

*See also* Appendix B of this manual for citation of current special session bills.

If a current session draft refers to another that does not yet have a bill number, cite the other draft by its LC draft number (also known as legislative concept number):

- “... section 1, chapter \_\_\_\_, Oregon Laws 2023 (Enrolled \_\_ Bill \_\_\_\_) (LC 1214), ....”

After the other bill has been introduced and assigned its bill number, delete the LC parenthetical and insert the house of origin and bill number in the appropriate blanks. These adjustments do not require **boldface** or [*brackets and italic*] type:

- “... section 1, chapter \_\_\_\_, Oregon Laws 2023 (Enrolled Senate Bill 3), ....”

If the other bill has been assigned its Oregon Laws chapter number by the Secretary of State, fill in the blank for the chapter number:

- “... section 1, chapter 47, Oregon Laws 2023 (Enrolled Senate Bill 3), ....”

Adjust references to a current session bill that did not become law to reflect the bill’s final disposition as noted in online measure history. Enclose underscored phrases such as “Vetoed,” “At Desk upon adjournment,” “In committee upon adjournment” and “Bill failed” in square brackets, as in:

**SECTION 4.** Section 9, chapter [Vetoed], Oregon Laws 2023 (Enrolled House Bill 2948), is repealed.

**SECTION 5.** If House Bill 2491 becomes law, section 2, chapter [At Desk upon adjournment], Oregon Laws 2023 (Enrolled House Bill 2491), is amended to read: . . . .

**SECTION 6.** If Senate Bill 946 becomes law, section 33, chapter [In committee upon adjournment], Oregon Laws 2023 (Enrolled Senate Bill 946) (amending ORS 316.102), is repealed.

**SECTION 7.** If House Bill 2535 becomes law, section 16, chapter [Bill failed], Oregon Laws 2023 (Enrolled House Bill 2535), is amended to read: . . . .

## CITATION OF CURRENT SESSION MEMORIALS AND RESOLUTIONS

A citation to a resolution or memorial of the current legislative session includes the resolution or memorial name (house of origin and type), the measure number and the session year in parentheses, as in:

- House Joint Memorial 10 (2023)
- Senate Memorial 5 (2023)
- House Resolution 25 (2023)
- Senate Joint Resolution 32 (2023)

To cite a draft resolution or draft memorial that has not been introduced, use the LC draft number:

- ... \_\_\_\_\_ Concurrent Resolution \_\_\_\_\_ (2023) (LC 1075)....

After the draft resolution or draft memorial is introduced, delete the LC parenthetical and insert the house of origin and the measure number. These adjustments do not require **boldface** or [*brackets and italic*] type:

- "... Senate Concurrent Resolution 10 (2023)...."

## CITATION OF BALLOT MEASURES

**In Measure Summaries.** To cite a ballot measure in a measure summary, include "Ballot Measure," the measure number and, in parentheses, the election year:

- "... Ballot Measure 66 (2022)...."

If a current session measure is referred to the people and the ballot measure number is known, use this form in the measure summary:

- "... House Joint Resolution 85 (2023) (Ballot Measure 50 (2023))...."
- "... chapter 874, Oregon Laws 2023 (Enrolled Senate Bill 346) (Ballot Measure 52 (2023)), ..."

**Citing Approved Ballot Measures.** If the voters approve an initiated ballot measure that amends, repeals or creates statutory law, the Secretary of State assigns the ballot measure an Oregon Laws chapter number. These chapters will appear in the next edition of *Oregon Laws*. Cite an approved initiative measure by both the assigned Oregon Laws chapter number and a parenthetical that lists the ballot measure number and the election year. For example:

**SECTION 1.** The operation of section 1, chapter 4, Oregon Laws 2023 (Ballot Measure 48 (2022)), is suspended until July 1, 2024.

See Appendix C, Initiative Measures, for citation of initiative petitions.

## CITATION OF OVERTURNED VETOES OF PRIOR SESSION BILLS

If the Legislative Assembly overturns a gubernatorial veto of a **prior** session bill, the Secretary of State will assign the measure its Oregon Laws chapter number for the **current** session. Chapter 1, Oregon Laws 2010, an overturned veto of SB 545 (2009), is an example. If appropriate, include an explanatory parenthetical in a citation to an overturned veto of a prior session bill.

## CITATION OF EXECUTIVE ORDERS

Consult the Secretary of State’s monthly *Oregon Bulletin* and the Governor’s website for executive orders, which are rarely cited in statutory text. To cite an executive order, follow this form:

Executive Order 04-17

## CITATION OF FEDERAL STATUTES

**Generally.** Citations of federal statutes in ORS include those for the United States Statutes at Large (federal session laws), the United States Code (official), the United States Code Annotated (unofficial) and the Internal Revenue Code (title 26 of the United States Code).

Except for citations of the Internal Revenue Code and the United States Constitution, federal citations in ORS generally follow the forms prescribed by *The Bluebook: A Uniform System of Citation* (21st Edition).

Omit the words “section” and “sections” and section symbols in a federal citation. Although some federal citations use the symbols “§” and “§§”, do not use these symbols in new statutory provisions or in new text being inserted into existing statutory law.

Federal citations in ORS may include “et seq.,” which is the abbreviation for the Latin “et sequentes” or “et sequentia,” meaning “and the following ones.” Although references to specific federal statutes are preferable, use of “et seq.” is a matter of drafter discretion. Do not insert a comma before “et seq.”

**Public Laws (Slip Laws).** Each federal session law is assigned a public law (“P.L.”) number and first published as an unbound “slip law.” Public law numbers consist of a prefix (the number of the enacting Congress) and a sequential number. For example, P.L. 107-4 is the fourth public law of the 107th Congress.

A public law citation includes the official or popular name of the statute, the date of enactment and the public law number and also may include its United States Statutes at Large citation. Cite public laws enacted before 1957 by chapter number; cite subsequent Acts by public law number. For example:

- “... Economic Growth and Tax Relief Reconciliation Act of 2001 (P.L. 107-16)...”

If the Act does not have an official or popular name, use the form “Act of [date of enactment]”:

- “... Act of April 13, 2022 (P.L. 117-111)...”

**United States Statutes at Large.** The United States Statutes at Large are the official version of the federal session laws, arranged chronologically and published exactly as enacted. A full federal session law citation contains the official or popular name of the statute, the volume number, the abbreviation “Stat.,” the page on which the session law begins and the year of enactment (in parentheses). Omit the year if it is part of the statute name; inclusion of the public law number is optional:

- “...No Child Left Behind Act of 2001, 115 Stat. 1425...”
- “... Computer Crime Enforcement Act, P.L. 106-572, 114 Stat. 3058 (2000)...”

**United States Code.** The United States Code is the official codification of the general and permanent laws of the United States, arranged according to subject matter. The Law Revision Counsel of the House of Representatives publishes a new edition every six years and cumulative supplements after each regular session of Congress. Abbreviate the United States Code as “U.S.C.”

The United States Code is divided into 53 titles that represent broad subject areas. Each title is divided into chapters, and each chapter is divided into sections. A United

States Code citation contains the title number, “U.S.C.” abbreviation and section number, which may include a snug lowercase letter. Omit chapter numbers, “section,” “sections” and section symbols.

- “... 18 U.S.C. 245....”
- “... 18 U.S.C. 245 (1994)....”
- “... (16 U.S.C. 544)....”
- “... 16 U.S.C. 544, as amended and in effect on the effective date of this 2023 Act....”
- “... 7 U.S.C. 511a....”
- “... 7 U.S.C. 511g and 511h....”
- “... 7 U.S.C. 511 et seq. ....”
- “...7 U.S.C. 281 to 284....”

Numbering of the most commonly cited U.S.C. subunits (which differs slightly from the ORS numbering system) is as follows:

- (a) – subsection
- (2) – paragraph
- (A) – subparagraph
- (ii) – clause

A citation to a subunit is enclosed in parentheses and snug to the section number. For example:

- “... 5 U.S.C. 552(e)....”
- “... 21 U.S.C. 321(g)(1)....”
- “... 12 U.S.C. 461(b)(1)(A)....”
- “... 15 U.S.C. 1681a(d)(2)(A)(iii)....”

Include as much information as possible in a federal statute citation. Many federal citations in ORS begin with the statute name (official name, popular name, or both). Then list, as available, the P.L. number, United States Statutes at Large citation and U.S.C. citation. If the year of enactment is not part of the statute name, include it in parentheses.

- “... National Historic Preservation Act (P.L. 89-665, 80 Stat. 915, 54 U.S.C. 300101) (1966)....”

**United States Code Annotated.** The unofficial federal code, the United States Code Annotated, is abbreviated “U.S.C.A.” and cited by title and section number.

- “... (42 U.S.C.A. 238)....”

**Internal Revenue Code.** Use either the Internal Revenue Code or 26 U.S.C. Most citations in ORS are to the Internal Revenue Code.

- “... section 509 of the Internal Revenue Code....”
- “... section 4943(c) of the Internal Revenue Code....”
- “... section 41(c)(4) of the Internal Revenue Code....”
- “... section 856(h)(3)(C) of the Internal Revenue Code....”
- “... section 170(b)(1)(A)(ii) of the Internal Revenue Code....”

## CITATION OF THE UNITED STATES CONSTITUTION

Cite the United States Constitution by article, then section, or by amendment, if appropriate. Use Roman numerals for articles; spell out the ordinal number and use an initial capital letter for amendments. Spell out “Article,” “Amendment” and “section.” Do not use abbreviations.

- “...Article I, section 3, United States Constitution, ....”
- “...Article I, section 10, of the United States Constitution, ....”
- “... Seventeenth Amendment to the United States Constitution....”
- “... Equal Protection Clause of the Fourteenth Amendment to the United States Constitution....”
- “...Article I, section 10, clause 1, of the United States Constitution, ....”

In ORS, use “United States Constitution.” Amendments to older statutes may use “Constitution of the United States” if there are existing citations that follow this form.

## CITATION OF THE CODE OF FEDERAL REGULATIONS

The Code of Federal Regulations (“C.F.R.”) is a codification of the general and permanent rules published in the *Federal Register* by federal executive branch agencies. The C.F.R. is divided into 50 titles. Each title is divided into chapters that usually bear the name of the issuing agency. Each chapter is further subdivided into parts (and sometimes subparts) and sections. C.F.R. citations in

ORS may be at either the part or section level. For example:

- “... 45 C.F.R. 46...”
- “... 12 C.F.R. 211.3(b)...”
- “... Regulation Z, 12 C.F.R. part 226...”
- “... Railroad Rehabilitation and Improvement Financing Program, 49 C.F.R. 260...”

Subunit numbering in C.F.R. citations is similar to that of the United States Code.



## CHAPTER 2: TYPES AND PURPOSES OF LEGISLATIVE MEASURES

### TYPES OF LEGISLATIVE MEASURES:

The Legislative Assembly may take action through the following types of measures:

- **Bill**
- **Joint Resolution**
- **Concurrent Resolution**
- **Resolution**
- **Joint Memorial**
- **Memorial**

Any of these measures may be introduced in either house of the Legislative Assembly; however, bills for raising revenue may be introduced **only** in the House of Representatives. *See* Article IV, section 18, of the Oregon Constitution.

A bill may be amended, passed or rejected by either house. If passed by both houses, a bill is submitted to the Governor for approval or disapproval.

Resolutions and memorials are not law and are not submitted to the Governor. A single house may adopt a resolution or a memorial. Joint resolutions, concurrent resolutions and joint memorials require adoption by both houses.

### PURPOSES OF LEGISLATIVE MEASURES:

**BILL.** A bill is passed by both houses of the Legislative Assembly to enact law (e.g., amend or repeal existing law, create new law, appropriate money, prescribe fees, provide penalties, etc.).

**JOINT RESOLUTION.** A joint resolution is adopted by both houses of the Legislative Assembly to:

- Propose a constitutional amendment or revision.
- Create an interim committee under ORS 171.610 or a legislative task force.
- Give directions to a state agency or officer.
- Authorize some kind of temporary action.

**CONCURRENT RESOLUTION.** A concurrent resolution is adopted by both houses of the Legislative Assembly to:

- Address matters affecting the internal operations and procedures of both houses of the Legislative Assembly, such as joint sessions, appointments of joint committees, recesses and adjournments. (Use a joint resolution to create an interim committee or task force.)
- Express legislative congratulations, commendation or sympathy.
- Express an opinion or sentiment on a matter of public interest.
- Express legislative approval of action taken by someone else.
- Designate a state emblem.
- Make a certain day a single day of state recognition. (Use a bill to create an annual day of state recognition or a statutory holiday. If a committee approves amendments that change a single recognition to an annual one, the measure retains its original format.)

**RESOLUTION.** A resolution is adopted by a single house of the Legislative Assembly to:

- Take action affecting its own concerns or procedures, such as appointing a committee of its members.
- Express an opinion or sentiment on a matter of public interest.

**JOINT MEMORIAL.** A joint memorial is adopted by both houses of the Legislative Assembly to address or petition Congress, the President of the United States or the officials or agencies of another governmental body.

**MEMORIAL.** A memorial is adopted by a single house of the Legislative Assembly for the same purposes as a joint memorial.

## CHAPTER 3: BILLS

A measure intended to have the effect of statutory law (e.g., amends or repeals existing law, creates new law, appropriates money, prescribes fees, provides penalties, etc.) must be introduced as a bill and passed by a majority of the members elected to each house of the Legislative Assembly (at least 31 representatives and at least 16 senators). Although a bill can direct more than one action, it must embrace only one subject. A bill that passes both the Senate and the House of Representatives is submitted to the Governor for approval or disapproval unless the Legislative Assembly refers the bill to the people.

The formal parts of a bill are the heading, title, enacting clause and body. For example:

HEADING	<b>A BILL FOR AN ACT</b>
TITLE	Relating to directors of domestic insurers; creating new provisions; amending ORS 732.305; and declaring an emergency.
ENACTING CLAUSE	<b>Be It Enacted by the People of the State of Oregon:</b> <b><u>SECTION 1.</u></b> ORS 732.305 is amended to read: 732.305. A domestic insurer may not have fewer than [ <i>five</i> ] <b>six</b> directors. A director need not be a shareholder or member of the insurer unless the articles of incorporation so require, but a director must be 21 years of age or older. At least [ <i>five</i> ] <b>six</b> or one-quarter of the directors, whichever is fewer, must be residents of this state. A majority of directors must be persons who are not salaried officers of the insurer.
BODY	<b><u>SECTION 2.</u></b> The amendments to ORS 732.305 by section 1 of this 2023 Act apply to domestic insurers in operation on or after the effective date of this 2023 Act. <b><u>SECTION 3.</u></b> This 2023 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2023 Act takes effect on its passage.

### BILL TITLES

The title of a bill begins with the phrase “Relating to” and expresses the subject of that bill. The title immediately follows the heading “**A BILL FOR AN ACT.**” For example:

#### **A BILL FOR AN ACT**

Relating to personal income taxes.

**Purpose.** The purpose of a title is to give a general indication of the subject to which the bill relates so that the reader can determine whether the bill addresses a subject of interest; therefore, the title should define the subject within reasonable bounds. The title serves as a means of identification and not as an index or table of contents for the bill.

**Constitutional Requirement of One Subject.** Article IV, section 20, of the Oregon Constitution, requires that an Act “embrace but one subject, and matters properly connected therewith, which subject shall be expressed in the title” of the bill. Any matter that is not included within the title is void.

**Designation of Subject.** The constitutional directive that the title be phrased to identify only one subject avoids the necessity of determining from an enumeration of particulars the single subject selected for legislation. Any additional clauses, such as amending or repealing clauses, voting requirements, etc., follow the “relating to” clause and are governed by legislative rules, not the Oregon Constitution.

Express the subject in general terms and avoid the words “and” and “or.” For example, a title that fulfills the one-subject requirement relates to “local governments,” not to “cities and counties.”

The subject as expressed in the title may be broader than that actually embraced in the body of the bill as long as the title is not misleading. All amendments to a printed bill must relate to the subject expressed in the “relating to” clause in the title, and both houses have long-standing precedents against amending the “relating to” clause in the bill title.

## LEGISLATIVE REQUIREMENTS FOR BILL TITLES

**References to Amended or Repealed Sections in Title.** It is an established legislative practice to list numerically each amended or repealed section of ORS, uncodified prior session law (Oregon Laws), current session law (bill) or ORCP in the title, even though these sections may not be organized numerically in the body of the bill. Neither the Oregon Constitution nor the courts require this practice. The Legislative Assembly finds this practice helpful and desires that it continue.

**Special Clauses in Title.** Although the Oregon Constitution does not require any particular feature or clause of an Act to be mentioned in the title, the Legislative Assembly requires that certain special clauses be included in the title. Special clauses are required in the title if the bill declares an emergency, prescribes an early effective date (nonemergency) or a delayed effective date, raises revenue, reduces certain criminal sentences, transfers moneys from the Education Stability Fund, modifies estimated revenue (the surplus revenue kicker) pursuant to Article IX, section 14, of the Oregon Constitution, or is being referred to the people.

## FORMS OF TITLES

Relating to children.	(new legislation only)
Relating to children; amending ORS 418.746.	(amending legislation only)
Relating to children; repealing ORS 418.746.	(repealing legislation only)

**Creating New Provisions.** Titles of bills that amend or repeal existing sections of ORS, session law or ORCP and that also create new section(s) of law that are not otherwise described by a clause in the title must include the phrase “creating new provisions”:

Relating to children; creating new provisions; and amending ORS 109.990.

Titles of bills that create new section(s) without amending or repealing sections of ORS, session law or ORCP do not require the phrase “creating new provisions.” Use special clauses if the bill declares an emergency, prescribes an early effective date (nonemergency) or a delayed effective date, raises revenue, reduces certain criminal sentences, transfers moneys from the Educational Stability Fund, modifies estimated revenue or refers an Act to the people. *See* “Special Clauses in Title of Bill” in this chapter.

In a bill title, “creating new provisions” also encompasses a section that cannot otherwise be described by a special clause and that contains:

- An adding clause;
- A sunset provision (which limits the duration of certain provisions of a bill by repealing those provisions on a specific date; for example: “**SECTION 21. Sections 1 to 20 of this 2023 Act are repealed on January 2, 2026.**” See “Acts of Limited Duration (‘Sunset Provisions’)” in this chapter);
- A section being enacted in lieu of an existing section that is being repealed;
- A name change provision;
- An applicable date;
- An operative date;
- An appropriation;
- An expenditure limitation;
- A lottery allocation; or
- Any other provision not otherwise covered in the title.

**Amending or Repealing Uncodified Sections of Session Law or ORCP.** If a bill amends or repeals an uncodified section of session law or ORCP, include that section in the title. Use the word “and” as a separator between the end of the list of one type of amended sections and the beginning of the list of another type of amended sections. For example:

Relating to children; creating new provisions; and amending ORS 336.580 and section 6, chapter 1120, Oregon Laws 2017, and ORCP 4 K and 7 D.

**Amending or Repealing Sections of Another Bill.** If a bill amends or repeals a new section of another bill, use the form for citing a current session bill to list these sections in the bill title:

Relating to children; creating new provisions; and amending ORS 336.580 and section 2, chapter \_\_\_, Oregon Laws 2023 (Enrolled Senate Bill 197), and section 10, chapter \_\_\_, Oregon Laws 2023 (Enrolled House Bill 2998).

## SPECIAL CLAUSES IN TITLE OF BILL

**Emergency Clause.** Add the phrase “and declaring an emergency” to the title if the bill contains an emergency clause. See “Emergency Clause” in this chapter. For example:

Relating to children; and declaring an emergency.

Relating to children; creating new provisions; amending ORS 418.746; and declaring an emergency.

**Effective Date.** Add the phrase “and prescribing an effective date” to the title if the bill contains a provision prescribing an early effective date (nonemergency) or a delayed effective date. An early effective date (nonemergency) is an effective date that occurs on or after the 91st day after the end of session but before the normal effective date of January 1 of the year that follows the session year. A delayed effective date is an effective date that occurs after the normal effective date of January 1 of the following year. See “Early Effective Date (Nonemergency)” and “Delayed Effective Date” in this chapter.

Relating to children; and prescribing an effective date.

“Prescribing an effective date” also must appear in the title if the bill contains a provision that links its effective date to adoption of a legislatively referred measure by the people. *See* “Conditional Referral” in this chapter.

Note the correct order of clauses in the title:

Relating to children; creating new provisions; amending ORS 418.746; repealing section 6, chapter 1136, Oregon Laws 2017; and prescribing an effective date.

**Supermajority Voting Requirements.** When more than a majority vote is required for passage of a bill, list notice of the required vote in the bill title after all other clauses except the referendum clause. *See also* chapter 5 of this manual for the supermajority voting requirement for revisions to the Oregon Constitution.

**If a bill has been identified as a revenue raising measure,** its title includes a notice that reads “and providing for revenue raising that requires approval by a three-fifths majority.” *See* Article IV, section 25 (2), of the Oregon Constitution. For example:

Relating to children; creating new provisions; amending ORS 418.746; and providing for revenue raising that requires approval by a three-fifths majority.

**If a bill has been identified as a measure that reduces criminal sentences enacted by initiative or referendum petition,** its title includes a notice that reads “and providing for criminal sentence reduction that requires approval by a two-thirds majority.” *See* Article IV, section 33, of the Oregon Constitution. For example:

Relating to crime; creating new provisions; amending ORS 137.124; declaring an emergency; and providing for criminal sentence reduction that requires approval by a two-thirds majority.

**If a bill transfers moneys from the Education Stability Fund,** its title includes a notice that reads “and providing for transfer of moneys from the Education Stability Fund that requires approval by a three-fifths majority.” *See* Article XV, section 4, of the Oregon Constitution. For example:

Relating to education; amending ORS 327.013; and providing for transfer of moneys from the Education Stability Fund that requires approval by a three-fifths majority.

**If a bill modifies estimated revenue pursuant to Article IX, section 14, of the Oregon Constitution** (the surplus revenue kicker), its title includes a notice that reads “and providing for revenue estimate modification that requires approval by a two-thirds majority.” For example:

Relating to state finance; declaring an emergency; and providing for revenue estimate modification that requires approval by a two-thirds majority.

A bill that modifies estimated revenue must contain an emergency clause. The prohibition against declaring an emergency in an Act regulating taxation or exemption does not apply to a bill that modifies estimated revenue. *See* Article IX, section 14 (6), of the Oregon Constitution.

**If a bill has been identified as a measure that reduces the amount of state revenues derived from a specific state tax that is distributed to local governments,** its title may include “; and anticipating reduction in state revenues distributed to local governments that requires approval by a three-fifths majority.” This supermajority voting requirement is rarely used. *See* Article XI, section 15 (6) and (7), of the Oregon Constitution.

For example:

Relating to state finance; declaring an emergency; and anticipating reduction in state revenues distributed to local governments that requires approval by a three-fifths majority.

**Referendum Clause.** Insert “; and providing that this Act shall be referred to the people for their approval or rejection” at the end of the title if the bill contains a referendum clause in which the Legislative Assembly refers a bill to a vote of the people. *See* “Referendum Clause” in this chapter. For example:

Relating to children; and providing that this Act shall be referred to the people for their approval or rejection.

Note the order of clauses:

Relating to taxation; creating new provisions; amending ORS 323.170; repealing sections 2 and 5, chapter 5, Oregon Laws 2002; providing for revenue raising that requires approval by a three-fifths majority; and providing that this Act shall be referred to the people for their approval or rejection.

**Order of Provisions and Special Clauses in Title.** Use this order for special clauses in a title, as needed:

- (1) Prescribing . . . (OR) Declaring . . .
- (2) Providing for . . . (supermajority)
- (3) Providing that . . . (referendum)

## **PREAMBLE**

A bill may include a preamble that states the reasons for the enactment of the law. A preamble typically appears before the enacting clause, does not become part of the law and is not essential to the use or validity of the bill. A bill preamble usually takes the form of “whereas” clauses, but may also have numbered paragraphs. *See* chapter 175, Oregon Laws 2021, for an example of a bill preamble that uses “whereas” clauses. Chapter 492, Oregon Laws 2017, illustrates the use of numbered paragraphs in a bill preamble.

When writing a bill preamble that consists of “whereas” clauses:

- Do not use a comma after the word “Whereas”, even if the phrase immediately following is a phrase that would normally be offset by commas.
- End each paragraph except the last with a semicolon and the word “and”.
- End the last paragraph with a semicolon and the phrase “now, therefore,”. (This phrase connects the preamble to the enacting clause.)
- Keep text lightface.
- Do not set up a bill preamble as “**SECTION 1.**” Begin bill section numbering after the enacting clause.

## **ENACTING CLAUSE**

The customary enacting clause, formerly required in every bill by the Oregon Constitution, continues to be required by the Legislative Assembly. The enacting clause is flush with the left margin and reads:

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

## BODY OF A BILL

The body of a bill follows the enacting clause and contains the actual legislation. The body sets forth proposed laws, amended laws and provisions for the repeal of laws.

Legislating can be done only in the body of a bill, not in the title or the preamble. A bill must embrace only one general subject, but it can do any one or more of the following:

- **Create new law**
- **Amend existing law**
- **Repeal existing law**

**Sectionalization.** Write bills in sections. Use a separate numbered section with an amending clause for each existing section of ORS, session law or ORCP that is being amended. List all sections of ORS, session law or ORCP that are being repealed numerically in a separate numbered section unless a new section is being enacted expressly in lieu of a repealed section. List all amended or repealed sections of ORS, session law or ORCP in the title. Place new provisions considered permanent in nature and new provisions considered temporary in nature in separate sections.

**Consecutive Numbering.** Consecutively number the sections of a bill with Arabic numerals, with each section number preceded by the word “**SECTION.**” Do not assign ORS section numbers to sections containing new laws; the Office of the Legislative Counsel assigns statutory section numbers to sections of a general and permanent nature when compiling *Oregon Revised Statutes*.

**Directing Amendments and Repeals to ORS Section.** When amending or repealing a statute that is already compiled in *Oregon Revised Statutes*, amend or repeal the ORS section, not the session law section. Use the Comparative Section Tables in Volume 22 of *Oregon Revised Statutes* to determine whether a section of session law is codified.

**Number of Statutes Amended or Repealed in Body of Bill.** Any number of statutes relating to one general subject may be amended or repealed in a single bill.

Note that a particular ORS section cannot be amended and repealed by the same bill unless the repeal has a delayed operative date. See “Operative Date” in this chapter. Also note that a particular ORS section may be amended, or repealed, or both, by more than one bill throughout a legislative session. Article IV, section 22, of the Oregon Constitution, allows the compilation of more than one amendment unless the amendments conflict in purpose. See Appendix A, Conflicts.

**Typical Order of Sections in Body of Bill.** Present the substance of a bill in a logical manner. A new or amended section that expresses the leading purpose of the bill often appears first. Administrative and other subordinate provisions follow and are arranged according to their application or to a natural sequence of procedural steps. Intersperse amended sections with new sections if this arrangement is conducive to the logical development of the bill.

Next are sections that make conforming amendments to other statutes. Arrange conforming amendments consecutively by ORS section number so that the amended ORS sections are easy to find. A section that contains a repealing clause usually appears near the end of the bill and may be followed by sections that establish operative or applicable dates for certain provisions. A section that contains an emergency clause, sets a nonstandard effective date or refers the Act to the people appears at the end of the bill.



## SETTING FORTH AMENDED SECTIONS AT FULL LENGTH

**Generally.** Article IV, section 22, of the Oregon Constitution, provides, in part, that an amended section “shall be set forth, and published at full length.” No matter how small the proposed change or how lengthy the unchanged part of the section being amended, set forth the section at full length. Each proposed change can then be viewed in context.

Do not amend a section by stating that certain words or phrases be inserted or substituted for existing words or phrases, by stating that certain existing words or phrases be deleted or by specifying that some provision be added to the end of an existing statute.

**Separate Numbered Sections.** Use a separate numbered section for each existing section of ORS, session law or ORCP to be amended by a bill. *See* “Amending Clause” in this chapter. Each separate numbered section must have an amending clause that lists the existing section that is set forth for amending. For example:

**SECTION 1.** ORS 167.370 is amended to read:

167.370. (1) A person commits the crime of participation in dogfighting if the person knowingly:

(a) Attends or has paid admission at any place for the purpose of viewing or betting upon a dogfight.

(b) Advertises or otherwise offers to sell equipment for the training and handling of a fighting dog.

(2) Participation in dogfighting is a Class C felony [*A misdemeanor*].

**SECTION 2.** ORS 167.372 is amended to read:

167.372. (1) A person commits the crime of possessing dogfighting paraphernalia if the person owns or possesses dogfighting paraphernalia with the intent that the paraphernalia be used to train a dog as a fighting dog or be used in the furtherance of a dogfight.

(2) Possessing dogfighting paraphernalia is a Class C felony [*A misdemeanor*].

**Subsections, Paragraphs, Etc.** A subsection, paragraph or other subunit of a section, or anything less than an entire section, **cannot** be deleted or amended without setting forth the entire section as amended. Do not amend a section indirectly by repealing a sentence or subunit of the section. Set forth the section at full length in amended form.

**Incorrect:**

**SECTION 1. Subsection (2) of ORS 999.999 is repealed.**

**Correct:**

**SECTION 1.** ORS 999.999 is amended to read:

999.999. [(1)] Cats may not run at large.

[(2)] *Dogs may run at large.*

**Editorial Substitutions and Master Copy Corrections (MCCs).** Consult the Office of the Legislative Counsel if an ORS section in a bill seems to differ from the printed ORS section. The difference may reflect an editorial substitution or master copy correction (MCC) that is authorized under ORS 173.160 and does not require legislative action.

**Exclude Section Headings, Subheadings, Leadlines and Source Notes.** When setting forth amended sections of ORS or session law at full length, exclude section headings, subheadings, leadlines and source notes that appear in the printed version. **They are not part of the law.** Section headings, subheadings, leadlines and source notes are intended only as an aid in using the published version of the statutes.

(NOTE: The unique section numbering and leadlines [e.g., “§2.01 Who may initiate a written request for medication.”] for sections that are a part of ORS 127.800 to 127.897 [The Oregon Death With Dignity Act] **must** be included when any of these sections are set forth for amending. The section numbering and leadlines were part of the text of Ballot Measure 16 (1994) and are considered part of the law because they were enacted by the voters. The leadlines in ORS 475A.200 to 475A.722 are also considered part of the law because they were enacted by voters as part of Ballot Measure 109 (2020). The ORS retrieval system has been adjusted to include these elements.)

**Changes to ORCP Rule Names and Leadlines Require Amendment.** A rule name or a leadline that appears with the text of a section of the Oregon Rules of Civil Procedure is **part of the law** and must be set forth with the text of the ORCP section being amended. All changes to ORCP rule names and leadlines must be made by amendment.

**If a bill amends:**

- An uncodified section of session law from an earlier session, prepare the text of the uncodified section for amending as described in Appendix E of this manual.
- A section of another current session bill, *see* Appendix F of this manual.
- ORCP, *see* Appendix K of this manual.

## DELETING OR INSERTING MATERIAL

When a bill amends a section of ORS, session law or ORCP, indicate **ALL** differences, including changes in punctuation, between the original version and the amended version. Do not indicate changes in capitalization.

Use [*brackets and italic*] type to indicate that existing material is to be deleted from an amended section. Any text in an existing section that is set forth between brackets or that is inadvertently omitted from the existing section is deleted. Use **boldfaced** type to indicate **ALL** new material to be inserted into an amended section. This example illustrates the use of [*brackets and italic*] type and **boldfaced** type:

**SECTION 1.** ORS 123.456 is amended to read:

123.456. Each judge and clerk of the special election shall [*receive for his services \$4*] **be compensated at a rate of not less than \$10 per hour.**

**Readability of Deletions and Insertions.** It is the usual practice to delete [*bracket*] existing material and then insert (**boldface**) new material. Sometimes, as when inserting new punctuation marks, large amounts of new material or very little new material, the changes are clearer if the new material is inserted first. For example:

(1) Except as otherwise provided in this section, a license that is issued as an original license and not as a license that is renewed expires **on the anniversary of the licensee’s birthday in the eighth calendar year after the year of issuance.**[.]

[(a) *If issued to a person born in a year ending in an odd number, on the anniversary of the person’s birthday in the second odd-numbered calendar year after the year of issuance.*]

[(b) *If issued to a person born in a year ending in an even number, on the anniversary of the person’s birthday in the second even-numbered calendar year after the year of issuance.*]

[(2) *If under subsection (1) of this section an original license would expire in less than three years from the date of issuance, the Department of Transportation shall extend the expiration date of the license for two years.*]

[(3)] **(2)** A license that is renewed under ORS 807.150 expires [*four*] **eight** years from the specified expiration date of the immediately preceding license.

Readability of text should determine whether the new material is inserted before the old material is deleted or whether the changes involve a series of deletions and insertions. For example, this series of smaller insertions and deletions clearly and correctly shows that the subsection has been renumbered:

*[(11)]* **(4)** *[Suspension or revocation]* **Disciplinary action by another state against the holder** of an emergency medical technician certificate *[issued by another state]*:

The subsection renumbering in this version is less apparent and therefore incorrect:

*[(11) Suspension or revocation]* **(4) Disciplinary action by another state against the holder** of an emergency medical technician certificate *[issued by another state]*:

A series of smaller deletions and insertions will diminish readability if it has the effect of chopping up the text:

(1) *["Office"]* **"Department"** means the *[Office]* **Department** of Community *[College Services]* **Colleges and Workforce Development.**

Often, larger deletions and insertions are easier to read and understand:

(1) *["Office" means the Office of Community College Services.]* **"Department" means the Department of Community Colleges and Workforce Development.**

The following method clearly shows that all of the text of the former subsection (1) is being deleted and that a new subsection (1) stands in its place:

*[(1) "Office" means the Office of Community College Services.]*  
**(1) "Department" means the Department of Community Colleges and Workforce Development.**

Do not delete *[bracket]* or insert **(boldface)** single letters in a word. Instead delete *[bracket]* the entire word to be changed and insert **(boldface)** the new word:

(1) *["Effected"]* **"Affected area"** means an area subject to an order of the commission issued under ORS 454.305.

**Renumbering Subsections and Paragraphs.** Do not save subsection or paragraph numbers when the insertions and deletions of section text result in renumbering. Saving subsection or paragraph numbers makes renumbering difficult to discern. This is how **not** to renumber:

**SECTION 1.** ORS 123.456 is amended to read:  
123.456. As used in ORS 123.456 to 123.499:  
(1) "County court" includes the board of county commissioners.  
(2) *["Master plan" means a plan for the development of service facilities that is coordinated with the comprehensive plans of the affected cities and counties and adopted pursuant to ORS 123.460.]*  
(3) "Service facilities" means public service installations, works or services provided within a county for any or all of the purposes specified in ORS 123.470.

The example below illustrates the correct renumbering technique. Bracket the subsection number and all of the language in subsection (2), bracket only the subsection number for subsection (3) and then insert the new subsection number in boldfaced type:

**SECTION 1.** ORS 123.456 is amended to read:

123.456. As used in ORS 123.456 to 123.499:

(1) “County court” includes the board of county commissioners.

[(2) “*Master plan*” means a plan for the development of service facilities that is coordinated with the comprehensive plans of the affected cities and counties and adopted pursuant to ORS 123.460.]

[(3)] **(2)** “Service facilities” means public service installations, works or services provided within a county for any or all of the purposes specified in ORS 123.470.

To renumber a subsection that begins with “(1)(a)” or “(2)(a)” etc., delete [bracket] the old subsection number **and** paragraph letter and insert (**boldface**) the new subsection number and paragraph letter even if the paragraph letter remains unchanged. For example:

**SECTION 1.** ORS 470.050 is amended to read;

470.050. As used in this chapter, unless the context requires otherwise:

**(1) “Administrator” means the administrator of the State Department of Energy created under ORS 469.030.**

[(1)(a)] **(2)(a)** “Alternative fuel project” means a fleet of vehicles that are modified or acquired directly from a factory and that:

To restructure a section by breaking it into subsections, paragraph the material where necessary and insert boldfaced subsection numbers where they are needed:

**SECTION 4.** ORS 173.230 is amended to read:

173.230. **(1)** The Legislative Counsel or any employee of the Legislative Counsel Committee [shall] **may** not reveal to any person not an employee of the committee the contents or nature of any matter before the Legislative Counsel in the official capacity of the Legislative Counsel, if the person bringing the matter before the Legislative Counsel or employee designates the matter as confidential. Matters not designated as confidential may be revealed only as prescribed by the rules of the committee.

**(2) Notwithstanding subsection (1) of this section,** the Legislative Counsel may provide a copy of a draft measure to the Legislative Fiscal Officer and the Legislative Revenue Officer.

**(3)** The provision by the Legislative Counsel of a copy of a draft measure **under subsection (2) of this section** is not a waiver of privilege under ORS 40.225.

To restructure a subsection by breaking it into paragraphs, insert the boldfaced paragraph letter immediately after the subsection number, without bracketing. For example:

**SECTION 2.** ORS 153.070 is amended to read:

153.070. (1) The court may require that a trial be held in any violation proceeding.

**(2)(a)** Unless a plea of guilty or no contest is entered, a trial must be scheduled for a violation if conviction of the violation would result in the revocation or suspension of the defendant's driving privileges.

**(b) Notwithstanding paragraph (a) of this subsection,** the court is not required to schedule a trial if the defendant fails to appear on a citation for a traffic offense.

Use *[brackets and italic]* type to remove paragraph letters, as in:

**SECTION 5.** ORS 223.311 is amended to read:

223.311. (1)~~(a)~~ System development charge revenues shall be deposited in accounts designated for such moneys.

~~(b)~~ The governmental unit shall provide an annual accounting, **to be completed by January 1 of each year**, for system development charges showing the total amount of system development charge revenues collected for each system and the projects that were funded **in the previous fiscal year**.

(2) The governmental unit shall include in the annual accounting a list of the amount spent on each project funded, in whole or in part, with system development charge revenues.

The same restructuring also could be achieved this way:

**SECTION 5.** ORS 223.311 is amended to read:

223.311. ~~(1)(a)~~ **(1)** System development charge revenues shall be deposited in accounts designated for such moneys.

~~(b)~~ The governmental unit shall provide an annual accounting, **to be completed by January 1 of each year**, for system development charges showing the total amount of system development charge revenues collected for each system and the projects that were funded **in the previous fiscal year**.

(2) The governmental unit shall include in the annual accounting a list of the amount spent on each project funded, in whole or in part, with system development charge revenues.

#### **Amending Internal References to Renumbered Subsections and Paragraphs.**

Delete *[bracket]* the old subsection numbers and paragraph letters and insert **(boldface)** the new subsection numbers and paragraph letters when adjusting internal references to reflect renumbering within a section. Use the clearest and most economical method:

**SECTION 1.** Section 27, chapter 998, Oregon Laws 2015, is amended to read:

**Sec. 27.** (1)(a) Subsection ~~[(2)(c)]~~ **(2)(d)** of this section does not apply to the extent that compliance with statutes or rules of federal or state agencies requires filing of an employee accident report within the 15-day period following the date of the injury.

(b) Requirements of subsection (2)(a) and ~~[(c) to (j)]~~ **(d) to (k)** of this section apply only when a workers' compensation claim is filed pursuant to ORS 656.262.

(c) Employee accident reports and workers' compensation claims are exempt from disclosure under ORS 192.410 to 192.505 if they have been filed under any of the circumstances described in ORS 192.502 (18)(a) to ~~[(d)]~~ **(e)**.

**Amending Renumbered ORS References.** Make the adjustments clearly and economically. Here are two methods:

(3) No applicant under ORS 469.205 (1)(c)~~[(A)(iii) or (B)]~~ shall be eligible for a tax credit for energy conservation measures installed in rental housing.

**OR**

(3) No applicant under ORS 469.205 **(1)(c)** ~~[(1)(c)(A)(iii) or (B)]~~ shall be eligible for a tax credit for energy conservation measures installed in rental housing.

**Inserting New Internal References into Existing Statutory Text.** Insert an internal reference to a new section or several new sections of a bill into the text of an existing section of ORS or session law as follows, in boldfaced type:

**SECTION 21.** ORS 314.772 is amended to read:

314.772. . . . (5) As used in this section, “business tax credit” means the following credits: ORS 315.104 (forestation and reforestation), ORS . . . 317.147 (loans for agricultural workforce housing), 317.152 (qualified research expenses) and ORS 317.154 (alternative qualified research expenses) and section 9, chapter 774, Oregon Laws 2013 (alternative fuel vehicle contributions), **and section 2 of this 2023 Act (contributions to higher education savings accounts) and section 3 of this 2023 Act (employer contributions to higher education savings accounts).**

Retain the existing conjunctions and punctuation. If “**section 2 of this 2023 Act . . . and section 3 of this 2023 Act**” are later codified, the conjunctions and punctuation will be adjusted during ORS compilation, when the assigned ORS section number(s) will be substituted for the references to the section number(s) of that particular Act.

**Adjustments Needed to Incorporate Amendments to ORS Section by Another Bill or Another Section of Same Bill.** If a section of a bill amends a version of an ORS section that incorporates amendments made by another bill or another section of the same bill:

1. Retrieve the ORS version to be further amended (in this example, section 10, chapter 999, Oregon Laws 2023 (Enrolled House Bill 3995):

**SECTION 10.** ORS 123.456 is amended to read:

123.456. Each judge and clerk of the special election shall [*receive for his services \$4*] **be compensated at a rate of not less than \$10 per hour.**

2. Adjust section 10, chapter 999, Oregon Laws 2023 (Enrolled House Bill 3995), to read **as if it were current law** by deleting all material that appears in [*brackets and italic*] type and changing all **boldface** to lightface:

123.456. Each judge and clerk of the special election shall be compensated at a rate of not less than \$10 per hour.

3. Show the section number of the current bill and adjust the amending clause to show incorporation of the section 10, chapter 999, Oregon Laws 2023 (Enrolled House Bill 3995), version:

**SECTION 15.** ORS 123.456, as amended by section 10, chapter 999, Oregon Laws 2023 (Enrolled House Bill 3995), is amended to read:

123.456. Each judge and clerk of the special election shall be compensated at a rate of not less than \$10 per hour.

4. Make additional amendments desired for the current bill:

**SECTION 15.** ORS 123.456, as amended by section 10, chapter 999, Oregon Laws 2023 (Enrolled House Bill 3995), is amended to read:

123.456. Each judge and clerk of the special election shall be compensated at a rate of not less than [*\$10*] **\$15** per hour.

## NEW SECTIONS

Bills create new law if existing statutes cannot be amended or repealed to accomplish a purpose. Sections containing new provisions do not have an amending clause or an ORS section number. The text of a new section appears in **boldfaced** type. For example:

**SECTION 3. (1) A person or agency submitting a report to the Department of Transportation under sections 1 and 2 of this 2023 Act may not release the report or information from the report to any person who intends to use the information for commercial purposes.**

**(2) As used in this section, “commercial purposes” has the meaning given that term in ORS 802.224.**

Provisions that appear in **boldfaced** type in the text of a bill include adding clauses, repealing clauses, repealing and enacting in lieu of clauses, appropriation provisions, expenditure limitations, lottery allocations, applicable dates, operative dates, emergency clauses, early effective dates (nonemergency), delayed effective dates and referendum clauses.

## WRITING NEW SECTIONS

When writing a new section of law, do not break the text of a section or any part thereof into paragraphed units such as subsections or paragraphs unless there are two or more paragraphed units of equal rank.

### Designation of paragraphed units by rank:

- (1) - subsection
- (a) - paragraph
- (A) - subparagraph
- (i), (ii) - sub-subparagraph

### Follow these rules when numbering subsections and paragraphs:

- Use Arabic numerals enclosed in parentheses to designate subsections. A section can consist of two or more subsections of primary rank. For example:

**SECTION 1. (1) Trees are exempt.**

**(2) Shrubs are not exempt.**

- A section can also consist of two or more subsections of secondary rank. For example:

**SECTION 1. As used in sections 1 to 7 of this 2023 Act:**

**(1) “Explosives” means dynamite, blasting powder, black powder, nitroglycerin, detonators, nitro-jelly, prima-cord and detonating fuse.**

**(2) “User” means any person using explosives for any purpose whatsoever, and regardless of whether the person is being compensated for the use.**

- Use lowercase letters in parentheses to designate paragraphs, but use a capital letter “(L)” to designate the paragraph between “(k)” and “(m).”
- Avoid the use of subparagraphs and sub-subparagraphs. If further subdivision cannot be avoided, use capital letters in parentheses “(A)” for subparagraphs and small Roman numerals in parentheses “(i), (ii)” for sub-subparagraphs.
- Do not use numbers or letters in parentheses to separate clauses within a subsection or paragraph. If such separation seems necessary, the clauses may be of sufficient importance to be handled as separate paragraphs or subparagraphs.

## UNIT AND SECTION CAPTIONS

Use optional unit and section captions (also known as headings, subheadings and leadlines) to make a lengthy or complex bill more understandable. For example:

### **SPEED RESTRICTIONS (Rules and Limitations)**

**SECTION 75. Basic speed rule. (insert text)**

**SECTION 76. Special speed limits set by commission. (insert text)**

If a new section with a section caption in a draft is being further amended in the same draft, there is no need to include the section caption in the section that is further amending the new section.

**SECTION 75. Basic speed rule. (insert text)**

**SECTION 76. Section 75 of this 2023 Act is amended to read:**

**Sec. 75.** (Insert text with amendments)

When both unit and section captions are used, insert near the end of the bill a section that reads substantially as follows:

<spm captions>

**SECTION . The unit and section captions used in this 2023 Act are provided only for the convenience of the reader and do not become part of the statutory law of this state or express any legislative intent in the enactment of this 2023 Act.**

When only unit or only section captions are used, insert near the end of the bill a section that reads substantially as follows, as appropriate:

<spm captions-unit>

**SECTION . The unit captions used in this 2023 Act are provided only for the convenience of the reader and do not become part of the statutory law of this state or express any legislative intent in the enactment of this 2023 Act.**

**OR**

<spm captions-sec>

**SECTION . The section captions used in this 2023 Act are provided only for the convenience of the reader and do not become part of the statutory law of this state or express any legislative intent in the enactment of this 2023 Act.**

**(NOTE: A unit and section captions provision is unnecessary in a bill that amends or creates only sections of ORCP, because leadlines used in ORCP are considered part of the law. It is also unnecessary when a bill amends any section that is a part of ORS 127.800 to 127.897 or 475A.200 to 475A.722 because the leadlines for these sections were included in the text of the ballot measures approved by voters and are considered part of the law. If there is no unit and section captions provision in a bill that contains captions, the unit and section captions will be enacted and must be used during ORS compilation. With the exception of ORS 127.800 to 127.897 and 475A.200 to 475A.722 as noted, do not use a section caption with an amended ORS section.)**



## BLANK SLUG FLUSH

A few older ORS sections contain a “blank slug flush” or “flush left.” Now considered a poor drafting technique, this device consists of a lead-in, numbered subsections or paragraphs, a blank line and the rest of the text set flush left (no indentation at the margin). Text set flush left reads into **all** of the preceding material. The last subsection or paragraph before the “blank slug flush” usually ends with a comma or semicolon. For example:

**SECTION 4.** ORS 656.307 is amended to read:

656.307. (1)(a) Where there is an issue regarding:

(A) Which of several subject employers is the true employer of a claimant worker;

(B) Which of more than one insurer of a certain employer is responsible for payment of compensation to a worker;

(C) Responsibility between two or more employers or their insurers involving payment of compensation for one or more accidental injuries; or

(D) Joint employment by two or more employers,

## BLANK SLUG

the Director of the Department of Consumer and Business Services shall, by order, designate who shall pay the claim, if the employers and insurers admit that the claim is otherwise compensable. Payments shall begin in any event as provided in ORS 656.262 [(4)].

The preferred drafting technique is a lead-in that reads into subunits. If a draft contains a blank slug flush, consider whether the material can be rewritten to eliminate it.

## ADDING CLAUSE

If definitions, penalties or similar general provisions of an ORS chapter or series of sections are to apply to one or more new sections being created, add the new material to the appropriate ORS chapter or series by specifying that it is to be “added to and made a part of” that chapter or series. Before doing so, however, carefully study the effect of other statutes on the series selected. For instance, while the definitions may be helpful, the penalties for that series may not be appropriate. Do not use the adding technique as a means of editorially directing where the new material is to be compiled in ORS, because other new material may affect the placement of a particular section in the statutes.

When adding new sections to existing ORS chapters or series, include in the bill an adding clause for the section or sections added but do not state in the title or the body of the bill that the ORS chapter or series is being “amended by the addition.”

If only one section is being added, follow this form for the adding clause:

**SECTION 1.** Section 2 of this 2023 Act is added to and made a part of ORS 283.305 to 283.350.

**SECTION 2.** (insert text)

Only one adding clause is necessary even if two or more sections are being added:

**SECTION 1.** Sections 2 and 3 of this 2023 Act are added to and made a part of ORS chapter 283.

**SECTION 2.** (insert text)

**SECTION 3.** (insert text)

When adding to a splintered series (e.g., ORS 412.001 to 412.155 and 418.647), cite only the two ORS sections connected by “to,” not the splinter.

**Adding Sections to a Statutory Code.** It is also possible for a section or sections to be “added to and made a part of” a specific statutory code, such as the Insurance Code or the Oregon Vehicle Code. For example:

**SECTION 1. Section 2 of this 2023 Act is added to and made a part of the Oregon Vehicle Code.**

**SECTION 2. (insert text)**

**“Adding and Amending” Clauses Prohibited.** Do not combine adding and amending in one “adding and amending” clause. Add and amend in separate sections.

**Incorrect:**

**SECTION 1. ORS 123.456 is added to and made a part of ORS chapter 123 and is amended to read:**

123.456. (insert text).

**Correct:**

**SECTION 1. ORS 123.456 is added to and made a part of ORS chapter 123.**

**SECTION 2. ORS 123.456 is amended to read:**

123.456. (insert text)

See Appendix G of this manual for greater detail about ORS series, adding and techniques for “unadding.” See Appendix K of this manual for examples of adding new sections and rules to ORCP.

## **AMENDING CLAUSE**

Use a separate amending clause in the body of a bill for each section of ORS, session law or ORCP that is being amended. It is not sufficient to state in the title that a section is being amended. The amending clause follows the bill section number. For example:

**SECTION 1. ORS 171.030 is amended to read:**

171.030. (insert text)

**Amending Clause for Note Version of an ORS Section.** There may be more than one version of an ORS section, depending on the effective date or operative date of prior amendments to that section or other provisions from prior legislative sessions. Early effective dates (nonemergency), delayed effective dates, operative dates, sunset dates and other provisions determine which versions must be amended by a particular bill.

When a drafter retrieves an ORS section from the ORS retrieval system to amend the section in an LC draft, the retrieval system automatically pulls in each version of the section that may need to be amended, including “small print” note versions. The drafter then makes the appropriate changes in both versions. For example:

**BIG PRINT**

**SECTION X.** ORS 181A.657 is amended to read:

181A.657. (1) The Department of Public Safety Standards and Training shall by rule designate one or more accrediting bodies for law enforcement agencies in this state with [35] **25** or more sworn police officers.

(2)(a) No later than July 1, 2025, each law enforcement agency in this state with 100 or more sworn police officers must be accredited by an accrediting body designated by the department under subsection (1) of this section.

(b) No later than July 1, 2026, each law enforcement agency in this state with [35] **25** or more sworn police officers must be accredited by an accrediting body designated by the department under subsection (1) of this section.

**NOTE VERSION  
(LITTLE PRINT)**

**SECTION XX.** ORS 181A.657, as amended by section 3, chapter 611, Oregon Laws 2021, is amended to read:

181A.657. (1) The Department of Public Safety Standards and Training shall by rule designate one or more accrediting bodies for law enforcement agencies in this state with [35] **25** or more sworn police officers.

(2) Each law enforcement agency in this state with [35] **25** or more sworn police officers must be accredited by an accrediting body designated by the department under subsection (1) of this section.

In the example above, **SECTION XX.** is the section that amends the note version. The amending clause includes the phrase “, as amended by section 3, chapter 611, Oregon Laws 2021,” to differentiate between the “big print” version and the note version. For this example, list ORS 181A.657 in the bill title only once. Do not list the session law section that contains the delayed amendments. For an example of a bill that amends both the big print and note versions of a statute, see chapter 91, Oregon Laws 2021 (Enrolled House Bill 2700).

**Amending Clause for ORS Section as Amended by Another Current Session Bill.** Sometimes one bill draft amends an ORS section as it is amended by another current session bill. Use the form for citing Oregon Laws and an enrolled measure citation to identify the other current session bill whose amendments are incorporated. For example:

**SECTION 1.** ORS 123.456, as amended by section 10, chapter 1009, Oregon Laws 2023 (Enrolled Senate Bill 1910), is amended to read:  
123.456. (insert text)

**Amending Clause for Uncodified Sections of Session Law.** Use the form for citing Oregon Laws to create an amending clause for a section that amends an uncodified section of session law:

**SECTION 1.** Section 3, chapter 999, Oregon Laws 2019, is amended to read:  
**Sec. 3.** (insert text)

**(NOTE: Check the Comparative Section Tables in Volume 22 of ORS to determine whether the section of session law being amended was codified. If the section was codified, amend the ORS section instead. Appendix E of this manual describes how to prepare an uncodified section for amending.)**

Here is an example of an amending clause for an uncodified section of session law that has been amended by subsequent legislative sessions. List only the original enactment (section 7, chapter 290, Oregon Laws 1987, in the next example) in the bill title. Note how amendments from the same session year are listed:

**SECTION 2.** Section 7, chapter 290, Oregon Laws 1987, as amended by section 2, chapter 622, Oregon Laws 1991, section 8, chapter 872, Oregon Laws 1991, section 1, chapter 231, Oregon Laws 1993, and section 2, chapter 408, Oregon Laws 2001, is amended to read:

**Sec. 7.** (insert text)

**Amending Clause for New Section of a Current Session Bill.** Use the form for citing a section of a current session bill to create the amending clause for a section that amends a new section of another current session bill:

**SECTION 2.** Section 1, chapter \_\_\_\_, Oregon Laws 2023 (Enrolled Senate Bill 257), is amended to read:

**Sec. 1.** (insert text)

**Amending Clause for Sections of ORCP.** At each odd-year regular session, the Council on Court Procedures submits to the Legislative Assembly the amendments to ORCP that the council promulgated pursuant to ORS 1.735. These amendments take effect on January 1 of the year that follows the session year unless the Legislative Assembly, by statute, takes action to further amend or repeal any of the rules to create new rules or to prescribe a different effective date.

When a bill amends a section of ORCP, use:

**SECTION 1.** ORCP \_\_\_\_\_ is amended to read:

When a bill further amends a section of ORCP amended by the council, use:

**SECTION 1.** ORCP \_\_\_\_\_, as amended by the Council on Court Procedures on December 10, 2022, is amended to read:

See Appendix K of this manual for greater detail about ORCP.

## **REPEALING CLAUSE**

If the bill repeals existing statutes, list all of the ORS sections being repealed in the title and in the body of the bill; it is not sufficient to list the repealed sections only in the title. The section containing the repealing clause is usually placed near the end of the bill.

**SECTION 15.** ORS 171.030 and 171.032 are repealed.

Do not direct repeals to a series of ORS sections. List each repealed section separately in the repealing clause. For example:

**SECTION 48.** ORS 548.610, 548.615, 548.620, 548.625, 548.630, 548.635, 548.640, 548.645, 548.650, 548.655 and 548.660 are repealed.

**Repealing Clause for Uncodified Sections of Session Law.** The form for repealing an uncodified section of session law is:

**SECTION 3.** Section 4, chapter 999, Oregon Laws 2017, is repealed.

Always check the Comparative Section Tables in Volume 22 of ORS to determine whether the section of session law being repealed was codified. If the section was codified, repeal the ORS section instead. If the section was amended after its enactment, include all of

the amendment information in the repealing clause. (List only the original enactment in the bill title.) Here are repealing clause examples for subsequently amended session laws, including multiple sections from the same Oregon Laws chapter, multiple chapters from the same session and chapters from different sessions:

**SECTION 1.** Section 4, chapter 794, Oregon Laws 2001, as amended by section 7, chapter 14, Oregon Laws 2005, is repealed.

**SECTION 2.** Section 34, chapter 457, Oregon Laws 1991, and sections 17, 18, 19, 20 and 21, chapter 25, Oregon Laws 1993, are repealed.

**SECTION 3.** Section 3, chapter 815, Oregon Laws 2001, and section 22, chapter 878, Oregon Laws 2001, are repealed.

**SECTION 4.** (1) Section 1, chapter 697, Oregon Laws 2001, as amended by section 1, chapter 759, Oregon Laws 2005, is repealed.

(2) Section 2, chapter 697, Oregon Laws 2001, as amended by section 2, chapter 759, Oregon Laws 2005, is repealed.

(3) Section 3, chapter 697, Oregon Laws 2001, as amended by section 3, chapter 288, Oregon Laws 2003, is repealed.

(4) Sections 4 and 5, chapter 697, Oregon Laws 2001, are repealed.

(5) Section 6, chapter 697, Oregon Laws 2001, as amended by section 4, chapter 288, Oregon Laws 2003, and section 3, chapter 759, Oregon Laws 2005, is repealed.

(6) Sections 7, 8, 9, 10 and 11, chapter 697, Oregon Laws 2001, are repealed.

**SECTION 5.** (1) Sections 1, 7 and 9, chapter 49, Oregon Laws 2005, are repealed.

(2) Section 10, chapter 49, Oregon Laws 2005, as amended by sections 38 and 39, chapter \_\_\_, Oregon Laws 2023 (Enrolled House Bill 999), is repealed.

(3) Section 11, chapter 49, Oregon Laws 2005, as amended by section 22, chapter 74, Oregon Laws 2007, and section 16, chapter \_\_\_, Oregon Laws 2023 (Enrolled Senate Bill 997), is repealed.

**SECTION 6.** Sections 2, 3 and 4, chapter \_\_\_, Oregon Laws 2023 (Enrolled House Bill 995), are repealed.

**Repealing Clause for Sections of ORS, Session Law, Current Session Bills and ORCP.** Note the order of repeals in this example:

**SECTION 15.** ORS 171.030 and 171.032 and section 7, chapter 999, Oregon Laws 2009, and section 35, chapter \_\_\_, Oregon Laws 2023 (Enrolled Senate Bill 990), and ORCP 62 F are repealed.

## **REPEALING AND ENACTING IN LIEU**

If the proposed changes to an amended statute are so numerous that the use of [*brackets and italic*] type and **boldfaced** type may be too confusing or if the new material totally revises the old, it may be necessary to use a different method of showing the changes. One method of retaining the effect of the old, including applicable court decisions and the relationship with existing law, is to enact the new “in lieu” of the old. The new ORS section number will be substituted editorially in ORS for the old ORS number without having to amend each section that cites it. Be sure that the enactment is in fact in lieu. Do not, for example, repeal a penalty and enact in lieu thereof a procedure. The case law would not fit and the number substitutions would produce absurd references.

**If enacting one new section in lieu of one repealed section**, use the following form:

**SECTION 1. ORS 483.241 is repealed and section 2 of this 2023 Act is enacted in lieu thereof.**

**SECTION 2. (insert text)**

For the bill title, list the repealed section in the repealing clause of the title and list the section being “enacted in lieu thereof” under “creating new provisions.” The new section will receive a new ORS number during ORS compilation.

**If enacting multiple new sections in lieu of a repealed section**, use this form:

**SECTION 1. ORS 483.210 is repealed and sections 2 and 3 of this 2023 Act are enacted in lieu thereof.**

**SECTION 2. (insert text)**

**SECTION 3. (insert text)**

**Never enact several new sections in lieu of several repealed statutes**, because it is never clear whether one or all of the new sections should be substituted for one or all of the repealed sections.

## DEFINITIONS

Definitions are often used in bills to restrict or extend the meaning of a term or to translate technical jargon or words of art into common language. Follow these guidelines:

- **Use quotation marks** around each term being defined.
- **Use “means” when the definition restricts or limits the meaning of a term. Use “includes” when the definition extends the meaning.** Use the third-person singular forms of “means” and “includes” — even if the term being defined is plural — because the implied subject of either verb is “the term.” For example, “[the term] ‘Foodstuffs’ means fruits, vegetables, meats, poultry, eggs, dairy products and other natural and processed products offered for sale for human or animal consumption.”
- **Never use “means and includes,”** even if the combination is split into more than one sentence, because it raises doubt whether the intent is restrictive or expansive. (Adjustments to existing ORS definitions that include “means and includes” are substantive changes.) Watch new sections for constructions like these:
  - (x) “District board” means the governing body of a district. “District board” includes a county board that is in the governing body of a district.
  - (x) As used in this section, “purchase money agreement” means and includes a purchase money mortgage, a purchase money trust deed and a purchase contract.
- **In an existing section of definitions, insert subsections containing new definitions at the end of the section if the existing definitions are not alphabetized.** Alphabetize the definitions in an existing section **if and only if** this adjustment can be achieved with minor renumbering of subsections and relatively few conforming amendments. The decision whether to correct existing alphabetization is the drafter’s.
- **Place new definitions that apply to the entire bill in a separate section at the beginning of the bill. Arrange definitions alphabetically** in separate subsections or paragraphs after a lead-in that usually reads, “As used in sections \_\_\_ to \_\_\_ of this 2023 Act. . . :”. Defined terms that include an Arabic numeral should be alphabetized as if the numeral were spelled out.

- **Place definitions that apply to only one section of a bill** (e.g., “As used in this section, ‘ \_\_\_\_\_ ’ means...”) **at the beginning or at the end of that section.**
- **Watch new sections for definitions of generic terms** such as “board,” “department” or “director.” (For example, “(1) ‘Director’ means the Director of the Department of Revenue.”)

**(NOTE:** An earlier drafting practice required definitions for generic terms used as second and subsequent references to a state agency or officer. Current form and style is to set out the full official title for each first reference to a state agency or officer in a section.

Some sections of ORS and session law still contain definitions for generic terms used as second and subsequent references to state agencies and officers. Time constraints may determine whether existing definitions should be deleted.

**If existing definitions have been deleted** for generic terms used as second and subsequent references to state agencies and officers, check each section of ORS or session law that is subject to the definitions to make sure the first references are complete and that subsequent references are clear.)

- **Check that each defined term is used in the bill.**
- If a bill deletes all references to a term that is used throughout a series, check the definitions for that series to **see whether there is a definition that is no longer necessary.**
- Be sure there is only one definition for each term in a section of definitions. Check for existing chapter and series definitions when appropriate. Beware of dueling definitions: It may be difficult to ascertain which definitions apply!
- **Cite an entire section of definitions instead of a specific subsection or paragraph** when citing a definition of a term. For example, use “air pollution, as defined in ORS 468A.005” instead of “air pollution, as defined in ORS 468A.005 (5).” Consult the drafter before deleting references to a subsection or to a subsection and paragraph in conforming amendments that correct citations to a section of renumbered definitions, as there are occasional exceptions.
- Use the following form when **incorporating by reference** a definition that is found elsewhere in ORS or in federal law:

**SECTION 1. As used in sections 2 and 3 of this 2023 Act, “public body” has the meaning given that term in ORS 174.109.**

**SECTION 2. (1) As used in this section, “nuclear incident” has the meaning given that term in 42 U.S.C. 2014(q). . . .**

## **NAME CHANGE PROVISION**

When drafting a bill that changes the name of an agency, program or account, the general rule is to amend each statute and session law containing the name. If many statutes and session laws contain the name, the drafter may amend only key statutes and session laws. In either case, place a name change provision near the end of the bill.

**SECTION . (1) The amendments to ORS \_\_\_\_ by section \_\_ of this 2023 Act are intended to change the name of the “Old Agency” to the “New Agency.”**

**(2) For the purpose of harmonizing and clarifying statutory law, the Legislative Counsel may substitute for words designating the “Old Agency,” wherever they occur in statutory law, other words designating the “New Agency.”**

Retain the quotation marks when inserting the names of the old and new agencies into the text of the name change provision. Use the name change provision sparingly. If used:

- Make sure the name change provision applies only to proper names.
- Identify the new name and the old name precisely and consistently.
- Amend the statute that establishes the agency, program or account whose name is being changed.
- Review carefully each statute or section of session law that contains the old name and determine whether the section must be amended.
- Amend any statutes in which a straight editorial substitution will not work. For example, if a statute says “The Motor Vehicles Division shall notify the Motor Carrier Division of the status of a driver license...” and the bill changes the names of both the Motor Vehicles Division and the Motor Carrier Division to the Department of Transportation, an editorial substitution of the “Department of Transportation” for references to both divisions at ORS compilation will result in “The Department of Transportation shall notify the Department of Transportation...” A problem like this cannot be corrected except by law.
- Look for related names that might need to be changed. For example, a bill that changes the name of Oregon Health and Science University should also change the name of the Oregon Health and Science University Board of Directors.
- Treat a name change provision as “creating new provisions” for purposes of the bill title. *See* the preface in Volume 1 of ORS for a list of authorized name changes made pursuant to legislation from 1953 to the present.

## **NORMAL EFFECTIVE DATE**

ORS 171.022 provides that the normal effective date for bills is January 1 of the year that follows the session year. In the absence of an emergency clause, an early effective date (nonemergency), a delayed effective date or a section referring an Act to an election, bills passed by the Eighty-second Legislative Assembly in 2023 will take effect on January 1, 2024. Bills passed by the Eighty-second Legislative Assembly in 2024 will take effect on January 1, 2025.

The question of effective date is important in many bills because of issues related to fiscal years, license years, tax years, election dates and similar considerations.

When referring to the “effective date of this 2023 Act,” be sure there is **only one date** on which all sections of the bill take effect. If there is a date that applies only to certain sections of the bill, specify an operative date for those sections.



## EMERGENCY CLAUSE

The Oregon Constitution prohibits an Act of a legislative session from taking effect “until ninety days from the end of the session” unless an emergency is declared. *See* Article IV, section 28, of the Oregon Constitution. This means that an emergency clause (“E-clause”) must be used if an Act takes effect **before** the 91st day after adjournment sine die. Because it is difficult to predict the exact date of adjournment sine die, the Office of the Legislative Counsel recommends that a regular session bill contain an emergency clause if the bill is intended to take effect **before** October 1 (odd-year sessions) or early June (even-year sessions) of the session year.

Any “Act, or part thereof, of the Legislative Assembly that does not become effective earlier than 90 days after the end of the session at which the Act is passed” may be subject to a referendum of the people. *See* Article IV, section 1 (3)(a), of the Oregon Constitution. Using an emergency clause advances the effective date of the Act, thus preventing the exercise of this referendum power. Because of this effect, Article V, section 15a, of the Oregon Constitution, authorizes the Governor to veto an emergency clause without affecting the rest of the bill.

Article IX, section 1a, of the Oregon Constitution, prohibits the Legislative Assembly from declaring “an emergency in any act regulating taxation or exemption.” The primary purpose of this provision is to ensure the right of the people to refer by petition every bill that regulates taxation or exemption.

If used, the emergency clause must apply to the **entire** bill. An emergency clause contains no other provisions. List the emergency clause separately in the bill title as “declaring an emergency.” An emergency clause must indicate whether the Act will take effect “on its passage” or on a date after its passage but before the 91st day after the end of session. **Do not use a blank for the date.**

The emergency clause for a bill that will take effect on its passage is:

<emer [section #] [passage/July 1, 2023]>

**SECTION \_\_\_\_.** This 2023 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2023 Act takes effect on its passage.

When the phrase “on its passage” is used, the bill takes effect when the Governor signs it, not on its passage by both houses of the Legislative Assembly. Use the following form for an emergency clause if a bill is to take effect on a date after its passage but before the 91st day after the end of session:

<spm emer>

**SECTION \_\_\_\_.** This 2023 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2023 Act takes effect (month) (day), 2023.

If the “July 1” date is used and the Governor signs the bill **before** July 1, the bill takes effect on July 1 of the session year. If the Governor signs the bill **after** July 1 of the session year, the bill takes effect on the date the Governor signs it. Do not use the “July 1” date for emergency clauses in bills for the 2024 regular session. Because even-year regular sessions end around the beginning of March, the 91st day after adjournment sine die will usually occur before July 1. An early effective date (nonemergency) should be used instead.

Occasionally, it is necessary to specify an advanced effective date in a manner other than setting out the specific month, day and year. For example:

**SECTION 26. This 2023 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2023 Act takes effect on the first day of the first calendar quarter that begins after adjournment sine die of the Eighty-second Legislative Assembly.**

#### **WHEN TO USE AN EMERGENCY CLAUSE:**

- When an Act is to take effect before the 91st day after adjournment sine die. Past legislative practice has required an emergency clause in any odd-year session Act that needs to take effect before October 1 of the session year.
- When an Act makes an additional appropriation to an agency for the **current fiscal biennium** (July 1, 2021, to June 30, 2023). These would be appropriations for “the biennium beginning July 1, 2021,” or “the biennium ending June 30, 2023” (which is the preferred form); use “on its passage” in the emergency clause.
- In almost all Acts making appropriations for the **next fiscal biennium** (July 1, 2023, to June 30, 2025). This allows funds to become available for expenditure before the normal effective date; use “July 1, 2023” in the emergency clause. An emergency clause is necessary because, absent special provisions, the normal effective date of an Act of a regular session of the Legislative Assembly is January 1 of the following year, which for odd-year sessions is six months after the fiscal biennium begins.

#### **WHEN NOT TO USE AN EMERGENCY CLAUSE:**

- In any bill that contains a provision regulating taxation or exemption, even if that bill also contains an appropriation provision.
- In a 2023 regular session bill, if the date to be inserted occurs **after** October 1 of the session year but **before** January 1 of the year following the session year. A bill that takes effect during this time period prescribes an early effective date.
- In a 2024 regular session bill, if the date to be inserted occurs **after** June 15 of the session year but before January 1 of the year following the session year. A bill that takes effect during this time period prescribes an early effective date.

#### **Incorrect:**

**SECTION . This 2023 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2023 Act takes effect December 1, 2023.**

#### **Correct:**

**SECTION . This 2023 Act takes effect on December 1, 2023.**

### **EARLY EFFECTIVE DATE (NONEMERGENCY)**

A bill prescribes an early effective date (nonemergency) if it takes effect on the 91st day after the end of a legislative session. The 91st day after the end of a legislative session was the normal effective date for an Act that did not contain a special effective date provision until the enactment of ORS 171.022; since then, a bill must contain a special clause if it takes effect on the 91st day after the end of the session. For example:

**SECTION 35. This 2023 Act takes effect on the 91st day after the date on which the 2023 regular session of the Eighty-second Legislative Assembly adjourns sine die.**

A bill also prescribes an early effective date (nonemergency) if it takes effect on a specific date that falls between the 91st day after the end of session and the normal effective date. Put the date in the special clause:

**SECTION 20. This 2023 Act takes effect on November 1, 2023.**

“Prescribing an effective date” must appear in the bill title when a bill prescribes an early effective date.

## **DELAYED EFFECTIVE DATE**

A bill prescribes a delayed effective date if it takes effect after the normal effective date (on or after January 2 of the year following the legislative session). When a bill prescribes a delayed effective date, use:

**SECTION 30. This 2023 Act takes effect on March 1, 2023.**

“Prescribing an effective date” must appear in the bill title when a bill prescribes a delayed effective date.

## **CONDITIONAL REFERRAL**

The effective date of an Act or portion of an Act can be delayed if the Act is linked to the adoption of a legislatively referred measure. If the people adopt the legislatively referred measure, that measure and the Act or portion linked to it take effect 30 days after the election. The linked Act usually contains enabling legislation needed for implementation of the legislatively referred measure. Place the conditional referral provision at either the beginning or the end of a bill. Specify the pertinent election (regular general, primary or special) and the effect on the bill of the election outcome. Some examples follow:

**SECTION \_\_. This (year) Act does not take effect (become operative) unless the amendment to the Oregon Constitution proposed by \_\_\_\_ Joint Resolution \_\_ ((year)) is approved by the people at the regular general election held in November (year). This (year) Act takes effect (becomes operative) on the effective date of that amendment.**

**SECTION \_\_. The amendments to ORS \_\_. \_\_ by section \_\_ of this (year) Act become operative only if the amendment to the Oregon Constitution proposed by \_\_ Joint Resolution \_\_ ((year)) is approved by the people at the regular general election held in November (year). The amendments to ORS \_\_. \_\_ by section \_\_ of this (year) Act become operative on the effective date of this (year) Act.**

**SECTION \_\_. Section \_\_ of this (year) Act becomes operative only if the amendment to the Oregon Constitution proposed by \_\_ Joint Resolution \_\_ ((year)) is not approved by the people at the regular general election held in November (year). Section \_\_ of this (year) Act becomes operative on the 30th day after \_\_ Joint Resolution \_\_ ((year)) is disapproved by the people at the regular general election held in November (year).**

Use “prescribing an effective date” in the title when a bill’s effective date depends on the adoption of a legislatively referred measure.

## OPERATIVE DATE

Use an operative date to distinguish between actions that are authorized on and after the effective date of an Act and actions that are not authorized until a later operative date. An operative date can delay the operation of all or part of a bill. Usually, an entire Act becomes effective, allowing administrative machinery to be set up, and only part of the Act is subject to operational delay. Specify an operative date in a separate section of the bill, not in a subsection of the section(s) to become operative. Provisions allowing actions prior to the operative date can appear in a separate section or in a subsection of the operative date section. For example:

**SECTION 6. (1) Sections 1 to 4 of this 2023 Act and the amendments to ORS 123.456 by section 5 of this 2023 Act become operative on July 1, 2024.**

**(2) The Oregon Board of Accountancy may take any action before the operative date specified in subsection (1) of this section that is necessary for the board to exercise, on and after the operative date specified in subsection (1) of this section, all of the duties, functions and powers conferred on the board by sections 1 to 4 of this 2023 Act and the amendments to ORS 123.456 by section 5 of this 2023 Act.**

Here is another use of an operative date:

**SECTION 1. ORS 292.053 is repealed.**

**SECTION 2. A disbursing official making a deduction from salary or wages authorized by ORS 292.053 may not make the deduction for any pay period ending after January 31, 2024.**

**SECTION 3. The repeal of ORS 292.053 by section 1 of this 2023 Act becomes operative on February 1, 2024.**

Even if an operative date is applicable to an entire Act, in the text of a lengthy bill it is better to use phrases such as “the operative date of this section” or “the operative date of sections \_\_\_ to \_\_\_ of this (year) Act,” rather than “the operative date of this (year) Act.”

If a bill needs an emergency clause to cover certain provisions, but the normal effective date (January 1 of the year that follows the session year) should apply to the remainder of the bill, the drafter can specify an operative date as follows:

**SECTION 12. Sections 1, 10 and 11 of this 2023 Act become operative on January 1, 2024.**

**SECTION 13. This 2023 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2023 Act takes effect on its passage.**

If the bill also amends or repeals existing sections, list a section that establishes an operative date in the bill title as “creating new provisions.”

## APPLICABLE DATE

Applicable dates may be retroactive. Although an emergency clause cannot be included in a bill “regulating taxation or exemption,” a bill relating to certain types of taxes can be given retroactive application by adding a provision such as one of the following:

**SECTION . Sections 1 to 8 of this 2023 Act apply to tax years beginning after December 31, 2022.**

**OR**

**SECTION \_\_\_\_ . The amendments to ORS \_\_\_\_ by section \_\_\_\_ of this 2023 Act apply to property tax years beginning on or after July 1, 2022.**

If the bill also amends or repeals existing sections, list a section that establishes an applicable date in the bill title as “creating new provisions.” If the bill amends two versions of an ORS section, making the same changes, use “the amendments to ORS 123.456 by sections 1 and 2 of this 2023 Act apply. . . .”

## **FUNDS AND ACCOUNTS**

If a bill establishes a new fund or account in the General Fund, follow this form:

**SECTION \_\_\_\_ . The \_\_\_\_\_ Account is established in the General Fund.**

No additional language is needed to indicate that interest earned by the new account will be credited to the General Fund. Crediting interest to the General Fund is the default when creating a new fund. *See* ORS 293.140.

If a bill establishes a new fund or account outside the General Fund and interest earned by the fund or account is to be credited to the new fund or account, use this form:

<spm interest-to-fund>

**SECTION \_\_\_\_ . The \_\_\_\_\_ Fund is established in the State Treasury, separate and distinct from the General Fund. Interest earned by the \_\_\_\_\_ Fund shall be credited to the fund.**

**(NOTE: ORS 291.001 (1) provides:**

291.001. (1) As used in the statute laws of this state, unless the context or specially applicable definition requires otherwise, the words “subaccounts,” “accounts” or “funds” are used interchangeably, where such use is consistent with state accounting principles and is accepted for use by the State Treasurer.

...

As a legal matter, it makes no difference whether something is called a “fund” or an “account” or whether moneys are drawn from it by check or by warrant. Typically, the term “fund” is used for when a fund is established separate and distinct from the General Fund and the word “account” is used when the account is established in the General Fund. While the difference between a fund and an account may be important for accounting purposes, it is not necessarily important for drafting purposes.)

## **APPROPRIATIONS**

Moneys may be drawn from the State Treasury only pursuant to an appropriation made by law. *See* Article IX, section 4, of the Oregon Constitution. This means that appropriations can be made only by bills, not by resolutions.

Article IX, section 7, of the Oregon Constitution, prohibits laws making appropriations “for the salaries of public officers, and other current expenses of the [s]tate” from containing provisions on any other subject. However, it has long been held that a bill establishing a new agency or launching a new activity may also appropriate moneys to pay expenses of the agency or to fund the activity. As with all provisions of a bill, an appropriation provision must fit within the single subject of the bill.

Appropriations may take the form of funding for a new purpose, fee increases or the transfer of moneys with subsequent spending authorization. The phrases “continuously appropriated” or “appropriated continuously” often appear in these sections.

An appropriation totaling only \$1 is not incorrect. An appropriation of only \$1 may be used as a placeholder for budgetary decisions to be made by the Emergency Board during the interim between regular sessions.

### APPROPRIATION PROVISION

If a bill appropriates moneys, designate all of the following:

- (1) The state officer or agency to which the appropriation is made;
- (2) The period to which the appropriation is to apply;
- (3) The source of the appropriation;
- (4) The amount of the appropriation; and
- (5) The purpose for which the moneys are appropriated.

For example:

<spm approp-gen>

**SECTION . There is appropriated to the \_\_\_\_\_, for the biennium beginning July 1, (year), out of the General Fund, the amount of \$ \_\_\_\_\_ for \_\_\_\_\_.**

(NOTE: Occasionally a bill will omit one of the five elements for reasons specific to the particular appropriation. The purpose of the appropriation is often omitted, especially if it is provided elsewhere in the bill. A bill may omit the biennium if the requester does not want the unexpended moneys to revert to the General Fund at the end of the biennium, although this is extremely rare. The purpose is often omitted in appropriation bills prepared by the Oregon Department of Administrative Services. See Appendix H of this manual.)

Regular session bills containing appropriations for the next fiscal biennium (which begins on July 1 of an odd-numbered year) normally **include an emergency clause** that allows funds to become available for expenditure before the normal effective date. An emergency clause is necessary because, in the absence of special provisions, the normal effective date of an Act of a regular odd-year session is January 1 of the year that follows the session year, which is six months after the beginning of the fiscal biennium. The exception to this rule is when a bill contains both an appropriation provision and a provision regulating taxation or exemption. The emergency clause must be omitted in that situation. See Article IX, section 1a, of the Oregon Constitution.

### ADDITIONAL APPROPRIATION

If an additional appropriation is made to an agency for the **next fiscal biennium** (July 1, 2023, to June 30, 2025), follow this form:

<spm approp-addition>

**SECTION . In addition to and not in lieu of any other appropriation, there is appropriated to the \_\_\_\_\_, for the biennium beginning July 1, (year), out of the General Fund, the amount of \$ \_\_\_\_\_, which may be expended for \_\_\_\_\_.**

### CONTINGENCY APPROPRIATION

If an appropriation is contingent on the availability of federal funds or some other event, include the contingency in the appropriation provision. For example:

**SECTION 4. (1)** In addition to and not in lieu of any other appropriation, there is appropriated to the Emergency Board, for the biennium beginning July 1, 2023, out of the General Fund, the following amounts to be allocated to the Department of Land Conservation and Development for the following purposes:

(a) Operations.....\$275,612

(b) Grant programs.....\$ 86,754

(c) Landowner notification.....\$ 12,634

(2) The Emergency Board may allocate the moneys described in subsection (1) of this section after receiving the report from the Department of Land Conservation and Development required by ORS 123.456.

(3) If any of the moneys appropriated in subsection (1) of this section are not allocated or obligated by the Emergency Board prior to December 1, 2024, such unallocated or unobligated moneys on that date become available for any other purpose for which the Emergency Board lawfully may allocate funds.

## LOTTERY ALLOCATIONS

Revenues from lottery sales are transferred from the Oregon State Lottery Commission to the Administrative Services Economic Development Fund and then allocated to various agencies to finance specific projects. A lottery allocation has this format:

<spm lottery-alloc>

**SECTION .** There is allocated for the biennium beginning July 1, (year), from the Administrative Services Economic Development Fund, to the (agency), the amount of \$ \_\_\_\_\_ for \_\_\_\_\_.

## EXPENDITURE LIMITATION

If a bill limits the expenditures of an agency from moneys it receives or collects, use:

<spm ex-limit-no-fed>

**SECTION .** Notwithstanding any other law limiting expenditures, the amount of \$ \_\_\_\_\_ is established for the biennium beginning July 1, (year), as the maximum limit for payment of expenses for \_\_\_\_\_ from fees, moneys or other revenues, including Miscellaneous Receipts, but excluding lottery funds and federal funds, collected or received by the \_\_\_\_\_.

(NOTE: The purpose of an expenditure limitation is often omitted, especially when an expenditure limitation appears in an appropriation bill prepared by the Oregon Department of Administrative Services. See Appendix H of this manual.)

Use a separate section to limit payment of expenses from federal funds collected or received by an agency. For example:

<spm ex-limit-fed>

**SECTION .** Notwithstanding any other law limiting expenditures, the amount of \$ \_\_\_\_\_ is established for the biennium beginning July 1, (year), as the maximum limit for payment of expenses for \_\_\_\_\_ from federal funds collected or received by the \_\_\_\_\_.

## MODIFYING AGENCY EXPENDITURE LIMITATIONS

The Legislative Assembly may modify the amount of moneys available to a state agency by increasing or decreasing a state agency's expenditure limitation for the **current fiscal**

**biennium** (2021-2023). The applicable time period will be either the “biennium ending June 30, 2023,” or the “biennium beginning July 1, 2021.” If a bill contains a provision that increases or decreases an agency’s expenditure limitation for the current biennium, it must also contain an emergency clause “effective on its passage.” Use one of these provisions, as appropriate, to increase or decrease an agency’s expenditure limitation for the current biennium:

<spm ex-limit-adj-no>

**SECTION** . Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section \_\_\_\_, chapter \_\_\_\_, Oregon Laws (year), as modified by legislative or Emergency Board action, for the biennium beginning July 1, (year), as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts, but excluding lottery funds and federal funds, collected or received by \_\_\_\_\_, is [increased or decreased] by \$ \_\_\_\_\_ for \_\_\_\_\_.

<spm ex-limit-adj-fed>

**SECTION** . Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section \_\_\_\_, chapter \_\_\_\_, Oregon Laws (year), as modified by legislative or Emergency Board action, for the biennium beginning July 1, (year), as the maximum limit for payment of expenses from federal funds collected or received by \_\_\_\_\_, is [increased or decreased] by \$ \_\_\_\_\_ for \_\_\_\_\_.

The Legislative Assembly may increase or decrease expenditure limitations enacted earlier in the session for the **next** biennium (2023-2025):

<spm ex-limit-incrse>

**SECTION** . Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section \_\_\_\_, chapter \_\_\_\_, Oregon Laws 2023 (Enrolled \_\_ Bill \_\_\_\_), for the biennium beginning July 1, 2023, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts, but excluding lottery funds and federal funds, collected or received by the \_\_\_\_\_, is increased by \$ \_\_\_\_\_ for the purpose of carrying out the provisions of section \_\_\_\_ of this 2023 Act.

## SAVINGS CLAUSE (APPLICATION CLAUSE)

Many bills raise applicability issues, such as to whom, to which circumstances and to what time period the bill applies. Address applicability in an appropriate savings (also called “application”) clause. Some examples are:

**SECTION 2.** The amendments to ORS 40.260 by section 1 of this 2023 Act apply to all confidential communications made to a member of the clergy, whether made before, on or after the effective date of this 2023 Act.

**SECTION 12.** The repeal of ORS 112.017 by section 11 of this 2023 Act applies to the estates of all decedents who die on or after the effective date of this 2023 Act.

**SECTION 29.** Sections 24 and 27 of this 2023 Act and the amendments to statutes by sections 1 to 23 of this 2023 Act and the repeal of statutes by section 28 of this 2023 Act apply to health benefit plans subject to this 2023 Act that are issued or renewed on or after the effective date of this 2023 Act.



## REFERENDUM CLAUSE

The Legislative Assembly may refer an Act to the people for their approval or rejection. A referred Act bypasses the Governor and goes directly to the Secretary of State, who assigns it an Oregon Laws chapter number and places it on the ballot for the designated election.

A referred Act will be voted upon at the next regular general election unless the Legislative Assembly orders a special election. *See* Article IV, section 1 (4)(c), of the Oregon Constitution. A special election on a referred Act may be held on the same date as the next primary election or on another date. *See* ORS 171.185 for a list of authorized dates for legislatively prescribed elections. Provision for publication of a referred Act in the voters' pamphlet is made in ORS chapter 251. Acts that are referred by the Legislative Assembly and adopted by the people take effect 30 days after the election. *See* Article IV, section 1 (4)(d), of the Oregon Constitution. Note, however, that election results are not certified until the 37th day after the election. *See* ORS 254.555 (2).

A primary election takes place on the third Tuesday in May of each even-numbered year, and a regular general election occurs on the first Tuesday after the first Monday in November of each even-numbered year. The next two primary election dates are May 21, 2024, and May 19, 2026; the next two regular general election dates are November 5, 2024, and November 3, 2026.

For a referral to the next regular general election, use:

<spm general-act>

**SECTION X. This 2023 Act shall be submitted to the people for their approval or rejection at the next regular general election held throughout this state.**

For a referral to a special election on the same date as the next primary election, use:

<spm primary-act>

**SECTION X. This 2023 Act shall be submitted to the people for their approval or rejection at a special election held throughout this state on the same date as the next primary election.**

**Referrals to Certain Special Elections Need Companion Bills.** If an Act contains a legislative referral to a special election that will occur on a date other than the next primary election, a companion Act that authorizes the special election is necessary, because existing law for statewide elections applies only to primary elections and general elections. A special election bill must reference the Act being referred and set the election date. The Act being referred must reference the special election bill. If the Legislative Assembly wishes to accelerate the election process, the special election bill will adjust the election procedures and timelines established in ORS chapters 250 and 251 and may set forth the ballot title, estimate of financial impact or the explanatory statement for the Act being referred. (*See* Appendix N of this manual.) The special election bill may also appropriate moneys to the Secretary of State to conduct the election. If the Legislative Assembly refers more than one measure to the same special election, the special election bill can contain provisions for each of the referred measures.

Use the following referendum clause, which cites a special election bill, if an Act is to be referred to a special election held on a date other than the next primary election:

<spm special-act>

**SECTION X.** This 2023 Act shall be submitted to the people for their approval or rejection at a special election held throughout this state as provided in chapter \_\_\_, Oregon Laws 2023 (Enrolled \_\_\_ Bill \_\_\_).

Note that if the special election bill does not pass, an Act containing the referendum clause shown above will not be referred.

A drafter can modify the referendum clause to submit an Act at a special election or a regularly scheduled statewide election if the special election bill does not pass:

<spm special-act-op>

**SECTION X.** This 2023 Act shall be submitted to the people for their approval or rejection at a special election held throughout this state on the date specified in section \_\_\_, chapter \_\_\_, Oregon Laws 2023 (Enrolled \_\_\_ Bill \_\_\_). If a special election is not held throughout this state on the date specified in section \_\_\_, chapter \_\_\_, Oregon Laws 2023 (Enrolled \_\_\_ Bill \_\_\_), this 2023 Act shall be submitted to the people for their approval or rejection at [insert either <<a special election held throughout this state on the same date as the next primary election.>> or <<the next regular general election held throughout this state.>>]

Although the preferred referendum clause includes a reference to the special election bill, the Legislative Assembly may ask the drafter to insert the date of the special election instead of the reference to the special election bill. For example:

<spm special-act> with editorial adjustments

**SECTION X.** This 2023 Act shall be submitted to the people for their approval or rejection at a special election held throughout this state on (month) (day), (year).

Confirm whether a companion bill authorizing the special election is being drafted. Examples of special election bills are chapter 592, Oregon Laws 2003, chapter 730, Oregon Laws 2003, and chapter 750, Oregon Laws 2007.

**Referral of an Act to Certain Electors.** The Legislative Assembly also may refer an Act as a state ballot measure to electors who live within one or more counties or special districts. Here is the referendum clause specifically crafted for the circumstances of chapter 603, Oregon Laws 2015:

**SECTION 2.** This 2015 Act shall be submitted to the people of the City of Damascus for their approval or rejection, by a majority of the voters voting on this 2015 Act, at a special election held on the same date as the next primary election.

This type of legislative referral is rare. The limited scope of this type of referral does not make it any less a state measure than a legislative measure that is referred to electors statewide.

Other examples of Acts properly referred as state ballot measures to specified electors include chapter 257, Oregon Laws 1989 (referring increase in number of port commissioners to electors of the Oregon International Port of Coos Bay), chapter 665, Oregon Laws 1977 (referring reorganization of metropolitan service district statutes to the voters of Multnomah, Washington and Clackamas Counties), and chapter 774, Oregon Laws 1955 (referring the division of specific state legislative district to the voters of Marion County). *See also* chapter 565, Oregon Laws 1987 (which renamed and reorganized the Port of Coos Bay and changed the port commissioners from locally elected officials to gubernatorial appointees).

## REPORTS TO LEGISLATIVE ASSEMBLY

ORS 192.245 details the form of statutorily required reports to the Legislative Assembly. Reporting requirement provisions substantially follow this form:

**SECTION 16. Not later than the first day of each regular session of the Legislative Assembly in an odd-numbered year, the (entity) shall submit a report to the Legislative Assembly in the manner provided in ORS 192.245.**

Specify the date for submission of reports to the Legislative Assembly. For example:

**SECTION 21. The Task Force on Wolves shall report its recommendations to the appropriate committees of the Eighty-third Legislative Assembly by January 31, 2025.**

Some reporting requirements are permanent, such as annual or biennial reports. Place temporary (one-time) reporting requirements in a separate, temporary section of the bill.

## TERM OF OFFICE

Article XV, section 2, of the Oregon Constitution, prohibits the Legislative Assembly from creating any office, other than that of judge, whose term is longer than four years; Article VII (Amended), section 1, of the Oregon Constitution, limits the terms of judges to six years. Although members of state boards, commissions, committees and councils are usually appointed to four-year terms, appointments to two-year or three-year terms are not uncommon. Stagger terms of office for initial appointees so that all positions do not become vacant at once. For example:

**SECTION 3. Notwithstanding the term of office specified by section 2 of this 2023 Act, of the members first appointed to the Home Care Commission:**

- (1) One shall serve for a term ending July 1, 2024.**
- (2) Two shall serve for terms ending July 1, 2025.**
- (3) Two shall serve for terms ending July 1, 2026.**
- (4) Two shall serve for terms ending July 1, 2027.**

## GENERAL REPEAL PROVISION

Do not use a general repeal providing that “all laws and parts of laws in conflict with this 2023 Act are repealed.” This repeal by implication would create uncertainty and confusion regarding exactly which statutes are affected.

## SEVERABILITY AND NONSEVERABILITY PROVISIONS

It is not legally necessary to include a severability clause providing that if any part of the bill is held unconstitutional, the remainder will not be affected. The courts will follow this principle without such a clause. *See* ORS 174.040.

## TEMPORARY PROVISIONS

If a bill contains provisions governing a transitional period from existing law to new law, such as initial, staggered terms of office for members of newly established boards, place these and other provisions of a temporary nature in separate sections.

Temporary provisions should not be placed in the same section as provisions that are permanent and will be codified in ORS. If ORS editors are unable to separate temporary from permanent provisions in the same section, the code — which is to be general, public and

permanent in nature — will contain material that will become obsolete.

Not all statutory references to specific dates are temporary provisions. For example, specific dates in laws dealing with water rights, land use or property tax assessment are crucial to the statutes’ meaning. There are many kinds of temporary provisions, including:

- Provisions with specific beginning and ending dates, as in “for the period between August 1, 2023, and July 30, 2024.”
- Provisions requiring completion of an action on or before a specific date.
- Provisions stating that an entity must report its study findings to the Eighty-third Legislative Assembly, which convenes in January 2025.
- Provisions designating activities that will happen only once.
- Provisions outlining the initial, staggered terms of office for members of newly established boards and commissions.

Here is an example of a section containing both permanent and temporary provisions:

PERMANENT  
SUBSECTIONS

**SECTION 6. (1) The Department of Corrections may not seek authorization to construct or expand correctional facilities unless the department has:**

**(a) Evaluated the availability and cost of using correctional facilities outside this state; and**

**(b) Determined that constructing or expanding correctional facilities is less expensive than using correctional facilities outside this state after considering constitutional and state law requirements and availability of programs that reduce recidivism.**

**(2) If the Department of Corrections makes a negative determination under subsection (1)(b) of this section, the department shall use correctional facilities outside this state.**

TEMPORARY  
SUBSECTION

**(3) The Department of Corrections shall submit a report containing the findings of any evaluation conducted under this section during calendar year 2024 to the appropriate committees of the Eighty-second Legislative Assembly in the manner provided in ORS 192.245.**

Subsections (1) and (2) are permanent provisions that will be codified. Subsection (3) is temporary and will be obsolete after the report is filed. Draft instead as two sections:

PERMANENT  
SECTION

**SECTION 6. (1) The Department of Corrections may not seek authorization to construct or expand correctional facilities unless the department has:**

**(a) Evaluated the availability and cost of using correctional facilities outside this state; and**

**(b) Determined that constructing or expanding correctional facilities is less expensive than using correctional facilities outside this state after considering constitutional and state law requirements and availability of programs that reduce recidivism.**

**(2) If the Department of Corrections makes a negative determination under subsection (1)(b) of this section, the department shall use correctional facilities outside this state.**

TEMPORARY  
SECTION

**SECTION 7. The Department of Corrections shall submit a report containing the findings of any evaluation conducted under section 6 of this 2023 Act during calendar year 2024 to the appropriate committees of the Eighty-second Legislative Assembly in the manner provided in ORS 192.245.**

## ACTS OF LIMITED DURATION (“SUNSET” PROVISIONS)

“Sunset” is the popular term used to describe the process whereby various provisions of a bill are made temporary by repealing them at some future date. **Generally, the sunset date must be either January 2 of any year or June 30 of an even-numbered year.** The exceptions are:

(1) If the provisions to be sunsetted are dependent on the fiscal year and the biennial legislative cycle, a June 30 sunset date in the next odd-numbered year may be imperative.

(2) If the provisions to be sunsetted create an interim committee or interim task force that lasts only one interim, the sunset date is December 31, [year following session year]. *See* ORS 171.615, which describes the legislative interim as the period between adjournment sine die of an odd-numbered year regular session and the convening of the next odd-numbered year regular session (which will be in February of the next odd-numbered year).

(3) If rare and unusual circumstances so require, the bill may specify a nonconforming sunset date.

Here are sample sunsets for Acts consisting entirely of new statutory provisions:

**SECTION 21. This 2023 Act is repealed on January 2, 2027.**

**OR**

**SECTION 35. This 2023 Act is repealed on June 30, 2026.**

**OR**

**SECTION 2. Section 1 of this 2023 Act is repealed on December 31, 2024.**

**Specifying Application of Sunset Provision.** If the sunset does not apply to all provisions of an Act, specify the new sections to which the sunset applies. In the following example, “sections 1 to 3 of this 2023 Act” are new statutory provisions:

**SECTION 4. Sections 1 to 3 of this 2023 Act are repealed on June 30, 2026.**

**“Double Amending.”** Although a new section setting forth temporary provisions is preferable to a temporary amendment, it is possible to “double amend” an existing ORS section (and use an operative date) so that it will read a certain way for a limited period and then as it did originally thereafter. For example:

**SECTION 1.** ORS 136.300 is amended to read:

136.300. A defendant who is in custody pending an appeal to circuit court from a judgment of a municipal court or justice court shall have the appeal of the defendant heard not more than [60] **45** days after the defendant gives notice of appeal.

**SECTION 2.** ORS 136.300, as amended by section 1 of this 2023 Act, is amended to read:

136.300. A defendant who is in custody pending an appeal to circuit court from a judgment of a municipal court or justice court shall have the appeal of the defendant heard not more than [45] **60** days after the defendant gives notice of appeal.

**SECTION 3. The amendments to ORS 136.300 by section 2 of this 2023 Act become operative on January 2, 2026.**

When drafting the second amendment, start with the text of the section **as it is amended** by the first amendment, even when the second amendment reverts to the original ORS text. *See* “Extending Duration of ‘Sunsetted’ Language” in this chapter.

**Amend ORS Section to “Undo” Amendments.** Do not repeal a session law that amended an ORS section. Instead, amend the ORS section to “undo” the amendments.

**Incorrect:**

**SECTION 12. Section 1, chapter 999, Oregon Laws 2023 (amending ORS 133.745), is repealed.**

**Correct:**

**SECTION 1.** ORS 133.745, as amended by section 1, chapter 999, Oregon Laws 2023, is amended to read:

133.745. [*Subject to final determination by*] The Governor[, *the Superintendent of State Police*] shall determine the security requirements necessary to safely carry out the extradition of a person from another state including, but not limited to, the number of agents needed to secure the return of a person under ORS 133.743 to 133.857.

Do not apply a sunset to a section of a current session bill that amends an ORS section. Instead of “the amendments to ORS 136.300 by section 1 of this 2023 Act are repealed January 2, 2024,” employ the double amending technique (with operative date).

**Extending Duration of “Sunsetted” Language.** The Legislative Assembly may decide either to make an Act of limited duration (a law with a specific repeal or sunset date) permanent or to extend the period of time during which the Act is effective. If, as recommended, the Act is scheduled for repeal on January 2 of any year or June 30 in an even-numbered year, continuance of the Act beyond that date usually does not present legal or administrative problems.

A bill may repeal or amend the section in the previous legislation that established the sunset date. Repeal of the sunset provision makes temporary law permanent; amendment of the sunset provision continues the law’s temporary existence. A sunset date that is later than January 1 after the end of a regular legislative session ensures that the repeal or amendment of the sunset provision will take effect prior to the sunset date and that the affected legislation will remain continuously in effect.

If the sunset date is a date that may be earlier than the date by which the Governor must approve or veto a bill under Article V, section 15b, of the Oregon Constitution, a possibility exists that the sunsetted legislation may lapse, because the Governor might sign the bill after that date. Since ORS 174.080 declares that “[w]hen a statute which repealed a former statute, either expressly or by implication, is repealed, the former statute shall not thereby be revived unless it is expressly so provided,” the affected legislation might be repealed and its reenactment might be required in order for it to take effect again.

To avoid the legal and administrative problems caused by a temporary lapse of legislation, a drafter may insert lapse language and an emergency clause into an Act that repeals the sunset date in a temporary law that has a sunset date before the normal effective date for the current session’s bills (for example, a sunset date of June 30, 2024, or any date before January 1, 2025, for a 2024 session bill).

**Effect of Using Lapse Language and an Emergency Clause.** Using lapse language and an emergency clause in a bill that repeals a sunset provision shows the legislative intent to have a temporary law continue past its lapse date while the Act that makes the temporary law permanent awaits the Governor’s signature. Designate a “lapse” language section as “creating new provisions” in the bill title. In the example below, note that the date specified (June 30, 1999) in the lapse language and the emergency clause is the same date as the sunset date specified in section 16, chapter 688, Oregon Laws 1991, as amended:

**SECTION 6.** Section 16, chapter 688, Oregon Laws 1991, is repealed.

**SECTION 7.** If this 1999 Act does not become effective until after June 30, 1999, the repeal of section 16, chapter 688, Oregon Laws 1991, by section 6 of this 1999 Act revives sections 6, 7, 8, 9, 10, 11, 12, 13 and 15, chapter 688, Oregon Laws 1991. If this 1999 Act does not become effective until after June 30, 1999, section 6 of this 1999 Act shall be operative retroactively to that date, and the operation and effect of sections 6, 7, 8, 9, 10, 11, 12, 13 and 15, chapter 688, Oregon Laws 1991, shall continue unaffected from June 30, 1999, to the effective date of this 1999 Act and thereafter. Any otherwise lawful action taken or otherwise lawful obligation incurred under the authority of sections 6, 7, 8, 9, 10, 11, 12, 13 and 15, chapter 688, Oregon Laws 1991, after June 30, 1999, and before the effective date of this 1999 Act, is ratified and approved.

**SECTION 8.** This 1999 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 1999 Act takes effect June 30, 1999.

The drafter may modify the lapse language and combine it with an extension of a sunset provision. This shows the legislature’s intent to continue a temporary law past its lapse date while the Act that extends the duration of the temporary law awaits the Governor’s signature. This example from House Bill 2487 (1999) illustrates the use of lapse language with an amendment that extends a sunset date:

**SECTION 1.** Section 20, chapter 607, Oregon Laws 1987, as amended by section 3, chapter 539, Oregon Laws 1991, and section 4, chapter 436, Oregon Laws 1995, is amended to read:

**Sec. 20.** Section 19, chapter 607, Oregon Laws 1987, is repealed on July 1, [1999] 2003.

**SECTION 2.** If this 1999 Act does not become effective until after July 1, 1999, the amendments to section 20, chapter 607, Oregon Laws 1987, by section 1 of this 1999 Act revive section 19, chapter 607, Oregon Laws 1987. If this 1999 Act does not become effective until after July 1, 1999, this 1999 Act shall be operative retroactively to that date, and the operation and effect of section 19, chapter 607, Oregon Laws 1987, shall continue unaffected from July 1, 1999, to the effective date of this 1999 Act and thereafter. Any otherwise lawful action taken or otherwise lawful obligation incurred under the authority of section 19, chapter 607, Oregon Laws 1987, after July 1, 1999, and before the effective date of this 1999 Act, is ratified and approved.

**SECTION 3.** This 1999 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 1999 Act takes effect July 1, 1999.

# NOTES



## CHAPTER 4: RESOLUTIONS AND MEMORIALS

### RESOLUTIONS

**JOINT RESOLUTION.** A joint resolution is adopted by both houses of the Legislative Assembly to:

- Propose a constitutional amendment or revision. (*See* chapter 5, Amending the Oregon Constitution, and Appendix I, Proposed Constitutional Revisions.)
- Create an interim committee under ORS 171.610 or a legislative task force. (*See* Appendix O, Interim Committees and Task Forces.)
- Give directions to a state agency or officer.
- Authorize some kind of temporary action.

Joint resolutions are not law and are not submitted to the Governor for approval or disapproval. A joint resolution becomes effective upon its adoption by a majority of the members elected to each house of the Legislative Assembly (at least 31 representatives and at least 16 senators). When adopted, a joint resolution is filed with the Secretary of State.

The formal parts of a joint resolution are the heading, preamble (optional), resolving clause and body. For example:

HEADING	JOINT RESOLUTION
PREAMBLE	Whereas the State of Oregon has abundant ocean resources; and Whereas new ocean resource technologies are in development; and Whereas responsible stewardship of ocean resources benefits all Oregonians; now, therefore,
RESOLVING CLAUSE	<b>Be It Resolved by the Legislative Assembly of the State of Oregon:</b>
BODY	(1) The Interim Committee on Ocean Resources is established, consisting of six members appointed as follows: (a) The President of the Senate shall appoint three members from among members of the Senate. (b) The Speaker of the House of Representatives shall appoint three members from among members of the House of Representatives. (2) The interim committee shall study Oregon’s ocean resources and identify appropriate new technologies for ocean resource stewardship. (3) The interim committee may study and make recommendations for maximizing Oregon’s ocean research and development assets. (4) A majority of the members of the interim committee constitutes a quorum for the transaction of business. (5) Official action by the interim committee requires the approval of a majority of the members of the interim committee. (6) The interim committee shall report to the Legislative Assembly in the manner provided in ORS 192.245 on or before December 31, 2024. (7) The Legislative Policy and Research Director may employ persons necessary for the performance of the functions of the interim committee. The Legislative Policy and Research Director shall fix the duties and amounts of compensation of these employees. The interim committee shall use the services of continuing legislative staff, without employing additional persons, to the greatest extent practicable.

**Heading.** The heading identifies the type of measure.

**Preamble:** A preamble (“Whereas” clauses) is not essential to the use or validity of a joint resolution. If used, the preamble follows the heading, precedes the resolving clause and expresses reasons for the proposed action. When writing a preamble:

- Do not use a comma after the word “Whereas” in each clause.
- End each paragraph except the last with a semicolon and the word “and”.
- End the last paragraph with a semicolon and the phrase “now, therefore,” which connects the preamble to the resolving clause.
- Keep the text in lightface type.

**Resolving Clause.** While the preamble may be omitted, the resolving clause and body are indispensable parts of a joint resolution. The resolving clause is always in boldface type and flush with the left margin. The resolving clause for a joint resolution is:

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

**Body.** Joint resolution text is in lightface type unless it is proposing a constitutional amendment. The text may have numbered paragraphs or may take the following form:

- Begin the first paragraph with the word “That.”
- Begin the second and subsequent paragraphs with “Resolved, That.”
- End each paragraph except the last with a semicolon and “and be it further.”
- End the last paragraph with a period.

**CONCURRENT RESOLUTION.** A concurrent resolution is adopted by both houses of the Legislative Assembly to:

- Address matters affecting the internal operations and procedures of the Legislative Assembly, such as joint sessions, appointments of joint committees, recesses and adjournments. (Use a joint resolution to create an interim committee or task force.)
- Express legislative congratulations, commendation or sympathy.
- Express an opinion or sentiment on a matter of public interest.
- Express legislative approval of action taken by someone else.
- Designate a state emblem.
- Make a certain day a single day of state recognition. (Use a bill for a statutory holiday, as in ORS 187.010 and 187.020, or a day of annual recognition. If a committee approves amendments that change a single recognition to an annual one, the measure retains its original format.)

Concurrent resolutions are not law and are not submitted to the Governor for approval or disapproval. A concurrent resolution becomes effective upon its adoption by a simple majority of each house of the Legislative Assembly. When adopted, a concurrent resolution is filed with the Secretary of State.

The formal parts of a concurrent resolution are the heading, preamble (optional), resolving clause and body:

**Heading.** The heading identifies the type of measure.

**Preamble.** The preamble for a concurrent resolution follows the same form as a preamble for a joint resolution. The preamble may be omitted.

**Resolving Clause.** The resolving clause is always in boldface type and flush with the left margin. The resolving clause for a concurrent resolution is:

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

**Body.** Concurrent resolution text is in lightface type and may have numbered paragraphs or may take the following form:

- Begin the first paragraph with the word “That.”
- Begin the second and subsequent paragraphs with “Resolved, That.”
- End each paragraph except the last with a semicolon and “and be it further.”
- End the last paragraph with a period.

When a concurrent resolution expresses legislative congratulations, commendation or sympathy, do not use numbered paragraphs because of the resulting impersonal appearance.

Here is an example of a concurrent resolution that expresses legislative commendation:

HEADING

**CONCURRENT RESOLUTION**

PREAMBLE

Whereas in 1825 Peter S. Ogden of the Hudson’s Bay Company conducted the first recorded exploration of the area now known as La Pine; and

Whereas construction of the Central Oregon Military Road opened the La Pine area for settlement in 1867; and

Whereas Bynon Johns Pengra, the Surveyor General of Oregon, established the Rosland post office on his land in 1897; and

Whereas in 1910, Alfred Aya, James Gleason and W. R. Riley acquired exclusive township rights from the Deschutes Land Company and the site of La Pine was platted and mapped; and

Whereas the birth of La Pine marked the death of nearby Rosland, where Bynon Johns Pengra had established the post office; and

Whereas for many years La Pine remained a small rural community, but since the 1960s the La Pine area has seen continuous growth; and

Whereas after attempting to incorporate in 1985, 1994 and 2000, La Pine electors voted on November 7, 2006, to incorporate; now, therefore,

RESOLVING  
CLAUSE

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

BODY

That we, the members of the Seventy-fourth Legislative Assembly, congratulate La Pine, Oregon, on becoming the newest city in Oregon.

---

This concurrent resolution addresses a matter that affects the internal operations and procedures of the Legislative Assembly:

HEADING

**CONCURRENT RESOLUTION**

RESOLVING CLAUSE

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

BODY

That the 2023 regular session of the Senate and the House of Representatives of the Eighty-second Legislative Assembly is adjourned sine die.

---

**RESOLUTION.** A resolution, also known as a “simple resolution,” is adopted by a single house of the Legislative Assembly to:

- Take action affecting its own concerns or procedures, such as appointing a committee of its own members.
- Express an opinion or sentiment on a matter of public interest.

Resolutions are not law and are not submitted to the Governor for approval or disapproval. A resolution takes effect upon its adoption by a single house of the Legislative Assembly. When adopted, a resolution is filed with the Secretary of State.

The formal parts of a resolution are the heading, preamble (optional), resolving clause and body. For example:

HEADING

**HOUSE RESOLUTION**

PREAMBLE

Whereas Oregon's Bottle Bill, enacted as House Bill 1036 by the Fifty-sixth Legislative Assembly and signed into law by Governor Tom McCall, has allowed Oregonians to enjoy a cleaner environment by creating an incentive for users of certain beverage containers to recycle those used containers; and

Whereas prior to passage of the Bottle Bill in 1971, beverage containers made up as much as 40 percent of roadside litter in Oregon, but by 1979, beverage containers made up only six percent of roadside litter; and

Whereas by 1988 beverage container return rates in Oregon were calculated at about 93 percent; and

Whereas recycling programs in Oregon, including the Bottle Bill, have resulted in a statewide municipal solid waste recovery rate of 38 percent; now, therefore,

RESOLVING  
CLAUSE

**Be It Resolved by the House of Representatives of the State of Oregon:**

BODY

That we, the members of the House of Representatives of the Seventy-first Legislative Assembly, commemorate the passage of this landmark legislation on its 30th anniversary and rededicate our efforts to ensuring a cleaner Oregon.

**Heading.** The heading identifies the type of measure and its house of origin:

**HOUSE RESOLUTION**

**OR**

**SENATE RESOLUTION**

**Preamble.** The preamble for a resolution follows the same form as a preamble for a joint or concurrent resolution. The preamble may be omitted.

**Resolving Clause.** The resolving clause identifies the single house taking the action or expressing the opinion or sentiment; it is always in boldface and flush with the left margin:

**Be It Resolved by the House of Representatives of the State of Oregon:**

**OR**

**Be It Resolved by the Senate of the State of Oregon:**

**Body.** The body of a resolution follows the same form as the body of a joint or concurrent resolution.

## MEMORIALS

**JOINT MEMORIAL.** A joint memorial is used when both houses of the Legislative Assembly join to address or petition Congress, the President of the United States or other public officials or entities. (Use a concurrent resolution, not a joint memorial, to commemorate the dead.)

Joint memorials are not law and are not submitted to the Governor for approval or disapproval. A joint memorial becomes effective upon its adoption by both houses of the Legislative Assembly. When adopted, a joint memorial is filed with the Secretary of State.

The formal parts of a joint memorial are the heading, address clause, introductory clause, preamble, resolving clause and body. For example:

HEADING	JOINT MEMORIAL
ADDRESS CLAUSE	To the Senate and the House of Representatives of the United States of America, in Congress assembled:
INTRODUCTORY CLAUSE	We, your memorialists, the Eighty-second Legislative Assembly of the State of Oregon, in legislative session assembled, respectfully represent as follows:
PREAMBLE	Whereas state and local governments are dependent upon federal funds to support certain basic education services and programs; and Whereas federal mandates regarding expenditure of those funds often do not take into consideration the local and regional needs of our children and the public school systems upon which they depend for the development of educational skills that will permit them to grow into meaningful adulthood; and Whereas a nation is only as strong as the communities of which it is composed; now, therefore,
RESOLVING CLAUSE	<b>Be It Resolved by the Legislative Assembly of the State of Oregon:</b>
BODY	(1) The Congress of the United States of America is respectfully requested to mandate sparingly and to allow the states more discretion in the expenditure of federal moneys appropriated for education so that state and local governments may better address the needs of specific areas. (2) A copy of this memorial shall be sent to the Secretary of Education and to each member of the Oregon Congressional Delegation.

**Heading.** The heading identifies the type of measure.

**Address Clause.** The address clause follows the heading and precedes the introductory clause. Note that the first line of the address clause is flush with the left margin and the second line is indented. The most commonly used address clauses are:

To the Senate and the House of Representatives of the United States of America, in Congress assembled:

<spm address>

To the President of the United States and the Senate and the House of Representatives of the United States of America, in Congress assembled:

### **Other forms of the address clause include:**

To the President of the United States, the Senate Majority Leader and the Speaker of the House of Representatives:

To the President of the United States, the Senate and the House of Representatives of the United States of America, in Congress assembled, and the Secretary of the Department of Commerce:

To the members of the Oregon Congressional Delegation:

To the Senate of the United States of America, in executive session assembled:

To the Director of the United States Fish and Wildlife Service:

To the Governors of Alaska, Idaho, Montana and Washington and to the Premiers of Alberta and British Columbia:

**Introductory Clause.** The introductory clause follows the address clause and precedes the preamble. The introductory clause for a joint memorial reads:

<spm intro-jmem>

We, your memorialists, the Eighty-second Legislative Assembly of the State of Oregon, in legislative session assembled, respectfully represent as follows:

**Preamble.** The preamble for a joint memorial follows the same form as a preamble for a joint or concurrent resolution. A joint memorial must have a preamble.

**Resolving Clause.** The resolving clause is always in boldface type and flush with the left margin. For a joint memorial originating in either house, use:

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

**Body.** Joint memorial text is in lightface type and may have numbered paragraphs or may take the following form:

- Begin the first paragraph with the word “That.”
- Begin the second and subsequent paragraphs with “Resolved, That.”
- End each paragraph except the last with a semicolon and “and be it further.”
- End the last paragraph with a period.

**Provision for Sending Copies.** It is customary to include at the end of the body of a joint memorial a provision stating that “a copy of this memorial shall be sent to each member of the Oregon Congressional Delegation.” Note that the type of memorial is **not** specified. Copies also may be sent to other specific officers and agencies of the federal government or other states or provinces, depending upon the subject of the joint memorial.

Never state in this provision that copies be sent to “each member of Congress” unless specifically directed to do so by the person requesting the joint memorial. Inclusion of such a provision will require the preparation of hundreds of copies of the joint memorial and transmittal of a copy to each member of Congress.

If copies of the joint memorial are to be sent to Congressional leadership, direct them to the “Senate Majority Leader” (**not** “Vice President of the United States” or “President of the Senate”) and the “Speaker of the House of Representatives.” Although the Vice President of the United States serves as the presiding officer of the United States Senate, the Senate

Majority Leader, like the Speaker of the House of Representatives, has been elected by the majority of the members of the leader’s political party in that house to be responsible for the design and achievement of a legislative program.

**The provision for sending copies may take the form of a numbered paragraph at the end of the joint memorial and should read substantially as follows:**

(2) A copy of this memorial shall be sent to the President of the United States, to the members of the Federal Energy Regulatory Commission and to each member of the Oregon Congressional Delegation.

**The provision for sending copies of a joint memorial may also take this form:**

That we, the members of the Eighty-second Legislative Assembly, respectfully request . . .; and be it further

Resolved, That a copy of this memorial shall be sent to the President of the United States, to the members of the Federal Energy Regulatory Commission and to each member of the Oregon Congressional Delegation.

**MEMORIAL.** A memorial, also known as a “simple memorial,” is used for the same purposes as a joint memorial except that is adopted by a single house. Memorials are not law and are not submitted to the Governor for approval or disapproval. A memorial becomes effective upon its adoption by a single house of the Legislative Assembly. When adopted, a memorial is filed with the Secretary of State.

The formal parts of a memorial are the heading, address clause, introductory clause, preamble, resolving clause and body. For example:

	<b>HOUSE MEMORIAL</b>
HEADING	
ADDRESS CLAUSE	To the Senate and the House of Representatives of the United States of America, in Congress assembled:
INTRODUCTORY CLAUSE	We, your memorialists, the House of Representatives of the State of Oregon, in legislative session assembled, respectfully represent as follows:
PREAMBLE	Whereas in the building of Detroit Lake, the City of Detroit, Oregon, was forced to relocate due to the planned inundation; and Whereas in the development of the master plan for the Detroit Project, recreational use was declared the second highest use of the waters of Detroit Lake; and Whereas Detroit Lake is the most highly used recreational lake in the Willamette Basin; and Whereas the North Santiam Canyon area is one of the most highly used recreational areas in the State of Oregon; now, therefore,
RESOLVING CLAUSE	<b>Be It Resolved by the House of Representatives of the State of Oregon:</b>
BODY	(1) The Congress of the United States of America is respectfully requested to direct the United States Army Corps of Engineers to uphold the agreement made with North Santiam Canyon residents and to retain Detroit Lake as a recreational lake. (2) A copy of this memorial shall be sent to each member of the Oregon Congressional Delegation.

**Heading.** The heading identifies the type of measure and its house of origin:

**HOUSE MEMORIAL  
OR  
SENATE MEMORIAL**

**Address Clause.** The address clause for a memorial follows the same form as an address clause for a joint memorial.

**Introductory Clause.** The introductory clause follows the address clause and precedes the preamble. The introductory clause for a memorial identifies which house is addressing or petitioning the officials or agencies of another governmental body:

<spm intro-hmem>

We, your memorialists, the House of Representatives of the State of Oregon, in legislative session assembled, respectfully represent as follows:

**OR**

<spm intro-smem>

We, your memorialists, the Senate of the State of Oregon, in legislative session assembled, respectfully represent as follows:

**Preamble.** The preamble for a memorial follows the same form as a preamble for a joint or concurrent resolution. A memorial must have a preamble.

**Resolving Clause.** The resolving clause for a memorial identifies which house is addressing or petitioning another governmental body. The resolving clause is always in boldface type and flush with the left margin:

**Be It Resolved by the House of Representatives of the State of Oregon:**

**OR**

**Be It Resolved by the Senate of the State of Oregon:**

When the Senate meets in an executive appointment session, the resolving clause is:

**Be It Resolved by the Senate in Session Assembled under Article III, Section 4, of the Oregon Constitution:**

**Body.** The body of a memorial follows the same form as the body of a joint memorial.

**Provision for Sending Copies.** The provision for sending copies of a memorial takes the same form as that of a joint memorial if numbered paragraphs are used. If the formal provision is used, adjust the text to identify which chamber is sending the copies:

That we, the members of the House of Representatives of the Eighty-second Legislative Assembly, respectfully request . . .; and be it further

Resolved, That a copy of this memorial shall be sent to the President of the United States, to the members of the Federal Energy Regulatory Commission and to each member of the Oregon Congressional Delegation.

**OR**

That we, the members of the Senate of the Eighty-second Legislative Assembly, respectfully request . . .; and be it further

Resolved, That a copy of this memorial shall be sent to the President of the United States, to the members of the Federal Energy Regulatory Commission and to each member of the Oregon Congressional Delegation.



## CHAPTER 5: AMENDING THE OREGON CONSTITUTION

Use a joint resolution to propose an amendment to or a revision of the Oregon Constitution. A proposed constitutional amendment (1) is subject to the requirement that each amendment be voted upon separately by the people and (2) may make more than one change to the Constitution if the changes are closely related. A proposed constitutional revision makes two or more amendments that are not closely related. *See* “Constitutional Revisions” at the end of this chapter. If adopted by both houses of the Legislative Assembly, a joint resolution that proposes a constitutional amendment or revision is filed with the Secretary of State, who places it on the ballot for a popular vote. Joint resolutions that propose constitutional amendments or revisions are not law and cannot be vetoed by the Governor.

The formal parts of a joint resolution that proposes an amendment to the Oregon Constitution are the heading, preamble, resolving clause and body.

**Heading.** The heading identifies the type of measure.

**Preamble.** A preamble is not essential to the use or validity of a joint resolution. If used, the preamble follows the heading, precedes the resolving clause and contains “Whereas” clauses that express reasons for the action. When writing a preamble:

- Do not use a comma after the word “Whereas” in each clause.
- End each paragraph except the last with a semicolon and the word “and.”
- End the last paragraph with a semicolon and the phrase “now, therefore,” which connects the preamble to the resolving clause.
- Keep the text in lightface type.

**Resolving Clause.** While the preamble may be omitted, the resolving clause and body are indispensable parts of a joint resolution. Use the following resolving clause for joint resolutions that amend the Oregon Constitution:

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

**Body.** When a joint resolution proposes an amendment to the Oregon Constitution, its body consists of two clauses:

- (1) Amending Clause (**PARAGRAPH 1.**). A single amending clause lists the sections of the Oregon Constitution that are being amended, repealed or created and sets forth the full text of each amended or newly created section.
- (2) Referendum Clause (**PARAGRAPH 2.**). A mandatory referendum clause follows the amending clause and provides for the referral of the amendment to the people. A blank line separates the referendum clause from **PARAGRAPH 1.**

Here is one type of referendum clause; *see* “Referendum Clause” in this chapter for more examples:

<spm general>

**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.

## AMENDING EXISTING SECTIONS

The most common type of constitutional amendment amends existing section(s) of the Oregon Constitution. Use the following form for the amending clause:

**PARAGRAPH 1.** Section 25, Article IV of the Constitution of the State of Oregon, is amended to read:

**Sec. 25.** (insert text)

When amending Article VII, identify the Article as Article VII (Original) or Article VII (Amended), as appropriate. Also specify the identifying letter with each version of Article XI being amended.

This joint resolution amends an existing section of the Oregon Constitution:

HEADING

JOINT RESOLUTION

RESOLVING CLAUSE  
PARAGRAPH 1

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

**PARAGRAPH 1.** Section 25, Article IV of the Constitution of the State of Oregon, is amended to read:

**Sec. 25. [A] (1) Except as otherwise provided in subsection (2) of this section,** a majority of all the members elected to each House shall be necessary to pass every bill[, ] or Joint resolution. [; *and*]

**(2) Three-fifths of all members elected to each House shall be necessary to pass bills for raising revenue.**

**(3) All bills, and Joint resolutions [so] passed,** shall be signed by the presiding officers of the respective houses.[-]

BLANK LINE  
PARAGRAPH 2

**PARAGRAPH 2.** The amendment proposed by this resolution shall be submitted to the people for their approval or rejection at a special election held throughout this state on the same date as the next primary election.

---

**Setting Forth Amended Sections at Full Length.** The text of the constitutional section that is being amended must be set forth at full length. Remember to:

- Indicate **ALL** differences, including changes in punctuation and changes in capitalization, between the original version and the amended version.
- Use [*brackets and italic*] type to indicate existing material to be deleted from an amended section. Any text in an existing section that is set forth between brackets or that is inadvertently omitted from the existing section is deleted.
- Use **boldfaced** type to indicate all new material to be inserted.
- Use the abbreviation “**Sec.**” instead of the word “**Section**” to indicate the section number of the existing section that is being amended.
- Delete existing “(sic)” or “[sic]” notations without using [*brackets and italic*] type.
- Delete the square brackets and mark the period to be boldface if the amended section ends with “[.]”.

**Exclude Section Headings, Subheadings, Leadlines and Source Notes.** When setting forth sections of the Oregon Constitution at full length, exclude section headings, subheadings, source notes and most leadlines; they are **not** part of the Oregon Constitution and are intended only as a convenience or aid in using the printed version.

**Exception: Include Certain Leadlines.** Certain sections of the Oregon Constitution must be set forth at length with their leadlines, because these leadlines were part of the text of ballot measures that the people adopted. Editorial notes in the official published copy of the Oregon Constitution identify sections that must include leadlines. These editorial notes appear immediately after the text of affected sections.

Sections that **must** include leadlines are:

- **Article I**, section 11.
- **Article II**, section 2 and section 18 (only the first word of the leadline was adopted by the people).
- **Article V**, section 16.
- **Article VI**, section 6 (the colon is not a typographical error).
- **Article VIII**, section 8.
- **Article XI**, section 7.
- **Article XV**, section 10.

(NOTE: The Oregon Constitution LC retrieval database includes the section and subsection leadlines for the sections listed above. The retrieval adjustments reflect the capitalization and punctuation conventions that appeared in the ballot measures.)

## ADDING NEW SECTIONS

Use this amending clause format when a joint resolution adds a new section:

<spm addc>

**PARAGRAPH 1.** The Constitution of the State of Oregon is amended by creating a new section 1d to be added to and made a part of Article IX, such section to read:

**SECTION 1d. (insert text)**

The numbers assigned to the new sections in the proposed constitutional amendment should be the numbers that the new sections will have when placed in the Constitution. Refer to the Constitution to determine the next available section numbers. List the new section numbers in the phrase “creating a new section \_\_\_ to be added to and made a part of Article \_\_\_” in the amending clause of **PARAGRAPH 1.**

Use **boldfaced** type for a new constitutional section that is being set forth in **PARAGRAPH 1.** and for the referendum clause as set forth in **PARAGRAPH 2.** Spell out and boldface, but do **not** underscore, the word “**SECTION \_\_\_.**” A joint resolution that amends the Oregon Constitution to add a new section has this form:

HEADING

**JOINT RESOLUTION**

RESOLVING CLAUSE  
PARAGRAPH 1

**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 1d to be added to and made a part of Article IX, such section to read:

**SECTION 1d. (insert text).**

BLANK LINE  
PARAGRAPH 2

**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.

## AMENDING EXISTING SECTIONS AND ADDING NEW SECTIONS

Use this form when a joint resolution amends an existing section and adds a new section:

**PARAGRAPH 1.** The Constitution of the State of Oregon is amended by creating a new section 5 to be added to and made a part of Article III, and by amending section 2, Article VI, such sections to read:

**Sec. 2.** (insert text)

**SECTION 5.** (insert text)

Here is another example:

**PARAGRAPH 1.** The Constitution of the State of Oregon is amended by creating new sections 1e and 1f to be added to and made a part of Article IV, and a new section 1a to be added to and made a part of Article XVII, and by amending section 1, Article IV, and section 1, Article XVII, such sections to read:

**Sec. 1.** (insert text)

**SECTION 1e.** (insert text)

**SECTION 1f.** (insert text)

**Sec. 1.** (insert text)

**SECTION 1a.** (insert text)

The order of the elements in the example above is for the purpose of **PARAGRAPH 1.** only and does not correlate to the order of appearance in the joint resolution. In some instances, the sections will be arranged in a manner that logically presents the substance of the joint resolution. In other instances, the sections being created or amended may appear in “constitutional order.” Occasionally the amendment will be easier to understand if existing sections are repealed (rather than amended) and reenacted in the form of new sections. *See* “Repealing and Adopting in Lieu” in this chapter.

## REPEALING SECTIONS

Use this form when a joint resolution repeals a section:

**PARAGRAPH 1.** Sections 37 and 38, Article I of the Constitution of the State of Oregon, are repealed.

## REPEALING AND ADOPTING IN LIEU

Use this form when a joint resolution repeals a section and adopts a new section in lieu thereof:

**PARAGRAPH 1.** The Constitution of the State of Oregon is amended by repealing section 6, Article IV, and by adopting the following new section 6 in lieu thereof:

**SECTION 6.** (insert text)

**(NOTE:** The new section of the Oregon Constitution will have the same number as the old one, unlike repeal-and-enact-in-lieu situations in ORS.)

## **REPEALING AND ADOPTING IN LIEU AND AMENDING EXISTING SECTIONS**

Use this form when a joint resolution repeals a section, adopts a new section in lieu thereof and amends an existing section:

**PARAGRAPH 1.** The Constitution of the State of Oregon is amended by repealing section 6, Article IV, and by adopting the following new section 6 in lieu thereof, and by amending section 4, Article IV, such sections to read:

**SECTION 6. (insert text)**

**Sec. 4. (insert text)**

## **REPEALING EXISTING SECTIONS AND AMENDING EXISTING SECTIONS**

Use this form when a joint resolution repeals a section and amends an existing section:

**PARAGRAPH 1.** The Constitution of the State of Oregon is amended by repealing section 18, Article VII (Original), and by amending section 5, Article VII (Amended), such section to read:

**Sec. 5. (insert text)**

## **REPEALING EXISTING SECTIONS AND ADDING NEW SECTIONS**

Use this form when a joint resolution repeals a section and adds a new section:

**PARAGRAPH 1.** The Constitution of the State of Oregon is amended by repealing sections 2, 3, 4 and 5, Article VI, and by creating new sections 34 and 35 to be added to and made a part of Article IV, such sections to read:

**SECTION 34. (insert text)**

**SECTION 35. (insert text)**

## **REPEALING EXISTING SECTIONS, ADDING NEW SECTIONS AND AMENDING EXISTING SECTIONS**

Use this form when a joint resolution repeals a section, adds a new section and amends an existing section:

**PARAGRAPH 1.** The Constitution of the State of Oregon is amended by repealing sections 19 and 20, Article VII (Original), by amending sections 6 and 8, Article VII (Amended), and by creating a new section 5 to be added to and made a part of Article III, such sections to read:

**SECTION 5. (insert text)**

**Sec. 6. (insert text)**

**Sec. 8. (insert text)**

## **REPEALING EXISTING SECTIONS AND RETAINING EXISTING SECTIONS**

Use this form on the rare occasion when a joint resolution repeals a section and specifically retains another section:

**PARAGRAPH 1.** Section 15a, Article XI of the Constitution of the State of Oregon, is repealed and section 15, Article XI of the Constitution of the State of Oregon, is retained as part of the Oregon Constitution.

## ADDING A NEW ARTICLE

Use this form when a joint resolution adds a new Article:

**PARAGRAPH 1.** The Constitution of the State of Oregon is amended by creating a new Article to be known as Article XI-P, such Article to read:

### ARTICLE XI-P

**SECTION 1.** (insert text)

**SECTION 2.** (insert text)

**SECTION 3.** (insert text)

## REFERENDUM CLAUSE

Joint resolutions proposing constitutional amendments that are adopted by the Legislative Assembly must be referred to the people for their approval or rejection and must therefore contain a referendum clause. ORS chapter 251 provides for publication of the joint resolution in the voters' pamphlet. A proposed constitutional amendment will be voted upon at the next regular general election (on the first Tuesday after the first Monday in November of an even-numbered year) unless the Legislative Assembly orders a special election. *See* Article XVII, section 1, of the Oregon Constitution.

The special election may be held on the same date as the primary election (on the third Tuesday in May of an even-numbered year) or on another date. *See* ORS 171.185 for a list of other legislatively authorized election dates. A proposed constitutional amendment that is referred by the Legislative Assembly and adopted by the people takes effect 30 days after the election. *See* Article IV, section 1 (4)(d), of the Oregon Constitution. Note, however, that election results are not certified until the 37th day after the election. *See* ORS 254.555 (2).

The dates of the next two primary elections are May 21, 2024, and May 19, 2026; the dates of the next two regular general elections are November 5, 2024, and November 3, 2026.

For a referral to the next regular general election, use:

<spm general>

**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.

For a referral to the next primary election, use:

<spm primary>

**PARAGRAPH 2.** The amendment proposed by this resolution shall be submitted to the people for their approval or rejection at a special election held throughout this state on the same date as the next primary election.

**Referrals to Certain Special Elections Need Companion Bills.** If a joint resolution proposing a constitutional amendment is referred to a special election that will occur on a date other than the date of the next primary or general election, it will need a companion bill that authorizes the special election, because existing law for statewide elections applies only to primary elections and general elections.

A special election bill must reference the joint resolution being referred and set the election date. The joint resolution being referred must reference the special election bill. If the Legislative Assembly wishes to accelerate the election process, the special election bill will adjust the election procedures and timelines established in ORS chapters 250 and 251 and may set forth the ballot title, estimate of financial impact or the explanatory statement

for the joint resolution being referred. (See Appendix N of this manual.) In most cases, the special election bill also will appropriate moneys to the Secretary of State to conduct the election. If the Legislative Assembly refers more than one measure to the same special election, the special election bill can contain provisions for each of the referred measures.

Here is a referendum clause that cites the special election bill, which makes it easier to track a joint resolution that is being referred to a special election with its special election bill:

<spm special>

**PARAGRAPH 2. The amendment proposed by this resolution shall be submitted to the people for their approval or rejection at a special election held throughout this state as provided in chapter \_\_, Oregon Laws 2023 (Enrolled \_\_\_\_ Bill \_\_\_\_).**

Although the preferred referendum clause refers to the special election bill, the referendum clause may instead need to refer to the date of the special election. For example:

<spm special> with editorial adjustments

**PARAGRAPH 2. The amendment proposed by this resolution shall be submitted to the people for their approval or rejection at a special election held throughout this state on (month) (day), (year).**

To refer a constitutional amendment to a special election, or to the primary or general election if the special election bill does not pass, use:

<spm special-option> with editorial adjustments

**PARAGRAPH 2. The amendment proposed by this resolution shall be submitted to the people for their approval or rejection at a special election held throughout this state on the date specified in section \_\_, chapter \_\_, Oregon Laws 2023 (Enrolled \_\_ Bill \_\_\_\_). If a special election is not held throughout this state on the date specified in section \_\_, chapter \_\_, Oregon Laws 2023 (Enrolled \_\_ Bill \_\_\_\_), the amendment proposed by this resolution shall be submitted to the people for their approval or rejection at [insert either <<a special election held throughout this state on the same date as the next primary election.>> or <<the next regular general election held throughout this state.>>]**

Confirm whether a companion bill authorizing the special election is being drafted. Examples of special election bills are chapter 592, Oregon Laws 2003, chapter 730, Oregon Laws 2003, and chapter 750, Oregon Laws 2007.

## **RESCINDING A PROPOSED CONSTITUTIONAL AMENDMENT**

The Legislative Assembly may rescind a joint resolution proposing a constitutional amendment that it adopted in the previous session. The Seventy-first Legislative Assembly took this action via House Joint Resolution 76 (2002 second special session), which had three paragraphs. Paragraph 1 rescinded Senate Joint Resolution 50 (2002), paragraph 2 proposed a different constitutional amendment, and paragraph 3 referred the proposed amendment to the primary election on May 21, 2002. Paragraphs 2 and 3 followed the forms prescribed earlier in this chapter. Paragraph 1 was unique:

**PARAGRAPH 1. Senate Joint Resolution 50, Seventy-first Legislative Assembly, 2002 First Special Session, is rescinded. The Secretary of State may not refer Senate Joint Resolution 50, Seventy-first Legislative Assembly, 2002 First Special Session, to the people for their approval or rejection at a special election held throughout this state on the same date as the next primary election.**

House Joint Resolution 8 (1963 special session) and House Joint Resolution 2 (1967 special session) contain other examples of this action.

## **CONSTITUTIONAL REVISIONS**

A constitutional revision covers more than one subject or makes two or more amendments that are not closely related; it is proposed by a joint resolution. Be wary of proposing a constitutional revision if an amendment will suffice. A proposed constitutional revision requires a two-thirds majority vote in each house. A joint resolution that proposes a constitutional revision follows the form for an amendment with these exceptions:

**Resolving Clause.** The resolving clause for a proposed constitutional revision reads:

**Be It Resolved by the Legislative Assembly of the State of Oregon, two-thirds of all the members of each house concurring:**

**Revising Clause(s).** Use a separate revising clause for each section revised, for sections being repealed and for sections being added. For example:

**PARAGRAPH 1.** Section 3, Article IV of the Constitution of the State of Oregon, is revised to read:

**Sec. 3.** (insert text)

**PARAGRAPH 2.** Section 7, Article IV of the Constitution of the State of Oregon, is revised to read:

**Sec. 7.** (insert text)

**PARAGRAPH 3.** The Constitution of the State of Oregon is revised by creating new sections 5 and 6 to be added to and made a part of Article III, such sections to read:

**SECTION 5.** (insert text)

**SECTION 6.** (insert text)

**PARAGRAPH 4.** Sections 37 and 38, Article I of the Constitution of the State of Oregon, are repealed.

**Referendum Clause.** A proposed constitutional revision can be referred only at the next primary election unless the Legislative Assembly orders a special election for that purpose. *See* Article XVII, section 2, of the Oregon Constitution. The referendum clause for a proposed constitutional revision follows this form:

**PARAGRAPH 5.** The revision proposed by this resolution shall be submitted to the people for their approval or rejection at the next primary election.

**Short Summary.** A constitutional revision's short summary, which is printed on the bill back and history sheet, has this format:

Proposing revision of Oregon Constitution relating to \_\_\_\_; and requiring approval by a two-thirds majority.

*See* Appendix I, Proposed Constitutional Revisions, for more information.



## CHAPTER 6: AMENDMENTS TO MEASURES

### AMENDMENTS TO BILLS

Amendments are instructions for changes to a printed bill. Except for capitalization and nonsubstantive typographical errors, all changes to a printed bill must be made with line-by-line amendments. The Office of the Legislative Counsel drafts amendments only at the request of members and legislative committees. Members may request draft amendments on behalf of constituents or lobbyists. Legislative committees must adopt amendments before the amendments can be considered on the floor of each house.

Amendments must address a printed bill. Once a bill is ordered printed A-engrossed, subsequent amendments must address the A-engrossed bill. “Printed A-engrossed” means that the changes made by the adopted amendments have been incorporated into the text of the bill and the bill, as changed, has been reprinted. If amendments to an A-engrossed bill are adopted, the bill will be ordered printed B-engrossed and any succeeding amendments must address the B-engrossed bill (and so on).

**Bill Titles and Amendments; Generic Amendments Prohibited.** Amendment writing requires the same degree of care as bill drafting. To satisfy requirements of the Oregon Constitution, amendments must fit the bill title and address a particular printed bill. Article IV, section 20, of the Oregon Constitution, requires that an Act “embrace but one subject, and matters properly connected therewith, which subject shall be expressed in the title.” Any matter that is not included within the title is void. Generic amendments, i.e., amendments that have no reference to a particular printed bill, do not meet this requirement and will not be drafted by Legislative Counsel or accepted by the desk of either house.

**Note that both the House and the Senate have long-standing precedents against amending the “relating to” clause in the bill title.**

### WRITING AMENDMENTS

**Generally.** There is often more than one way to write amendments. The objective of amendment writing is to clearly state the change(s) to be made in the printed bill so that the reader easily understands how it will read with the proposed changes. The examples in this chapter illustrate different methods of effecting change. Use the method that makes the desired changes clearly and uses the fewest words.

**Identify Correct Version of Bill.** Specify the version of the bill being amended (e.g., introduced, A-engrossed, B-engrossed, etc.) in the first line of the amendments. To determine the current version of a bill, check its online measure history. Use the phrase “of the printed bill” or “of the printed \_\_-engrossed bill” only once in each set of amendments. For example:

On page 1 of the printed bill, line 2, delete “and” and before the period insert “; and declaring an emergency”.

**OR**

After line 7 of the printed A-engrossed bill, insert:

**OR**

Delete lines 18 through 20 of the printed B-engrossed bill.

**“Corrected” Bills.** When the Senate or House Desk orders that a measure be printed corrected, Legislative Counsel adds “Corrected,” “Corrected Sponsor,” “Corrected Summary” or “Corrected Title,” as appropriate, to the measure heading. If the most recent version of a bill has a “Corrected” heading, address the corrected bill (the heading of the draft amendment is unchanged) as follows:

On page 1 of the printed corrected bill, line 17, delete “continuously”.

**OR**

On page 10 of the printed corrected B-engrossed bill, line 14, after “36.165,” insert “36.170.”

**(NOTE:** Page and line numbers in draft amendments that do not match locations of affected text in the printed bill may indicate that there is a corrected version of the bill. This is because insertion of “Corrected” in the measure heading may cause lines of text to shift. Online measure history does not indicate whether a bill has been printed corrected.)

**Order of Amendments.** Write amendments in the order of changes in the bill, starting at the beginning of the bill. For example:

On page 2 of the printed bill, line 5, ....

In line 7, ....

In line 13, ....

On page 4, after line 20, delete ....

In line 27, ....

On page 5, after line 12, insert:

**Page and Line Numbers.** First cite the page number followed by the line number and, when needed, the point of reference within the line where the change is to occur, and then state the change to be made. Underscore the word “page” and the numeral. For example:

On page 2 of the printed bill, line 17, after “of” insert “the”.

On page 3, line 3, after “in” insert a period and delete the rest of the line.

Delete pages 4 through 12.

On page 13, delete lines 1 through 9.

Omit the page number when writing amendments for changes made to subsequent lines on the same page. For example:

On page 1 of the printed bill, line 5, delete “(1)”.

Delete lines 8 through 13.

In line 14, delete “\$2,642,200” and insert “\$2,606,573”.

On page 2, line 24, delete “\$1,657,569” and insert “\$1,656,613”.

Also omit the page number when writing amendments to a one-page bill. For example:

In line 3 of the printed bill, delete “17” and insert “15”.

**OR**

Delete lines 5 through 9 of the printed A-engrossed bill and insert:

**(NOTE:** If only the “mend line” (a short centered line following the last line of text) appears on the last page of a measure, do not consider that page part of the measure for purposes of amendment instructions.)

**Clarity and Conciseness.** The following examples show how to adjust amendments so they are clearer and more concise. When there are many changes, it is often easier to replace the affected lines. There may be several equally clear and concise ways to write an amendment. Here are some examples:

**1) Although this amendment is correct:**

In line 26, delete “(b)” and insert “(c)” and after “record” delete the rest of the line and lines 27 and 28 and insert “in compliance with state and federal law.”.

**This amendment is more concise:**

Delete lines 26 through 28 and insert:

“(c) Retain the student record in compliance with state and federal law.”.

**2) Or, instead of this:**

In line 12, delete “, ‘license fees’ means expenses paid by the taxpayer”.

**Use this:**

In line 12, after “Act” delete the rest of the line.

**3) Instead of this series of insertions and deletions:**

On page 2, line 31, after “account” insert “within the fund”.

In line 32, delete “subsections (7) and (8)” and insert “subsection (8)”.

In line 33, delete “The board shall credit to each pay-”.

In line 34, delete “ment all gains and losses on the payment” and insert “The board shall credit to each account all interest and other income received from investment of the account funds during the calendar year”.

**Use this:**

On page 2, delete lines 31 through 34 and insert:

“(9) The board shall establish a separate account within the fund for each lump sum payment made under subsection (8) of this section. The board shall credit to each account all interest and other income received from investment of the account funds during the calendar year.”.

**4) Instead of this:**

In line 23, delete “greater” and insert “less” and delete “\$5” and insert “\$3”.

**Use this:**

In line 23, delete “greater than \$5” and insert “less than \$3”.

**5) Here are two examples of equally effective alternatives:**

In line 16, restore the bracketed material.

**OR**

In line 16, restore “or related activity”.

\*\*\*\*\*

In line 23, after “body” insert “as defined in ORS 192.410”.

**OR**

In line 23, before the period insert “as defined in ORS 192.410”.

**Wording.** Use clear and simple wording in amendments. For example:

<b>USE:</b>	<b>AVOID:</b>
lines 3 through 7	lines 3 through 7, inclusive
rest of the line	remainder of the line
insert “county”	insert the word “county”
after “(7)”	after the number “(7)”
insert	insert the following
delete “173.170” and insert “171.173”	delete “173.170” and in lieu thereof insert “171.173”

**Punctuation.** Enclose material to be inserted or deleted within quotation marks, which separate the engrossing instructions from the insertions or deletions. Place other punctuation marks (including commas and periods) inside the quotation marks only if these punctuation marks are part of the material being inserted or deleted. End each amendment with a period outside any quotation marks.

**(NOTE: Don't worry about the font attribute (lightface or **boldface**) of beginning or ending quotation marks; either is fine.)**

Use single quotes to indicate quotation marks within quoted material. For example:

After line 17, insert:

“(4) ‘Cost’ as defined in section 2 of this 2023 Act”.

When using a specific punctuation mark as a point of reference, spell out the word instead of using the symbol. Use the symbol when the punctuation mark is a part of the material being inserted or deleted, but spell it out if the punctuation mark is the only material in an insertion or deletion. For example:

On page 1 of the printed bill, line 3, before the period insert “; and declaring an emergency”.

On page 2, line 6, delete the comma and insert a period.

Material that follows the word “insert” runs into existing text. Use a colon after the word “insert” to insert paragraphed material. For example:

In line 14, before the period insert “, the most suitable broodstock of fish”.

After line 16, insert:

“(c) Include an exemption from the practice of clipping fins;”.

When inserting a series of consecutive paragraphs, use quotation marks **at the beginning** of each paragraph and **at the end of the last paragraph only**. For example:

On page 7 of the printed bill, delete lines 3 through 15 and insert:

“**SECTION 3. (insert text).**

“**SECTION 4. (insert text).**

“**SECTION 5. (insert text).”**”.

If an insert contains unit captions, quote only the first line of text for each caption level and use only opening quotation marks. For example:

Delete lines 4 through 20 of the printed A-engrossed bill and insert:

**“CREDITS**

**“(Youth Apprenticeship Sponsorship Credit Limitation)**

**“SECTION 1. Except as provided in ORS 315.254 (3), a credit under ORS 315.254 may not be claimed for youth apprenticeship program participation occurring in tax years beginning on or after January 1, 2024.”**”.

**Inserting Material and Choosing Points of Reference.** Insertions of material require points of reference, which can be a specified word, punctuation mark or numbered line. Do not use a point of reference that is in [*brackets and italics*].

It is usually best to insert material **after** a point of reference. This example illustrates different ways of inserting material:

On page 1 of the printed bill, line 9, after the period insert “The department may award a grant under this section to a library or consortium of libraries.”.

In line 20, after “grants” insert “to libraries and consortia of libraries”.  
On page 2, line 20, delete “Electronic” and delete “15” and insert “16”.  
Delete lines 37 and 38 and insert:  
“(4) The State Librarian shall serve as an ex officio member of the task force.”.  
In line 39, delete “(4)” and insert “(5)”.

When possible, avoid using “the bracketed material” as the point of reference for an insertion. Instead, insert material before a specified word or punctuation mark.

**Instead of this:**

In line 20, after the bracketed material insert “implement and”.

**Use this:**

In line 20, before “enforce” insert “implement and”.

Sometimes an amendment may be easier to understand if material is inserted **before** a specified word or punctuation mark. For instance, it is often clearer to insert the material before a word rather than after the second, third or fourth occurrence of another word or punctuation mark. Compare the following examples:

**Although this amendment is correct:**

In line 21, after the fourth “licenses” insert “, except for commercial fishing licenses,”.

**This amendment is more concise:**

In line 21, before “boat” insert “, except for commercial fishing licenses,”.

When writing an amendment that inserts language at the beginning of a section, avoid the use of “**SECTION x.**” as a point of reference (where “x” equals the number assigned to a section). If the period that follows the section number is the only period that occurs in the line, the following amendment is acceptable:

On page 1 of the printed bill, line 5, after the period insert “(1)”.

**Another way to write this amendment is:**

On page 1 of the printed bill, line 5, before the first “The” insert “(1)”.

**If there is more than one period in the line, the following amendment is acceptable:**

On page 1 of the printed bill, line 5, after “1.” insert “(1)”.

**Deleting Material.** No point of reference is necessary if an amendment only deletes material or if an amendment deletes original material and inserts new material in the same location. For example:

On page 3 of the printed bill, line 19, delete “dismissal;”.  
In line 26, delete “filed” and insert “commenced”.  
In line 30, delete the period and insert a semicolon.

A point of reference is necessary when an amendment keeps part of a line and deletes the rest of it. For example:

In line 9 of the printed bill, after the second “statement” delete the rest of the line.  
In line 13, after “service” insert a semicolon and delete the rest of the line.  
On page 2, line 1, after “of” delete the rest of the line and lines 2 through 10.

When replacing material, first delete the original material and then insert the new material. For example:

On page 3 of the printed bill, line 17, delete “without” and insert “after”.

Sometimes it is clearer to insert new material before deleting the original material:

In line 12, after “following” insert a colon and delete the rest of the line.

More than one deletion can be made in one line:

In line 3, delete the first “assessment” and delete “charge or assessment” and insert “incurred charge”.

In line 32, delete “ORS 471.750,” and delete the boldfaced material.

One or more lines can be deleted in a single amendment:

Delete lines 5 through 7 of the printed B-engrossed bill.

Delete line 12.

Delete lines 22 through 27.

An amendment that deletes a portion of one line and one or more subsequent lines is correctly written as:

In line 25, after “tax.” delete the rest of the line and lines 26 through 28.

**OR**

In line 25, after “tax.” delete the rest of the line and delete lines 26 through 28.

**(NOTE:** Inserting or removing the second “delete” creates an unnecessary correction because the amendment works with or without it. Do, however, always use “delete” before a deleted page.)

**Deleting Boldfaced Material.** It can be clearer and more concise to delete the boldfaced material instead of quoting the text to be deleted from an amended section.

**Compare this:**

In line 45, delete “nonprofit” in both places and delete “for an Indian tribe”.

**To this:**

In line 45, delete the boldfaced material.

No point of reference is necessary when deleting one unit of boldfaced material and inserting different material at the same location:

On page 2, lines 1 and 2, delete the boldfaced material and insert “the fee”.

A point of reference is necessary when deleting two or more units of boldfaced material and inserting new material in only one location:

In line 44, delete the boldfaced material and after “may” insert “offer”.

**Restoring Bracketed Material.** Restore bracketed material as follows:

On page 2 of the printed bill, line 18, restore “(3)” and delete “(2)”.

In line 19, restore the comma and before “for” insert “or”.

Restore lines 20 through 23.

On page 3, line 7, restore “notwithstanding”.

In line 21, restore the bracketed material and delete the boldfaced material and delete “(i)” and insert “(h)”.

Bracketed material must be restored before other amendments can be made:

On page 4, lines 15 through 20, restore the bracketed material and delete the boldfaced material.

In line 15, delete “six” and insert “five”.

In line 17, delete “six” and insert “five”.

A point of reference is necessary when restoring bracketed material and then inserting new material directly after the restored material.

**Use this:**

In line 12, after the comma restore the rest of the line and after “election” insert a period.

**Not this:**

In line 12, after the comma restore the rest of the line and insert a period.

**Combining Amendments.** Combine amendments if doing so will correct them or will simplify engrossing. When possible, combine into one amendment deletions of material that include the “rest of the line” and subsequent lines and pages.

**Instead of this:**

On page 6, line 19, after the period delete the rest of the line.

Delete lines 20 through 34.

Delete pages 7 and 8 and insert:

“**SECTION 7. (1) At any time...**”.

**Use this:**

On page 6, line 19, after the period delete the rest of the line and lines 20 through 34 and delete pages 7 and 8 and insert:

“**SECTION 7. (1) At any time...**”.

Keep the deletion of quoted material in one line and the deletion of a following line or lines separate. For example:

In line 12, delete “and lottery funds”.

Delete lines 13 through 32.

**Beginning New Paragraphs.** Here are two ways to begin a new paragraph:

In line 24, delete the comma and insert a semicolon and begin a new paragraph and insert “(b)”.

**OR**

In line 32, delete the period and insert “; and

“(c) The director is satisfied that approval is consistent with ORS 410.010.”.

**Inserting New Paragraphs.** To insert new material that begins a paragraph, use a colon after the word “insert” and paragraph the new material:

After line 22, insert:

“**SECTION 2. As used in sections 2 to 10 of this 2023 Act, ‘practitioner’ has the meaning given that term in ORS 689.005.**”.

**Making the Same Change More Than Once in the Same Line.** To make the same change more than once in the same line, use:

In line 14, delete “director” and insert “administrator” in both places.

In line 28, delete “the” and insert “an” in all places.

**Making More Than One Change in a Line.** Use “and” to connect multiple changes in one line (if there are many changes, consider deleting and replacing the line):

In line 6, after “of” insert “foreign government” and delete “age, disability,” and after “status” insert “or sex”.

**Correcting Misspelled Words.** A misspelled word in a printed bill may be corrected without an amendment, but it is not wrong to correct it by amendment. For example:

In line 21, delete “cmmmittee” and insert “committee”.

**Making Singular Words Plural and Plural Words Singular.** Always use an amendment to delete the singular word and insert the plural word and vice versa (even though it is tempting to just add or subtract the letter “s”). For example:

In line 40, delete “client” and insert “clients”.

Remember to check subject-verb agreement and adjust as necessary:

In line 40, delete “client is” and insert “clients are”.

**Hyphenations.** Delete a hyphenation, not just the part that needs adjustment, as in:

In line 21, delete “2023-2024” and insert “2024-2025”.

In line 28, delete “two-day” and insert “15-day”.

If a hyphenation breaks across two lines, amend only the part that must change:

In line 12, delete “-2024” and insert “-2025”.

Use two amendments to delete hyphenated material that breaks across two lines:

On page 1 of the printed bill, line 6, delete “health-related li-”.

In line 7, delete “censing boards” and insert “Board of Cosmetology”.

**Amending Numbers and Monetary Sums.** Use the complete number when amending numbers. Be sure to include the dollar sign when amending a monetary sum. For example:

In line 2, delete “672.050” and insert “673.050”.

In line 5, delete “\$15,000” and insert “\$16,000”.

**Filling in Blanks.** To replace a blank, use the technique that best fits the context:

In line 6, delete the blank and insert “10”.

In line 10, delete “\$ \_\_\_” and insert “\$1,000”.

In line 18, delete “2 \_\_\_” and insert “2023”.

In line 24, delete “\_\_\_ to \_\_\_” and insert “165 to 179”.

In line 30, restore the bracketed material and delete the blank.

## RENUMBERING SECTIONS AND INTERNAL REFERENCES BY AMENDMENT

When sections or subunits are inserted into or deleted from a bill by amendment, the remaining sections or subunits in the bill may need to be renumbered by amendment. Check the entire bill for any internal references to the deleted sections or subunits and to the remaining renumbered sections or subunits and make any necessary adjustments.

An amendment that renumbers a section excludes the word “SECTION” and (usually) the period that follows the section number. The following amendments delete four sections from a bill, renumber the remaining sections and adjust an internal reference:

On page 1 of the printed A-engrossed bill, delete lines 7 through 26.

On page 2, delete lines 1 through 12.



In line 13, delete “5” and insert “1”.  
In line 24, delete “6” and insert “2”.  
In line 27, delete “5 and 6” and insert “1 and 2”.

If a numeral appears more than once in a line, clarify which numeral is changing:

In line 2, delete the first “3” and insert “5”.

Including the period that follows the section number simplifies this amendment:

In line 2, delete “3.” and insert “5.”.

**Adjusting Internal References to Reflect Renumbering.** Here are examples of amendments needed for subsection renumbering and adjustment of an internal reference:

Delete lines 10 through 12.

In line 13, delete “(3)” and insert “(2)”.

In line 15, delete “(4)” and insert “(3)”.

In line 16, delete “(3) and (4)” and insert “(2) and (3)”.

**Inserting New Sections Without Renumbering.** Insertion of new sections into a bill by amendment usually requires renumbering of other sections in the bill. You may avoid extensive amendments to a lengthy bill by assigning the new sections numbers like “**SECTION 70a.**” and “**SECTION 70b.**” For example:

On page 29 of the printed bill, after line 12, insert:

“**SECTION 70a.** (insert text).”

“**SECTION 70b.** (insert text).”

**Deleting Sections Without Renumbering.** Deletion of sections by amendment usually requires renumbering the remaining sections. Insert a standard note in place of the deleted sections to avoid extensive amendments to a lengthy bill. Check the bill for references to the deleted sections and make necessary adjustments. For example:

On page 2 of the printed bill, delete lines 1 through 10 and insert:

“**NOTE:** Section 4 was deleted by amendment. Subsequent sections were not renumbered.”.

**OR**

“**NOTE:** Sections 4 through 12 were deleted by amendment. Subsequent sections were not renumbered.”.

## **ADJUSTING THE BILL TITLE**

Adjust the bill title when amendments (1) delete or insert either amended or repealed sections or (2) delete or insert new statutory provisions or clauses that declare an emergency, prescribe an effective date, etc., as in:

On page 1 of the printed bill, line 2, delete the first “and”.

In line 3, after “343.167” insert “; and declaring an emergency”.

On page 2, after line 25, insert:

“**SECTION 4.** This 2023 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2023 Act takes effect on its passage.”.

**OR**

On page 1 of the printed bill, line 2, after “adoption” insert “; repealing ORS 419B.350; and prescribing an effective date”.

On page 13, after line 16, insert:

“**SECTION 9.** ORS 419B.350 is repealed.

“**SECTION 10.** This 2023 Act takes effect on July 1, 2024.”.

## USAGE OF LIGHTFACE AND BOLDFACE TYPE IN AMENDMENT TEXT

One of the most confusing aspects of amendment writing is discerning when it is appropriate to use boldface type. Use boldface type only when the material being inserted constitutes an entire section of new material. Use lightface type for the text of amendment instructions and for the text of subunits that will be inserted into an existing section.

### Incorrect:

On page 9, delete lines 6 through 11 and insert:

**“SECTION 10. (1) A health benefit plan shall include notice of:**

**“(a) The right of enrollees to apply for external review; and**

**“(b) Whether the insurer agrees to be bound by the external review.”.**

### Correct:

On page 9, delete lines 6 through 11 and insert:

**“SECTION 10. (1) A health benefit plan shall include notice of:**

**“(a) The right of enrollees to apply for external review; and**

**“(b) Whether the insurer agrees to be bound by the external review.”.**

In the corrected example, only **“SECTION 10.”** (which has its own boldface code) is in boldface type. The text of subsection (1)(a) and (b) is in lightface type because the amendment sets forth only part of section 10. If the section were complete, it would have at least a subsection (2).

## INSERTING OR DELETING PREAMBLES TO BILLS

To add a preamble via amendments, insert the text between the bill title and the enacting clause. For example:

On page 1 of the printed bill, after line 2, insert:

“Whereas the Legislative Assembly reaffirms its commitment to the Oregon Plan as described in ORS 541.898; and

...

“Whereas the Legislative Assembly believes that the Oregon Plan satisfies the requirements necessary to receive an exemption to the requirements of 16 U.S.C. 1533(d); now, therefore,”.

When deleting a preamble, do not delete the line that contains the enacting clause.

## SPECIAL FORMATTING FOR TABLES AND FORMS

Occasionally, material inserted into a table or form needs to be in all capital letters or underscored, depending on the formatting of the table or form. Otherwise, insertions are in lightface with appropriate capitalization. For example:

On page 25, line 5, after “ORDERS” insert “OR WARRANTS”.

In line 7, after “orders” insert “or warrants”.

Material being inserted into budget bills may be in tabular form:

After line 10, insert:

“(7) To rebase nursing  
home rates.....\$15,100,000”.

If an insert contains text between hairline rules, quote only the beginning and ending rule lines. Use only opening quotation marks. If the ending rule line concludes the insert, include a closing quotation mark and a period. Do not quote the text within the rule lines or adjust

any double quotation marks in the text within the rule lines to single quotation marks. Here is an example:

On page 8 of the printed bill, delete lines 12 and 13 and insert:

“(1) The appeal must be in substantially the following form:

“  
\_\_\_\_\_ Court for \_\_\_\_\_ District, \_\_\_\_\_ County, Oregon, \_\_\_\_\_,  
Plaintiff, vs. \_\_\_\_\_, Defendant. Comes now \_\_\_\_\_, a resident of \_\_\_\_\_ County,  
Oregon, and appeals from the decision of the small claims department of the justice  
court for \_\_\_\_\_ District, \_\_\_\_\_ County, Oregon, wherein a judgment for \_\_\_\_\_ dollars  
was awarded against the appellant on the \_\_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_.  
\_\_\_\_\_, Appellant  
“

“(2) All appeals shall be filed with the justice of the peace and accompanied by a bond, with satisfactory surety, to secure the payment of the judgment, costs and attorney fees, as provided in ORS 55.110.”

## FORM OF INSERTIONS FOR AMENDED SECTIONS

Use lightface type in amendments for insertions of partial sections. For extensive changes, delete the entire section and reinsert it with changes in boldfaced type or [*brackets and italics*] as appropriate. Compare the following; if the amendments in the correct example are adopted, the engrosser will bracket deletions from existing law and mark insertions into existing law as boldface.

### Incorrect (brackets and boldface in insert of partial section):

On page 4, delete lines 2 through 4 and insert:

“181A.275. (1) There is established a Criminal Justice Information Standards Advisory Board to advise the Department of State Police [*in*] **or the criminal justice agency designated by the Director of the Oregon Department of Administrative Services under ORS 181A.265 (1) about** the department’s **or the agency’s** duties under ORS 181A.265. The board consists of the following members:”

### Correct:

On page 4, line 3, delete “in” and insert “or the criminal justice agency designated by the Director of the Oregon Department of Administrative Services under ORS 181A.265 (1) about” and after “department’s” insert “or the agency’s”.

### When the line-by-line amendments look like this:

On page 4, line 3, delete “in” and insert “or the criminal justice agency designated by the Director of the Oregon Department of Administrative Services under ORS 181A.265 (1) about” and after “department’s” insert “or the agency’s”.

After line 17, insert:

“(k) A county juvenile department director designated by the Oregon Juvenile Department Directors’ Association;

“(L) A community corrections agency director designated by the Oregon Association of Community Corrections Directors;”

In line 18, delete “(k)” and insert “(m)”.

In line 19, delete “(L)” and insert “(n)”.

In line 21, delete “(m)” and insert “(o)”.

In line 22, delete “(n)” and insert “(p)”.

In line 23, delete “(o)” and insert “(q)”.

In line 25, delete “(p)” and insert “(r)”.

**Consider incorporating the same changes into one amendment that deletes an amended section entirely and reinserts it, as changed, into the bill:**

On page 4, delete lines 1 through 29 and insert:

“**SECTION 6.** ORS 181A.275 is amended to read:

“181A.275. (1) There is established a Criminal Justice Information Standards Advisory Board to advise the Department of State Police *[in]* **or the criminal justice agency designated by the Director of the Oregon Department of Administrative Services under ORS 181A.265 (1) about** the department’s **or the agency’s** duties under ORS 181A.265. The board consists of the following members:

“(a) The State Court Administrator or the administrator’s designee;

...

“(j) A jail manager designated by the Oregon Sheriff’s Jail Command Council;

“(k) **A county juvenile department director designated by the Oregon Juvenile Department Directors’ Association;**

“(L) **A community corrections agency director designated by the Oregon Association of Community Corrections Directors;**

“*[(k)] (m)* A district attorney designated by the Oregon District Attorneys’ Association;

“*[(L)] (n)* The State Chief Information Officer or the State Chief Information Officer’s designee;

“*[(m)] (o)* The Director of the Oregon Youth Authority or the director’s designee;

“*[(n)] (p)* The State Fish and Wildlife Director or the director’s designee;

“*[(o)] (q)* The administrator of the Oregon Liquor and Cannabis Commission or the administrator’s designee; and

“*[(p)] (r)* The Youth Development Director or the director’s designee.

“(2) The board shall meet at such times and such places as the board deems necessary.

“(3) The members of the board are not entitled to compensation but are entitled to expenses as provided in ORS 292.495.”.

**AMENDING DOUBLE AMENDED SECTIONS**

If the proposed amendments make changes to a section that is further amended in the same bill, those changes need to be reflected in lightface in the second version of the section in the bill. This must be done by setting forth the further amended section in full.

**Incorrect:**

On page 1 of the printed bill, line 13, delete “10,000” and insert “15,000”.

In line 14, delete “15,000” and insert “25,000”.

On page 3, line 21, delete “10,000” and insert “15,000”.

In line 22, delete “15,000” and insert “25,000”.

**Correct:**

On page 1 of the printed bill, line 13, delete “10,000” and insert “15,000”.

In line 14, delete “15,000” and insert “25,000”.

On page 3, delete lines 12 through 27 and insert:

“**SECTION 8.** Section 2 of this 2023 Act is amended to read:

“**Sec. 2.** (1) As used in this section:

“(a) ‘Cottage clusters’ means groupings of no fewer than four detached housing units per acre with a footprint of less than 900 square feet each and that include a common courtyard.

...

“(2) Each city with a population greater than 15,000 and each county with a population greater than 25,000 shall allow, within its urban growth boundary in areas zoned for detached single-family dwellings, the development of at least one middle housing type on each lot, subject to reasonable local regulations related to siting and design.”.

## **DELETING ALL CHANGES IN AN ORS SECTION**

If the proposed amendments restore the original text of an ORS section by deleting all changes, delete that section from the bill and renumber the following sections. Adjust the bill title by deleting the ORS section number from the amending clause. Check the bill for internal references to the deleted ORS section and make necessary adjustments.

## **DELETING ENTIRE TEXT OF BILL AND INSERTING DIFFERENT TEXT**

When deleting all of the original text in a bill and inserting different text, begin the amendments with the line number of the first text section. There are three caveats:

- (1) Never delete or amend the subject of the bill title (the phrase that begins with “Relating to” and ends with the first semicolon);
- (2) Never delete the enacting clause; and
- (3) Always check that the bill title still applies to the text being inserted.

The following is an example of an amendment that “guts” a bill and “stuffs” new text into it while making an appropriate adjustment to the bill title:

On page 1 of the printed B-engrossed bill, line 2, after the first semicolon delete the rest of the line and insert “and declaring an emergency.”.

Delete lines 4 through 30 and delete pages 2 through 5 and insert:

“**SECTION 1. The county....**

“**SECTION 2. Notwithstanding ORS 123.456, the county....**

“**SECTION 3. This 2023 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2023 Act takes effect July 1, 2023.**”.

## **DELETING PREVIOUS AMENDMENTS**

Since 1991 the Legislative Assembly has ordered that all measures amended by a committee or a committee minority be printed engrossed. **This means that if a committee or its minority wants to step back to a prior version, it must make the adjustments via line-by-line amendments.** In the unlikely event that it becomes necessary to amend a measure that has been amended but not printed engrossed, delete the previous amendments and then set forth the changes in appropriate page and line order. Note that the line-by-line amendments must address the previous version of the measure. Omit the disengrossed amendments in the “Including . . .” heading on the engrossed measure. For example:

Delete the printed House amendments dated March 15.

On page 2 of the printed bill, line 4, after “the” insert “port district and”.

Use only one amendment to delete all of the previous amendments, as follows:

Delete the printed Senate amendments dated May 10 and May 20.

## **CONFERENCE COMMITTEE AMENDMENTS**

Conference committee amendments (which are not engrossed until enrolling) contain a message to the presiding officer of the bill’s house of origin. In this message, the conference committee recommends concurring (with the current version), further

amending (to create a new version) or receding (to a prior version). In the following example, the recommendation is to recede to and further amend a prior version:

### CONFERENCE COMMITTEE AMENDMENTS TO A-ENGROSSED HOUSE BILL 2138

Speaker Doe:

Your Conference Committee to whom was referred A-engrossed House Bill 2138, having had the same under consideration, respectfully reports it back with the recommendation that the Senate recede from the Senate amendments dated June 1 and that the introduced bill be amended as follows and repassed.

On page 3 of the printed bill, line 6, after “city,” insert “county.”

### AMENDMENTS TO PROPOSED (TYPED) AMENDMENTS

Legislative committees may request amendments to proposed amendments in rare cases when the proposed amendments are particularly voluminous. Identify the base amendments by their date and LC docket number, as in:

On page 1 of the typed amendments to House Bill 2509 dated March 4 (HB 2509-1), after line 17, insert:

“(c) Specify circumstances under which the Department of Transportation may cease to issue distinctive indicia of registration for any particular group.”

In line 18, delete “(c)” and insert “(d)”.

### AMENDMENTS TO ENROLLED BILLS

In rare situations, the House or Senate may recall an enrolled bill that the Governor has not yet signed. An enrolled bill may be recalled from the Governor only if the Governor agrees. A recalled enrolled bill is often referred to a conference committee. Enrolled Senate Bill 494 (1995), for example, was recalled, amended, reconsidered and ultimately re-enrolled. Amendments to an enrolled bill do not have line numbers:

In the title of the printed enrolled bill, delete “541.329.”

Delete section 1 and insert:

“**SECTION 1, (insert text).**”

### AMENDMENTS TO MEMORIALS AND RESOLUTIONS

**Generally.** Amendments to memorials and resolutions generally follow the format used for bills. The first line of the amendment identifies the version and the type of resolution or memorial being amended. Here are some examples:

On page 1 of the printed joint resolution, line 9, delete “this” and insert “a”.

On page 1 of the printed corrected memorial, delete line 12.

On page 2 of the printed A-engrossed concurrent resolution, line 6, after “Agreement” insert “, or any successor thereto”.

In line 6 of the printed joint memorial, after “fame” insert “, honors”.

**Switching From a Proposed Constitutional Amendment to a Proposed Constitutional Revision and Vice Versa.** See Appendix I of this manual for more information about proposed constitutional revisions. When amendments change a joint resolution from a proposed constitutional amendment to a proposed constitutional revision or vice versa, adjust the resolving clause and amending/revising clause as appropriate:

- **Resolving clause.** A proposed constitutional amendment has a resolving clause that reads “**Be It Resolved by the Legislative Assembly of the State of Oregon:**”. The

resolving clause for a proposed constitutional revision adds the legislative voting requirement, and reads **“Be It Resolved by the Legislative Assembly of the State of Oregon, two-thirds of all the members of each house concurring:”**. Insert or delete the voting requirement by amendment.

- Amending/revising clause. Amend the clause to read, as appropriate, “The Constitution of the State of Oregon is amended...” or “The Constitution of the State of Oregon is revised...”.

These amendments convert a constitutional amendment into a constitutional revision:

On page 1 of the printed joint resolution, line 2, after “Oregon” insert “, two-thirds of all the members of each house concurring”.

In line 3, delete “amended” and insert “revised”.

Delete lines 8 through 11 and insert: . . .

**Inserting or Deleting a Preamble.** Insert the preamble text between the heading and the resolving clause (when deleting a preamble, be sure to retain the resolving clause):

On page 1 of the printed joint resolution, after line 1, insert:

“Whereas the Enron Corporation is in bankruptcy proceedings supervised by the federal bankruptcy court; and

...  
“Whereas other consumer-owned utilities could be adversely affected if Portland General Electric became a consumer-owned utility; now, therefore,”.

# NOTES



## CHAPTER 7: INTRODUCTION OF LEGISLATIVE MEASURES

A bill, resolution or memorial to be presented to the Desk of either house for introduction must meet the form and style requirements described in this manual. The Senate and House Desks have long-standing practices of accepting for introduction only final drafts prepared by the Office of the Legislative Counsel.

Upon introduction, the Desk assigns a measure number to the draft, then returns it to the Publication Services unit in the Office of the Legislative Counsel for final form and style review and printing. Measure numbering for the odd-year (long) sessions and even-year (short) sessions is as follows:

	Long Session & First Interim*	Short Session & Second Interim*
Senate Bills	1-1499	1501-1999
House Bills	2001-3999	4001-4999
House Bills (Budget)	5001-5199	5201-5499
Senate Bills (Budget)	5501-5699	5701-5999
Simple, Concurrent and Joint Resolutions and Simple and Joint Memorials of each chamber, for each type	1-199	201-399

\* Measure numbering during a special session often begins where the numbering for the prior session left off, rounded up to the nearest sequential number ending with “01,” although this is left to the discretion of the Desks. During the two-year tenure of a Legislative Assembly, measure numbers will not be repeated. For example, the numbering during the 2020 special sessions was as follows:

	First Special Session	Second Special Session	Third Special Session
<b>2020 Special Session Measures</b>			
Senate Bills	1601+	1701+	1801+
House Bills	4201+	4301+	4401+
Senate Bills (Budget)	5711+	5721+	5731+
House Bills (Budget)	5211+	5221+	5231+
Simple, Concurrent and Joint Resolutions and Simple and Joint Memorials of each chamber, for each type	211+	221+	231+

### REQUIREMENTS

One copy of a Legislative Counsel draft with a signed bill back attached is required for introduction in either the House or Senate. The House and Senate Rules each require that only a member or the member’s authorized staff (for a member-sponsored measure) or the committee chairperson or authorized committee staff (for a committee-sponsored measure) may present a measure for introduction. ORS 171.130 and 171.133 contain statutory requirements for pre-session filing of measures.

## BILL BACKS

A bill back accompanies each draft delivered by the Office of the Legislative Counsel. The bill back identifies the LC number, the draft type (bill, joint resolution, memorial, etc.), the date and the short title of the draft. It also contains space for recording the initial sponsors and requesters of a measure.

### Supply the following required information before submitting a bill back:

- (1) If applicable, “At the request of \_\_\_\_\_.” It is the measure filer’s responsibility to verify the accuracy of the names of any agencies, organizations or individuals that have formally requested the measure and that will be named on the introduced measure. Use acronyms only if they are generally recognized (AFL-CIO, etc.). Requester information will be printed on the introduced measure as it is submitted on the bill back.
- (2) The name and telephone number of the contact person.
- (3) In the space provided below the signature line, the neatly printed name of the member(s) or committee chairperson(s) who signed the bill back.

After completing the required information and obtaining the signature(s) of the sponsoring member(s) or the committee chairperson(s), staple the bill back face out to the upper left corner of the back of the copy of the draft to be presented for introduction. The measure number will be assigned after the draft has been presented to the appropriate Desk. Consult staff of the Senate or House Desk about questions relating to sponsors or requesters.

## REQUESTERS

ORS 171.127 requires:

171.127. (1) Each proposed legislative measure shall at the time of submission for filing bear the name of any state or other public agency or representative thereof, any private organization or representative thereof, or any person other than a member of the Legislative Assembly at whose specific formal request the measure is being introduced. As used in this subsection, “formal request” means the presentation, submission or providing of a drafted measure to a member or committee of the Legislative Assembly.

(2) Each proposed legislative measure shall bear a statement signed by the chief sponsor thereof, stating that all agencies, organizations and persons that have formally requested the measure are named thereon.

## SHORT TITLE

The short title, a shorter version of the bill title, appears on the bill back and on the legislative history sheet that is attached to the original measure folder. Article IV, section 19, of the Oregon Constitution, requires that every bill be read by title in each house. When a bill is read, the reading clerk reads only its short title. In addition to the subject (the phrase that begins with “Relating to” and ends with the first semicolon), the Legislative Assembly requires that the short title include all clauses in the bill title **except**:

- “creating new provisions”
- “amending . . .”
- “repealing . . .”

If any clause not listed as an exception is added to the title of a bill draft, the clause must be added to the short title as well. Note the short titles in the following examples:

**If the full bill title reads:**

**A BILL FOR AN ACT**

Relating to children; creating new provisions; amending ORS 339.147, 339.505, 417.735, 419A.170, 419B.020 and 420.017 and sections 1 and 2, chapter 675, Oregon Laws 1993, and ORCP 7 D and 27 A; repealing section 6, chapter 675, Oregon Laws 1993; and declaring an emergency.

**The short title reads:**

Relating to children; and declaring an emergency.

**If the full bill title reads:**

**A BILL FOR AN ACT**

Relating to taxation; creating new provisions; amending ORS 316.695; prescribing an effective date; and providing for revenue raising that requires approval by a three-fifths majority.

**The short title reads:**

Relating to taxation; prescribing an effective date; and providing for revenue raising that requires approval by a three-fifths majority.

**If the full bill title reads:**

**A BILL FOR AN ACT**

Relating to crime; creating new provisions; amending ORS 137.124, 137.700, 137.705 and 137.707; declaring an emergency; and providing for criminal sentence reduction that requires approval by a two-thirds majority.

**The short title reads:**

Relating to crime; declaring an emergency; and providing for criminal sentence reduction that requires approval by a two-thirds majority.

**If the full bill title reads:**

**A BILL FOR AN ACT**

Relating to taxation; creating new provisions; amending ORS 323.170 and section 4, chapter 5, Oregon Laws 2002; repealing sections 2 and 5, chapter 5, Oregon Laws 2002; providing for revenue raising that requires approval by a three-fifths majority; and providing that this Act shall be referred to the people for their approval or rejection.

**The short title reads:**

Relating to taxation; providing for revenue raising that requires approval by a three-fifths majority; and providing that this Act shall be referred to the people for their approval or rejection.

**If the full bill title reads:**

**A BILL FOR AN ACT**

Relating to school finance; creating new provisions; amending ORS 327.008 and 327.711; declaring an emergency; and providing for transfer of moneys from the Education Stability Fund that requires approval by a three-fifths majority.

**The short title reads:**

Relating to school finance; declaring an emergency; and providing for transfer of moneys from the Education Stability Fund that requires approval by a three-fifths majority.

**SHORT SUMMARIES**

Short summaries appear on bill backs and history sheets prepared for memorials and resolutions. A short summary is **not** a measure summary; it stands in place of the “relating to” clause for bills. When a memorial or resolution is read, the reading clerk reads only its short summary.

Begin the text of the short summary with a present participle and use the fewest words possible. Unlike measure summaries, short summaries may include articles.

**Examples:**

Declaring Leroy Vinnegar Day in honor of the acclaimed Oregon musician.

Directing Governor to establish Lewis and Clark Trail Council.

Short summaries for joint resolutions that propose an amendment to or a revision of the Oregon Constitution begin with “Proposing amendment to Oregon Constitution relating to” or “Proposing revision of Oregon Constitution relating to”.

**Examples:**

Proposing amendment to Oregon Constitution relating to retirement of judges.

Proposing revision of Oregon Constitution relating to State Controller; and requiring approval by a two-thirds majority.

If a concurrent resolution expresses sympathy, its short summary simply states, “In memoriam: Name(s) of the deceased”. If the deceased held a public office, include and do not abbreviate the former title; inclusion of the lifespan is optional.

**Examples:**

In memoriam: City of Tigard Mayor James R. (Jim) Nicoli.

In memoriam: Former Governor Robert William Straub, 1920-2002.

In memoriam: Former state Representative Michael H. McCracken, 1943-2001.

In memoriam: Gail Louise Achterman, 1949-2012.

## CHAPTER 8: MEASURE SUMMARIES

The Desks will not accept a measure for introduction unless it is accompanied by an impartial summary of the measure's content. *See* Rules of the Senate and Rules of the House of Representatives.

**Guidelines.** The measure summary should present a brief and impartial statement of the essential features of the measure (a summary is not an analysis). The measure summary should not:

- Argue favorably for the measure's effectiveness or its merits.
- Present the motives behind the measure, its intent or its probable effect.
- Repeat the text of the title of the measure.
- Inventory the contents of the measure.

The measure summary briefly describes the actions of a legislative measure. The title is the skeleton of these actions and the measure summary adds a little flesh to the bones.

The measure summary should begin with a digest, a single paragraph that summarizes the contents of the measure as simply and comprehensibly as possible. The digest ends with a parenthetical note of the Flesch readability score for the digest, determined using the Flesch Reading Ease score in Microsoft Word Document Stats. Acronyms, abbreviations and other methods to simplify expression are permitted in the digest, and other requirements applicable to the measure summary do not apply to the digest. The only rules for the digest are that the digest may not be an objectively inaccurate description of the measure and may not have a Flesch readability score that is less than 60.

Even though provisions like effective dates, penalties and emergency provisions must be included in the measure summary, they should not overshadow or distort the other important substantive provisions of the measure. Describe the substance of the measure in a way that will be most informative to the reader and that focuses on the important policy provisions of the measure.

Provisions that affect the effective or applicability date of an Act are listed separately in the last paragraph of the measure summary, unless there is a referendum provision, which is the very last paragraph of the measure summary. Here are some examples:

- Takes effect July 1, 2024.
- Takes effect on the 91st day following adjournment sine die.
- Declares an emergency, effective on passage.
- Declares an emergency, effective July 1, 2023.
- Sunsets the task force on December 31, 2024.
- Applies to tax years beginning on or after January 1, 2023.
- Refers the Act to the people for their approval or rejection at the next regular general election.

When a joint resolution proposes an amendment to the Oregon Constitution, its referendum provision is noted in the last paragraph of the measure summary:

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

**Form and Style Requirements.** Follow these form and style requirements when preparing the measure summary in order to provide some degree of uniformity in format:

1. Begin each measure summary with a digest, appending the Flesch readability score for the digest text in parentheses at the end of the paragraph. The Flesch readability score should be determined using only the text in the digest (excluding "Digest:"). The score must not be less than 60.
2. Omit the session year when referring to the "Act" itself. For example: "Applies to writs of attachment, execution and garnishment issued on or after the effective date of the Act." Use "this Act" only if other Acts are mentioned in the summary and there might otherwise be some confusion about which one is meant.

3. Begin each sentence with an active verb (“permits,” “directs,” “limits,” etc.), the subject of which is understood to be the measure. These verbs should pinpoint what the bill does. A list of suggested active verbs appears at the end of this chapter.
4. Avoid adjectives except when necessary to limit nouns.
5. Include penalties, effective dates and emergency or other special provisions. Inclusion of civil penalties is at the drafter’s discretion. If a bill contains new prohibitions and creates criminal penalties, include the offense and its maximum penalties. Per ORS 161.555 (3), unclassified offenses are considered Class A misdemeanors. The following statutes are useful for confirming information in the measure summary:

<b>TYPE OF OFFENSE</b>	<b>PENALTIES</b>
Violations (including traffic violations)	ORS 153.018, fines
Misdemeanors	ORS 161.635, fines ORS 161.615, prison terms
Felonies	ORS 161.625, fines ORS 161.605, prison terms
Offenses committed by corporations	ORS 161.655, fines

6. Omit specific dollar amounts of appropriations, expenditure limitations or lottery allocations. (Specific dollar amounts may be included if the dollar amounts are linked to the central purpose of the bill, i.e., the bill amends only one section by increasing a fee.)
7. Avoid the use of “a.m.” and “p.m.” in the measure summary.
8. Include “limits expenditures” if corresponding provisions are central to the substance of the draft.
9. Include “appropriates moneys” or “continuously appropriates moneys” if corresponding provisions are central to the substance of the draft. Describe some or all of the following:
  - The source of the appropriation or the type of fund expenditures being limited.
  - The state officer or agency affected by the appropriation or limitation.
  - The time period for the appropriation or limitation.
  - The purpose of the appropriation or limitation.
10. Use quotation marks in entries such as: Defines “term.”

Although the citation of an ORS chapter, series or section in a measure summary is not prohibited, it is generally best to write descriptively and omit citations. For example, “Permits parties to agree to the postponement of a hearing under the State Personnel Relations Law” is clearer than “Permits parties to agree to the postponement of a hearing under ORS chapter 240.”

**EXAMPLES OF THE DIGEST IN THE MEASURE SUMMARY:**

In these examples, the digest is the first paragraph, followed by the conventional paragraphs of the measure summary:

**SUMMARY**

Digest: Makes the recording of a conversation in a public place not a type of crime if the recorder is not hidden. (Flesch Readability Score: 64.6).

Exempts from the crime of unlawfully obtaining or attempting to obtain a conversation the recording of a conversation occurring in a public place using an unconcealed recording device.

### **SUMMARY**

Digest: Gives moneys to a state agency to be sent to the U of O for fixing listed problems. Prevents moneys from being spent on other program at PSU. Gives other moneys to the agency for a program teaching legal skills. Starts the law in March 2024. (Flesch Readability Score: 71.9).

Appropriates moneys to the Higher Education Coordinating Commission for distribution to the Oregon Office for Community Dispute Resolution at the University of Oregon. Prohibits the commission from distributing moneys to the Oregon Consensus program at Portland State University.

Appropriates moneys to the commission for distribution to the Clinical Legal Education Program.

Declares an emergency, effective March 15, 2024.

### **EXAMPLES OF MEASURE SUMMARY FORM AND STYLE:**

The following examples do not contain the digest in the measure summary, but they follow the rest of the form and style requirements for the conventional paragraphs of the measure summary.

#### **SUMMARY**

Revises the definition of “occupational therapy assistant.”

#### **SUMMARY**

Expands the offense of causing unreasonable noise with a vehicle.

Creates the offense of creating public disturbance noise. Punishes by a maximum fine of \$500. Punishes subsequent violations, under certain circumstances, by a maximum of 30 days’ imprisonment, a \$1,250 fine, or both.

#### **SUMMARY**

Revises poundage fees for the commercial taking of various food fish and shellfish species.

Takes effect July 1, 2024.

#### **SUMMARY**

Imposes a surcharge on the fine for violation of disabled person parking laws. Authorizes reimbursement of certain expenses for volunteers issuing citations for violations and for nonprofit organizations supporting the program.

Sunsets June 30, 2026.

Takes effect on the 91st day following adjournment sine die.

#### **SUMMARY**

Appropriates moneys from the General Fund to the Oregon Department of Administrative Services to be applied to the settlement of a case involving the Industrial Accident Fund, pursuant to a specified court order.

Declares an emergency, effective on passage.

#### **SUMMARY**

Sets the procedure for a statewide special election on \_\_\_\_\_ Joint Resolution \_\_\_\_\_ (2023) (LC 1234).

Declares an emergency, effective on passage.

#### **SUMMARY**

Establishes the Law Enforcement Medal of Honor.

Establishes the Governor’s Commission on the Law Enforcement Medal of Honor.

Establishes the Law Enforcement Medal of Honor Account.

**EXAMPLE FOR BILL WHOSE EFFECTIVE DATE IS CONDITIONED ON VOTER APPROVAL OF ANOTHER MEASURE:**

**SUMMARY**

Establishes the rights and obligations of the office of Lieutenant Governor.  
Takes effect only if Senate Joint Resolution 26 (2023) is approved by the people at the next regular general election. Takes effect on the effective date of the constitutional amendment proposed in Senate Joint Resolution 26 (2023).

**EXAMPLES FOR LEGISLATIVE REFERRALS OF BILLS (ACTS) TO PEOPLE:**

**SUMMARY**

Provides authorization for the Legislative Assembly to establish a state education lottery bond program for the purpose of financing state education projects.  
Refers the Act to the people for their approval or rejection at a special election held on the same date as the next primary election.

**SUMMARY**

Requires the Department of Transportation to build a highway in Washington County from Interstate 5 to U.S. Highway 26.  
Refers Act to the people for their approval or rejection at a special election on the date specified in chapter \_\_\_, Oregon Laws 2023 (Enrolled \_\_\_ Bill \_\_\_).

**SUMMARY**

Increases personal income and corporate excise or income tax rates. Applies the increases to tax years beginning on or after January 1, 2024, and before January 1, 2027.  
Refers the Act to the people for their approval or rejection at a special election on September 20, 2024.

**(NOTE: The referendum clause for an Act being referred to the people at a special election on a date other than the primary election may refer to the special election bill that sets the election, which is the preferred drafting technique, or may list only the election date. Adjust the text in the measure summary accordingly.)**

**EXAMPLES FOR APPROPRIATION (BUDGET) BILLS:**

**SUMMARY**

Appropriates moneys from the General Fund to the Public Defense Services Commission for certain biennial expenses.  
Limits biennial expenditures from fees, moneys or other revenues, including Miscellaneous Receipts, but excluding lottery funds and federal funds, collected or received by the commission.  
Declares an emergency, effective July 1, 2023.

**SUMMARY**

Limits biennial expenditures from fees, moneys or other revenues, including Miscellaneous Receipts, but excluding lottery funds and federal funds, collected or received by the State Department of Energy.  
Excludes from the expenditure limitation expenditures for loans for small scale energy loan projects or for debt service.  
Limits biennial expenditures by the department from federal funds.  
Declares an emergency, effective July 1, 2023.



## **EXAMPLES FOR JOINT RESOLUTIONS PROPOSING CONSTITUTIONAL AMENDMENT:**

### **SUMMARY**

Proposes an amendment to the Oregon Constitution to allow fuel tax and motor vehicle use fees or excise revenues to be used for state police patrol activities and for public transportation. Limits spending for new uses.

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

### **SUMMARY**

Proposes an amendment to the Oregon Constitution reducing the time period after legislative adjournment during which the Governor may veto bills to 20 days.

Refers the proposed amendment to the people for their approval or rejection at a special election held on the same date as the next primary election.

### **SUMMARY**

Proposes an amendment to the Oregon Constitution to allow the state to lend credit and incur debt to satisfy guarantees in the higher education prepaid tuition plan.

Refers the proposed amendment to the people for their approval or rejection at a special election held on the date specified in chapter \_\_\_\_, Oregon Laws 2023 (Enrolled \_\_\_\_ Bill \_\_\_\_).

**(NOTE:** The referendum clause for a joint resolution being referred to the people at a special election on a date other than the primary election may refer to the special election bill that sets the election, which is the preferred drafting technique, **or** may list only the election date. Adjust the text in the measure summary accordingly.)

## **EXAMPLE FOR JOINT RESOLUTION PROPOSING CONSTITUTIONAL REVISION:**

### **SUMMARY**

Proposes a revision of the Oregon Constitution to change the conditions under which moneys may be appropriated from the education stability fund.

Makes the revision operative on July 1, 2025.

Refers the proposed revision to the people for their approval or rejection at the next primary election.

*See Appendix I for more detail about constitutional revisions.*

## **EXAMPLES FOR CONCURRENT RESOLUTIONS:**

### **SUMMARY**

In memoriam: Former Governor Robert William Straub, 1920-2002.

### **SUMMARY**

Honors Katie Marie Harman, Miss America 2002, for service to state and country.

### **SUMMARY**

Designates the Pacific golden chanterelle (*Cantharellus formosus*) as the state mushroom.

### **SUMMARY**

Adjourns sine die the regular session of the Eighty-second Legislative Assembly.

## **EXAMPLE FOR JOINT MEMORIALS:**

### **SUMMARY**

Urges Congress to pass a balanced budget amendment to the United States Constitution and submit the amendment to the states for ratification.

## SUGGESTED ACTIVE VERBS

This list of suggested active verbs and their connotations is included for convenience only. The list is not comprehensive; only the most common verbs have been included.

### CREATING NEW LAW

CONFERS:	grants jurisdiction.
DECLARES:	states new policy.
DEFINES:	either terms or situations in which measure is applicable.
DIRECTS:	mandatory action by specified person or agency.
EXEMPTS:	excludes categories of persons or things from application of measure.
PERMITS:	allows person or agency to perform specified nonmandatory acts.
PRESCRIBES:	effective or operative date.
PROHIBITS:	bans specified action ( <i>see also</i> PENALTIES below).
PROVIDES:	general term; use only when more precise verb cannot be found.
REQUESTS:	implies lack of sanction upon failure to comply.
REQUIRES:	imposes a requirement.
SUBJECTS:	establishes category subject to application of measure.

### ADDING TO EXISTING LAW

ADDS:	extends categories to which existing law is applicable.
EXTENDS:	length of time; scope of provisions.
INCREASES:	makes larger.

### CHANGING EXISTING LAWS

DELETES:	erases.
EXEMPTS:	specified persons or categories from current applications.
MODIFIES:	changes.
RENAMES:	redesignates.
REPEALS:	specified current provisions.
RETAINS:	certain specified provisions of otherwise modified law.
TRANSFERS:	conveys from one person or agency to another.

### PROHIBITIONS

LIMITS:	expenditures; time.
PROHIBITS:	forbids.

### PENALTIES (Required; must recite maximum possible fine or period of imprisonment.)

IMPOSES:	civil penalty.
PUNISHES:	criminal penalty.
INCREASES:	both civil and criminal.
DECREASES:	both civil and criminal.

## APPENDIX A: CONFLICTS

Often during a session of the Legislative Assembly, more than one measure will propose amendments to or the repeal of an ORS section, uncodified session law section, ORCP section or section of the Oregon Constitution. When the proposed changes cannot be blended together, the measures are considered conflicting. Article IV, section 22, of the Oregon Constitution, allows the compilation of more than one amendment to a statute unless the amendments conflict in purpose, in which case “the act last signed by the Governor shall control.”

Legislative committee staff request a conflicts check from the Legislative Counsel conflicts team for all measures that are ready to be reported out of committee in the second house or out of conference committee before final committee action. If conflict amendments are necessary to preserve the legislative intent of conflicting measures, the conflicts team prepares the amendments for the committee’s consideration. Committee staff sign and date a conflicts checkoff on the Committee Report before the measure is filed.

### AMENDMENT HEADINGS

The heading for proposed amendments requires adjustment when preparing conflict amendments:

- Insert “to Resolve Conflicts” after “Proposed Amendments” in the amendment heading only if the amendments are exclusively nonsubstantive conflict amendments. For example:

**PROPOSED AMENDMENTS TO RESOLVE CONFLICTS TO  
SENATE BILL 945**

- Insert “(Including Amendments to Resolve Conflicts)” at the end of the amendment heading when conflict amendments are combined with substantive amendments. For example:

**PROPOSED AMENDMENTS TO SENATE BILL 945  
(INCLUDING AMENDMENTS TO RESOLVE CONFLICTS)**

### AMENDMENTS TO RESOLVE CONFLICTS

Conflict amendments often make further amendments to an existing section as it has been amended within the measure or by another measure. When setting forth an amended section for further amending, omit any bracketed material and include, but do not boldface, any previously boldfaced material. Only material that is deleted or inserted by the section doing the further amending will be in [*brackets and italic*] type or **boldfaced** type.

Use an “if” clause unless the other bill has been signed by the Governor and has an emergency clause. For example:

On page 32 of the printed C-engrossed bill, after line 24, insert:

**“SECTION 48a. If House Bill 2125 becomes law, section 48 of this 2023 Act (amending ORS 463.035) is repealed and ORS 463.035, as amended by section 2, chapter \_\_\_, Oregon Laws 2023 (Enrolled House Bill 2125), is amended to read:**

**“463.035. (1) (insert text).”.**

The amending clause in the example above appears in **boldfaced** type because it also contains a repealing clause that must appear in **boldfaced** type.

Omit the “if” clause if the other bill has been signed by the Governor and has an emergency clause. For example:

On page 1 of the printed B-engrossed bill, after line 16, insert:

**“SECTION 2.** ORS 1.360, as amended by section 3, chapter 125, Oregon Laws 2023 (Enrolled Senate Bill 1555), is amended to read:  
“1.360. (insert text).”.

If conflict amendments amend or repeal any ORS sections, uncodified session law sections, ORCP sections, Oregon Constitution sections or sections in other measures, adjust the bill title, if necessary, to reflect the amendment or repeal.

## APPENDIX B: SPECIAL SESSION ADJUSTMENTS

### CITATION OF SPECIAL SESSION MEASURES

“**This (year) special session Act.**” To cite “this Act” in the body of a special session enactment, use:

- “... this (year) special session Act” for a first special session in any year.
- “... this (year) second special session Act” for a second special session in any year.

**References to session.** In a special session measure, use these examples as models and adjust as appropriate for number of special session and Legislative Assembly:

**SECTION 7. This 2024 special session Act takes effect on the 91st day after the date on which the 2024 special session of the Eighty-second Legislative Assembly adjourns sine die.** [first special session in 2024]

**OR**

That the 2024 special session of the Senate and the House of Representatives of the Eighty-second Legislative Assembly is adjourned sine die. [first special session in 2024]

**OR**

We, the Eighty-second Legislative Assembly of the State of Oregon, in 2024 second special legislative session assembled, respectfully represent as follows: [second special session in 2024]

**OR**

That the Eighty-second Legislative Assembly in 2024 third special session, commenced \_\_\_\_\_, 2\_\_\_\_, stand recessed until the call of the presiding officers or \_\_\_\_\_, 2\_\_\_\_, whichever comes first. [third special session in 2024]

**Prior Special Session Measures.** Use “Oregon Laws 20xx (special session)” to distinguish the first special session laws from the laws of a regular session in the same year.

To cite special session measures from an even year through 2010, use “Oregon Laws 20xx.” The even-numbered year identifies the law as a special session enactment. The parenthetical “(special session)” is unnecessary, because regular sessions of the Legislative Assembly were not held in even years before 2012.

For second or subsequent special sessions in any year, specify which special session is meant in parentheses, as in “Oregon Laws 2002 (third special session).” For example:

- “. . . chapter 6, Oregon Laws 2023 (special session), . . .”
- “. . . section 2, chapter 105, Oregon Laws 2010, . . .”
- “. . . section 2a, chapter 1, Oregon Laws 2002 (fourth special session), . . .”
- “. . . House Joint Resolution 101 (2023 special session) . . .”
- “. . . Senate Joint Memorial 3 (2010) . . .”
- “. . . Senate Concurrent Resolution 16 (2002 second special session) . . .”

**Current Special Session Measures.** If the current session is a first special session, add “(special session)” to citations to current measures:

- “section 10, chapter \_\_\_, Oregon Laws 2023 (special session) (Enrolled \_\_\_ Bill \_\_\_) (LC 3988),”

Delete the LC parenthetical once the bill number is assigned:

- “section 10, chapter \_\_\_, Oregon Laws 2023 (special session) (Enrolled Senate Bill 1101),”

When more than one special session is held in any year, the parenthetical must specify which special session is meant:

- “section 12, chapter \_\_\_, Oregon Laws 2024 (third special session) (Enrolled House Bill 4001),”
- “section 15, chapter \_\_\_, Oregon Laws 2023 (second special session) (Enrolled House Bill 4101),”

## ADJUSTMENTS FOR SPECIAL SESSION PRIOR TO ORS PUBLICATION

Certain adjustments are required when a special session precedes publication of ORS:

**If the bill amends an ORS section,** determine whether that ORS section was amended or repealed during the regular session by checking the table of sections amended and repealed by legislative action during the regular session. The table is published online and in the *Oregon Laws*. If the section was amended by an Act of the regular session, the amending clause in a special session bill reads:

**SECTION 1.** ORS 92.100, as amended by section \_\_\_, chapter \_\_\_, Oregon Laws 2 \_\_\_, is amended to read:  
92.100. (insert adjusted text)

Adjust the text by deleting all material that appears in [*brackets and italic*] type and changing all **boldfaced** text to lightface. Use [*brackets and italic*] type and **boldfaced** type to indicate only the material to be deleted or inserted by the special session bill.

**If the bill amends a new section enacted by an Act of the regular session,** the amending clause uses the regular session *Oregon Laws* citation. Set forth all section text in lightface for amending. Use [*brackets and italic*] type and **boldfaced** type to indicate only the material to be deleted or inserted by the special session bill. The amending clause reads:

**SECTION 1.** Section \_\_\_, chapter \_\_\_, Oregon Laws 2 \_\_\_, is amended to read:  
**Sec. \_\_.** (insert text)

**If the bill repeals a section enacted or an ORS section amended by an Act of the regular session,** the repealing clause reads, respectively:

**SECTION 1.** Section \_\_\_, chapter \_\_\_, Oregon Laws 2 \_\_\_, is repealed.

OR

**SECTION 1.** ORS 92.100, as amended by section \_\_\_, chapter \_\_\_, Oregon Laws 2 \_\_\_, is repealed.

**If the bill repeals a section enacted or an ORS section amended by a regular session Act and enacts a new section in lieu thereof, the enacting clause reads:**

**SECTION 1. Section \_\_\_\_, chapter \_\_\_\_, Oregon Laws 2\_\_\_\_, is repealed and section 2 of this (year) special session Act is enacted in lieu thereof.**

**SECTION 2. (insert text)**

**OR**

**SECTION 1. ORS 92.100, as amended by section \_\_\_\_, chapter \_\_\_\_, Oregon Laws 2\_\_\_\_, is repealed and section 2 of this (year) special session Act is enacted in lieu thereof.**

**SECTION 2. (insert text)**

## **ADJUSTMENTS FOR MULTIPLE SPECIAL SESSIONS IN ONE YEAR**

For second or subsequent special sessions in a year, additional adjustments are required because these special sessions will usually precede publication of *Oregon Laws* for the earlier special session(s).

**Citing Earlier Special Session Laws.** Bills drafted for second and subsequent special sessions often cite Acts or resolutions of an earlier special session. Cite session laws of an earlier special session as for current special session law and include the enrolled bill parenthetical for clarity. Use the standard form for citing resolutions, including, when necessary, the special session designation in the date parenthetical.

For example, when chapter 1, Oregon Laws 2002 (second special session), repealed two sections of chapter 11, Oregon Laws 2002, the bill title looked like this:

### **A BILL FOR AN ACT**

Relating to stores operated by Oregon Liquor Control Commission; creating new provisions; amending ORS 471.750; repealing sections 1 and 2, chapter 11, Oregon Laws 2002 (Enrolled House Bill 4013); and declaring an emergency.

Note the parentheticals used in chapter 11, Oregon Laws 2002 (second special session), including the insertion of “first” in the first parenthetical for ex post facto clarity:

**SECTION 1. If Enrolled House Bill 4013 (2002 first special session) becomes law, sections 1 (amending ORS 471.750) and 2, chapter 11, Oregon Laws 2002 (Enrolled House Bill 4013), are repealed.**

**If the bill amends an ORS, ORCP or session law section, check the amend and repeal tables for the earlier special sessions. If the section was amended by an earlier special session Act, the amending clause addresses the section as it appears in the earlier special session Act. Here are some examples:**

**SECTION 1. ORS 327.095, as amended by section 1, chapter 4, Oregon Laws 2002 (Enrolled House Bill 4011), is amended to read:**

327.095. (1) (insert text).

**SECTION 1. ORS 273.384, as amended by section 1, chapter 4, Oregon Laws 2002 (second special session) (Enrolled House Bill 4035), is amended to read:**

273.384. (insert text)

**SECTION 1. Section 28, chapter 954, Oregon Laws 2001, as amended by section 2, chapter 4, Oregon Laws 2002 (second special session) (Enrolled House Bill 4035), is amended to read:**

**Sec. 28.** (insert text)

Adjust the text from the earlier Act by deleting all material that appears in [*brackets and italic*] type and changing all **boldfaced** text to lightface. Then use [*brackets and italic*] type and **boldfaced** type to indicate only the material to be deleted or inserted by the current special session Act.

**If the bill amends a section that was enacted by the earlier special session,** the amending clause addresses the session law from the earlier special session:

**SECTION 10.** Section 4, chapter 5, Oregon Laws 2002 (Enrolled House Bill 4019), is amended to read:

**Sec. 4.** (insert text).

The text set forth for amending is lightface. Use [*brackets and italic*] type for deletions and **boldfaced** type for insertions by the current special session bill.

**Converting References in Amended Session Law Sections.** Use [*brackets and italics*] and **boldface** type when converting references in session law sections to “section \_\_ of this (year) Act” or “section \_\_ of this (year) second special session Act” to Oregon Laws references; include the session parenthetical when necessary. Also use [*brackets and italics*] and **boldface** type to substitute actual effective or operative dates in phrases such as “effective date of this (year) second special session Act.”

**Adjusting as Needed for Clarity.** Adjust the citation format if necessary for absolute clarity, as in this excerpt from a 2002 second special session joint resolution:

**PARAGRAPH 1. Senate Joint Resolution 50, Seventy-first Legislative Assembly, 2002 First Special Session, is rescinded. The Secretary of State may not refer Senate Joint Resolution 50, Seventy-first Legislative Assembly, 2002 First Special Session, to the people for their approval or rejection at a special election held throughout this state on the same date as the next primary election.**

Note the placement of the “(LC \_\_)” reference in this example:

**SECTION 1. Except as otherwise provided in this 2002 fifth special session Act, ORS chapters 250, 251 and 254 apply to the election on the measure submitted as House Bill \_\_ (LC 17) (2002 fifth special session), if House Bill \_\_ (LC 17) (2002 fifth special session) is referred to the people at the 2002 general election.**



## APPENDIX C: INITIATIVE MEASURES

This summary of initiative measure format is for the reader’s convenience. Contact the Elections Division of the Office of the Secretary of State at (503) 986-1518 or visit the division’s website for detailed information.

Initiative measures enable the people of the State of Oregon to create new laws, amend or repeal existing laws, or amend the Oregon Constitution through ballot measures to be voted on at a regular general election. An initiative measure becomes effective 30 days after the day on which it is enacted or approved by a majority of the voters. *See* Article IV, section 1 (4)(d), of the Oregon Constitution. Note, however, that election results are not certified until the 37th day after the election. *See* ORS 254.555 (2).

Article IV, section 1 (2)(d), of the Oregon Constitution, states that “[a]n initiative petition shall include the full text of the proposed law or amendment to the Constitution. A proposed law or amendment to the Constitution shall embrace one subject only and matters properly connected therewith.” Initiative measures generally follow the forms used for legislative measures, with these exceptions:

- Omit measure summaries and referendum clauses in initiative measures.
- “AN ACT” is the heading for an initiative measure that amends, repeals or creates statutory law.
- “PROPOSED CONSTITUTIONAL AMENDMENT” is the heading for an initiative measure that proposes an amendment to the Oregon Constitution.

### INITIATIVES THAT CREATE, AMEND OR REPEAL STATUTORY LAW

Initiative measures that create new statutory law or amend or repeal existing statutory law have generally the same form used for bills. *See* chapter 3 of this manual.

**“This (election year) Act.”** When citing “this Act” in the body of an initiative measure that creates, amends or repeals statutory law, include the election year, e.g., “this 2022 Act.” Regular general elections occur in even-numbered years.

**Formal Parts.** The formal parts of initiative measures for statutory law are:

**Heading.** The heading reads “AN ACT”.

**Title.** The title is similar to the title of a bill; express the title as a single subject. *See* “Bill Titles” in chapter 3 of this manual. List all statutes that are amended or repealed in the initiative measure. Clauses declaring emergencies, prescribing effective dates, referring measures to voters or stating supermajority voting requirements do not apply to initiative measures and are therefore not included in titles or body text of initiatives.

**Enacting Clause.** The enacting clause is flush with the left margin and reads:

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

**Body.** The body contains the text of new laws, amended sections set forth at full length and repealing provisions. Here is an initiative measure that creates statutory law:

HEADING

AN ACT

TITLE

Relating to public utilities.

ENACTING CLAUSE

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

BODY

**SECTION 1. (1) As used in this section and section 2 of this 2024 Act,**

“measured service” means local exchange telephone service that is charged based upon number of calls, length of calls, distance, time of day or any combination of these factors.

(2) The Public Utility Commission may not require any telephone customer or class of customers to pay for local exchange telephone service on a mandatory measured service basis.

**SECTION 2.** The Public Utility Commission may neither change boundaries of local exchange service areas nor take any other action if the change or action effectively circumvents section 1 of this 2024 Act.

## INITIATIVES THAT AMEND THE OREGON CONSTITUTION

Initiative measures that propose amendments to the Oregon Constitution generally follow the form for joint resolutions that propose amendments to the Constitution. See chapter 5 of this manual. Note, however, that initiative measures that propose constitutional amendments do not include a referendum clause. The formal parts of initiative measures that propose amendments to the Oregon Constitution are:

**Heading.** The heading reads “PROPOSED CONSTITUTIONAL AMENDMENT”.

**Enacting Clause.** The enacting clause is flush with the left margin and reads:

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

**Body.** The body follows the enacting clause and consists of only **one** amending clause, or **PARAGRAPH 1**. The amending clause lists the sections of the Oregon Constitution that are being amended, repealed or created and sets forth at full length the text of each amended or newly created section. For internal references, use “this amendment” or “this (election year) amendment” rather than “this (election year) initiative measure.” Here is an initiative measure that proposes an amendment to the Oregon Constitution:

HEADING

**PROPOSED CONSTITUTIONAL AMENDMENT**

ENACTING CLAUSE

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

BODY

**PARAGRAPH 1.** Section 2, Article XV of the Constitution of the State of Oregon, is amended to read:

**Sec. 2.** When the duration of any office is not provided for by this Constitution, it may be declared by law; and if not so declared, such office shall be held during the pleasure of the authority making the appointment. But the Legislative Assembly shall not create any office, the tenure of which shall be longer than [four] **two** years.

## CITATION OF INITIATIVES

Cite referred measures from the Legislative Assembly or measures from the Legislative Assembly that are subject to referendum petitions as for any other legislative measures: House Bill 3808 (2023), Senate Joint Resolution 14 (2024) or chapter \_\_\_\_\_, Oregon Laws 2023 (Enrolled \_\_\_\_\_ Bill \_\_\_\_\_ (2023)).

An initiative circulates as a petition before the Secretary of State certifies it as a Ballot Measure. Cite an initiative petition by the IRR (initiative, referendum and referral) number assigned by the Secretary of State and by general election year: 20xx-#. For example, Initiative Petition 2024-40. Verify IRR numbers on the Secretary of State’s Elections Division website.

# APPENDIX D: PROPOSING AND RATIFYING AMENDMENTS TO THE UNITED STATES CONSTITUTION

## PROPOSING AN AMENDMENT

The Legislative Assembly occasionally petitions Congress to adopt a proposed amendment to the United States Constitution and submit it to the states for ratification. Use a joint memorial for petitioning Congress to propose such an amendment. For example:

HEADING	JOINT MEMORIAL
ADDRESS CLAUSE	To the Senate and House of Representatives of the United States of America, in Congress assembled:
INTRODUCTORY CLAUSE	We, your memorialists, the Seventieth Legislative Assembly of the State of Oregon, in legislative session assembled, respectfully represent as follows:
PREAMBLE	<p>Whereas although the right of free expression is part of the foundation of the United States Constitution, very carefully drawn limits on expression in specific instances have long been recognized as legitimate means of maintaining public safety and decency, as well as orderliness and productive value of public debate; and</p> <p>Whereas certain actions, although arguably related to one person's free expression, nevertheless raise issues concerning public decency, public peace, and the rights of expression and sacred values of others; and</p> <p>Whereas there are symbols of our national soul such as the Washington Monument, the United States Capitol and memorials to our greatest leaders that are the property of every American and therefore worthy of protection from desecration and dishonor; and</p> <p>Whereas the American flag is a most honorable and worthy banner of a nation thankful for its own strengths, committed to curing its faults, and the continued destination of millions of immigrants attracted by the universal power of the American ideal; and</p> <p>Whereas the law, as interpreted by the United States Supreme Court, no longer accords to the Stars and Stripes that reverence, respect and dignity befitting the banner of that most noble experiment of a nation; and</p> <p>Whereas it is only fitting that people everywhere should lend their voices to a forceful call for restoration to the Stars and Stripes of a proper station under law and decency; now, therefore,</p>
RESOLVING CLAUSE	<b>Be It Resolved by the Legislative Assembly of the State of Oregon:</b>
BODY	<p>That we, the members of the Seventieth Legislative Assembly of the State of Oregon, memorialize the Congress of the United States to promptly propose an amendment to the United States Constitution specifying that Congress and the several states shall have the power to prohibit the physical desecration of the flag of the United States of America; and be it further</p> <p>Resolved, That a copy of this resolution shall be sent to the President of the United States and to each member of the Oregon Congressional Delegation.</p> <hr style="width: 10%; margin-left: auto; margin-right: 0;"/>

## RATIFYING AN AMENDMENT

Occasionally, the Legislative Assembly is asked to ratify an amendment to the United States Constitution. Use a joint resolution to ratify an amendment. For example:

HEADING

### JOINT RESOLUTION

PREAMBLE

Whereas the Ninety-second Congress of the United States of America, at its second session begun and held at the City of Washington on January 18, 1972, by a constitutional majority of two-thirds vote in both houses adopted a Joint Resolution proposing an amendment to the Constitution of the United States, as follows:

“ARTICLE—

“Section 1. Equality of rights under the law shall not be denied or abridged by the United States or by any State on account of sex.

“Sec. 2. The Congress shall have the power to enforce, by appropriate legislation, the provisions of this article.

“Sec. 3. This amendment shall take effect two years after the date of ratification.”; and

Whereas the proposed amendment shall be valid to all intents and purposes as part of the Constitution of the United States when ratified by the legislatures of three-fourths of the several states within seven years from the date of its submission by the Congress; now, therefore,

RESOLVING CLAUSE  
BODY

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

(1) The proposed amendment to the Constitution of the United States relating to equal rights for men and women, as set forth in this resolution, hereby is ratified.

(2) The Secretary of State shall send certified copies of this resolution to the Administrator of General Services of the United States, to the presiding officer of the United States Senate and to the Speaker of the House of Representatives of the United States.

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## APPENDIX E: SETTING FORTH AND AMENDING UNCODIFIED SECTIONS OF SESSION LAW

When amending an uncodified section of session law from a prior legislative session, check the “Comparative Section Tables” for the legislative session that enacted it before setting forth the text for amending. The “Comparative Section Tables” appear in Volume 22 of ORS and show the disposition of all sections of session law in relation to ORS. If the tables indicate that the uncodified section was:

- **Codified**, amend the ORS section following the guidelines described in “Deleting or Inserting Material” in chapter 3 of this manual.
- **Compiled as an ORS note**, retrieve this version from the ORS retrieval system. Make the adjustments described below to prepare the uncodified section for amending.
- **Neither codified nor compiled as an ORS note**, consult the tables of “Sections in Uncodified Acts Amended, Repealed or ‘Added To’” to check for later amendments to or repeal of the session law section. Determine whether any later amendments were repealed. If the section was subsequently amended, use the amended version and reflect it in the amending clause. Other necessary adjustments, in addition to those set forth below, may include updating official titles and series references.

### Follow these steps to amend an uncodified section:

(1) Abbreviate the word “**SECTION**” to “**Sec.**” when setting forth an uncodified section in the body of a bill. This distinguishes the amendatory section of the Act from the section being amended. Boldface “Sec.” and the section number:

**SECTION 10.** Section 6, chapter 150, Oregon Laws 2010, is amended to read:

**Sec. 6.** Section 5 of this 2010 Act [135.898] and the amendments to ORS 135.881 and 135.886 by sections 1 and 2 of this 2010 Act apply to offenses for which the adjudication of guilt occurs on or after the effective date of this 2010 Act [March 4, 2010] and before July 1, 2014. [2010 c.150 §6]

(2) Prepare the amending clause. If the uncodified section was retrieved from the ORS retrieval system, it may already have an amending clause. If not, use its source note, which lists the section’s legislative history, to prepare one. The source note follows the text of the uncodified section and is enclosed in square brackets. Uncodified sections that are stored in the ORS retrieval system usually have source notes. If necessary, consult the printed edition of ORS. The source note in this example indicates that the section was enacted by section 16, chapter 290, Oregon Laws 1987, and was amended in 1991, 1997 and 2001:

**SECTION 16.** Chapter 290, Oregon Laws 1987, is repealed January 1, 2010. [1987 c.290 §16; 1991 c.622 §4; 1997 c.481 §1; 2001 c.408 §1]

Enacted      Amended      Amended      Amended

Check the source note to see whether the uncodified section, as compiled in ORS and stored for retrieval, was amended by later sessions. Insert any subsequent legislative history into the amending clause (“..., as amended by ...,”), line out (delete) the source note and make the necessary form and style amendments to the text as follows:

**SECTION 1.** Section 16, chapter 290, Oregon Laws 1997, as amended by section 4, chapter 622, Oregon Laws 2001, section 1, chapter 481, Oregon Laws 2007, and section 1, chapter 408, Oregon Laws 2011, is amended to read:

**Sec. 16. Sections 1 to 15,** chapter 290, Oregon Laws 1997, *[is]* **are** repealed January 1, *[2024]* **2026.** *[1997 e.290 §16; 2001 e.622 §4; 2007 e.481 §1; 2011 e. 408 §1]*

(3) Make editorial substitutions. If an uncodified section has been compiled as a note in ORS, the retrieved text may contain information enclosed in square brackets that was inserted during ORS compilation for the convenience of ORS readers and indicates editorial substitutions for “section(s) \_\_\_ of this (year) Act” or for “the effective date of this (year) Act.” Although substitutions in notes are inserted **only after the first reference** to “section(s) \_\_\_ of this (year) Act” or **only after the first reference** to “the effective date of this (year) Act,” adjust **ALL** references that appear in an uncodified section.

Check the draft before making editorial substitutions for operative and effective dates. If the draft amends the section that prescribes the effective or operative date to change that date, substitution of the original effective or operative date will be incorrect.

(4) Use *[brackets and italic]* type and **boldfaced** type to:

(a) Convert **all references** to “section(s) \_\_\_ of this (year) Act” to the Oregon Laws citation if the sections referred to have not been codified, or to the ORS references if the sections referred to have been codified.

(b) Substitute the actual date for the words “effective date of this (year) Act” or “operative date of this (year) Act.”

(c) Make substantive amendments to the section.

For example:

**SECTION 10.** Section 6, chapter 150, Oregon Laws 2016, is amended to read:

**Sec. 6.** *[Section 5 of this 2016 Act]* *[135.898]* **ORS 135.898** and the amendments to ORS 135.881 and 135.886 by sections 1 and 2, **chapter 150, Oregon Laws 2016,** *[of this 2016 Act]* apply to offenses for which the adjudication of guilt occurs on or after *[the effective date of this 2016 Act]* **March 4, 2016,** *[March 4, 2016]* and before July 1, *[2024]* **2026.** *[2016 e.150 §6]*

## APPENDIX F: SETTING FORTH AND AMENDING SECTIONS OF CURRENT SESSION BILLS

When a new section of a bill is amended by a section of **another** current session bill or another section of that same bill, the original boldfaced type becomes lightface, **as if the new section were existing law**.

When one bill amends a new section from a different bill, the references to “this 2023 Act” must be converted to a citation for a current session bill. See “Converting Internal References to Oregon Laws Citations” under the heading “Internal References” in chapter 1 of this manual.

Use [*brackets and italic*] type to delete the reference to “this 2023 Act” and use **boldfaced** type to insert the citation as follows:

**SECTION 7.** Section 3, chapter \_\_\_, Oregon Laws 2023 (Enrolled House Bill 3995), is amended to read:

**Sec. 3.** (1) A person or agency submitting a report to the Department of Transportation under sections 1 and 2, **chapter \_\_\_, Oregon Laws 2023 (Enrolled House Bill 3995)**, [*of this 2023 Act*] may not release the report or information from the report to any person who intends to use the information for commercial purposes.

(2) As used in this section, “commercial purposes” has the meaning given in ORS 802.224.

The section is now ready for substantive amending. Indicate insertions with **boldfaced** type and deletions with [*brackets and italic*] type. For example:

**SECTION 7.** Section 3, chapter \_\_\_, Oregon Laws 2023 (Enrolled House Bill 3995), is amended to read:

**Sec. 3.** (1) A person or agency submitting a report to the Department of Transportation under sections 1 and 2, **chapter \_\_\_, Oregon Laws 2023 (Enrolled House Bill 3995)**, [*of this 2023 Act*] may not release the report or information from the report to any person who intends to use the information for **private or** commercial purposes.

(2) As used in this section, “**private or** commercial purposes” has the meaning given **that term** in ORS 802.224.

## NOTES



## APPENDIX G: SERIES AND ADDING

### SERIES GENERALLY

A series is a group of statutes cited as a range of consecutively numbered sections, or as an entire ORS chapter, for the purpose of applying definitions, penalties or other administrative procedures to the sections within the series. A series also may be used to apply the substance of the series to other statutes or bill provisions. A cited range of consecutively numbered ORS chapters (e.g., “ORS chapters 801 to 826” is also considered to be a series. Series can be referred to by name instead of number if a section sets forth a short title for the series (e.g., ORS chapters 801 to 826 may be cited as the Oregon Vehicle Code).

A reference to an ORS chapter includes each section within the ORS chapter that has been made a part of that ORS chapter by law. A reference to a range of sections includes both the beginning and ending section and each intervening section that has been made a part of that series by law. Note that some intervening sections (although numerically sequential) may not actually be part of the series and, thus, are not a part of any reference to the series. Notes following statutes in *Oregon Revised Statutes* indicate those sections that numerically fall within a series but are not a part of the series.

- Cite an ORS series as “ORS chapter 260” or “this chapter” or “ORS 183.605 to 183.690.”
- Cite a session law series as “sections 5 to 11, chapter 424, Oregon Laws 2007.”
- Cite a series within a bill as “sections 15 to 23 of this 2023 Act.”

**(NOTE:** Drafters sometimes use string citations – lists of consecutively numbered ORS sections or bill sections – to avoid creating an unnecessary series, which can complicate the compilation of statutes after a legislative session. Do not create a series by reducing a string citation to a series. Similarly, do not change a citation that combines a series citation with a string citation, such as “sections 1 to 8, 9 and 10 of this 2023 Act.”)

### ADDING

If definitions, penalties or similar general provisions of a series are to apply to one or more new sections being created, add the new material to the appropriate series by specifying that it is to be “added to and made a part of” that series. Before doing so, however, study carefully the effect of other statutes on the series selected. For instance, while the definitions may be helpful, the penalties for that series may not be appropriate. Do not use the “adding” technique as a means of editorially directing where the new material is to be compiled in ORS, because other new material may affect the placement of a particular section in the statutes.

**Adding Generally.** When adding new sections to an existing series, include in the bill an adding clause for the section or sections so added but do **not** state in the title or the body of the bill that the series is being “amended by the addition.” Include “creating new provisions” in the title if a draft includes an adding clause and also amends or repeals existing law.

**If only one section is being added,** follow this form for the adding clause:

**SECTION 1. Section 2 of this 2023 Act is added to and made a part of ORS 183.605 to 183.690.**

**SECTION 2. (insert text)**

**Only one adding clause is necessary** even if two or more sections are being added to a series:

**SECTION 1. Sections 2 and 3 of this 2023 Act are added to and made a part of ORS chapter 183.**

**SECTION 2. (insert text)**

**SECTION 3. (insert text)**

Here is an example of adding a series of new sections to a series:

**SECTION 1. Sections 2 to 5 of this 2023 Act are added to and made a part of ORS chapter 183.**

**SECTION 2. (insert text)**

**SECTION 3. (insert text)**

**SECTION 4. (insert text)**

**SECTION 5. (insert text)**

**Adding Sections to Specific Statutory Code, Act or Laws.** It is also possible for a section or sections to be “added to and made a part of” a specific statutory code or Act or group of laws, such as the Insurance Code, the Bank Act or the wildlife laws, for example:

**SECTION 1. Section 2 of this 2023 Act is added to and made a part of the Insurance Code.**

**SECTION 2. (insert text)**

**“Adding and Amending” Clauses Prohibited.** Do not combine an adding clause and an amending clause to create an “adding and amending” clause. The action of adding and the action of amending must take place in separate sections in the body of a bill.

**Incorrect:**

**SECTION 1. ORS 123.456 is added to and made a part of ORS chapter 123 and is amended to read:  
123.456. (insert text)**

**Correct:**

**SECTION 1. ORS 123.456 is added to and made a part of ORS chapter 123.**  
**SECTION 2. ORS 123.456 is amended to read:  
123.456. (insert text)**

**Adding Existing Statutory Sections to a Series.** Sometimes it is necessary to add an existing statutory section or sections to a series. This is often done because it has been determined that certain definitions, penalties or administrative provisions should apply to the existing section or sections. Use a separate section in a bill to achieve this, for example:

**SECTION 7. ORS 432.080 and 432.085 are added to and made a part of ORS chapter 432.**

An existing series can be added to and made a part of another series (or ORS chapter) without separately listing each section of the series. Before adding a series of existing sections, it is important to verify that (1) the series being added and the series being added to are both true series, i.e., are cited in the body (text) of an existing ORS section and (2) each section within the series being added is indeed part of that series. If sections that fall numerically within the series being added are **not** part of that series, confirm that the drafter’s intent is to exclude those sections from the adding provision.

Here is an example of the form used to add a series to an ORS chapter:

**SECTION 7. ORS 308A.300 to 308A.330 are added to and made a part of ORS chapter 308A.**

An existing section or sections also may be added to a statutory code or Act or group of laws in order to make the definitions, penalties or administrative provisions of the code or Act or group of laws apply:

**SECTION 226. ORS 809.716 and 809.720 are added to and made a part of the Oregon Vehicle Code.**

**Using Adding Clauses for Purposes of Statutory Reorganization.** A drafter may use an adding clause to legislatively reorganize an ORS chapter or series. This can be done by adding an existing section (or sections) to a **different** ORS chapter or series:

**SECTION 8. ORS 329.955 is added to and made a part of ORS chapter 657.**

**OR**

**SECTION 8. ORS 329.850, 329.855 and 329.885 are added to and made a part of ORS chapter 657.**

**OR**

**SECTION 35. ORS 329.905 to 329.975 are added to and made a part of ORS chapter 657.**

**Adding Existing Statutory Sections to a Newly Created Series.** It is also possible to add an existing statutory section or sections to a series that is being created by the same bill. This is often done when a drafter intends to create a new ORS chapter that incorporates the newly created series **and** material from an existing ORS chapter or chapters. When doing this, the drafter relies on body (text) references in an Act to create the new series and then moves the existing statutory section or sections into the new series.

Here is one example of this technique:

**SECTION 1. As used in sections 1 to 15 of this 2023 Act, . . .**

. . .

**SECTION 25. ORS 30.670, 30.675, 30.685, 659.015, 659.020, 659.022, 659.025, 659.027, 659.028, 659.029, 659.030, 659.031, 659.033, 659.035, 659.036, 659.037, 659.100, 659.103, 659.105, 659.110, 659.115, 659.227, 659.270, 659.280, 659.285, 659.290, 659.295, 659.297, 659.330, 659.340, 659.358, 659.380, 659.400, 659.405, 659.410, 659.412, 659.415, 659.417, 659.420, 659.425, 659.430, 659.436, 659.437, 659.439, 659.440, 659.442, 659.444, 659.446, 659.447, 659.448, 659.449, 659.450, 659.455, 659.460, 659.470, 659.472, 659.474, 659.476, 659.478, 659.480, 659.482, 659.484, 659.486, 659.488, 659.490, 659.492, 659.494, 659.505, 659.510, 659.515, 659.520, 659.525, 659.530, 659.535, 659.540, 659.545 and 659.550 are added to and made a part of sections 1 to 15 of this 2023 Act.**

**“Unadding.”** When an existing ORS section is added to a series, it is usually thereby “unadded” from any series of which it was previously a part. Statutory reorganization may require that a section or sections that were originally added to a series be removed from that series because definitions, penalties or administrative provisions within that series no longer apply.

**Preferred Method of “Unadding.”** In all but the rarest situation, when a draft requires that a section be removed from a series, simply add that section to the series where it belongs. This is the most accurate and preferred method for “unadding” a section.

**Less Desirable Methods of “Unadding.”** The following drafting methods for “unadding” a section should be used only when the preferred method is unworkable.

If it is not possible to add a section to an existing series, the draft may amend each and every cite to a series to delete reference to the section. For example:

**SECTION 10.** ORS 111.111 is amended to read:

111.111. ORS 111.112 to [111.120] **111.118** may be cited as the Series Citation Law.

**SECTION 11.** ORS 111.112 is amended to read:

111.112. As used in ORS 111.112 to [111.120] **111.118**, “benefit” means gain or advantage in logic and clarity to users of the Oregon Revised Statutes.

**SECTION 12.** ORS 111.999 is amended to read:

111.999. Violation of any provision of ORS 111.112 to [111.120] **111.118** is punishable by assignment to the task of updating series cards in the Office of the Legislative Counsel.

Specific sections are sometimes “unadded” by inserting the following provision:

**SECTION 136.** **Notwithstanding any other provision of law, ORS 390.995 shall not be considered to have been added to or made a part of ORS 390.620 to 390.660 for the purpose of statutory compilation or for the application of definitions, penalties or administrative provisions applicable to statute sections in that series.**

Another method of “unadding” sections from a series involves repealing the section of session law that originally added the sections to the series. For example:

**SECTION 39.** (1) **Section 1, chapter 886, Oregon Laws 1995, is repealed.**

(2) **Notwithstanding any other provision of law, ORS 123.005 to 123.040 shall not be considered to have been added to or made a part of ORS chapter 123 for the purpose of statutory compilation or for the application of definitions, penalties or administrative provisions applicable to statute sections in that chapter.**

**The least desirable** method for “unadding” a section is to amend the original adding section. For example:

**SECTION 10.** Section 24, chapter 1105, Oregon Laws 1999, is amended to read:

**Sec. 24.** [Sections 1 to 23 of this 1999 Act] **Sections 1 to 10 and 15 to 23, chapter 1105, Oregon Laws 1999,** are added to and made a part of ORS chapter 123.

## APPENDIX H: APPROPRIATION (BUDGET) BILLS

The Governor’s initial budget proposal is presented in odd-year sessions in appropriation bills (also known as budget bills) drafted by the Oregon Department of Administrative Services (ODAS). Legislative Counsel reviews the initial appropriation bills and works with state budget analysts and Legislative Fiscal Office staff to make necessary adjustments. The Joint Committee on Ways and Means and legislators may request and introduce additional budget bill drafts. In odd-year (long) sessions, House budget bill numbers begin with 5001 and Senate budget bill numbers begin with 5501. In even-year (short) sessions, House budget bill numbers begin with 5201 and Senate budget bill numbers begin with 5701.

Initial appropriation bills use a standard “relating to” clause:

### A BILL FOR AN ACT

Relating to the financial administration of the (agency); and declaring an emergency.

Appropriation bills introduced later usually use this variant:

### A BILL FOR AN ACT

Relating to state financial administration; and declaring an emergency.

An appropriation bill generally contains some combination of appropriations and expenditure limitation sections and an emergency clause. For example:

<boiler\_bam>

### A BILL FOR AN ACT

STANDARD TITLE	Relating to state financial administration; and declaring an emergency.
ENACTING CLAUSE	<b>Be It Enacted by the People of the State of Oregon:</b>
APPROPRIATION PROVISION	<b><u>SECTION 1.</u> There is appropriated to the (agency), for the biennium beginning July 1, 2023, out of the General Fund, the amount of \$ ____ for (purpose).</b>
EXPENDITURE LIMITATION	<b><u>SECTION 2.</u> Notwithstanding any other law limiting expenditures, the amount of \$ ____ is established for the biennium beginning July 1, 2023, as the maximum limit for payment of expenses for (purpose) from fees, moneys or other revenues, including Miscellaneous Receipts, but excluding lottery funds and federal funds, collected or received by the (agency).</b>
EXPENDITURE LIMITATION	<b><u>SECTION 3.</u> Notwithstanding any other law limiting expenditures, the amount of \$ ____ is established for the biennium beginning July 1, 2023, as the maximum limit for payment of expenses for (purpose) from federal funds collected or received by the (agency).</b>
EMERGENCY CLAUSE	<b><u>SECTION 4.</u> This 2023 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2023 Act takes effect July 1, 2023.</b>

**Budget Note.** The footer for each budget bill from ODAS looks like this:

**Note: For budget, see 2023-2025 Biennial Budget**

The Publication Services unit in Legislative Counsel receives the initial appropriation bills electronically from ODAS, which prepares them using the appropriation bills from the previous session as a guide. Since they are already in printed measure format, there are no LC draft copies. Each appropriation bill, however, is assigned an LC number as described below.

The form and style check includes the following elements:

- ❑ **Header.** Double-check the centered header to make sure that it reads:

82nd OREGON LEGISLATIVE ASSEMBLY –2023 Regular Session
- ❑ **Bill and LC numbers.** The first digit of the LC number is 9; the last three digits of the LC number should match the last three digits of the House or Senate bill number. For example, the LC number for House Bill 5010 is LC 9010, and the LC number for Senate Bill 5545 is LC 9545.
- ❑ **Requester.** The parenthetical phrase in the “Printed pursuant to . . .” paragraph at the top of the bill should read “. . . (at the request of Oregon Department of Administrative Services)” without ending punctuation (ORS 171.130 (2)(a)).
- ❑ **Agency, fund and account names.** Verify that agency, fund and account names:
  - (1) Are current official titles (they may have changed since the previous odd-year session); and
  - (2) Match in the measure summary, bill title (relating clause), appropriation section and expenditure limitation section.
- ❑ **Measure summary.** In addition to the official title check, make sure that the measure summary reflects all provisions of the 2023 appropriation bill, but does not contain “leftovers” from the previous session’s bill.
- ❑ **Bill back and history sheet.** Refrain from making tick marks on the bill back or history sheet unless they require corrections.
- ❑ **Bill title.** Generic appropriation bills all have the same relating clause: “Relating to state financial administration; . . .” Specific appropriation bills use the current official title of the agency: “Relating to the financial administration of the (agency); . . .”
- ❑ **Text.** Read for sense. Appropriation bills generally contain sections for (1) appropriating funds, (2) limiting expenditures and (3) declaring an emergency. Note that generic appropriation bills will contain blanks in the measure summary and text. Budget bills should not contain continuous appropriations, which are substantive policy provisions (*see* Article IX, section 7, Oregon Constitution).
- ❑ **Form and style.** Check sequence and paragraph endings; copyedit for form and style, particularly for updates to “this 2023 Act.” Scan dot leaders for uniformity.
- ❑ **Emergency clause.** Make sure that the emergency clause date in both text and measure summary is July 1, 2023, unless the subject area drafter specifies otherwise or the bill appropriates moneys for the current biennium, using “biennium ending June 30, 2023” language.
- ❑ **Budget note.** Verify the biennium in the budget note (e.g., “. . . see 2023-2025 Biennial Budget”).

## APPENDIX I: PROPOSED CONSTITUTIONAL REVISIONS

A proposed constitutional revision covers more than one subject, is proposed by the Legislative Assembly via a joint resolution and is voted on as one question. The people may not initiate a proposed constitutional revision. A proposed constitutional revision requires a two-thirds majority vote in each house. A joint resolution that proposes a constitutional revision follows the form for a joint resolution that proposes a constitutional amendment, with these exceptions:

**Resolving Clause.** The resolving clause of a joint resolution proposing a constitutional revision reads as follows:

**Be It Resolved by the Legislative Assembly of the State of Oregon, two-thirds of all the members of each house concurring:**

(NOTE: This resolving clause is not in the LC joint resolution template. The phrase “, two-thirds of all the members of each house concurring” must be keyed, coded and proofed.)

**Body.** When a joint resolution proposes a constitutional revision, its body consists of one or more revising clauses and a referendum clause.

**Setting Forth Revised Sections at Full Length.** The text of the constitutional section that is being revised must be set forth at full length. Note that:

- All differences, including changes in punctuation and capitalization, between the original version and the revised version must be indicated.
- Use [*brackets and italic*] type to indicate existing material to be deleted. Any text in an existing section that is set forth between brackets or that is inadvertently omitted from the existing section is deleted.
- Use **boldfaced** type to indicate all new material that is to be inserted.
- Use the abbreviation “**Sec.**” instead of the word “Section” to indicate the section number of the section that is being revised.
- If the amended section contains the editorial notation “sic” in either parentheses or square brackets, simply delete the notation. Use of brackets and italic type is unnecessary.
- Exclude section headings, subheadings, leadlines and source notes. Note, however, that section and subsection leadlines for certain sections of the Oregon Constitution must be included when these sections are set forth for revision. These section and subsection leadlines are considered part of the Oregon Constitution because they were included in the text of ballot measures that were adopted by the people. For a list of the affected sections, see chapter 5 of this manual.

**Revising Clauses for Existing Sections.** One revising clause may be used, but if the joint resolution proposes revisions of several existing sections, it is preferable to use a separate numbered paragraph and revising clause for each section being revised. Arrange these sections in the order that they appear in the Oregon Constitution, unless some other arrangement is clearer or more logical. For example:

**PARAGRAPH 1.** Section 3, Article IV of the Constitution of the State of Oregon, is revised to read:

**Sec. 3.** (insert text)

**PARAGRAPH 2.** Section 7, Article IV of the Constitution of the State of Oregon, is revised to read:

**Sec. 7.** (insert text)

**Revising Clauses for New Article, Section or Sections.** The Oregon Constitution may be revised by creating and adding a new Article, a new section or several new sections. In a joint resolution proposing such a constitutional revision, all of the new sections may be grouped under one numbered paragraph and a single revising clause. Assign to each new section the number the section will have when it is placed into the Oregon Constitution.

Use **boldfaced** type to indicate a new constitutional section. The referendum clause also will appear in **boldfaced** type. Spell out and boldface, but do not underscore, the word “**SECTION \_\_.**” to indicate the section that is being created. For example:

**PARAGRAPH 3.** The Constitution of the State of Oregon is revised by creating a new Article to be known as Article XI-R, such Article to read:

#### **ARTICLE XI-R**

**SECTION 1.** (insert text)

**SECTION 2.** (insert text)

**SECTION 3.** (insert text)

**OR**

**PARAGRAPH 4.** The Constitution of the State of Oregon is revised by creating a new section 25 to be added to and made a part of Article II, such section to read:

**SECTION 25.** (insert text)

**OR**

**PARAGRAPH 5.** The Constitution of the State of Oregon is revised by creating new sections 25 and 26 to be added to and made a part of Article II, such sections to read:

**SECTION 25.** (insert text)

**SECTION 26.** (insert text)

**Revising Clause for Repealed Sections.** Repeal existing sections of the Oregon Constitution as in a joint resolution proposing a constitutional amendment:

**PARAGRAPH 6.** Section 41, Article I of the Constitution of the State of Oregon, is repealed.



All sections of the Oregon Constitution that a joint resolution proposes to repeal may be placed in one revising clause, but it is better to use a separate numbered paragraph and revising clause for the repeal of one section and adoption of a new section in lieu thereof:

**PARAGRAPH 7. The Constitution of the State of Oregon is revised by repealing section 41, Article I, and by adopting the following new section 41 in lieu thereof:**

**SECTION 41. (insert text)**

**Revising Clause for “Renumbering” Existing Sections.** The transfer of an existing section from one place to another can be achieved either by repealing a section to be relocated and adopting a new section in lieu thereof (adding the new section to the proper Article and giving it the number the section should have when placed into the Oregon Constitution) or by redesignating the existing section as follows:

**PARAGRAPH 8. Section 41, Article I of the Constitution of the State of Oregon, is redesignated section 46, Article I.**

**Use of Other Forms for Revising Clauses.** It is possible to follow forms for amending clauses used in proposed constitutional amendments to create approximate revising clauses that combine revision of existing sections, repeal of existing sections and creation of new sections. The recommended drafting practice is nonetheless to use a separate numbered paragraph and revising clause for each category of revision being proposed by the joint resolution.

**Referendum Clause.** A proposed constitutional revision will be voted on at the next primary election unless the Legislative Assembly orders a special election for that purpose. *See* Article XVII, section 2, of the Oregon Constitution. A proposed constitutional revision that is referred by the Legislative Assembly and adopted by the people takes effect 30 days after the election. *See* Article IV, section 1 (4)(d), of the Oregon Constitution. Note, however, that election results are not certified until the 37th day after the election. *See* ORS 254.555 (2).

Here is the referendum clause for a proposed constitutional revision:

**PARAGRAPH 9. The revision proposed by this resolution shall be submitted to the people for their approval or rejection at the next primary election.**

If the Legislative Assembly refers a proposed constitutional revision to an election to be held on a date other than the date of the next primary election, the election is considered a special election and the referendum clause will need adjustment. For example:

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

A primary election takes place on the third Tuesday in May of each even-numbered year, and a regular general election occurs on the first Tuesday after the first Monday in November of each even-numbered year. The dates of the next two primary elections are May 21, 2024, and May 19, 2026; the dates of the next two regular general elections are November 5, 2024, and November 3, 2026. *See* ORS 171.185 for a list of other authorized dates for legislatively prescribed elections.

**Special Election Bill.** If the special election will occur on a date other than the date of the next primary or regular general election, a companion bill that authorizes the special election is also necessary, because existing law for statewide elections applies only to primary elections and general elections.

A special election bill must reference the joint resolution being referred and set the election date. The joint resolution being referred must reference the special election bill. If the Legislative Assembly wishes to accelerate the election process, the special election bill will adjust the election procedures and timelines established in ORS chapters 250 and 251. This means a special election bill could also include the ballot title, estimate of financial impact or explanatory statement for the joint resolution being referred. (*See* Appendix N of this manual.) In most cases, the special election bill also will appropriate moneys to the Secretary of State to conduct the election. If the Legislative Assembly refers more than one measure to the same special election, the special election bill can contain provisions for each of the referred measures.

Examples of special election bills are chapter 592, Oregon Laws 2003, chapter 730, Oregon Laws 2003, and chapter 750, Oregon Laws 2007.

## APPENDIX J: SENATE COMMEMORATIONS

When the state Senate assembles during the interim between regular sessions to confirm the Governor's executive appointments under Article III, section 4, of the Oregon Constitution, the Senate occasionally requests the preparation of a Senate commemoration so that it can express its congratulations, commendation or sympathy. The form for a Senate commemoration is modeled on the form used for a concurrent resolution. The formal parts of a Senate commemoration are the heading, preamble, resolving clause and body. Here is an example of a Senate commemoration:

	<b>OREGON STATE SENATE</b>
HEADING	<b>IN COMMEMORATION</b>
	<b>75TH ANNIVERSARY OF DEDICATION OF CURRENT STATE CAPITOL</b>
PREAMBLE	Whereas on December 30, 1855, fire swept through a newly occupied Oregon Statehouse, completely destroying the structure; and Whereas another Oregon Statehouse, patterned after the United States Capitol, was completed in 1876; and Whereas on April 25, 1935, fire again destroyed the elegant Oregon Statehouse; and Whereas after thorough discussions, the decision was made to rebuild the State Capitol on the original site; and Whereas over 100 designs were submitted for the new building; and Whereas the design by Francis Keally from the New York firm of Trowbridge & Livingston was chosen; and Whereas the current State Capitol was dedicated on October 1, 1938; and Whereas the building materials include marble from Vermont, polished rose travertine from Montana and Phoenix Napoleon gray marble from Missouri; and Whereas the State Capitol houses the offices of the entire Legislative Branch and the ceremonial offices of the Governor, Secretary of State and State Treasurer; and Whereas spacious hearing rooms provide Oregonians an opportunity to participate in legislative decision making and to view state government at work; and Whereas the Oregon Pioneer statue, weighing eight and one-half tons, cast in bronze and finished in gold leaf, crowns the top of the building; and Whereas in celebration of the 75th anniversary of the dedication of the State Capitol, an event is planned to commemorate this special milestone on October 1, 2013; now, therefore,
RESOLVING CLAUSE	<b>Be It Resolved by the Senate in Session Assembled under Article III, Section 4, of the Oregon Constitution:</b>
BODY	That we, the members of the Senate of the Seventy-seventh Legislative Assembly, honor and celebrate the 75th anniversary of the State Capitol; and be it further Resolved, That a copy of this commemoration shall be sent to each member of the Oregon Congressional Delegation and to each state legislature of the United States.

**Heading.** The heading includes the words “Oregon State Senate,” gives the reason for the commemoration (e.g., “IN COMMEMORATION” or “IN MEMORIAM”) and identifies the person or organization being honored. Here is a sample “IN MEMORIAM” heading:

HEADING

OREGON STATE SENATE  
**IN MEMORIAM**  
FORMER SENATE PRESIDENT JASON BOE, 1929-1990

**Preamble.** The preamble follows the heading and precedes the resolving clause. It follows the same form as a preamble used for joint resolutions. *See* “Preamble” in chapter 4 of this manual.

**Resolving Clause.** The resolving clause differs from the resolving clause used for resolutions and memorials considered during a regular session. The resolving clause for a Senate commemoration is always flush with the left margin and reads:

**Be It Resolved by the Senate in Session Assembled under Article III, Section 4, of the Oregon Constitution:**

**Body.** The text is lightface and may have numbered paragraphs or may take the following form:

- Begin the first paragraph with the word “That.”
- Begin the second and subsequent paragraphs with the words “Resolved, That.”
- End each paragraph except the last with a semicolon and the words “and be it further.”
- End the last paragraph with a period.
- If the body includes a provision for sending copies, use the phrase “. . . that a copy of this commemoration. . . .” rather than “. . . this resolution. . . .”

**Signature Block.** A Senate commemoration is prepared in its final form and includes a signature block that reads:

Adopted by Senate (Month) (day), (year)

---

Secretary of Senate

---

President of Senate

**Footer.** The LC draft number appears in lightface type in the lower left corner of the last page.

## APPENDIX K: OREGON RULES OF CIVIL PROCEDURE (ORCP)

### CITATION FORMS

The Oregon Rules of Civil Procedure, promulgated by the Council on Court Procedures in 1978 and 1980 and adopted by the Legislative Assembly in 1979 and 1981, govern procedure and practice in Oregon circuit courts. These rules are referred to as ORCP. *See* ORS 174.580 and ORCP 1 G. The Oregon Rules of Civil Procedure are printed in volume 1 of each edition of ORS pursuant to ORS 1.750.

Although the Legislative Assembly can amend or repeal a rule or add a new rule to the ORCP, some legislative form and style conventions do not apply.

**Citation of ORCP by Sections of ORS and Session Laws.** Cite Rule 7, section D, subsection (3), paragraph (a), subparagraph (iv), part (A), as:

ORCP 7 D(3)(a)(iv)(A)

**Here are examples of other ORCP citation forms used in ORS and Oregon Laws:**

- “ . . . in the manner provided in ORCP 7 and 9. . . .”
- “ . . . as provided in ORCP 82 D to G. . . .”
- “ . . . provisions of ORCP 81 and 84 C and D are severable. . . .”
- “ . . . and ORCP 64 A, B and D to G shall apply to. . . .”
- “ . . . may be continued as provided in ORCP 34 B(2) without presentation. . . .”
- “ . . . shall be subject to ORCP 70 A(2) and B. . . .”
- “ . . . shall be served pursuant to ORCP 7 D(2) and D(3) or mailed by both. . . .”
- “ . . . published as provided in ORCP 7 D(6)(b) to D(6)(d) unless. . . .”
- “ . . . under ORCP 57 B, D(1)(a), D(1)(b) and D(1)(g) and E. . . .”
- “ . . . ORCP 58 B, C and D and 59 B to F and G(1), G(3), G(4) and G(5) apply. . . .”
- “ . . . complies with ORCP 82 A(3), A(5) and A(6) and B to G, 83 and 84. . . .”
- “ . . . shall be conducted pursuant to the Oregon Rules of Civil Procedure. . . .”

**Citation of One Rule by Another Rule.** Use “Rule” instead of “ORCP” and “through” instead of “to” within ORCP. There are other stylistic differences as shown in these examples:

- “ . . . in an action pursuant to Rule 7 under any. . . .”
- “ . . . order allowing discovery under Rule 43 or Rule 44 from such. . . .”
- “ . . . as provided in Rule 21 G if the. . . .”
- “ . . . in the manner provided by Rule 39 D and F through G before. . . .”
- “ . . . response to a counterclaim pursuant to Rule 22 D(1) shall contain. . . .”
- “ . . . the provisions of Rule 83 F, G(4) and I(2) do not apply. . . .”
- “ . . . designated under Rule 39 C(6) or 40 A to testify. . . .”
- “ . . . in the manner specified by Rule 7 D(3)(a) for service on. . . .”
- “ . . . service of summons in Rule 7 D(3)(b)(i), D(3)(d), D(3)(e) or D(3)(f) shall. . . .”

**(NOTE:** The short forms shown in the examples above are preferred when the Legislative Assembly amends or creates a rule, even though many older references in ORCP use the long citation form, e.g., “subsection A(4) of Rule 46.” The Council on Court Procedures is gradually modernizing ORCP citation forms. LC records ORCP style inconsistencies in the Special Attention note files.)

**Internal References Within the Text of a Rule.** Here is the designation by rank of the paragraphed units within a section of ORCP:

- D - section
- (3) - subsection
- (a) - paragraph
- (i) - subparagraph
- (A) - part

**Within a subparagraph, use:**

“... this subparagraph...”

**Within a paragraph, use:**

- “... subparagraph (i) of this paragraph...”
- “... subparagraphs (k) through (p) of this paragraph...”
- “... this paragraph...”

**Within a subsection, use:**

- “... paragraph (a) of this subsection...”
- “... paragraph (b) or (c) of this subsection...”
- “... paragraphs (a) through (d) of this subsection...”
- “... this subsection...”

**Within a section of a rule, use:**

- “... subsection (3) of this section...”
- “... subsections (4) through (8) of this section...”
- “... this section...”

**When one section refers to another section (or to the components of another section) of the same rule, use:**

- “... section E of this rule...”
- “... sections B through K of this rule...”
- “... subsection D(3) of this rule...”
- “... subsections C(1) through (7) of this rule”
- “... paragraph D(3)(a) of this rule...”
- “... subparagraph D(3)(a)(i) of this rule...”

**(NOTE:** The short internal reference form for ORCP differs from the short form used for ORS. Although some internal references in ORCP use the long citation form (e.g., subsection (3) of section A of this rule), it is preferable to amend existing internal references so they conform to the short form illustrated in this manual.)

## SETTING FORTH AT FULL LENGTH

Set forth at full length only the specific section of a rule that is being amended. Set forth an entire rule only when the rule is not sectionalized. Show all differences between the original version and the amended version. Indicate deletions of existing material with *[brackets and italic]* type; indicate insertions of new material with **boldfaced** type.

Rule names and leadlines in ORCP are a part of the law and must be set forth with the text of the ORCP section being amended. All changes to ORCP rule names and leadlines must be made by amendment. A “unit and section captions” provision is unnecessary when a bill amends or creates sections of ORCP.

All ORCP sections have leadlines. Some ORCP sections will have section leadlines and subsection leadlines. Rule names and leadlines in ORCP are underscored. When amended, new material in rule names and leadlines will be both **underscored and in boldfaced type** and deleted material will be both [*underscored and in brackets and italic type*]. Note the placement and underscoring of the section leadlines in this example of an ORCP rule in which one section is added and another is relettered:

**SECTION 1. ORCP 12 is amended by adding a new section B to read:  
B Plain language. All pleadings shall be written in plain language that clearly indicates the nature of the claim and the remedy requested.**

**SECTION 2.** ORCP 12 B is amended to read:

**[B] C Disregard of error or defect not affecting substantial right.** The court shall, in every stage of an action, disregard any error or defect in the pleadings or proceedings which does not affect the substantial rights of the adverse party.

Here is another example of how an amended ORCP section will appear in a bill draft:

**SECTION 1.** ORCP 3 is amended to read:

**Commencement of action.** [*Other than for purposes of statutes of limitations,*] An action [*shall be*] is commenced by filing a complaint with the clerk of the court.

**Amendments by Council on Court Procedures.** The Council on Court Procedures reviews ORCP biennially and promulgates amendments pursuant to ORS 1.735. The council submits its amendments to the Legislative Assembly at the beginning of each odd-numbered year regular session. The council’s amendments take effect on January 1 of the year that follows the session year unless the Legislative Assembly, by statute, takes action to further amend or repeal any of the rules, to create new rules or to prescribe a different effective date.

The amendments by the Council on Court Procedures will be promulgated on December 10, 2022, but will not be published until early January 2023. The effective date of the council’s 2022 amendments is January 1, 2024.

A bill draft that amends ORCP prepared before the January 2023 publication date requires careful checking, because it may not be amending the correct version of ORCP or may not be using the correct amending clause.

When the Office of the Legislative Counsel receives an official copy of the “Amendments to Oregon Rules of Civil Procedure,” Publication Services staff will make the changes to the affected ORCP sections that are stored in the ORS retrieval system. Publication Services staff will also adjust the amending clauses and text for these sections in drafts dropped for introduction.

## **AMENDING, REPEALING AND ADDING TO ORCP**

**Amending Clause for ORCP.** When a bill amends a section of ORCP, use:

**SECTION 1.** ORCP \_\_\_ is amended to read:

When a bill further amends a section of ORCP that has been amended by the Council on Court Procedures, the amending clause reads:

**SECTION 1.** ORCP \_\_\_\_\_, as amended by the Council on Court Procedures on December 10, 2022, is amended to read:

**Repealing Clause for ORCP.** Here are examples for repealing a section of ORCP:

**SECTION 3.** ORCP 62 F is repealed.

**SECTION 10.** ORS 171.030 and 171.032 and ORCP 62 F are repealed.

**SECTION 15.** ORS 171.030 and 171.032 and section 7, chapter 999, Oregon Laws 2022, and section 35, chapter \_\_\_, Oregon Laws 2023 (Enrolled Senate Bill 999), and ORCP 62 F are repealed.

**Adding New Sections to an Existing Rule.** New sections can be “added to and made a part of” an existing rule. Note that the amending clause is in boldface type in this situation:

**SECTION 1.** ORCP 55, as amended by the Council on Court Procedures on December 10, 2022, is amended by adding a new section E to read:

**E Medical records**

**E(1) Service on patient or health care recipient required.** Except as provided in....

**E(2) Manner of service.** If a patient or health care recipient is....

**Adding a New Rule to ORCP.** The Legislative Assembly can also add a new rule to the Oregon Rules of Civil Procedure. For example:

**SECTION 1.** Section 2 of this 2023 Act is added to and made a part of the Oregon Rules of Civil Procedure.

**SECTION 2.**

**AUTOMATIC STAYS OF BANKRUPTCY  
RULE 86**

**A Abatement by reason of bankruptcy filing.** Upon being notified that a party to an action against whom a claim has been asserted. . . .

**B Return to active status.** The court shall return an action abated under section A of this rule. . . .

**C Limits and deadlines for trial and disposition.** Any period of time during which an action or claim is abated under this rule shall not. . . .

**D Application.** This rule applies to all courts of this state.

**Advancing the Effective Date of Council on Court Procedures Amendments.** Certain circumstances may require that the Legislative Assembly enact a law that advances the effective date of changes promulgated by the Council on Court Procedures. This example from chapter 86, Oregon Laws 2003, shows one way to achieve this:

**SECTION 16.** Notwithstanding ORS 1.735, the amendments to ORCP 44 E and 55 H and the repeal of ORCP 55 I as promulgated by the Council on Court Procedures on December 14, 2002, become effective on the effective date of this 2003 Act.

**SECTION 17.** This 2003 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2003 Act takes effect on its passage.



## APPENDIX L: OREGON ADMINISTRATIVE RULES (OARS)

Administrative rules are directives, standards, regulations or statements of general applicability adopted by a state agency to make the law it enforces or administers more specific or to govern the agency's organization and procedures. A state agency may adopt rules only after the Legislative Assembly enacts a law granting rulemaking authority to that agency. Agency rulemaking is an ongoing process that reflects a dynamic environment of ever-changing laws, public concerns and legislative mandates.

All administrative rules that a state agency adopts, amends or repeals are reviewed by the Office of the Legislative Counsel pursuant to ORS 183.710 to 183.730 to determine whether the rules are within the intent and scope of the enabling legislation or raise constitutional issues. Once adopted, state agency administrative rules are filed with the Administrative Rules Unit of the Archives Division of the Office of the Secretary of State. The Administrative Rules Unit compiles the rules and annually publishes the *Oregon Administrative Rules Compilation* on the Secretary of State's website, which contains the complete text of the Oregon Administrative Rules at the time of publication. Because rulemaking is ongoing, changes to individual agency rules and notices of intended rule action are published on the Secretary of State's website in the monthly *Oregon Bulletin*. The Oregon Administrative Rules are available online at:

[http://sos.oregon.gov/archives/Pages/oregon\\_administrative\\_rules.aspx](http://sos.oregon.gov/archives/Pages/oregon_administrative_rules.aspx)

Oregon Administrative Rules are cited as "OAR." **OARs do not follow legislative form and style.** Most administrative rules use the same numbering sequence, which currently begins with a three-digit agency chapter number, is followed by a three-digit division number and ends with a four-digit rule number (000-000-0000). For example, cite OAR chapter 416, division 2, rule 5 as OAR 416-002-0005.

**Directing a State Agency to Amend its OARs.** Administrative rules are subordinate to statutes. If the Legislative Assembly wants to direct an agency to prepare administrative rules with specific provisions, the best approach is to enact statutes that require the agency to adopt rules with those specific provisions. If the Legislative Assembly decides to direct an agency to adopt specific amendments to an administrative rule, follow the format of this example:

**SECTION 5.** By October 1, 1993, the Oregon Criminal Justice Commission shall amend OAR 253-05-004 to read:

253-05-004. *[(1) The term of post-prison supervision for an offender serving a life sentence pursuant to ORS 163.105 or ORS 163.115 shall be for the remainder of the offender's life, unless the Board finds a shorter term appropriate. In no case shall the term of supervision be less than three years.]*

*[(2)] The limit on sanctions for post-prison supervision violations provided in OAR 253-11-004 (3) shall not apply to offenders on post-prison supervision [as provided by this rule] who were sentenced to a life sentence under ORS 163.105 or 163.115.*

Note in the example above that the legislative direction to the state agency appears in place of an amending clause. For purposes of the bill title, legislative directions to a state agency to amend an OAR are considered to be “creating new provisions.” If a bill includes OAR text, the OAR must be keyed or copied into Legislative Counsel’s mainframe processing system and must be proofread or verified. The existing text is set forth at full length in lightface type. Proposed insertions are indicated with **boldfaced** type and proposed deletions are indicated with [*brackets and italic*] type.

**Expressing Legislative Approval of OARs.** The Legislative Assembly also may wish to express its approval of agency amendments to administrative rules. This is set forth in a new section and is also considered to be “creating new provisions.” All text appears in **boldfaced** type. Here is an example from chapter 966, Oregon Laws 1999 (Enrolled House Bill 2479):

**SECTION 1. The Seventieth Legislative Assembly approves the amendments to OAR 213-03-001 and to Appendices 2 and 3 of the rules of the Oregon Criminal Justice Commission. The amendments take effect on and apply to offenses committed on or after the operative date of this section.**

This example is from chapter 919, Oregon Laws 2001 (Enrolled Senate Bill 472):

**SECTION 3. (1) The Seventy-first Legislative Assembly approves the adoption by the Oregon Criminal Justice Commission of OAR 213-017-0000, 213-017-0001, 213-017-0002, 213-017-0003, 213-017-0004, 213-017-0005, 213-017-0006, 213-017-0007, 213-017-0008, 213-017-0009, 213-017-0010, 213-017-0011, 213-018-0000, 213-018-0005, 213-018-0010, 213-018-0015, 213-018-0020, 213-018-0025, 213-018-0030, 213-018-0035, 213-018-0040, 213-018-0045, 213-018-0050, 213-018-0055, 213-018-0060, 213-018-0065, 213-018-0070, 213-018-0075, 213-018-0080, 213-018-0085, 213-019-0000, 213-019-0001, 213-019-0002, 213-019-0003 and 213-019-0004.**

**(2) The Seventy-first Legislative Assembly approves the amendments by the Oregon Criminal Justice Commission to OAR 213-001-0000, 213-001-0005, 213-003-0001 (14) to (16), 213-004-0002, 213-004-0009, 213-004-0010, 213-005-0001, 213-005-0002, 213-005-0004, 213-005-0007, 213-005-0008, 213-005-0011, 213-008-0003, 213-008-0005, 213-009-0002, 213-010-0002, 213-011-0003, 213-012-0010, 213-012-0020, 213-012-0030 and 213-013-0010.**

Examples of other techniques for legislative approval of the adoption of new administrative rules and the amendments to existing rules are found in chapter 453, Oregon Laws 2003 (Enrolled House Bill 2174).

## APPENDIX M: EXPLANATORY STATEMENTS

ORS 251.225 requires the Legislative Counsel Committee to “prepare an impartial, simple and understandable statement of not more than 500 words explaining each state measure.” This explanatory statement is filed with the Elections Division of the Office of the Secretary of State and will be printed in the state voters’ pamphlet if the committee appointed under ORS 251.205 fails to file its explanatory statement. At the request of the Secretary of State, Legislative Counsel often prepares advance explanatory statements for prospective ballot measures. These advance explanatory statements are intended to serve as starting points for the explanatory statement committees.

A measure qualifies for a state ballot via:

(1) **Legislative referral** of a joint resolution proposing an amendment to the Oregon Constitution or referral of a bill proposing amendments to statutory law. The legislature may refer these types of legislative measures to a regular general election or to a statewide special election, which is often held on the same date as the primary election.

(2) **Legislative referral** of a bill proposing amendments to a statutory law to voters of a municipality or special district. The legislature may refer these types of legislative measures to a regular general election or to a statewide special election, which is often held on the same date as the primary election.

(3) **Legislative referral** of a joint resolution proposing the revision of the Oregon Constitution. The legislature may refer a proposed constitutional revision to a primary election or to a statewide special election. *See* Article XVII, section 2, of the Oregon Constitution.

(4) **Initiative petition.** A ballot measure proposed by the people via initiative petition will be voted upon during a regular general election unless the Legislative Assembly orders otherwise. *See* Article IV, section 1 (4)(c), of the Oregon Constitution.

(5) **Referendum petition.** A legislative measure referred to the voters by the people via referendum petition will be voted upon during a regular general election unless the Legislative Assembly orders otherwise. *See* Article IV, section 1 (4)(c), of the Oregon Constitution.

**Ears.** All explanatory statements are assigned LC numbers. Explanatory statements are Microsoft Word documents. Once all corrections are made, Publication Services creates PDF files for electronic delivery to the Secretary of State. The document name for an explanatory statement includes the LC number and the word “EXPLAN.” The document name appears in the “ear” printed in the upper-right corner of the first page of the draft. A parenthetical in the “ear” indicates the origin of the ballot measure.

If the explanatory statement is for a legislative measure referred to the voters by the Legislative Assembly or placed on the ballot via referendum petition, the parenthetical includes a cross-reference to the legislative measure’s number and the session year. Always use the legislative measure number — not the IRR number (Elections Division identification number) — for the cross-reference. An “ear” for a draft explanatory statement for a legislative measure should look like one of the examples below:

LC 123-EXPLAN (SJR 47, 2023) 6/7/23 (CMT/ps)	<b>OR</b>	LC 350-EXPLAN (SB 980, 2023) 5/6/23 (ASD/ps)	<b>OR</b>	LC 277-EXPLAN (HJR 76, 2013 special session) 11/12/13 (DRG/ps)
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If the explanatory statement is for a measure proposed by initiative petition, the parenthetical includes a cross-reference to the IRR number and the election year, as in (IRR 2024-xxx,). Search by election year in the “Initiative, Referendum and Referral” searchable database on the Elections Division’s website to verify the IRR number.

The official ballot measure number is **different** from the IRR number assigned to each prospective ballot measure. An initiative petition or referendum petition receives its official ballot measure number only after it has qualified for the ballot. A legislative referral receives its official ballot measure number after the Secretary of the Senate or Chief Clerk of the House files the enrolled measure with the Secretary of State for certification to the ballot. Official ballot measure numbers are posted on the Elections Division’s website after the ballot measures are certified.

**Using the Explains macro.** LC’s **Explains** macro in Microsoft Word prompts the drafter to select the attorney’s name, enter the LC number and supply the ballot measure origin (legislative measure or IRR number, and year). The macro then produces and saves the framework for a draft explanatory statement with a customized ear and this text:

<p><b>THIS EXPLANATION HAS NOT BEEN REVIEWED OR APPROVED BY THE LEGISLATIVE COUNSEL COMMITTEE.</b></p>
--

**MEASURE NO. \_\_\_\_\_**

If the boxed text does not apply, delete it, box and all. If the official ballot measure number has been assigned, substitute it for the blank; otherwise, retain the blank.

The macro next prompts the drafter to indicate whether the measure amends the Oregon Constitution and to enter the caption (15 or fewer words) from the certified ballot title for the measure. Captions for initiative or referendum amendments to the Oregon Constitution must begin with the phrase “Amends Constitution:”, which the macro supplies, if appropriate. This phrase is not included in the word count. *See* ORS 250.035 (2)(a). Check the Elections Division’s news release or the “Initiative, Referendum and Referral” searchable database for the text of the caption; the explanatory statement must contain the caption for the **certified** ballot title and not the caption for the **draft** ballot title. If a petition for review of a certified ballot title is filed with the Supreme Court and the court **certifies a different ballot title caption**, use the **amended** ballot title caption certified by the court, **not** the one certified by the Attorney General.

The ballot title caption for a legislative referral can exceed the word count prescribed by ORS 250.035 if the Legislative Assembly has enacted a bill setting out the ballot title caption and providing that notwithstanding ORS 250.035 the caption may not exceed a certain number of words. *See* section 1, chapter 77, Oregon Laws 2016.

After the drafter enters the caption for the certified ballot title, the macro prompts the drafter to select **Submit**, **Refer** or **Submit-RP** to generate the text of the introductory statement that appears between the caption and the **Explanation** heading.

Select **Submit** if the measure qualified for the ballot via initiative petition. The text of this introductory statement reads:

Submitted to the Electorate of Oregon by Initiative Petition to be voted on at the General Election, November \_\_, 2\_\_.

Manually edit the language to insert the correct election date. *See* ORS 254.056 to determine the general election date.

Select **Refer** if the measure was referred to the voters by the Legislative Assembly. The Legislative Assembly often refers the measure to a special election on the date of the primary election, but it may refer the measure to the general election or to a special election held on a legislatively prescribed date. The introductory statements read, respectively:

Referred to the Electorate of Oregon by the Legislative Assembly to be voted on at the Primary Election, May \_\_, 2\_\_\_. [the **Refer** option prints this text]

**OR**

Referred to the Electorate of Oregon by the Legislative Assembly to be voted on at the General Election, November \_\_, 2\_\_.

**OR**

Referred to the Electorate of Oregon by the Legislative Assembly to be voted on at the Special Election, \_\_\_\_\_, 2\_\_.

Replace “Primary” with “General” or “Special,” if appropriate, and insert the correct election date. *See* ORS 254.056 to determine the primary or general election date. *See* ORS 171.185 to verify the date of a legislatively prescribed special election, but note that the Legislative Assembly may choose a date different from those listed in ORS 171.185.

Select **Submit-RP** for a legislative measure that is placed on the ballot via referendum petition. The text of this introductory statement reads:

Submitted to the Electorate of Oregon by Referendum Petition to be voted on at the General Election, November \_\_, 2\_\_.

Insert the correct election date. *See* ORS 254.056 and Article IV, section 1 (4)(c), of the Oregon Constitution.

**Heading.** The heading prints automatically after the introductory statement:

**Explanation**

By the Legislative Counsel Committee pursuant to ORS 251.225.

**Form and Style.** Type the body of the draft explanatory statement text beginning on line 4. Explanatory statements generally follow legislative form and style and consist of individual indented paragraphs that are left and right justified. Use “Ballot Measure xx” in a full reference to a statewide measure to distinguish it from a reference to a legislative measure. It is acceptable to use either “measure” or “ballot measure” in second and subsequent references that do not specify the official ballot measure number.

The explanatory statement text cannot exceed **500** words. *See* ORS 251.225. The Elections Division uses the word count tool in Microsoft Word and counts anything with white space around it as a word, including bullets and dashes.

**(NOTE:** To save words, drafters may shorten the full reference to a statewide measure to “Measure xx.” Do not insert “Ballot” if its insertion in all places causes the text to exceed the 500-word limit.)

It is unnecessary to identify in an explanatory statement any constitutional or ORS sections amended or repealed by a ballot measure, because the explanatory statement follows the ballot measure text in the voters’ pamphlet. A drafter may refer to current law to help voters better understand the changes being proposed by a ballot measure.

**Amendments to Draft Explanatory Statements.** In the rare instance when Legislative Counsel drafts amendments to explanatory statements, insert between the caption and the introductory statement a boldfaced centered heading that reads:

**PROPOSED AMENDMENTS TO  
DRAFT MEASURE EXPLANATION**

Use [*brackets and italic*] type and **boldfaced** type to indicate proposed changes to the explanatory statement text.

Here is an explanatory statement prepared for the May 21, 2002, primary election:

LC 165-EXPLAN  
(SJR 17, 2001)  
1/18/02 (CH/ps)

**THIS EXPLANATION HAS NOT BEEN  
REVIEWED OR APPROVED BY THE  
LEGISLATIVE COUNSEL COMMITTEE.**

**MEASURE NO. 10**

**AMENDS CONSTITUTION: PERMITS STATE TO OWN STOCK  
RECEIVED FROM PUBLICLY CREATED TECHNOLOGY OR  
INVESTED IN OREGON TECHNOLOGY**

Referred to the Electorate of Oregon by the Legislative Assembly to be voted on at the Primary Election, May 21, 2002.

**Explanation**

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By the Legislative Counsel Committee pursuant to ORS 251.225.

Ballot Measure 10 amends the Oregon Constitution to allow the state in certain circumstances to hold and dispose of stock.

Currently, the Oregon Constitution prohibits the state from subscribing to or being interested in the stock of any company, association or corporation. The Constitution also provides limited exceptions to this prohibition. The measure provides two additional exceptions.

The measure allows the state to hold and dispose of stock received in exchange for technology created by a public institution of post-secondary education.

The measure allows the state to hold and dispose of stock received prior to December 5, 2002, if the stock is held as a state asset invested in the creation or development of technology or resources within Oregon.

## APPENDIX N: BALLOT TITLES, ESTIMATES OF FINANCIAL IMPACT AND EXPLANATORY STATEMENTS

The Legislative Assembly may choose to prepare its own ballot title, estimate of financial impact or explanatory statement (or all of these) for a measure that it refers to the people instead of following all of the procedures established in ORS chapters 250 and 251. This usually happens when the Legislative Assembly wishes to call a special election or otherwise accelerate the election process.

The text of the legislature's ballot title, estimate of financial impact or explanatory statement will be set forth in a separate bill. If the measure is being referred to a special election on a date other than the primary election or the next regular general election, the bill will also set the election date and, in most cases, appropriate moneys to the Secretary of State to conduct the election.

**Ballot Title.** ORS 250.035 (2) prescribes the form for a ballot title for a state measure. Ballot titles prepared by the Legislative Assembly usually follow this form but sometimes exceed the required word counts. The Legislative Assembly can change the form of the ballot title or exceed the word counts by including the phrase, "Notwithstanding ORS 250.035, the ballot title for . . . shall be:".

Ballot titles that conform to ORS 250.035 (2) contain:

- A **caption**, not to exceed 15 words. If the measure proposes a constitutional amendment or a constitutional revision, the caption for its ballot title must begin with the phrase "**AMENDS CONSTITUTION:**". This phrase is not included in the word count.
- A simple and understandable statement, not to exceed 25 words, that describes the result if the measure is approved. This statement is preceded by the phrase "**RESULT OF 'YES' VOTE:**". This phrase is not included in the word count.
- A simple and understandable statement, not to exceed 25 words, that describes the result if the measure is rejected. This statement is preceded by the phrase "**RESULT OF 'NO' VOTE:**". This phrase is not included in the word count.
- A summary of the measure, not to exceed 125 words, that concisely and impartially summarizes the measure and its major effect. The word "**SUMMARY:**" precedes the text and is not included in the word count.

In the section of a bill that prescribes a ballot title, the text of the ballot title is set forth between two hairline rules, which are coded as ":BRULE.". There is a blank line between each element of the ballot title. The blank line is coded ":NPAR.". All margins are justified.

For example:

**SECTION 18. (1) Pursuant to ORS 250.075 and notwithstanding ORS 250.035, if House Joint Resolution 101 (2023) is referred to the people by the Eighty-second Legislative Assembly, the ballot title for House Joint Resolution 101 (2023) shall be:**

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**AMENDS CONSTITUTION: CONTINUES AND MODERNIZES AUTHORITY FOR LOWEST COST BORROWING FOR COMMUNITY COLLEGES AND PUBLIC UNIVERSITIES.**

**RESULT OF “YES” VOTE: “Yes” vote continues and modernizes state authority to issue lowest cost bonds to finance projects for the benefit of community colleges and public universities.**

**RESULT OF “NO” VOTE: “No” vote rejects modernization of authority to issue lowest cost bonds to finance projects for the benefit of community colleges and public universities.**

**SUMMARY: This measure continues and modernizes the state’s authority to use general obligation bonds, the lowest cost method of borrowing, to finance projects for community colleges and public universities. It does not increase the current limit on borrowing. The measure clarifies that community colleges and public universities may purchase existing buildings with the proceeds of general obligation bonds. It also allows the Oregon University System to use nontax revenues to determine whether bonds to be issued under Article XI-F(1) are self-supporting. The measure allows Article XI-F(1) and XI-G bond proceeds to be used for the same parts of a project and to be used for mixed-use projects that benefit higher education. It allows nontax revenues to be used as matching funds for Article XI-G bond proceeds.**

---

**(2) ORS 250.085 does not apply to the ballot title prepared under this section. The ballot title prepared under this section shall be the ballot title printed in the voters’ pamphlet and printed on, or included with, the ballot.**

...

**Estimate of Financial Impact.** The Legislative Assembly may ask the Legislative Revenue Officer and the Legislative Fiscal Officer to prepare or review estimates or statements describing the financial impact of the referred measure. Otherwise, the financial estimate committee created under ORS 250.125 prepares financial estimates and a statement explaining the measure’s financial effects. ORS 250.125 describes the estimates and statements the committee may prepare and the required information. Estimates have no word count limit; the statement of financial effects may not exceed 500 words. The estimate text generally follows legislative form and style, consists of indented paragraphs with justified margins and is set forth between hairline rules. Although **“ESTIMATE OF FINANCIAL IMPACT:”** precedes the estimate text in the voters’ pamphlet and ballot, it is unnecessary when the text is in a bill.

**Explanatory Statement.** The Legislative Assembly also may prepare the explanatory statement for a measure it intends to refer to the people instead of using a statement prepared by a committee appointed under ORS 251.205 or a back-up statement prepared by the Legislative Counsel Committee pursuant to ORS 251.225. (See Appendix M, Explanatory Statements.) ORS 251.215 and 251.225 require the preparation of an “impartial, simple and understandable statement” that explains the measure in 500 or fewer words. The Legislative Assembly sometimes prepares a longer explanatory statement.



The body of the explanatory statement generally follows legislative form and style and consists of indented paragraphs with justified margins. Include the name of the bill or joint resolution being referred in the first full reference to the ballot measure, as in “Ballot Measure \_\_\_ (\_\_\_ Bill \_\_\_ (2023))” or “Ballot Measure \_\_\_ (\_\_\_ Joint Resolution \_\_\_ (2023)).” If the bill or joint resolution name is unknown when the explanatory statement is being drafted, add the measure’s LC number, as in “Ballot Measure \_\_\_ (\_\_\_ Bill \_\_\_ (2023)) (LC 123).” Either “measure” or “ballot measure” is acceptable in second and subsequent references that do not specify the ballot measure number. In the bill section that prescribes the explanatory statement, set the statement text forth between hairline rules. For example:

**SECTION 5. (1) Notwithstanding ORS 251.205, 251.215, 251.225 and 251.230, the explanatory statement to be printed in the voters’ pamphlet for House Joint Resolution 80 (2023 third special session) shall be:**

---

**Ballot Measure 19 (House Joint Resolution 80) amends provisions of the Oregon Constitution relating to education.**

**The measure converts the education endowment fund into an education stability fund by changing the name of the fund and specifying conditions under which moneys may be appropriated from the principal of the fund.**

**Currently, 15 percent of the net proceeds of the state lottery are deposited into the education endowment fund. The principal of the fund is invested as provided by law. The legislature may not expend the principal of the fund. Earnings on moneys in the fund may be expended on public education. Laws enacted by the legislature provide that the earnings shall be expended on repayment of bonds to finance kindergarten through grade 12 public education, on need-based scholarships for higher education students and on other public education purposes.**

**The measure directs that starting July 1, 2025, 18 percent of net proceeds of the state lottery will be placed in the education stability fund. The measure limits the amount in the fund to five percent of the state’s General Fund.**

**The measure allows the legislature to expend the principal of the fund for public education if there is an economic downturn and the expenditure is approved by three-fifths of the members in each house of the legislature. The measure also allows the legislature to expend the principal of the fund for public education if the Governor declares an emergency and the expenditure is approved by three-fifths of the members serving in each house of the legislature.**

**The measure provides for a transfer on May 1, 2025, of \$150 million from the education stability fund to the State School Fund to be used for kindergarten through grade 12 public education.**

**The measure creates a school capital matching subaccount in the education stability fund. If the education stability fund limitation is met, the measure directs 15 percent of net proceeds of state lottery revenues to the school capital matching subaccount.**

**The measure allows legislature to use moneys in subaccount to provide matching funds to school districts for capital costs incurred by the school districts.**

---

**(2) ORS 251.235 does not apply to the explanatory statement contained in subsection (1) of this section. The explanatory statement contained in subsection (1) of this section shall be printed in the voters’ pamphlet.**

For an example of how the Legislative Assembly has set forth a ballot title, estimate of financial impact and explanatory statement, see chapter 77, Oregon Laws 2016.

For an example of how the Legislative Assembly set dates for special elections for the purpose of submitting two potential referenda to the people, specified how the ballot titles, estimates of financial impact and explanatory statements were to be prepared and set forth other procedural instructions, see sections 55 to 61, chapter 749, Oregon Laws 2017.

## APPENDIX O: INTERIM COMMITTEES AND TASK FORCES

Temporary bodies that study issues and make recommendations for legislation have had a variety of names in the past, but now a temporary body should be either an interim committee or a task force.

### CHOOSING THE TYPE OF TEMPORARY BODY

- **Interim committee**, which is a legislative committee that functions during one legislative interim, consists solely of legislators and may be established without legislation by the Speaker of the House of Representatives and the President of the Senate under ORS 171.640, by joint resolution under ORS 171.610, or by a bill. The Speaker appoints Representatives to serve on the committee and the President appoints Senators. An interim committee studies one or more specified topics. ORS 171.130 authorizes an interim committee to pre-session-file proposed legislative measures.
- **Legislative task force**, which is a task force that functions during one legislative interim, consists solely of legislators and may be established without legislation by the Speaker and the President under ORS 171.640, by joint resolution, or by bill. The Speaker appoints Representatives to the task force and the President appoints Senators. A legislative task force studies one specific topic and needs authority in the measure creating it to pre-session-file proposed legislative measures.
- **Mixed task force**, which is a task force that usually functions during one interim and consists of legislators and nonlegislators. Members of a mixed task force are usually appointed by the Speaker and the President, who appoint the legislators, and the Governor, the head of an executive agency or the Chief Justice of the Oregon Supreme Court, who appoints the nonlegislators. A mixed task force studies one specific topic.
- **Nonlegislative task force**, which is a task force that usually functions during one interim and consists solely of nonlegislators. Members of a nonlegislative task force are usually appointed by the Governor, the head of an executive agency or the Chief Justice. A nonlegislative task force studies one specific topic.

### CHOOSING THE TYPE OF MEASURE

**Joint Resolutions.** A drafter may use a joint resolution to create an interim committee or a legislative task force **unless**:

- It is necessary to appropriate money to or for the committee or task force;
- Someone outside of the legislative branch is directed to do something (such as appoint members or provide staff support); or
- The work of the task force will last more than one interim.

**Bills.** A drafter must use a bill to create a mixed or nonlegislative task force, or to create an interim committee or legislative task force when a joint resolution is precluded.

### EARLY EFFECTIVE DATE

An interim committee or task force created by a bill without an early effective date cannot begin to work until the effective date of the Act (i.e., January 1 of the year after passage of the bill; *see* ORS 171.022). An early effective date ensures that the interim

committee or task force can begin its work before January 1 of the year after passage of the bill. If there is an articulable need for the Act to take effect before the 91st day after adjournment, an emergency clause may be used.

## EX OFFICIO

Remember to distinguish between “ex officio,” which means membership by virtue of the office held, and “nonvoting.” Ex officio members of an entity will cease to be members when they cease to hold their offices. For example, if the law says that the Secretary of State is an ex officio member of an entity, the person holding the office of Secretary of State is a member of the entity until that person is no longer the Secretary of State. The new Secretary of State would then become a member of the entity.

Ex officio status has no bearing on whether the member is a voting or nonvoting member. Ex officio (or any other) members of an entity will be voting members unless otherwise specified. To make an ex officio (or any other) member of an entity a nonvoting member, the measure must specifically provide that the member is nonvoting.

## SUNSET CLAUSES

If a bill creates an interim committee or task force that will last only one interim, the drafter must include a sunset clause **unless** the committee or task force is made subject to the provisions of ORS 171.605 to 171.635. (*See* ORS 171.615.) The sunset date for an interim committee or for a task force that lasts only one interim should be December 31, [year following session year], in most cases.

If a bill creates a task force lasting longer than one interim, include a sunset date, which should be January 2 of any year or June 30 of an even-numbered year.

Add “Sunsets task force/interim committee on \_\_\_\_.” as a separate paragraph to the measure summary.

## WORK GROUPS

A work group, which can consist of any combination of legislators and nonlegislators, is the least formal way a temporary body may be organized to study issues and make recommendations for legislation. A work group **may not** be created by bill or resolution.

## SEPARATION OF POWERS

A measure that creates a mixed task force or nonlegislative task force may not direct the presiding officers of the Legislative Assembly, the Chief Justice or the Governor to appoint members of the task force on behalf of other branches of state government.

A mixed task force may not contain voting members from more than one branch of government. If, for example, a task force contains members of both the legislative branch and the executive branch, the drafting attorney may include provisions specifying that the members of the task force who are members of the Legislative Assembly are nonvoting members and serve in an advisory capacity only.

## BOILERPLATE AND STANDARD PHRASES

A measure that creates an interim committee, a legislative task force, a mixed task force or a nonlegislative task force begins with boilerplate (text that is formatted and stored in the online drafting system so that it can be inserted into a draft or draft amendments). Individual provisions called “standard phrases for measures” (SPMs) are also stored in the online drafting system.

The drafter will determine which boilerplate to use and which provisions to add to or subtract from the basic boilerplate after evaluating the request and asking questions to clarify the requester’s intent. Some boilerplate and SPMs include prompts for the drafter to make adjustments and blank lines (for dates or dollar amounts) to fill in either while drafting or later by amendment. Copy editors must read each boilerplate or SPM to check for blanks, make appropriate adjustments and watch copy for omissions or reordered text.

Boilerplate retrieval commands consist of “boiler” and a command label. Standard phrases retrieval commands consist of “spm” and a command label.

**Basic Boilerplate for an Interim Committee Created by a Joint Resolution.** Use and modify as needed:

<boiler INCTJR>

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

- (1) The Interim Committee on [Subject] is established.
- (2) The committee consists of [number] members appointed as follows:
  - (a) The President of the Senate shall appoint [number] members from among members of the Senate.
  - (b) The Speaker of the House of Representatives shall appoint [number] members from among members of the House of Representatives.
- (3) The interim committee shall [describe functions; see ORS 171.610].
- (4) The interim committee may [describe authority or power; there is no need to duplicate language from ORS 171.505, 171.510 and 171.620].
- (5) A majority of members of the interim committee constitutes a quorum for the transaction of business.
- (6) Official action by the interim committee requires the approval of a majority of the members of the interim committee.
- (7) The interim committee shall report to the Legislative Assembly in the manner provided in ORS 192.245 at any time within 30 days after its final meeting or at the time the President and Speaker designate.
- (8) The Legislative Policy and Research Director may employ persons necessary for the performance of the functions of the interim committee. The Legislative Policy and Research Director shall fix the duties and amounts of compensation of the employees. The interim committee shall use the services of continuing legislative staff, without employing additional persons, to the greatest extent practicable.

**Optional provisions for a joint resolution that creates an interim committee:**

As an alternative to subsections (3) and (4) of the basic boilerplate, a drafter may use:

<spm ic-workplan>

- (3) The President of the Senate and the Speaker of the House of Representatives, in consultation with the interim committee chairperson, shall develop a work plan consisting of a list of subjects for study by the interim committee. The interim committee, by official action, may request modification of the work plan. Only the President and Speaker, after consultation with the chairperson, may modify the work plan.

If the interim committee needs to begin working quickly, the drafter may use either:

<spm icjr-laterof>

(x) All appointments to the interim committee made under subsection (2) of this resolution must be completed by the later of \_\_\_ days after adjournment sine die of the [year] session of the [number of the current] Legislative Assembly or [date].

**OR**

(x) The interim committee shall have its first meeting on or before the later of \_\_\_ days after adjournment sine die of the [year] session of the [number of the current] Legislative Assembly or [date].

**Basic Boilerplate for an Interim Committee Created by a Bill.** Use and modify as needed:

<boiler INCTBILL>

**SECTION 1. (1) The Interim Committee on [Subject] is established.**

**(2) The committee consists of [number] members appointed as follows:**

**(a) The President of the Senate shall appoint [number] members from among members of the Senate.**

**(b) The Speaker of the House of Representatives shall appoint [number] members from among members of the House of Representatives.**

**(3) The interim committee shall [describe function; see ORS 171.610].**

**(4) The interim committee may [describe authority or power; there is no need to duplicate language from ORS 171.505 and 171.510].**

**(5) A majority of the members of the interim committee constitutes a quorum for the transaction of business.**

**(6) Official action by the interim committee requires the approval of a majority of the members of the interim committee.**

**(7) The interim committee shall elect one of its members to serve as chairperson.**

**(8) If there is a vacancy for any cause, the appointing authority shall make an appointment to become immediately effective.**

**(9) The interim committee shall meet at times and places specified by the call of the chairperson or of a majority of the members of the interim committee.**

**(10) The interim committee may adopt rules necessary for the operation of the interim committee.**

**(11) The interim committee shall report to the Legislative Assembly in the manner provided in ORS 192.245 at any time within 30 days after its final meeting or at the time the President and Speaker designate.**

**(12) The Legislative Policy and Research Director may employ persons necessary for the performance of the functions of the interim committee. The Legislative Policy and Research Director shall fix the duties and amounts of compensation of the employees. The interim committee shall use the services of continuing legislative staff, without employing additional persons, to the greatest extent practicable.**

**(13) All agencies of state government, as defined in ORS 174.111, are directed to assist the interim committee in the performance of the duties of the interim committee and, to the extent permitted by laws relating to confidentiality, to furnish information and advice the members of the interim committee consider necessary to perform their duties.**

**SECTION 2. Section 1 of this [year] Act is repealed on December 31,**

[year following session year].

**SECTION 3.** This [year] Act takes effect on the 91st day after the date on which the [year] regular session of the [number of the current] Legislative Assembly adjourns sine die.

### Optional provisions for a bill that creates an interim committee:

As an alternative to section 1 (3) and (4) of the basic boilerplate, a drafter may use:

<spm ic-workplan>

**(3) The President of the Senate and the Speaker of the House of Representatives, in consultation with the interim committee chairperson, shall develop a work plan consisting of a list of subjects for study by the interim committee. The interim committee, by official action, may request modification of the work plan. Only the President and Speaker, after consultation with the chairperson, may modify the work plan.**

As an alternative to section 1 (7) of the basic boilerplate, a drafter may use:

<spm icbill-chair>

**(7) The President of the Senate and the Speaker of the House of Representatives shall select one member of the interim committee to serve as chairperson and another to serve as vice chairperson, with the duties and powers necessary for the performance of the functions of the offices as the President and the Speaker determine.**

If the interim committee needs to begin working quickly, the drafter may use either:

<spm icbill-laterof>

**(x) All appointments to the interim committee made under subsection (2) of this section must be completed by the later of \_\_\_ days after adjournment sine die of the [year] session of the [number of the current] Legislative Assembly or [date].**

**OR**

**(x) The interim committee shall have its first meeting on or before the later of \_\_\_ days after adjournment sine die of the [year] session of the [number of the current] Legislative Assembly or [date].**

In addition to the basic boilerplate, a drafter may also include:

<spm icbill-moneys>

**(x) The Legislative Policy and Research Director may accept, on behalf of the interim committee, contributions of moneys and assistance from the United States Government or its agencies or from any other source, public or private, and agree to conditions placed on the moneys not inconsistent with the duties of the interim committee.**

**(y) All moneys received by the Legislative Policy and Research Director under subsection (x) of this section shall be deposited into the \_\_\_\_\_ Account established by ORS XXX.XXX to be used for the purposes of carrying out the duties of the interim committee [this assumes the moneys in the already existing account are already continuously appropriated to the Legislative Policy and Research Director or the Legislative Assembly. If not, use the next option to add a continuous appropriation].**

OR

(x) The Legislative Policy and Research Director may accept, on behalf of the interim committee, contributions of moneys and assistance from the United States Government or its agencies or from any other source, public or private, and agree to conditions placed on the moneys not inconsistent with the duties of the interim committee. All moneys received by the Legislative Policy and Research Director under this subsection shall be deposited into the \_\_\_\_\_ Fund established under section X of this (year) Act to be used for the purposes of carrying out the duties of the interim committee.

**SECTION X.** The \_\_\_\_\_ Fund is established in the State Treasury, separate and distinct from the General Fund. [Interest earned by the \_\_\_\_\_ Fund shall be credited to the fund.] All moneys in the \_\_\_\_\_ Fund are continuously appropriated to the Legislative Policy and Research Director for the purposes of carrying out the duties of the interim committee established under section \_\_\_\_\_ of this (year) Act.

**SECTION Y.** (1) Section X of this (year) Act is repealed on January 2, (year).

(2) Any moneys remaining in the \_\_\_\_\_ Fund on January 2, (year), that are unexpended, unobligated and not subject to any conditions shall revert to the General Fund.

**Basic Boilerplate for a Legislative Task Force.** Use and modify as needed:

<boiler LEGTASK>

**SECTION 1.** (1) The Task Force on [Subject] is established.

(2) The task force consists of [number] members appointed as follows:

(a) The President of the Senate shall appoint [number] members from among members of the Senate.

(b) The Speaker of the House of Representatives shall appoint [number] members from among members of the House of Representatives.

(3) The task force shall [describe function].

(4) The task force may [describe authority or powers].

(5) A majority of the members of the task force constitutes a quorum for the transaction of business.

(6) Official action by the task force requires the approval of a majority of the members of the task force.

(7) The task force shall elect one of its members to serve as chairperson.

(8) If there is a vacancy for any cause, the appointing authority shall make an appointment to become immediately effective.

(9) The task force shall meet at times and places specified by the call of the chairperson or of a majority of the members of the task force.

(10) The task force may adopt rules necessary for the operation of the task force.

(11) The task force may pre-session file legislation in the manner provided in ORS 171.130 for interim committees. All legislation recommended by official action of the task force must indicate that it is introduced at the request of the task force.

(12) The task force shall report to the Legislative Assembly in the manner provided in ORS 192.245 at any time within 30 days after its final meeting or at a time the President and Speaker designate.

(13) The Legislative Policy and Research Director may employ persons



necessary for the performance of the functions of the task force. The Legislative Policy and Research Director shall fix the duties and amounts of compensation of the employees. The task force shall use the services of continuing legislative staff, without employing additional persons, to the greatest extent practicable.

(14) All agencies of state government, as defined in ORS 174.111, are directed to assist the task force in the performance of the duties of the task force and, to the extent permitted by laws relating to confidentiality, to furnish information and advice the members of the task force consider necessary to perform their duties.

**SECTION 2.** Section 1 of this [year] Act is repealed on December 31, [year following session year].

**SECTION 3.** This [year] Act takes effect on the 91st day after the date on which the [year] regular session of the [number of the current] Legislative Assembly adjourns sine die.

### **Optional provisions for a bill that creates a legislative task force:**

As an alternative to section 1 (3) and (4) of the basic boilerplate, a drafter may use:

<spm tfleg-workplan>

(3) The President of the Senate and the Speaker of the House of Representatives, in consultation with the task force chairperson, shall develop a work plan consisting of a list of subjects for study by the task force. The task force, by official action, may request modification of the work plan. Only the President and Speaker, after consultation with the chairperson, may modify the work plan.

As an alternative to section 1 (7) of the basic boilerplate, a drafter may use:

<spm tfleg-chair>

(7) The President of the Senate and the Speaker of the House of Representatives shall select one member of the task force to serve as chairperson and another to serve as vice chairperson, with the duties and powers necessary for the performance of the functions of the offices as the President and the Speaker determine.

In addition to the basic boilerplate, the drafter also may include:

<spm tf-authority>

(x) The chairperson or vice chairperson of the task force has the authority given to the chairperson or vice chairperson of a legislative committee by ORS 171.505 and 171.510.

If the task force needs to begin working quickly, the drafter may use either:

<spm tf-laterof>

(x) All appointments to the task force made under subsection (2) of this section must be completed by the later of \_\_\_ days after adjournment sine die of the [year] session of the [number of the current] Legislative Assembly or [date].

OR

(x) The task force shall have its first meeting on or before the later of \_\_\_ days after adjournment sine die of the [year] session of the [number of the current] Legislative Assembly or [date].

In addition to the basic boilerplate, the drafter may insert:

<spm tfleg-moneys>

(x) The Legislative Policy and Research Director may accept, on behalf of the task force, contributions of moneys and assistance from the United States Government or its agencies or from any other source, public or private, and agree to conditions placed on the moneys not inconsistent with the duties of the task force.

(y) All moneys received by the Legislative Policy and Research Director under subsection (x) of this section shall be deposited into the \_\_\_\_ Account established by ORS XXX.XXX to be used for the purposes of carrying out the duties of the task force [this assumes the moneys in the already existing account are already continuously appropriated to the Legislative Policy and Research Director or the Legislative Assembly. If not, use the next option to add a continuous appropriation].

OR

(x) The Legislative Policy and Research Director may accept, on behalf of the task force, contributions of moneys and assistance from the United States Government or its agencies or from any other source, public or private, and agree to conditions placed on the moneys not inconsistent with the duties of the task force. All moneys received by the Legislative Policy and Research Director under this subsection shall be deposited into the \_\_\_\_ Fund established under section X of this (year) Act to be used for the purposes of carrying out the duties of the task force.

**SECTION X.** The \_\_\_\_ Fund is established in the State Treasury, separate and distinct from the General Fund. [Interest earned by the \_\_\_\_ Fund shall be credited to the fund.] All moneys in the \_\_\_\_ Fund are continuously appropriated to the Legislative Policy and Research Director for the purposes of carrying out the duties of the task force established under section \_\_\_\_ of this (year) Act.

**SECTION Y.** (1) Section X of this (year) Act is repealed on January 2, (year).

(2) Any moneys remaining in the \_\_\_\_ Fund on January 2, (year), that are unexpended, unobligated and not subject to any conditions shall revert to the General Fund.

**Basic Boilerplate for a Mixed Task Force.** Use and modify as needed:

<boiler MIXTASK>

**SECTION 1.** (1) The Task Force on [Subject] is established.

(2) The task force consists of [number] members appointed as follows:

(a) The President of the Senate shall appoint:

(A) [Number] members from among members of the Senate.

(B) [Number] members who are [set out qualifications of nonlegislators].

(b) The Speaker of the House of Representatives shall appoint:

(A) [Number] members from among members of the House of Representatives.

(B) [Number] members who are [set out qualifications of nonlegislators].

(c) The [Governor, Director of (agency), Chief Justice of Oregon Supreme Court] shall appoint [number] representatives from \_\_\_\_.

(3) The task force shall [describe function].

- (4) The task force may [describe authority or powers].
  - (5) A majority of the [voting] members of the task force constitutes a quorum for the transaction of business.
  - (6) Official action by the task force requires the approval of a majority of the [voting] members of the task force.
  - (7) The task force shall elect one of its members to serve as chairperson.
  - (8) If there is a vacancy for any cause, the appointing authority shall make an appointment to become immediately effective.
  - (9) The task force shall meet at times and places specified by the call of the chairperson or of a majority of the [voting] members of the task force.
  - (10) The task force may adopt rules necessary for the operation of the task force.
  - (11) The task force shall submit a report in the manner provided by ORS 192.245, and may include recommendations for legislation, to the joint legislative committee established under ORS [section] or an interim committee of the Legislative Assembly related to [subject of task force] no later than September 15, [year].
  - (12) The [agency] shall provide staff support to the task force.
  - (13) Members of the Legislative Assembly appointed to the task force are nonvoting members of the task force and may act in an advisory capacity only.
  - (14) Members of the task force who are not members of the Legislative Assembly serve as volunteers on the task force and are not entitled to compensation or reimbursement for expenses.
  - (15) All agencies of state government, as defined in ORS 174.111, are directed to assist the task force in the performance of the duties of the task force and, to the extent permitted by laws relating to confidentiality, to furnish information and advice the members of the task force consider necessary to perform their duties.
- SECTION 2.** Section 1 of this [year] Act is repealed on December 31, [year following session year].
- SECTION 3.** This [year] Act takes effect on the 91st day after the date on which the [year] regular session of the [number of the current] Legislative Assembly adjourns sine die.

**Optional provisions for a bill that creates a mixed task force:**

As an alternative to section 1 (3) and (4) of the basic boilerplate, a drafter may use:

<spm tf-workplan>

(3) The appointing authorities, in consultation with the task force chairperson, shall develop a work plan consisting of a list of subjects for study by the task force. The task force, by official action, may request a modification of the work plan. Only the appointing authorities, after consultation with the chairperson, may modify the work plan.

As an alternative to section 1 (7) of the basic boilerplate, a drafter may use:

<spm tf-chair>

(7) The [Governor, President, Speaker, Director of (agency), Chief Justice] shall select one member of the task force to serve as chairperson and another to serve as vice chairperson, for the terms and with the duties and powers necessary for the performance of the functions of the offices as the [Governor, President, Speaker, Director of (agency), Chief Justice] determines.

As an alternative to section 1 (11) of the basic boilerplate, a drafter may use either:

<spm tf-report>

**(11) The task force shall report its findings and recommendations on [subject] to the [number] Legislative Assembly in the manner provided by ORS 192.245 no later than September 15, [year].**

**OR**

**(11) The task force shall report its findings and recommendations to the [number] Legislative Assembly in the manner provided by ORS 192.245 and to the [Governor, Director of (agency), Chief Justice] no later than September 15, [year].**

As an alternative to section 1 (14) of the basic boilerplate, a drafter may use:

<spm tfmix-expense>

**(14) Notwithstanding ORS 171.072, members of the task force who are members of the Legislative Assembly serve as volunteers on the task force and are not entitled to mileage expenses or a per diem. Other members of the task force serve as volunteers on the task force and are not entitled to compensation or reimbursement for expenses.**

In addition to the basic boilerplate, the drafter may insert:

<spm tf-authority>

**(x) The chairperson or vice chairperson of the task force has the authority given to the chairperson or vice chairperson of a legislative committee by ORS 171.505 and 171.510.**

If the task force needs to begin working quickly, the drafter may use either:

<spm tf-laterof>

**(x) All appointments to the task force made under subsection (1) of this section must be completed by the later of \_\_\_ days after adjournment sine die of the [year] session of the [number of the current] Legislative Assembly or [date].**

**OR**

**(x) The task force shall have its first meeting on or before the later of \_\_\_ days after adjournment sine die of the [year] session of the [number of the current] Legislative Assembly or [date].**

If a state agency does not receive a General Fund appropriation to pay for the costs of the task force, in addition to the basic boilerplate the drafter may insert either:

<spm tf-moneys>

**(x) The [agency that staffs the task force] may accept contributions of moneys and assistance from the United States Government or its agencies or from any other source, public or private, and agree to conditions placed on the moneys not inconsistent with the duties of the task force.**

**(y) All moneys received by the [agency that staffs the task force] under subsection (x) of this section shall be deposited into the \_\_\_\_\_ Fund established by ORS XXX.XXX to be used for the purpose of carrying out the duties of the task force [this assumes the moneys in the already existing**

account are already continuously appropriated to the agency. If not, use the next option to add a continuous appropriation].

OR

(x) The [agency that staffs the task force] may accept, on behalf of the task force, contributions of moneys and assistance from the United States Government or its agencies or from any other source, public or private, and agree to conditions placed on the moneys not inconsistent with the duties of the task force. All moneys received by the [agency that staffs the task force] under this subsection shall be deposited into the \_\_\_\_\_ Fund established under section X of this (year) Act to be used for the purposes of carrying out the duties of the task force.

**SECTION X.** The \_\_\_\_\_ Fund is established in the State Treasury, separate and distinct from the General Fund. [Interest earned by the \_\_\_\_\_ Fund shall be credited to the fund.] All moneys in the \_\_\_\_\_ Fund are continuously appropriated to the [agency that staffs the task force] for the purposes of carrying out the duties of the task force established under section \_\_\_\_\_ of this (year) Act.

**SECTION Y.** (1) Section X of this (year) Act is repealed on January 2, (year).

(2) Any moneys remaining in the \_\_\_\_\_ Fund on January 2, (year), that are unexpended, unobligated and not subject to any conditions shall revert to the General Fund.

In addition to the basic boilerplate, the drafter may also insert:

<spm tf-approp>

**SECTION X.** There is appropriated to the [agency that staffs the task force], for the biennium beginning July 1, [year], out of the General Fund, the amount of \$ \_\_\_\_\_ for the purpose of carrying out the duties of the [name] Task Force.

As an alternative to section 2 of the basic boilerplate, the drafter may use:

<spm tf-repeal>

**SECTION 2.** Section 1 of this [year] Act is repealed on [a regular sunset date].

**Basic Boilerplate for a Nonlegislative Task Force.** Use and modify as needed:

<boiler NONTASK>

**SECTION 1.** (1) The Task Force on [Subject] is established.  
(2) The task force consists of [number] members appointed as follows:  
(a) The President of the Senate shall appoint [number] members who are [set out qualifications].  
(b) The Speaker of the House of Representatives shall appoint [number] members who are [set out qualifications].  
(c) The [Governor, Director of (agency), Chief Justice of Oregon Supreme Court] shall appoint [number] representatives from \_\_\_\_.  
(3) The task force shall [describe function].  
(4) The task force may [describe authority or powers].  
(5) A majority of the [voting] members of the task force constitutes a quorum for the transaction of business.  
(6) Official action by the task force requires the approval of a majority of the [voting] members of the task force.

(7) The task force shall elect one of its members to serve as chairperson.

(8) If there is a vacancy for any cause, the appointing authority shall make an appointment to become immediately effective.

(9) The task force shall meet at times and places specified by the call of the chairperson or of a majority of the [voting] members of the task force.

(10) The task force may adopt rules necessary for the operation of the task force.

(11) The task force shall submit a report in the manner provided in ORS 192.245, and may include recommendations for legislation, to the joint legislative committee established under ORS [section] or an interim committee of the Legislative Assembly related to [subject of task force] no later than September 15, [year].

(12) The [agency] shall provide staff support to the task force.

(13) Members of the task force serve as volunteers on the task force and are not entitled to compensation or reimbursement for expenses.

(14) All agencies of state government, as defined in ORS 174.111, are directed to assist the task force in the performance of the duties of the task force and, to the extent permitted by laws relating to confidentiality, to furnish information and advice the members of the task force consider necessary to perform their duties.

**SECTION 2.** Section 1 of this [year] Act is repealed on December 31, [year following session year].

**SECTION 3.** This [year] Act takes effect on the 91st day after the date on which the [year] regular session of the [number of the current] Legislative Assembly adjourns sine die.

### **Optional provisions for a bill that creates a nonlegislative task force:**

As an alternative to section 1 (3) and (4) of the basic boilerplate, the drafter may use:

<spm tf-workplan>

(3) The appointing authorities, in consultation with the task force chairperson, shall develop a work plan consisting of a list of subjects for study by the task force. The task force, by official action, may request a modification of the work plan. Only the appointing authorities, after consultation with the chairperson, may modify the work plan.

As an alternative to section 1 (7) of the basic boilerplate, the drafter may use:

<spm tf-chair>

(7) The [Governor, President, Speaker, Director of (agency), Chief Justice] shall select one member of the task force to serve as chairperson and another to serve as vice chairperson, for the terms and with the duties and powers necessary for the performance of the functions of the offices as the [Governor, President, Speaker, Director of (agency), Chief Justice] determines.

As an alternative to section 1 (11) of the basic boilerplate, the drafter may use either:

<spm tf-report>

(11) The task force shall report its findings and recommendations on [subject] to the [number] Legislative Assembly in the manner provided by ORS 192.245 no later than September 15, [year].

OR

**(11) The task force shall report its findings and recommendations to the [number] Legislative Assembly in the manner provided by ORS 192.245 and to the [Governor, Director of (agency), Chief Justice] no later than September 15, [year].**

In addition to the basic boilerplate, the drafter may insert:

<spm tf-authority>

**(x) The chairperson or vice chairperson of the task force has the authority given to the chairperson or vice chairperson of a legislative committee by ORS 171.505 and 171.510.**

If the task force needs to begin working quickly, the drafter may use either:

<spm tf-laterof>

**(x) All appointments to the task force made under subsection (2) of this section must be completed by the later of \_\_\_ days after adjournment sine die of the [year] session of the [number of the current] Legislative Assembly or [date].**

**OR**

**(x) The task force shall have its first meeting on or before the later of \_\_\_ days after adjournment sine die of the [year] session of the [number of the current] Legislative Assembly or [date].**

In addition to the basic boilerplate, the drafter may insert either of the following options if a state agency does not receive a General Fund appropriation to pay for the costs of the task force:

<spm tf-moneys>

**(x) The [agency that staffs the task force] may accept contributions of moneys and assistance from the United States Government or its agencies or from any other source, public or private, and agree to conditions placed on the moneys not inconsistent with the duties of the task force.**

**(y) All moneys received by the [agency that staffs the task force] under subsection (x) of this section shall be deposited into the \_\_\_\_\_ Fund established by ORS XXX.XXX to be used for the purpose of carrying out the duties of the task force [this assumes the moneys in the already existing account are already continuously appropriated to the agency. If not, use the next option to add a continuous appropriation].**

**OR**

**(x) The [agency that staffs the task force] may accept, on behalf of the task force, contributions of moneys and assistance from the United States Government or its agencies or from any other source, public or private, and agree to conditions placed on the moneys not inconsistent with the duties of the task force. All moneys received by the [agency that staffs the task force] under this subsection shall be deposited into the \_\_\_\_\_ Fund established under section X of this (year) Act to be used for the purposes of carrying out the duties of the task force.**

**SECTION X. The \_\_\_\_\_ Fund is established in the State Treasury, separate and distinct from the General Fund. [Interest earned by the \_\_\_\_\_**

Fund shall be credited to the fund.] All moneys in the \_\_\_\_\_ Fund are continuously appropriated to the [agency that staffs the task force] for the purposes of carrying out the duties of the task force established under section \_\_\_\_\_ of this (year) Act.

**SECTION Y.** (1) Section X of this (year) Act is repealed on January 2, (year).

(2) Any moneys remaining in the \_\_\_\_\_ Fund on January 2, (year), that are unexpended, unobligated and not subject to any conditions shall revert to the General Fund.

In addition to the basic boilerplate, the drafter may also insert:

<spm tf-approp>

**SECTION X.** There is appropriated to the [agency that staffs the task force], for the biennium beginning July 1, [year], out of the General Fund, the amount of \$ \_\_\_\_\_ for the purpose of carrying out the duties of the [name] Task Force.

As an alternative to section 2 of the basic boilerplate, the drafter may use:

<spm tf-repeal>

**SECTION 2.** Section 1 of this [year] Act is repealed on [a regular sunset date].



## GLOSSARY

Oregon's legislative process uses the following terms, but not all are used in this manual.

**A & R TABLES** — Tables of ORS, ORCP, session law and Oregon Constitution sections amended, repealed or added to by legislative measures, overturned vetoes and passed ballot measures. The A & R tables are updated online in the *Weekly Cumulative Index to Legislative Measures* and printed in the *Final Status Report for Senate and House Measures* and *Oregon Laws*.

**ACT** — A bill that has passed both houses of the Legislative Assembly and has been signed by the Governor, allowed to become law without the Governor's signature or passed by both houses of the Legislative Assembly over the Governor's veto.

**ADOPTION** — Favorable action on a memorial or resolution by either house.

**AMENDMENT OF MEASURE** — A change made or proposed to be made in a measure by specifying changes by line and page number.

**AMENDMENT OF STATUTE** — A change made or proposed to be made in a section of ORS, session law or ORCP by setting forth the full section text and inserting or deleting words.

**APPROPRIATION** — A sum of money designated for a particular purpose by an Act.

**APPROPRIATION BILL** — A bill that reflects the proposed budget for the biennium that begins on July 1 of the odd-year regular session and that appropriates General Fund moneys to an agency or limits an agency's expenditure of moneys it receives or collects from non-General Fund sources. The Oregon Department of Administrative Services prepares initial appropriation bills that reflect the Governor's proposed budget. Legislators and the Joint Committee on Ways and Means may also introduce appropriation bills.

**BICAMERAL** — Composed of two houses, chambers or branches.

**BIENNIAL** — Occurring every two years.

**BIENNIUM** — A two-year period.

**BILL** — A measure that creates new law, amends or repeals existing law, or takes other action such as appropriating or allocating money, prescribing fees, transferring functions from one agency to another or providing penalties.

**BILL BACK** — The cover of a draft measure, showing the bill number, short title, sponsors and requesters. It is also used for memorials and resolutions.

**CALL OF THE HOUSE OR SENATE** — The requirement that all members, unless excused, be present to vote on a measure.

**CHAIRPERSON, COMMITTEE** — The legislator appointed to preside over an individual committee.

**CHIEF CLERK OF THE HOUSE** — The chief administrative officer of the House of Representatives.

**COMMITTEE REPORT** — A report made to the presiding officer by a standing, special (select) or conference committee recommending further action on a measure or reporting a measure without recommendation.

**CONCURRENT RESOLUTION** — A measure affecting operations and procedures of both houses of the Legislative Assembly. It is also used to express legislative commendation, congratulations or sympathy.

**CONFERENCE COMMITTEE** — A committee consisting of two or three members of each house who are appointed by presiding officers. The committee is appointed when one house refuses to concur with amendments to a measure adopted by the other house. The conference committee attempts to prepare a version of the measure that is acceptable to both houses.

**CONFLICT** – When more than one measure amends or repeals an ORS, ORCP, session law or Oregon Constitution section, and the changes cannot be blended, even if the measures do not conflict in purpose. Conflict amendments preserve the legislative intent of the conflicting measures. The Oregon Constitution allows the compilation of more than one amendment unless the amendments conflict in purpose. If conflicting amendments become law, the measure last signed by the Governor prevails.

**CONFORMING AMENDMENTS** – Changes made within an amended statute or to other statutes to conform to substantive changes in the bill, e.g., internal renumbering, name changes, deletion of references to repealed sections, changes in terminology, etc. Conforming amendments are often referred to as “house-keeping amendments.”

**CROSS-HOUSE** – The status of a bill, concurrent resolution, joint resolution or joint memorial when it is under consideration by the second house.

**DESK** – Station of Chief Clerk of the House or Secretary of the Senate and assistants at the front of the House or Senate chamber. This term also refers to the offices of the Chief Clerk of the House and the Secretary of the Senate.

**DIGEST** – The measure summary.

**ECONOMIC AND REVENUE FORECAST** – A quarterly publication of the Office of Economic Analysis that describes Oregon’s economic outlook and forecasts projected General Fund revenues for a biennium. The forecast is published March 1, June 1 (May 15 during odd-year regular sessions), September 1 and December 1.

**EFFECTIVE DATE** – In the absence of a provision in the bill that prescribes an early effective date or a delayed effective date, the normal effective date for an Act that will not be referred to the people is January 1 of the year that follows the session year.

**EMERGENCY BOARD** – A joint committee of Senators and Representatives, authorized by constitutional amendment and created by statute that has certain responsibilities over state fiscal and budgetary matters. The Emergency Board functions during the interim between sessions.

**ENGROSS** – To incorporate adopted amendments into the text of a printed measure.

**ENGROSSING** – A measure printed with adopted amendments incorporated into its text.

**ENROLL** – To prepare a measure that has passed or been adopted by both houses for the appropriate signatures.

**ENROLLING** – The final copy of a measure that has passed or been adopted by both houses of the Legislative Assembly and has been specially reprinted in preparation for signatures.

**FINAL STATUS REPORT** – See “Status Reports.”

**FIRST HOUSE** – A measure’s house of origin.

**FIRST READING** – The recitation of the measure number and title by the Reading Clerk upon introduction of the measure in either house, after which the measure is referred to committee.

**FISCAL IMPACT STATEMENT** – An independent, objective analysis of the expenditure, revenue, staffing and organizational effects of a legislative measure on state and local government. Fiscal impact statements are produced by the Legislative Fiscal Office.

**FORM AND STYLE MANUAL FOR LEGISLATIVE MEASURES** – The manual that explains the official uniform system for preparation of legislative measures.

**HEARING** – A public meeting of a legislative committee held for the purpose of taking testimony concerning proposed legislation.

**HISTORY SHEET** – A cover sheet on the original measure folder that lists the measure number, sponsors, requesters, title and chronological record of actions taken by both houses.

**HOUSE OF ORIGIN** – Chamber or house where a measure originates. The house of origin is often referred to as the “first house.”

**HOUSE OF REPRESENTATIVES** – The Oregon House of Representatives consists of 60 members who are elected to serve for two-year terms. Each member represents a district of approximately 63,850 Oregon residents. The district lines are redrawn every 10 years.

**HOUSEKEEPING AMENDMENTS** — See “Conforming Amendments.”

**INITIATIVE AND REFERENDUM** — Oregon’s system of direct legislation that was approved by the state’s electorate in 1902. Initiatives enable the citizens of Oregon to propose new laws, change existing laws and change the Oregon Constitution through ballot measures voted on at a general election. Referenda enable the people to approve or reject a law enacted or proposed by the Legislative Assembly. To place an initiative or referendum measure on the ballot, supporters must obtain a specified number of signatures from registered voters. The Legislative Assembly may order the referral of a bill and must order the referral of a joint resolution proposing a constitutional amendment. Bills ordering a referendum and bills on which a referendum is ordered cannot be vetoed by the Governor.

**INTERIM** — The period of time between two regular sessions of the Legislative Assembly.

**INTERIM COMMITTEE** — A legislative committee authorized by the Legislative Assembly to study a particular subject or subjects between regular sessions.

**JOINT COMMITTEE** — A legislative committee with members from both houses.

**JOINT LEGISLATIVE SCHEDULE** — The publication that contains third readings, daily scheduled meetings, committee agendas, indexes of measures scheduled for hearing and regular meeting schedules. The *Joint Legislative Schedule* is published daily during a legislative session and monthly during the interim.

**JOINT MEMORIAL** — A measure adopted by both houses of the Legislative Assembly to address or petition Congress, the President of the United States or the officials or agencies of another governmental body.

**JOINT RESOLUTION** — A measure adopted by both houses to propose a constitutional amendment, create an interim committee or task force, give directions to state agencies or officers, approve actions to be taken by someone else, authorize temporary actions, etc.

**JOURNAL** — Each house’s post-session edited and published record of floor proceedings.

**LEGISLATIVE ADMINISTRATOR** — The chief administrative officer of the Legislative Administration Committee, which coordinates service functions for the Legislative Assembly.

**LEGISLATIVE COUNSEL** — The bill drafter for and legal adviser to the Legislative Assembly and the chief administrative officer for the Legislative Counsel Committee. Legislative Counsel also prints legislative measures; publishes and distributes *Oregon Laws*; and edits, indexes, annotates and publishes *Oregon Revised Statutes*.

**LEGISLATIVE FISCAL OFFICER** — The fiscal adviser to the Legislative Assembly and the chief administrative officer for the Joint Committee on Ways and Means and the Emergency Board. In addition, the Legislative Fiscal Office prepares fiscal impact statements for legislative measures.

**LEGISLATIVE LIBRARY** — A collection of cataloged documents on legislative issues, including reports to the Legislative Assembly, periodicals and newspapers, committee minutes, measures and measure analyses from recent sessions and interims, legislative calendars and journals, and laws from past sessions. The Oregon State Library operates the library, whose research services are available primarily to legislators and to legislative staff and committees.

**LEGISLATIVE POLICY AND RESEARCH OFFICE** — The Legislative Policy and Research Office provides committee staffing and centralized, nonpartisan research and policy analysis for the Legislative Assembly. The Legislative Policy and Research Office also assists members with agency oversight, legislative investigation and development of legislative measures.

**LEGISLATIVE REVENUE OFFICER** — The chief revenue analyst for the Legislative Assembly and the chief administrative officer for the Joint Interim Committee on Revenue and the separate standing House and Senate Committees on Revenue. The Legislative Revenue Office prepares revenue impact statements for legislative measures that affect state or local revenue.

**MAJORITY LEADER** — A legislator elected by peers in the House or Senate to lead the party having the majority in that house.

**MAJORITY REPORT** – Recommendation of action on a measure submitted by a majority of a committee’s members.

**MEASURE** – A bill, joint resolution, concurrent resolution, resolution, joint memorial or memorial.

**MEASURE HISTORY** – The chronological record of actions taken by both houses. *See also* “History Sheet,” “OLIS” and “Status Reports.”

**MEASURE SUMMARY** – A brief, impartial description of a measure that must accompany the measure upon introduction.

**MEMORIAL** – A measure adopted by a single house of the Legislative Assembly to address or petition Congress, the President of the United States or the officials or agencies of another governmental body.

**MINORITY LEADER** – A legislator elected by peers in the House or Senate to lead the party that is not in the majority in that house.

**MINORITY REPORT** – Recommendation of action on a measure submitted by a minority of at least two committee members.

**MINUTES** – A written record of the proceedings of a committee.

**OREGON ADMINISTRATIVE RULES** – The administrative rules of Oregon state agencies filed, codified and published by the Administrative Rules Unit of the Archives Division of the Office of the Secretary of State.

**OREGON LAWS** – A compilation of the laws enacted during a single session (also known as “session laws.” The publication also includes resolutions, tables of “sections amended, repealed or added to” and an index.

**OLIS** – The Oregon Legislative Information System, an integrated information system that includes the history of each measure, schedule of committee meetings, a general legislative summary, executive appointments and measure tracking, as compiled by both the Senate and House Desks, the Office of the Legislative Counsel and the Legislative Policy and Research Office. Information maintained in these databases is the source for information released on the Internet and for multiple session and post-session publications.

**OREGON LEGISLATIVE GUIDE** – A directory published at the beginning of each legislative session that lists the names and office locations of all members, names and room locations of all committees, Capitol floor plan, telephone numbers and other pertinent information.

**ORIGINAL MEASURE FOLDER** – The file folder that includes the original draft measure, fiscal and revenue impact statements, vote tallies and other documents pertinent to the measure’s movement through the legislative process. The measure history sheet is attached to the outside of the folder. Senate folders are yellow; House folders are blue.

**ORS** – Oregon Revised Statutes, the codified laws of the State of Oregon.

**PASSAGE** – Favorable action on a bill by either house.

**PRESESSION FILING** – The process by which a sponsor files a measure with the Chief Clerk of the House or the Secretary of the Senate for printing before a legislative session begins.

**PRESIDENT OF THE SENATE** – The presiding officer of the Senate.

**PRESIDENT PRO TEMPORE** – The Senator elected to serve as the temporary President in the absence of the President of the Senate.

**PRINTED ENGROSSED** – Reprinted with adopted amendments integrated into the text.

**QUORUM** – The number of members required to be present before business can be transacted in the House, Senate or a committee. In the House, 40 members must be present; in the Senate, 20 members. A constitutional majority constitutes a quorum in committees.

**RECONSIDERATION** – A second vote taken on a measure after a motion to do so. A bill may be reconsidered by a committee after being voted out of committee if it has not yet been dropped at the Desk. A vote on a bill may also be reconsidered on the floor.

**REFER** – To assign a measure to a committee by the President of the Senate or the Speaker of the House.

**REFERENDUM** – *See* “Initiative and Referendum.”

**REFERENDUM CLAUSE** – A provision at the end of a measure that refers a joint resolution proposing a constitutional amendment or an Act to the people for their approval or rejection.

**REPORT OUT** – To return a measure from committee to the Senate or House Desk with or without recommendation as to further action.

**REQUESTER** – A public agency, private organization or any person other than a member of the Legislative Assembly who formally requests that a measure be introduced.

**RESOLUTION** – A measure adopted by a single house to take action affecting its own concerns or procedures or to express an opinion or sentiment on a matter of public interest.

**REVENUE FORECAST** – *See* “Economic and Revenue Forecast.”

**REVENUE IMPACT STATEMENT** – An analysis of a bill by the Legislative Revenue Office that shows how much additional tax revenue or reduction in revenue for state or local governments will result from a proposed change in law. Revenue impact statements describe what tax revenue sources will be affected by a proposal and provide an estimate of the magnitude of the change for current and future biennia.

**RULES** – The guidelines by which the Senate, the House of Representatives or a committee governs its meetings.

**SECOND HOUSE** – The chamber or house that receives for consideration a bill, concurrent resolution, joint resolution or joint memorial that was enacted or adopted by the members of the measure’s house of origin. Resolutions and memorials are adopted only by their house of origin and are not sent to the second house.

**SECOND READING** – The recitation of the measure number and title by the Reading Clerk. Second reading occurs when the committee to which the measure was referred reports the measure to the floor.

**SECRETARY OF THE SENATE** – The chief administrative officer of the Senate.

**SENATE** – The Oregon Senate consists of 30 members who are elected to serve for four-year terms. Each Senator represents a district of approximately 127,700 Oregon residents. The district lines are redrawn every 10 years.

**SESSION** – The period of time during which the Legislative Assembly officially convenes. The odd-numbered year regular session begins on the Tuesday after the holiday for Martin Luther King, Jr.’s Birthday. The even-numbered year regular session begins on the first day of February, or the following Monday if the first day is not a Monday, Tuesday or Wednesday.

**SESSION LAWS** – *See* “Oregon Laws.”

**SINE DIE** – (“Without day.”) The final adjournment of a legislative session, also referred to as “adjournment sine die.”

**SPEAKER OF THE HOUSE** – The presiding officer of the House of Representatives.

**SPEAKER PRO TEMPORE** – The Representative who is elected to serve as the temporary Speaker in the absence of the Speaker of the House.

**SPECIAL (SELECT) COMMITTEE** – A committee authorized by Senate or House Rules to study a limited subject.

**SPECIAL SESSION** – A convening of the Legislative Assembly at a time other than during the regular session. The Governor or a majority of each house may call a special session.

**SPONSOR** – The legislator(s) or legislative committee introducing the measure. Sponsors’ names appear on printed measures.

**STAFF MEASURE SUMMARY** – A brief, impartial summary of a legislative measure that is required to be filed as part of the committee report on each measure. A staff measure summary outlines the effects of a measure, the issues discussed at committee hearings and work sessions, the effect of any amendments adopted by a committee and any relevant background information that may help provide a context for legislative deliberations.

**STANDING COMMITTEE** – A permanent committee during a session authorized and named by Senate or House Rules.

**STATUS REPORTS** – Formerly known as the *Joint Legislative Calendar*, the *Status Report for Senate Measures* and the *Status Report for House Measures* are publications that list by measure name and number the measures introduced in each house, with measure history, the measure summary, the dates of hearings and work sessions and other statistical material. This information is updated weekly online on the Legislative Assembly’s website. The *Final Status Report for Senate and House Measures* is published after adjournment sine die.

**STATUTE** – A codified law.

**STATUTORY COMMITTEE** – A legislative committee created by statute: for example, Legislative Administration Committee, Legislative Counsel Committee, Emergency Board, Joint Committee on Ways and Means, etc.

**SUBCOMMITTEE** – A subordinate committee composed of members appointed from the full committee.

**SUMMARY** – The measure summary or digest.

**SUNSET CLAUSE** – A provision added to a bill that causes the repeal or termination of a duty, function or power.

**THIRD READING** – The recitation of the measure number and title by the Reading Clerk, usually before debate and final consideration by either house.

**THIRD READING CALENDAR** – A separate publication listing all measures on the agenda for Third Reading and final passage on a given day; measures scheduled for consideration under Propositions and Motions; and, in the Senate, Action on Executive Appointments.

**VETO** – Action of Governor disapproving a bill that has passed both houses and returning it unsigned with written objections to its house of origin for reconsideration. If approved by two-thirds of the members present, the bill is sent to the second house for reconsideration. A vetoed bill becomes law if two-thirds of the members present in the second house also approve the bill. During a legislative session, any bill presented to the Governor that is not returned to its house of origin within five days becomes law without signature. After adjournment sine die, the Governor has 30 days to file with the Secretary of State any unsigned and disapproved bills with written objections. If the Governor fails to file a bill with written objections, it becomes law without signature. Vetoed bills filed with the Secretary of State are returned to the Legislative Assembly for reconsideration at the next legislative session in the same manner as bills that are returned by the Governor.

**VETO MESSAGE** – The Governor’s written objections to a bill issued when the Governor returns a bill that has passed both houses to its house of origin, unsigned and disapproved. After adjournment sine die, the Governor issues a veto message when the Governor files a bill, unsigned and disapproved, with the Secretary of State. The Oregon Constitution requires the Governor to publicly announce the possibility of a post-session veto of a bill at least five days before filing it with the Secretary of State. Providing public notice of the intent to veto does not require the Governor to actually veto the bill.

**WORK SESSION** – A committee meeting held for the purpose taking action on measures referred to the committee.

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