

Report of the Committee on the Legislative Department
Article

Sec 1 The Legislative Authority of the State shall be vested in the General Assembly, which shall consist of a Senate and House of Representatives. The style of every bill shall be "Be it enacted by the General Assembly, of the State of Oregon, and no law shall be enacted except by bill —"

Sec 2 The Senate shall consist of fifteen and the House of Representatives of thirty members. Which number shall not be increased for the term of five years from the time of the adoption of this constitution; after which time the ~~General Assembly~~ ^{General Assembly} may increase the number of Senators and Representatives, always keeping the same ratio. ~~But the Senate and House of Representatives~~ ^{as to the number of Senators and Representatives} ~~shall not be increased so that the Senate~~ ^{shall never exceed thirty and the House of Representatives} ~~not provided that the Senate shall never~~ ^{fifty members}

Sec 3 The Senators and Representatives
shall be chosen by the electors, of
the respective Counties, or districts
into which the State may from ^{to time} time,
be divided, by law.

Sec 4 The Senators shall be elected for the
term of four years, and Representatives
for the term of two years, from the
day next after their general election
provided however that the Senators
elect at the — Meeting of the
General Assembly under this
Constitution shall be divided by
lot into two equal classes as nearly
as may be, and the half of Senators
of the first class shall be vacated at
the expiration of two years and those
of the second class at the expiration of
four years; so that one half, as nearly
as possible, shall be chosen biennially
forever thereafter. And in case of the
increase ^{the number} of Senators they shall be so
divided by lot as to one or the other
of the two classes, as to keep them as
nearly equal as possible.

Sec 5 The General Assembly shall, at its
second session after the adoption of
this Constitution, and every five
years thereafter, cause an enumeration
to be made of all the white population
of the State.

Sec 6 The number of Senators and Representa-
tives shall, at the same ^{following} ~~next~~
each period of making such enumeration,
be fixed by law, and apportioned
among the several Counties according
to the number of white population
in each.

And the ratio of Senators and Representatives
shall be determined by dividing the whole number of
white population by the number of Senators and Represen-
tatives respectively; and the number of Senators
and Representatives to which any County or
district shall be entitled shall be determined by
dividing the whole number of white population of
such County or district by such respective ratios,
and when a fraction ^{shall} result from such division,
which shall exceed one half of said ratio such County
or district shall be entitled a member for such fraction
and in case any County now established shall not have the
required population to entitle such County to a member, then
such County shall be attached to some adjoining
County for Senatorial ~~and~~ or Representative purposes

Sec 7 A Senatorial District When more than one County shall constitute ~~a district~~ ^{the same} shall be composed of contiguous counties, and no County shall be divided in creating Senatorial districts.

Sec 8 No person shall be a Senator, or a Representative who, at the time of his election, is not a citizen of the United States; nor any one who has not been for one year, next preceding his election an inhabitant of the County or district whence he may ~~be chosen~~ be chosen. Senators and Representatives, shall be at least twenty one years of age.

Sec 9 Senators and Representatives, in all cases except for treason, felony or breaches of the peace, shall be privileged from arrest, during the session of the General Assembly, and in going to and returning from the same; and shall not be subject to any civil process, during the session of the General Assembly. Nor during the fifteen days next before the commencement thereof, for any speech or debate. Nor shall a ^{Member} ~~Member~~ ⁱⁿ either House be questioned in any other place.

Sec 10 The Sessions of the General Assembly,
shall be held biennially, at the capital
of the State, Commencing on the first
Monday of November, in the year 1850
and on the same day of every second year
thereafter, unless a different day or place
shall have been appointed by law,
But if in the opinion of the Governor
the public welfare shall require
it, he may at any time, by proclamation
call a Special Session.

Sec 11 Each House when assembled, shall
choose its own officers (the President
of the Senate excepted) judge the elections
qualifications, and returns of its own
Members, determine its own rules of
proceeding, and set upon its own
adjournments; But neither House
shall without the concurrence of
the other, adjourn for more than
three days nor to any other place than
that in which it may be sitting.

Sec 12 Two thirds of each House shall constitute a quorum, to do business, but a smaller number, ^{may} that adjourn from day to day, and compel the attendance of absent members. A quorum being in attendance if either House fail to effect an organization, within the first five days thereafter; the members of the House so failing, shall be entitled to no compensation, from the end of the said five days, until an organization shall have been effected.

Sec 13 Each House shall keep a journal of its proceedings, and publish the same. The yeas and nays, on any question shall, at the request of any two members, be entered together with the names of the members.

amending the same, on the journal:
provided that on a Motion to
adjourn, it shall require one
tenth of the Members present to
order the yeas and nays.

Sec 14 The Doors of each House, and of
Committees of the whole shall be
kept open, except in such cases,
or in the opinion of either House,
they require to be closed.

Sec 15 Either House may punish its Members
for disorderly behavior, and may, with
the concurrence of two thirds, expel
a Member; but not a second time
for the same cause.

Sec 16 Either House during its session ~~may~~
may punish ~~for~~ by imprisonment,
any person not a Member who shall
have been guilty of disrespect to
the House, by disorderly or contemptuous
behavior in its presence; but such
imprisonment shall not ^{time} ~~to~~ ^{exceed} ~~longer~~
twenty four hours.

- Sec 17 Each House shall have all powers, necessary for a branch of the Legislative Department, of a free and independent State.
- Sec 18 Bills may originate in either House but may be amended or rejected in the other, except that bills for raising revenue shall originate in the House of Representatives
- Sec 19 Every bill shall be read by Sections, on three several days in each House; unless in case of emergency, two thirds of the House ~~where~~ ~~in which~~ such bill may be depending shall by a vote of yeas and nays, deem it expedient to dispense with this rule; but the reading of a bill by Sections on its final passage shall, in ~~no~~ ~~no~~ case be dispensed with and the vote on the passage of every bill or joint resolution shall be taken by yeas and nays.

Sec 20 Every act shall embrace but one subject, and matters properly connected therewith. Which subject shall be expressed in the title. But if any subject shall be embraced in an act which shall not be expressed in the title, such act shall be void only as to so much thereof, as shall not be expressed in the title.

Sec 21 Every act and joint resolution shall be plainly worded avoiding as far as practicable the use of technical terms.

Sec 22 No act shall ever be revised or amended by mere reference to its title; but the act revised or section amended shall be set forth and published at full length.

Sec 23 The General assembly shall not pass special or local laws, in any of the following enumerated cases, that is to say,
Regulating the jurisdiction and duties

of Justices of the peace and of
Constables;

For the punishment of crimes and
Misdemeanors;

Regulating the practice in Courts
of justice.

Providing for changing the venue
in civil and criminal cases;

Granting divorces;

Changing the names of persons;

For laying out, opening and working
on, highways, and for the election or appointment
of supervisors;

Vacating roads town plots, streets
alleys, and public squares.

Summoning and empanneling grand
and petit juries, ~~and providing~~
~~for their compensation;~~

Regulating County and Township
~~affairs~~ business

Regulating ^{the election of} County and Township
officers ~~and their compensation~~

For the assessment and
collection of taxes for State County
township or road purposes.

Providing for supporting Common
Schools and for the preservation
of school funds.

~~In relation to fees and salaries~~

In relation to interest on Money
Providing for opening and
conducting elections of State, County
or Township officers and designating
the places of voting;

Providing for the sale of real estate
belonging to criminals, or other persons
laboring under legal disabilities,
by executors, administrators guardians
or trustees.

Sec 24 In all the cases enumerated in the preceding
Section, and in all other cases, when a general
~~statute~~ law can be made applicable all laws
shall be of general and of a uniform operation
throughout the State.

Sec 25 Provision may be made, by general law, for
bringing suit against the State, as to
all liabilities originating after the adoption
of this constitution; but no special act
authorizing such suit to be brought, or
making compensation to any person claiming
damages against the State shall ever be passed.

Sec 26 A Majority of all the Members elected to each House shall be necessary, to pass every bill or joint resolution; and all bills and joint resolutions so passed, shall be signed by the presiding officers of the respective Houses.

Sec 27 Any Member of either House, shall have the right to protest, and have his protest with his reasons for dissent, entered on the journal.

Sec 28 Every Statute, shall be a public law, unless otherwise declared in the statute itself

Sec 29 No act shall take effect until the same shall have been published and circulated in the several Counties of this State, by authority except in case of emergency; which emergency shall be declared in the preamble or in the body of the law.

30 The Members of the General Assembly shall receive for their services, a ~~compensation~~ sum not exceeding, three dollars a day, from the commencement of the session; but such pay shall not exceed in the aggregate

one hundred and eighty dollars for
per diem allowance for anyone serving.

When convened in extra session by
the Governor they shall receive
three dollars per day - But no extra
session shall continue for a
longer period than thirty days
They shall also receive ^{the sum of} three dollars
for every twenty ~~to~~ miles they shall
travel in going to and returning
from their place of meeting, on the
most usual route.

The Speaker of the Assembly shall
in virtue of his office receive an
additional compensation equal
to two thirds of his per diem
allowance as a member -

Sec 31 No Senator or Representative shall during
the term for which he may have been
elected, be eligible to any office, the
election to which is vested in the
General Assembly; Nor shall he be
appointed to any civil office of
profit, which shall have been created
or the emoluments of which shall
have been increased during such term;
but this latter provision shall not be construed to apply
to any office elected by the people

Sec 52. At the Session of the General Assembly next preceding the expiration of the term of office of a United States Senator or Senators from this State, the members of the ~~the~~ Senate and House of Representatives shall meet in Electoral Convention, in the Hall of the House of Representatives, at the hour of ten o'clock A.M. on the second Monday of the Session and proceed to elect such Senator or Senators and the person or persons having ~~the largest number of~~ a Majority of the votes then given shall be deemed duly elected. No separate or joint action of either House of the General Assembly shall be necessary to authorize such Electoral Convention. When assembled the Speaker of the House shall be the presiding officer of the Convention, and if the Convention shall fail to make an election at its Session on said Monday, it may adjourn from day to day thereafter, until such election is made on the Session of the General Assembly expire by limitation of ~~the~~ time.

The proceedings of such Electoral Convention shall be extended in the journals of the House of Representatives and a certificate

Copy thereof shall be evidence of the election
of such Senators or Representatives

Provide that at the first session of
the General Assembly and Electoral
Convention shall be held upon the
fourth day of said session—

~~but the latter shall not be
applied, the only exception by the
people~~

Sec 33 The Members of the general Assembly
shall before they enter on the duties of
their respective offices, take ^{and subscribe} the following
oath or affirmation.

I do Solemnly swear (or affirm as
the case may be) that I will support
the Constitution of the United States,
and the Constitution of the State
of Oregon and that I will faithfully
discharge the duties of Senator (or
Representative as the case may be) according
to the best of my ability.

And such oath may be administered
by the Governor or Secretary of State or
a judge of the Supreme Court.

Article on
Legislative Department

Read 1st time Aug 26th

" 2nd " Sept 3rd

& referred to Committee
of the whole

Said on table Sept
9th

Ordered to be engrossed
and Read a 3^d time on
Tuesday next Sept 15th