

Constitution of Oregon

2017 EDITION

Constitutional Provisions Related to Water

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ARTICLE XI-D STATE POWER DEVELOPMENT

- Sec. 1. State's rights, title and interest to water and water-power sites to be held in perpetuity
2. State's powers enumerated
 3. Legislation to effectuate article
 4. Construction of article

Section 1. State's rights, title and interest to water and water-power sites to be held in perpetuity. The rights, title and interest in and to all water for the development of water power and to water power sites, which the state of Oregon now owns or may hereafter acquire, shall be held by it in perpetuity. [Created through initiative petition filed July 7, 1932, and adopted by the people Nov. 8, 1932]

Section 2. State's powers enumerated. The state of Oregon is authorized and empowered:

1. To control and/or develop the water power within the state;
2. To lease water and water power sites for the development of water power;
3. To control, use, transmit, distribute, sell and/or dispose of electric energy;
4. To develop, separately or in conjunction with the United States, or in conjunction with the political subdivisions of this state, any water power within the state, and to acquire, construct, maintain and/or operate hydroelectric power plants, transmission and distribution lines;
5. To develop, separately or in conjunction with the United States, with any state or states, or political subdivisions thereof, or with any political subdivision of this state, any water power in any interstate stream and to acquire, construct, maintain and/or operate hydroelectric power plants, transmission and distribution lines;
6. To contract with the United States, with any state or states, or political subdivisions thereof, or with any political subdivision of this state, for the purchase or acquisition of water, water power and/or electric energy for use, transmission, distribution, sale and/or disposal thereof;

7. To fix rates and charges for the use of water in the development of water power and for the sale and/or disposal of water power and/or electric energy;

8. To loan the credit of the state, and to incur indebtedness to an amount not exceeding one and one-half percent of the true cash value of all the property in the state taxed on an ad valorem basis, for the purpose of providing funds with which to carry out the provisions of this article, notwithstanding any limitations elsewhere contained in this constitution;

9. To do any and all things necessary or convenient to carry out the provisions of this article. [Created through initiative petition filed July 7, 1932, and adopted by the people Nov. 8, 1932; Amendment proposed by S.J.R. 6, 1961, and adopted by the people Nov. 6, 1962]

Section 3. Legislation to effectuate article. The legislative assembly shall, and the people may, provide any legislation that may be necessary in addition to existing laws, to carry out the provisions of this article; Provided, that any board or commission created, or empowered to administer the laws enacted to carry out the purposes of this article shall consist of three members and be elected without party affiliation or designation. [Created through initiative petition filed July 7, 1932, and adopted by the people Nov. 8, 1932]

Section 4. Construction of article. Nothing in this article shall be construed to affect in any way the laws, and the administration thereof, now existing or hereafter enacted, relating to the appropriation and use of water for beneficial purposes, other than for the development of water power. [Created through initiative petition filed July 7, 1932, and adopted by the people Nov. 8, 1932]

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ARTICLE XI-I(1) WATER DEVELOPMENT PROJECTS

- Sec. 1. State empowered to lend credit to establish Water Development Fund; eligibility; use
2. Bonds
 3. Refunding bonds
 4. Sources of revenue
 5. Legislation to effectuate Article