

May 1, 2017



411 S.W. 2nd Avenue
Suite 200
Portland, OR 97204
503-548-2797
info@progpatty.org

Oregon Progressive Party Position on Bill at 2017 Session of Oregon Legislature:

SJR 38: Support

Dear Committee:

The Oregon Progressive Party supports this bill, which offers to Oregon voters an amendment to the Oregon Constitution to require two-thirds majority vote in favor in each chamber of Legislative Assembly to pass bills declaring an emergency.

Currently, it is standard practice to attach "emergency clauses" to most bills, whether or not there is any actual emergency. Some members of the Legislature have reported that about two-thirds of all bills now have such clauses. The effect of those clauses is to immunize those bills, if enacted, from being subjected to voter referendum.

I have seen bills that specify an "operational date" months or even years in the future but also have emergency clauses. Obviously, those bills do not address actual emergencies.

While SJR 38 addresses this problem, we would prefer a referral to voters similar to the text of Initiative Petition 49 (2016), which came close in signatures to qualifying for the November 2016 ballot. It contains some well-considered exceptions to the two-third vote requirement:

(A) Bills passed in direct response to a "catastrophic disaster" declared by the Governor within an emergency legislative session operating under Article X-A of this Constitution.

(B) Bills limited to the biennial appropriation of funding for current and ordinary expenses of state government or Oregon's K—12 public school system in a regular legislative session under Article IV, Section 10(1)(a). "Current and ordinary expenses" shall not include:

(i) Expenditures for activities or programs of agencies, institutions, organizations that were not funded in the prior biennial budget;

(ii) Biennial budget increases to agencies, institutions or organizations in excess of 12% above the prior biennium; or

(iii) Any bills appropriating funds for capital expenditure projects that include an authorization for debt financing that will not be fully repaid in two years.

(C) Bills limited to reducing appropriations in order to balance the state budget during a revenue shortfall.

Those exceptions might be altered. For example, the exception for capital expenditure projects could be extended to debt financing that will not be fully repaid in 5 years or 10 years or 20 years.

The text of Initiative Petition 47 (2016) is here: <http://www.sos.state.or.us/elections/irr/2016/049text.pdf>. Its certified ballot title is here: <http://www.sos.state.or.us/elections/irr/2016/049cbt.pdf>

Oregon Progressive Party

Daniel Meek
authorized legal representative
dan@meek.net
503-293-9021

