



OREGON STATE SENATE

SB 5016 Clarification

April 20, 2021

Senator Golden & Representative Smith
Subcommittee on General Government & Members
Joint Committee on Ways & Means
Oregon State Capitol

Co-chairs and Honorable Members:

SB 5016 is the Legislative Assembly budget drafted and submitted by the Department of Administrative Services. It is the budget bill for 2021-23. The appropriation for the Legislative Assembly for 2019-21 is SB 5517 which is present law.

SB 5517 from 2019 contains funding for "majority and minority offices of the Senate" for which pursuant to the Oregon Revised Statutes and the Secretary of the State election records the independent caucus members are elected 'minority' party representatives. Under the ORS we are the 'offices' of said election results. SB 5517 budget report from 2019 contains funding for "caucus offices" with no mention of "majority or minority offices" as in the text of the law. There is no FTE listed for any particular member or caucus office. For some odd reason the text of the law is now interpreted by some to mean funding the Democrat party and Republican party caucuses only but zero funding for any other caucus duly elected and recognized by the laws above.

We kindly request the Subcommittee ensure SB 5016 appropriation bill text and budget report clearly state in some manner funding is not restricted to only the Republican Party and Democrat Party caucuses. Such restriction violates the statute and constitution. The independent caucus is entitled to equal representation. The correct language will eliminate any need to seek adjudication from the Oregon Supreme Court along with clarification of the separation of powers instructions to the Legislative Assembly under *State v. Babson (2014)*.

We are happy to work with the committee to submit amendments and language as members may need to move forward. We have asked for clarity from the Department of Administrative Services and Legislative Administration to help move the process along as well.

Respectfully requested,

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