

House Joint Resolution 18

Sponsored by Representative EVANS

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**. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: Amends the state Constitution. Requires a petitioner to provide a means by which added costs from an IM will be paid. Refers the amendment to the people at the next election. (Flesch Readability Score: 68.0).

Amends the Oregon Constitution to require an initiative petition to be accompanied by a signed form providing for the means by which an increase in state or county expenditures of greater than \$50,000 must be paid. Provides that an initiative petition may not be placed on the ballot unless the Secretary of State makes a finding of sufficiency of the means.

Refers the proposed amendment to the people for their approval or rejection at the 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.

(f) For any initiative petition that, if adopted by the people, would result in a change in state or county expenditures of greater than \$50,000 under the provisions of the measure, the filed petition shall be accompanied by a form designed by the Secretary of State and signed by a chief petitioner as established by law, providing for the means by which the increase in expenditures must be paid. A petition that is filed under paragraph (e) of this subsection may

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 **not be placed on the ballot unless the secretary makes a finding of sufficiency of the means**
2 **by which the increase in expenditures is to be paid.**

3 (3)(a) The people reserve to themselves the referendum power, which is to approve or reject at
4 an election any Act, or part thereof, of the Legislative Assembly that does not become effective
5 earlier than 90 days after the end of the session at which the Act is passed.

6 (b) A referendum on an Act or part thereof may be ordered by a petition signed by a number
7 of qualified voters equal to four percent of the total number of votes cast for all candidates for
8 Governor at the election at which a Governor was elected for a term of four years next preceding
9 the filing of the petition. A referendum petition shall be filed not more than 90 days after the end
10 of the session at which the Act is passed.

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

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

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

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

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

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.**