

# Senate Joint Resolution 16

Sponsored by Senator THATCHER (Presession filed.)

## SUMMARY

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

Proposes amendment to Oregon Constitution to prohibit Legislative Assembly from amending or repealing initiative law for period of two years after enactment, unless two-thirds of members in both houses of Legislative Assembly vote to amend or repeal initiative law. Prohibits amendment or repeal of initiative law by Legislative Assembly during two-year period from being referred to electors.

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 1, Article IV of the Constitution of the State of Oregon, is amended to read:

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

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

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

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

(d) An 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.

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

(3)(a) The people reserve to themselves the referendum power, which is to approve or reject at an election 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.

(b) A referendum on an Act or part thereof may be ordered by a petition signed by a number of qualified voters equal to four percent of the total number of votes cast for all candidates for Governor at the election at which a Governor was elected for a term of four years next preceding

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

1 the filing of the petition. A referendum petition shall be filed not more than 90 days after the end  
2 of the session at which the Act is passed.

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

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

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

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

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

20 **(e)(A) Except as provided in subparagraph (B) of this paragraph, an initiative law that is**  
21 **enacted by the people may not be amended or repealed by the Legislative Assembly for a**  
22 **period of two years following the enactment of the initiative.**

23 **(B) During the two years immediately following the enactment of an initiative law by the**  
24 **people, the Legislative Assembly may amend or repeal the initiative law by a vote of two-**  
25 **thirds of the members of each house of the Legislative Assembly. Notwithstanding sub-**  
26 **section (3) of this section, the amendment or repeal of an initiative law by the Legislative**  
27 **Assembly under this subparagraph may not be referred to the people.**

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

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