

2008 Special Session
FISCAL ANALYSIS OF PROPOSED LEGISLATION
Prepared by the Oregon Legislative Fiscal Office

MEASURE NUMBER: SJR 40

STATUS: Original

SUBJECT: Proposes amendment to the Oregon Constitution for state initiative petition requirements.

GOVERNMENT UNIT AFFECTED: Secretary of State

PREPARED BY: John F. Borden

REVIEWED BY: Daron Hill

DATE: February 11, 2008

EXPENDITURES: See Analysis

INTERIM JOINT COMMITTEE ON WAYS AND MEANS: The budgetary impact of this bill was neither reviewed nor approved by the Interim Joint Committee on Ways and Means Committee and is not included in the omnibus budget bill to be introduced by the committee.

LOCAL GOVERNMENT MANDATE: This bill does not affect local governments' service levels or shared revenues sufficient to trigger Section 15, Article XI of the Oregon Constitution.

EFFECTIVE DATE: On passage

COMMENTS: This measure changes the current process in place of how a proposed initiative law gets on the ballot. Currently, signatures are compiled for a proposed initiative law and the Secretary of State puts the proposed initiative laws on the ballot to be considered by the people. This measure changes the current process in that it requires the Secretary of State to submit each petition to the Legislative Assembly to consider and refer to the people (before it is placed on the ballot). The measure changes the current process in that it requires the Legislative Assembly to review all of the initiative petitions. The measure specifies that the Legislative Assembly consider the initiative petition as it does a bill and refer an alternative, reject it, or take no action on it. The measure specifies that with all of the three things that the Legislative Assembly can do (refer an alternative, reject it, or take not action) it still goes to the ballot (except if the chief petitioner of the bill requests in writing that it not get put on the ballot). The proposed initiative law either appears in its original form or as an alternative on the ballot and whichever receives the highest number of affirmative votes is approved or enacted.

Under procedures established in Oregon Revised Statute 250.125 and 250.127, a financial impact committee is created for each state measure submitted to the ballot through the initiative and referendum processes. For this reason, Legislative Fiscal Office (LFO) does not include an estimate of the fiscal impact that would result if SJR 40 were to be adopted by a vote of the people. Also, for purposes of this fiscal impact statement, LFO assumes that a ballot measure would be placed before voters in the next regular general election in November 2008.

Secretary of State

The Legislatively Adopted Budget for the Secretary of State for 2007-09 provided \$1.2 million to fund the voters' pamphlets in the 2008 election cycle. The SOS cost of voter pamphlets are dependant upon the number of ballot measures and the number of supporting and opposing arguments. At this point, the total number of initiatives and legislative referrals affecting the 2008 election cycle will not be known until the respective deadlines of the primary and general elections have passed. Therefore, the cumulative impact of all referrals on the SOS budget, including this measure, cannot be determined.

LFO assumes that the SOS will seek a General Fund appropriation from the Emergency Board, if actual voters' pamphlet costs exceed available resources.

County Government

For counties, the addition of a single ballot measure has a minimal fiscal impact unless the addition of a legislatively introduced ballot(s) increases the size of the county ballot beyond a single page. Counties with multiple page ballots would experience increased expenditures for printing, postage, and counting.

Subsequent Referral

This measure currently has a subsequent referral to the Joint Committee on Ways and Means.