

CHAPTER 3

AN ACT HB 4032
 [2002 Second Special Session]

Relating to elections; and declaring an emergency.
Be It Enacted by the People of the State of Oregon:

SECTION 1. Except as provided in this 2002 second special session Act, ORS chapters 250 and 251 apply to the election on the measure submitted under House Joint Resolution 76 (2002 second special session).

SECTION 2. (1) This section applies to the preparation of a ballot title for the measure referred to in section 1 of this 2002 second special session Act.

(2) ORS 250.075 (2) governs the preparation of a ballot title under this section, except that:

(a) The Attorney General shall file a draft ballot title for the measure with the Secretary of State not later than the fifth business day after the measure, or this 2002 second special session Act, is filed with the Secretary of State, whichever date is later; and

(b) The Attorney General shall not send a copy of the draft ballot title to each member of the Legislative Assembly.

(3) ORS 250.067 applies to a ballot title prepared under this section, except that the Secretary of State by rule shall:

(a) Establish a deadline for submitting written comments concerning the draft ballot title; and

(b) Establish a deadline for the Attorney General to certify to the Secretary of State either the draft ballot title or a revised ballot title.

(4) ORS 250.085 does not apply to a ballot title prepared under this section. Subject to subsections (5) and (6) of this section, the ballot title prepared under this section shall be the ballot title printed in the voters' pamphlet and printed on, or included with, the ballot.

(5) Notwithstanding any provision of subsections (1) to (4) of this section, if a measure containing a ballot title prepared by the Legislative Assembly for the measure referred to in section 1 of this 2002 second special session Act becomes law not later than March 20, 2002, the ballot title prepared by the Legislative Assembly shall be the ballot title printed in the voters' pamphlet and printed on, or included with, the ballot.

(6) Notwithstanding any other law, if a measure containing a ballot title prepared by the Legislative Assembly for the measure referred to in section 1 of this 2002 second special session Act does not become law before March 21, 2002, the ballot title prepared under this section shall be the ballot title printed in the vot-

ers' pamphlet and printed on, or included with, the ballot.

SECTION 3. (1) The financial estimate for the measure referred to in section 1 of this 2002 second special session Act shall be prepared according to ORS 250.125 and 250.127, except that the Secretary of State by rule shall:

(a) Establish a deadline for filing the estimate described in ORS 250.125;

(b) Provide for a public hearing on the estimate;

(c) Establish a deadline for filing any revised estimate;

(d) Establish a deadline for certification of the estimate; and

(e) Establish a deadline for preparation, filing and certification of the estimate by the Secretary of State if three of the officials named in ORS 250.125 do not approve the estimate.

(2) ORS 250.131 does not apply to the financial estimate prepared under this section. The financial estimate prepared under this section shall be the financial estimate printed in the voters' pamphlet and on the ballot.

SECTION 4. (1) This section applies to the preparation of an explanatory statement for the measure referred to in section 1 of this 2002 second special session Act.

(2) ORS 251.205 and 251.215 apply to the preparation of the explanatory statement for the measure referred to in section 1 of this 2002 second special session Act, except that the Secretary of State by rule shall establish a deadline for selection of a committee to prepare the explanatory statement, provide for a public hearing on the statement and establish deadlines for filing the statement and any revised statement. The members of the committee shall be selected in the manner provided in ORS 251.205.

(3) Notwithstanding ORS 251.225, if an explanatory statement is not filed by a committee under ORS 251.215, the Legislative Counsel Committee shall prepare an impartial, simple and understandable statement of not more than 500 words explaining the measure. The statement of the Legislative Counsel Committee shall be the explanatory statement of the measure. The Secretary of State by rule shall establish a deadline for filing a statement under this subsection.

(4) ORS 251.235 does not apply to an explanatory statement prepared under this section. The explanatory statement prepared under this section shall be the explanatory statement printed in the voters' pamphlet.

SECTION 5. The Secretary of State may adopt rules governing the procedures for conducting the election on the measure referred to in section 1 of this 2002 second special session

Act as may be necessary to implement this 2002 second special session Act.

SECTION 6. This 2002 second special session Act being necessary for the immediate preservation of the public peace, health and safety, an

emergency is declared to exist, and this 2002 second special session Act takes effect on its passage.

Approved by the Governor March 12, 2002
Filed in the office of Secretary of State March 12, 2002
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