

2010 Special Session
FISCAL ANALYSIS OF PROPOSED LEGISLATION
Prepared by the Oregon Legislative Fiscal Office

MEASURE NUMBER: SJR 41

STATUS: B Minority Report

SUBJECT: Amending Constitution to (a) require an annual session of the Legislative Assembly, (b) provide that a session beginning in an odd-numbered year may not exceed 165 calendar days, and a session beginning in an even-numbered year may not exceed 45 calendar days, and (c) allow an organizational session, and regular session extension.

GOVERNMENT UNIT AFFECTED: Oregon Secretary of State

PREPARED BY: Erica Kleiner/Kim To

REVIEWED BY: Daron Hill

DATE: February 23, 2010

	<u>2009-2011</u>	<u>2011-2013</u>
EXPENDITURES:		
Elections Division		
Voters' Pamphlet – General Fund	\$38,031	\$0
REVENUES:		
Elections Division – General Fund	\$5,500	\$0

INTERIM JOINT COMMITTEE ON WAYS AND MEANS: The budgetary impact of this bill was not reviewed and approved by the Interim Joint Committee on Ways and Means 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.

ANALYSIS: This measure would refer for voter approval a Constitutional amendment to (a) require an annual session of the Legislative Assembly, (b) provide that a session beginning in an odd-numbered year may not exceed 165 calendar days, and a session beginning in an even-numbered year may not exceed 45 calendar days, and (c) allow an organizational session, and regular session extension.

The referral would be on the ballot at the statewide regular general election of 2010.

The minority report limits the actions that may be taken by the Legislative Assembly in an even-numbered year to (1) adoption of memorials or resolutions; (2) actions pertaining to legislative officers and rules of proceedings and adjournments; and (3) passage of bills or adoption of resolutions proposing constitutional amendments that appropriate or allocate moneys or limit expenditures, regulate taxation or exemption, or receive at least two-thirds vote in favor of passage in each chamber. The minority report does not change the original fiscal impact determination.

The fiscal impact to the Secretary of State's office is the state's portion of incremental costs incurred for an already-funded election. The mechanism for funding the voters' pamphlet in the 2010 election cycle has not yet been determined.

There were seven legislative referrals on the 2008 primary and general election ballots; estimates of the number of pages that would be used are based these. Costs of the 202-page (average) 2008 general

voters' pamphlet (\$1,067,599), was used for estimating 2009-11 costs. Each referral is assumed to result in seven additional pages in the voters' pamphlet, for a General Fund total of \$38,031. The revenue estimate assumes eleven arguments pro and con would be filed relating to the referral, at \$500 per argument.

Because the total number of initiatives and legislative referrals affecting the 2010 election cycle will not be known until the respective deadlines of the primary and general elections, the cumulative impact, including this measure, cannot be determined. The Legislative Fiscal Office (LFO) assumes that the Secretary will seek a General Fund appropriation from the Emergency Board or Legislative Assembly when the actual voters' pamphlet costs are known.

Under procedures established in ORS 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, LFO does not include an estimate of the fiscal impact that would result if SJR 41 were to be adopted by a vote of the people.