

Appendix A

CONFLICTS

During a session of the Legislative Assembly, often more than one measure will propose amendments to or the repeal of an ORS section, uncodified session law, ORCP, or section of the Oregon Constitution. When the proposed changes cannot be blended exactly, the measures are considered conflicting, even if there are no substantive conflicts. Section 22, Article IV of the Oregon Constitution, allows the compilation of more than one amendment to a statute unless the amendments conflict in purpose, in which case “the act last signed by the Governor shall control.”

Legislative committee staff are responsible for reporting all measures that are ready to be reported out of committee in the second house or out of conference committee to the Legislative Counsel Office for conflicts review before filing the measures at the Desk. If conflict amendments are necessary to preserve the legislative intent of conflicting measures, amendments are drafted and offered to the committee for its consideration. Committee staff sign and date a conflicts checkoff on the Committee Report before the measure is filed.

AMENDMENTS TO RESOLVE CONFLICTS

Use an “if” amendment if the Governor has not yet signed the other bill. **FOR EXAMPLE:**

SECTION 48. ORS 463.035 is amended to read:
463.035. (1) (Insert text)

SECTION 48a. If House Bill 2125 becomes law, section 2, chapter ____, Oregon Laws 1995 (Enrolled House Bill 2125) (amending ORS 463.035), is repealed and ORS 463.035, as amended by section 48 of this Act, is amended to read:

463.035. (1) (Insert text)

The amending clause in the example above appears in **boldfaced** type because it also contains a repealing clause that must appear in **boldfaced** type.

Use an “as amended by” amendment if the other bill has already become law. **FOR EXAMPLE:**

SECTION 2. ORS 1.360, as amended by section 3, chapter 125, Oregon Laws 1995 (Enrolled Senate Bill 1555), is amended to read:
1.360. (Insert text)

When setting forth a section for *further* amending, omit any bracketed material and include, but **do not** boldface, any previously boldfaced material. Only material that is deleted or inserted by the section doing the *further* amending will be in [*brackets and italic*] type or **boldfaced** type.

Insert the phrase “to Resolve Conflicts” after “Proposed Amendments” in the amendment heading *only* if the amendments are *exclusively* nonsubstantive conflict amendments. Conflict amendments that are combined with substantive amendments are printed *without* the conflicts heading. If conflict amendments amend or repeal any ORS sections, uncodified session laws, ORCP, Oregon Constitution sections, or sections in other measures, be sure that the conflict amendments reflect the necessary corresponding changes in the relating clause.

NOTES