

## **CONSTITUTION OF OREGON**

### **Proposed Amendments and Revisions**

The 2013 regular session of the Legislative Assembly proposed two amendments to the Constitution of the State of Oregon. Senate Joint Resolution 1 and Senate Joint Resolution 34 are to be submitted for approval or rejection at the regular general election on November 4, 2014.

The 2013 regular session of the Legislative Assembly did not propose any revisions of the Constitution of the State of Oregon.

The 2014 regular session of the Legislative Assembly proposed one amendment to the Constitution of the State of Oregon. Senate Joint Resolution 203 is to be submitted for approval or rejection at the regular general election on November 4, 2014.

The 2014 regular session of the Legislative Assembly did not propose any revisions of the Constitution of the State of Oregon.

For the convenience of the user, each pending proposed constitutional amendment or revision is set forth.

As set forth below, material in **boldface** would be added to existing sections by a proposed amendment or revision, while [*bracketed*] material would be deleted. Complete new sections begin with **SECTION**\_\_\_\_.

### **REGULAR GENERAL ELECTION**

#### **November 4, 2014**

Senate Joint Resolution 1 (2013) proposes the following:

PARAGRAPH 1. The Constitution of the State of Oregon is amended by creating a new Article to be known as Article XI-R, such Article to read:

#### **ARTICLE XI-R**

**SECTION 1. (1) In the manner provided by law and notwithstanding the limitations contained in section 7, Article XI of this Constitution, the credit of the State of Oregon may be loaned and indebtedness incurred to:**

**(a) Finance the corpus of the Oregon Student Opportunity Fund established pursuant to section 3 of this Article.**

**(b) Refinance indebtedness incurred under this section.**

**(2) Indebtedness incurred under this section may be used to pay the costs of issuing, administering and paying indebtedness incurred under this section.**

**SECTION 2. (1) Indebtedness may be incurred under section 1 of this Article in an aggregate principal amount that does not exceed, at any one time, one percent of the real market value of all property in this state.**

**(2) Indebtedness incurred under section 1 of this Article is a general obligation of the State of Oregon and must contain a direct promise on behalf of the State of Oregon to pay the principal of, the interest on and the premium, if any, on the obligation. The full faith and credit and taxing power of the State of Oregon must be pledged to pay the principal of, the interest on and the premium, if any, on the obligation. However, the State of Oregon may not pledge or levy an ad valorem tax to pay the indebtedness.**

**SECTION 3. (1) The Legislative Assembly shall establish a fund to be known as the Oregon Student Opportunity Fund. The moneys in the Oregon Student Opportunity Fund must be used for the exclusive benefit of Oregon students pursuing post-secondary education, including technical, professional and career training.**

**(2) In addition to the deposit of proceeds of indebtedness described in paragraph (a) of subsection (1) of section 1 of this Article, moneys in the fund may include:**

- (a) Gifts, devises or bequests made to the State of Oregon for deposit in the fund; and**
- (b) Any other moneys deposited in the fund by law.**

**(3) Moneys described in subsection (2) of this section that are deposited in the fund:**

**(a) May be invested as provided by law and are not subject to the limitations of section 6, Article XI of this Constitution.**

**(b) Must be retained in the fund, except as provided in subsection (6) of this section.**

**(4) Earnings on moneys in the fund:**

**(a) Must be credited to the fund; and**

**(b) May be retained in the fund or used to provide financial assistance to Oregon students pursuing post-secondary education, including technical, professional and career training.**

**(5) The Legislative Assembly may pass a bill to appropriate earnings on moneys in the fund for the purpose described in subsection (4)(b) of this section.**

**(6) Notwithstanding subsection (1) of this section, when the Governor declares an emergency pursuant to this subsection, the Legislative Assembly, with the approval of four-fifths of the members present in each house, may pass a bill to:**

**(a) Use the moneys for any lawful purpose if the Legislative Assembly has approved a plan to replenish the fund on appropriate terms.**

**(b) Use all or a portion of the moneys in the fund to pay the principal of, interest on and premium, if any, on indebtedness incurred under section 1 of this Article.**

**SECTION 4. The Legislative Assembly may enact legislation to carry out the provisions of this Article.**

**SECTION 5. This Article supersedes conflicting provisions of this Constitution.**

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Senate Joint Resolution 34 (2013) proposes the following:

PARAGRAPH 1. Section 8, Article XV of the Constitution of the State of Oregon, is amended to read:

**Sec. 8. (1) Notwithstanding the provisions of section 1, [article] Article III and section 10, [article] Article II of [the] this Constitution [of the State of Oregon], a person employed by the State Board of Higher Education, a member of any school board or employee thereof[, shall be] is eligible to a seat in the Legislative Assembly, and such membership in the Legislative Assembly [shall] does not prevent such person from being employed by the State Board of Higher Education or from being a member or employee of a school board.**

**(2) A person serving as a judge of any court of this state may be employed by the Oregon National Guard for the purpose of performing military service or may be employed by the State Board of Higher Education for the purpose of teaching, and the employment does not prevent the person from serving as a judge.**

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Senate Joint Resolution 203 (2014) proposes the following:

**PARAGRAPH 1. Senate Joint Resolution 34, Seventy-seventh Legislative Assembly, 2013 Regular Session, is rescinded. The Secretary of State may not refer Senate Joint Resolution 34, Seventy-seventh Legislative Assembly, 2013 Regular Session, to the people for their approval or rejection at the next regular general election held throughout this state.**

**PARAGRAPH 2.** The Constitution of the State of Oregon is amended by creating a new section 8a to be added to and made a part of Article XV, and by amending section 8, Article XV, such sections to read:

**Sec. 8.** Notwithstanding the provisions of section 1, [article] **Article** III and section 10, [article] **Article** II of [the] **this** Constitution [of the State of Oregon,]:

(1) [a] **A person employed by [the State Board of Higher Education,] any board or commission established by law to supervise and coordinate the activities of Oregon's institutions of post-secondary education, a person employed by a public university as defined by law or a member or employee of any school board [or employee thereof, shall be] is eligible to [a seat in] serve as a member of the Legislative Assembly, and [such] membership in the Legislative Assembly [shall] does not prevent [such] the person from being employed by [the State Board of Higher Education] any board or commission established by law to supervise and coordinate the activities of Oregon's post-secondary institutions of education or by a public university as defined by law, or from being a member or employee of a school board.**

(2) **A person serving as a judge of any court of this state may be employed by the Oregon National Guard for the purpose of performing military service or may be employed by any public university as defined by law for the purpose of teaching, and the employment does not prevent the person from serving as a judge.**

**SECTION 8a.** Notwithstanding any other provision of this Constitution, if the amendment to section 8 of this Article proposed by Senate Joint Resolution 34 (2013) is approved by the people at the general election held on November 4, 2014, the amendment to section 8 of this Article by Senate Joint Resolution 34 (2013) shall not be effective and the amendment to section 8 of this Article proposed by Senate Joint Resolution 203 (2014) shall be effective in lieu thereof.

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