

**REVENUE:** No revenue impact

**FISCAL:** Fiscal statement issued

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<b>Action:</b>	Do Pass as Amended and Be Printed Engrossed and Rescind the Subsequent Referral to the Committee on Ways and Means
<b>Vote:</b>	5 - 0 - 2
<b>Yeas:</b>	Berger, Buckley, Hunt, Thatcher, Rosenbaum
<b>Nays:</b>	-
<b>Exc.:</b>	Esquivel, Roblan
<b>Prepared By:</b>	Jim Stenbridge, Administrator
<b>Meeting Dates:</b>	2/28, 4/4, 5/23

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**WHAT THE MEASURE DOES:** Sets 60-day deadline for Government Standards and Practices Commission (GSPC) to respond to requests for Commission advisory opinions. Allows one 60-day extension. Prohibits penalizing public official if official acted in compliance with GSPC advisory opinion. Sets 30-day deadline for GSPC director to respond to requests for staff advisory opinions. Allows one 30-day extension. Increases maximum civil penalty for violation of government ethics law from \$1,000 to \$5,000. Provides re-write and re-organization of GSPC procedure and rulemaking authority. Extends maximum time for preliminary review from 90 days to 135 days. Extends maximum time for investigation from 120 days to 180 days. Deletes local government exceptions to statements of economic interest filing requirement. Removes "opt-out" provision, thus requiring GSPC respondents to take issue through Administrative Procedures Act adjudication within the agency, rather than going through court. Requires GSPC to make ethics manual and advisory opinions available electronically. Declares emergency, effective July 1, 2007.

**ISSUES DISCUSSED:**

- Duties and processes of the GSPC
- Process used by Oregon Law Commission to develop proposed legislation
- Local officials' efforts to comply with ethics law
- Officials designated to oversee ethics rules
- Official action taken by public officials who are legally disqualified from taking those actions
- Uses to be made of results of proposed audits
- Work of the Oregon law Commission
- Standard contested-case proceedings vs. "opt-out" alternatives

**EFFECT OF COMMITTEE AMENDMENT:** Deletes GSPC appropriation provisions. Adds re-write and re-organization of GSPC procedure (from HB 2596 and SB 496). Deletes local government exceptions to statements of economic interest filing requirement (from SB 497). Removes "opt-out" provision, thus requiring respondents to take issue through Administrative Procedures Act contested-case adjudication within the agency.

**BACKGROUND:** The 2005 Legislative Assembly funded the Oregon Law Commission to do a comprehensive ethics review and to prepare legislative recommendations to address lobbying, campaign finance, and funding the administration of Oregon's government ethics laws. Commission members, impartial in their approach to law reform, include four legislators (or their designees), the Chief Justice of the Oregon Supreme Court, the Attorney General, a governor's appointee, the deans or representatives from each law school in Oregon and three representatives from the Oregon State Bar. In addition to the thirteen Commissioners, over seventy volunteers currently serve on the Commission's work groups. HB 2595-A implements Oregon Law Commission's Government Ethics Work Group recommendations on GSPC organization and structure, violations, and penalties, as well as the generation and use of GSPC advisory opinions. HB 2595-A also adds provisions from three other 2007-session Oregon Law Commission-recommended measures: HB 2596, SB 496, and SB 497.

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*This summary has not been adopted or officially endorsed by action of the committee.*