

House Bill 3010

Sponsored by COMMITTEE ON RULES

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**.

Deletes requirement that Legislative Administration Committee provide administrative staff assistance for preparation of explanatory statements and financial impact statements for state ballot measures.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to Legislative Administration Committee; creating new provisions; amending ORS 250.125
3 and 251.205; and declaring an emergency.

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

5 **SECTION 1.** ORS 250.125 is amended to read:

6 250.125. (1) When a state measure involves expenditure of public moneys by the state, reduction
7 of expenditure of public moneys by the state, reduction of state revenues or raising of funds by the
8 state by imposing any tax or incurring any indebtedness, the financial estimate committee created
9 under this section shall estimate:

10 (a) The amount of direct expenditure, direct reduction of expenditure, direct reduction in state
11 revenues, direct tax revenue or indebtedness and interest that will be required to meet the pro-
12 visions of the measure if it is enacted; and

13 (b) The aggregate amount of direct expenditure, direct reduction of expenditure, direct reduction
14 in revenues, direct tax revenue or indebtedness and interest that will be required by any city,
15 county or district to meet the provisions of the measure if it is enacted.

16 (2) For a state measure for which an estimate is required to be prepared under subsection (1)
17 of this section, the financial estimate committee may also estimate the amount of direct expenditure,
18 direct reduction of expenditure, direct reduction in revenues, direct tax revenue or indebtedness and
19 interest that will result for the state or any city, county or district if the measure is not enacted.
20 The financial estimate committee may make an estimate under this subsection if the Legislative
21 Assembly has enacted a law that will apply only if the measure for which the estimate is prepared
22 is not enacted.

23 (3) For a state measure for which an estimate is required to be prepared under subsection (1)
24 of this section, the financial estimate committee shall consult with the Legislative Revenue Officer
25 to determine if the measure has potentially significant indirect economic or fiscal effects. If the
26 committee determines that the indirect economic or fiscal effects of the measure are significant and
27 can be estimated, the Legislative Revenue Officer shall prepare on behalf of the committee an im-
28 partial estimate of the indirect economic or fiscal effects of the measure. The Legislative Revenue
29 Officer shall use the best available economic models and data to produce the estimate. The financial
30 estimate committee shall incorporate relevant parts of the estimate prepared by the Legislative Re-

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 venue Officer into the estimate prepared by the committee under subsection (1) of this section.

2 (4) Except as provided in subsection (5) of this section, the estimates described in subsections
 3 (1) and (2) of this section shall be printed in the voters' pamphlet and on the ballot. The estimates
 4 shall be impartial, simple and understandable and shall include the following information:

5 (a) A statement of the amount of financial effect on state or local government expenditures, re-
 6 venues or indebtedness, expressed as a specific amount or as a range of amounts;

7 (b) A statement of any recurring annual amount of financial effect on state or local government
 8 expenditures, revenues or indebtedness;

9 (c) A description of the most likely financial effect or effects of the adoption of the measure; and

10 (d) If an estimate is made under subsection (2) of this section, a description of the most likely
 11 financial effect or effects if the measure is not enacted.

12 (5) If the financial estimate committee determines that the measure will have no financial effect
 13 on state or local government expenditures, revenues or indebtedness or that the financial effect on
 14 state or local government expenditures, revenues or indebtedness will not exceed \$100,000, the
 15 committee shall prepare and file with the Secretary of State a statement declaring that the measure
 16 will have no financial effect or that the financial effect will not exceed \$100,000. The statement shall
 17 be printed in the voters' pamphlet and on the ballot.

18 (6) In addition to the estimates described in subsections (1) and (2) of this section, if the finan-
 19 cial estimate committee considers it necessary, the committee may prepare and file with the Secre-
 20 tary of State an impartial, simple and understandable statement explaining the financial effects of
 21 the measure. The statement may not exceed 500 words. The statement shall be printed in the voters'
 22 pamphlet with the measure to which it relates.

23 *[(7) The Legislative Administration Committee shall provide any administrative staff assistance*
 24 *required by the financial estimate committee to facilitate the work of the financial estimate committee*
 25 *under this section or ORS 250.127.]*

26 ~~[(8)]~~ (7) The financial estimate committee is created, consisting of the Secretary of State, the
 27 State Treasurer, the Director of the Oregon Department of Administrative Services, the Director
 28 of the Department of Revenue and a representative of a city, county or district with expertise in
 29 local government finance. The representative of a city, county or district shall be selected by the
 30 four other members of the financial estimate committee and shall serve for a term of two years that
 31 begins on March 1 of the odd-numbered year.

32 **SECTION 2.** ORS 251.205 is amended to read:

33 251.205. (1) As used in this section, "proponents" means:

34 (a) With respect to any state measure initiated or referred by petition, the chief petitioners; or

35 (b) With respect to a measure referred by the Legislative Assembly, the President of the Senate,
 36 who shall appoint a Senator, and the Speaker of the House of Representatives, who shall appoint a
 37 Representative.

38 (2) For each state measure to be submitted to the people at a special election held on the date
 39 of a primary election or any general election, a committee of five citizens shall be selected to pre-
 40 pare the explanatory statement under ORS 251.215.

41 (3) Not later than the 120th day before the election, the proponents of the measure shall appoint
 42 two members to the committee and notify the Secretary of State in writing of the selections. If the
 43 proponents do not appoint two members, the Secretary of State shall appoint two members of the
 44 committee from among supporters, if any, of the measure not later than the 118th day before the
 45 election.

1 (4) Not later than the 118th day before the election, the Secretary of State shall appoint two
2 members of the committee from among the opponents, if any, of the measure.

3 (5) The four appointed members of the committee shall select the fifth member and notify the
4 Secretary of State in writing of the selection. If the four members have not selected the fifth member
5 by the 111th day before the election, the fifth member shall be appointed by the Secretary of State
6 not later than the 109th day before the election.

7 (6) A vacancy shall be filled not later than two business days after the vacancy occurs by the
8 person who made the original appointment. Unless the Secretary of State fills a vacancy, the person
9 filling the vacancy shall notify the Secretary of State in writing of the selection.

10 (7) With respect to a measure referred by the Legislative Assembly, a Senator or Representative
11 appointed under subsection (2) of this section may disclose whether the Senator or Representative
12 supports or opposes the state measure. The Secretary of State shall print the disclosure in the vot-
13 ers' pamphlet following the explanatory statement.

14 *[(8) The Legislative Administration Committee shall provide any administrative staff assistance*
15 *required by the explanatory statement committee to facilitate the work of the explanatory statement*
16 *committee under this section or ORS 251.215.]*

17 *[(9)]* (8) For purposes of this section, "measure" includes an initiative petition relating to a state
18 measure that has been filed with the Secretary of State for the purpose of verifying signatures under
19 ORS 250.105. The requirements of this section shall not apply to the petition if the secretary deter-
20 mines that the petition contains less than the required number of signatures of electors.

21 **SECTION 3. The amendments to ORS 250.125 and 251.205 by sections 1 and 2 of this 2009**
22 **Act apply to estimates described in ORS 250.125 and statements described in ORS 251.205 to**
23 **be prepared for state measures that will appear on the ballot on or after January 1, 2009.**

24 **SECTION 4. This 2009 Act being necessary for the immediate preservation of the public**
25 **peace, health and safety, an emergency is declared to exist, and this 2009 Act takes effect**
26 **on its passage.**