

House Joint Resolution 13

Sponsored by Representative CATE; Senator THATCHER (Pre-session 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 give county court or board of county commissioners duty to fill vacancy in office of judge of circuit court.

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. The Constitution of the State of Oregon is amended by creating a new section 1b to be added to and made a part of Article VII (Amended), and by amending section 16, Article V, such sections to read:

Sec. 16. Governor to Fill Vacancies by Appointment. Except as provided in section 1b, Article VII (Amended) of this Constitution, [*When*] when during a recess of the legislative assembly a vacancy occurs in any office, the appointment to which is vested in the legislative assembly, or when at any time a vacancy occurs in any other state office, or in the office of judge of any court, the governor shall fill such vacancy by appointment, which shall expire when a successor has been elected and qualified. When any vacancy occurs in any elective office of the state or of any district or county thereof, the vacancy shall be filled at the next general election, provided such vacancy occurs more than sixty-one (61) days prior to such general election.

SECTION 1b. If the Legislative Assembly creates circuit courts, when a vacancy occurs in the office of judge of a circuit court, the county court or board of county commissioners for the district in which the vacancy occurred shall fill the vacancy by appointment, which shall expire when a successor has been elected and qualified. If the district in which the vacancy occurred encompasses two or more counties, each county shall be entitled to one vote for each 1,000 of its electors or major fraction thereof residing within the district at the time when the office becomes vacant. However, any county having electors in the district shall be entitled to at least one vote. When any vacancy occurs in the office of judge of a circuit court, the vacancy shall be filled at the next general election, provided such vacancy occurs more than sixty-one (61) days prior to such general election.

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.