

# Senate Joint Resolution 4

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## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Proposes amendment to Oregon Constitution to prohibit Legislative Assembly or people from fixing age for mandatory retirement of judges.

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

## JOINT RESOLUTION

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

**PARAGRAPH 1.** Section 1a, Article VII (Amended) of the Constitution of the State of Oregon, is amended to read:

**Sec. 1a. (1) The Legislative Assembly or the people may not fix an age for mandatory retirement of judges of any court.**

**(2)** Notwithstanding the provisions of section 1, Article VII (Amended) of this Constitution, [*a judge of any court shall retire from judicial office at the end of the calendar year in which he attains the age of 75 years.*] the Legislative Assembly or the people may by law:

[(1) *Fix a lesser age for mandatory retirement not earlier than the end of the calendar year in which the judge attains the age of 70 years;*]

[(2)] **(a)** Provide for recalling retired judges to temporary active service on the court from which they are retired; and

[(3)] **(b)** Authorize or require the retirement of judges for physical or mental disability or any other cause rendering judges incapable of performing their judicial duties.

This section shall not affect the term to which any judge shall have been elected or appointed prior to or at the time of approval and ratification of this section.

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

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.