

TESTIMONY ON HB 3348

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Senate Committee on Rules

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HB 3348 would require that any initiative that would result in spending of more \$100,000 and does not specify a funding source would have this in bold print in the Voters' Pamphlet:

"MEASURE SPENDS MONEY WITHOUT IDENTIFYING A FUNDING SOURCE."

I refer to this as the Scarlet Letter Legend. It makes a negative statement about the measure, without in any way quantifying the alleged cost.

There are many problems with this bill. First, it needs to clarify that the \$100,000 spending threshold is an annual one. Without that clarification, the language could be read as requiring the above Scarlet Letter Legend on any initiative that would result in spending of \$100,000 total over any number of years.

Second, this bill effectively ensures that every proposed initiative for an amendment to the Oregon Constitution involving any spending will be tagged with the Scarlet Letter Legend. If a proposed amendment were to specify its funding source, it would be subject to invalidation under Article XVII, § 1, which requires that every initiative proposing to change the Oregon Constitution be limited to one amendment. Specifying a funding source might be considered a second amendment.

Third, this bill only offers a negative statement about any initiative. It offers no positive statement for initiatives that save the government money. How about:

"MEASURE SAVES MONEY FOR THE GOVERNMENT AND TAXPAYERS."

The fact that the bill provides for only a negative statement indicates that it does not impart impartial information to voters but instead imparts only negative information.

This bill may also backfire. It may cause chief petitioners to frequently specify that the funding source for their initiatives is cutting the salaries and other compensation of legislators.