

MEASURE NO. _____

**AMENDS CONSTITUTION: LEGISLATORS WITH TEN UNEXCUSED ABSENCES
FROM FLOOR SESSIONS DISQUALIFIED FROM HOLDING NEXT TERM OF OFFICE**

Submitted to the Electorate of Oregon by Initiative Petition to be voted on at the General Election, November 8, 2022.

1 **Explanation**

2 Ballot Measure IP-14 amends the Oregon Constitution to create a constitutional ban
3 to stand for state legislative office, for one term, if a state Senator or Representative is
4 absent without excuse ten or more times from floor sessions during any one legislative
5 session. The measure deems the failure to attend without excuse to be disorderly behavior
6 and disqualifies the legislator from standing for office after the legislator's current term ends.

7 The Oregon Constitution currently requires two-thirds of all members of the Senate
8 or of the House of Representatives to be present for the Senate or the House of
9 Representatives to conduct legislative business. A "floor session" is the term used when
10 the Senate or the House meets to conduct legislative business. If less than two-thirds of the
11 members of the Senate or the House are present, the Senate or the House cannot conduct
12 legislative business. Elected members from both major political parties have sometimes
13 been absent without excuse to deny quorum.

14 The Constitution currently does not establish automatic consequences for a
15 legislator being unexcused and absent from floor session but does authorize members of
16 the Senate or the House who are present for a scheduled floor session to compel the
17 attendance of absent members. The Constitution also authorizes the Senate or the House
18 to discipline a member of their respective legislative chamber for disorderly behavior,
19 including the authority to expel a member by a two-thirds vote in favor of expulsion. The
20 Constitution currently leaves it up to each chamber to determine whether particular conduct
21 of a member of that chamber amounts to disorderly behavior.

1 Legislative rules governing absences are voted on by both chambers, and those
2 rules may define an “unexcused” absence and specify the process for determining an
3 excused or unexcused absence. Currently there is no formal definition or limit in Oregon
4 legislative rules concerning what constitutes an “unexcused” absence. Through the years,
5 there have been wide variations in making this determination. Currently there is no right of
6 appeal against those determinations and no requirement for the Senate President or House
7 Speaker to formally explain their decision to declare a legislator’s absence as unexcused.

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Certification:

We, the undersigned, hereby certify that, pursuant to ORS 251.215(4), we have prepared the statement described under “Explanatory Statement.”

Joe Baessler

Date

Bruce Gilley

Date

Tan Perkins

Date

Sen. Dennis Linthicum

Date

Lynn Nakamoto

Date