

Senate Joint Resolution 202

Sponsored by Senator KRUSE (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 creating State Board of Education. Directs State Board of Education to appoint Superintendent of Public Instruction and to establish policies for administration and operation of public elementary and secondary schools, community colleges and public universities.

Provides for Governor to continue to serve as Superintendent of Public Instruction until State Board of Education first appoints Superintendent of Public Instruction. Delays transfer of duties related to public universities until March 15, 2016.

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 1a to be added to and made a part of Article VIII, and a new section 8a to be added to and made a part of Article XV, and by amending section 1, Article VIII, and section 1, Article XI-M, such sections to read:

Sec. 1. *[The Governor shall be superintendent of public instruction, and his powers, and duties in that capacity shall be such as may be prescribed by law; but after the term of five years from the adoption of this Constitution, it shall be competent for the Legislative Assembly to provide by law for the election of a superintendent, to provide for his compensation, and prescribe his powers and duties. —]* **The State Board of Education is created for the purpose of establishing policies for the administration and operation of the public elementary and secondary schools, community colleges and public universities in this state. In addition to any powers or duties assigned to the State Board of Education by the Legislative Assembly by law, the State Board of Education shall appoint the Superintendent of Public Instruction.**

SECTION 1a. (1) Notwithstanding section 1, Article VIII of this Constitution:

(a) The Governor shall continue to serve as the Superintendent of Public Instruction until the State Board of Education appoints a Superintendent of Public Instruction.

(b) The State Board of Education may not establish policies for the administration and operation of the public universities in this state until March 15, 2016.

(2) This section is repealed on July 1, 2026.

SECTION 8a. Notwithstanding the provisions of section 1, Article III, and section 10, Article II of this Constitution, a person employed by the State Board of Education is eligible to a seat in the Legislative Assembly, and such membership in the Legislative Assembly does not prevent such person from being employed by the State Board of Education.

Sec. 1. (1) In the manner provided by law and notwithstanding the limitations contained in section 7, Article XI of this Constitution, the credit of the State of Oregon may be loaned and

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 indebtedness incurred, in an aggregate outstanding principal amount not to exceed, at any one time,
2 one-fifth of one percent of the real market value of all property in the state, to provide funds for the
3 planning and implementation of seismic rehabilitation of public education buildings, including sur-
4 veying and conducting engineering evaluations of the need for seismic rehabilitation.

5 (2) Any indebtedness incurred under this section must be in the form of general obligation bonds
6 of the State of Oregon containing a direct promise on behalf of the State of Oregon to pay the
7 principal, premium, if any, interest and other amounts payable with respect to the bonds, in an ag-
8 gregate outstanding principal amount not to exceed the amount authorized in subsection (1) of this
9 section. The bonds are the direct obligation of the State of Oregon and must be in a form, run for
10 a period of time, have terms and bear rates of interest as may be provided by statute. The full faith
11 and credit and taxing power of the State of Oregon must be pledged to the payment of the principal,
12 premium, if any, and interest on the general obligation bonds; however, the ad valorem taxing power
13 of the State of Oregon may not be pledged to the payment of the bonds issued under this section.

14 (3) As used in this section, "public education building" means a building owned by the State
15 Board of *[Higher]* Education, a school district, an education service district, a community college
16 district or a community college service district.

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