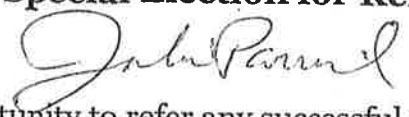


ISSUE BRIEF: SB 229 -A7 | Special Election for Referral

From the Desk of
Representative
Julie Parrish



Background:

Oregon's Constitution allows voters the opportunity to refer any successful measure that does not contain an emergency clause to the general election ballot for a popular referendum. The bill subject to a referendum does not take effect unless it receives a majority "Yes" vote at the election. A voter may initiate a referendum on a measure by obtaining the verified signatures of 4 percent of the all the votes cast for Governor during the last midterm election. For this year, that number is 58,789. A completed referendum petition must be filed no later than 90 days after sine die of the Legislature. The Secretary of State then has 30 days to count the number of verified signatures.

The Constitution disallows the Legislature from using the emergency clause in any law regulating taxes (Art. IX, Section 1a).

Proposed Legislative Change:

With -A7 amendment

The proposed amendment to SB 229 would retain the underlying technical changes to Oregon election law in the bill and add a procedure for the possible referendum of any bill passed during the 2017 Legislative Session.

Special Election for Referred Measures

A special election will take place on *Tuesday, January 23, 2018* in the event that any successful measure from the 2017 Session gets referred to the voters by a successful referendum petition.

Ballot Title and Explanatory Statement for Referred Measure

The amendment created a process for a special joint legislative committee to write the ballot title and explanatory statement for any referred measure. The committee will consist of three Senators appointed by the Senate President and three Representatives appointed by the Speaker. From each chamber, there must be two members of the majority party and one member of the minority party. The ballot title will be printed on the ballot and both the ballot title and explanatory statement will be printed in the voters' pamphlet.

The normal process applies for the creation of a financial impact estimate and the filing of arguments in support and opposition.

Judicial Review of Ballot Titles

Any elector may challenge the ballot title prepared by the special Legislative committee by petitioning the Supreme Court. The Supreme Court can then approve the prepared ballot title or refer the ballot title to the Attorney General for modification.

Secretary of State election administration

The amendment to SB 229 charges the Secretary of State with administering the special election and printing the ballot title and accompanying statements to a special voters' pamphlet. The Secretary of State can set deadlines by rule to carry out the January 23 election.

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Emergency Board Allocation

The amendment creates an appropriation to the Emergency Board for the Secretary of State to recoup costs for the special election.

Contains emergency clause; effective on passage.

Current Status: House Committee on Rules; public hearing held on the original SB 229 on June 13. SB 229 (base bill) passed Senate 28-0 on May 24.

Fiscal Impact Unknown

No Revenue Impact

No Known Support

No Known Opposition