

Submitter: Donna Bleiler
On Behalf Of:
Committee: Senate Committee On Finance and Revenue
Measure, Appointment or Topic: SB1177

I STRONGLY OPPOSE SB 1177.

No matter what the cause, the kicker is to keep legislature spending under control.

"Beginning July 1, 2023, and the estimate made for that biennium pursuant to Article IX, section 14 (1), of the Oregon Constitution, shall be transferred to the Oregon Wildfire Mitigation and Adaptation Fund established under section 3 of this 2025 Act."

Section 14 (1) by (3), currently directs the corporate kicker into public education funding. This bill deals with the personal kicker in Section 14 (4). This bill attempts to avoid Section (4) by only citing (1), but (1) can't be separated from (4) or (5) specifying what reductions can be made, or (6) prohibiting against declaring an emergency in section (1), except by 2/3 vote to increase the amount of the estimate prepared pursuant to subsection (1), which is what Democrats have done the past few biennium to reduce the kicker, but this bill goes beyond that - it adds a permanent change, which can't be called an emergency. Section 14 (1) is not a stand alone section.

Also, Article IX section 1a reads, "No poll or head tax shall be levied or collected in Oregon. The Legislative Assembly shall not declare an emergency in any act regulating taxation or exemption."

In other words, an emergency act is a one-time decrease in the kicker, which is not a complete sweep, and cannot be a permanent change to the workings of the constitution as this bill does.

Section (3) of the bill obligates a biennium expense of \$50 million (reduced by excess interest in the fund), which is fiscally not responsible to fund a cause before you see the need when other more urgent needs may arise. This only proves the point that it violates the constitution as an emergency.