

SB 1180 -3 STAFF MEASURE SUMMARY

Senate Committee On Rules

Prepared By: Leslie Porter, LPRO Analyst

Meeting Dates: 4/16, 5/19

WHAT THE MEASURE DOES:

The measure requires the Secretary of State (SOS) to provide to the Legislative Assembly, by November 1 of each odd-numbered year, a list of prospective petitions with the text, ballot title, and number of filed signatures, and requires the SOS provide updates to that information. For each prospective petition listed, it allows legislative leadership to request the following summaries from the following offices: policy impacts from the Legislative Policy and Research Office; fiscal impacts from the Legislative Fiscal Office; revenue impacts from the Legislative Revenue Office; and, constitutional or legal issues from Legislative Counsel. It establishes that legislative leadership will use this information to determine whether the state would benefit from holding public hearings on any of the prospective petitions.

Fiscal impact: The measure may have a fiscal impact, but a statement has not yet been issued.

Revenue impact: The measure may have a revenue impact, but a statement has not yet been issued.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

-3 The amendment:

- extends the deadline for the delivery of the list of prospective petitions and related information to the Legislative Assembly to December 1 of each odd-numbered year;
- requires the Legislative Policy and Research (LPRO) Director to submit the list of prospective petitions and related information, instead of the Secretary of State (SoS);
- removes the requirement for the SoS to submit updates to the previously submitted information, to the Legislative Assembly;
- Allows legislative leadership to hold informational hearings, instead of public hearings, on prospective petitions, and clarifies when they may take place, which is during:
 - the interim following a regular session in an odd-numbered year;
 - the regular session in an even-numbered year; or
 - the interim following a session in an even-numbered year;
- removes the names of the offices responsible for the impartial information that legislative leadership may request in preparation for a hearing;
- changes the impartial policy information requested, to a "summary that describes the policy," from "policy impact"; and
- requires the Financial Estimate Committee for state measures to include the impartial information requested by legislative leadership in its financial estimates

Fiscal impact: The amendment may have a fiscal impact, but a statement has not yet been issued.

Revenue impact: The amendment may have a revenue impact, but a statement has not yet been issued.

BACKGROUND:

Initiative Petitions

The Oregon Constitution provides voters with three methods to directly change Oregon Revised Statutes (ORS) and the Oregon Constitution: the initiative, the referendum, and the referral. In 1902, 91 percent of voters approved an amendment to the Oregon Constitution to allow for the initiative and referendum processes.

The initiative process gives direct legislative power to the voters to enact new laws, change existing laws, or amend the Oregon Constitution, and all initiatives begin as an idea from one or more citizens. Any person may be a chief petitioner of an initiative petition and act as the primary sponsor, and an initiative may have up to three chief petitioners.

The process begins with the collection of 1,000 sponsorship signatures by the chief petitioner(s) and the submission of the idea to the Secretary of State's office for verification of signatures. If the prospective petition contains the appropriate signatures, it is forwarded to the Attorney General for drafting of the ballot title. In addition, the Secretary of State's office seeks public input and then determines whether the text of the prospective initiative complies with constitutional requirements. All initiative petitions must contain a single subject or closely related subject, include the full text, and be legislative rather than administrative in nature. For constitutional initiative petitions, multiple subjects that are not closely related must be voted on separately, and proposals must amend rather than revise the constitution.

Once a ballot title and summary have been finalized, the Secretary of State notifies the chief petitioner(s) in writing that they may begin circulating signature sheets to collect signatures from registered voters. The Elections Division provides chief petitioners the official templates used to prepare cover and signature sheets for circulation.

The chief petitioner(s) must monitor the collection of signatures and their submission to the Secretary of State. All signatures must be submitted no later than four months prior to the date of the next regularly scheduled General Election (the first Tuesday after the first Monday of November in even-numbered years).

Article IV, Section 1 of the Oregon Constitution establishes the number of signatures that must be gathered for a statutory or constitutional initiative to qualify for the ballot. The number of signatures required is a percentage of the number of votes cast for Governor during the most recent gubernatorial election; six percent for statutory amendments and eight percent for constitutional amendments.

Legislative Policy and Research Office

The Legislative Policy and Research Office (LPRO) is a non-partisan office of the Legislative Assembly. It provides three primary services: committee, language access, and research. The director is charged with several tasks, including: preparing legislative research and facilitating the development of legislative policy, upon request from members of the legislative assembly; and providing advice, assistance, and clerical and administrative services to legislative committees.

Legislative Fiscal Office

The Legislative Fiscal Office is a non-partisan office of the Legislative Assembly. It provides comprehensive research, analysis, and recommendations on the state's biennial budget; evaluates state expenditures, program administration, and agency organization; assists in developing the Legislature's adopted balanced budget; prepares fiscal impact statements on legislative measures; and, publishes detailed analyses, summary documents, and briefs on budget-related topics

Legislative Revenue Office

The Legislative Revenue Office is a non-partisan office of the Legislative Assembly. Its staff provide research and analysis on tax policy and school finance issues for legislators, legislative committees, and their staffs. They also provide revenue impact statements on legislative measures that affect state or local revenue.

Legislative Counsel

Legislative Counsel is a non-partisan office of the Legislative Assembly that provides legal and publication services to the members, committees and staff of the Legislative Assembly. It drafts all legislative measures and

amendments considered by the Legislative Assembly; renders legal opinions and provides informal legal advice to members, committees and staff; publishes the Oregon Revised Statutes and other legal publications; reviews all administrative rules adopted by executive branch agencies for constitutionality and legal sufficiency; and performs other legal services as directed by the Legislative Assembly.