

House Bill 3559

Sponsored by Representatives KOTEK, GELSER, GREENLICK

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**.

Sets procedure for statewide special election on House Bill 3558 (2007).
Appropriates moneys from General Fund to Secretary of State for expenses of submitting measure to people at special election to be held on November 6, 2007.
Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to elections; appropriating money; and declaring an emergency.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1. Except as otherwise provided in this 2007 Act, ORS chapters 250, 251 and 254**
5 **apply to the special election held on House Bill 3558 (2007).**

6 **SECTION 2. A special election shall be held throughout this state on November 6, 2007.**
7 **The measure referred to in section 1 of this 2007 Act and that is otherwise referred to the**
8 **people by the Legislative Assembly shall be submitted to the electors for their approval or**
9 **rejection at the special election.**

10 **SECTION 3. (1) Notwithstanding ORS 250.035, 250.067, 250.075 (2) and 254.085 (3), the ballot**
11 **title for House Bill 3558 (2007) shall be:**

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13
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15 **PROVIDES HEALTH INSURANCE TO ALL UNINSURED CHILDREN UNDER 19, FUNDS**
16 **TOBACCO PREVENTION PROGRAMS AND INCREASES TOBACCO TAXES.**

17
18 **RESULT OF "YES" VOTE: "Yes" vote provides health insurance for all children under 19,**
19 **funds tobacco prevention programs and funds coverage for health care for low-income adults**
20 **through an increase in tobacco taxes.**

21
22 **RESULT OF "NO" VOTE: "No" vote rejects proposal providing health insurance for all chil-**
23 **dren under 19, funding tobacco prevention programs and funding coverage for low-income**
24 **adults; maintains tobacco taxes at current levels.**

25
26 **SUMMARY: This measure increases the tax on cigarettes by 84.5 cents per pack of cigarettes**
27 **and increases tax on other tobacco products. Creates Oregon Healthy Kids Program, which**
28 **includes private health insurance option for health care for all children under age 19. Im-**
29 **proves funding for tobacco reduction and education programs and expands health insurance**
30 **coverage to Oregon's lowest income families and individuals through the Oregon Health Plan.**

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 _____
2
3 **(2) ORS 250.085 does not apply to the ballot title prepared under this section. The ballot**
4 **title prepared under this section shall be the ballot title printed in the voters' pamphlet and**
5 **printed on, or included with, the ballot.**

6 **SECTION 4. (1) Notwithstanding ORS 250.125, 250.127 and 250.131, the estimate of finan-**
7 **cial impact for House Bill 3558 (2007) to be printed in the voters' pamphlet and printed on,**
8 **or included with, the ballot shall be:**

9 _____
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16 **(2) ORS 250.131 does not apply to the financial estimate prepared under this section. The**
17 **financial estimate prepared under this section shall be the financial estimate printed in the**
18 **voters' pamphlet and printed on, or included with, the ballot.**

19 **SECTION 5. (1) Notwithstanding ORS 251.205, 251.215, 251.225, 251.230 and 251.235, the**
20 **explanatory statement to be printed in the voters' pamphlet for House Bill 3558 (2007) shall**
21 **be:**

22 _____
23
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27 _____
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29 **(2) ORS 251.235 does not apply to the explanatory statement prepared under this section.**
30 **The explanatory statement prepared under this section shall be printed in the voters' pam-**
31 **phlet.**

32 **SECTION 6. (1) Arguments relating to the measure referred to in section 1 of this 2007**
33 **Act may be filed with the Secretary of State under ORS 251.245 and 251.255, except that an**
34 **argument shall be filed not later than the date set by the Secretary of State by rule.**

35 **(2) Notwithstanding ORS 192.410 to 192.505 relating to public records, an argument filed**
36 **under this section is exempt from public inspection until the fourth business day after the**
37 **deadline for filing the argument.**

38 **SECTION 7. (1) The Secretary of State shall cause to be printed in the voters' pamphlet**
39 **the number, ballot title and text of the measure referred to in section 1 of this 2007 Act and**
40 **the financial estimate, explanatory statement and arguments relating to the measure. The**
41 **Secretary of State shall also cause to be printed in the voters' pamphlet any other material**
42 **required by law. Notwithstanding ORS 251.026, the Secretary of State shall include in the**
43 **voters' pamphlet the information or statements described in ORS 251.026 that the Secretary**
44 **of State considers applicable to the election on the measure referred to in section 1 of this**
45 **2007 Act.**

1 (2) Not later than the 10th day before the election, the Secretary of State shall cause the
2 voters' pamphlet to be mailed to each post-office mailing address in Oregon and may use any
3 additional means of distribution necessary to make the pamphlet available to electors.

4 (3) In preparing the voters' pamphlet under this section, the Secretary of State is not
5 required to comply with ORS chapter 279B relating to competitive bidding.

6 (4) For purposes of sections 1 to 10 of this 2007 Act, the election referred to in ORS
7 251.295 is the special election held on the date specified in section 2 of this 2007 Act.

8 **SECTION 8.** (1) Notwithstanding the deadline in ORS 254.085, the Secretary of State shall
9 prepare and deliver to each county clerk by the most expeditious means practicable a certi-
10 fied statement of the measure referred to in section 1 of this 2007 Act. The Secretary of
11 State shall include with the statement the number, financial estimate and full ballot title of
12 the measure, and any other information required by law. The Secretary of State shall keep
13 a copy of the statement.

14 (2) The county clerks shall print on the ballot the number, financial estimate and full
15 ballot title of the measure, along with any other material required by law. In lieu of printing
16 the financial estimate, the summary portion of the ballot title or other material required by
17 law on the ballot, a county clerk may include with the ballot the complete text of the ballot
18 title, the financial estimate and any other material required by law.

19 **SECTION 9.** (1) The Secretary of State may adopt rules governing the procedures for
20 conducting the election on the measure referred to in section 1 of this 2007 Act as may be
21 necessary to implement sections 1 to 9 of this 2007 Act.

22 (2) Notwithstanding ORS 254.465, the election on the measure referred to in section 1 of
23 this 2007 Act shall be conducted by mail in all counties in this state as provided under ORS
24 254.470.

25 **SECTION 10.** (1) In addition to and not in lieu of any other appropriation or moneys made
26 available by law or from other sources, there is appropriated to the Secretary of State, for
27 the biennium beginning July 1, 2007, out of the General Fund, the amount of \$_____ for the
28 payment of direct expenses of this state incurred in submitting, by action of the Legislative
29 Assembly, the measure referred to in section 1 of this 2007 Act to the people at a special
30 election held throughout this state on November 6, 2007.

31 (2) Any part of the appropriation under subsection (1) of this section that is unexpended
32 and unobligated on June 30, 2008, shall revert to the General Fund.

33 **SECTION 11.** This 2007 Act being necessary for the immediate preservation of the public
34 peace, health and safety, an emergency is declared to exist, and this 2007 Act takes effect
35 on its passage.

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