

SJR 46 STAFF MEASURE SUMMARY

Senate Committee On Rules

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Meeting Dates: 4/19

WHAT THE MEASURE DOES:

Proposes amendment to Oregon Constitution to require identification of proposed source of revenue sufficient to pay for expenditure of public monies required by proposed initiative or legislatively ordered referendum. Prohibits proposed revenue sources from drawing from existing revenues or projected revenue of existing source. Permits legislature to limit expenditure amount from source of revenue associated with initiative or referendum, under certain conditions. Refers proposed amendment to ballot at next general election. Prescribes effective date and repeal date.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

The Oregon Constitution reserves the power of initiative to the people, and provides the people the ability to autonomously propose laws and amendments to the Oregon Constitution, as well as the authority to enact or reject proposed laws and Constitutional amendments. In order to propose an initiative law, an initiative petition receive a number of signatures equal to 6% of the aggregate number of votes cast for gubernatorial candidates at the most recent election for a full term gubernatorial seat. Similarly, in order to propose a Constitutional amendment, an initiative petition must receive a number of qualified signatures equal to 8% of the aggregate number of votes cast for gubernatorial candidates at the most recent election for a full term gubernatorial seat. Initiative petitions must include the text of the proposed law or amendment in its entirety and the petition must be filed with the Secretary of State at least four months prior to the election the measure is to be voted on.

The Oregon Constitution additionally reserves the power of referendum to the people. Through the power of referendum, the people the are permitted to approve or reject any measure, or portion of a measure, that was approved by the Legislative Assembly, with certain exceptions. In order to propose a referendum, a referendum petition must receive a number of qualified signatures equal to 4% of the aggregate number of votes cast for gubernatorial candidates at the most recent election to fill a full term gubernatorial seat. Referendum petitions must be filed with the Secretary of State no later than 90 days after *sine die*. The Oregon Constitution additionally grants the legislature the authority to order a referendum on a measure.

Senate Joint Resolution 46 establishes that a proposed initiative law, Constitutional amendment or legislatively ordered referendum requiring the expenditure of public moneys must include a proposed source of revenue sufficient to biennially fund the required expenditure. SJR 46 prohibits a proposed funding source associated with an initiative or legislatively ordered referendum measure from drawing on an existing revenue source or projected revenues of an existing source. In the event a revenue source is insufficient to cover the expenditure required by an initiative, SJR 46 authorizes the legislature to reduce the expenditure amount to align with the available supply of the revenue source. Additionally, SJR 46 states that the provisions contained within the measure are effective on or after the effective date of SJR 46, and repeals the provisions on January 2, 2022. Lastly, the measure is referred to the ballot at the next statewide general election.