

REVENUE: No revenue impact

FISCAL: Fiscal statement issued

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Action:	Do Pass
Vote:	10 - 0 - 0
Yeas:	Berger, Edwards, Garrard, Garrett, Gelser, Hanna, Jenson, Nolan, Read, Roblan
Nays:	0
Exc.:	0
Prepared By:	Cheyenne Ross, Administrator
Meeting Dates:	2/22

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**WHAT THE MEASURE DOES:** Modifies regular session beginning date for Legislative Assembly only if Senate Joint Resolution 41 (2010) is approved by people at next regular general election. Allows Legislative Assembly to recess for more than three calendar days during January 2011 and suspends payment for per diem during such days only if Senate Joint Resolution 41 (2010) is not approved by the people at next regular general election.

**ISSUES DISCUSSED:**

- Provisions of measure
- Need for statute rather than rule due to constitutional prohibition on recess of more than three days
- Budget concerns

**EFFECT OF COMMITTEE AMENDMENT:** No amendment.

**BACKGROUND:** Article IV, Section 10 of the Oregon Constitution establishes that “the sessions of the Legislative Assembly shall be held biennially at the Capitol of the State commencing on the second Monday of September, in the year eighteen hundred and fifty eight, and on the same day of every second year thereafter, unless a different date shall have been appointed by law.” ORS 171.010 establishes that “the sessions of the Legislative Assembly shall be held at the capital of the state and shall commence on the second Monday in January of each odd-numbered year.” Senate Bill 1063 would change the date for the start of a regular Legislative Session from the second Monday in January to the first day of February of each year. If the first day of February is a Thursday, Friday, Saturday or Sunday, the regular session would begin on the following Monday.

Article IV, Section 11 of the Oregon Constitution proscribes rules of proceedings and adjournment of the Legislative Assembly. Section 11 states that “neither house shall without the concurrence of the other, adjourn for more than three days.” Senate Bill 1063 would permit the Legislative Assembly to adjourn for period of more than three days during January 2011, if Senate Joint Resolution 41 (2010) is not approved by voters at the next general election.

ORS 171.072(3) allows members of the Legislative Assembly to receive per diem for each day that the assembly is in session. If Senate Joint Resolution 41 (2010) is not approved by voters at the next general election, Senate Bill 1063 would suspend per diem for days that the Legislative Assembly is in recess during January 2011.

2/22/2010 5:49:00 PM

*This summary has not been adopted or officially endorsed by action of the committee.*