

# Senate Joint Resolution 6

Sponsored by Senator MANNING JR; Senator PATTERSON (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**. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: The Act amends the Constitution. The Act requires that a recall must be on the ballot at an election that is already happening. The Act refers the amendment to a vote of the people at the next general election. (Flesch Readability Score: 63.4).

Amends the Oregon Constitution to require that a question of whether to recall a public officer must appear on the ballot at the next regularly scheduled election.

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

## JOINT RESOLUTION

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

3 **PARAGRAPH 1.** Section 18, Article II of the Constitution of the State of Oregon, is amended  
4 to read:

5 **Sec. 18.** *[Recall.]* (1) Every public officer in Oregon is subject, as herein provided, to recall by  
6 the electors of the state or of the electoral district from which the public officer is elected.

7 (2) Fifteen *[per cent]* **percent**, but not more, of the number of electors who voted for Governor  
8 in the officer's electoral district at the most recent election at which a candidate for Governor was  
9 elected to a full term, may be required to file their petition demanding the officer's recall by the  
10 people.

11 (3) They shall set forth in the petition the reasons for the demand.

12 (4) If the public officer offers to resign, the resignation shall be accepted and take effect on the  
13 day it is offered, and the vacancy shall be filled as may be provided by law. If the public officer does  
14 not resign within five days after the petition is filed, *[a special election shall be ordered to be held*  
15 *within 35 days in the electoral district to determine whether the people will recall the officer]* **the**  
16 **question of whether to recall the public officer must appear on the ballot at the next regu-**  
17 **larly scheduled election.**

18 (5) On the ballot at the election shall be printed in not more than 200 words the reasons for  
19 demanding the recall of the officer as set forth in the recall petition, and, in not more than 200  
20 words, the officer's justification of the officer's course in office. The officer shall continue to perform  
21 the duties of office until the result of the *[special]* election is officially declared. If an officer is  
22 recalled from any public office, the vacancy shall be filled immediately in the manner provided by  
23 law for filling a vacancy in that office arising from any other cause.

24 (6) The recall petition shall be filed with the officer with whom a petition for nomination to such  
25 office should be filed, and the same officer shall order the *[special election when it is required]* **recall**  
26 **to be placed on the ballot at the next regularly scheduled election.** No such petition shall be  
27 circulated against any officer until the officer has actually held the office six months, save and ex-  
28 cept that it may be filed against a senator or representative in the legislative assembly at any time

**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 after five days from the beginning of the first session after the election of the senator or represen-  
2 tative.

3 (7) After one such petition and [*special*] election, no further recall petition shall be filed against  
4 the same officer during the term for which the officer was elected unless such further petitioners  
5 first pay into the public treasury which has paid such [*special*] election expenses, the [*whole*] amount  
6 of its expenses for the preceding [*special*] election **related to the recall**.

7 (8) Such additional legislation as may aid the operation of this section shall be provided by the  
8 legislative assembly, including provision for payment by the public treasury of the reasonable [*spe-*  
9 *cial*] election campaign expenses of such officer. But the words, “the legislative assembly shall  
10 provide,” or any similar or equivalent words in this constitution or any amendment thereto, shall  
11 not be construed to grant to the legislative assembly any exclusive power of lawmaking nor in any  
12 way to limit the initiative and referendum powers reserved by the people.

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

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