

# Senate Bill 18

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## 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**.

Allows financial estimate committee to estimate financial impact of state measure on Native American or American Indian tribal government.

## A BILL FOR AN ACT

1  
2 Relating to financial impact of state measures on tribal governments; creating new provisions; and  
3 amending ORS 250.125 and 250.127.

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 sub-**  
17 **section (1) of this section, the financial estimate committee may estimate the aggregate**  
18 **amount of direct expenditure, direct reduction of expenditure, direct reduction in revenues,**  
19 **direct tax revenue or indebtedness and interest that will be required by any federally recog-**  
20 **nized Native American or American Indian tribal government to meet the provisions of the**  
21 **measure if it is enacted.**

22 [(2)] (3) *[For a state measure]* **If the Legislative Assembly has enacted a law that will apply**  
23 **only if the measure** for which an estimate is required to be prepared under subsection (1) of this  
24 section **is not enacted**, the financial estimate committee may also estimate the amount of direct  
25 expenditure, direct reduction of expenditure, direct reduction in revenues, direct tax revenue or  
26 indebtedness and interest that will result for the state, *[or]* any city, county or district **or any**  
27 **federally recognized Native American or American Indian tribal government** if the measure is  
28 not enacted. *[The financial estimate committee may make an estimate under this subsection if the*  
29 *Legislative Assembly has enacted a law that will apply only if the measure for which the estimate is*  
30 *prepared is not enacted.]*

**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        [(3)] (4) For a state measure for which an estimate is required to be prepared under subsection  
 2 (1) of this section, the financial estimate committee shall consult with the Legislative Revenue Of-  
 3 ficer to determine if the measure has potentially significant indirect economic or fiscal effects. If the  
 4 committee determines that the indirect economic or fiscal effects of the measure are significant and  
 5 can be estimated, the Legislative Revenue Officer shall prepare on behalf of the committee an im-  
 6 partial estimate of the indirect economic or fiscal effects of the measure. The Legislative Revenue  
 7 Officer shall use the best available economic models and data to produce the estimate. The financial  
 8 estimate committee shall incorporate relevant parts of the estimate prepared by the Legislative Re-  
 9 venue Officer into the estimate prepared by the committee under subsection (1) of this section.

10        [(4)] (5) Except as provided in subsection [(5)] (6) of this section, the estimates described in  
 11 subsections (1) [and (2)] to (3) of this section shall be printed in the voters' pamphlet and on the  
 12 ballot. The estimates shall be impartial, simple and understandable and shall include the following  
 13 information:

14        (a) A statement of the amount of financial effect on state, [or] local **or tribal** government  
 15 expenditures, revenues or indebtedness, expressed as a specific amount or as a range of amounts;

16        (b) A statement of any recurring annual amount of financial effect on state, [or] local **or tribal**  
 17 government expenditures, revenues or indebtedness;

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

19        (d) If an estimate is made under subsection [(2)] (3) of this section, a description of the most  
 20 likely financial effect or effects if the measure is not enacted.

21        [(5)] (6) If the financial estimate committee determines that the measure will have no financial  
 22 effect on state, [or] local **or tribal** government expenditures, revenues or indebtedness or that the  
 23 financial effect on state, [or] local **or tribal** government expenditures, revenues or indebtedness will  
 24 not exceed \$100,000, the committee shall prepare and file with the Secretary of State a statement  
 25 declaring that the measure will have no financial effect or that the financial effect will not exceed  
 26 \$100,000. The statement shall be printed in the voters' pamphlet and on the ballot.

27        [(6)] (7) In addition to the estimates described in subsections (1) [and (2)] to (3) of this section,  
 28 if the financial estimate committee considers it necessary, the committee may prepare and file with  
 29 the Secretary of State an impartial, simple and understandable statement explaining the financial  
 30 effects of the measure. The statement may not exceed 500 words. The statement shall be printed in  
 31 the voters' pamphlet with the measure to which it relates.

32        [(7)] (8) The Legislative Administration Committee shall provide any administrative staff assist-  
 33 ance required by the financial estimate committee to facilitate the work of the financial estimate  
 34 committee under this section or ORS 250.127.

35        [(8)] (9) The financial estimate committee is created, consisting of the Secretary of State, the  
 36 State Treasurer, the Director of the Oregon Department of Administrative Services, the Director  
 37 of the Department of Revenue and a representative of a city, county or district with expertise in  
 38 local government finance. The representative of a city, county or district shall be selected by the  
 39 four other members of the financial estimate committee and shall serve for a term of two years that  
 40 begins on March 1 of the odd-numbered year.

41        **SECTION 2.** ORS 250.127 is amended to read:

42        250.127. (1) Not later than the 99th day before a special election held on the date of a primary  
 43 election or any general election at which any state measure is to be submitted to the people, the  
 44 financial estimate committee created under ORS 250.125 shall prepare and electronically file with  
 45 the Secretary of State the estimates described in ORS 250.125 and, if the committee considers it

1 necessary, a statement explaining the financial effects of the measure as described in ORS 250.125  
2 [(6)] (7). The financial estimate committee may begin preparation of the estimates and statement on  
3 the date that a petition is accepted for verification of signatures under ORS 250.105 or the date that  
4 a measure referred by the Legislative Assembly is filed with the Secretary of State, whichever is  
5 applicable.

6 (2) Not later than the 95th day before the election, the Secretary of State shall hold a hearing  
7 in Salem upon reasonable statewide notice to receive suggested changes to the estimates or state-  
8 ment or to receive other information. At the hearing any person may submit suggested changes or  
9 other information orally or in writing. Written suggestions or other information also may be sub-  
10 mitted at any time before the hearing.

11 (3) The financial estimate committee shall consider suggestions and any other information sub-  
12 mitted under subsection (2) of this section, and may file revised estimates or a revised statement  
13 with the Secretary of State not later than the 90th day before the election.

14 (4) Except as provided in subsection (5) of this section, the original estimates and statement and  
15 any revised estimates or statement shall be approved by a majority of the members of the financial  
16 estimate committee. If a member does not concur, the estimates or statement shall show only that  
17 the member dissents. The Secretary of State shall certify final estimates and a final statement not  
18 later than the 90th day before the election at which the measure is to be voted upon. All estimates  
19 and statements prepared under ORS 250.125 and this section shall be made available to the public.

20 (5) If a majority of the members of the financial estimate committee do not approve the esti-  
21 mates or statement, the Secretary of State alone shall prepare, file and certify the estimates or  
22 statement not later than the 88th day before the election at which the measure is to be voted upon  
23 with the data upon which the estimates or statement is based.

24 (6) The support or opposition of any member of the financial estimate committee to the original  
25 or revised estimates or statement shall be indicated in the minutes of any meeting of the committee.  
26 Meetings of the financial estimate committee shall be open to the public. Designees of the members  
27 of the financial estimate committee may attend any meetings of the committee in the place of the  
28 members, but the designees may not vote to approve or oppose any estimates or statement.

29 (7) A failure to prepare, file or certify estimates or a statement under ORS 250.125, this section  
30 or ORS 250.131 does not prevent the inclusion of the measure in the voters' pamphlet or placement  
31 of the measure on the ballot.

32 (8) If the estimates are not delivered to the county clerk by the 61st day before the election, the  
33 county clerk may proceed with the printing of ballots. The county clerk is not required to reprint  
34 ballots to include the estimates or to provide supplemental information that includes the estimates.

35 **SECTION 3. The amendments to ORS 250.125 and 250.127 by sections 1 and 2 of this 2013**  
36 **Act apply to the preparation of financial estimates for which the deadline for filing the esti-**  
37 **mate in ORS 250.127 occurs on or after the effective date of this 2013 Act.**